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containing issues of

THE JOURNAL OF IN-CHAMBERS PRACTICE

and

ALMANAC EXCERPTS



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AUTHORING

RECLAIMING CREDIT WHERE CREDIT IS DUE

Mike Widener[†]

The remarks that open an issue of this journal are usually made by the editor. This time, we've opted to publish a pair of passages from the online catalog that accompanied an exhibition hosted in 2020 by the Lillian Goldman Law Library at Yale Law School: "Precedents So Scrawl'd and Blurr'd: Readers' Marks in Law Books." The exhibition was curated, and the catalog written, by Mike Widener, who was the Goldman Library's Rare Book Librarian from 2006 until his retirement in 2021. The passages we've selected (and gently reformatted to read smoothly in old-fashioned ink on old-fashioned paper) are the introduction and the section that provides the title for these "Opening Remarks." We also have a nice bit of bonus content: Widener's full transcription of Arthur Corbin's irate memorandum. Enjoy. We did.

— *The Editor*

INTRODUCTION

Books are the lawyer's tools and the law student's laboratory, and nothing illustrates this better than the marks that they leave in their books. These marks evoke and document the lived experience of the law. They are a reminder that law is above all a human endeavor.

The volumes selected for this exhibition offer not only human interest, but also significant research potential and insights into the roles of legal literature. They capture the voices of readers, including those who refuse to give the author the final word. They illustrate the work of legal scholarship, including examples from almost two centuries of legal education in the Yale Law School. Some are unique primary sources of case law, legal history, or biography. They provide fodder for historians of the book, but

[†] Faculty member, Rare Book School at the University of Virginia. Copyright 2026 Mike Widener.

also point to a perplexing future for such research as books move into digital formats.

All of these volumes straddle the fluid boundary between manuscript and printed book, and the connections (or disconnections) between text and reader. They represent a small fraction of the annotated books in the Yale Law Library's rare book collection. They demonstrate the value of collecting these artifacts, and constitute the Law Library's invitation to explore them further. ...

AUTHORING: RECLAIMING CREDIT WHERE CREDIT IS DUE

Author[s'] own copies of the books they publish can be particularly interesting if they use them to record their later thoughts on the texts which become frozen and unchangeable once the printing press has done its work (unlike texts we write today and hold in electronic form). They may note corrections, additions, or changes of their ideas, or they may mark them up to become the copy text for later editions which may or may not have come to publication.¹

Henry Wade Rogers, dean of the Yale Law School from 1903 to 1916, was credited as the editor on the title page of *Injunctions* (1906), volume 22 of the American Law Book Company's *Cyclopedia of Law and Procedure* series, while attribution to Arthur Corbin [the leading American contracts scholar of the 20th century] and his co-author John Warren Edgerton was relegated to a footnote on page 724. Corbin inserted an irate memorandum in his copy to set the record straight (see facing page).

"Dean Rogers had been under contract to write this article for nearly 3 years before the publishers employed John and me," writes Corbin. "He never wrote a word with respect to it." Nor did Rogers do any editing. After complaining to the publishers, Corbin and Edgerton won a small fee increase. He added a postscript on the next page: "Dean Rogers never gave me a single suggestion in the preparation of this article. Nor did I ever have any evidence that he *read* the article, either in ms. or in proof. Pres. Dumont of the Law Book Co. told me that Rogers was paid \$700 for 'editing' it." Corbin's note also gives a detailed account of the editorial process.

¹ David Pearson, *Books as History* 121-22 (2012).

AUTHORING: RECLAIMING CREDIT WHERE CREDIT IS DUE

Began work on this about July 12, 1905, and completed it about Feb. 1, 1906. Between 50 and 60 pages of the article, being mainly included within Subdivisions VI and VII, were prepared between Dec 20 and Jan. 24.

Because of the shortness of time involved and the fact that we were both engaged in full-time teaching, John Edgerton and I had to work independently of each other. We divided the paged digest paragraphs, cut from the "Century Digest" and supplied by the publisher, and worked as best we could from them. The actual reading of the cases was generally not possible, altho with respect to V A and V C, I read a great many.

Dean Rogers had been under contract to write this article for nearly 3 years before the publisher employed John and me. He never wrote a word with respect to it.

Edgerton was compelled to employ several others to help him prepare his part, due partly to the fact that between July 12, '05 and Feb. 1906, he courted Marion Zallaudot and married her. ~~Among~~ His assistants were W.R. Pitkin, Frank Bishop and Ernest Wells. My, too, worked separately.

Since Rogers did nothing in "editing" the work thus piecemeal prepared, it is not surprising that the publisher had to do some editing. They had written me, however, that my work was satisfactory.

The publisher had promised to pay Edgerton and me the total sum of \$1600. In the end, they "locked" us \$200 for editorial expenses and sent to me a check for \$1200. I fired it back instantly. Pres. Dumont came to New Haven to see us, admitted that the "editing" ought to have been done by Rogers and that he had received \$700.00 for the work, and then said that he would pay us whatever Dean Rogers would say was just. Rogers, never admitting his receipt of money for work never done, ponderously advised "splitting the difference". As a result, we were paid \$1350.

Arthur I. Corbin

Arthur Corbin's irate memorandum, in Henry Wade Rogers, ed., *Injunctions* (New York: American Law Book Co., 1906) (Cyclopedia of Law and Procedure, v. 22). Gift of Michael A. Varet, Yale '65. <https://search.library.yale.edu/catalog/991002830049708651>.

TRANSCRIPTION OF CORBIN'S IRATE MEMORANDUM

Below is a full transcript of Corbin's note. NB: When Corbin refers to "VA and VC," the "V" should probably be read as "roman numeral 5."

Began work on this about July 12, 1905 and completed it about Feb. 1, 1906. Between 50 and 60 pages of the article, being mainly included within Subdivisions VI and VII, were prepared between Dec. 20 and Jan. 24.

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Arthur L. Corbin

• • •

Editor's note: The full exhibition is online at <https://onlineexhibits.library.yale.edu/s/marks-in-lawbooks/page/introduction>.

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Editor-in-Chief

Ira Brad Matetsky

Contributing Editors

Cynthia J. Rapp & Ross E. Davies

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THE SHADOW DOCKET THRIVES

BUT IN-CHAMBERS OPINIONS REMAIN MORIBUND

Ira Brad Matetsky[†]

We hear of the U.S. Supreme Court’s “shadow docket” – or “emergency docket,” or “interim docket” – everywhere. In recent years, an unusually large number of emergency applications for stays or injunctive relief were presented to and ruled upon by circuit justices or by the Court as a whole. This trend, already on the rise during the Biden presidency, has accelerated even further. In 2025, numerous urgent applications came before the Court, often in momentous cases involving policies of the second Trump Administration. Robust discussion about whether the Court is handling these cases well, both procedurally and substantively, now extends far beyond the group of Supreme Court procedure specialists who are this journal’s regular readers. This has become an everyday topic of conversation for other branches of the legal profession and academy, the press, and at times even the general public.

Indeed, the increased importance of the U.S. Supreme Court’s interim docket has just led SCOTUSblog – a major source for current awareness of the Court’s activities – to create what might be termed a sub-blog on this topic: The Interim Docket Blog, with contributors including Jack Goldsmith, Dan Epps, and William Baude.¹ Goldsmith’s inaugural post explains:

An interim order is a non-final judicial decision that determines which party’s position controls in the interim between the filing of a lawsuit and its final resolution. That sounds boring and technical—and it is. But interim orders are where much of the action has been at the Supreme Court this year and for the last decade. . . .

[†] Partner, Dorf Nelson & Zauderer LLP, New York, N.Y.

¹ <https://www.scotusblog.com/interim-docket-blog/>.

In short, interim orders—especially but not exclusively for issues of executive power—have emerged as a track parallel to merits decisions for the practical resolution of important federal questions.²

In the past, an increase in high-profile emergency applications to circuit justices would have been associated with an increase in in-chambers opinions (ICOs) resolving them. But the trend that we wrote about in these pages a few years ago remains true: the justices have virtually stopped using ICOs as a means of addressing emergency applications.³ Sometimes a justice will grant or deny an application with a docket notation or in a written order, and other times the full Court will rule on the application, in an order or an opinion. But in-chambers opinions – which can be defined for this purpose as substantive, rather than merely decretal, writings by an individual justice explaining his or her ruling on an application – have faded from view. As Professor Steve Vladeck, who authored the book *The Shadow Docket* and writes the leading “One First” law blog, recently observed:

The once-robust practice of writing in-chambers opinions has become largely moribund. . . . Circuit justices [in the past] *regularly* wrote (brief) opinions respecting high-profile emergency applications. The lack of writing in these cases today really does appear to be a byproduct of the post-1980 shift to having so many emergency applications resolved by the full Court – and not a long-settled norm from which contemporary critics are asking the justices to depart.⁴

To a first approximation, Supreme Court justices no longer write in-chambers opinions. In the past decade, there has been just one exception: In 2024, Chief Justice John Roberts authored a one-paragraph ICO in *Navarro v. United States*, reprinted in the opinions section of this issue. One ICO in the past decade, as opposed to dozens of them in some decades past, more-or-less proves the rule that such opinions exist today barely, if at all.

² Jack Goldsmith, “Welcome to the Interim Docket Blog,” *id.* (Dec. 11, 2025).

³ See, e.g., Ira Brad Matetsky, *Introduction: The Current State of In-Chambers Practice*, 6 J. of L. (1 J. of In-Chambers Prac.) 19 (2016).

⁴ Steve Vladeck, “The Cambodia Bombing Case,” <https://www.stevevladeck.com/p/168-the-cambodia-bombing-case>. The editors thank Professor Vladeck for his kind words in this blog post about our in-chambers project.

There was also one recent single-justice opinion by Justice Samuel Alito, Jr. that *could* be classified as an ICO, although Alito and the Court did not label it as one. In *Moore v. United States*, a U.S. senator wrote to the Chief Justice, asking him to cause Alito to recuse himself from the pending case. Consistent with the Court’s practice that each justice decides questions of disqualification or recusal for himself or herself, this request was referred for Alito’s individual consideration. Although under no obligation to do so, Alito penned a short writing explaining his view that he need not, and therefore would not, recuse himself in *Moore*.⁵ This document was headed as “Statement by Justice Alito.” If this “Statement” had been issued by itself and designated for publication by the Court, the editors would classify it as an in-chambers opinion for inclusion in *Rapp’s Reports*, even if not formally labeled as such. But Alito instead appended his statement to a routine court order in the pending case – granting a “motion to dispense with printing the joint appendix” – and so his writing was posted with the “opinions relating to orders” on the Court’s website. We have previously included recusal-related writings of this sort among our ICOs, however designated in the writings themselves, on the theory that they are “written on a question to be decided by [an individual justice] on his own – that is, in chambers – rather than as a member of the Court en banc.”⁶ Some of these were classified by the Court as ICOs while others were not. In this instance, we will defer to the Court’s classification and, by a narrow margin, are denying *Moore* admission to these pages; but the editors will continue to reflect on the ever-vexing question of what is or isn’t an ICO.⁷

⁵ *Moore v. United States*, 600 U.S. ___, 144 S. Ct. 2 (2024) (Statement of Alito, J.), also available at https://www.supremecourt.gov/opinions/22pdf/22-800_1an2.pdf.

⁶ Publisher’s notes to *Public Utilities Comm’n of D.C. v. Pollak*, 4 Rapp 1423 (1952) (Frankfurter, J.); *Microsoft Corp. v. United States*, 4 Rapp 1424 (2000) (Rehnquist, C.J.); and *Cheney v. United States District Court*, 541 U.S. 913, 4 Rapp 1441 (2004) (Scalia, J.). See also *Hanrahan v. Hampton*, 446 U.S. 1301, 3 Rapp 945 (1980) (Rehnquist, J.); *Laird v. Tatum*, 409 U.S. 824, 2 Rapp 560 (1972) (Rehnquist, J.).

⁷ The following year, when 50 U.S. representatives wrote a letter asking Alito to recuse himself from another two cases, Alito responded with a three-page letter addressed to the 50 representatives. The letter was written on Alito’s Supreme Court’s stationery, but was neither an opinion nor an order, and was not posted anywhere on the Court’s website or treated as a judicial writing. Again, we have concluded that this was not an ICO, despite arguable precedents in these pages the other way. For those interested here it is: Letter from Samuel A. Alito Jr. to Rep. Henry C. (“Hank”) Johnson et al. (May 29, 2024), <https://www.scotusblog.com/wp-content/uploads/2024/05/Letter-from-Justice-Alito-to-Congressman-Johnson-et-al.pdf>.

Meanwhile, a few years ago, the Court started publishing some of the circuit justices' orders – as opposed to opinions – granting stays or injunctions on its website. Once in awhile, when signing an “order” rather than an “opinion,” a justice still takes this opportunity to explain his or her reasons for granting or denying an application. These writings can play the same role as an in-chambers opinion even though the order is in a different format and may not be designated for eventual publication in the *United States Reports*.

For example, in November 2025, Justice Ketanji Brown Jackson issued a highly publicized order granting an “administrative stay”⁸ of a First Circuit decision ordering the government to make full payment of SNAP (food-stamp) benefits that had been affected by the government shutdown. A week later, Justice Sonia Sotomayor entered a signed order vacating a stay she had previously granted in a dispute, based on a government representation that it would not transfer certain funds outside the country until a pending petition for certiorari was resolved. These documents were captioned as orders rather than opinions, but their purpose – a justice’s providing a written explanation for a decision made in an individual capacity – is the same as an ICO. A document’s label or physical format has never been the sole determinant of whether it should find a place in *Rapp’s Reports*, and so these two orders are included in this issue.

Although the editors’ search of old archives and manuscript libraries for ICOs of years past has slowed, we continue to hunt down leads when they arise. In this issue we include two orders, with the effect of ICOs, issued by then-Associate Justice William Rehnquist in 1973. The introductory tables in *Rapp’s Reports* show that Rehnquist wrote more known ICOs than any other justice in the Court’s history. He joined the Court in 1972, after ICOs had become eligible for inclusion in the *United States Reports*, but the original set of *Rapp’s Reports* contained a handful of Rehnquist ICOs that had previously gone unpublished. These newfound Rehnquist writings are again in the form of, and each is labeled as, an “order” rather than an opinion, but they contain enough reasoning to warrant inclusion. Further

⁸ The term “administrative stay” refers to a stay granted based entirely on the exigencies of time, to preserve the status quo for long enough to allow a court or justice time to deliberate and rule on an application, without even the preliminary consideration of the merits that is part of an ordinary ruling on a stay or injunction request. A Westlaw search suggests that usage of both this term and the underlying concept are far more common today than they were even a few years ago.

study of the Rehnquist Papers, located at the Hoover Institution Library and Archives in California – and not yet fully open to researchers – may yield more ICOs, and if so, readers of this journal will be the first to know of it.

A final note. In 2020, the Twenty-First Edition of *The Bluebook: A Uniform System of Citations*, updated the citation guidance for ICOs, and listed *Rapp's Reports* as a citable source of ICOs for the first time – a welcome recognition of these reports' value.⁹ The *Bluebook's* Twenty-Second Edition, published in 2025, continues this guidance, although it does not address some minor anomalies previously noted in this column.¹⁰ We will write again to the *Bluebook* editors – it will be nitpicking, but isn't that part of the *Bluebook* editors' job description? – in advance of the Twenty-Third Edition, anticipated for 2030. Meanwhile, we note that the *Bluebook's* chief competitor, the *ALWD Guide to Legal Citation*, now also acknowledges "*Rapp's In-Chambers Opinions*" as a source for ICOs – a source outranked by *United States Reports* or West's *Supreme Court Reporter*, but preferred over the *Lawyer's Edition* or *United States Law Week*.¹¹

With the increased focus on the Supreme Court's [insert-your-own-adjective] docket, and the continuing availability of ICOs through *Rapp's Reports*, we welcome our readers' thoughts on the future of this journal. The editor-in-chief can be reached at imatetsky@dorflaw.com.

⁹ See Ira Brad Matetsky, *In-Chambers Opinions and the Bluebook*, 10 J. of L. (4 J. of In-Chambers Practice) 117, 120-21 (2020).

¹⁰ Compare *id.* at 121 n.23 with *The Bluebook: A Uniform System of Citation* 113-14, 257 (22d ed. 2025).

¹¹ Carolyn V. Williams & Association of Legal Writing Directors, *AWLD Guide to Legal Citation* 76-77 (7th ed. 2021).

5 Rapp no. 17 (1973)

BOARD OF SCHOOL COMMISSIONERS V. U.S.

HEADNOTE

by Ira Brad Matetsky

Source: Papers of William H. Rehnquist, Box 5, the Hoover Institution Library and Archives, Stanford, California.

Opinion by: William H. Rehnquist (given in source).

Opinion date: September 5, 1973 (given in source).

Citation: Board of School Commissioners v. United States, 5 Rapp no. 17 (1973).

Additional information:

This order is typed on an ordinary sheet of paper. It arose from one aspect of decades-long litigation seeking desegregation of the public schools in Indianapolis and, for a time, the surrounding area. Circuit Justice William Rehnquist's order is a practice reminder that, in 1973 as today, the Supreme Court expected lawyers to seek available relief from lower courts before making an emergency application to the Supreme Court. In subsequent history, the Seventh Circuit affirmed the aspects of the District Court order at issue here. *United States v. Board of School Commissioners*, 503 F.2d 68, 78 (7th Cir.), *cert. denied*, 421 U.S. 929 (1974).

OPINION

THE BOARD OF SCHOOL COMMISSIONERS
OF THE CITY OF INDIANAPOLIS, et al.,

Petitioners,

v.

UNITED STATES OF AMERICA,
DONNY BRURELL BUCKLEY, et al.,

Respondents.

ORDER

Petitioners have requested that I stay the portions of the August 20, 1973 District Court order directing Petitioners to assign their professional planning staff wholly to the services of the court-appointed commissioners and, additionally, to apply for available federal funds. After consideration of the briefs submitted in support and opposition, I am satisfied that petitioners did not make specific application to the District Court for stay of these portions of the order. Consequently, the District Court has not had a full opportunity to consider the contentions of the parties on these issues.

The motion to stay the above-mentioned portions of the District Court's order is therefore denied.

/s/ William H. Rehnquist
Associate Justice of the Supreme
Court of the United States
Dated this 5th day
of September 1973

5 Rapp no. 18 (1973)

HOLDER V. BANKS

HEADNOTE

by Ira Brad Matetsky

Source: Papers of William H. Rehnquist, Box 6, the Hoover Institution Library and Archives, Stanford, California.

Opinion by: William H. Rehnquist (given in source).

Opinion date: October 5, 1973 (given in source).

Citation: *Holder v. Banks*, 5 Rapp no. 18 (1973).

Additional information:

This order is typed on an ordinary sheet of paper. Arthur Banks was a federal prison inmate in Indiana, serving a five-year sentence for Vietnam War-era draft evasion. While in prison, he was charged with assaulting a prison guard, a felony, during an inmate demonstration seeking better conditions. Banks retained the nationally known lawyer William M. Kunstler to represent him at his assault trial, but Kunstler was from out-of-state and District Judge Gale Holder refused to allow Kunstler to appear before him *pro hac vice*. The Seventh Circuit granted Banks a writ of mandamus and directed that Kunstler be allowed to represent Banks at his trial. The district judge – “supported by thirty establishment Indiana lawyers,” according to Kunstler’s autobiography – then sought a stay of the Seventh Circuit’s order, which Circuit Justice William Rehnquist granted. Subsequently, the Supreme Court granted certiorari, *Holder v. Banks*, 414 U.S. 1156 (1974), and heard oral argument; but the Court then dismissed the writ, without explanation, as improvidently granted, leaving the Seventh Circuit’s ruling in effect. *Holder v. Banks*, 417 U.S. 187 (1974). Ultimately, Banks was never tried on the assault charge. He was released on a writ of habeas corpus in 1976 and resumed his career as an actor in California. See William M. Kunstler with Sheila Isenberg, *My Life as a Radical Lawyer* 371 (Birch Lane/Citadel Press 1994).

OPINION

A-358

HONORABLE CALE J. HOLDER, UNITED STATES JUDGE,

Petitioner,

v.

ARTHUR BANKS,

Respondent.

ORDER

After careful consideration of the petition and decisions below in this case, I have decided that the Order of the Court of Appeals directing petitioner to permit counsel's appearance *pro hac vice* should be stayed pending petitioner's timely application for a writ of Certiorari in this Court. Since respondent's trial is set for Monday, October 8, 1973, and since a trial without his chosen counsel might moot the questions raised on the merits, the stay is expressly conditioned on continuance of respondent's trial, unless respondent should elect to proceed, during the time allowed petitioner to file a petition for Certiorari. If such petition shall be filed, the stay so conditioned shall continue until this Court disposes of the petition and the case.

It is so ordered.

/s/ William H. Rehnquist
Associate Justice of the Supreme
Court of the United States
Dated this 5th day
of October 1973

5 Rapp no. 19 (2024)

NAVARRO V. U.S.

HEADNOTE

by Ira Brad Matetsky

Source: U.S. Supreme Court website (under “In Chambers Opinions”).

Opinion by: John G. Roberts, Jr. (given in source).

Opinion date: March 18, 2024 (given in source).

Citation: *Navarro v. United States*, 601 U.S. ____, 144 S. Ct. 771, 5 Rapp no. 19 (2024).

Additional information:

This writing, while short, was officially designated by the Court as an in-chambers opinion – the first one in more than a decade. Peter Navarro, who had been convicted and sentenced to four months in prison for contempt of Congress, applied to Chief Justice John Roberts, as Circuit Justice for the D.C. Circuit, for release pending appeal. In this one-paragraph opinion, Roberts denied relief. Navarro then re-presented his application to Justice Neil Gorsuch, who referred it to the full Court, which denied it. *Navarro v. United States*, 144 S. Ct. 1454 (2024); *see also* Steve Vladek, “Shopping for Justices,” <https://www.stevevladeck.com/p/bonus-74-shopping-for-justices> (Apr. 4, 2024) (discussing this case and the “old quirk in the Supreme Court’s rules allowing unsuccessful stay applications to be renewed before another justice). Navarro then surrendered and served his sentence. The Court subsequently denied certiorari. *Navarro v. United States*, 145 S. Ct. 998 (2024).

OPINION

SUPREME COURT OF THE UNITED STATES

No. 23A843

PETER K. NAVARRO *v.* UNITED STATES

ON APPLICATION FOR RELEASE PENDING APPEAL

[March 18, 2024]

CHIEF JUSTICE ROBERTS, Circuit Justice.

The application for release pending appeal under 18 U. S. C. §3143(b) is denied. This application concerns only the question whether the applicant, Peter Navarro, has met his burden to establish his entitlement to relief under the Bail Reform Act. The Court of Appeals disposed of the proceeding on the ground that Navarro “forfeited” any argument in this release proceeding challenging the District Court’s conclusion that “executive privilege was not invoked,” “forfeited any challenge” to the conclusion that relief would not be required in any event because of the qualified nature of executive privilege, and “forfeited any challenge” to the conclusion that apart from executive privilege, he was still obligated to appear before Congress and answer questions seeking information outside the scope of the asserted privilege. Order in No. 24–3006 (DC, Mar. 14, 2024). I see no basis to disagree with the determination that Navarro forfeited those arguments in the release proceeding, which is distinct from his pending appeal on the merits.

5 Rapp no. 20 (2025)

ROLLINS V. RHODE ISLAND STATE COUNCIL OF CHURCHES

HEADNOTE

by Ira Brad Matetsky

Source: U.S. Supreme Court website (under “Orders of the Court”).

Opinion by: Ketanji Brown Jackson (given in source).

Opinion date: November 7, 2025 (given in source).

Citation: Rollins v. Rhode Island State Council of Churches, 5 Rapp no. 20, 2025 WL 3124183 (2025).

Additional information:

This document was issued as an order by Justice Jackson and appeared on the Supreme Court website under the designation “Miscellaneous Order,” but as discussed in the introductory essay to this issue, it had the same effect as an in-chambers opinion and so is included here. The litigation arose during the October-November 2025 federal government shutdown, after the Administration determined that sufficient funds were not available to pay full SNAP (food-stamp) benefits to recipients. Several non-profit groups and municipalities sued the Secretary of Agriculture seeking to compel her to allocate other available funds to fully fund the benefits. The Administration sought an emergency stay from the First Circuit, which denied relief in an abbreviated order stating that a more detailed opinion would follow. The Administration then turned to the Supreme Court and Jackson, as circuit justice for the First Circuit, granted a two-day “administrative stay” to allow the First Circuit to publish its complete decision. Jackson’s issuance of this stay surprised some observers, but others noted that the full Court could have taken control of the stay application and issued a longer-term stay if Jackson had not acted on her own. Indeed, a few days later, the full Court extended the stay for another two days, with Jackson the only noted dissenter. Subsequently, Congress passed and the President signed an appropriation bill, mooting the controversy, and the stay application was withdrawn.

OPINION

Supreme Court of the United States

No. 25A539

BROOKE L. ROLLINS, SECRETARY OF AGRICULTURE, ET AL.,

Applicants,

v.

RHODE ISLAND STATE COUNCIL OF CHURCHES, ET AL.

ORDER

The applicants are seeking a stay of two orders of the United States District Court for the District of Rhode Island, case No. 1:25-cv-569. See D. Ct. Minute Entry (Oct. 31, 2025) and Docket Number 34 (Nov. 6, 2025). These orders require the applicants to fully fund benefits for the Supplemental Nutritional Assistance Program (“SNAP”) for the month of November, and to distribute that funding by the end of the day on November 7, 2025 (today).

Earlier today, the applicants asked the United States Court of Appeals for the First Circuit to stay the District Court’s orders pending appeal, and to issue an administrative stay to facilitate its consideration of that stay motion. At 6:08 p.m., the First Circuit denied the applicants’ request for an administrative stay, but stated that it “intend[s] to issue a decision on [the stay pending appeal] motion as quickly as possible.” *Rhode Island State Council of Churches v. Rollins*, No. 25-2089 (CA1 Nov. 7, 2025).

The applicants filed an application in this Court this evening, requesting a stay of the two District Court orders “pending the disposition of the government’s appeal to the United States Court of Appeals for the First Circuit and, if the court of appeals affirms those orders, pending the timely filing and disposition of a petition for a writ of certiorari in this Court.” Application at 1. The applicants assert that, without intervention from this Court, they will have to “transfer an estimated \$4 billion by tonight” to fund SNAP benefits through November. *Ibid.*

Given the First Circuit’s representations, an administrative stay is required to facilitate the First Circuit’s expeditious resolution of the pending stay motion.

IT IS ORDERED that the District Court's orders are hereby administratively stayed pending disposition of the motion for a stay pending appeal in the United States Court of Appeals for the First Circuit in case No. 25-2089 or further order of the undersigned or of the Court. This administrative stay will terminate forty-eight hours after the First Circuit's resolution of the pending motion, which the First Circuit is expected to issue with dispatch.

/s/ Ketanji Brown Jackson
Associate Justice of the Supreme
Court of the United States

Dated this 7th
day of November, 2025

5 Rapp no. 21 (2025)

DURAN V. U.S.

HEADNOTE

by Ira Brad Matetsky

Source: U.S. Supreme Court website (under “Orders of the Court”).

Opinion by: Sonia Sotomayor (given in source).

Opinion date: November 14, 2025 (given in source).

Citation: *Duran v. United States*, 5 Rapp no. 21, 2025 WL 3186207 (2025).

Additional information:

This document was issued as an order by Justice Sotomayor and appeared on the Supreme Court website under the designation “Miscellaneous Order,” but as discussed in the introductory essay to this issue, it had the same effect as an in-chambers opinion and so is included here. The case involves a efforts to collect a judgment from the estate of the late President of the Philippines, Ferdinand Marcos. The Jardycean nature of Marcos-related litigation is reflected in the fact that allegations of Marcos family corruption were the subject of an in-chambers opinion by then-Chief Justice Warren E. Burger almost 40 years ago – Burger’s last opinion of any kind before retiring from the Court. *Araneta v. United States*, 478 U.S. 1301, 3 Rapp 1243 (1986) (Burger, C.J., in Chambers).

OPINION

Supreme Court of the United States

No. 25A515

JOSE DURAN, INDIVIDUALLY AND AS REPRESENTATIVE
OF A CLASS OF JUDGMENT CREDITORS
OF THE ESTATE OF FERDINAND E. MARCOS,

Applicant

v.

UNITED STATES, ET AL.

ORDER

UPON FURTHER CONSIDERATION of the application of counsel for the applicant and the response filed thereto,

IT IS ORDERED that the stay heretofore issued by the undersigned on November 5, 2025, is hereby vacated. Given the Government's representation that it will not transfer the funds outside of the United States before the disposition of any petition for a writ of certiorari, the application for stay is denied.

/s/ Sonia Sotomayor
Associate Justice of the Supreme
Court of the United States
Dated this 14th
day of November, 2025

ALMANAC EXCERPTS

SELECTED WORKS FROM RECENT EDITIONS OF THE
BAKER STREET ALMANAC

BAKER STREET ALMANAC

AN ANNUAL CAPSULE
OF A
TIMELESS PAST AND FUTURE

2021

IN THE FORM OF A FORMIDABLE SCRAP-BOOK OF 2020,
INCLUDING TREASURES CREATED OR UNCOVERED THEN,
WITH A FEW OTHER ODDS AND ENDS TOSSED IN,
AND A GLANCE AHEAD AT 2021

EDITED BY

ROSS E. DAVIES, JAYANTIKA GANGULY,
IRA BRAD MATETSKY, AND MONICA SCHMIDT

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BAKER STREET ALMANAC

AN ANNUAL CAPSULE OF A TIMELESS PAST AND FUTURE

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for Now*

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Editions: There are two versions of the 2021 *Baker Street Almanac*: the limited *Sense of Humour Edition* (it features an ink-on-paper format, and some copies include a few accessories), and the unlimited *Staunch Witnesses Edition* (it features an electrons-on-internet format, and is free).

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THERE'S A DIFFERENCE IN COW TRACKS

IT was only after overcoming the most baffling obstacles and, finally, detecting a clue in the hoof-marks of a cow that

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(This ad appeared in the May 4, 1911 *New York World*.)

MORE PUZZLED THAN EVER

Ross E. Davies*

This is our fourth *Baker Street Almanac*. For an explanation of why the *Green Bag* launched this ship and why we are so optimistic about its course, please read “Laws of Demand and Supply” in the 2019 edition. It is available on our website (www.greenbag.org).

FRESH DEVELOPMENTS

Our biggest news this year is that Jayantika Ganguly has joined our editorial board as Editor of Scionical and Societal Reports (Global). As you can see from the table of contents, Jay is already expanding our reporting on the global Sherlockian community. This year for the first time we have reports from Hungary and from the web. Welcome Jay!

In addition, we are happy to welcome new authors of two sorts — some who have given us freestanding works, and some who have given us the first installments of what appear to be (and we hope will be) ongoing series.

In the first category we have:

- Jessie Amaolo and Cliff Goldfarb’s thoroughly engaging illustrated tour (and history) of the Arthur Conan Doyle Collection at the Toronto Public Library.
- Mark Jones’s report on the founding and first meeting of The Literary Agents, a Sherlockian-Doylean organization that defies easy definition in conventional terms. Mark nevertheless manages to paint a clear, and appealing, picture.
- Hartley Nathan’s “Arthur Conan Doyle and the C.P.R. Securities.” Hartley gives us new insights into intriguing connections between railroad shares and “The Adventure of Black Peter,” and also an excellent primer on corporate organization and finance.

In the second category we have:

- Zsófia Marincsák’s report on Sherlock in Hungary and Derrick Belanger’s report on his new web-based scion society, Five Miles from Anywhere.
- Reports on the contents of the *Doings of Doyle* podcast (by Mark Jones) and the *Canadian Holmes* journal (by two Marks — Alberstat and Jones).

* Ross Davies is a *Green Bag* editor.

- Reprints of the 2020 issues of the BSI Trust’s newsletter, *For the Sake of the Trust*, edited by Tom Horrocks. We hope this becomes a routine in the same spirit as our republication of Peter Blau’s *Scuttlebutt*.
- A new section, “Ephemeral Treasures, Durable Memories,” in which we hope to share a few of the lovely and entertaining holiday greetings that we receive from kindred spirits. The inaugural edition includes cards from Roger Johnson and Jean Upton, Elaine and Jonathan McCafferty, Thierry Saint-Joanis, Nicholas Utechin, and Burt and Kathi Wolder.

There are, of course, many more people from many more places we would love to hear from, and many more topics on which it would be nice to have annual (or frequent, or occasional) reports and reflections. Here’s hoping we do hear and learn even more in the future. In the same vein, from time to time there can be a quiet year for a group or a topic — or a year that is so hectic that there is no spare time to do a write-up (has anyone had one of those recently?) — and so the occasional absence from the *Baker Street Almanac* of a regular author or group or topic should come as no surprise.

WHISPERS OF “NORBURY”

The 2020 *Baker Street Almanac* was, alas, imperfect. This is a characteristic it shares with all of its predecessors and will probably end up sharing with all its successors. This time around we did not hear from any readers (disappointing), but we did catch an amusing twofer mistake all by ourselves.

On page 4, in the second line under the “Thanks” heading, we misplaced an “e” in a way that resulted in misspellings of both “especially” (we spelled it “espcially”) and “grateful” (we spelled it “grateeful”). We would be proud of our erroneous agility if we weren’t already so embarrassed.

If you catch an error — large or small — please do let us know (email editors@greenbag.org).

ONE OR TWO LITTLE FANCIES

“Past Sherlockians” by Linda and Harrison Hunt is one of the pillars of the little edifice that is the *Baker Street Almanac*. Each year, the Hunts give us a short introductory essay about some interesting aspect of the history of Sherlockian enthusiasm, followed by a gradually growing authoritative register of Sherlockians of special significance or interest who are no longer with us. Their introduction this year includes both a reference to and a reproduction of Frank Morley’s Sherlockian crossword puzzle, which was first published in the May 19, 1934, issue of *The Saturday Review of Literature*.

The Hunts' recollection of Morley's 1934 puzzle brought to mind another episode of Sherlockian crossword-puzzlism: 1924 seems to have been quite a big year for that sort of thing. For example, in the course of a lengthy rant against the rising popularity of crossword puzzles, the author of the "Around the Town" column in the October 28, 1924 issue of *The Reading Times* (of Reading, Pennsylvania) exclaimed:

Even the American Mercury desires to scream at me from its pages that "one who owns a cross word can be his own Sherlock Holmes!"

I am told that Admiral Sims and the governors of half the states are doing cross words. That doesn't worry me. Who is better fitted than an admiral to spend his time cross wording and who has more time for the task than a governor?

A couple of weeks later, the November 10, 1924 issue of *The Capital Times* (of Madison, Wisconsin) delivered this more upbeat association:

<p>Dan Doster were married today. * * * William J. Teckemeyer was elected president of the Chamber of Commerce today. Directors named were: George Sayle, Walter Goll and A. M. Lockard. * * * A son was born to Mr. and Mrs. Frank Kessenich. * * * Michigan beat Pennsylvania, 24-3. * * * The Armenians have offered to aid the allies in the war with Turkey.</p>	<p>Clare Leazer.</p>
<p>Cross Word Puzzle</p>	
<p>BY MARY BURDICK</p>	
<p>Not since the days of the first publication of the Sherlock Holmes stories has there been anything so powerful in drawing the family circle together as the interesting cross-word puzzles which appear in books, magazines and newspapers, and not only delights but educates its devotees.</p>	
<p>Greek and Roman mythology, the inner work-</p>	
<p>ings of machinery, natural history, currency, geography, weights and measures, and (surpassing all these in value) a broad and useful addition to our English vocabulary, come to the participants of the fascinating game. All classes and ages can participate, and from grandparents to kindergarteners, all find the evening Capital Times a source of joy. And the community spirit is aroused throughout the town, as frantic appeals for help go from neighbor to neighbor over the useful telephone and in this wise:</p>	
<p>"Will you tell us who was the mother of Achilles?"</p>	
<p>"Do you know an obsolete term for kiln?"</p>	
<p>"Tell a synonym for religious feeling."</p>	
<p>"May I borrow your French dictionary?"</p>	
<p>And, final and most frequent, "Will you all come over? We have a new one!"</p>	

Then the next month, there was this bit of silliness from the "What They Really Said" section of "Steve's Sunshine and Moonshine" column in the December 1, 1924 issue of *The Knoxville News* (of Knoxville, Tennessee):

Sherlock Holmes — These crossword puzzles are too deep for me.

And, of course, a crossword puzzle was bound to find its way into a Sherlock Holmes story eventually. It happened memorably (and with a couple of amusing legal references) in the December 12, 1924 issue of *The Kansas City Star* (of Kansas City, Missouri¹):

¹ The Great Alkali Plainsmen serve a wider community. See Dan Payton's report on page 93 below.

It's Perfectly Simple if the Cues Don't Lead You Astray

COME, Watson," said Sherlock as he placed the phone back on the stand, "the Inspector has a case for us."

"Ah, so he has raided another boot-legger," I remarked, but Holmes was not inclined to encourage such levity even to the extent of smiling.

We were ushered into the Inspector's office by a turnkey. We found the Inspector in silence, cigar smoke and a blue uniform.

"A most remarkable case has come under our observation," he began, "a man who may be a clever confidence man, or again may be only a nut. One of our men found him talking in synonyms to a perfect stranger at the union station."

"Cross word puzzles?" Holmes suggested.

"No, it isn't that," the Inspector replied.

"A most remarkable case," Holmes commented, for a bad guess always increased his interest.

A MOST REMARKABLE CASE.

"Yes," the Inspector continued, "it is a remarkable case. That is why we have called you. This man apparently has an unusual memory, yet he is unable to tell us his own name. Or, rather, he cannot decide which of several names is his. He has given us six in the last half hour."

"Where is he?" Holmes asked.

The Inspector pressed a button, and a moment later the turnkey ushered in a rather effusive individual. He beamed as his gaze fell on Holmes.



"We found the Inspector in silence, cigar smoke and a blue uniform."

"Ah, my dear fellow," he said, advancing upon Sherlock with outstretched hands,

"perhaps you may help me out of my difficulty. You don't remember me? I remember you perfectly. I met you ten years ago, in London, at a dinner given by Lord Stonehill.

You are Chamber Houses, the great detective, while you," he turned to ward me, "are his boon companion, Lawyer Drink."

A SLIGHT ERROR EXPLAINED.

Holmes raised his eyebrows slightly and coughed discreetly before replying.

"Wrong," he said quietly. "My name is Holmes, Sherlock Holmes, and this is my friend, Dr. Watson."

"Quite so, quite so," the other interjected. "A slight error on my part. Still it is readily understandable. You see I remembered you by association of ideas. When we met I marked that you

seemed to be a fine fellow. One whom the English might term a brick. Brick conjures thoughts of buildings, and the most common building is the house. Just a slight confusion, you understand. The same is true in regard to your first name. The combination of the first syllable of a name for a certain wine and a safeguard for a door. I thought of champagne and bar, when it should have been sherry and lock. As for your friend, I remembered he was a professional man, hence lawyer, and that his name might be remembered by its similarity to that of an Indiana politician. Now there is an Indiana politician whose name may be remembered by its pre-Volsteadian associations. Hence Drink. A perfectly natural mistake, gentlemen; I trust you will pardon me."

"Perhaps you were thinking of Beveridge," the Inspector suggested.

"And a dinner given by Lord Rockliffe, instead of Stonehill," Sherlock added.

ANOTHER MYSTERY SOLVED.

"Yes, yes, so I was," the man replied. "That is it, Beveridge and Rockliffe. I remember the names distinctly, now they have been mentioned. You see it is all so simple. I have a system which enables me to remember anything.

Before evolving my system my memory was remarkably bad. Why, would you believe that I could hardly remember more than my own name? A fact, gentlemen. But now—"

"And what is your name?" Holmes interrupted.

"Ah, now I will show you how my system works. First I remember that both my name

and place of residence may be remembered by association with water. Water suggests ocean. Ocean ships and ships navies. Navies suggest admirals. There you have it," he said triumphantly. "My name is Jones. And my home is Ocean City. My first name may be remembered because it has something to do with figures. Now it is complete. I am Shapely Jones of Ocean City."

He paused a moment in reflection. "Still that doesn't seem quite right. Perhaps it is Multiply Perry of Long Beach. Or maybe—"

Holmes checked him with a gesture. "Stop!" he cried. "Inspector, release this man! He is Addison Sims of Seattle!"

A Question.

From the Iowa Free Press.
"Stop, I've never heard such profanity since the day I was born."
"What were you, a twin or a triplet?"



"Stop!" he cried. "Inspector, release this man!"

Plenty more stuff in the same spirit can be found where those Sherlockian puzzlers came from. There can be no reasonable doubt, however, that Morley's masterpiece remains the unmatched high point in Sherlockian crosswording.

THANKS

The past year was like any other in at least one way: all of us owe thanks to librarians for helping us through it. In this book we emphasize that gratitude with our coverage of the Arthur Conan Doyle Collection at the Toronto Reference Library. Thanks also to Riley Davies, for his reading of *Le Catalogue de la Franco-Midland*. And, finally, thanks to you, reader, for reading. Please do write if you think of something we ought to start or stop doing.

Ross E. Davies
May 5, 2021

p.s. Last year's *Baker Street Almanac* had a few features that prompted a few questions that seemed worthy of elaborate answers. So, we produced a supplement and posted it online. Here it is again, in ink, on paper:



2020 Baker Street Almanac A Supplement

Here are a few questions and answers about this year's *Baker Street Almanac*.

Question #1: I have the *Almanac*. It arrived with a dust jacket/wrapper that is creased or wrinkled or torn. May I have a replacement dust jacket/wrapper so that my *Almanac* will be complete and unspoiled?

Short answer #1: Glad to hear it! Yes, on one condition: that you send us a completed *Almanac* survey card. **Longer answer #1:** We are seeking to build an interactive relationship with our readers. It started last year, with the print edition of the 2019 *Almanac*, which had two reader-participation features. First, there was a survey card in a pocket in the back of the *Almanac*. Readers who completed the survey card (that is, gave short, substantive answers to our questions) and

returned it to us received from us five items (yes, five!) by return mail: (1) the completed survey card they sent us (we scanned it for our own use), (2) a fresh, unmarked survey card (for readers with completionist tendencies), (3) a crisp, clean, neatly folded copy of the “How Watson Learned the Trick” map that was the dust jacket for the *Almanac* that year (and which tended to get creased or wrinkled or torn while serving as a dust jacket), and (4 & 5) our reproductions of a couple of old Sherlockian trading cards. Second, there was a coded puzzle, which started at the ribbons with which the *Almanac* and its dust jacket were sealed. We won’t bore you with the details of what a code-breaker/puzzle-solver achieved or received. Please do not waste any time trying to participate in either of the 2019 *Almanac* reader adventures. Their time has passed.

This year’s *Almanac*, the 2020 edition, also has two reader-participation features. The first involves, again, a survey card in a pocket in the back of the *Almanac*. Readers who complete the survey card (that is, give short, substantive answers to our questions) and return it to us will receive from us three items (and maybe more) by return mail: (1) their completed survey card (we are again scanning them for our own use), (2) a fresh, unmarked survey card (for the completionists), and (3) a crisp, clean, neatly folded copy of the dust jacket/wrapper that encases this year’s *Almanac* (it is an enlarged reproduction of an original Sidney Paget illustration for “The Adventure of the Cardboard Box,” from the Arthur Conan Doyle Collection at the Toronto Public Library — thank you TPL!).

And it is at this point that the discerning reader appreciates our plan. The Paget dust jacket/wrapper is fragile (the paper is good enough to take ink well, but thin enough to break down a bit under the rugged conditions to which dust jackets/wrappers are often subject), and it has been treated roughly by the callous editor who wrapped it round the *Almanac*, and perhaps also by the difficult conditions under which many packages travel. In short, the dust jacket/wrapper has been designed and treated so as to be interesting but imperfect (creased or wrinkled or torn or what have you, sort of like those “distressed” jeans that are so fashionable nowadays) when it arrives in a reader’s hands, in order to inspire readers to complete and return the survey card in the pocket in the back of the *Almanac*. This approach will not work with everyone, of course. Some readers will both (a) not be troubled by an interesting but imperfect dust jacket/wrapper, and (b) not be inclined to complete and return a survey in any event. But that’s OK — we are still happy that they are reading the *Almanac*.

For a few words on the second reader participation opportunity in the 2020 *Almanac*, please see our answers to Question #2.

Question #2: I could not untie the knot in the string tied around the dust jacket/wrapper. So, I had to cut the string. May I have a replacement piece of string so that my *Almanac* will be complete and unspoiled?

Short answer #2: No, for a reason you will like, we expect. **Longer answer #2:** Again, we are seeking to build an interactive relationship with our readers.

Your cutting of the string was your contribution to the completion of the *Almanac*. The *Almanac* always has covered and always will cover many Sherlockian and Doylean topics, but each edition will also have a few special topics on which it bestows extra attention. One of those topics in the 2020 edition is “The Adventure of the Cardboard Box,” which includes this exchange between Holmes and Lestrade:

Lestrade went in and brought out a yellow cardboard box, with a piece of brown paper and some string. There was a bench at the edge of the path, and we all sat down while Holmes examined, one by one, the articles which Lestrade had handed to him.

“The string is exceedingly interesting,” he remarked, holding it up to the light and sniffing at it. “What do you make of this string, Lestrade?”

“It has been tarred.”

“Precisely. It is a piece of tarred twine. You have also, no doubt, remarked that Miss Cushing has cut the cord with a scissors, as can be seen by the double fray on each side. This is of importance.”

“I cannot see the importance,” said Lestrade.

“The importance lies in the fact that the knot is left intact, and that this knot is of a peculiar character.”

“It is very neatly tied. I had already made a note to that effect,” said Lestrade, complacently.

“So much for the string then,” said Holmes, smiling . . .

And there you have it: The string was cut before Holmes ever saw it, and the fact that it was cut was important to his work on the case. String associated with “The Adventure of the Cardboard Box” *should* be cut. You were *supposed* to cut the string. We *wanted* you to. A “Cardboard Box”-themed 2020 *Almanac* tied with an uncut piece of string is not yet complete. So, if you have not yet cut the string, please do!

Question #3: May I have a dust jacket/wrapper?

Short answer #3: No. **Longer answer #3:** We are happy that people like the *Almanac*, and we are even happy that people read it online (for free). We are also happy that people like the *Almanac*’s dust jacket/wrapper. But, alas, we cannot afford to give away everything. Only paying customers get the dust jacket/wrapper (and they — as our answers to Question #1 explain — have to work as well as pay if they want to get a crisp, clean, and neatly folded one!).

p.p.s. The 2020 *Baker Street Almanac* survey-for-wrapper offer expired with the publication of this, the 2021 *Baker Street Almanac*.

p.p.p.s. We are both happy and sad to say that we have no more copies of the 2020 *Baker Street Almanac*. But we do still have a handful of the 2019 edition.

SHERLOCK HOLMES AND LAW 2020

*Ira Brad Matetsky**

January 1, 2020: As the new year opens, three of Arthur Conan Doyle's Sherlock Holmes stories — “The Adventure of the Sussex Vampire,” “The Adventure of the Three Garridebs,” and “The Adventure of the Illustrious Client” — enter the public domain in the United States. Only the last six stories from *The Case-Book of Sherlock Holmes* remain copyrighted in the United States: four until the end of 2021, and two until the end of 2022.

March 13, 2020: A criminal defendant wants to appeal his conviction, but the time to appeal expired long ago. The defendant claims that he asked his lawyer to file a timely appeal and he thought that one was pending. U.S. Magistrate Judge Ronald G. Morgan of the Southern District of Texas does not believe him. Among other grounds for disbelief, “[t]here is no record of [the defendant] contacting this Court or the [appellate court] about the status of any appeal. Indeed, there is no contemporaneous evidence that [defendant] believed that an appeal had been filed on his behalf, which ‘can be likened to the dog that does not bark.’” To support this analogy, Morgan cites a U.S. Supreme Court decision, which in turns cites “A. Conan Doyle, *Silver Blaze*, in *The Complete Sherlock Holmes* 335 (1927).”¹

March 29, 2020: A Chicago school principal alleges a conspiracy to fire her on bogus grounds. Among other defendants, she sues the law firm that previously represented her, alleging that the firm conspired with the school district to discriminate against her. Judge Edmond E. Chang of the U.S. District Court for the Northern District of Illinois finds this implausible: “For [the law firm] to have joined the conspiracy [as plaintiff alleges] would require scheming and planning to rival Sherlock Holmes’ nemesis, Professor Moriarty.”²

June 23, 2020: Conan Doyle Estate Limited, the entity that holds the remaining copyrights on the works of Arthur Conan Doyle, files a lawsuit against the creators of the *Enola Holmes* book series and upcoming film. The action, captioned *Conan Doyle Estate Ltd. v. Springer et al.*,³ is filed in the U.S. District

* Ira Brad Matetsky is “The Final Problem” in the Baker Street Irregulars.

¹ *Cisneros v. United States*, 2020 U.S. Dist. LEXIS 95237, at *40-41 (S.D. Tex. Mar. 13, 2020) (quoting *Chisom v. Roemer*, 501 U.S. 380, 396 n.23 (1991)).

² *Washington v. Hughes Socol Piers Resnick & Dym, Ltd.*, 2020 U.S. Dist. LEXIS 56066, at *14 (N.D. Ill. Mar. 29, 2020). Judge Chang is a repeat citer of the Canon. See *Rivera v. Google Inc.*, 238 F. Supp. 3d 1088, 1099 n.8 (N.D. Ill. 2017) (concluding that “Silver Blaze” should not guide the court’s analysis of legislative history).

³ Case No. 1:20-cv-00610-KG-KK. Copies of key documents can be found at free-sherlock.com.

Court for the District of New Mexico. The Complaint contends that the books and film violate the Estate’s copyrights because, among other things, they depict Sherlock Holmes as expressing emotions and respect for women, which the Estate alleges Holmes did only in the ten remaining stories that are (or until recently were) under copyright. A second count of the Complaint asserts that “Enola Holmes” infringes on trademarks allegedly owned by the Estate. In due course, the defendants all respond to the Complaint and deny any wrongdoing or liability. (See October 30 and December 18 entries.)

July 23, 2020: A federal prisoner serving a life sentence for drug trafficking and money laundering moves for a sentence reduction under the First Step Act. In granting the motion, U.S. District Judge Anthony J. Trenga of the Eastern District of Virginia observes that the defendant has used his time in prison productively. For example, the court notes favorably that the defendant “has engaged in adult education classes in sports biography, Sherlock Holmes, Last of the Mohicans, Ivanhoe, anger management, leadership, and stock market investing, among others.”⁴

August 27, 2020 — In a complex insurance dispute, an insurer (FGIC) asserts that it relied upon the allocation of certain assets in agreeing to provide insurance for a transaction. However, there is no record of FGIC’s having raised any issues about the asset allocation at the time. U.S. District Judge Lewis J. Liman of the Southern District of New York concludes: “Like the dog that did not bark, FGIC’s silence about the asset allocation and after the approval of the FGIC transaction is a powerful clue that FGIC did not rely upon the percentage of prime RMBS or seasoned RMBS in the PCS, but upon other factors, in deciding to provide insurance to Calyon in connection with the Pyxis transaction. *See Arthur Conan Doyle, Silver Blaze, in The Complete Sherlock Holmes* 335 (1930).” The court relies on an earlier Second Circuit decision in which the appeals court similarly observed that “the failure of the dog to bark — its silence when it would ordinarily be heard — was a clue the legendary detective considered in solving the crime.”⁵

September 8, 2020: In another case before the Southern District of New York, eighteen states challenge a new Labor Department rule narrowing the definition of a “joint employer” under the Federal Labor Standards Act. Judge Gregory H. Woods reviews several justifications for the new rule, including that the new rule was merely an interpretation of the prior rule that had been

⁴ *United States v. Day*, 2020 U.S. Dist. LEXIS 133586, at *24 (E.D. Va. July 23, 2020).

⁵ *Financial Guarantee Insurance Co. v. Putnam Advisory Co.*, 2020 U.S. Dist. LEXIS 155918, at *312-13 (S.D.N.Y. Aug. 27, 2020) (quoting *In re Chateaugay Corp.*, 89 F.3d 942, 954 n.1 (2d Cir. 1996)).

in effect for more than eighty years. The judge finds this theory implausible because no other court decision had ever endorsed that interpretation. Woods writes of the Secretary of Labor’s position: “That is thin gruel. If the Department of Labor’s interpretation were ‘clear’ (or even permissible), some court would have probably adopted its rationale. But the Department has found not a one. Over eighty years later, this dog has yet to bark. *Cf.* A. Doyle, *Silver Blaze*, in *The Complete Sherlock Holmes* 335 (1967).⁶

September 9, 2020: A criminal defendant moves for release from pre-trial detention. The court had previously ordered her detained pending trial, but she argues that circumstances have changed owing to the COVID-19 pandemic. To obtain relief, defendant must provide “new evidence” that was not available to her at the time of the earlier determination. U.S. Magistrate Judge Christopher L. Ray of the Southern District of Georgia concludes that she has succeeded in doing so. “While the evidence [the defendant] presented at the [new] hearing may have been available to her when the original detention determination was made, the probative value of that evidence is altered [by the pandemic] in a way that could not have been anticipated at that time.” In other words, “[t]he novelty does [not] arise from the *facts* themselves, but in the *evidentiary value* of those facts. It may be clear from the beginning of an investigation that a dog did not bark in the nighttime. As the context develops, however, that same silence may take on a completely novel significance.” To support this conclusion, the court references “*Silver Blaze*,” in which “Sherlock Holmes deduces from a dog’s failure to bark that it was the trainer who attempted to harm a valuable horse.”⁷

October 12, 2020: During opening statements at the Senate Judiciary Committee hearing on Amy Coney Barrett’s nomination to be a Supreme Court Justice, Senator Ted Cruz (R-Tex.) points out that his Democratic colleagues have focused more on the timing of the nomination than on Judge Barrett’s qualifications for the position. He states, “let me observe as Sherlock Holmes famously observed that what speaks the loudest is the dog that didn’t bark.”

October 30, 2020: The “Film Defendants” in *Conan Doyle Estate v. Springer* file a motion to dismiss the lawsuit. With regard to the copyright claim, the defendants argue that general character traits such as “showing emotions” or “respecting women” are not subject to copyright protection, especially when embodied in a public-domain character. In addition, even if these traits could

⁶ *New York v. Scalia*, 2020 U.S. Dist. LEXIS 163498, at *69 (S.D.N.Y. Sept. 8, 2020).

⁷ *United States v. Dickerson*, 2020 U.S. Dist. LEXIS 186185, at *8 & n.4 (S.D. Ga. Sept. 9, 2020) (quoting *Thomas v. Pierce, Hamilton & Stern, Inc.*, 967 F. Supp. 507, 508 n.2 (N.D. Ga. 1997)).

be copyrighted, Sherlock Holmes repeatedly displayed emotions and respect for women in canonical stories within the public domain — not solely in the handful of stories remaining under copyright, as the Estate asserts. With regard to the trademark claim, defendants argue that trademark protection for titles of expressive works is limited and that trademark protection may not be misused to extend the term of an expired copyright.

November 10, 2020: *The Times* (London) reports that a longstanding mystery surrounding the ownership of the premises renumbered as 221B Baker Street in London has been resolved. (This is a different location from the 221B Baker Street where the Sherlock Holmes Museum is located.) Based on leaked “Panama Papers” data and the results of a law-enforcement “Unexplained Wealth Order” investigation, the owner reportedly turns out to be Dariga Nazarbayeva, a daughter of the President of Kazakhstan.⁸

November 30, 2020: The issue before the court in a patent case is how certain language in the patent should be interpreted. Judge Richard G. Andrews of the District of Delaware analyzes the patent language and concludes that “[b]y process of elimination, a POSA [person of ordinary skill in the art] would understand with reasonable certainty that ‘sulfamide’ is Famotidine Impurity.” In a footnote, he adds, “[i]n this way, it is analogous to Sherlock Holmes in ‘The Adventure of the Beryl Coronet’: ‘[W]hen you have excluded the impossible, whatever remains, however improbable, must be the truth.’”⁹

December 18, 2020: The parties to *Conan Doyle Estate Ltd. v. Springer* file a Stipulation of Voluntary Dismissal, agreeing to the dismissal of all claims in the litigation with prejudice, and thereby ending the case.

December 24, 2020: Proving that canonical allusions in court decisions are an international phenomenon, the High Court of Delhi emphasizes that a failure to follow statutory procedures, as the courts have repeatedly defined them, will invalidate a tax assessment proceeding. Justice Manmohan opens the court’s decision: “‘Elementary My Dear Watson’ is a popular phrase often attributed to Sherlock Homes, the English detective in the works of Sir Arthur Conan Doyle. However, it seems, like the present case highlights, nothing is elementary to the appellant, even when the statute uses clear and explicit language, till the superior courts like the High Court and the Supreme Court repeatedly interpret a section.”¹⁰

⁸ “Strange case of Dariga Nazarbayeva, Mystery Owner of Sherlock Holmes’s Baker Street Address,” *The Times* (Nov. 10, 2020).

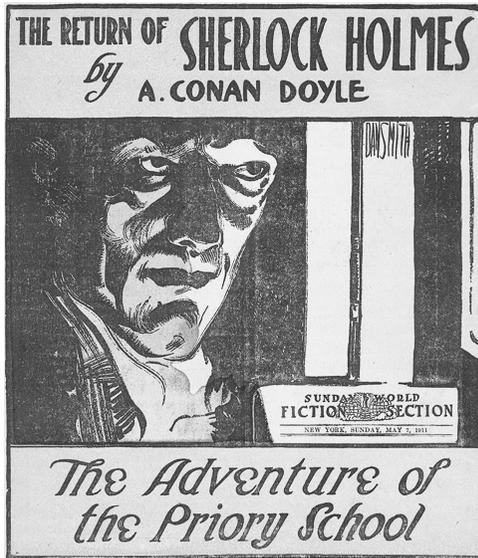
⁹ *Horizon Meds. LLC v. Alkem Labs. Ltd.*, Civil Action No. 18-1014-RGA, 2020 U.S. Dist. LEXIS 222896, at *66 & n.7 (D. Del. Nov. 30, 2020).

¹⁰ *PCIT v. Headstrong Services India Pvt. Ltd.*, ITA 77/2019 (Delhi High Court Dec. 24, 2020).

THE ADVENTURE OF THE PRIORY SCHOOL

by A. Conan Doyle

A NEW ANNOTATED EDITION



The cover of the 1911 New York World edition.

By Dan Smith

Courtesy of Ira Brad Matetsky.

THE ADVENTURE OF THE PRIORY SCHOOL

A NEW ANNOTATED EDITION

*Arthur Conan Doyle, with notes by Phillip Bergem,¹ Peter E. Blau,²
Carla Coupe,³ Greg Darak,⁴ Ross E. Davies,⁵ Carlina de la Cova,⁶
Sabina Hollis,⁷ Harrison Hunt,⁸ Robert S. Katz,⁹ Michael Kean,¹⁰
Francine Kitts,¹¹ Michele Lopez,¹² Nick Martorelli,¹³ Ira Brad Matetsky,¹⁴
Stephen R. McAllister,¹⁵ Michael McSwiggin,¹⁶ Rob Nunn,¹⁷
Constantine Rossakis,¹⁸ Greg Ruby,¹⁹ Andrew Solberg,²⁰ Robert Veld,²¹
Ben Vizoskie,²² Susan Vizoskie,²³ and Beverly Wolov²⁴*

¹ Phillip Bergem is very active in the Norwegian Explorers of Minnesota and enjoys reading the Sherlock Holmes tales and annotating them.

² Peter E. Blau served in the U.S. Navy, is a geologist and journalist, and is the subject of *Peter E. Blau: A Festschrift*.

³ Carla Coupe is a member of Sisters in Crime, the Mystery Writers of America, and the Baker Street Irregulars.

⁴ Greg Darak has co-run The Men on the Tor for the past ten years.

⁵ Ross E. Davies is an editor of *The Baker Street Almanac*.

⁶ Carlina de la Cova, an Associate Professor of Anthropology at the University of South Carolina, was invested in the BSI as “The *Anthropological Journal*.”

⁷ Sabina Hollis is a New York City lawyer and is invested in The Three Garridebs and ASH.

⁸ Harrison Hunt (BSI, “The Something Hunt”) is a retired museum curator and the author of seven history books.

⁹ Robert S. Katz is a retired physician and serves as Co-Publisher of BSI Press.

¹⁰ Michael Kean, a retired publishing executive, is Wiggins of The Baker Street Irregulars.

¹¹ Francine Kitts has been a member of ASH since 1995 and of the BSI since 2004. She was a founding member of the Baskerville Bash.

¹² Michele Lopez has a degree in economics and works for a building materials company in Sardinia, Italy. His BSI investiture is “Attenta, Pericolo.”

¹³ Nick Martorelli is the Headmaster of the Priory Scholars of New York City and leads the group’s story discussions.

¹⁴ Ira Brad Matetsky is “The Final Problem” (BSI) and “The Lawyer Whose Name Was Given in the Paper” (ASH).

¹⁵ Stephen R. McAllister was the United States Attorney for the District of Kansas.

¹⁶ Mike McSwiggin, BSI (“A Seven Percent Solution”) is a practicing pharmacist in Cincinnati.

¹⁷ Rob Nunn is a fifth-grade teacher in Edwardsville, Illinois and the Program Chair for The Beacon Society.

¹⁸ Constantine Rossakis, M.D. is a physician in New Jersey and is invested in the Baker Street Irregulars as “St. Bartholomew’s Hospital.”

¹⁹ Greg D. Ruby is the founder and Gasogene of The Sherlockians of Baltimore and The Fourth Garrideb.

²⁰ Andrew Solberg, BSI, ASH, has been writing and editing Sherlockian books and articles since the 1970s. He lives in Baltimore.

²¹ Robert Veld, an Australian Sherlockian, is the author of the book *The Strand Magazine and Sherlock Holmes* (Gasogene Books/Wessex Press 2012).

²² Ben Vizoskie is an officer of The Three Garridebs of Westchester County, NY and is the photographer for the Baker Street Irregulars.

²³ Susan Vizoskie has long served as an officer of The Three Garridebs of Westchester County (New York) and co-edited *Sherlockian Heresies* with Julie McKuras.

²⁴ Beverly Wolov has an MA in the History of Decorative Arts from the Smithsonian/Corcoran College of Art and Design, with a background in fashion history.

These authors have retained copyright in their work published here: Blau, de la Cova, Hollis, Hunt, Kean, Rossakis, Solberg, Vizoskie (Ben), Vizoskie (Susan), and Wolov.

INTRODUCTION

Ira Brad Matetsky

Annotating the cases of Sherlock Holmes has become a long-standing Sherlockian tradition. It began with William S. Baring-Gould's *The Annotated Sherlock Holmes*, continued with *The Oxford Sherlock Holmes*, and culminated in Leslie S. Klinger's *Sherlock Holmes Reference Library* and *New Annotated Sherlock Holmes*. Citations to these prior annotations appear in the footnotes, together with our current authors' additions to their work.²⁵

When Ross Davies edited the Holmes-themed issues of *The Green Bag Almanac and Reader* for 2015 and 2016, he introduced a new variation: the group annotation. This feature continues annually now that *The Baker Street Almanac* is a stand-alone annual publication. The 2020 *BSA* featured a newly annotated "The Adventure of the Cardboard Box," and this year we turn our attention to "The Adventure of the Priory School."

Our methodology is simple: We ask Sherlockians we think might be interested to contribute an annotation on a selected passage of either their or our choice. We also welcome volunteers, who are invited each year to reread the selected story and propose an annotation topic to us. Each year, some annotators focus on the story itself, while others vary more widely, and some are written within the context of "The Game" while others range outside it.

One topic that is not covered at length in this year's annotations is the handwritten changes found on Arthur Conan Doyle's handwritten manuscript of "The Priory School," or variations between that manuscript and the finished story. We have passed over this topic lightly, not because it is unimportant, but because the information is already available. "The Adventure of the Priory School" was the first canonical manuscript to be reprinted in print, in a small volume published in 1985 by Santa Teresa Press in Santa Barbara, California, in a limited edition of 350 copies that featured an introduction by Len Deighton. Although the book unfortunately does not contain the transcription and other scholarly apparatus found in volumes of the BSI Press Manuscript Series, the manuscript facsimile is clear and legible. At this writing, copies of the volume are readily available from online resellers. Beyond that, Les Klinger's notes to "The Priory School" in the *Memoirs* volume of his *New Annotated Sherlock Holmes* detail the major textual changes in the manuscript or between the manuscript and the published story, and we refer interested readers to that work.

²⁵ Baring-Gould's *The Annotated Sherlock Holmes* will be cited as "WBG"; the *Oxford Sherlock Holmes* volume on *The Memoirs of Sherlock Holmes*, as "OSH: Memoirs"; Klinger's *Reference Library* volume on *The Memoirs*, as "LSK, Ref: Memoirs"; and Klinger's *New Annotated Sherlock Holmes*, as "LSK, 1 New Ann."

The Baker Street Almanac for 2022 will feature a new annotated edition of “The Adventure of the Abbey Grange.” Volunteers are welcome (let’s not always see the same hands!). If you are interested in contributing, please e-mail irabrad221b@gmail.com to let us know, preferably by July 1, 2021.

THE ADVENTURE OF THE PRIORY SCHOOL

By *A. Conan Doyle*

WE have had some dramatic entrances and exits upon our small stage at Baker Street,²⁶ but I cannot recollect anything more sudden and startling than the first appearance of Thorneycroft Huxtable,²⁷ M.A., Ph.D., etc.²⁸ His card,²⁹ which seemed too small to carry the weight of his academic distinctions, preceded him by a few seconds, and then he entered himself — so large, so pompous, and so dignified that he was the very embodiment of self-possession and solidity. And yet his first action, when the door had closed behind him, was to stagger against the table, whence he slipped down upon the floor, and there was that majestic figure prostrate and insensible upon our bearskin hearth-rug.

²⁶ LSK, Ref.: Return, p. 113, n. 1.

²⁷ OSH: Return, p. 359.

²⁸ WBG, vol. 2, p. 607, n. 1; LSK, Ref.: Return, p. 113, n. 2.

²⁹ STEPHEN R. MCALLISTER: Calling cards — small cards identifying oneself — were common in Europe and the United States during the Victorian Era. Men, women, and couples used them as an introduction to new neighbors, to announce or seek a visit, or to convey condolences, congratulation, or signal an extended absence. John H. Young, *Our Department, or the Manners, Conduct and Dress of the Most Refined Society* (F.B. Dickerson & Co. 1881), ch. VII (“Visiting and Calling Cards”); Mrs. E.B. Duffy, *The Ladies and Gentlemen’s Etiquette: A Complete Manual of the Manners and Dress of American Society* (Porter and Coates: Philadelphia 1877), Ch. XV (“Etiquette of Visiting-Cards”); Jenny Ashcraft, *Let Me Leave You My Calling Card*, Fishwrap Blog (Newspapers.com) (Aug. 13, 2020). The card generally was presented to a butler or maid, who placed it on a “salver” or tray (made of metal or porcelain, ranging from plain to elaborate) designed specifically to hold and present cards. Mrs. Hudson presents the card of Miss Mary Morstan on “a brass salver” in *The Sign of Four*, while Billy appears with “his card-tray” in “The Mazarin Stone.” Sometimes, the card was presented immediately, which was always the case in the Canon, and the master or mistress of the house decided whether to receive the visitor, which Holmes always did. But cards also were collected for later review, either to be ignored or returned in an envelope (a snub), or to receive a message or invitation. Early calling cards included a name, sometimes a title, but generally not addresses or any other information. One etiquette guide cautioned against Mr. Thorneycroft Huxtable’s actions: Cards should not “suggest ostentation”; rather, “engraving in simple writing is preferred, and without flourishes.” Young, ch. VII. Later Victorian social cards, however, often included elaborate, colorful decorations, and features such as a name hidden under a liftable flap, while professional cards could include degrees, licenses, and specializations.

In the Canon, a calling card might be a clue, as in “The Three Garridebs” and “The Retired Colourman.” Calling cards also could be powerful: Holmes and Watson used them to gain immediate admission to premises more than once, as in “The Crooked Man,” “The Naval Treaty,” and “The Creeping Man.” How would Sherlock Holmes’s card have looked?

We had sprung to our feet, and for a few moments we stared in silent amazement at this ponderous piece of wreckage, which told of some sudden and fatal storm far out on the ocean of life. Then Holmes hurried with a cushion for his head, and I with brandy for his lips.³⁰ The heavy, white face was seamed with lines of trouble, the hanging pouches under the closed eyes were leaden in color, the loose mouth drooped dolorously at the corners, the rolling chins were unshaven. Collar³¹ and shirt bore the grime of a long

³⁰ MICHAEL KEAN: Brandy was Dr. Watson's universal remedy; his most commonly prescribed cure-all. According to John Bennett Shaw ("Alimentary, my Dear Watson," *The Baker Street Journal*, n.s., vol. 17, no. 2, June 1967), specific libations are mentioned in the Canon seventy-five times. Nineteen of these references are to brandy, and sixteen of those to its use for medicinal purposes. By the time that Dr. Watson rushed to Thorneycroft Huxtable's aid, brandy had already been prescribed in nine previous stories. As in this instance, its most common purpose was as a restorative — for reviving and strengthening those in shock. However, Watson himself became the patient on one occasion, when Holmes uses brandy to revive him after he fainted upon seeing the resurrected detective in "The Empty House."

Brandy is distilled from grape wine, and though it can be produced anywhere, an English gentleman would assume it to be a French Cognac or perhaps an Armagnac. This is likely what was contained in one of the bottles in Holmes' tantalus. However, what Watson kept in his flask while making his medical rounds, is open to conjecture. (Cognac and Armagnac are produced in adjacent eponymous regions, the former aged in barrels of Limousin oak, and the latter in black oak.)

MICHAEL MCSWIGGIN: Watson utilized brandy here in its most common medicinal use in the Canon: as a stimulant. While modern medical practice accurately classifies alcohol as a depressant, during the 19th and early 20th centuries, it was commonly used by physicians as a stimulant. Brandy was generally regarded as the most effective form of alcohol. As *The Lancet* stated in 1902, "brandy is so universally regarded as superior to all other spirits from a medicinal point of view....". Brandy was listed in the *British Pharmacopoeia* during this time, although some contemporary physicians saw the dangers of over-prescribed alcohol and urged that alternatives be developed.

Brandy's efficacy as a stimulant depended upon the specific situation. Alcohol has been shown to temporarily quicken the pulse. With Dr. Huxtable, as occurred often in the Canon, brandy was used to reverse exhaustion or treat fainting. The sudden application of alcohol to the nerves in the mouth may have had more therapeutic effect than the actual ingestion of a small amount of brandy. The other main stimulant use of alcohol at the time was to treat or prevent hypothermia. That use was in vain: while the feeling caused by the brandy gave the illusion of warmth, the alcohol actually caused vasodilation and worsened the hypothermia.

Brandy was indeed also used at the time as a sedative (even in children). Unsurprisingly, brandy was quite efficacious in this regard. Its dangers (in both adult and pediatric populations) are obvious. Other uses for brandy (and alcohol in general) during this time-period included fever reduction, gastric stimulation, angina treatment, inhaled as part of an anesthetic regimen, and a part of diabetic treatment prior to the discovery of insulin. While these uses have fallen away in the modern era, alcohol had some legitimate level of efficacy in each of these examples. Safer treatments have thankfully been developed. See Wilks S., Introduction to a discussion on the effects of alcohol., *Br Med J*. 1891;2:459-464; Anon., Special analytical commission on brandy, *The Lancet*, 1902;2:1503-1518; Leyton O., Discussion on the value of alcohol as a therapeutic agent, *Proc R Soc Med*. 1920;13:49-52; Guly, Henry, Medicinal brandy, *Resuscitation*, 2011 Jul; 82(7-2): 951-954.

³¹ BEVERLY WOLOV: Fashion has always been a means of identifying socio-economic status, and detached collars, in particular, played their part. Frills, ruffs, lace, jabots, and cravats all signaled luxury, financial means, and therefore, status. Adopting the gentleman's crisp, white, standing collar became critical for the aspiring 19th century middle class professional. It differentiated those who

journey, and the hair bristled unkempt from the well-shaped head. It was a sorely stricken man who lay before us.

“What is it, Watson?” asked Holmes.

“Absolute exhaustion — possibly mere hunger and fatigue,” said I, with my finger on the thready pulse, where the stream of life trickled thin and small.³²

“Return ticket³³ from Mackleton, in the north of England,” said Holmes,

wore it from laborers who continued to wear shirts with only a neckband. Unlike a shirt, which could be worn several times because it was hidden beneath waistcoat and coat, collars and cuffs needed frequent replacement to appear fresh. Thus, the nineteenth-century invention of disposable collars and cuffs was a practical and almost necessary invention. Made of paper, cotton, linen, or paper-cloth laminate, they were discarded when soil, wilt, or tear rendered them unusable. The more durable freshen-with-only-a-damp-cloth celluloid collars and cuffs appeared in 1870. Regardless of choice, all disposable collars and cuffs were a less expensive alternative to laundry bills. Certainly Holmes took advantage of disposable replaceability when he made notes on his cuffs in “The Naval Treaty,” as did Dr. Mortimer in *The Hound*. In “The Priory School,” specific note of Thorneycroft Huxtable’s shirt and collar acknowledges his respectable profession while garnering sympathy and adding drama via his uncharacteristic disheveled state. (Note: The phrase “collar and cuffs” is not necessarily a fashion reference. It is also Cockney slang referencing matching (or not) head and private area hair color. Think “bottle blonde.”)

³² CONSTANTINE ROSSAKIS: Despite our (sometimes) romantic and nostalgic views to the contrary, the good Dr. Watson and, dare I say, the literary agent (also notwithstanding a medical pedigree) do occasionally err diagnostically. This passage is such an example of misdiagnosis. It would have been exceedingly improbable that Dr. Huxtable had a syncopal episode (fainted) from “mere hunger and fatigue” given that (a) fatigue does not generally cause syncope, and (b) hunger, with attendant hypoglycemia, would not reverse so quickly (note that Huxtable recovers almost immediately) and certainly not without the administration of oral or parenteral glucose (the latter not a possibility during that time period). Furthermore, hunger and fatigue alone would not cause a thready pulse as described.

“Absolute exhaustion” can, however, cause syncope, albeit not commonly. More serious conditions associated with syncope and a thready pulse can be easily excluded given Dr. Huxtable’s swift recovery (heart attack, ruptured aortic aneurysm, sepsis, cardiogenic shock, serious arrhythmias, heart failure, or stroke). Therefore, Dr. Huxtable almost certainly suffered from significant dehydration, hypotension, and cerebral hypoperfusion, causing his fainting. This would explain the thready pulse, his quick recovery after falling to the floor (with increased blood flow to the brain in the horizontal position), and the lack of any other signs or symptoms.

³³ LSK, Ref.: Return, p. 113, n. 3; LSK, 2 New Ann., p. 933, n. 2. PHILLIP BERGEM: The village of Mackleton is mentioned four times in the story, with Mackleton Station mentioned one additional time. It is identified as being in the north of England, in the peak country, near moors, and in the county of Hallamshire. While there is no town or village named Mackleton in the British Isles, there was an area called Hallamshire, although not a county, within and to the west of the present City of Sheffield. The earliest use of the name was in 1161. Hallamshire lasted as a liberty (a particular division of local government) until the early 1800s. It was also a Parliamentary constituency from 1885 until 1918.

We can get a better sense of the true location of the action through an examination of the original manuscript for the account of “The Priory School,” which was printed by Santa Teresa Press in 1985. In the manuscript, what appeared in print as “Return ticket from Mackleton in the North of England” was originally written as “Return ticket from Castleton in Derbyshire.” The three other instances of “Mackleton” were originally written as “Castleton” as well. (Mackleton Station was originally written that way.) These and other changes from the original manuscript can give clues to the true location of Holderness Hall before Watson or Conan Doyle obscured the details.

drawing it from the watch-pocket.³⁴ “It is not twelve o’clock³⁵ yet. He has certainly been an early starter.”

The puckered eyelids had begun to quiver, and now a pair of vacant grey eyes looked up at us. An instant later the man had scrambled on to his feet, his face crimson with shame.

“Forgive this weakness, Mr. Holmes, I have been a little overwrought. Thank you, if I might have a glass of milk and a biscuit,³⁶ I have no doubt that I should be better. I came personally, Mr. Holmes, in order to insure

When Holmes read out the details of the Duke of Holderness, the address was printed as “Holderness Hall, Hallamshire.” What had originally been written was “Holderness Hall, Lancashire.” Later in the story, when Holmes is examining his map, he said “we are fortunate enough to be able to block the west end also.” Instead of “west” the manuscript had originally read “Manchester.”

A difficulty in our evaluation is that there are two Castletons in England, and both fit the clues provided in the manuscript. One is Castleton, Lancashire, and is now an area of Rochdale, a northern suburb of Manchester. The other Castleton is in Derbyshire, presently located within the Peak District National Park, west of Sheffield and southeast of Manchester. This second Castleton makes more sense as the likely location of Holderness Hall and the Priory School. It is in peak country and close to moors, as was claimed in the story, and the rural setting is more suited for a hall and surrounding estate. Plus, with Manchester being to the west of this area, it fits with both the original word and the substitution.

It is possible that Watson worked with his friend, Arthur Conan Doyle, in making the changes to obscure the true location of events. They may have first thought to keep the name of Castleton, but changing the county from Derbyshire to Lancashire. Then, realizing that was not sufficient, they changed the county name as well. Conan Doyle was somewhat familiar with Sheffield, the region of historical Hallamshire, as he lived there for three weeks in 1878 while acting as a student assistant.

Arthur Conan Doyle had one additional connection with the Castleton, Derbyshire area. In 1910, four years after “The Priory School” was printed, he published “The Terror of Blue John Gap” which was set at the Blue John Cavern, just to the west of Castleton.

³⁴ WBG, vol. 2, p. 607, n. 2; OSH: Return, p. 3591 LSK, Ref.: Return, pp. 113-14, n. 4.

³⁵ OSH: Return, p. 359.

³⁶ FRANCINE KITS: A digestive biscuit is a type of cookie, or biscuit, as they’re called in British English, is a slightly savory cookie with a crumbly texture and a simple flavor. A classic digestive biscuit closely resembles a graham cracker with a rich, nutty flavor and a hint of sweetness from the included sugar. Credit for the invention of the digestive biscuit is typically given to Alexander Grant, an employee of McVitie & Price’s, a company in Scotland. Grant developed the digestive biscuit in the 1800s, and the cookie was at first marketed as a health food, due to the antacid properties of baking soda. Later testing of digestive biscuits has laid this claim to rest. <https://www.wisegeek.com/what-is-a-digestive-biscuit.htm>.

McVitie’s digestive biscuits have become known among fans of The Beatles because they were the cause of an argument between George Harrison and John Lennon during a recording session for the group’s 1969 album *Abbey Road*. Lennon’s wife, Yoko Ono, was allegedly in the recording studio and at one point helped herself to Harrison’s box of McVitie’s while the Beatles were in the control room. Harrison got angry at Ono, and his subsequent outburst caused Lennon to lose his temper in response. Chocolate digestives were the challenge to the bakers in *The Great British Bake Off* and *The Great Canadian Baking Show*. In the ITV television show *Doc Martin*, the character Louisa Glasson (played by Caroline Catz) likes to eat chocolate digestives. Her boyfriend/husband Martin Ellingham (played by Martin Clunes) tries to give her dietary advice. See https://en.wikipedia.org/wiki/Digestive_biscuit

that you would return with me. I feared that no telegram would convince you of the absolute urgency of the case.”

“When you are quite restored — — “

“I am quite well again. I cannot imagine how I came to be so weak. I wish you, Mr. Holmes, to come to Mackleton with me by the next train.”

My friend shook his head.

“My colleague, Dr. Watson, could tell you that we are very busy at present. I am retained in this case of the Ferrers Documents,³⁷ and the Abergavenny murder³⁸ is coming up for trial. Only a very important issue could call me from London at present.”

“Important!” Our visitor threw up his hands. “Have you heard nothing of the abduction of the only son of the Duke of Holderness?”³⁹

“What! the late Cabinet Minister?”⁴⁰

³⁷ WBG, vol. 2, p. 608, n. 3; OSH: Return, p. 359; LSK, Ref.: Return, pp. 114-15, n. 5.

³⁸ WBG, vol. 2, p. 608, n. 4; OSH: Return, p. 360; LSK, Ref.: Return, p. 115, n. 6.

³⁹ OSH: Return, p. 360; LSK, Ref.: Return, p. 115, n. 7; LSK, 2 New Ann. p. 934, n. 3. IRA BRAD MATETSKY: For those not steeped in the intricacies of the ranks of the British upper classes, the various titles of high rank strewn throughout the Canon may blur together. But it is important, in judging the Duke of Holderness’s position, to bear in mind that “Duke” was (and is) the highest (and least common) rank of nobility, ranking below only royalty. “In very approximate figures, nineteenth-century Britain usually had on hand twenty dukes, thirty marquises, two hundred earls, a hundred viscounts, and six hundred barons, as well as a thousand baronets and three thousand knights.” Jo McMurty, *Victorian Life and Victorian Fiction*, p. 26 (Archon Press 1979). In 1910, there were 31 dukes in the United Kingdom, including three royal dukes, twenty-one dukes of the United Kingdom, five Scottish Dukes, and three Irish Dukes. Photographs and biographies of all of them can be found in “A Portfolio of the Dukes of Great Britain and Ireland” in *Pearson’s Magazine*, vol. 29, no. 169 (January 1910), pp. 1-15 (available online at <https://babel.hathitrust.org/cgi/pt?id=osu.32435026218198>).

⁴⁰ OSH: Return, p. 360; LSK, Ref.: Return, p. 115, n. 8; LSK, 2 New Ann. p. 934, n. 4. ROSS E. DAVIES: Is Holmes exclaiming and querying here (as *The Strand* reports, with an exclamation mark after “What” and a question mark at the end of the sentence) or only exclaiming (as *Collier’s* reports, with a mere comma after “What” and an exclamation mark at the end of the sentence)? Your preference may depend on which kind of melodrama you think Holmes was more likely to employ (or Watson was more likely to amplify) in this context (since Holmes surely knew plenty about the status of the Duke already). Either way, the identity of the Duke remains a mystery, “Cabinet Minister” being a term so generic that it encompasses hundreds of people. Or at least it would have been a mystery to a reader when the story was published in 1904.

Today, though, we have access to a facsimile of the original autograph manuscript, courtesy of Marvin Epstein and the Santa Teresa Press. That facsimile reveals that in the original writing, the Duke was identified as “the Foreign Secretary” — not “the late Cabinet Minister.” A look at the strikingly short list of people who could have been that “Foreign Minister” suggests that Watson (or someone else with revisionary influence over the text of the story) opted for the more general “late Cabinet Minister” in order to avoid making the real-world identity of the Canonical Duke glaringly, painfully obvious to any contemporary reader with even the faintest familiarity with the lives of Foreign Secretaries.

There is wide agreement that “The Adventure of the Priory School” took place in May of 1901. At that time, only four Foreign Secretaries were alive: former Secretaries Robert Gascoyne-Cecil, 3rd Marquess of Salisbury b. 1830, d. 1903, served as Foreign Secretary 1878-1880, 1885-1886,

“Exactly. We had tried to keep it out of the papers, but there was some rumor in the *Globe*⁴¹ last night. I thought it might have reached your ears.”

Holmes shot out his long, thin arm and picked out Volume “H” in his encyclopædia of reference.⁴²

“Holderness, 6th Duke, K.G.,⁴³ P.C.”⁴⁴ — half the alphabet! ‘Baron Beverley, Earl of Carston’ — dear me, what a list! ‘Lord Lieutenant⁴⁵ of Hallamshire⁴⁶ since 1900. Married Edith, daughter of Sir Charles Appledore,⁴⁷ 1888. Heir and only child, Lord Saltire.⁴⁸ Owns about two hundred and fifty thousand acres. Minerals in Lancashire and Wales.⁴⁹ Address: Carlton House Terrace;⁵⁰ Holderness Hall,⁵¹ Hallamshire; Carston Castle, Bangor,⁵² Wales. Lord of the Admiralty, 1872; Chief⁵³ Secretary of State for⁵⁴ — Well, well, this man is certainly one of the greatest subjects of the Crown!”⁵⁵

“The greatest and perhaps the wealthiest. I am aware, Mr. Holmes, that you take a very high line in professional matters, and that you are prepared

1887-1892, 1895-1900), Archibald Primrose, 5th Earl of Rosebery (b. 1847, d. 1929, served as Foreign Secretary 1886, 1892-1894), John Wodehouse, 1st Earl of Kimberley (b. 1826, d. 1902, served as Foreign Secretary 1894-1895), and current Secretary Henry Petty-Fitzmaurice, 5th Marquess of Lansdowne (b. 1845, d. 1927, served as Foreign Secretary 1900-1905). All three former Secretaries had lost their spouses in the 1890s and not remarried, which disqualifies all three, since the Duke’s spouse is a critical off-camera character in the story. That leaves only Henry Petty-Fitzmaurice, who was Foreign Secretary at the time of the action in the story and still held that office when the story was published. This identification is also consistent with the absence of the word “late” before “Foreign Secretary” in the original manuscript. Small wonder that no one involved in the publication of “The Priory School” thought identifying the Duke as “the Foreign Secretary,” or even merely the “Foreign Secretary,” was a good idea.

⁴¹ OSH: Return, p. 360; LSK, Ref.: Return, p. 115, n. 9.

⁴² OSH: Return, pp. 360-61; LSK, Ref.: Return, p. 115, n. 10; LSK, 2 New Ann. p. 935, n. 5.

⁴³ LSK, Ref.: Return, p. 116, n. 11.

⁴⁴ WBG, vol. 2, p. 608, n. 5; LSK, Ref.: Return, p. 116, n. 12; LSK, 2 New Ann. p. 935, n. 6.

⁴⁵ LSK, Ref.: Return, p. 117, n. 13; LSK, 2 New Ann. p. 935, n. 7.

⁴⁶ LSK, Ref.: Return, p. 117, n. 14; LSK, 2 New Ann. p. 935, n. 8.

⁴⁷ LSK, Ref.: Return, p. 117, n. 15; LSK, 2 New Ann. p. 936, n. 9.

⁴⁸ LSK, Ref.: Return, p. 117, n. 16.

⁴⁹ PETER E. BLAU: There were many minerals to be found in Lancashire and Wales in Victorian times, but the area was and is best known for its massive deposits of coal, and they undoubtedly made the Duke of Holderness a rich man indeed. It’s not clear just where his 250,000 acres were, but that’s about 390 square miles, and many if not most of them could have been in the coalfields. It’s certainly understandable why the Duke would have had as one of his homes Carston Castle, near Bangor. Anyone who has read Richard Llewellyn’s novel *How Green Was My Valley* (1939) or seen the Oscar award-winning film (1941) will recall what life was like in the coal mines in Wales.

⁵⁰ WBG, vol. 2, p. 609, n. 6; OSH, vol. 2, p. 609, n.6; LSK, Ref.: Return, pp. 117, n. 17

⁵¹ LSK, Ref.: Return, p. 118, n. 18.

⁵² LSK, Ref.: Return, p. 118, n. 19.

⁵³ LSK, Ref.: Return, p. 118, n. 20.

⁵⁴ LSK, Ref.: Return, p. 118, n. 21.

⁵⁵ WBG, vol. 2, p. 609, n.7; LSK, Ref.: Return, p. 118, n. 22; LSK, 2 New Ann. p. 936, n. 11.

to work for the work's sake. I may tell you, however, that his Grace⁵⁶ has already intimated that a check for five thousand pounds⁵⁷ will be handed over to the person who can tell him where his son is, and another thousand to him who can name the man or men who have taken him."

"It is a princely offer," said Holmes.⁵⁸ "Watson, I think that we shall accompany Dr. Huxtable back to the north of England. And now, Dr. Huxtable, when you have consumed that milk, you will kindly tell me what has happened, when it happened, how it happened, and, finally, what Dr. Thornewcroft Huxtable, of the Priory School, near Mackleton, has to do with the matter, and why he comes three days after an event — the state of your chin gives the date — to ask for my humble services."

Our visitor had consumed his milk and biscuits. The light had come back to his eyes and the color to his cheeks, as he set himself with great vigor and lucidity to explain the situation.

"I must inform you, gentlemen, that the Priory is a preparatory school,⁵⁹ of which I am the founder and principal. *Huxtable's Sidelights on Horace*⁶⁰ may possibly recall my name to your memories. The Priory is, without exception, the best and most select preparatory school in England.⁶¹ Lord Leverstoke, the Earl of Blackwater, Sir Cathcart Soames⁶² — they all have intrusted their sons to me. But I felt that my school had reached its zenith when, weeks ago, the Duke of Holderness sent Mr. James Wilder, his secretary, with intimation that young Lord Saltire, ten years old, his only son and heir, was about to be committed to my charge. Little did I think that this would be the prelude to the most crushing misfortune of my life.

"On May 1st the boy arrived, that being the beginning of the summer term.⁶³ He was a charming youth, and he soon fell into our ways. I may tell

⁵⁶ IRA BRAD MATETSKY: "His (or Her) Grace" in the third person, or "Your Grace" in direct address, is the honorific used for dukes, duchesses, and archbishops.

⁵⁷ LSK, Ref.: Return, p. 118, n. 23; LSK, 2 New Ann. p. 936, n. 12.

⁵⁸ LSK, Ref.: Return, p. 118, n. 24; LSK, 2 New Ann. p. 936, n. 13.

⁵⁹ ROB NUNN: Preparatory schools in England typically served children aged 8 to 13 years old. Typically a boarding school, preparatory schools educated and prepared children to enter public, or secondary, schools. The better a child was educated at their "prep" school, the more likely he was to enter into one of the highly selective and well-respected public schools and eventually secure a respectable profession. (WB Stephens, *Education in Britain 1750-1914* (1998)).

⁶⁰ WBG, vol. 2, p. 611, n. 8; OSH: Return, p. 361; LSK, Ref.: Return, p. 118, n. 25.

⁶¹ LSK, Ref.: Return, p. 119, n. 26; LSK, 2 New Ann. p. 937, n. 14.

⁶² OSH: Return, p. 361.

⁶³ HARRISON HUNT: I have questions about this line on two counts, even if Baring-Gould, the Oxford Edition, and Les Klinger do not. The first regards the phrase "summer term." In the period of the story (most set it in May of 1901), and for many years before, English universities set their terms using the ecclesiastical calendar. Thus, Cambridge and a number of other institutions had three terms per year: Michaelmas (October-December), Lent (January-March) and Easter (April-

you — I trust that I am not indiscreet, but half-confidences are absurd in such a case — that he was not entirely happy at home. It is an open secret that the Duke's married life had not been a peaceful one, and the matter had ended in a separation by mutual consent, the Duchess taking up her residence in the south of France. This had occurred very shortly before, and the boy's sympathies are known to have been strongly with his mother. He moped after her departure from Holderness Hall, and it was for this reason that the Duke desired to send him to my establishment. In a fortnight the boy was quite at home with us and was apparently absolutely happy.

“He was last seen on the night of May 13th — that is, the night of last Monday. His room was on the second floor and was approached through another larger room, in which two boys were sleeping. These boys saw and heard nothing, so that it is certain that young Saltire did not pass out that way. His window was open, and there is a stout ivy plant leading to the ground.⁶⁴ We could trace no footmarks below, but it is sure that this is the only possible exit.

“His absence was discovered at seven o'clock on Tuesday morning. His bed had been slept in. He had dressed himself fully, before going off, in his usual school suit of black Eton jacket⁶⁵ and dark grey trousers. There were no

June). Oxford shortened its Easter session and added a fourth term, Trinity, which lasted into July. As Doctor Huxtable's Prioory School catered to the English upper class, it is most likely that he would have adopted this school calendar, having an “Easter” rather than “Summer” term. My second question follows regarding May first as the day Lord Saltire began his attendance at the school. The Easter terms at all schools chronicled in *Whitaker's Almanack* for 1901 ran from mid-April until late June (Oxford until late May). The story has him reporting in mid-term, which is hard to accept, even for the son of “perhaps the wealthiest” man in the realm. These thorny (or Thornycroft) issues may be solved when it is revealed that the University of Edinburgh — where the Literary Agent attended medical school — had a summer session that lasted from May to July.

⁶⁴ IRA BRAD MATETSKY: Although intrepid Sherlockian researchers have conducted practical experiments on several topics of interest (can bicycle tracks reveal the direction of the bicycle's travels? is one well-known example), I am not aware of any hands-on explorations of whether one could use ivy to climb down a wall. If anyone reads this paragraph and decides to try the experiment, *The Baker Street Almanac* and its editors are not responsible for the consequences.

⁶⁵ OSH: Return, p. 362; LSK, Ref.: Return, p. 119, n. 27; LSK, 2 New Ann. p. 937, n. 15. BEVERLY WOLOV: The Eton jacket is a tailored, waist-length jacket, introduced in the early 1800s. Required attire for Eton students 5'4” or shorter, the Eton jacket (as it became known) was colloquially known as a bum freezer because the tailless style did nothing to protect a wearer's backside in winter's freezing temperatures. Older students wore tail coats, a sartorial courtesy extended to all Eton students, regardless of height, in 1967. It is a myth that the Eton jacket color changed from personal choice blue or red to black as a sign of mourning upon the death of George III in 1820. Some students may have worn black, but at best it was temporary. Eton school records show that colored jackets were worn until the 1860s when male clothing, in general, went to dark colors to hide the soot of burgeoning industry. The (tailless) Eton jacket is reputed to have been inspired by the spencer, invented (perhaps unintentionally) in the late 1790s by Earl George John Spencer. Reportedly, Spencer cut the tails off his tailcoat after they were singed because he stood too close to a fire. Another version states he tore the tails off one day because they kept catching on brambles while he was hunting. In any event, the spencer became

signs that anyone had entered the room, and it is quite certain that anything in the nature of cries or a struggle would have been heard, since Caunter,⁶⁶ the elder boy in the inner room, is a very light sleeper.

“When Lord Saltire’s disappearance was discovered, I at once called a roll of the whole establishment — boys, masters, and servants. It was then that we ascertained that Lord Saltire had not been alone in his flight. Heidegger,⁶⁷ the German master, was missing. His room was on the second floor, at the farther end of the building, facing the same way as Lord Saltire’s. His bed had also been slept in, but he had apparently gone away partly dressed, since his shirt and socks were lying on the floor. He had undoubtedly let himself down by the ivy, for we could see the marks of his feet where he had landed on the lawn. His bicycle was kept in a small shed beside this lawn, and it also was gone.⁶⁸

a popular adult outerwear, and in a short time, was translated into a young boys jacket. The style would be adopted by British military officers and become known as the mess jacket. Today, the Eton suit consists of a black tailcoat, white tie, waistcoat (black or grey), and striped pants. The tall hat replaced the mortar board in 1820, but was abandoned for daily wear during World War II when it was considered too awkward to use with gas masks. The tall (top) hat is still worn for special occasions.

⁶⁶ OSH: Return, p. 362.

⁶⁷ OSH: Return, p. 362.

⁶⁸ BEN VIZOSKIE: When Holmes and Watson met in 1881, the word “bicycle” meant the Ordinary Bicycle. Known as the high-wheeler, it was familiarly called the penny-farthing because of its large front wheel and small rear wheel. The cyclist, or wheelman, sat above and just behind the front wheel. The pedals were attached to the front wheel, so each revolution of the pedals resulted in one revolution of that wheel. The larger the front wheel, the faster the bicycle could travel. Because the wheel’s radius was limited by the length of the rider’s inseam, a reasonable top speed was only about 9 mph (60 revolutions per minute on a 50-inch wheel). Other drawbacks included the difficulty of steering and pedaling the same wheel, and the frequent headers that occurred in consequence of the rider’s high and precarious perch. By the time Holmes confronted Moriarty ten years later, the term bicycle referred to the Safety Bicycle, introduced in 1885. As in the vehicle we enjoy today, the wheels were of equal size and the frame was diamond-shaped with the four points at the handlebars, the seat, the rear wheel hub and the pedals. The pedals, between the wheels, were connected to the rear wheel by a geared chain drive. The smaller wheels made the bicycle more stable, thus safer, the placement of the pedals made for easier handling, and the gearing made it possible to attain greater speeds. Pneumatic tires provided a smoother ride, and ball-bearings reduced friction in the wheels, steering, etc.

Bicycles appear in only four canonical adventures: “The Solitary Cyclist,” “The Priory School,” and “The Missing Three-Quarter” all from *The Return*, and *The Valley of Fear*. Paget depicted bicycles in all three short stories, the clearest depiction of a bicycle being in “The Priory School.” “Priory” also has more bicycles than the other stories: Heidegger and James Wilder each had a bicycle and there were several bicycles in the shed. The two bicycles in “The Solitary Cyclist” are ridden by Violet Smith and Mr. Carruthers, while Ted Baldwin rides a bicycle in *The Valley of Fear*. It should also be noted that in “The Missing Three-Quarter,” only one person rides a bicycle; that solitary cyclist is Sherlock Holmes.

There is a widely known quotation from Arthur Conan Doyle regarding the bicycle: “When the spirits are low, when the day appears dark, when work becomes monotonous, when hope hardly seems worth having, just mount a bicycle and go out for a spin down the road, without thought on anything but the ride you are taking.” This was printed in “Cycle Notes” in the January 18, 1896 issue of *Scientific American*, and continues: “I have myself ridden the bicycle most during my practice as a physician

“He had been with me for two years, and came with the best references, but he was a silent, morose man, not very popular either with masters or boys. No trace could be found of the fugitives, and now, on Thursday morning,⁶⁹ we are as ignorant as we were on Tuesday. Inquiry was, of course, made at once at Holderness Hall. It is only a few miles away, and we imagined that, in some sudden attack of homesickness, he had gone back to his father, but nothing had been heard of him. The Duke is greatly agitated, and, as to me, you have seen yourselves the state of nervous prostration to which the suspense and the responsibility have reduced me. Mr. Holmes, if ever you put forward your full powers, I implore you to do so now, for never in your life could you have a case which is more worthy of them.”

Sherlock Holmes had listened with the utmost intentness to the statement of the unhappy schoolmaster. His drawn brows and the deep furrow between them showed that he needed no exhortation to concentrate all his attention upon a problem which, apart from the tremendous interests involved must appeal so directly to his love of the complex and the unusual. He now drew out his notebook and jotted down one or two memoranda.

“You have been very remiss in not coming to me sooner,” said he, severely. “You start me on my investigation with a very serious handicap. It is inconceivable, for example, that this ivy and this lawn would have yielded nothing to an expert observer.”

“I am not to blame, Mr. Holmes. His Grace was extremely desirous to avoid all public scandal. He was afraid of his family unhappiness being dragged before the world. He has a deep horror of anything of the kind.”

“But there has been some official investigation?”

“Yes, sir, and it has proved most disappointing. An apparent clue was at once obtained, since a boy and a young man were reported to have been seen leaving a neighboring station by an early train. Only last night we had news that the couple had been hunted down in Liverpool, and they prove to have no connection whatever with the matter in hand. Then it was that in my despair and disappointment, after a sleepless night, I came straight to you by the early train.”

“I suppose the local investigation was relaxed while this false clue was being followed up?”

“It was entirely dropped.”

and during my work in letters. In the morning or the afternoon, before or after work as the mood o’ertakes me, I mount the wheel and am off for a spin of a few miles up or down the road from my country place. I can only speak words of praise for the bicycle, for I believe that its use is commonly beneficial and not at all detrimental to health, except in the matter of beginners who overdo it.”

⁶⁹ WBG, vol. 2, p. 611, n. 9.

“So that three days have been wasted. The affair has been most deplorably handled.”⁷⁰

“I feel it and admit it.”

“And yet the problem should be capable of ultimate solution. I shall be very happy to look into it. Have you been able to trace any connection between the missing boy and this German master?”

“None at all.”

“Was he in the master’s class?”

“No, he never exchanged a word with him, so far as I know.”

“That is certainly very singular. Had the boy a bicycle?”

“No.”

“Was any other bicycle missing?”

“No.”

“Is that certain?”

“Quite.”

“Well, now, you do not mean to seriously suggest that this German rode off upon a bicycle in the dead of the night, bearing the boy in his arms?”

“Certainly not.”

“Then what is the theory in your mind?”

“The bicycle may have been a blind. It may have been hidden somewhere, and the pair gone off on foot.”

“Quite so, but it seems rather an absurd blind, does it not? Were there other bicycles in this shed?”

“Several.”

“Would he not have hidden a couple, had he desired to give the idea that they had gone off upon them?”

“I suppose he would.”

“Of course he would. The blind theory won’t do. But the incident is an admirable starting-point for an investigation. After all, a bicycle is not an easy thing to conceal or to destroy. One other question. Did anyone call to see the boy on the day before he disappeared?”

“No.”

“Did he get any letters?”

“Yes, one letter.”

“From whom?”

“From his father.”

“Do you open the boys’ letters?”

“No.”

⁷⁰ LSK, Ref.: Return, p. 120, n. 28; LSK, 2 New Ann. p. 938, n. 16.

“How do you know it was from the father?”

“The coat of arms⁷¹ was on the envelope, and it was addressed in the Duke’s peculiar stiff hand. Besides, the Duke remembers having written.”

“When had he a letter before that?”

“Not for several days.”

“Had he ever one from France?”

“No, never.

“You see the point of my questions, of course. Either the boy was carried off by force or he went of his own free will. In the latter case, you would expect that some prompting from outside would be needed to make so young a lad do such a thing. If he has had no visitors, that prompting must have come in letters; hence I try to find out who were his correspondents.”

“I fear I cannot help you much. His only correspondent, so far as I know, was his own father.”

“Who wrote to him on the very day of his disappearance. Were the relations between father and son very friendly?”

“His Grace is never very friendly with anyone. He is completely immersed in large public questions, and is rather inaccessible to all ordinary emotions. But he was always kind to the boy in his own way.”

“But the sympathies of the latter were with the mother?”

“Yes.”

“Did he say so?”

“No.”

“The Duke, then?”

“Good Heavens, no!”

“Then how could you know?”

“I have had some confidential talks with Mr. James Wilder, his Grace’s secretary.⁷² It was he who gave me the information about Lord Saltire’s feelings.”

“I see. By the way, that last letter of the Duke’s — was it found in the boy’s room after he was gone?”

“No, he had taken it with him. I think, Mr. Holmes, it is time that we were leaving for Euston.”⁷³

“I will order a four-wheeler. In a quarter of an hour, we shall be at your service. If you are telegraphing home, Mr. Huxtable, it would be well to allow the people in your neighborhood to imagine that the inquiry is still going on in Liverpool, or wherever else that red herring led your pack. In the meantime

⁷¹ LSK, Ref.: Return, p. 121, n. 29.

⁷² LSK, Ref.: Return, p. 122, n. 30; LSK, 2 New Ann. p. 941, n. 17.

⁷³ WBG, vol. 2, p. 612, n. 10; LSK, Ref.: Return, p. 122, n. 31; LSK, 2 New Ann. p. 941, n. 18.

I will do a little quiet work at your own doors, and perhaps the scent is not so cold but that two old hounds like Watson and myself⁷⁴ may get a sniff of it.”

That evening found us in the cold, bracing atmosphere of the Peak country, in which Dr. Huxtable’s famous school is situated. It was already dark when we reached it. A card was lying on the hall table, and the butler whispered something to his master, who turned to us with agitation in every heavy feature.

“The Duke is here,” said he. “The Duke and Mr. Wilder are in the study. Come, gentlemen, and I will introduce you.”

I was, of course, familiar with the pictures of the famous statesman, but the man himself was very different from his representation. He was a tall and stately person, scrupulously dressed, with a drawn, thin face, and a nose which was grotesquely curved and long. His complexion was of a dead pallor, which was more startling by contrast with a long, dwindling beard of vivid red, which flowed down over his white waistcoat with his watch-chain gleaming through its fringe. Such was the stately presence who looked stonily at us from the center of Dr. Huxtable’s hearthrug.⁷⁵ Beside him stood a very young man, whom I understood to be Wilder, the private secretary. He was small, nervous, alert with intelligent light-blue eyes and mobile features.⁷⁶ It was he who at once, in an incisive and positive tone, opened the conversation.

“I called this morning, Dr. Huxtable, too late to prevent you from starting for London. I learned that your object was to invite Mr. Sherlock Holmes to undertake the conduct of this case. His Grace is surprised, Dr. Huxtable, that you should have taken such a step without consulting him.”

“When I learned that the police had failed — “

“His Grace is by no means convinced that the police have failed.”

“But surely, Mr. Wilder ———”

“You are well aware, Dr. Huxtable, that his Grace is particularly anxious to avoid all public scandal. He prefers to take as few people as possible into his confidence.”

“The matter can be easily remedied,” said the brow-beaten doctor; “Mr. Sherlock Holmes can return to London by the morning train.”

⁷⁴ LSK, Ref.: Return, p. 122, n. 32; LSK, 2 New Ann. p. 941, n. 19.

⁷⁵ NICK MARTORELLI: If this entrance into Baker Street isn’t the most dramatic in the Canon, it is at least in the top three. Consider Watson’s juxtaposition of Huxtable being both pompous and dignified. A man of self-possession and solidity who immediately staggers and collapses. The consummate storyteller, Watson, suggests that an outward appearance of respectability will harbor or conceal contrasting internal temperaments. And if this reminds the reader of Frederick Bryan-Brown’s suggestion that Huxtable’s credentials might be bought rather than earned, perhaps this is the earliest in a canonical story that Watson is tipping his readers to the idea that things will not be what they seem in this tale.

⁷⁶ LSK, Ref.: Return, p. 123, n. 33; LSK, 2 New Ann. p. 942, n. 20.

“Hardly that, Doctor, hardly that,” said Holmes, in his blandest voice. “This northern air is invigorating and pleasant, so I propose to spend a few days upon your moors, and to occupy my mind as best I may. Whether I have the shelter of your roof or of the village inn is, of course, for you to decide.”

I could see that the unfortunate doctor was in the last stage of indecision, from which he was rescued by the deep, sonorous voice of the red-bearded Duke, which boomed out like a dinner-gong.

“I agree with Mr. Wilder, Dr. Huxtable, that you would have done wisely to consult me. But since Mr. Holmes has already been taken into your confidence, it would indeed be absurd that we should not avail ourselves of his services. Far from going to the inn, Mr. Holmes, I should be pleased if you would come and stay with me at Holderness Hall.”

“I thank your Grace. For the purposes of my investigation, I think that it would be wiser for me to remain at the scene of the mystery.”

“Just as you like, Mr. Holmes. Any information which Mr. Wilder or I can give you is, of course, at your disposal.”

“It will probably be necessary for me to see you at the Hall,” said Holmes. “I would only ask you now, sir, whether you have formed any explanation in your own mind as to the mysterious disappearance of your son?”

“No, sir, I have not.”

“Excuse me if I allude to that which is painful to you, but I have no alternative. Do you think that the Duchess had anything to do with the matter?”

The great minister showed perceptible hesitation.

“I do not think so,” he said, at last.

“The other most obvious explanation is that the child has been kidnapped for the purpose of levying ransom. You have not had any demand of the sort?”

“No, sir.”

“One more question, your Grace. I understand that you wrote to your son upon the day when this incident occurred.”

“No, I wrote upon the day before.”

“Exactly. But he received it on that day?”

“Yes.”

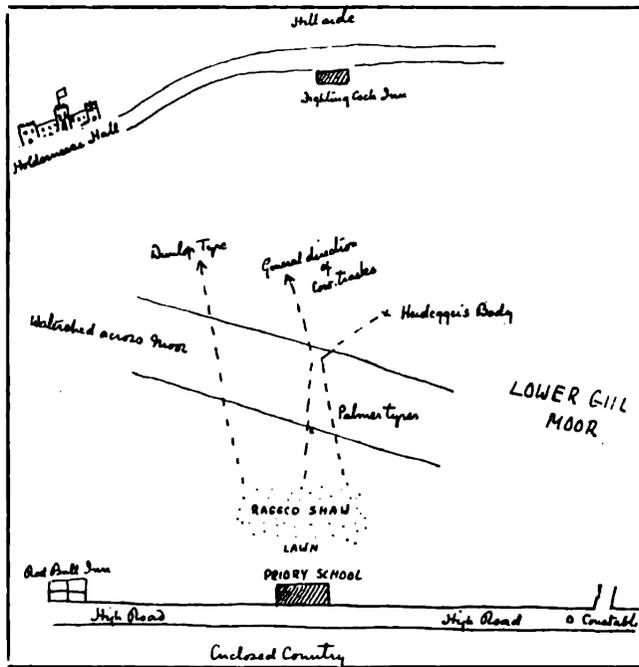
“Was there anything in your letter which might have unbalanced him or induced him to take such a step?”

“No, sir, certainly not.”

“Did you post that letter yourself?”

The nobleman’s reply was interrupted by his secretary, who broke in with some heat.

“His Grace is not in the habit of posting letters himself,” said he. “This letter was laid with others upon the study table, and I myself put them in the post-bag.”



HOLMES' MAP OF THE NEIGHBORHOOD OF THE SCHOOL

"You are sure this one was among them?"

"Yes, I observed it."

"How many letters did your Grace write that day?"

"Twenty or thirty. I have a large correspondence. But surely this is somewhat irrelevant?"

"Not entirely," said Holmes.

"For my own part," the Duke continued, "I have advised the police to turn their attention to the south of France. I have already said that I do not believe that the Duchess would encourage so monstrous an action, but the lad had the most wrong-headed opinions, and it is possible that he may have fled to her, aided and abetted by this German. I think, Dr. Huxtable, that we will now return to the Hall."

I could see that there were other questions which Holmes would have wished to put, but the nobleman's abrupt manner showed that the interview was at an end. It was evident that to his intensely aristocratic nature this discussion of his intimate family affairs with a stranger was most abhorrent, and that he feared lest every fresh question would throw a fiercer light into

the discreetly shadowed corners of his ducal history.

When the nobleman and his secretary had left, my friend flung himself at once with characteristic eagerness into the investigation.

The boy's chamber was carefully examined, and yielded nothing save the absolute conviction that it was only through the window that he could have escaped. The German master's room and effects gave no further clue. In his case a trailer of ivy had given way under his weight, and we saw by the light of a lantern the mark on the lawn where his heels had come down. That one dint in the short, green grass was the only material witness left of this inexplicable nocturnal flight.

Sherlock Holmes left the house alone, and only returned after eleven. He had obtained a large Ordnance map⁷⁷ of the neighborhood, and this he brought into my room, where he laid it out on the bed, and, having balanced the lamp in the middle of it, he began to smoke over it, and occasionally to point out objects of interest with the reeking amber⁷⁸ of his pipe.

"This case grows upon me, Watson," said he. "There are decidedly some points of interest in connection with it. In this early stage, I want you to realize those geographical features which may have a good deal to do with our investigation.

"Look at this map.⁷⁹ This dark square is the Priory School. I'll put a pin in it. Now, this line is the main road.⁸⁰ You see that it runs east and west past the school, and you see also that there is no side road for a mile either way. If these two folk passed away by road, it was this road."

"Exactly."

"By a singular and happy chance, we are able to some extent to check what

⁷⁷ LSK, Ref.: Return, p. 125, n. 34. CARLA COUPE: Beloved by hikers and tourists, Ordnance Survey maps provide detailed information about a county or other region, including roads, paths, buildings, fields, rivers, monuments, etc. The idea for creating a series of detailed maps was first proposed in 1747, after the 1745 Scottish uprising made it clear to military commanders that they needed better information about the terrain. It was initially part of the Board of Ordnance, providing the maps with their martial name. Surveyors and engineers first tackled mapping Scotland, and in the late 18th century moved to England's south-west coast, where the threat of a French invasion had convinced the military of the need to accurately map the coastal counties. The first Ordnance Survey map of an English county was published in 1801 for Kent, but maps for all of Great Britain were not completed until 1870.

Holmes would have, no doubt, purchased the most up-to-date Ordnance Survey map of the area, surveyed from 1889 to 1892, and published in 1894. The complete set of local maps consisted of a single-sheet six-inch map — that is, six inches to the mile — along with 16 sub-sheets at 25 inches to the mile. The school buildings, the Ragged Shaw, Holderness Hall, and the Chesterfield high road would be easily identifiable on the six-inch map, but details of field use, types of open ground, walking paths, and even individual trees would be more readily visible on the larger-scale maps.

⁷⁸ LSK, Ref.: Return, p. 125, n. 35.

⁷⁹ OSH: Return, p. 362; LSK, Ref.: Return, p. 125, n. 36.

⁸⁰ LSK, Ref.: Return, p. 125, n. 37; LSK, 2 New Ann. p. 945, n. 21.

passed along this road during the night in question. At this point, where my pipe is now resting, a county constable was on duty from twelve to six. It is, as you perceive, the first cross-road on the east side. This man declares that he was not absent from his post for an instant,⁸¹ and he is positive that neither boy nor man could have gone that way unseen. I have spoken with this policeman to-night and he appears to me to be a perfectly reliable person. That blocks this end. We have now to deal with the other. There is an inn here, the Red Bull,⁸² the landlady of which was ill. She had sent to Mackleton for a doctor, but he did not arrive until morning, being absent at another case. The people at the inn were alert all night, awaiting his coming,⁸³ and one or other of them seems to have continually had an eye upon the road. They declare that no one passed. If their evidence is good, then we are for-

⁸¹ LSK, Ref.: Return, p. 125, n. 38; LSK, 2 New Ann. p. 945, n. 22.

⁸² OSH: Return, p. 363.

⁸³ ROBERT S. KATZ: The interactions between wealth, social position, and the availability of medical care are subjects that are of vital importance today. Yet, they have always been issues of significance and controversy. Novels such as Mika Waltari's *The Egyptian* take us back several millennia, but highlight the chasm between medical care available to the rich and powerful and what little was offered to the poor. Perhaps the finest novelization of this issue can be found in AJ Cronin's magnificent work *The Citadel*, first published in 1937, which demonstrates the temptations facing a young physician in caring for the rich, while desiring to provide treatment to all those who need it, regardless of status. Cronin, himself a physician, was very likely familiar with the Sherlock Holmes stories (who wasn't?) and perhaps the lines above reverberated in his subconscious.

But it must be recalled that the Holmes stories were themselves written by a physician. Arthur Conan Doyle had a broad experience of medical life before he devoted himself to full-time writing. He served on a whaler, saw poor patients in the clinics and demonstrations at his medical school, and practiced in less than affluent areas. His brief experience as a London eye physician was notably unsuccessful and he never achieved the success associated with a Harley Street practice. While we can endlessly speculate as to what ailed the landlady, the diagnosis is not the significant point here. What matters is that she was in an area with limited physician availability and had to suffer through the night until aid could arrive. Is there any question that Lord Holderness would have been able to summon a physician at any time of day or night and that the doctor would arrive as quickly as a hansom could carry him? One could argue that Conan Doyle subtly uses the Canon to highlight the inequality inherent to health care in his day. This story shows what happens to a landlady of a country inn.

In "The Missing Three-Quarter," a noted physician, Dr. Leslie Armstrong, takes a close and direct personal involvement in the case. In "The Blanched Soldier," Holmes, a man of influence and fame, can arrange for England's leading dermatologist, Sir James Saunders, to travel with him to verify a diagnosis. The accuracy of the humble local physician's diagnosis stands in stark contrast to what a renowned expert brings to the case. Would Emsworth have spent his life in isolation had not Holmes had access to such an elevated level of experience and expertise? And when Holmes himself needs medical care in "The Illustrious Client," he turns to Sir Leslie Oakshott, who apparently even makes house calls to Baker Street! Conan Doyle never explicitly points out the gap between rich and poor, obscure and famous, powerless and powerful, when it comes to access to the medical profession. He spaces his examples throughout the Canon. Nevertheless, if one regards the Canon as an organic whole (as it should be regarded), then there really is a *gestalt* here. Conan Doyle's sensitivity and sensibility about medicine, with all of its socioeconomic implications, shows, yet again, the many facets of this remarkable physician-author.

tunate enough to be able to block the west, and also to be able to say that the fugitives did not use the road at all.”

“But the bicycle?” I objected.

“Quite so. We will come to the bicycle presently.⁸⁴ To continue our reasoning: if these people did not go by the road, they must have traversed the country to the north of the house or to the south of the house. That is certain. Let us weigh the one against the other. On the south of the house is, as you perceive, a large district of arable land, cut up into small fields, with stone walls between them. There, I admit that a bicycle is impossible. We can dismiss the idea. We turn to the country on the north. Here there lies a grove of trees, marked as the ‘Ragged Shaw,’⁸⁵ and on the farther side stretches a great rolling moor, Lower Gill⁸⁶ Moor, extending for ten miles and sloping gradually upward.⁸⁷ Here, at one side of this wilderness, is Holderness Hall, ten miles⁸⁸ by road, but only six across the moor. It is a peculiarly desolate plain. A few moor farmers have small holdings, where they rear sheep and cattle.⁸⁹ Except these, the plover and the curlew are the only inhabitants until you come to the Chesterfield high road. There is a church there, you see, a few cottages, and an inn. Beyond that the hills become precipitous. Surely it is here to the north that our quest must lie.”

“But the bicycle?” I persisted.

“Well, well!” said Holmes, impatiently. “A good cyclist does not need a high road. The moor is intersected with paths, and the moon was at the full.⁹⁰ Halloa! what is this?”

There was an agitated knock at the door, and an instant afterwards Dr. Huxtable was in the room. In his hand he held a blue cricket-cap with a white chevron on the peak.⁹¹

“At last we have a clue!” he cried. “Thank heaven! at last we are on the dear boy’s track! It is his cap.”⁹²

“Where was it found?”

“In the van of the gipsies who camped on the moor. They left on Tuesday. To-day the police traced them down and examined their caravan. This was found.”

⁸⁴ LSK, Ref.: Return, p. 126, n. 39; LSK, 2 New Ann. p. 946, n. 23.

⁸⁵ LSK, Ref.: Return, p. 129, n. 51.

⁸⁶ LSK, Ref.: Return, p. 126, n. 40.

⁸⁷ OSH: Return, p. 363; LSK, Ref.: Return, p. 126, n. 41; LSK, 2 New Ann. p. 946, n. 24.

⁸⁸ LSK, Ref.: Return, p. 126, n. 42; LSK, 2 New Ann. p. 946, n. 25.

⁸⁹ LSK, Ref.: Return, p. 126, n. 43; LSK, 2 New Ann. p. 946, n. 26.

⁹⁰ WBG, vol. 2, p. 616, n. 11.

⁹¹ OSH: Return, p. 360.

⁹² LSK, Ref.: Return, p. 127, n. 44.

“How do they account for it?”

“They shuffled and lied — said that they found it on the moor on Tuesday morning. They know where he is, the rascals! Thank goodness, they are all safe under lock and key. Either the fear of the law or the Duke’s purse will certainly get out of them all that they know.”

“So far, so good,” said Holmes, when the doctor had at last left the room. “It at least bears out the theory that it is on the side of the Lower Gill Moor that we must hope for results. The police have really done nothing locally, save the arrest of these gipsies. Look here, Watson! There is a water-course across the moor. You see it marked here in the map. In some parts it widens into a morass. This is particularly so in the region between Holder-nesse Hall and the school. It is vain to look elsewhere for tracks in this dry weather,⁹³ but at that point there is certainly a chance of some record being left. I will call you early to-morrow morning, and you and I will try if we can throw some little light upon the mystery.”

The day was just breaking when I woke to find the long, thin form of Holmes by my bedside. He was fully dressed, and had apparently already been out.

“I have done the lawn and the bicycle shed,” said he. “I have also had a rumble through the Ragged Shaw. Now, Watson, there is cocoa⁹⁴ ready in the next room. I must beg you to hurry, for we have a great day before us.”

His eyes shone, and his cheek was flushed with the exhilaration of the

⁹³ WBG, vol. 2, p. 616, n. 10.

⁹⁴ MICHELE LOPEZ: In the late 19th century, drinking cocoa was a widespread habit in Britain. The popular belief credited Sir Hans Sloane for the introduction of the recipe that mixed cacao, milk, and sugar. This is an important connection for Sherlockians, because the great physician, collector, and naturalist, founder of the British Museum, is cited in “The Three Garridebs” (“I shall be the Hans Sloane of my age.”) Sloane was certainly the first to bring a sample of the cacao plant to England (from Jamaica, in 1689) and to describe its medicinal properties. But he was probably not the first to have the idea of the milk-cacao recipe (see Wendy Moore, “Hans Sloane’s bitter taste of success,” *British Medical Journal* 340, no. 7760 (June 2010): 1366.) The idea probably originated from Sloane’s description of the unpleasant taste of chocolate prepared in the Spanish fashion (“I found it in great quantity, nauseous, and hard of digestion, which I suppose came from its great oiliness.” *Hans Sloane, A Voyage to the Islands Madera, Barbados, Nieves, S. Christophers and Jamaica*, Vol. 1. London: Printed by B.M. for the author (1707)). After Sloane’s death in 1753, cocoa and milk chocolate were marketed with the commercial slogan “Sir Hans Sloane’s Original Recipe” as early as 1777 by Nicholas Sanders of 8 Greek Street, Soho, London, and his successors, Sanders and White and then William White and Son (“Trade card of Edward & John White, chocolate and cocoa dealers,” The British Museum website, https://www.britishmuseum.org/collection/object/P_Heal 38-39.) By 1825, the Cadbury Brothers company marketed its milk chocolate bar with a similar slogan. In Holmes’s and Watson’s day, this was one of the most widespread brands of chocolate and cocoa and it is possible that the nourishing drink that the detective had prepared for his friend was still, at least by name, made with the great naturalist’s “original recipe”.

master workman who sees his work lie ready before him.⁹⁵ A very different Holmes, this active, alert man, from the introspective and pallid dreamer of Baker Street. I felt, as I looked upon that supple figure, alive with nervous energy, that it was indeed a strenuous day that awaited us.

And yet it opened in the blackest disappointment. With high hopes we struck across the peaty,⁹⁶ russet moor, intersected with a thousand sheep paths, until we came to the broad, light-green belt which marked the morass between us and Holderness. Certainly, if the lad had gone homeward, he must have passed this, and he could not pass it without leaving his traces. But no sign of him or the German could be seen. With a darkening face my friend strode along the margin, eagerly observant of every muddy stain upon the mossy surface. Sheep-marks there were in profusion, and at one place, some miles down, cows had left their tracks. Nothing more.⁹⁷

“Check number one,” said Holmes, looking gloomily over the rolling expanse of the moor. “There is another morass down yonder, and a narrow neck between. Halloa! halloa! halloa! what have we here?”

We had come on a small black ribbon of pathway. In the middle of it, clearly marked on the sodden soil, was the track of a bicycle.

“Hurrah!” I cried. “We have it.”

But Holmes was shaking his head, and his face was puzzled and expectant rather than joyous.

“A bicycle, certainly, but not the bicycle,” said he. “I am familiar with forty-two different impressions left by tires.⁹⁸ This, as you perceive, is a Dunlop,⁹⁹ with a patch upon the outer cover.¹⁰⁰ Heidegger’s tires were Palmer’s, leaving longitudinal stripes.¹⁰¹ Aveling,¹⁰² the mathematical master, was sure upon the point. Therefore, it is not Heidegger’s track.”

“The boy’s, then?”

“Possibly, if we could prove a bicycle to have been in his possession. But this we have utterly failed to do. This track, as you perceive, was made by a rider who was going from the direction of the school.”

“Or towards it?”

“No, no, my dear Watson. The more deeply sunk impression is, of

⁹⁵ LSK, Ref.: Return, p. 127, n. 45; LSK, 2 New Ann. p. 947, n. 27.

⁹⁶ LSK, Ref.: Return, p. 127, n. 46.

⁹⁷ LSK, Ref.: Return, p. 128, n. 47; LSK, 2 New Ann. p. 948, n. 28.

⁹⁸ LSK, 2 New Ann. p. 948, n. 29.

⁹⁹ WBG, vol. 2, p. 617, n. 13; OSH: Return, pp. 357, 363; LSK, Ref.: Return, p. 128, n. 48; LSK, 2 New Ann. p. 948, n. 30.

¹⁰⁰ LSK, Ref.: Return, p. 113, n. 49.

¹⁰¹ LSK, 2 New Ann. p. 948, n. 31; LSK, 2 New Ann. p. 950, n. 33.

¹⁰² OSH: Return, pp. 363-34.

course, the hind wheel, upon which the weight rests. You perceive several places where it has passed across and obliterated the more shallow mark of the front one. It was undoubtedly heading away from the school.¹⁰³ It may or may not be connected with our inquiry, but we will follow it backwards before we go any farther.”

We did so, and at the end of a few hundred yards lost the tracks as we emerged from the boggy portion of the moor. Following the path backwards, we picked out another spot, where a spring trickled across it. Here, once again, was the mark of the bicycle, though nearly obliterated by the hoofs of cows. After that there was no sign, but the path ran right on into Ragged Shaw, the wood which backed on to the school. From this wood the cycle must have emerged. Holmes sat down on a boulder and rested his chin in his hands. I had smoked two cigarettes before he moved.¹⁰⁴

“Well, well,” said he, at last. “It is, of course, possible that a cunning man might change the tires of his bicycle in order to leave unfamiliar tracks. A criminal who was capable of such a thought is a man whom I should be proud to do business with. We will leave this question undecided and hark back to our morass again, for we have left a good deal unexplored.”

We continued our systematic survey of the edge of the sodden portion of the moor, and soon our perseverance was gloriously rewarded. Right across the lower part of the bog lay a miry path. Holmes gave a cry of delight as he approached it. An impression like a fine bundle of telegraph wires ran down the center of it. It was the Palmer tires.

“Here is Herr Heidegger, sure enough!” cried Holmes, exultantly. “My reasoning seems to have been pretty sound, Watson.”

“I congratulate you.”

“But we have a long way still to go. Kindly walk clear of the path. Now let us follow the trail. I fear that it will not lead very far.”

We found, however, as we advanced that this portion of the moor is intersected with soft patches, and, though we frequently lost sight of the track, we always succeeded in picking it up once more.

“Do you observe,” said Holmes, “that the rider is now undoubtedly forcing the pace? There can be no doubt of it. Look at this impression, where you get both tires clear. The one is as deep as the other. That can only mean that the rider is throwing his weight on to the handle-bar, as a man does when he is sprinting. By Jove! he has had a fall.”

There was a broad, irregular smudge covering some yards of the track.

¹⁰³ WBG, vol. 2, p. 617, n. 14; LSK, Ref.: Return, p. 128, n. 50; LSK, 2 New Ann. p. 949, n. 32.

¹⁰⁴ LSK, Ref.: Return, p. 129, n. 52.

Then there were a few footmarks, and the tire reappeared once more.

“A side-slip,” I suggested.

Holmes held up a crumpled branch of flowering gorse. To my horror I perceived that the yellow blossoms were all dabbled with crimson. On the path, too, and among the heather were dark stains of clotted blood.

“Bad!” said Holmes. “Bad! Stand clear, Watson! Not an unnecessary footstep! What do I read here? He fell wounded — he stood up — he remounted — he proceeded. But there is no other track. Cattle on this side path. He was surely not gored by a bull? Impossible! But I see no traces of anyone else. We must push on, Watson. Surely, with stains as well as the track to guide us, he cannot escape us now.”

Our search was not a very long one. The tracks of the tire began to curve fantastically upon the wet and shining path. Suddenly, as I looked ahead, the gleam of metal caught my eye from amid the thick gorse-bushes. Out of them we dragged a bicycle, Palmer-tired, one pedal bent, and the whole front of it horribly smeared and slobbered with blood. On the other side of the bushes a shoe was projecting. We ran round, and there lay the unfortunate rider. He was a tall man, full-bearded, with spectacles, one glass of which had been knocked out. The cause of his death was a frightful blow upon the head, which had crushed in part of his skull.¹⁰⁵ That he could have

¹⁰⁵ CARLINA DE LA COVA: A single blow to the head can result in death. The seriousness of the injury is dependent upon a number of factors, including whether or not the brain is shaken, bruised, fractured, or a hematoma, which is a collection or pooling of blood outside of the larger blood vessels, occurs. Perhaps the most memorable example of this in recent history was the death of actor Liam Neeson's wife, Natasha Richardson, who is forever linked to the Canon via her portrayal of Violet Hunter in the Granada Series. Initially her injury, resulting from a fall on a ski slope in Quebec, seemed minor; Richardson felt fine, was ambulatory, and cognizant. Over an hour later, she was still conscious but had a headache and possible signs of a traumatic brain injury (TBI). Two days later she died. The cause of death was an epidural hematoma, or bleeding between the tough outer protective covering of the skull (the dura mater) and the skull. Today, head injuries remain a leading cause of injury and death in adults. They range from minor to severe and if left untreated can be lethal. Any trauma to the head, such as a bump, blow, or a forceful shake can result in a TBI. These injuries can be fatal if there is an increase in intracranial pressure, displacement of cerebral spinal fluid, interference or damage to brain blood flow, changes in arterial pressure, or a contusion or hematoma develops. In the case of the unfortunate German Master, Heidegger, a blow upon the head that crushed part of his skull could have resulted in death. Head trauma with fracture increases the risk of contusion and hemorrhaging in the cranial cavity. The chances of fatality are increased if the individual suffers a blow that results in multiple fractures (communitated). If Heidegger's skull was truly crushed, as described, then it would have been a blunt force injury that not only fractured his skull in more than one place, but possibly jarred his brain, causing either, or both, a contusion and a more serious hematoma, which resulted in death. Edges of his fractured skull may have also been pushed into his cranial cavity, damaging his blood vessels, nerves, and/or brain. If the injury occurred at the back, near the base of the skull, it would have been far more lethal. Heidegger may have been able to continue briefly after the injury and would have likely been disorientated. As he continued to bleed internally, secondary cell death from the damage to his brain, nerve cells, and blood vessels, as well as the increase

gone on after receiving such an injury said much for the vitality and courage of the man. He wore shoes, but no socks, and his open coat disclosed a nightshirt beneath it. It was undoubtedly the German master.

Holmes turned the body over reverently, and examined it with great attention. He then sat in deep thought for a time, and I could see by his ruffled brow that this grim discovery had not, in his opinion, advanced us much in our inquiry.

"It is a little difficult to know what to do, Watson," said he, at last. "My own inclinations are to push this inquiry on, for we have already lost so much time that we cannot afford to waste another hour. On the other hand, we are bound to inform the police of the discovery, and to see that this poor fellow's body is looked after."

"I could take a note back."

"But I need your company and assistance. Wait a bit! There is a fellow cutting peat up yonder. Bring him over here, and he will guide the police."

I brought the peasant across, and Holmes dispatched the frightened man with a note to Dr. Huxtable.

"Now, Watson," said he, "we have picked up two clues this morning. One is the bicycle with the Palmer tire, and we see what that has led to. The other is the bicycle with the patched Dunlop. Before we start to investigate that, let us try to realize what we do know, so as to make the most of it, and to separate the essential from the accidental."

"First of all, I wish to impress upon you that the boy certainly left of his own free-will. He got down from his window and he went off, either alone or with someone.¹⁰⁶ That is sure."

I assented.

"Well, now, let us turn to this unfortunate German master. The boy was fully dressed when he fled. Therefore, he foresaw what he would do. But the German went without his socks. He certainly acted on very short notice."

"Undoubtedly."

"Why did he go? Because, from his bedroom window, he saw the flight of the boy, because he wished to overtake him and bring him back. He seized his bicycle, pursued the lad, and in pursuing him met his death."

"So it would seem."

"Now I come to the critical part of my argument. The natural action of a man in pursuing a little boy would be to run after him. He would know that

in cranial and arterial pressure caused by internal bleeding would have resulted in unconsciousness and eventually death.

¹⁰⁶ LSK, Ref.: Return, p. 131, n. 53; LSK, 2 New Ann. p. 952, n. 34.

he could overtake him. But the German does not do so. He turns to his bicycle. I am told that he was an excellent cyclist. He would not do this, if he did not see that the boy had some swift means of escape.”

“The other bicycle.”

“Let us continue our reconstruction. He meets his death five miles from the school — not by a bullet, mark you, which even a lad might conceivably discharge, but by a savage blow dealt by a vigorous arm. The lad, then, had a companion in his flight. And the flight was a swift one, since it took five miles before an expert cyclist could overtake them. Yet we survey the ground round the scene of the tragedy. What do we find? A few cattle-tracks, nothing more. I took a wide sweep round, and there is no path within fifty yards. Another cyclist could have had nothing to do with the actual murder, nor were there any human foot-marks.”

“Holmes,” I cried, “this is impossible.”

“Admirable!” he said. “A most illuminating remark. It is impossible as I state it, and therefore I must in some respect have stated it wrong. Yet you saw for yourself. Can you suggest any fallacy?”

“He could not have fractured his skull in a fall?”

“In a morass, Watson?”

“I am at my wits’ end.”

“Tut, tut, we have solved some worse problems. At least we have plenty of material, if we can only use it. Come, then, and, having exhausted the Palmer, let us see what the Dunlop with the patched cover has to offer us.”

We picked up the track and followed it onward for some distance, but soon the moor rose into a long, heather-tufted curve, and we left the water-course behind us. No further help from tracks could be hoped for. At the spot where we saw the last of the Dunlop tire it might equally have led to Holderness Hall, the stately towers of which rose some miles to our left, or to a low, grey village which lay in front of us and marked the position of the Chesterfield high road.

As we approached the forbidding and squalid inn,¹⁰⁷ with the sign of a game-cock above the door,¹⁰⁸ Holmes gave a sudden groan, and clutched me by the shoulder to save himself from falling. He had had one of those violent strains of the ankle which leave a man helpless. With difficulty he limped up to the door, where a squat, dark, elderly man was smoking a black clay pipe.

“How are you, Mr. Reuben Hayes?”¹⁰⁹ said Holmes.

¹⁰⁷ LSK, Ref.: Return, p. 132, n. 54.

¹⁰⁸ OSH: Return, p. 364.

¹⁰⁹ OSH: Return, p. 360.

“Who are you, and how do you get my name so pat?” the countryman answered, with a suspicious flash of a pair of cunning eyes.

“Well, it’s printed on the board above your head. It’s easy to see a man who is master of his own house. I suppose you haven’t such a thing as a carriage in your stables?”

“No, I have not.”

“I can hardly put my foot to the ground.”

“Don’t put it to the ground.”

“But I can’t walk.”

“Well, then hop.”

Mr. Reuben Hayes’s manner was far from gracious, but Holmes took it with admirable good-humor.

“Look here, my man,” said he. “This is really rather an awkward fix for me. I don’t mind how I get on.”

“Neither do I,” said the morose landlord.

“The matter is very important. I would offer you a sovereign for the use of a bicycle.”

The landlord pricked up his ears.

“Where do you want to go?”

“To Holderness Hall.”

“Pals of the Dook, I suppose?” said the landlord, surveying our mud-stained garments with ironical eyes.

Holmes laughed good-naturedly.

“He’ll be glad to see us, anyhow.”

“Why?”

“Because we bring him news of his lost son.”

The landlord gave a very visible start.

“What, you’re on his track?”

“He has been heard of in Liverpool.¹¹⁰ They expect to get him every hour.”

Again a swift change passed over the heavy, unshaven face. His manner was suddenly genial.

“I’ve less reason to wish the Dook well than most men,” said he, “for I was head coachman once, and cruel bad he treated me. It was him that sacked me without a character on the word of a lying corn-chandler.¹¹¹ But I’m glad to hear that the young lord was heard of in Liverpool, and I’ll help you to take the news to the Hall.”

¹¹⁰ LSK, Ref.: Return, p. 13, n. 55; LSK, 2 New Ann. p. 956, n. 35.

¹¹¹ OSH: Return, p. 364; LSK, Ref.: Return, p. 133, n. 56.

“Thank you,” said Holmes. “We’ll have some food first. Then you can bring round the bicycle.”

“I haven’t got a bicycle.”

Holmes held up a sovereign.

“I tell you, man, that I haven’t got one. I’ll let you have two horses as far as the Hall.”

“Well, well,” said Holmes, “we’ll talk about it when we’ve had something to eat.”

When we were left alone in the stone-flagged kitchen, it was astonishing how rapidly that sprained ankle recovered. It was nearly nightfall, and we had eaten nothing since early morning, so that we spent some time over our meal. Holmes was lost in thought, and once or twice he walked over to the window and stared earnestly out. It opened on to a squalid courtyard. In the far corner was a smithy, where a grimy lad was at work. On the other side were the stables. Holmes had sat down again after one of these excursions, when he suddenly sprang out of his chair with a loud exclamation.

“By heaven, Watson, I believe that I’ve got it!” he cried. “Yes, yes, it must be so. Watson, do you remember seeing any cow-tracks to-day?”

“Yes, several.”

“Where?”

“Well, everywhere. They were at the morass, and again on the path, and again near where poor Heidegger met his death.”

“Exactly. Well, now, Watson, how many cows did you see on the moor?”

“I don’t remember seeing any.”

“Strange, Watson, that we should see tracks all along our line, but never a cow on the whole moor. Very strange, Watson, eh?”

“Yes, it is strange.”

“Now, Watson, make an effort, throw your mind back. Can you see those tracks upon the path?”

“Yes, I can.”

“Can you recall that the tracks were sometimes like that, Watson,” — he arranged a number of breadcrumbs in this fashion — : : : : — “and sometimes like this” — : : : : : — “and occasionally like this” —¹¹²

“Can you remember that?”¹¹³

“No, I cannot.”

“But I can. I could swear to it. However, we will go back at our leisure and verify it. What a blind beetle I have been, not to draw my conclusion.”

¹¹² OSH: Return, p. 364.

¹¹³ WBG, vol. 2, p. 621, n. 15; LSK, Ref.: Return, p. 134, n. 57.

“And what is your conclusion?”

“Only that it is a remarkable cow which walks, canters, and gallops.¹¹⁴ By George! Watson, it was no brain of a country publican that thought out such a blind as that. The coast seems to be clear, save for that lad in the smithy. Let us slip out and see what we can see.”

There were two rough-haired, unkempt horses in the tumble-down stable. Holmes raised the hind leg of one of them and laughed aloud.

“Old shoes, but newly shod — old shoes, but new nails. This case deserves to be a classic. Let us go across to the smithy.”

The lad continued his work without regarding us. I saw Holmes’s eye darting to right and left among the litter of iron and wood which was scattered about the floor. Suddenly, however, we heard a step behind us, and there was the landlord, his heavy eyebrows drawn over his savage eyes, his swarthy features convulsed with passion. He held a short, metal-headed stick in his hand, and he advanced in so menacing a fashion that I was right glad to feel the revolver in my pocket.

“You infernal spies!” the man cried. “What are you doing there?”

“Why, Mr. Reuben Hayes,” said Holmes, coolly, “one might think that you were afraid of our finding something out.”

The man mastered himself with a violent effort, and his grim mouth loosened into a false laugh, which was more menacing than his frown.

“You’re welcome to all you can find out in my smithy,” said he. “But look here, mister, I don’t care for folk poking about my place without my leave, so the sooner you pay your score and get out of this the better I shall be pleased.”

“All right, Mr. Hayes, no harm meant,” said Holmes. “We have been having a look at your horses, but I think I’ll walk, after all. It’s not far, I believe.”

“Not more than two miles to the Hall gates. That’s the road to the left.” He watched us with sullen eyes until we had left his premises.

We did not go very far along the road, for Holmes stopped the instant that the curve hid us from the landlord’s view.

“We were warm, as the children say, at that inn,” said he. “I seem to grow colder every step that I take away from it. No, no, I can’t possibly leave it.”

“I am convinced,” said I, “that this Reuben Hayes knows all about it. A more self-evident villain I never saw.”

“Oh! he impressed you in that way, did he? There are the horses, there is the smithy. Yes, it is an interesting place, this Fighting Cock. I think we shall have another look at it in an unobtrusive way.”

¹¹⁴ LSK, 2 New Ann. p. 957, n. 36.

A long, sloping hillside, dotted with grey limestone boulders, stretched behind us.¹¹⁵ We had turned off the road, and were making our way up the hill, when, looking in the direction of Holderness Hall, I saw a cyclist coming swiftly along.

“Get down, Watson!” cried Holmes, with a heavy hand upon my shoulder. We had hardly sunk from view when the man flew past us on the road. Amid a rolling cloud of dust, I caught a glimpse of a pale, agitated face — a face with horror in every lineament, the mouth open, the eyes staring wildly in front. It was like some strange caricature of the dapper James Wilder whom we had seen the night before.

“The Duke’s secretary!” cried Holmes. “Come, Watson, let us see what he does.”

We scrambled from rock to rock, until in a few moments we had made our way to a point from which we could see the front door of the inn. Wilder’s bicycle was leaning against the wall beside it. No one was moving about the house, nor could we catch a glimpse of any faces at the windows. Slowly the twilight crept down as the sun sank behind the high towers of Holderness Hall. Then, in the gloom, we saw the two side-lamps of a trap light up in the stable-yard of the inn, and shortly afterwards heard the rattle of hoofs, as it wheeled out into the road and tore off at a furious pace in the direction of Chesterfield.

“What do you make of that, Watson?” Holmes whispered.

“It looks like a flight.”

“A single man in a dog-cart, so far as I could see.¹¹⁶ Well, it certainly was not Mr. James Wilder, for there he is at the door.”

A red square of light had sprung out of the darkness. In the middle of it was the black figure of the secretary, his head advanced, peering out into the night. It was evident that he was expecting someone. Then at last there were steps in the road, a second figure was visible for an instant against the light, the door shut, and all was black once more. Five minutes later a lamp was lit in a room upon the first floor.

“It seems to be a curious class of custom that is done by the Fighting Cock,” said Holmes.

¹¹⁵ PETER E. BLAU: It would be nice indeed if those grey limestone boulders could help locate just where one might find Holderness Hall, but (alas) that’s not the case. The most common limestone in the area is a magnesium limestone of Permian age that’s sandy in color. Huge amounts of the limestone were quarried at Aston and used to rebuild the Palace of Westminster after it was destroyed in a great fire in 1834; it began to decay almost immediately, and has been called “the worst stone ever used in the Metropolis.” The grey limestone boulders almost certainly were of younger Jurassic age, carried southward by glaciers, and not specific to any site in the area.

¹¹⁶ LSK, Ref.: Return, p. 135, n. 58; LSK, 2 New Ann. p. 960, n. 37.

“The bar is on the other side.”

“Quite so. These are what one may call the private guests. Now, what in the world is Mr. James Wilder doing in that den at this hour of night, and who is the companion who comes to meet him there? Come, Watson, we must really take a risk and try to investigate this a little more closely.”

Together we stole down to the road and crept across to the door of the inn. The bicycle still leaned against the wall. Holmes struck a match and held it to the back wheel,¹¹⁷ and I heard him chuckle as the light fell upon a patched Dunlop tire. Up above us was the lighted window.

“I must have a peep through that, Watson. If you bend your back and support yourself upon the wall, I think that I can manage.”

An instant later, his feet were on my shoulders, but he was hardly up before he was down again.

“Come, my friend,” said he, “our day’s work has been quite long enough. I think that we have gathered all that we can. It’s a long walk to the school, and the sooner we get started the better.”

He hardly opened his lips during that weary trudge across the moor, nor would he enter the school when he reached it, but went on to Mackleton Station, whence he could send some telegrams. Late at night I heard him consoling Dr. Huxtable, prostrated by the tragedy of his master’s death, and later still he entered my room as alert and vigorous as he had been when he started in the morning. “All goes well, my friend,” said he. “I promise that before to-morrow evening we shall have reached the solution of the mystery.”

At eleven o’clock next morning my friend and I were walking up the famous yew avenue of Holderness Hall. We were ushered through the magnificent Elizabethan doorway and into his Grace’s study.¹¹⁸ There we found Mr. James

¹¹⁷ LSK, Ref.: Return, p. 137, n. 59; LSK, 2 New Ann. p. 961, n. 38.

¹¹⁸ SUSAN VIZOSKIE: Watson’s statement, “We were ushered through the magnificent Elizabethan doorway and into his Grace’s study,” is very suggestive of at least three doorways within Hardwick Hall. Located in Derbyshire, Hardwick was built by Elizabeth, Countess of Shrewsbury, between 1590 and 1597, toward the end of the Elizabethan era. (Elizabeth I reigned from 1558 to 1603.) The entrance to the Countess of Shrewsbury’s private suite of rooms is through one of these doorways. Made for a single door and surrounded by a simple, fluted, rectangular frame, the doorway is made more imposing by additional horizontal layers above the door frame which increase its height and width and extend forward over the doorway. Another thinner layering further increases the height, width, and projection over the doorway, visually transforming the doorway into a pedestal supporting a massive decorative work in plaster. The plasterwork is stunning. On top of the pedestal doorway and extending slightly beyond its width rests a modified trefoil done in bas relief, its upper lobe wider than its lower two. Centered between the two lower lobes is a teardrop of similar height braced by two curling scrolls which echo the curves of the trefoil and the teardrop. Within the teardrop is a larger-than-life-size plaster bust of a helmeted soldier who slightly projects from the frame and looms solemnly over all who enter. Above the soldier’s head, the artist has replaced the tip of the teardrop with a flaming grenade. Magnificent indeed and eminently suitable for his Grace’s study.

Wilder, demure and courtly, but with some trace of that wild terror of the night before still lurking in his furtive eyes and in his twitching features.

"You have come to see his Grace? I am sorry, but the fact is that the Duke is far from well. He has been very much upset by the tragic news. We received a telegram from Dr. Huxtable yesterday afternoon, which told us of your discovery."

"I must see the Duke, Mr. Wilder."

"But he is in his room."

"Then I must go to his room."

"I believe he is in his bed."

"I will see him there."

Holmes's cold and inexorable manner showed the secretary that it was useless to argue with him.

"Very good, Mr. Holmes, I will tell him that you are here."

After an hour's delay, the great nobleman appeared. His face was more cadaverous than ever, his shoulders had rounded, and he seemed to me to be an altogether older man than he had been the morning before. He greeted us with a stately courtesy and seated himself at his desk, his red beard streaming down on the table.

"Well, Mr. Holmes?" said he.

But my friend's eyes were fixed upon the secretary, who stood by his master's chair.

"I think, your Grace, that I could speak more freely in Mr. Wilder's absence."

The man turned a shade paler and cast a malignant glance at Holmes.

"If your Grace wishes —"

"Yes, yes, you had better go. Now, Mr. Holmes, what have you to say?"

My friend waited until the door had closed behind the retreating secretary.

"The fact is, your Grace," said he, "that my colleague, Dr. Watson, and myself had an assurance from Dr. Huxtable that a reward had been offered in this case. I should like to have this confirmed from your own lips."

"Certainly, Mr. Holmes."

"It amounted, if I am correctly informed, to five thousand pounds to anyone who will tell you where your son is?"

"Exactly."

"And another thousand to the man who will name the person or persons who keep him in custody?"

"Exactly."

"Under the latter heading is included, no doubt, not only those who may have taken him away, but also those who conspire to keep him in his present position?"

“Yes, yes,” cried the Duke, impatiently. “If you do your work well, Mr. Sherlock Holmes, you will have no reason to complain of niggardly treatment.”

My friend rubbed his thin hands together with an appearance of avidity which was a surprise to me, who knew his frugal tastes.

“I fancy that I see your Grace’s check-book upon the table,” said he. “I should be glad if you would make me out a check for six thousand pounds. It would be as well, perhaps, for you to cross it.¹¹⁹ The Capital and Counties Bank,¹²⁰ Oxford Street branch are my agents.”

His Grace sat very stern and upright in his chair and looked stonily at my friend.

“Is this a joke, Mr. Holmes? It is hardly a subject for pleasantry.”

“Not at all, your Grace. I was never more earnest in my life.”

“What do you mean, then?”

“I mean that I have earned the reward. I know where your son is, and I know some, at least, of those who are holding him.”

The Duke’s beard had turned more aggressively red than ever against his ghastly white face.

“Where is he?” he gasped.

“He is, or was last night, at the Fighting Cock Inn, about two miles from your park gate.”

¹¹⁹ WBG, vol. 2, p. 625, n. 16; LSK, Ref.: Return, p. 137, n. 60; LSK, 2 New Ann. p. 964, n.39. GREG RUBY: Crossed checks are predominantly used in countries across Europe and Asia, as well as Mexico and Australia, and provides specific instructions to a financial institution regarding how the funds can be handled. A check becomes crossed when two parallel lines are drawn, either through the top left-hand corner of the check or horizontally across the whole check. This double-line notation signifies that the check may only be deposited directly into a bank account. Once a check is crossed, it is impossible for the payee to uncross it. Furthermore, such crossed checks are considered non-transferable, meaning they cannot be signed over to a third party. Should a receiving bank fail to comply with the crossing, this can be deemed a breach of contract between the institution and customer who wrote the check.

¹²⁰ WBG, vol. 2, p. 625, n. 17; OSH: Return, p. 364; LSK, Ref.: Return, p. 137, n. 61; LSK, 2 New Ann. p. 964, n. 40. GREG RUBY: In 1877, two joint-stock banks, the Hampshire Banking Company and the North Wilts Banking Company merged. Within the year, the directors renamed the newly merged company as the Capital & Counties Bank (CCB) as they dumped the names of the two combined companies. Through mergers and consolidations, CCB could trace its operations back to 1792. Headquartered in Southampton, with 56 branches in the southern parts of the United Kingdom, it would relocate its headquarters to Threadneedle Street after it gained entry into the London Bankers Clearing House in the 1880s. By the 1890s, CCB had a network of branches throughout the country and would have 473 branches in 1918, when it allowed itself to be taken over by Lloyd’s Bank, a merger that was not fully completed until 1934. It appears that Holmes was not the only individual in the Canon to have dealings with CCB. In “The Man with the Twisted Lip,” it is likely that Neville St. Clair did his banking at CCB’s Threadneedle Street branch, being the closest to the Bar of Gold and still being able to catch the 5.14 train at Cannon Street. The deceased Cadogan West, in “The Bruce-Partington Plans,” was carrying his checkbook from CCB’s Woolwich Branch. We also note that a literary agent for a certain doctor also kept his accounts at CCB.

The Duke fell back in his chair.

“And whom do you accuse?”

Sherlock Holmes’s answer was an astounding one. He stepped swiftly forward and touched the Duke upon the shoulder.

“I accuse you,” said he. “And now, your Grace, I’ll trouble you for that check.”

Never shall I forget the Duke’s appearance as he sprang up and clawed with his hands, like one who is sinking into an abyss. Then, with an extraordinary effort of aristocratic self-command, he sat down and sank his face in his hands. It was some minutes before he spoke.

“How much do you know?” he asked at last, without raising his head.

“I saw you together last night.”

“Does anyone else beside your friend know?”

“I have spoken to no one.”

The Duke took a pen in his quivering fingers and opened his check-book.

“I shall be as good as my word, Mr. Holmes. I am about to write your check,¹²¹ however unwelcome the information which you have gained may be to me. When the offer was first made, I little thought the turn which events might take. But you and your friend are men of discretion, Mr. Holmes?”

“I hardly understand your Grace.”

“I must put it plainly, Mr. Holmes. If only you two know of this incident, there is no reason why it should go any farther. I think twelve thousand pounds is the sum that I owe you, is it not?”

But Holmes smiled and shook his head.

“I fear, your Grace, that matters can hardly be arranged so easily. There is the death of this schoolmaster to be accounted for.”

“But James knew nothing of that. You cannot hold him responsible for that. It was the work of this brutal ruffian whom he had the misfortune to employ.”

¹²¹ ANDREW SOLBERG: Was the check for £6,000 or £12,000? Some think the former, and others, the latter. T.S. Blakeney observed in *Sherlock Holmes: Fact or Fiction* (1932) that the Duke was “presumably intending to give the promised reward of £6,000 to Watson, as well, unless, indeed, he was hoping to purchase Holmes’s silence by doubling the amount due him.” In *A Sherlock Holmes Commentary* (1972), D. Martin Dakin wrote “It seems more likely that he was trying to bribe Holmes into silence by doubling the reward, than that he was offering it to Watson as well; and Holmes’s reply showed how unresponsive he was to this sort of temptation.” Samuel Feinberg wrote in the *BSJ* (September 1974) that Holmes received the £12,000. Howard Brody (*BSJ*, March 1978) argued that it was, indeed, an attempt at bribery, and that Holmes did not accept more than £6,000. I initially thought that the Duke had attempted to buy both Holmes and Watson’s silence by offering £12,000 and that Holmes accepted the check. However, the Sherlockian Les Moskowitz convinced me otherwise. Watson wrote that after the £12,000 offer, “But Holmes smiled and shook his head.” Note the “But,” which is not affirmative, and “shook his head,” not “nodded” his head. This is evidence that Holmes did not accept the £12,000 offer. There is no textual evidence that suggests that he did.

“I must take the view, your Grace, that when a man embarks upon a crime, he is morally guilty of any other crime which may spring from it.”

“Morally, Mr. Holmes. No doubt you are right. But surely not in the eyes of the law.¹²² A man cannot be condemned for a murder at which he was not present,¹²³ and which he loathes and abhors as much as you do. The instant that he heard of it he made a complete confession to me, so filled was he with horror and remorse. He lost not an hour in breaking entirely with the murderer. Oh, Mr. Holmes, you must save him — you must save him! I tell you that you must save him!” The Duke had dropped the last attempt at self-command, and was pacing the room with a convulsed face and with his clenched hands raving in the air. At last he mastered himself and sat down once more at his desk. “I appreciate your conduct in coming here before you spoke to anyone else,” said he. “At least, we may take counsel how far we can minimize this hideous scandal.”

“Exactly,” said Holmes. “I think, your Grace, that this can only be done by absolute frankness between us. I am disposed to help your Grace to the best of my ability, but, in order to do so, I must understand to the last detail how the matter stands. I realize that your words applied to Mr. James Wilder, and that he is not the murderer.”

“No, the murderer has escaped.”

Sherlock Holmes smiled demurely.

“Your Grace can hardly have heard of any small reputation which I possess, or you would not imagine that it is so easy to escape me. Mr. Reuben Hayes was arrested at Chesterfield, on my information, at eleven o’clock last night. I had a telegram from the head of the local police before I left the school this morning.”

The Duke leaned back in his chair and stared with amazement at my friend.

“You seem to have powers that are hardly human,” said he. “So Reuben Hayes is taken? I am right glad to hear it, if it will not react upon the fate of James.”

“Your secretary?”

“No, sir, my son.”

¹²² IRA BRAD MATETSKY: Victorian Britain followed the felony murder rule, under which a person causing a death while committing a felony was (and in many jurisdictions still is) just as liable for murder as one who kills another person intentionally. The only legally authorized punishment for murder, including felony murder, was death, although some sentences were commuted. See my article “Homicide and Punishment: Murder in the Sherlockian Canon” in William A. Walsh & Donny Zaldin, eds., *Canon Law* (BSI Press 2018).

¹²³ LSK, Ref.: Return, p. 138, n. 63; LSK, 2 New Ann. p. 966, n. 42.

It was Holmes's turn to look astonished.

"I confess that this is entirely new to me, your Grace. I must beg you to be more explicit."

"I will conceal nothing from you. I agree with you that complete frankness, however painful it may be to me, is the best policy in this desperate situation to which James's folly and jealousy have reduced us. When I was a very young man, Mr. Holmes, I loved with such a love as comes only once in a lifetime. I offered the lady marriage, but she refused it on the grounds that such a match might mar my career. Had she lived, I would certainly never have married anyone else. She died, and left this one child, whom for her sake I have cherished and cared for.¹²⁴ I could not acknowledge the paternity to the world, but I gave him the best of educations, and since he came to manhood I have kept him near my person. He surmised my secret, and has presumed ever since upon the claim which he has upon me, and upon his power of provoking a scandal which would be abhorrent to me. His presence had something to do with the unhappy issue of my marriage. Above all, he hated my young legitimate heir from the first with a persistent hatred. You may well ask me why, under these circumstances, I still kept James under my roof. I answer that it was because I could see his mother's face in his, and that for her dear sake there was no end to my long-suffering. All her pretty ways too — there was not one of them which he could not suggest and bring back to my memory. I could not send him away. But I feared so much lest he should do Arthur — that is, Lord Saltire — a mischief, that I dispatched him for safety to Dr. Huxtable's school.

¹²⁴ SABINA HOLLIS: In England, a person born out of lawful wedlock was deemed *filius nullius*, or no one's child. Except for inheritance, an adult *filius nullius* had the same legal rights as any commoner in England. Wilder could not inherit property as an "heir" from either parent through intestacy, nor could he inherit a noble title. A parent could give a natural child property outright or leave it by will if specific formalities were met. Any inheritance would be taxed ten percent more than that for lawful children. Even when inheritance parity was achieved in 1969, a non-marital first born son could not inherit a title without a special act of Parliament legitimating him. An illegitimate person's property would escheat to the crown if there was no will, unless s/he had a surviving spouse or lawful children. A non-marital child born in England could not be legitimated after its parents married until 1926. The 1834 Poor Law obligated a mother to support her natural child and she was only able to obtain a paltry weekly sum for child support from the father after 1872. Unwed mothers bore society's censure and ostracism for supposed moral corruption. Since they had difficulty getting employed, many gave up their children to institutions. An illegitimate child took on its mother's stigma and taint. Many viewed that child as existing outside of society, respectability or virtue regardless of its character or actions. Aristocratic fathers routinely recognized their bye-blows before the sanctimoniously hypocritical Victorian era. In the late 19th century, a Lord Lieutenant's reputation and power would plunge if an illegitimate child was suddenly revealed. Literary bastards are often given extreme characteristics. Wilder fits the trope of the self-aggrandizing illegitimate usurper whose threat to order is excised from the community by exile or death.

“James came into contact with this fellow Hayes, because the man was a tenant of mine, and James acted as agent. The fellow was a rascal from the beginning, but, in some extraordinary way, James became intimate with him. He had always a taste for low company. When James determined to kidnap Lord Saltire, it was of this man’s service that he availed himself. You remember that I wrote to Arthur upon that last day. Well, James opened the letter and inserted a note asking Arthur to meet him in a little wood called the Ragged Shaw, which is near to the school. He used the Duchess’s name, and in that way got the boy to come. That evening James bicycled over — I am telling you what he has himself confessed to me — and he told Arthur, whom he met in the wood, that his mother longed to see him, that she was awaiting him on the moor, and that if he would come back into the wood at midnight he would find a man with a horse, who would take him to her. Poor Arthur fell into the trap. He came to the appointment, and found this fellow Hayes with a led pony.¹²⁵ Arthur mounted, and they set off together. It appears — though this James only heard yesterday — that they were pursued, that Hayes struck the pursuer with his stick, and that the man died of his injuries. Hayes brought Arthur to his public-house, the Fighting Cock, where he was confined in an upper room, under the care of Mrs. Hayes, who is a kindly woman, but entirely under the control of her brutal husband.

“Well, Mr. Holmes, that was the state of affairs when I first saw you two days ago. I had no more idea of the truth than you. You will ask me what was James’s motive in doing such a deed. I answer that there was a great deal which was unreasoning and fanatical in the hatred which he bore my heir. In his view he should himself have been heir of all my estates, and he deeply resented those social laws which made it impossible.¹²⁶ At the same time, he had a definite motive also. He was eager that I should break the entail,¹²⁷

¹²⁵ OSH: Return, p. 365.

¹²⁶ LSK, Ref.: Return, p. 140, n. 64; LSK, 2 New Ann. p. 969, n. 43.

¹²⁷ LSK, Ref.: Return, p. 140, n. 65; LSK, 2 New Ann. p. 969, n. 44. SABINA HOLLIS: Property is entailed when ownership is either limited in nature (e.g., a life estate) or to specific individuals rather than descending to all the heirs at law in intestacy. In 1904, real property descended to the eldest son and personal property was shared among any surviving spouse and all of the deceased person’s children if no will or deed existed. Entails were used to preserve wealth, status, and political power by curtailing any individual’s ability to sell or lay waste to family property during his custodianship. Entails were used to avoid repaying debts or having property confiscated for treason during the political strife of the English Civil War or the 18th century Jacobite and Monmouth rebellions. Two common entails created in deeds and wills are fee tails and strict settlements. Fee tails left property along a particular line, whether only to men (fee tail male), only to women (fee tail female) or only to the issue of a particular spouse (fee tail special). Strict settlements were complex arrangements usually giving the eldest son an income and a life interest to all or a part of the estate when he was 21 or married, and provided for other family members. In practice, the law limited entails to three or four generations. Dynastically ambitious families would repeatedly renew them. By 1894, plummeting

and he was of opinion that it lay in my power to do so. He intended to make a bargain with me — to restore Arthur if I would break the entail, and so make it possible for the estate to be left to him by will. He knew well that I should never willingly invoke the aid of the police against him. I say that he would have proposed such a bargain to me, but he did not actually do so, for events moved too quickly for him, and he had not time to put his plans into practice.

“What brought all his wicked scheme to wreck was your discovery of this man Heidegger’s dead body. James was seized with horror at the news. It came to us yesterday, as we sat together in this study. Dr. Huxtable had sent a telegram. James was so overwhelmed with grief and agitation that my suspicions, which had never been entirely absent, rose instantly to a certainty, and I taxed him with the deed.¹²⁸ He made a complete voluntary confession.¹²⁹ Then he implored me to keep his secret for three days longer, so as to give his wretched accomplice a chance of saving his guilty life. I yielded — as I have always yielded — to his prayers, and instantly James hurried off to the Fighting Cock to warn Hayes and give him the means of flight. I could not go there by daylight without provoking comment, but as soon as night fell I hurried off to see my dear Arthur. I found him safe and well, but horrified beyond expression by the dreadful deed he had witnessed. In deference to my promise, and much against my will, I consented to leave him there for three days, under the charge of Mrs. Hayes, since it was evident that it was impossible to inform the police where he was without telling them also who was the murderer, and I could not see how that murderer could be punished without ruin to my unfortunate James. You asked for frankness, Mr. Holmes, and I have taken you at your word, for I have now told you everything without an attempt at circumlocution or concealment. Do you in turn be as frank with me.”

“I will,” said Holmes. “In the first place, your Grace, I am bound to tell you that you have placed yourself in a most serious position in the eyes of the law. You have condoned a felony, and you have aided the escape of a

land revenues, inheritance taxes, the expanded voter franchise, and the Settled Land Acts of 1882–1890 eroded the efficacy of entailing large estates. Lord Holderness, as the tenant in possession, could break or bar an entail by a private parliamentary repealing act, by application to the Court of Chancery for good cause, or by exercising a power of appointment or revocation in the entailing document. The Duke could bar by deed under The Fines and Recovery Acts of 1833 to get a base fee despite Lord Saltire’s minority or get full control over the property if the settlement’s trustees consented under the Settled Land Act of 1882. However, the Duke was too wealthy to end the entail by bankruptcy, nor would he be willing to disinherit his legitimate heir.

¹²⁸ LSK, 2 New Ann. p. 969, n. 45.

¹²⁹ LSK, Ref.: Return, p. 140, n. 66; LSK, 2 New Ann. p. 969, n. 46.

murderer, for I cannot doubt that any money which was taken by James Wilder to aid his accomplice in his flight came from your Grace's purse."

The Duke bowed his assent.

"This is, indeed, a most serious matter. Even more culpable in my opinion, your Grace, is your attitude towards your younger son. You leave him in this den for three days."

"Under solemn promises —"

"What are promises to such people as these? You have no guarantee that he will not be spirited away again. To humor your guilty elder son, you have exposed your innocent younger son to imminent and unnecessary danger. It was a most unjustifiable action."

The proud lord of Holderness was not accustomed to be so rated in his own ducal hall. The blood flushed into his high forehead, but his conscience held him dumb.

"I will help you, but on one condition only. It is that you ring for the footman and let me give such orders as I like."

Without a word, the Duke pressed the electric bell.¹³⁰ A servant entered.

"You will be glad to hear," said Holmes, "that your young master is found. It is the Duke's desire that the carriage shall go at once to the Fighting Cock Inn to bring Lord Saltire home.

"Now," said Holmes, when the rejoicing lackey had disappeared, "having secured the future, we can afford to be more lenient with the past. I am not in an official position, and there is no reason, so long as the ends of justice are served, why I should disclose all that I know. As to Hayes, I say nothing. The gallows awaits him, and I would do nothing to save him from it. What he will divulge I cannot tell, but I have no doubt that your Grace could make him understand that it is to his interest to be silent."¹³¹ From the police point of view

¹³⁰ LSK, Ref.: Return, p. 141, n. 67.

¹³¹ WBG, vol. 2, p. 629, n. 19; LSK, Ref.: Return, p. 141, n. 68; LSK, 2 New Ann. p. 970, n. 47. GREG DARAK: Holmes's comment here seems a little odd. He has just stated about Hayes, "The gallows awaits him, and I would do nothing to save him from it." If Hayes is going to be executed, what would make him want to protect the Duke's interests? He is a "brutal" man and has not been presented as someone open to sympathy for anyone — when a stranger who has apparently injured his ankle appears at his door, instead of offering the man help, Hayes suggests that he just hop away. If he is this way with a stranger, why would he act kindly towards the Duke, whom he considers treated him "cruel bad," sacking him without a character? With a sentence of death hanging over this man, how would it be in his interest to keep quiet? The first possibility to come to mind would be the promise of money and protection to his family. However, the description of Mrs. Hayes as "entirely under the control of her brutal husband" does not indicate someone who would be overly concerned about what happens to her after he is dead.

There is only one way I can see Hayes being induced to protect James Wilder, and that is that the Duke would use his influence and/or money to get the charges against Hayes to be reduced. I don't see Hayes being too happy even with just a life sentence, though. If the murder was described as having

he will have kidnapped the boy for the purpose of ransom. If they do not themselves find it out, I see no reason why I should prompt them to take a broader point of view. I would warn your Grace, however, that the continued presence of Mr. James Wilder in your household can only lead to misfortune.”

“I understand that, Mr. Holmes, and it is already settled that he shall leave me forever, and go to seek his fortune in Australia.”¹³²

“In that case, your Grace, since you have yourself stated that any unhappiness in your married life was caused by his presence I would suggest that you make such amends as you can to the Duchess, and that you try to resume those relations which have been so unhappily interrupted.”¹³³

“That also I have arranged, Mr. Holmes. I wrote to the Duchess this morning.”

“In that case,” said Holmes, rising, “I think that my friend and I can congratulate ourselves upon several most happy results from our little visit to the North. There is one other small point upon which I desire some light. This fellow Hayes had shod his horses with shoes which counterfeited the tracks of cows. Was it from Mr. Wilder that he learned so extraordinary a device?”

The Duke stood in thought for a moment, with a look of intense surprise on his face. Then he opened a door and showed us into a large room furnished as a museum. He led the way to a glass case in a corner, and pointed

taken place in self-defense, with the teacher attacking Hayes, and Hayes striking back reflexively with his stick, perhaps he could look forward to being free within a certain time — if he holds his tongue.

Holmes makes his own opinion clear, by saying he would do nothing to save Hayes from the gallows. But it may be that his comment about the Duke making Hayes understand he should keep his silence was said with a veiled — or perhaps unveiled — sarcasm or irony.

¹³² ROBERT VELD: Besides “The Priory School,” Australia or Australians are mentioned or feature in five of the stories that make up the Sherlock Holmes canon “The Boscombe Valley Mystery,” “The Gloria Scott,” “The Empty House,” “The Abbey Grange,” and “The Disappearance of Lady Francis Carfax.” First claimed for the British Empire in August 1770 by Captain James Cook, the land mass that would become known as Australia was later settled as a British penal colony with the arrival of the First Fleet in 1788

By the time of the events of “The Priory School” (commonly believed to have taken place in 1901) and James Wilder’s arrival in the country sometime shortly thereafter (a voyage by sea of about 50 days at the time), the six separate British self-governing colonies of New South Wales, Victoria, Queensland, Tasmania, South Australia, and Western Australia had undergone federation and united to become the Commonwealth of Australia. With a population of only 3.8 million in 1901-02 and an economy still heavily driven by exports of agricultural goods, gold and other raw materials to England, Australia was still very much reliant on the mother country for its well-being.

The Duke’s son James would have been in a highly advantageous position to benefit from the opportunities that would have been made available to him courtesy of the influence of his father, albeit in a discreet capacity so as not to reveal their lineage. It is also not out of the question to suppose that the Duke may have already had business interests and networks established in the country, hence the decision that was taken to send his son to the other side of the world and the (apparent) speed with which the decision was made — a conclusion that can be drawn from the Duke’s resolute statement to Holmes regarding the matter being “already settled.”

¹³³ LSK, Ref.: Return, p. 142, n. 69.

to the inscription.

“These shoes,” it ran, “were dug up in the moat of Holderness Hall. They are for the use of horses, but they are shaped below with a cloven foot of iron,¹³⁴ so as to throw pursuers off the track. They are supposed to have belonged to some of the marauding Barons of Holderness in the Middle Ages.”

Holmes opened the case, and moistening his finger he passed it along the shoe. A thin film of recent mud was left upon his skin.

“Thank you,” said he, as he replaced the glass. “It is the second most interesting object that I have seen in the North.”

“And the first?”

Holmes folded up his check¹³⁵ and placed it carefully in his notebook.¹³⁶ “I am a poor man,”¹³⁷ said he, as he patted it affectionately, and thrust it into the depths of his inner pocket.

¹³⁴ WBG, vol. 2, p. 629, n. 20; LSK, Ref.: Return, p. 142, n. 70; LSK, 2 New Ann. p. 971, n. 48.

¹³⁵ WBG, vol. 2. P. 629, n. 21; LSK, Ref.: Return, p. 142, n. 71.

¹³⁶ IRA BRAD MATETSKY: Did Holmes commit a crime by taking the Duke’s money, under the circumstances of this case? The eminent Sherlockian (and Canadian magistrate) S. Tupper Bigelow said yes. Bigelow, “Sherlock Holmes and Misprision of Felony,” *Baker Street Journal*, 8:3 (July 1958): 139. On the other hand, the eminent Sherlockian (and Canadian magistrate) S. Tupper Bigelow said no. S. Tupper Bigelow, “Misprision of Felony and Sherlock Holmes,” *Sherlock Holmes Journal* 5:1 (Winter 1961): 68 (Winter 1961). It must be noted that in the latter article, “The Priory School” is described as the case in which Holmes came *closest* to committing this type of crime. Both articles are reprinted in Bigelow, S. Tupper, *The Baker Street Briefs* (Metropolitan Toronto Reference Library n.d./Battered Silicon Dispatch Box 1993, 2000). I have observed before that while it is said that a good lawyer can argue either side of a given legal question, Judge Bigelow is one of the few to have publicly done so.

¹³⁷ LSK, Ref.: Return, p. 142, n. 72; LSK, 2 New Ann. p. 971, n. 49. GREG DARAK: The ethics of Holmes’s action at the end of “The Priory School” have often been questioned. Is he taking a bribe from the Duke to keep quiet? I don’t think so. The Duke has offered a reward totaling six thousand pounds for anyone who could tell him the answer to two questions. Holmes answers the questions, so he is taking no more than he has earned. When the Duke offers him twice the amount in an apparent attempt to keep him quiet, he refuses it. Holmes allows James Wilder to escape the consequences of his crime, but this is no more than he has done for others who he believes might reform, such as James Ryder in “The Blue Carbuncle.” There is no indication that Wilder knew of Heidegger’s death — when Holmes and Watson see him heading towards The Fighting Cock after hearing of it, his face is described as having “horror in every lineament.” When Holmes hears that Wilder is the Duke’s son, and might have been bent towards his actions through the circumstances of his upbringing instead of just greed, he shows sympathy towards him, and is willing to give him the opportunity to reform himself, as he does Gilchrist in “The Three Students.”

The six thousand pounds is Holmes’s reward, fairly earned, and his actions regarding Wilder are the same as those he’s taken (or not taken) with cases involving people much less wealthy than the Duke. I believe Holmes’s own actions in this story are ethical. As stated elsewhere, he clearly disassociates himself from whatever actions the Duke may take regarding Hayes.

ARTHUR CONAN DOYLE AND THE C.P.R. SECURITIES

*Hartley R. Nathan**

INTRODUCTION

“The Adventure of Black Peter” was set in July, 1895 and published in *The Strand* in February, 1904. On July 3, 1895, Peter Carey, known as Black Peter, was found dead in his cabin, transfixed by a harpoon. Inspector Stanley Hopkins attends at 221B Baker Street to solicit Holmes’ assistance. Watson writes:

Stanley Hopkins drew from his pocket a drab-covered note-book. The outside was rough and worn, the leaves discoloured. On the first page were written the initials “J.H.N.” and the date “1883.” Holmes laid it on the table and examined it in his minute way, while Hopkins and I gazed over each shoulder. On the second page were the printed letters “C.P.R.,” and then came several sheets of numbers. Another heading was Argentine, another Costa Rica, and another San Paolo, each with pages of signs and figures after it.

“What do you make of these?” asked Holmes.

“They appear to be lists of Stock Exchange securities. I thought that ‘J.H.N.’ were the initials of a broker, and that ‘C.P.R.’ may have been his client”

“Try Canadian Pacific Railway,” said Holmes.

Hopkins continues:

“I would also urge that the introduction into the case of a document relating to large masses of valuable securities gives us for the first time some indication of a motive for the crime.”

And Holmes responds:

“I must admit both your points . . . Have you endeavored to trace any of the securities here mentioned?”

When they attend at the deceased’s cabin they note the lock has been tampered with. At night they apprehend a young man trying to break in. He identifies himself as John Hopley Neligan. He explains that his father was a partner in Dawson & Neligan Bank, which failed, and that “[i]t has always been said that my father stole all the securities and fled.” His father had left a list of the securities and intended to sell them and pay off the creditors.

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ARTHUR CONAN DOYLE INVESTS IN RAILWAY SECURITIES

Conan Doyle was keen to invest in railway securities. Here is what Andrew Lycett states in his biography of Conan Doyle for the month of July, 1892:¹

His outgoings show a taste for financial investments. The name of a stockbroker, Pim, Vaughan, begins to appear, as he acquires holdings in basic utilities including the Portsmouth Tram Company and the Glasgow and South Western Railway

In Conan Doyle's pocket diary for July, 1892 it shows a cash account where he lists all of the money that came in monthly from his writing and investments. One entry reads: "Interest (Canadian Railway) 3.28.0."² Obviously this was another investment in railway securities.

RAILWAYS IN BRITAIN

The railway mania hit Britain starting in the late 1830s. By 1837 fifty railway companies were operating under thirty Acts of Parliament over five hundred miles of track.

In 1845 two hundred railway Bills had been presented to Parliament, and three thousand miles of new lines had been constructed.

The "railway mania" culminated in 1846, when two hundred and seventy Bills received Royal Assent and provided for new construction at a cost of £350,000,000. But by 1847 the boom was over.³ It picked up momentum again in the 1860s. In 1862 the first great Companies Act providing for limited liability for shareholders was passed.⁴

There were numerous railway lawsuits involving railway accidents:

Charles Dickens was caught in the carnage of a mid-Victorian railway accident. He was returning from a visit to France with his mistress Ellen Ternan, and near Staplehurst in Kent the repair gang had muddled the time of the boat train and removed part of the track, with the result that some of the wooden coaches ran down the embankment and were shattered. Dickens's coach just failed to do the same. It was as though destiny had relented at the last moment and allowed him precisely five more years of creative activity.⁵

¹ Andrew Lycett: *Conan Doyle: The Man Who Created Sherlock Holmes*, Weidenfeld & Nicholson (London, 2007) at page 197. He refers to "a stockbroker, Pim Vaughan" as Conan Doyle's broker. No trace can be found of such a broker now.

² The diary is in the British Museum in London. Accession No. DD MS 88924/5/2.

³ See C.H.S. Fifoot: *Judge and Jurist in the Reign of Queen Victoria*, Stevens and Sons Limited (London, 1959) at pages 57 to 60.

⁴ Companies Act (25 and 26 Vict. C. 89).

⁵ See C. Forsythe: *The Decoding of Edwin Drood*, Victor Gollancz Ltd. (London, 1980) at page 13.

THE CANADIAN PACIFIC RAILWAY (“C.P.R.”)

In Canada, prior to the formation of the Dominion of Canada on July 1, 1867 (“Confederation”), companies were formed by special acts. After Confederation it became possible for companies to be incorporated federally or provincially, as well as by the acts of the Canadian Parliament or one of the respective provincial legislatures.⁶

In 1871, Sir John A. Macdonald, Prime Minister of Canada, gave an undertaking to British Columbia, then a British colony, that if British Columbia would join Canada and not the U.S., Canada would build the C.P.R. The construction of the railway started in Montreal in 1881 and was completed on November 7, 1885, the last spike being driven by Sir Donald A. Smith (later Lord Strathcona in 1897) at Craigellachie, Eagle Pass in the Rockies, about halfway between Calgary and Vancouver.

The C.P.R. was incorporated on February 15, 1881 by special Act of Parliament.⁷ Its capital stock was \$25,000,000, divided into shares of \$100 each.

The C.P.R. was also authorized to issue up to \$25,000,000 of bonds bearing interest at four percent per annum guaranteed by the Government of Canada.

Section 28 of the Schedule A to the Act also authorized the C.P.R. under the authority of a special general meeting of the shareholders to issue mortgage bonds to the extent of \$10,000 per mile of the railway. It went on to refer to “preferred stock” that could also be issued.

It appears that there was certain latitude given to the C.P.R. to issue securities as long as they were approved by the shareholders and the Government of Canada.

WHAT ARE “SECURITIES”?

Six or more references were made to “securities” in “Black Peter.” It is appropriate to look a little more closely at the exact nature of “securities” and to indicate the various forms they may take.

They fall into two primary classes which legal theory tries to keep rigidly separated but which in economic reality merge into each other. The first of these classes is described as “shares”; the second loosely as “debentures” or “bonds.” The basic legal distinction between them is that a share constitutes the holder of a share a member of the corporation and the share pays dividends to the shareholder, whereas the holder of a debenture is a creditor of

⁶ See F.W. Wegenast: *The Law of Canadian Companies*, Burroughs and Company (Eastern) Limited (Toronto, 1931) at pages 441-6.

⁷ An Act Respecting the Canadian Pacific Railway (44 Victoria Chapter 1).

CANADIAN PACIFIC RAILWAY COMPANY.
 DEPUTY SECRETARY'S OFFICE: 62-65, CHARING CROSS, LONDON, S.W.
PREFERENCE STOCK DIVIDEND, No. 25.
 No. 2347 2nd APRIL, 1906.

To Mrs. Sarah E. Lee, care of the Secretary, 10, Southport

A Dividend of Two per cent. for the half-year ending 31st December last, having been declared on the PREFERENCE STOCK, I beg to advise you, that, in accordance with your instructions, the following payment has to-day been made in respect of your holding:—

Dividend on £ <u>4,000</u>	Stock at 2 per cent. }		
less Income Tax at 1s. 0d. per £		£	76 : - : -

Paid to Lloyds Bank Ltd. King's Mansions

I hereby Certify that the amount deducted for Income Tax on the above Dividend will be paid by me to the proper Officer for the receipt of taxes.

R. D. MORRISON,
DEPUTY SECRETARY.

THE AMOUNT MENTIONED HAS BEEN PAID TO CREDIT OF ACCOUNT WITH LLOYD'S BANK LTD. MANCHESTER.

This Certificate should be PRESERVED by Proprietors entitled to RECOVER INCOME TAX as the Commissioners of Inland Revenue will require it to be produced in support of claim, and the Company admits no obligation to issue a Duplicate Certificate if this be lost.

Above: Notice of C.P.R. Preference Stock Dividend (Apr. 7, 1906). Below: Notice of C.P.R. Consolidated Debenture Stock Dividend (Jan. 1, 1908). Courtesy of Ross Davies.

CANADIAN PACIFIC RAILWAY COMPANY.
 DEPUTY SECRETARY'S OFFICE: 62-65 CHARING CROSS, LONDON, S.W.
PERPETUAL 4% CONSOLIDATED DEBENTURE STOCK
DIVIDEND, No. 37.
 No. 9093 1st JANUARY, 1908.

To John B. Irving & others

I beg to inform you that the half-yearly interest, payable to-day, on your holding of PERPETUAL 4% CONSOLIDATED DEBENTURE STOCK, has, in accordance with your instructions, been paid as follows:—

Half-yearly Interest on £ <u>200</u>	Stock at 4 per cent. per annum less Income Tax at 1s. per £ }		
		£	8 : 16 : -

Paid to York City & County Bank Ltd

Carlisle R 115

Stockholders are reminded of the importance of at once notifying the Company of any change in their address.

I hereby Certify that the Income Tax deducted from the above Dividend will be paid by me to the proper Officer for the receipt of taxes.

R. D. MORRISON,
DEPUTY SECRETARY.

This Certificate should be PRESERVED by Proprietors entitled to RECOVER INCOME TAX as the Commissioners of Inland Revenue will require it to be produced in support of claim.

D & S—11,500—100 P—11/1097

the corporation (not a member of the corporation) and the debenture pays interest to its holder.

Bonds

Strictly speaking, any formal obligation of a corporation is a “bond.” But the term “bond” is specially applied to a form of instrument under which a corporation pledges the whole or part of its assets or undertaking to secure an obligation in the nature of a loan. In order to facilitate the “issue” of the security the bond is usually divided, like capital stock, into portions, each representing a definite amount, so that instead of the single “bond” it is usual to employ the plural, “bonds.”

Facility in paying the interest on bonds is often provided by interest “coupons” attached to the bonds, each coupon representing an interest period and being payable at a stated time. Where this coupon device is not employed for payment of interest, provision is made for the “registration” of the bonds so that it may be determinable to whom the interest should be paid.

Debentures

Strictly speaking, a “debenture” is simply a debt of a corporation. The term “debenture” is essentially equivalent to the term “bond” — the former term being more common in England while the latter is more common in the United States and Canada.⁸

Examples of Notices of a C.P.R. Preference Stock Dividend and a C.P.R. Consolidated Debenture Stock Dividend are reprinted on the previous page.

SHERLOCK HOLMES AND RAILWAY SECURITIES

In “The Stockbroker’s Clerk” Hall Pycroft is a dupe in a scheme to steal American Railway bonds worth nearly £100,000 from Mason & Williams, Stockbrokers. “Stockbrokers” were also referred to in “Black Peter,” “The Bruce-Partington Plans,” and in “The Blanched Soldier.”

ARTHUR CONAN DOYLE AND THE C.P.R.

Conan Doyle and his brother Innes voyaged home from New York, December 8-15, aboard the “Etruria,” at the end of their 1894 North American tour.⁹ Another passenger was Sir Donald Smith, later Lord Strathcona,

⁸ Wegenast, *supra*, note 6 at page 630.

⁹ See Christopher Redmond: *Welcome to America, Mr. Sherlock Holmes*, Simon & Pierre (Toronto, 1987) at page 152.

referred to earlier as the man who drove the famous “last spike” to complete the cross-county track of the C.P.R.

Over the years, Conan Doyle and Lord Strathcona had multiple opportunities to spend time in each other’s company. There was a dinner honoring the illustrator Sir John Tenniel in June 1901. Strathcona and Conan Doyle were on the organizing committee. Both were at a meeting on February 25, 1903 to establish a social club for soldiers and sailors temporarily in London.¹⁰

CONCLUSION

Conan Doyle had enough “connections” direct and indirect with the C.P.R. for him to give it honourable mention in the story of “Black Peter.”

One cannot be precise as to the nature of his investments in the Glasgow and South Western Railway and the C.P.R. but the entry in his diary strongly suggests an investment in a C.P.R. bond by reference to “interest.” A bond could never be worth more than its face value as a bond, but it would be worth a considerable amount at auction if the certificate was located in his name.

¹⁰ *The Standard*, Thursday, Feb. 26, 1903, “The Union Jack Club — Mansion House Meeting.”

JL

ALMANAC EXCERPTS

SELECTED WORKS FROM RECENT EDITIONS OF THE
BAKER STREET ALMANAC

BAKER STREET ALMANAC

AN ANNUAL CAPSULE
OF A
TIMELESS PAST AND FUTURE

2022

IN THE FORM OF A FORMIDABLE SCRAP-BOOK OF 2021,
INCLUDING TREASURES CREATED OR UNCOVERED THEN,
WITH A FEW OTHER ODDS AND ENDS TOSSED IN,
AND A GLANCE AHEAD AT 2021

EDITED BY

ROSS E. DAVIES, JAYANTIKA GANGULY,
IRA BRAD MATETSKY, AND MONICA SCHMIDT

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BAKER STREET ALMANAC

AN ANNUAL CAPSULE OF A TIMELESS PAST AND FUTURE

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Editions: There are two versions of the 2022 *Baker Street Almanac*: the limited *Sense of Humour Edition* (it features an ink-on-paper format, and some copies include a few accessories), and the unlimited *Staunch Witnesses Edition* (it features an electrons-on-internet format, and is free).

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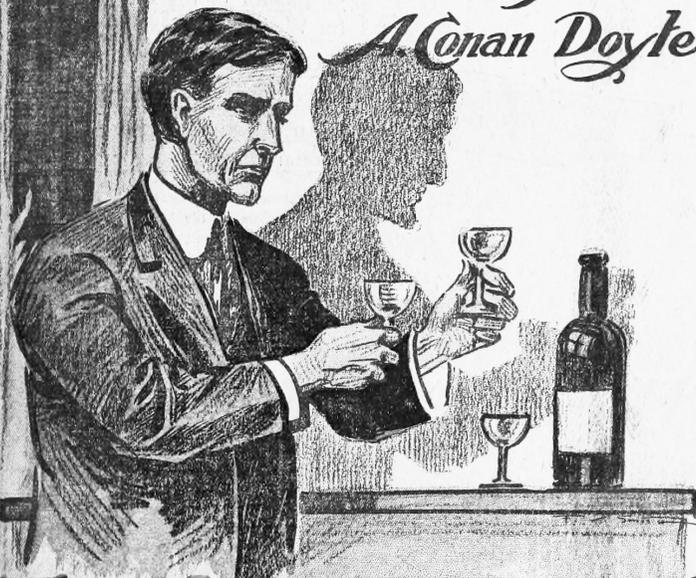
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The Boston Sunday Post

MASTERPIECES OF
SHERLOCK HOLMES

BY

A. Conan Doyle



THE MYSTERY OF
THE ABBEY GRANGE.

Also available — freshly annotated, and under a more conventional title
("Adventure" instead of "Mystery") — starting on page 327 below!

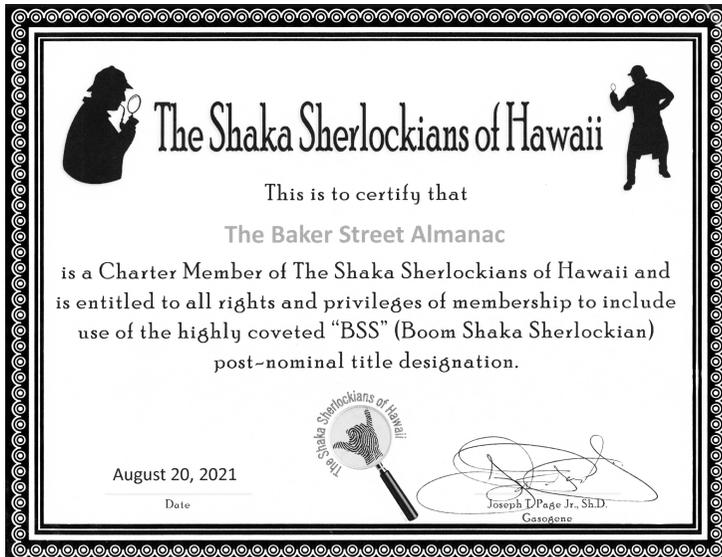
ALOHA, SHERLOCK

Ross E. Davies*

This is our fifth *Baker Street Almanac*. For an explanation of why the *Green Bag* launched this ship and why we are so optimistic about its course, please read “Laws of Demand and Supply” in the 2019 edition. It is available on our website (www.greenbag.org).

FRESH DEVELOPMENTS

The first full calendar year of COVID-19 was not an easy one for anyone. But devotees of Sherlock Holmes and John Watson managed to find, or create, quite a few pleasant moments. Consider, for example, the Shaka Sherlockians of Hawaii. They were founded in late 2020, in the midst of the pandemic, by their current Gasogene, Dr. Joseph T. Page Jr. With their creative and kindly outreach (see, for example, the lovely membership certificate below), and their excellent Zoom meetings,¹ they brought Sherlockians around the world to one of the loveliest places on the planet — quite an uplift! And they renewed the Sherlockian community in Hawaii.



* Ross Davies is a *Green Bag* editor.

¹ Available for viewing here: www.shakasherlockian.com/meetingscalendar.html.



Or consider the case of Peggy Perdue. Making lemonade from lemons is cheap and easy; making Holmes from home confinement is pandemically priceless. After she agreed to permit us to publish this fine Sherlockian portrait — which she drew in February 2021 while recovering from a bad fall on an icy Toronto sidewalk — Peggy also gave us this caption: “The game is a *foot*. Art in the blood meets physiotherapy when a Sherlockian works on regaining ankle flexibility after a broken leg.”

Or consider the magnificent *Sherlock Holmes on Screens* newspaper that was launched in the summer of 2021 (and promptly read around the world — see next page) by Sherlock Holmes on Screens, the ambitious cinematic project of Howard Ostrom and Thierry Saint-Joanis.²

² www.sherlock-holmes-on-screens.com/newspaper.



Or consider many other good things too numerous and various to catalog here, because the year saw so much that the Sherlockian community can and should be proud of and grateful for. In that sense, 2021 was, despite its extraordinary defects, a year like any other year. Thank goodness.

WHISPERS OF “NORBURY”

Which is not to say that everything came up roses for the *Baker Street Almanac* in 2021. That year’s edition was, alas, imperfect. As faithful reader Richard Sveum tactfully wrote to us, “Hate to whisper ‘Norbury’ but in the table of contents you have page 135 preceding page 134.” Dick was correct. We had the correct page numbers attached to the correct works both in the contents and within the book (Ron Fish’s was on page 134, Peter Blau’s began on page 135), but we listed them in the wrong order in the contents (Blau before Fish). We thank Dick for his gentle and properly canonically expressed correction, and apologize to any disoriented readers.

And then we noticed that in the last line of footnote 94 on page 330, we had too many commas and too few spaces. Oy.

If you catch an error — large or small — please do let us know (email editors@greenbag.org).



ONE OR TWO LITTLE FANCIES

A *Baker Street Almanac* often travels (or at least exits our mailroom) in the company of other Sherlockian items. The 2018 edition, for example, was wrapped in a “How Watson Learned the Trick” dust jacket, and last year’s contained “Priory School” cricket caps. This edition is (or was) accompanied by an “Abbey Grange” two-sided jigsaw puzzle. (Loyalists who placed orders early already have a colorful clue, one side of which is reproduced above in black and white.) This item was inspired by the caption on a portrayal of Sherlock that appears in the puzzle, not by any puzzle he solves in the story.

THANKS

As ever, we thank the librarians (especially librarian-artist extraordinaire, Peggy Perdue), and Ira Brad Matetsky (whose sharp glance is always the last cast upon the *Baker Street Almanac*³). Thanks also to Riley Davies, for his reading of *Sherlock Holmes on Screens*. And thank you, reader, for reading. Please do write if you think of something we ought to start or stop doing.

Ross E. Davies
July 7, 2022

³ Cf. *Davies v. Mann*, 152 Eng. Rep. 588 (1882).

SHERLOCK HOLMES AND LAW 2021

*Ira Brad Matetsky**

January 21, 2021: Judge Gregory F. Van Tatenhove must quantify the attorneys' fees payable to the plaintiff's lawyer in a case under the Individuals with Disabilities Education Act. The school district asks the court to reduce the fee award because some of the plaintiff's claims proved unsuccessful. The court is reluctant to do so. "So long as an attorney is pursuing good-faith arguments on behalf of her client, it is not practical to use the critical gaze of hindsight as a yardstick for attorneys' fees. As Arthur Conan Doyle once said, it is easy to be wise after the event."¹

February 9, 2021: A federal appeals court addresses a challenge to an agency's refusal to disclose whether certain records exist, based on the agency's concern that providing even that much information might reveal details that the agency is permitted to withhold. In his opinion for the court, Judge A. Raymond Randolph agrees that "[t]he absence of particular evidence may sometimes provide clues as important as the presence of such evidence. In literature, a common way of expressing this truth, although not always accurately, is to refer to the dog that did not bark."² In a footnote, the court states that "[t]he idiom is derived from Arthur Conan Doyle's *Silver Blaze*" and recites the familiar quotation from that story.³

February 18, 2021: The question before the U.S. Court of Appeals for the Fourth Circuit is whether plaintiffs have stated valid claims based on allegations that their GM cars have defective dashboards. Judge John Nalbandian, writing for the court, concludes that they have not. He observes that "[m]uch like Sir Conan Doyle's [*sic*] case of the dog that did not bark, this dispute centers on what we can infer from shrapnel that did not spray."⁴

February 22, 2021: The U.S. Supreme Court hears argument in an original-jurisdiction case in which Florida accuses Georgia of damaging Florida's ecosystem, including the state's oyster beds, by appropriating too much water from interstate rivers. During the argument, Justice Clarence Thomas remarks that "Florida's brief, if I were to entitle it, it would be something along the

* Ira Brad Matetsky is a lawyer and is "The Final Problem" in the Baker Street Irregulars.

¹ *L.M. v. Henry County Board of Education*, No. 3:18-cv-00037, 2021 U.S. Dist. LEXIS 12215, at *19-20 (E.D. Ky. Jan. 22, 2021) (quoting "The Problem of Thor Bridge").

² *Leopold v. Central Intelligence Agency*, 987 F.3d 163, 167 (D.C. Cir. 2021).

³ *Id.* at n.3.

⁴ *Smith v. General Motors LLC*, 988 F.3d 873, 875 (4th Cir. 2021).

lines of “The Case of the Disappearing Water.”⁵ Although Sherlock Holmes is not mentioned by name, at least one reporter takes this as a reference to the writings of Arthur Conan Doyle.⁶ The argument contains additional cultural references: Chief Justice John Roberts analogizes a multiple-causation scenario in the case to Agatha Christie’s *Murder on the Orient Express*,⁷ while Florida’s counsel, Gregory Garre, says that increased salinity in the water system “caused this invasion of predators that our witnesses described was like a science fiction movie.”⁸ A few months later, Justice Amy Coney Barrett cites none of these allusions in her opinion for a unanimous Court dismissing Florida’s claims.⁹

February 22, 2021: In an unpleasant criminal case, the court discusses online conversations that took place between the defendant and a police officer pretending to be a minor. “As the conversations began, [defendant] Stoune identified himself as Mycroft James Holmes. But Emily questioned whether this was Stoune’s real name, indicating that a simple Internet search revealed that Mycroft Holmes is a fictional character — the elder brother of detective Sherlock Holmes. Through some crafty detective work of his own, Sergeant Gadzick was able to uncover Stoune’s true identity, which was not disputed at trial.”¹⁰

March 15, 2021: The High Court of Karnataka, India addresses a trademark dispute involving a claim of confusing similarity. Justice P. Krishna Bhat explains that in reviewing such an issue, the court should assess whether a likelihood of confusion would exist in “the mind of the quintessential common man,” who “is neither possessed with the wisdom of Solomon nor the trained eyes of Sherlock Holmes.”¹¹

April 23, 2021: A bankruptcy court must determine whether the transferee of an allegedly fraudulent transfer was on notice of the fraud. Prior court decisions have questioned the standard that should govern this inquiry,

⁵ Transcript of oral argument at 41, *Florida v. Georgia*, No. 142, Orig. (argued Feb. 22, 2021).

⁶ Mark Sherman, *Second High Court Hearing for Florida-Georgia Water War* (Feb. 22, 2021), available at apnews.com/article/georgia-agatha-christie-florida-gulf-of-mexico-arthur-conan-doyle-8d8bd965cbbc3542fc526ee2d1b6a284. The author thanks Peter E. Blau for bringing this article as well as two of the entries below to his attention.

⁷ Transcript, note 5 above, at 5.

⁸ *Id.* at 17.

⁹ *Florida v. Georgia*, 141 S. Ct. 2697 (2021).

¹⁰ *United States v. Stoune*, No. 3:18-cv-204, 2021 U.S. Dist. LEXIS 32197, at *3 (M.D. Fla. Feb. 22, 2021) (quoting *United States v. Stoune*, 694 F. App’x 688, 689-90 (11th Cir. 2017)), *cert. of appealability denied*, No. 21-10796-E, 2021 U.S. App. LEXIS 16908 (11th Cir. June 7, 2021).

¹¹ *Kumar v. Kandelwal*, Misc. First Appeal, Case No. 790/2021, ¶ 12 (Karnataka HC Mar. 15, 2021).

expressing concern over “the requirement that a transferee be held to an unrealistic inquiry and imputed knowledge standard, and the requirement that the transferee determine a matter that may involve a legal conclusion.” Bankruptcy Judge William J. Lafferty III agrees that “we should avoid a rule that, in order to avoid liability for what are eventually determined to be fraudulent transfers, transferees must be a combination of Sherlock Holmes and Professor Kingsfield.”¹²

July 6, 2021: A panel of the Supreme Court of India orally rejects a criminal appeal against a murder conviction. Justice R.F. Nariman criticizes one of arguing counsel’s contentions, asserting that “it’s like Sherlock Holmes telling Dr. Watson, ‘you see but you do not observe.’”¹³

September 20, 2021: Judge Joseph Anderson Jr. of the U.S. District Court for the District of South Carolina denies a federal prisoner’s motion seeking a reduction of his sentence under the First Step Act. The court holds that the defendant’s serious criminal conduct (including a murder) and prison disciplinary record warrant denial of the motion. The court discounts the 32 classes that defendant took while in prison, stating that “[w]hile this is an impressive number, closer examination reveals that some of the courses for which the defendant has received credit required little effort and were of minimal rehabilitative value.” It is unclear whether this criticism applies to defendant’s class on “Classic Lit — Sherlock Holmes.”¹⁴

October 21, 2021: The Ohio Supreme Court splits 4-3 in resolving a criminal appeal involving an *ex post facto* issue. In her dissenting opinion, Justice Melody Stewart emphasizes her disagreement with the majority by opining that “[w]e do not need Sherlock Holmes to crack this case.”¹⁵

November 2, 2021: At a keynote address to the tenth anniversary dinner of the *Kings Inn Law Review*, Justice Gerard Hogan of the Supreme Court of Ireland “touche[s] on a broad range of topics ... ranging from the superannuation benefits of an Austrian academic to Sherlock Holmes.”¹⁶

¹² *Kasolas v. Nicolson* (*In re* Fox Ortega Enters.), 631 B.R. 425, 462 (Bankr. N.D. Cal. Apr. 23, 2021).

¹³ Quoted in Press Trust of India, *SC Upholds Conviction in Murder Case, Quotes Sherlock Holmes*, available at opoyi.com/sc-upholds-conviction-in-murder-case-quotes-sherlock-holmes. The Sherlockian quotation, whose relevance to the issue being argued is not entirely clear from the published report, is from “A Scandal in Bohemia.”

¹⁴ *United States v. Priester*, No. CR 3:07-1014, 2021 U.S. Dist. LEXIS 178638, at *11 (D.S.D. Sept. 20, 2021).

¹⁵ *State v. Hubbard*, 2021-Ohio-3170, ¶ 70, 2021 Ohio LEXIS 2091, *56 (Oct. 21, 2021) (Stewart, J., dissenting).

¹⁶ Editor-in-Chief Report on Mr. Justice Hogan’s Address, www.kingsinns.ie/news-events/item/

December 21, 2021: In an article published in the *Journal of Law and Medical Ethics*, Dr. Lakshmi Krishnan reports on the late-nineteenth-century case of Cornelius Herz, who successfully asserted that he was too ill to be extradited from England to face criminal charges in France, despite the French authorities' contention that he was faking his illness.¹⁷ In discussing how malingering cases were handled during this era, Krishnan extensively discusses Sherlock Holmes' behavior in "The Adventure of the Dying Detective." Krishnan observes that "[p]ublished twenty years after 'The Final Problem,' where the Baker Street sleuth fakes his own death, 'The Dying Detective' bares the ligaments between clinical diagnosis, criminal detection, and malingering." She concludes that this story "is an unusual Sherlock Holmes adventure. ... It is one of the few where the solution turns on a medical diagnosis, even though diagnostic epistemologies are backed into Holmes' methods via Conan Doyle's medical training and homage to his professors (i.e. Joseph Bell). At the same time, it represents a malingering apotheosis.... 'The Dying Detective' seems almost inevitable when considering the epidemic of feigning in the rest of the Holmes canon."¹⁸

December 31, 2021: At the end of 2021, four stories from *The Case-Book of Sherlock Holmes* complete their 95-year copyright terms and enter the public domain in the United States. The four are "The Adventure of the Three Gables," "The Adventure of the Blanched Soldier," "The Adventure of the Lion's Man," and "The Adventure of the Retired Colourman," all of which were first published in the U.S. in the fall of 1926 in *Liberty* magazine. Also first published in 1926, and therefore also entering the U.S. public domain at year-end 2021, is Conan Doyle's third Professor Challenger novel, *The Land of Mist*. Two canonical stories — "The Adventure of the Veiled Lodger" and "The Adventure of Shoscombe Old Place" — were first published in 1927 and remain under U.S. copyright protection for one more year, until December 31, 2022.

2021/11/volume-x/.

¹⁷ Lakshmi Krishnan, *Person Under Investigation: Detecting Malingering and a Diagnostics of Suspicion in Fin-de-Siècle Britain*, 49 *J. L. Med. & Ethics* 343 (Fall 2021), available at www.cambridge.org/core/services/aop-cambridge-core/content/view/65D3A1E1D3AD344B6E26CDD8C8678548/S107311052100053Xa.pdf/person-under-investigation-detecting-malingering-and-a-diagnostics-of-suspicion-in-fin-de-siecle-britain.pdf.

¹⁸ *Id.* at 345-46 (footnotes omitted).

THE ADVENTURE OF THE ABBEY GRANGE

by A. Conan Doyle

A NEW ANNOTATED EDITION



The cover of The Sunday [San Francisco] Call Magazine, May 21, 1905.

By Reginald Russom

THE ADVENTURE OF THE ABBEY GRANGE

A NEW ANNOTATED EDITION

*Arthur Conan Doyle,¹ with notes by Peter E. Blau,² Shana Carter,³ Greg Darak,⁴
Ross E. Davies,⁵ Steven Doyle,⁶ Harrison Hunt,⁷ Robert Katz,⁸ Michael Kean,⁹
Leslie S. Klinger,¹⁰ Nick Martorelli,¹¹ Steve Mason,¹² Ira Brad Matetsky,¹³
Michael McSwiggin,¹⁴ Scott Monty,¹⁵ Rob Nunn,¹⁶ Monica Schmidt,¹⁷ Will Walsh,¹⁸
Burt Wolder,¹⁹ Beverly Wolov,²⁰ and Christopher Zordan²¹*

¹ Sir Arthur Ignatius Conan Doyle wrote “The Adventure of the Abbey Grange,” fifty-nine other Sherlock Holmes stories, and many other things.

² Peter E. Blau served in the U.S. Navy, is a geologist and journalist, and is the subject of *Peter E. Blau: A Festschrift*, published by BSI Press.

³ Shana Carter, ASH is also a member of the Crew of the Barque Lone Star, Five Miles from Anywhere, the Shaka Sherlockians, and the Legion of Zoom, and is an international civil servant.

⁴ Greg Darak co-runs The Men on the Tor and is also a member (in chronological order) of The Three Garridebs, the BSI, The Speckled Band, The Cornish Horrors, and ASH.

⁵ Ross E. Davies is an editor of *The Baker Street Almanac*.

⁶ Steven Doyle is the publisher of *The Baker Street Journal* and the co-publisher of Wessex Press. He leads the Illustrious Clients of Indianapolis, 140 Varieties of Tobacco Ash, and SPODE.

⁷ Harrison Hunt has particular interests in Christopher Morley, the history of the BSI, and the medical and surgical practices of Dr. Watson’s day.

⁸ Robert S. Katz, a retired physician, serves as “Cartwright” of the BSI and Co-Publisher of BSI Press.

⁹ Michael Kean, a retired publishing executive, is Wiggins of The Baker Street Irregulars.

¹⁰ Leslie S. Klinger edited and annotated *The New Annotated Sherlock Holmes* and *The Sherlock Holmes Reference Library*. He chairs the BSI Distinguished Speaker Lecture.

¹¹ Nick Martorelli is the Headmaster of the Priory Scholars of New York City, works in book publishing, and owns too many Superman t-shirts.

¹² Steve Mason is the head of the Crew of the Barque *Lone Star*, Chair of the Communications Committee for the Beacon Society; and a co-creator of the *Baker Street Elementary* comic strip.

¹³ Ira Brad Matetsky is “The Final Problem” (BSI), “The Lawyer Whose Name Was Given in the Paper” (ASH), and the Canonical Annotations Editor of this *Almanac*.

¹⁴ Michael McSwiggin, BSI is a practicing pharmacist in Cincinnati.

¹⁵ Scott Monty co-hosts the “I Hear of Sherlock Everywhere” and “Trifles” podcasts, coordinates “The Stranger’s Room,” and is a strategy, communications, and leadership advisor.

¹⁶ Rob Nunn is a fifth-grade teacher in Edwardsville, Illinois and the Program Chair for The Beacon Society. He is newly invested in the BSI under the fitting investiture of “Elementary.”

¹⁷ Monica Schmidt is president of The Younger Stamfords and a licensed mental health counselor.

¹⁸ William Walsh works in Manhattan as an environmental attorney, is an officer of The Three Garridebs, and co-edited the BSI’s professional series book, *Canon Law*.

¹⁹ Burt Wolder co-hosts the “I hear of Sherlock Everywhere” and “Trifles” podcasts. He is a marketing and communications consultant.

²⁰ Beverly Wolov has an M.A. in the History of Decorative Arts from the Smithsonian/Corcoran College of Art and Design, with a background in fashion history.

²¹ Christopher Zordan is a chemist working in pharmaceuticals and an officer of the Priory Scholars of New York.

INTRODUCTION

Leslie S. Klinger, BSI ("The Abbey Grange")

I've been intrigued by "The Abbey Grange" for a long time. My first article for the *Baker Street Journal*, appearing in 1994,²² considered Holmes's deductions about the glasses of port and the sediment evident there. I argued then that Holmes reached the right conclusions but for the demonstrably wrong reasons.

I wonder if the same can't be said about Holmes's magisterial "trial" of Captain Jack Croker, at the conclusion of which his anointed "British jury," John H. Watson, acquitted Croker of the murder of Sir Eustace Brackenstall. I am persuaded that Holmes was right — Croker was no murderer — but for the wrong reasons. Rather, I have reluctantly come to believe that Lady Mary Brackenstall herself was the murderess, her weapon the simpleton sailor whose heart she enflamed with her lurid (but probably specious) tale of domestic abuse. Sir Eustace may well have been a lout, but it was Lady Mary who benefited from his demise, as she transformed from eager Australian adventuress to wealthy widow. I fear that Captain Croker's hope for love in that quarter would soon have been quashed, as the grieving beauty moved on to even greener pastures. Holmes was certainly no judge of women, and Watson too easily dazzled, but we can readily imagine that Holmes might well be called in to investigate another bereavement of Lady Brackenstall in the not-too-distant future.

THE ADVENTURE OF THE ABBEY GRANGE

By A. Conan Doyle

It was on a bitterly cold night and frosty morning, towards the end of the winter of '97,²³ that I was awakened by a tugging at my shoulder. It was Holmes. The candle in his hand shone upon his eager, stooping face, and told me at a glance that something was amiss.²⁴

These authors retain copyright in their work here: Blau, Carter, Hunt, Kean, Klinger, Mason, and Monty.

²² Leslie S. Klinger, "Some Canonical Observations on Wine," *Baker Street Journal*, 44, No. 2 (June 1994), 109-13.

²³ LSK, Ref: Return, p. 271, n. 1; LSK, 2 New Ann., p. 1158 n. 2; OSH: Return, p. 400.

²⁴ LESLIE S. KLINGER: The manuscript of "The Abbey Grange" is owned by the Bibliotheca Bodmeriana, Cologny/Geneva. Both the manuscript and the *Collier's Weekly* appearance have the opening line as: "It was a bitterly cold and frosty morning towards the end of '97," which would place the story in December 1897, as compared to "the end of the winter of '97," which most chronologists take to mean January 1897. Although generally the manuscript may be regarded as more likely to

“Come, Watson, come!” he cried. “The game is afoot.²⁵ Not a word! Into your clothes and come!”

Ten minutes later we were both in a cab, and rattling through the silent streets on our way to Charing Cross Station. The first faint winter’s dawn was beginning to appear, and we could dimly see the occasional figure of an early workman as he passed us, blurred and indistinct in the opalescent London reek. Holmes nestled in silence into his heavy coat, and I was glad to do the same, for the air was most bitter, and neither of us had broken our fast.

It was not until we had consumed some hot tea²⁶ at the station²⁷ and taken our places in the Kentish²⁸ train that we were sufficiently thawed, he to speak and I to listen. Holmes drew a note from his pocket, and read

accurately reflect Dr. Watson’s original notes, he was writing up this tale in 1904, nearly seven years later. Extrinsic evidence therefore may be considered in fixing the date. Watson’s earlier description of a “bitterly cold night and frosty morning” in London matches recorded temperatures in London for both January 1897 and December 1897, which both experienced days with temperatures as low as minus-20 degrees Celsius (below zero Fahrenheit). Outside London, according to various sources, England was experiencing blizzards in January 1897, especially in the area between Aberdeen and Kent. One might expect that if it were January 1897, Watson would have noted these severe weather conditions on arriving at Chislehurst Station. That his record says nothing of a major snowstorm, either before or during the pair’s visit to Kent, must lead to us to the conclusion that this was not January 1897 but rather December of that year.

²⁵ LSK, Ref: Return, p. 271, n. 2; LSK, 2 New Ann, p. 1158, n.3; OSH: Return, p. 400.

²⁶ MICHAEL KEAN: Tea is considered by many to be the quintessential English beverage. However, because of its high cost when it was first introduced in the early 1600s, only the wealthy could afford to enjoy it. By the Victorian era, tea was a commonly consumed beverage at breakfast, as well as later in the day. The term “tea,” however, refers to the light, late-afternoon repast, usually served between 4:00 and 5:00 pm, consisting of bread, butter, jam, or cakes and other sweets served along with the beverage. “High tea” is a more substantial, single-course meal, often including hot items.

Tea is mentioned on seventeen different occasions in the Canon, and is consumed by Holmes and Watson in seven different stories, at various times of the day. The pair are described as having breakfast at Baker Street twenty-five times, though tea is not explicitly mentioned very often at that meal. In fact, in “The Naval Treaty,” Mrs. Hudson provides both tea and *coffee* for Holmes, Watson, and Percy Phelps. Thus, when the detective and his biographer have tea, it is more typically in the late afternoon. The quick cup of hot tea consumed at the train station at the *beginning* of “The Adventure of the Abbey Grange” is a unique occurrence, as is the “cuppa” that Holmes and Watson share at the *conclusion* of “The Creeping Man.”

²⁷ BURT WOLDER: Holmes and Watson frequently took refreshment at railway stations. They have a hasty luncheon at the buffet at Waterloo upon their return to London after interviewing Percy Phelps in “The Naval Treaty.” Having eluded Professor Moriarty at the Canterbury terminus they consider lunching there, or later at the Newhaven station, in “The Final Problem.” Station buffets were important to British travelers, especially for those on local lines such as the one covering the forty-mile distance between London and Kent in “The Abbey Grange.” Dining cars of George Pullman’s design were introduced in England on November 1, 1879 by the Great Northern Railway Company on its trains between Leeds and London, a distance of some 200 miles, and were generally reserved for longer routes.

²⁸ LSK, Ref: Return, p. 271, n. 3; LSK, 2 New Ann., p. 1159, n. 4; OSH: Return, p. 400.

aloud:

Abbey Grange,²⁹ Marsham, Kent,³⁰ 3:30 A.M.

MY DEAR MR. HOLMES:

I should be very glad of your immediate assistance in what promises to be a most remarkable case. It is something quite in your line. Except for releasing the lady I will see that everything is kept exactly as I have found it, but I beg you not to lose an instant, as it is difficult to leave Sir Eustace there.

Yours,
STANLEY HOPKINS.³¹

“Hopkins has called me in seven times,³² and on each occasion his sum-

²⁹ LSK, Ref: Return, p. 271, n. 4; LSK, 2 New Ann., p. 1159, n. 5; OSH: Return, p. 400.

³⁰ LSK, Ref: Return, p. 272, n. 8. ROSS E. DAVIES: What did the Abbey Grange look like? A limited-edition *Baker Street Almanac* postcard portrays a promising possibility. The cards were mailed to folks who placed early orders for the *Almanac*.

³¹ HARRISON HUNT: Christopher Morley had an affinity for Stanley Hopkins. Playing on the knowledge that Sherlock Holmes liked this detective, and that Hopkins was much younger than The Master, Morley adopted the persona of “my good friend Chief Inspector (Retired) Stanley Hopkins” for a series of letters he claimed to have received and then shared with Edgar W. Smith. Beginning in the early 1940s, Morley used Hopkins’s missives from “The Bilboes,” his home in Yoxley, Kent, to discuss matters Sherlockian, which even included occasional visits to Holmes in Surrey. (A bilboes was an iron bar with shackles for a prisoner’s ankles: perhaps Hopkins felt his retirement villa was something of a money pit.) The first of these was published in 1942 in Smith’s *Letters from Baker Street*. Morley’s cover letter begins, “I hadn’t heard from old Stanley Hopkins for a long time,” and the piece ends with Hopkins’s signature, reproduced here through the courtesy of Christopher Morley’s literary executor, Joch Woodruff:

Stanley Hopkins, O. B. E.
Chief Inspector C. I. D. (Retired)

Correspondence from Stanley Hopkins was an early mainstay of Morley’s “Clinical Notes from a Resident Patient,” first in Edgar W. Smith’s 1944 book *Profiles by Gaslight* and subsequently in the initial issues of *The Baker Street Journal*. As reported in Steven Rothman’s indispensable *The Standard Doyle Company: Christopher Morley on Sherlock Holmes* (p. 250), Morley did not actually compose the columns; rather, Smith patched them together from Morley’s many letters to him. Messages from Hopkins appeared in the debut issue of the *BSJ* in January 1946 and continued regularly for two years, after which they were discontinued in favor of words from another of Morley’s personas, Jane Nightwork. Hopkins’s final letter appeared in the 1957 *BSJ Christmas Annual*.

The Morley family’s connection with Inspector Hopkins continued with Christopher Morley’s youngest child, Blythe Morley, who wrote three mysteries under the pen name Stanley Hopkins, Jr.: two books, *Murder by Inches* (1943) and *The Parchment Key* (1944), and a short story, “The Lady Holding a Green Apple” (1947).

³² LSK, 2 New Ann., p. 1159, n. 6.

mons has been entirely justified,” said Holmes.³³ “I fancy that every one of his cases has found its way into your collection,³⁴ and I must admit, Watson, that you have some power of selection, which atones for much which I deplore in your narratives.³⁵ Your fatal habit of looking at everything from the point of view of a story instead of as a scientific exercise has ruined what might have been an instructive and even classical series of demonstrations. You slur over work of the utmost finesse and delicacy, in order to dwell upon sensational details which may excite, but cannot possibly instruct, the reader.”

“Why do you not write them yourself?” I said, with some bitterness.

“I will, my dear Watson, I will.³⁶ At present I am, as you know, fairly busy, but I propose to devote my declining years to the composition of a textbook, which shall focus the whole art of detection into one volume.³⁷

³³ LSK, Ref: Return, p. 271, n. 5; WBG, p. 2:491, n. 1.

³⁴ OSH: Return, p. 400.

³⁵ NICK MARTORELLI: But does he? Consider the numerous other cases that Watson often mentions, those many opening paragraphs where he tries to sell the reader on a case that “no collection would be complete” without. Are we to believe, for example, that “The Reigate Squires” is more vital a case than the colossal schemes of Baron Maupertuis, referenced in that same story? But rather, might this comment from Holmes instead reveal deep understanding of and praise for Watson’s writing? The power of selection that he praises created a Canon that is closer to a “textbook of friendship” than “the whole art of deduction.” Perhaps, at some point in their partnership, Holmes deduced that it was this chronicle of his friendship, rather than his professional accomplishments, that would be his true legacy.

³⁶ LSK, Ref: Return, p. 272, n. 6; LSK, 2 New Ann., p. 1160 n. 7; WBG, p. 2:492, n. 2.

³⁷ OSH: Return, p. 400. GREG DARAK: Sherlock Holmes was considered to be a cold, calculating, reasoning machine. It’s odd, then, that he should be so changeable about what he planned to do when he retired. At various times, he talked of living in the quiet fashion that was most congenial to him, concentrating on his chemical researches (“The Final Problem”), disappearing to the little farm of his dreams (“The Creeping Man”), and devoting himself to writing a book on the whole art of detection (“The Abbey Grange”). Not only are all of these plans different, they seem strange coming from a man who once said, “my mind is like a racing engine, tearing itself to pieces because it is not connected up with the work for which it is built” (“Wisteria Lodge”). Could such a man retire to a quiet life of any of these possibilities, or to yet a fourth choice, bee-keeping? Is it possible that he mentioned different choices when he talked of retiring because he never seriously thought of retirement at all, and that his supposed retirement was a cover for further secret activity? We know Holmes kept a home on the Sussex Downs, but he rarely saw even his closest friend while supposedly in residence there. We also know that at the government’s call he left the Sussex Downs for two solid years of undercover work. Is it possible that a man who craved mental exercise was living in quiet retirement all the rest of the time? Isn’t it more likely that the Sussex Downs was where Holmes lived between secret government assignments? Watson, who was not good at keeping secrets and would have been kept in the dark until the time of “His Last Bow,” does give us one bit of information that could indicate that was the case. At the beginning of “The Problem of Thor Bridge” (published in 1922), he assures the families whose secrets are hidden in the records in his tin box that they have no need to worry; those records “will be separated and destroyed now that my friend has time to turn his energies to the matter.” So although Holmes had supposedly been retired since 1903, it is not until 1922 that he has the “time to turn his energies to the matter.” It seems reasonable to think that he must have been busy with more than just bees for those nineteen years. Perhaps the

Our present research appears to be a case of murder.”

“You think this Sir Eustace is dead, then?”

“I should say so. Hopkins’s writing shows considerable agitation, and he is not an emotional man. Yes, I gather there has been violence, and that the body is left for our inspection. A mere suicide would not have caused him to send for me.³⁸ As to the release of the lady, it would appear that she has been locked in her room during the tragedy. We are moving in high life, Watson, crackling paper, ‘E.B.’ monogram, coat-of-arms,³⁹ picturesque address. I think that friend Hopkins will live up to his reputation, and that we shall have an interesting morning. The crime was committed before twelve last night.”

“How can you possibly tell?”

“By an inspection of the trains, and by reckoning the time. The local police had to be called in, they had to communicate with Scotland Yard, Hopkins had to go out, and he in turn had to send for me. All that makes a fair night’s work. Well, here we are at Chislehurst Station,⁴⁰ and we shall soon set our doubts at rest.”

A drive of a couple of miles through narrow country lanes brought us to a park gate,⁴¹ which was opened for us by an old lodge-keeper,⁴² whose haggard face bore the reflection of some great disaster. The avenue ran through a noble park, between lines of ancient elms,⁴³ and ended in a low, widespread house,⁴⁴ pillared in front after the fashion of Palladio.⁴⁵ The central part was evidently

secret archives of the British government — which at times, of course, was Holmes’s brother — could give us further information.

³⁸ SCOTT MONTY: While suicide and attempted suicide were crimes in England until 1961, Holmes is correct that a suicide itself would not be a reason for the police to engage his services. Of the four attempted suicides in the Canon, Holmes was already engaged in the cases: Mrs. Elsie Cubit, who tried to take her life after her husband Hilton (Holmes’s client) was tragically killed (“The Dancing Men”); Arthur/Harry Pinner, who attempted to hang himself (“The Stockbrokers’ Clerk”); Josiah Amberley, when Holmes accused him of murder (“The Retired Colourman”); and the prevented suicide of Mrs. Ronder (“Your life is not your own,” he said. “Keep your hands off it.”) (“The Veiled Lodger”). And while there were numerous assumed or ruled-out suicides (eight, in fact: *A Study in Scarlet*, “The Five Orange Pips,” “The Beryl Coronet,” “The Man with the Twisted Lip,” “The Resident Patient,” “The Golden Pince-Nez,” “The Devil’s Foot,” and *The Valley of Fear*), there were three actual suicides: one, before the story began, associated with the history of the blue carbuncle (“The Blue Carbuncle”); one that was all but certain after Anna consumed cyanide (“The Golden Pince-Nez”); and Maria Gibson’s suicide-disguised-as-murder scheme (“Thor Bridge”).

³⁹ OSH: Return, p. 401.

⁴⁰ LSK, Ref: Return, p.272, n. 7.

⁴¹ WBG, p. 2:492, n. 3.

⁴² LSK, Ref: Return, p. 272, n. 9.

⁴³ OSH: Return, p. 401.

⁴⁴ LSK, 2 New Ann., p. 1161, n. 8.

⁴⁵ LSK, Ref: Return, p. 272, n. 10; LSK, 2 New Ann., p. 1161, n. 9; WBG, p. 2:493, n. 4; OSH: Return, p. 401.

of a great age and shrouded in ivy, but the large windows showed that modern changes had been carried out, and one wing of the house appeared to be entirely new. The youthful figure and alert, eager face of Inspector Stanley Hopkins confronted us in the open doorway.

"I'm very glad you have come, Mr. Holmes. And you, too, Dr. Watson. But, indeed, if I had my time over again, I should not have troubled you, for since the lady has come to herself, she has given so clear an account of the affair that there is not much left for us to do. You remember that Lewisham gang of burglars?"

"What, the three Randalls?"⁴⁶

"Exactly; the father and two sons. It's their work. I have not a doubt of it. They did a job at Sydenham⁴⁷ a fortnight ago and were seen and described. Rather cool to do another so soon and so near, but it is they, beyond all doubt. It's a hanging matter this time."⁴⁸

"Sir Eustace is dead, then?"

"Yes, his head was knocked in with his own poker."

"Sir Eustace Brackenstall,⁴⁹ the driver tells me."

"Exactly — one of the richest men in Kent — Lady Brackenstall is in the morning-room.⁵⁰ Poor lady, she has had a most dreadful experience. She seemed half dead when I saw her first. I think you had best see her and hear her account of the facts. Then we will examine the dining-room together."

Lady Brackenstall was no ordinary person. Seldom have I seen so graceful a figure, so womanly a presence, and so beautiful a face. She was a blonde, golden-haired, blue-eyed, and would no doubt have had the perfect complexion which goes with such colouring, had not her recent experience left her drawn and haggard. Her sufferings were physical as well as mental, for over one eye rose a hideous, plum-coloured swelling,⁵¹ which her maid, a tall, austere woman, was bathing assiduously with vinegar and water.⁵² The lady

⁴⁶ OSH: Return, p. 401. THE EDITORS: The fact that the Baker Street Irregulars have also had three Randalls — the late David A. Randall ("The Golden Pince-Nez") and Warren Randall ("Harold Stackhurst") and current member Randall Stock ("South African Securities") — is just a coincidence ... probably.

⁴⁷ LSK, Ref: Return, p. 273, n. 11.

⁴⁸ IRA MATETSKY: At this time, death by hanging was the mandatory sentence for murder, a crime that included intentional killing as well as any killing in the course of committing another felony. See Matetsky, "Homicide and Punishment: Murder in the Sherlockian Canon," in *Canon Law* (William A. Walsh and Donny Zaldin, eds., BSI Press 2019).

⁴⁹ LSK, Ref: Return, p. 273, n. 12; LSK, 2 New Ann., p. 1161, n. 10.

⁵⁰ LSK, Ref: Return, p. 273, n. 13.

⁵¹ See note 113 by Robert Katz below.

⁵² HARRISON HUNT: Bathing with vinegar, usually diluted in warm water, is a traditional treatment for bruising. The vinegar is said to increase circulation in the area and thereby break up the clots

lay back exhausted upon a couch, but her quick, observant gaze, as we entered the room, and the alert expression of her beautiful features, showed that neither her wits nor her courage had been shaken by her terrible experience. She was enveloped in a loose dressing-gown of blue and silver, but a black sequin-covered dinner-dress was hung upon the couch beside her.⁵³

"I have told you all that happened, Mr. Hopkins," she said, wearily. "Could you not repeat it for me? Well, if you think it necessary, I will tell these gentlemen what occurred. Have they been in the dining-room yet?"

"I thought they had better hear your ladyship's story first."

"I shall be glad when you can arrange matters. It is horrible to me to think of him still lying there." She shuddered and buried her face in her hands. As she did so, the loose gown fell back from her forearms. Holmes uttered an exclamation.

"You have other injuries, madam! What is this?" Two vivid red spots stood out on one of the white, round limbs. She hastily covered it.

"It is nothing. It has no connection with this hideous business of last night.⁵⁴ If you and your friend will sit down, I will tell you all I can.

"I am the wife of Sir Eustace Brackenstall. I have been married about a

forming the bruise. Nineteenth-century pharmacopias such as *The Dispensatory of the United States* (1854) recognized that vinegar (acetum) was "employed [externally] ... in bruises and strains." The liquid was described as a "rube-facient" (something that dilates surface blood vessels and thereby reddens the skin) in Alfred Garrod's *The Essentials of Materia Medica and Therapeutics*, a text used by Arthur Conan Doyle in medical school. For more about this, see Harold Billings, "The Materia Medica of Sherlock Holmes," 56 *The Baker Street Journal* No. 3 (Autumn 2006), 37-46.

⁵³ BEVERLY WOLOV: A blue and silver dressing gown. Money. Taste. Class. Even more significant: the black sequined-covered dinner dress. The black is necessary to the story to hide obvious blood stains. To make a point that it was sequin-covered? Sequins signal that the dress was made in Paris, not only purchased there but most assuredly custom made. Perhaps they went to Paris for their honeymoon. That wouldn't be unusual. But to have acquired such a classic and classy dress demonstrates a level of fashion sophistication that belies Lady B's offhand remarks about the freedoms of growing up in Australia. She was brought up to be a lady. She had a nurse from the beginning, traveled properly chaperoned, and remained composed and self-contained even under the fire of Holmes' questions. She was most likely part of the nouveau riche that had money but no social status, hence the trip to England to see if she could make a proper "match." SHANA CARTER: This "black sequin-covered dinner-dress" is the only sequined or spangled garment found in the Canon (though there are references to "spangled" skies in *The Hound of the Baskervilles* and *The Valley of Fear*). Assuming Lady Brackenstall is dressed *à la mode*, the sequins are probably attached to a net or sheer over-dress draped upon a black bodice and skirt. In 1897, evening sleeves, if long, were typically "of wrinkled transparent material." (C. Willett Cunningham, *English Women's Clothing in the Nineteenth Century*. New York: Dover Publications, 1990). However, the sleeves of this dress are presumably opaque, the better to conceal the wounds on the wearer's forearm. Although Lady Brackenstall has changed into "a loose dressing-gown of blue and silver" by the time of her first interview with Holmes and Watson, the story makes it clear that she was still wearing her dinner-dress during the previous night's tragedy, presumably to avoid any suggestion of impropriety.

⁵⁴ LSK, Ref: Return, p.273, n. 14; LSK, 2 New Ann., p. 1163, n. 11.

year.⁵⁵ I suppose that it is no use my attempting to conceal that our marriage has not been a happy one. I fear that all our neighbours would tell you that, even if I were to attempt to deny it. Perhaps the fault may be partly mine.⁵⁶ I was brought up in the freer, less conventional atmosphere of South Australia,⁵⁷ and this English life, with its proprieties and its primness, is not congenial to me. But the main reason lies in the one fact, which is notorious to everyone, and that is that Sir Eustace was a confirmed drunkard.⁵⁸ To be with such a man for an hour is unpleasant. Can you imagine what it means for a sensitive and high-spirited woman to be tied to him for day and night? It is a sacrilege, a crime, a villainy to hold that such a marriage is binding. I say that these monstrous laws of yours⁵⁹ will bring a curse upon the land — Heaven⁶⁰ will not let such wickedness endure.” For an instant she sat up, her cheeks flushed, and her eyes blazing from under the terrible mark upon her brow. Then the strong, soothing hand of the austere maid drew her head down on to the cushion, and the wild anger died away into passionate sobbing. At last she continued:

“I will tell you about last night. You are aware, perhaps, that in this house all servants sleep in the modern wing. This central block is made up of the dwelling-rooms, with the kitchen behind and our bedroom above. My maid, Theresa, sleeps above my room. There is no one else, and no sound could alarm those who are in the farther wing. This must have been well-known to the robbers, or they would not have acted as they did.

“Sir Eustace retired about half-past ten. The servants had already gone to their quarters. Only my maid was up, and she had remained in her room at the top of the house until I needed her services. I sat until after eleven in this room, absorbed in a book. Then I walked round to see that all was right before

⁵⁵ WBG, p. 2:493, n. 5.

⁵⁶ MONICA SCHMIDT: Historically, society often blamed victims of abuse for instigating the abuse. Abuse is never the fault of the victim — perpetrators always have a choice regarding how they respond to situations. themendproject.com/am-i-the-victim-of-emotional-abuse/its-not-your-fault/.

⁵⁷ LSK, Ref: Return, p. 274, n. 15.

⁵⁸ MONICA SCHMIDT: An ongoing theme in the Canon is that an abusive spouse’s temperament is frequently blamed on the evils of alcohol. This was true of Jim Browner in “The Cardboard Box,” Captain Peter Carey in “Black Peter,” and Sir Eustace Brackenstall here. The societal judgment that heavy drinking or alcoholism is a sign of moral deficiency continues in the modern era, even though the disease model of addiction is now prevalent in the medical community.

⁵⁹ LSK, 2 New Ann., p. 1163, n. 12; OSH: Return, p. 401. MONICA SCHMIDT: In nineteenth-century Britain, a literal act of Parliament could be required to obtain a divorce. Even if a woman was wealthy enough to be granted a hearing and divorce, she could face the loss of her right to property, the likely loss of her children, and social ruin from which she might never recover. Thus, women often felt they had no choice but to continue their legal marital status no matter what cruelty befell them. See blogs.loc.gov/law/2018/02/marriage-and-divorce-19th-century-style/.

⁶⁰ LSK, Ref: Return, p. 274, n. 16; LSK, 2 New Ann., p. 13.

I went upstairs. It was my custom to do this myself, for, as I have explained, Sir Eustace was not always to be trusted. I went into the kitchen, the butler's pantry, the gun-room, the billiard-room, the drawing-room, and finally the dining-room. As I approached the window, which is covered with thick curtains, I suddenly felt the wind blow upon my face and realized that it was open. I flung the curtain aside and found myself face to face with a broad-shouldered elderly man,⁶¹ who had just stepped into the room. The window is a long French one,⁶² which really forms a door leading to the lawn. I held my bedroom candle lit in my hand, and, by its light, behind the first man I saw two others, who were in the act of entering. I stepped back, but the fellow was on me in an instant. He caught me first by the wrist and then by the throat. I opened my mouth to scream, but he struck me a savage blow with his fist over the eye, and felled me to the ground. I must have been unconscious for a few minutes, for when I came to myself, I found that they had torn down the bell-rope, and had secured me tightly to the oaken chair which stands at the head of the dining-room table. I was so firmly bound that I could not move, and a handkerchief round my mouth prevented me from uttering any sound. It was at this instant that my unfortunate husband entered the room. He had evidently heard some suspicious sounds, and he came prepared for such a scene as he found. He was dressed in his shirt⁶³ and trousers, with his favourite blackthorn⁶⁴ cudgel⁶⁵ in his hand. He rushed at the burglars,⁶⁶ but another — it was the elderly man⁶⁷ — stooped, picked the poker out of the grate and struck him a horrible blow as he passed. He fell with a groan⁶⁸ and never moved again. I fainted once more, but again it could only have been a very few minutes during which I was insensible. When I opened my eyes I found that they had collected the silver from the sideboard, and they had drawn a bottle of wine⁶⁹ which stood there. Each of them had a glass in his hand. I have already told you, have I not, that one was elderly, with a beard, and the others young, hairless lads. They might have been a father with his two sons. They talked together in whispers. Then they came over and made sure that I was still securely bound. Finally they withdrew, closing the window after them. It was quite a quarter of an

⁶¹ OSH: Return, p. 401.

⁶² LSK, Ref: Return, p. 274, n. 17.

⁶³ LSK, Ref: Return, p. 275, n. 18; LSK, 2 New Ann., p. 1165, n. 14.

⁶⁴ LSK, Ref: Return, p. 275, n. 19.

⁶⁵ LSK, 2 New Ann., p. 1165, n. 15.

⁶⁶ LSK, Ref: Return, p. 275, n. 20; LSK, 2 New Ann., p. 1165, n. 16.

⁶⁷ LSK, 2 New Ann., p. 1165, n. 17.

⁶⁸ LSK, Ref: Return, p. 275, n. 21; LSK, 2 New Ann., p. 1165, n. 18.

⁶⁹ LSK, Ref: Return, p. 275, n. 22.

hour before I got my mouth free. When I did so, my screams brought the maid to my assistance. The other servants were soon alarmed, and we sent for the local police, who instantly communicated with London. That is really all I can tell you, gentlemen, and I trust that it will not be necessary for me to go over so painful a story again.”

“Any questions, Mr. Holmes?” asked Hopkins.

“I will not impose any further tax upon Lady Brackenstall’s patience and time,” said Holmes. “Before I go into the dining-room, I should like to hear your experience.” He looked at the maid.

“I saw the men before ever they came into the house,” said she. “As I sat by my bedroom window I saw three men in the moonlight⁷⁰ down by the lodge gate yonder, but I thought nothing of it at the time. It was more than an hour after that I heard my mistress scream, and down I ran, to find her, poor lamb, just as she says, and him on the floor, with his blood and brains over the room. It was enough to drive a woman out of her wits, tied there, and her very dress spotted with him, but she never wanted courage, did Miss Mary Fraser of Adelaide and Lady Brackenstall of Abbey Grange hasn’t learned new ways. You’ve questioned her long enough, you gentlemen, and now she is coming to her own room, just with her old Theresa, to get the rest that she badly needs.”

With a motherly tenderness the gaunt woman put her arm round her mistress and led her from the room.

“She has been with her all her life,” said Hopkins. “Nursed her as a baby, and came with her to England when they first left Australia, eighteen months ago. Theresa Wright⁷¹ is her name, and the kind of maid you don’t pick up nowadays. This way, Mr. Holmes, if you please!”

The keen interest had passed out of Holmes’s expressive face, and I knew that with the mystery all the charm of the case had departed. There still remained an arrest to be effected, but what were these commonplace rogues that he should soil his hands with them? An abstruse and learned specialist who finds that he has been called in for a case of measles would experience something of the annoyance which I read in my friend’s eyes. Yet the scene in the dining-room of the Abbey Grange was sufficiently strange to arrest his attention and to recall his waning interest.

It was a very large and high chamber, with carved oak ceiling, oaken panelling, and a fine array of deer’s heads and ancient weapons around the walls. At the further end from the door was the high French window of

⁷⁰ WBG, p. 2:495, n. 6.

⁷¹ OSH: Return, p. 401.

which we had heard. Three smaller windows on the right-hand side filled the apartment with cold winter sunshine. On the left was a large, deep fireplace, with a massive, overhanging oak mantelpiece. Beside the fireplace was a heavy oaken chair with arms and cross-bars at the bottom. In and out through the open woodwork was woven a crimson cord, which was secured at each side to the crosspiece below. In releasing the lady, the cord had been slipped off her, but the knots with which it had been secured still remained. These details only struck our attention afterwards, for our thoughts were entirely absorbed by the terrible object which lay spread upon the tiger-skin hearthrug in front of the fire.

It was the body of a tall, well-made man, about forty years of age. He lay upon his back, his face upturned, with his white teeth grinning through his short, black beard. His two clenched hands were raised above his head, and a heavy, blackthorn stick lay across them. His dark, handsome, aquiline features were convulsed into a spasm of vindictive hatred, which had set his dead face in a terribly fiendish expression. He had evidently been in his bed when the alarm had broken out, for he wore a foppish, embroidered nightshirt, and his bare feet projected from his trousers. His head was horribly injured, and the whole room bore witness to the savage ferocity of the blow which had struck him down. Beside him lay the heavy poker, bent into a curve by the concussion. Holmes examined both it and the indescribable wreck which it had wrought.

“He must be a powerful man, this elder Randall,” he remarked.

“Yes,” said Hopkins. “I have some record of the fellow, and he is a rough customer.”

“You should have no difficulty in getting him.”

“Not the slightest. We have been on the look-out for him, and there was some idea that he had got away to America. Now that we know that the gang are here, I don’t see how they can escape. We have the news at every seaport already, and a reward will be offered before evening. What beats me is how they could have done so mad a thing, knowing that the lady could describe them and that we could not fail to recognize the description.”

“Exactly. One would have expected that they would have silenced Lady Brackenstall as well.”

“They may not have realized,” I suggested, “that she had recovered from her faint.”

“That is likely enough. If she seemed to be senseless, they would not take her life. What about this poor fellow, Hopkins? I seem to have heard some queer stories about him.”

“He was a good-hearted man when he was sober, but a perfect fiend

when he was drunk, or rather when he was half drunk, for he seldom really went the whole way. The fiend seemed to be in him at such times, and he was capable of anything. From what I hear, in spite of all his wealth and his title, he very nearly came our way once or twice. There was a scandal about his drenching a dog with petroleum and setting it on fire — her ladyship's dog, to make the matter worse — and that was only hushed up with difficulty. Then he threw a decanter at that maid, Theresa Wright — there was trouble about that. On the whole, and between ourselves, it will be a brighter house without him. What are you looking at now?"

Holmes was down on his knees, examining with great attention the knots upon the red cord with which the lady had been secured. Then he carefully scrutinized the broken and frayed end where it had snapped off when the burglar had dragged it down.

"When this was pulled down, the bell in the kitchen must have rung loudly," he remarked.

"No one could hear it. The kitchen stands right at the back of the house."

"How did the burglar know no one would hear it? How dared he pull at a bell-rope in that reckless fashion?"

"Exactly, Mr. Holmes, exactly. You put the very question which I have asked myself again and again. There can be no doubt that this fellow must have known the house and its habits. He must have perfectly understood that the servants would all be in bed at that comparatively early hour, and that no one could possibly hear a bell ring in the kitchen. Therefore, he must have been in close league with one of the servants. Surely that is evident. But there are eight servants, and all of good character."

"Other things being equal," said Holmes, "one would suspect the one at whose head the master threw a decanter. And yet that would involve treachery towards the mistress to whom this woman seems devoted. Well, well, the point is a minor one, and when you have Randall you will probably find no difficulty in securing his accomplice. The lady's story certainly seems to be corroborated, if it needed corroboration, by every detail which we see before us." He walked to the French window and threw it open. "There are no signs here, but the ground is iron hard, and one would not expect them. I see that these candles⁷² on the mantelpiece have been lighted."

⁷² STEVE MASON: Before the advent of gas lamps, and ultimately the incandescent light bulb, candles were a necessity of Victorian daily life. This source of light was used for most ordinary activities throughout the era, from dining and playing cards to cooking. Every upper-class Victorian household used candles; the more elegant homes with drawing and dining rooms used candelabras placed in front of long and tall glass mirrors to brighten the room.

“Yes, it was by their light and that of the lady’s bedroom candle, that the burglars saw their way about.”

“And what did they take?”

“Well, they did not take much — only half a dozen articles of plate⁷³ off the sideboard. Lady Brackenstall thinks that they were themselves so disturbed by the death of Sir Eustace that they did not ransack the house, as they would otherwise have done.”

“No doubt that is true, and yet they drank some wine, I understand.”

“To steady their own nerves.”

“Exactly. These three glasses upon the sideboard have been untouched, I suppose?”

“Yes, and the bottle stands as they left it.”

“Let us look at it. Halloa, halloa! What is this?”

The three glasses were grouped together, all of them tinged with wine, and one of them containing some dregs of beeswing.⁷⁴ The bottle stood near them, two-thirds full, and beside it lay a long, deeply stained cork. Its appearance and the dust upon the bottle showed that it was no common vintage which the murderers had enjoyed.⁷⁵

A change had come over Holmes’s manner. He had lost his listless expression, and again I saw an alert light of interest in his keen, deep-set eyes. He raised the cork and examined it minutely.

“How did they draw it?” he asked.

Hopkins pointed to a half-opened drawer. In it lay some table linen and a large corkscrew.

“Did Lady Brackenstall say that screw was used?”

In the mid-1800s, three types of candles were popular: tallow, spermaceti, and beeswax. The cheapest of the three — used in the lower classes of society — were the tallow, which were made from animal fat. They had a very pungent, almost putrid smell, burned with a smoky flame, and produced less light.

Spermaceti wax, produced from an oil coming from a cavity in the head of the sperm whale, was the most durable of the three varieties, and held up even in warm summer months. It was the most expensive type of candle, and was exclusive to upper class families. Beeswax candles were used in everyday Victorian life, but their manufacture was tedious and time-consuming. Most beeswax candles came in natural yellow, but more expensive bleached-white candles were available. By the end of the nineteenth century, paraffin wax supplanted in popularity the other three candle varieties.

Obviously, the open flame of the candle could be dangerous, and Victorians were extremely fearful of fire, due to lack of firefighting capabilities and the many structures built with flammable materials. Thus, candles were kept out of reach of children, while guards or shields (using a water bath as a backup) were employed to help reduce accidental fires.

⁷³ LSK, Ref: Return, p. 277, n. 23; LSK, 2 New Ann., p. 1169, n. 19.

⁷⁴ LSK, Ref: Return, p. 278, n. 24; LSK, 2 New Ann., p. 1170, n. 20; WBG, p. 2:497, n. 7; OSH: Return, p. 401.

⁷⁵ LSK, 2 New Ann., p. 1171, n. 22.

“No, you remember that she was senseless at the moment when the bottle was opened.”

“Quite so. As a matter of fact, that screw was *not* used. This bottle was opened by a pocket screw, probably contained in a knife, and not more than an inch and a half long.⁷⁶ If you examine the top of the cork, you will observe that the screw was driven in three times before the cork was extracted. It has never been transfixed. This long screw would have transfixed it and drawn it with a single pull. When you catch this fellow, you will find that he has one of these multiplex knives⁷⁷ in his possession.”

“Excellent!” said Hopkins.

“But these glasses do puzzle me, I confess. Lady Brackenstall actually *saw* the three men drinking, did she not?”

“Yes; she was clear about that.”

“Then there is an end of it. What more is to be said? And yet, you must admit, that the three glasses are very remarkable, Hopkins. What? You see nothing remarkable? Well, well, let it pass. Perhaps, when a man has special knowledge and special powers like my own, it rather encourages him to seek a complex explanation when a simpler one is at hand.⁷⁸ Of course, it must be a mere chance about the glasses. Well, good-morning, Hopkins. I don’t see that I can be of any use to you, and you appear to have your case very clear.

⁷⁶ LSK, 2 New Ann., p. 1171, illustration.

⁷⁷ LSK, Ref. Return, p. 278, n. 25. ROB NUNN: Although many different knives appear throughout the Canon, this is the only mention of a multiplex knife. “Multiplex” was a catch-all term (sometimes also called a “universal tool”) describing a pocketknife containing two or more tools (skd-online-collection.skd.museum). We know that Captain Croker’s knife at least had a corkscrew. It may have also included a file, gimlet, screwdriver, button hook, eating utensils, and a variety of knife blades. (An example may be found at www.collectorsweekly.com/stories/160211-harrison-brothers-sheffield.)

The most common present-day example of a multiplex knife is the Swiss Army Knife, but multiplex knives were around long before the Swiss Army version was created in 1886. In fact, the Fitzwilliam Museum in Cambridge houses a universal tool that dates back to third-century Rome (fitz-museum.cam.ac.uk/learning/look-think-do/roman-swiss-army-knife). This specific instrument was described in detail in *The Antiquaries Journal*, volume 56, no. 2 (1988), by a researcher with a familiar name, David Sherlock.

⁷⁸ ROSS E. DAVIES: Holmes is feigning allegiance to the principle of parsimony — that a simple solution to a problem is usually superior to a complicated solution to the same problem. The principle is often referred to as “Occam’s razor” because a fourteenth-century monk, William of Ockham, is one of the thinkers credited with coming up with it. “The Abbey Grange” — and the entire Sherlockian Canon (in which neither Ockham nor his razor is mentioned by name) — might be seen as an argument against the validity of Occam’s razor. Indeed, Arthur Conan Doyle seems to have had it in for old Ockham’s idea. As best I can tell, the only avowed follower of Ockham in Conan Doyle’s work, a contentious minor character identified only as “Stephen” in chapter 10 of *The White Company*, was as eager to solve a problem with a blunt instrument as with a sharp one: “This last argument, however, by no means commended itself to the pupil of Ockham, who plucked a great stick from the ground and signified his dissent by smiting the realist over the pate with it.”

You will let me know when Randall is arrested, and any further developments which may occur. I trust that I shall soon have to congratulate you upon a successful conclusion. Come, Watson, I fancy that we may employ ourselves more profitably at home.”

During our return journey, I could see by Holmes’s face that he was much puzzled by something which he had observed.⁷⁹ Every now and then, by an effort, he would throw off the impression, and talk as if the matter were clear, but then his doubts would settle down upon him again, and his knitted brows and abstracted eyes would show that his thoughts had gone back once more to the great dining-room of the Abbey Grange, in which this midnight tragedy had been enacted. At last, by a sudden impulse, just as our train was crawling out of a suburban station, he sprang on to the platform and pulled me out after him.

“Excuse me, my dear fellow,” said he, as we watched the rear carriages of our train disappearing round a curve, “I am sorry to make you the victim of what may seem a mere whim, but on my life, Watson, I simply *can’t* leave that case in this condition. Every instinct that I possess cries out against it. It’s wrong — it’s all wrong — I’ll swear that it’s wrong. And yet the lady’s story was complete, the maid’s corroboration was sufficient, the detail was fairly exact.⁸⁰ What have I to put up against that? Three wine-glasses, that is all. But if I had not taken things for granted, if I had examined everything with the care which I would have shown had we approached the case *de novo*⁸¹ and had no cut-and-dried story to warp my mind, would I not then have found something more definite to go upon? Of course I should. Sit down on this bench, Watson, until a train for Chislehurst arrives, and allow me to lay the evidence before you, imploring you in the first instance to dismiss from your mind the idea that anything which the maid or her mistress may have said must necessarily be true. The lady’s charming personality must not be permitted to warp our judgment.

“Surely there are details in her story which, if we looked at it in cold

⁷⁹ ROSS E. DAVIES: There is a limited-edition *Baker Street Almanac* jigsaw puzzle associated with this scene. Puzzles were mailed to folks who placed early orders for the *Almanac*.

⁸⁰ IRA MATETSKY: A federal judge once quoted this standard of “detail ... fairly exact” in discussing the minimum pleading requirements for a fraud claim. *Abc-Naco, Inc. v. Deruyter*, No. 99 C 1969, 1999 U.S. Dist. LEXIS 11025, at *9 (N.D. Ill. July 13, 1999). In a footnote, she observed that “[o]f course, the mystery-loving reader will know that Sherlock Holmes’ standard was even more rigorous,” and quotes this full passage beginning with “I simply can’t leave the case in this condition” and ending with “[o]f course I should.” *Id.* at n. 4.

⁸¹ LSK, Ref. Return, p. 279, n. 26; LSK, 2 New Ann., p. 1174, n. 23; WBG, p. 2:498, n. 8; OSH: Return, p. 401. THE EDITORS: Readers of the Nero Wolfe Corpus will recall Rex Stout’s use of this phrase in *The Father Hunt* (1968).

blood, would excite our suspicion. These burglars made a considerable haul at Sydenham a fortnight ago. Some account of them and of their appearance was in the papers, and would naturally occur to anyone who wished to invent a story in which imaginary robbers should play a part. As a matter of fact, burglars who have done a good stroke of business are, as a rule, only too glad to enjoy the proceeds in peace and quiet without embarking on another perilous undertaking. Again, it is unusual for burglars to operate at so early an hour, it is unusual for burglars to strike a lady to prevent her screaming, since one would imagine that was the sure way to make her scream, it is unusual for them to commit murder when their numbers are sufficient to overpower one man, it is unusual for them to be content with a limited plunder when there is much more within their reach, and finally, I should say, that it was very unusual for such men to leave a bottle half empty.⁸² How do all these unusuals strike you, Watson?"

"Their cumulative effect is certainly considerable, and yet each of them is quite possible in itself. The most unusual thing of all, as it seems to me, is that the lady should be tied to the chair."

"Well, I am not so clear about that, Watson, for it is evident that they must either kill her or else secure her in such a way that she could not give immediate notice of their escape. But at any rate I have shown, have I not, that there is a certain element of improbability about the lady's story? And now, on the top of this, comes the incident of the wineglasses."

"What about the wineglasses?"

"Can you see them in your mind's eye?"

"I see them clearly."

"We are told that three men drank from them. Does that strike you as likely?"

"Why not? There was wine in each glass."

"Exactly, but there was beeswing only in one glass. You must have noticed that fact. What does that suggest to your mind?"

"The last glass filled would be most likely to contain beeswing."

"Not at all. The bottle was full of it, and it is inconceivable that the first two glasses were clear and the third heavily charged with it. There are two possible explanations, and only two. One is that after the second glass was filled the bottle was violently agitated, and so the third glass received the beeswing. That does not appear probable. No, no, I am sure that I am right."

"What, then, do you suppose?"

"That only two glasses were used, and that the dregs of both were poured

⁸² LSK, Ref: Return, p. 279, n. 27; LSK, 2 New Ann., p. 1174, n. 24.

into a third glass, so as to give the false impression that three people had been here. In that way all the beeswing would be in the last glass, would it not? Yes, I am convinced that this is so.⁸³ But if I have hit upon the true explanation of this one small phenomenon, then in an instant the case rises from the commonplace to the exceedingly remarkable, for it can only mean that Lady Brackenstall and her maid have deliberately lied to us, that not one word of their story is to be believed, that they have some very strong reason for covering the real criminal, and that we must construct our case for ourselves without any help from them.⁸⁴ That is the mission which now lies before us, and here, Watson, is the Chislehurst⁸⁵ train.”

The household of the Abbey Grange were much surprised at our return, but Sherlock Holmes, finding that Stanley Hopkins had gone off to report to headquarters, took possession of the dining-room, locked the door upon the inside, and devoted himself for two hours to one of those minute and laborious investigations which form the solid basis on which his brilliant edifices of deduction were reared. Seated in a corner like an interested student who observes the demonstration of his professor, I followed every step of that remarkable research. The window, the curtains, the carpet, the chair, the rope — each in turn was minutely examined and duly pondered. The body of the unfortunate baronet⁸⁶ had been removed, but all else remained as we had seen it in the morning. Then, to my astonishment, Holmes climbed up on to the massive mantelpiece. Far above his head hung the few inches of red cord which were still attached to the wire. For a long time he gazed upward at it, and then in an attempt to get nearer to it he rested his knee upon a wooden bracket on the wall. This brought his hand within a few inches of the broken end of the rope, but it was not this so much as the bracket itself which seemed to engage his attention. Finally, he sprang down with an ejaculation of satisfaction.⁸⁷

“It’s all right, Watson,” said he. “We have got our case — one of the most remarkable in our collection. But, dear me, how slow-witted I have been, and how nearly I have committed the blunder of my lifetime! Now, I think that, with a few missing links, my chain is almost complete.”

“You have got your men?”

⁸³ LSK, Ref: Return, p. 280, n. 28.

⁸⁴ IRA MATETSKY: I quoted the second half of this sentence in a legal brief once, in a passage denouncing a perjured witness’s credibility. It struck me then as now as apt, and I’m surprised I haven’t seen anyone else employ it for a similar purpose.

⁸⁵ LSK, Ref: Return, p. 280, n. 29; LSK, 2 New Ann., p. 1175, n. 25; OSH: Return, p. 402.

⁸⁶ LSK, Ref: Return, p. 281, n. 30; LSK, 2 New Ann., p. 1176, n. 26.

⁸⁷ THE EDITORS: Regarding this passage, see Scott Monty, “John Bennett Shaw and the Terrible, Hysterical, NSFW Essay,” www.ihearofsherlock.com/2016/08/john-bennett-shaw-and-terrible.html.

“Man, Watson, man. Only one, but a very formidable person. Strong as a lion — witness the blow which bent that poker. Six foot three in height, active as a squirrel,⁸⁸ dexterous with his fingers, finally, remarkably quick-witted, for this whole ingenious story is of his concoction. Yes, Watson, we have come upon the handiwork of a very remarkable individual. And yet, in that bell-rope, he has given us a clue which should not have left us a doubt.”

“Where was the clue?”

“Well, if you were to pull down a bell-rope, Watson, where would you expect it to break? Surely at the spot where it is attached to the wire. Why should it break three inches from the top, as this one has done?”

“Because it is frayed there?”

“Exactly. This end, which we can examine, is frayed. He was cunning enough to do that with his knife. But the other end is not frayed. You could not observe that from here, but if you were on the mantelpiece you would see that it is cut clean off without any mark of fraying whatever. You can reconstruct what occurred. The man needed the rope. He would not tear it down for fear of giving the alarm by ringing the bell. What did he do? He sprang up on the mantelpiece, could not quite reach it, put his knee on the bracket — you will see the impression in the dust — and so got his knife to bear upon the cord. I could not reach the place by at least three inches — from which I infer that he is at least three inches a bigger man than I.⁸⁹ Look at that mark upon the seat of the oaken chair! What is it?”

“Blood.”

“Undoubtedly it is blood. This alone puts the lady’s story out of court. If she were seated on the chair when the crime was done, how comes that mark? No, no, she was placed in the chair *after* the death of her husband. I’ll wager that the black dress shows a corresponding mark to this. We have not yet met our Waterloo, Watson, but this is our Marengo, for it begins in defeat and ends in victory.⁹⁰ I should like now to have a few words with the nurse, Theresa. We must be wary for a while, if we are to get the information which we want.”

She was an interesting person, this stern Australian nurse — taciturn, suspicious, ungracious, it took some time before Holmes’s pleasant manner

⁸⁸ CHRISTOPHER ZORDAN: “The Adventure of the Abbey Grange” is the only canonical story to mention squirrels, but the comparison of Jack Croker to a squirrel is an apt one — an energetic climber. Holmes is almost certainly referring to the red squirrel, *Sciurus vulgaris*, which is indigenous to England and Europe. The red squirrel has a mixed history with humans; it appears regularly in heraldry, for example in the arms of The Earl of Granville, and the town of Saint-Brevin-les-Pins in France. However, there is also evidence that red squirrels were involved in the spread of leprosy in medieval Europe.

⁸⁹ ROSS E. DAVIES: With this “at least” Holmes implicitly assures us that he is no more than six feet tall.

⁹⁰ LSK, Ref: Return, p. 282, n. 31; LSK, 2 New Ann., p. 1178, n. 27; WBG, p. 2:501, n. 9.

and frank acceptance of all that she said thawed her into a corresponding amiability. She did not attempt to conceal her hatred for her late employer.

“Yes, sir, it is true that he threw the decanter at me. I heard him call my mistress a name, and I told him that he would not dare to speak so if her brother had been there. Then it was that he threw it at me. He might have thrown a dozen if he had but left my bonny bird alone. He was forever ill-treating her, and she too proud to complain. She will not even tell me all that he has done to her. She never told me of those marks on her arm that you saw this morning, but I know very well that they come from a stab with a hatpin. The sly fiend⁹¹ — Heaven forgive me that I should speak of him so, now that he is dead!⁹² But a fiend he was, if ever one walked the earth. He was all honey when first we met him — only eighteen months ago, and we both feel as if it were eighteen years. She had only just arrived in London. Yes, it was her first voyage — she had never been from home before. He won her with his title and his money and his false London ways. If she made a mistake she has paid for it, if ever a woman did. What month did we meet him? Well, I tell you it was just after we arrived. We arrived in June, and it was July. They were married in January of last year. Yes, she is down in the morning-room again, and I have no doubt she will see you, but you must not ask too much of her, for she has gone through all that flesh and blood will stand.”

Lady Brackenstall was reclining on the same couch, but looked brighter than before. The maid had entered with us, and began once more to foment⁹³ the bruise upon her mistress’s brow.

“I hope,” said the lady, “that you have not come to cross-examine me again?”

“No,” Holmes answered, in his gentlest voice, “I will not cause you any unnecessary trouble, Lady Brackenstall, and my whole desire is to make things easy for you, for I am convinced that you are a much-tried woman. If you will treat me as a friend and trust me, you may find that I will justify

⁹¹ OSH: Return, p. 402.

⁹² LSK, Ref: Return, p. 282, n. 32.

⁹³ LSK, Ref: Return, p. 282, n. 33; LSK, 2 New Ann., p. 1178, n. 28. HARRISON HUNT: To foment, in this sense, is an old term meaning to bathe a part of the body with warm and/or medicated liquids. As defined in Robley Dunglison’s *Dictionary of Medical Science* (1860), “fomentation [is] a sort of partial bathing, by the application of cloths which have been previously dipped in hot water, or in some medicated decoction. They act, chiefly, by virtue of their warmth and moisture.” Mrs. Beeton, in her 1861 *Book of Household Management*, declared that “fomentations are generally used to effect, in a part [of the body], the benefit produced ... by the bath; to which a sedative action is occasionally given by the use of roots, herbs, or other ingredients; the object being to relieve the [pain or problem] by exciting a greater flow of blood to the skin over the affected part.” This description dovetails perfectly with that of the use of vinegar and water on Lady Brackenstall’s bruise.

your trust.”

“What do you want me to do?”

“To tell me the truth.”

“Mr. Holmes!”

“No, no, Lady Brackenstall — it is no use. You may have heard of any little reputation which I possess. I will stake it all on the fact that your story is an absolute fabrication.”

Mistress and maid were both staring at Holmes with pale faces and frightened eyes.

“You are an impudent fellow!” cried Theresa. “Do you mean to say that my mistress has told a lie?”

Holmes rose from his chair.

“Have you nothing to tell me?”

“I have told you everything.”

“Think once more, Lady Brackenstall. Would it not be better to be frank?”

For an instant there was hesitation in her beautiful face. Then some new strong thought caused it to set like a mask.

“I have told you all I know.”

Holmes took his hat and shrugged his shoulders. “I am sorry,” he said, and without another word we left the room and the house. There was a pond in the park, and to this my friend led the way. It was frozen over, but a single hole was left for the convenience of a solitary swan. Holmes gazed at it, and then passed on to the lodge gate. There he scribbled a short note for Stanley Hopkins, and left it with the lodge-keeper.

“It may be a hit, or it may be a miss, but we are bound to do something for friend Hopkins, just to justify this second visit,” said he. “I will not quite take him into my confidence yet. I think our next scene of operations must be the shipping office of the Adelaide-Southampton line,⁹⁴ which stands at

⁹⁴ WILL WALSH: It appears that Watson altered some names to avoid Captain Croker’s prosecution. The Adelaide-Southampton Line did not exist. The Orient Steam Navigation Co. (the “Orient Line”) and the Peninsular and Oriental Steam Navigation Co. (the “P&O Line”) stand out as two of the major companies dominating the England-Australia run at the end of the nineteenth century. In 1888, the two companies reached an agreement under which they maintained a regular mail service between Australia and Great Britain, with vessels departing on their voyage every two weeks. The opening of the Suez Canal in 1869 and the subsequent development of steamships reduced the transit time between Great Britain and Australia to 35 to 40 days.

The identification of Captain Croker’s ship presents several issues. The *SS Delphic* provides one possible vessel for the *Bass Rock*. Harland and Wolff built the *Delphic* for the White Star line, launching the vessel on January 5, 1897. The ship’s maiden voyage occurred in May 1897 and crossed the Atlantic four times before joining the White Star’s New Zealand route in October (with a stop in Australia). The Aberdeen Line offers two other possibilities with the *Salamis* and the *Moravian* constructed in 1899.

The Orient Line’s *Ophir* was a groundbreaking vessel. Launched in 1891, it was the first twin-

the end of Pall Mall,⁹⁵ if I remember right. There is a second line of steamers which connect South Australia with England, but we will draw the larger cover⁹⁶ first.”

Holmes’s card sent in to the manager ensured instant attention,⁹⁷ and he was not long in acquiring all the information which he needed. In June of ‘95, only one of their line had reached a home port. It was the *Rock of Gibraltar*,⁹⁸ their largest and best boat. A reference to the passenger list showed that Miss Fraser, of Adelaide, with her maid had made the voyage in her. The boat was now on her way to Australia, somewhere south of the Suez Canal. Her officers were the same as in ‘95, with one exception. The first officer,⁹⁹ Mr. Jack Croker,¹⁰⁰ had been made a captain and was to take charge of their new ship, the *Bass Rock*,¹⁰¹ sailing in two days’ time from Southampton. He

screw steamer on the Australian run. The British Admiralty chartered the ship in late 1900, and it provided carried the Duke and Duchess of York (later King George V and Queen Mary) to Australia for the opening of the first Commonwealth Parliament in 1901.

⁹⁵ LSK, Ref: Return, p. 283, n. 34; WBG, p. 2:502, n. 10; OSH: Return, p. 402.

⁹⁶ LSK, Ref: Return, p. 283, n. 35; LSK, 2 New Ann., p. 1179, n. 29.

⁹⁷ STEVE MASON: Holmes and countless others in the Canon used calling cards as a way of introducing themselves when meeting someone for the first time. These calling cards, which can be traced back to fifteenth-century Chinese society, were also known as “visiting cards.” Calling cards began as simple unadorned cards, with only a person’s name printed, typed, or written on the front, but during the Victorian age, new printing methods allowed for more colorful and decorative designs. As the cards became more ornate, calligraphy, embossing, and even fringe on the edges of the cards could be added. Besides being used as an introduction, cards could be used as a “thank you” card, a card of “condolences,” or a way to advertise one’s extent in certain social circles (the “more prestigious” visitors’ cards would be left on top of a pile or on the hallway table). Short messages were written on the backs of cards, announcing the purpose of callers’ visits. Victorian etiquette even established protocols for transmitting and receiving the cards (for instance, introductions were rarely done before noon or early afternoon). Women’s cards were squarish in shape, approximately 2.5 x 3 inches, allowing for more designs, while men’s cards were smaller (approximately 1.5 x 2.5 inches). In many instances, men would include a club or fraternal organization they belonged to. For a period, turning the corner of a card would designate who the card might be forwarded to, or the reason for the visit, and could even represent a coded message for more lurid purposes. While the use of calling cards lost favor once servants no longer lived in the house to hand deliver to the master or mistress, and electronic means of calling on someone were introduced, they are still used in certain circumstances and situations, being replaced primarily by “business cards” or “military calling cards.”

⁹⁸ OSH: Return, p. 402.

⁹⁹ PETER E. BLAU: Sometimes called the first mate, the first officer is the second-in-command of the ship, the equivalent of the executive officer on a military vessel. In the U.S. Navy it is sometimes said that the captain is in command, but the executive officer is in charge, because it is the executive officer’s duty to make sure that everything and everyone on board works perfectly.

¹⁰⁰ LSK, Ref: Return, p. 283, n. 36; LSK, 2 New Ann., p.1180, n. 30; OSH: Return, p. 402.

¹⁰¹ LSK, Ref: Return, p. 283, n. 37; WBG, p. 2:502, n. 11. WILL WALSH: Bass Rock is an island on the outer part of the Firth of Forth in Scotland. It is seven acres in size and has been the site of a castle, a chapel, and a prison. The Bass Rock plays a notable role in Scottish history, serving as a point of opposition for the Jacobites against William III and Mary II. In 1691, four Jacobite officers escaped from the prison, seized the island, and then held the island against the British crown for three years.

lived at Sydenham, but he was likely to be in that morning for instructions, if we cared to wait for him.

No, Mr. Holmes had no desire to see him, but would be glad to know more about his record and character.

His record was magnificent. There was not an officer in the fleet to touch him. As to his character, he was reliable on duty, but a wild, desperate fellow off the deck of his ship — hot-headed, excitable, but loyal, honest, and kind-hearted. That was the pith of the information with which Holmes left the office of the Adelaide-Southampton company. Thence he drove to Scotland Yard, but, instead of entering, he sat in his cab with his brows drawn down, lost in profound thought. Finally he drove round to the Charing Cross telegraph office, sent off a message, and then, at last, we made for Baker Street once more.

“No, I couldn’t do it, Watson,” said he, as we reentered our room. “Once that warrant was made out, nothing on earth would save him. Once or twice in my career I feel that I have done more real harm by my discovery of the criminal than ever he had done by his crime. I have learned caution now, and I had rather play tricks with the law of England than with my own conscience. Let us know a little more before we act.”

Before evening, we had a visit from Inspector Stanley Hopkins. Things were not going very well with him.

“I believe that you are a wizard, Mr. Holmes. I really do sometimes think that you have powers that are not human. Now, how on earth could you know that the stolen silver was at the bottom of that pond?”

“I didn’t know it.”

“But you told me to examine it.”

“You got it, then?”

“Yes, I got it.”

“I am very glad if I have helped you.”¹⁰²

“But you haven’t helped me. You have made the affair far more difficult. What sort of burglars are they who steal silver and then throw it into the nearest pond?”

“It was certainly rather eccentric behaviour. I was merely going on the idea that if the silver had been taken by persons who did not want it — who merely took it for a blind, as it were — then they would naturally be anxious to get rid of it.”

“But why should such an idea cross your mind?”

“Well, I thought it was possible. When they came out through the

¹⁰² LSK, Ref: Return, p. 284, n. 38.

French window, there was the pond with one tempting little hole in the ice, right in front of their noses. Could there be a better hiding-place?”

“Ah, a hiding-place — that is better!” cried Stanley Hopkins. “Yes, yes, I see it all now! It was early, there were folk upon the roads, they were afraid of being seen with the silver, so they sank it in the pond, intending to return for it when the coast was clear. Excellent, Mr. Holmes — that is better than your idea of a blind.”

“Quite so, you have got an admirable theory. I have no doubt that my own ideas were quite wild, but you must admit that they have ended in discovering the silver.”

“Yes, sir — yes. It was all your doing. But I have had a bad setback.”

“A setback?”

“Yes, Mr. Holmes. The Randall gang were arrested in New York this morning.”

“Dear me, Hopkins! That is certainly rather against your theory that they committed a murder in Kent last night.”¹⁰³

“It is fatal, Mr. Holmes — absolutely fatal. Still, there are other gangs of three besides the Randalls, or it may be some new gang of which the police have never heard.”

“Quite so, it is perfectly possible. What, are you off?”

“Yes, Mr. Holmes, there is no rest for me until I have got to the bottom of the business. I suppose you have no hint to give me?”

“I have given you one.”

“Which?”

“Well, I suggested a blind.”

“But why, Mr. Holmes, why?”

“Ah, that’s the question, of course. But I commend the idea to your mind. You might possibly find that there was something in it. You won’t stop for dinner? Well, good-bye, and let us know how you get on.”

Dinner was over, and the table cleared before Holmes alluded to the matter again. He had lit his pipe and held his slippered feet to the cheerful blaze of the fire. Suddenly he looked at his watch.

“I expect developments, Watson.”

“When?”

“Now — within a few minutes. I dare say you thought I acted rather badly to Stanley Hopkins just now?”

“I trust your judgment.”

¹⁰³ THE EDITORS: This is an interesting instance of Holmesian understatement. Can the reader think of other examples?

“A very sensible reply, Watson.¹⁰⁴ You must look at it this way: what I know is unofficial, what he knows is official. I have the right to private judgment, but he has none. He must disclose all, or he is a traitor to his service. In a doubtful case I would not put him in so painful a position, and so I reserve my information until my own mind is clear upon the matter.”

“But when will that be?”

“The time has come. You will now be present at the last scene of a remarkable little drama.”

There was a sound upon the stairs, and our door was opened to admit as fine a specimen of manhood as ever passed through it. He was a very tall young man, golden-moustached, blue-eyed, with a skin which had been burned by tropical suns, and a springy step, which showed that the huge frame was as active as it was strong. He closed the door behind him, and then he stood with clenched hands and heaving breast, choking down some overmastering emotion.

“Sit down, Captain Croker. You got my telegram?”

Our visitor sank into an armchair and looked from one to the other of us with questioning eyes.

“I got your telegram, and I came at the hour you said. I heard that you had been down to the office. There was no getting away from you. Let’s hear the worst. What are you going to do with me? Arrest me? Speak out, man! You can’t sit there and play with me like a cat with a mouse.”

“Give him a cigar,” said Holmes.¹⁰⁵ “Bite on that, Captain Croker,¹⁰⁶ and don’t let your nerves run away with you. I should not sit here smoking with you if I thought that you were a common criminal, you may be sure of that. Be frank with me and we may do some good. Play tricks with me, and I’ll crush you.”

“What do you wish me to do?”

“To give me a true account of all that happened at the Abbey Grange last night — a *true* account, mind you, with nothing added and nothing taken off. I know so much already that if you go one inch off the straight, I’ll blow this

¹⁰⁴ IRA MATETSKY: This passage is paralleled in the later case of “The Dying Detective,” in which Watson agrees that he will “by all means” send for the man Holmes wishes to see, and Holmes replies that these were “[t]he first three sensible words that you have uttered since you entered this room, Watson.” But in “The Dying Detective” Holmes was feigning madness, while here his self-assurance is entirely sincere.

¹⁰⁵ LSK, Ref: Return, p. 285, n. 39.

¹⁰⁶ STEVEN DOYLE: Being both a keen observer and well-acquainted with the use of tobacco, Holmes’s offer of a cigar, with the accompanying instruction to “bite” on it was a way to calm the agitated Captain Croker. Holmes knew that biting and chewing on an unlit cigar delivers a rapid release of nicotine, which enters the system in approximately ten seconds. Nicotine creates an immediate sense of relaxation, as well as a short-term reduction of stress and anxiety. See www.mentalhealth.org.uk/a-to-z/s/smoking-and-mental-health.

police whistle from my window and the affair goes out of my hands forever.”

The sailor thought for a little. Then he struck his leg with his great sun-burned hand.

“I’ll chance it,” he cried. “I believe you are a man of your word, and a white man,¹⁰⁷ and I’ll tell you the whole story. But one thing I will say first. So far as I am concerned, I regret nothing and I fear nothing, and I would do it all again and be proud of the job. Curse¹⁰⁸ the beast, if he had as many lives as a cat, he would owe them all to me! But it’s the lady, Mary — Mary Fraser — for never will I call her by that accursed name. When I think of getting her into trouble, I who would give my life just to bring one smile to her dear face, it’s that that turns my soul into water. And yet — and yet — what less could I do? I’ll tell you my story, gentlemen, and then I’ll ask you, as man to man, what less could I do?”

“I must go back a bit. You seem to know everything, so I expect that you know that I met her when she was a passenger and I was first officer of the *Rock of Gibraltar*. From the first day I met her, she was the only woman to me. Every day of that voyage I loved her more, and many a time since have I kneeled down in the darkness of the night watch and kissed the deck of that ship because I knew her dear feet had trod it. She was never engaged to me. She treated me as fairly as ever a woman treated a man. I have no complaint to make. It was all love on my side, and all good comradeship and friendship on hers. When we parted she was a free woman, but I could never again be a free man.

“Next time I came back from sea, I heard of her marriage. Well, why shouldn’t she marry whom she liked? Title and money — who could carry them better than she?¹⁰⁹ She was born for all that is beautiful and dainty. I didn’t grieve over her marriage. I was not such a selfish hound as that. I just rejoiced that good luck had come her way, and that she had not thrown herself away on a penniless sailor.¹¹⁰ That’s how I loved Mary Fraser.

“Well, I never thought to see her again, but last voyage I was promoted, and the new boat was not yet launched, so I had to wait for a couple of months with my people at Sydenham. One day out in a country lane I met Theresa Wright, her old maid. She told me about her, about him, about everything. I tell you, gentlemen, it nearly drove me mad. This drunken hound, that he should dare to raise his hand to her, whose boots he was not worthy to lick! I met Theresa again. Then I met Mary herself — and met

¹⁰⁷ LSK, 2 New Ann., p. 1184, n. 31.

¹⁰⁸ LSK, Ref: Return, p. 286, n. 40; OSH: Return, p. 403.

¹⁰⁹ LSK, Ref: Return, p. 286, n. 41.

¹¹⁰ LSK, 2 New Ann., p. 1185, n. 32.

her again. Then she would meet me no more. But the other day I had a notice that I was to start on my voyage within a week, and I determined that I would see her once before I left. Theresa was always my friend, for she loved Mary and hated this villain almost as much as I did. From her I learned the ways of the house. Mary used to sit up reading in her own little room downstairs. I crept round there last night and scratched at the window. At first she would not open to me, but in her heart I know that now she loves me, and she could not leave me in the frosty night. She whispered to me to come round to the big front window, and I found it open before me, so as to let me into the dining-room. Again I heard from her own lips things that made my blood boil, and again I cursed this brute who mishandled the woman that I loved. Well, gentlemen, I was standing with her just inside the window, in all innocence, as Heaven is my judge, when he rushed like a madman into the room, called her the vilest name that a man could use to a woman,¹¹¹ and welted¹¹² her across the face with the stick he had in his hand. I had sprung for the poker, and it was a fair fight between us. See here, on my arm, where his first blow fell. Then it was my turn, and I went through him as if he had been a rotten pumpkin. Do you think I was sorry? Not I! It was his life or mine, but far more than that, it was his life or hers, for how could I leave her in the power of this madman? That was how I killed him. Was I wrong? Well, then, what would either of you gentlemen have done, if you had been in my position?

“She had screamed when he struck her, and that brought old Theresa down from the room above. There was a bottle of wine on the sideboard, and I opened it and poured a little between Mary’s lips, for she was half dead with shock.¹¹³ Then I took a drop myself.¹¹⁴ Theresa was as cool as ice, and

¹¹¹ LSK, Ref: Return, p. 287, n. 42; LSK, p. 1186 n. 33. THE EDITORS: We will not be drawn into speculation about which “vile name” Lord Brackenstall used, but we reject the theory that it was “chronologist.”

¹¹² OSH: Return, p. 403.

¹¹³ ROBERT KATZ: Lay people’s use of the term “shock” is usually rather non-specific. In this instance, it appears to describe a loss of consciousness resulting from the assault on Lady Brackenstall. Yet, the important aspect of the case is described earlier. There was a large accumulation of blood (a hematoma) over one eye. In spite of Watson’s medical training, the precise location of the wound is not carefully delineated. However, it appears to be in close proximity to the eye and likely involves the periorbital region. The episode of “shock” could merely have been a temporary fainting episode from emotional stress as part of an assault (syncope), or perhaps an actual loss of consciousness from the effects of head trauma. More worrisome, however, is the extent of accumulation of blood in the immediate vicinity of the eye itself. This suggests the possibility of a fracture of bony structures in the periorbital area. Even more worrisome is the possibility of vascular injury from the trauma, with interruption of circulation to the retina or other areas of the eye. While care and attention was paid to the short-term loss of consciousness, the longer-term sequelae of such an injury are actually of greater significance. Trauma in this region can result in loss of vision, either partial or even complete. Damage to the eye

it was her plot as much as mine. We must make it appear that burglars had done the thing.¹¹⁵ Theresa kept on repeating our story to her mistress, while I swarmed up and cut the rope of the bell. Then I lashed her in her chair, and frayed out the end of the rope to make it look natural, else they would wonder how in the world a burglar could have got up there to cut it. Then I gathered up a few plates and pots of silver, to carry out the idea of the robbery, and there I left them, with orders to give the alarm when I had a quarter of an hour's start. I dropped the silver into the pond, and made off for Sydenham, feeling that for once in my life I had done a real good night's work. And that's the truth and the whole truth, Mr. Holmes, if it costs me my neck."

Holmes smoked for some time in silence. Then he crossed the room, and shook our visitor by the hand.

"That's what I think," said he. "I know that every word is true, for you have hardly said a word which I did not know. No one but an acrobat or a sailor could have got up to that bell-rope from the bracket, and no one but a sailor could have made the knots with which the cord was fastened to the chair. Only once had this lady been brought into contact with sailors, and that was on her voyage, and it was someone of her own class of life, since she was trying hard to shield him, and so showing that she loved him. You see how easy it was for me to lay my hands upon you when once I had started upon the right trail."

"I thought the police never could have seen through our dodge."

"And the police haven't, nor will they, to the best of my belief. Now,

itself (orbital trauma) would require greater intervention than an assiduous bath with vinegar and water. Yet, Theresa's attempt at care was laudable as the vinegar might have sterilized the area and prevented development of soft-tissue infection. It is hoped that Lady Brackenstall's injury involved only the more superficial soft tissues and that she made a full recovery with retention of vision. The author's decision to locate the wound in this area may not be totally coincidental as Conan Doyle spent a brief part of his career as an ophthalmologist and likely studied orbital trauma. Watson himself might have had some training in surgical management in this region while at Netley. If Lady Brackenstall emerged from this incident with full sight in the affected eye, she was a fortunate woman indeed.

¹¹⁴ LSK, 2 New Ann., p. 1186, n. 34.

¹¹⁵ GREG DARAK: It's not clear from this passage whether the trio of plotters had done something very wrong ethically, aside from killing Sir Eustace and lying to the police about it. It's presumable that one of them, at least, had seen newspaper reports of the Randall gang's previous robbery, with the robbers' description — otherwise, why would they create a group of three robbers, matching the Randalls? What seems wrong is that as far as we know, the Randalls were only burglars, but Mary Fraser's story could have had them convicted of murder (and facing mandatory death sentences). Had the Randalls been arrested, they would have been in very serious trouble. Luckily, being in New York gave them an unbreakable alibi, but if they hadn't been Of course, Mary could have said that the Randalls were not the people she saw if they had been brought to trial, but the fact of there being no comparable three-person father-and-two-sons gang to be found might have been enough for a jury to consider that she was too upset to remember their faces clearly, and to disregard her current non-identification. If the gang had been convicted, one has to wonder what Mary, Jack, and Theresa would have done then. The Randalls are not the only ones who are lucky they were in New York at the time.

look here, Captain Croker, this is a very serious matter, though I am willing to admit that you acted under the most extreme provocation to which any man could be subjected. I am not sure that in defence of your own life your action will not be pronounced legitimate.¹¹⁶ However, that is for a British jury to decide. Meanwhile I have so much sympathy for you that, if you choose to disappear in the next twenty-four hours, I will promise you that no one will hinder you.”

“And then it will all come out?”

“Certainly it will come out.”

The sailor flushed with anger.

“What sort of proposal is that to make a man? I know enough of law to understand that Mary would be had as accomplice. Do you think I would leave her alone to face the music while I slunk away? No, sir, let them do their worst upon me, but for heaven’s sake, Mr. Holmes, find some way of keeping my poor Mary out of the courts.”

Holmes for a second time held out his hand to the sailor.

“I was only testing you, and you ring true every time. Well, it is a great responsibility that I take upon myself, but I have given Hopkins an excellent hint and if he can’t avail himself of it I can do no more.¹¹⁷ See here, Captain Croker, we’ll do this in due form of law. You are the prisoner. Watson, you are a British jury, and I never met a man who was more eminently fitted to

¹¹⁶ IRA MATETSKY: The question whether Croker would have a defense to a charge of murder has often been considered, including in two fine articles that appeared in the scion journal of the Northern Musgraves Sherlock Holmes Society. See Jon L. Lellenberg, “Striking Close to Home,” *The Musgrave Papers*, 7:61-71 (1994); Matthew Booth, “The Abbey Grange,” *The Musgrave Papers* 13:100-06 (2000). Holmes’s decision that the killing in this case was justified at least in part by Lord Brackenstall’s abusive behavior has also been compared to Susan Glaspell’s more developed treatment of this theme in her one-act play “Trifles” (1916), later published in short story form as “A Jury of Her Peers” (1917), which is well worth seeing or reading.

¹¹⁷ GREG DARAK: D. Martin Dakin, in *A Sherlock Holmes Commentary*, wonders how Holmes could let Watson tell this story only seven years after it occurred, revealing facts that could leave Croker, Lady Brackenstall, and Theresa open to arrest — and even Holmes himself, as an accessory after the fact. No matter how much Watson tried to disguise the case for the public, surely Stanley Hopkins would recognize it. Dakin answers his question by suggesting that Lady Brackenstall and Captain Croker had died untimely deaths. There is another possibility, though. Stanley Hopkins was one of the brightest of the Scotland Yarders, one whom Holmes believed to be above the others such as Gregson and Lestrade, and who would seem to have had a bright future ahead of him. The young detective appears in a number of cases, and then is never heard of again. Is it possible that Watson and Holmes felt it safe to publish the disguised case because it was Stanley Hopkins who had died an untimely death? Whether it happened due to illness or in the course of duty, I think this is more likely than Dakin’s idea, as it requires only one early death instead of two, and as stated above, Hopkins did disappear completely after a good start to his career. IRA MATETSKY: To answer the question that occurred to me and may occur to others after reading the preceding paragraph, there is generally no statute of limitations on criminal prosecutions in England.

represent one. I am the judge. Now, gentleman of the jury,¹¹⁸ you have heard the evidence. Do you find the prisoner guilty or not guilty?”

“Not guilty, my lord,” said I.

“*Vox populi, vox Dei.*”¹¹⁹ You are acquitted, Captain Croker. So long as the law does not find some other victim you are safe from me.¹²⁰ Come back to this lady in a year, and may her future and yours justify us in the judgment which we have pronounced this night!”¹²¹



¹¹⁸ MICHAEL MCSWIGGIN: Holmes’ use of the phrase “*gentlemen of the jury*” was literal. Women in the United Kingdom would not be able to serve on juries until 1921 (“The Abbey Grange” takes place in 1897). Women became eligible for jury service after the passage of the Sex Disqualification (Removal) Act of 1919, which was implemented in 1921. This act also enabled women to join professions and professional bodies and to be awarded degrees. See Shamena Anwar, Patrick Bayer & Randi Hjalmarsson, “The Impact of the First Women Jurors on Courtroom Decisions” (Royal Economic Society, 6 Feb. 2019); Kevin Crosby, “How Women Finally Got the Right to Jury Service” (The British Academy, 8 Feb. 2019).

¹¹⁹ LSK, Ref: Return, p. 288, n. 43; LSK, 2 New Ann., p. 1188, n. 35; WBG, p. 507, n. 12; OSH: Return, p. 403.

¹²⁰ IRA MATETSKY: This is far from the only canonical adventure in which Sherlock Holmes identifies a criminal — if Croker is that — but does not share his information with the police. In particular, the “carve-out” from Holmes’s promise to let Croker go free parallels the final lines of “The Boscombe Valley Mystery,” in which Holmes requires the culpable party to sign a confession, but promises to use it only “at the last extremity to save young McCarthy. I promise you that I shall not use it unless it is absolutely needed.” See also note 136 to the annotated “The Priory School” in last year’s *Almanac*.

¹²¹ LSK, Ref: Return, p. 288, n. 44; LSK, 2 New Ann., p. 1188, n. 36; OSH: Return, p. 403.

JL