

Did She Hoodwink A British Jury?

In 1933, at the Old Bailey, an English jury fell for a pretty face and a pack of lies. Not for the first time or for that matter, the last, has this nearly infallible combination caused odd verdicts in British justice.

From time to time, judges have reminded juries that a liar is not necessarily a criminal. But on the other hand, most criminals are liars. It is only a question of degree as to how good or bad at lying they are.

For upon their ability to lie depends very often their liberty and sometimes their necks. A really good liar must have a very good memory and that is undoubtedly the mark of the expert in the art.

Elvira Barney was such a liar. She was a Mayfair society beauty, the daughter of wealthy parents, and her stories caused considerable comment in the newspapers on several occasions between the two wars.

This fluffy blonde debutante had a succession of wild adventures which culminated in her trial for the murder of her lover, Michael Stephen. At that time they were both in their middle twenties.

Some years before her trial Elvira had married a well-known American singer and they had separated shortly afterwards. Since then she had been living in a news flat in Knightsbridge with her lover.

Both belonged to a bunch of young people who were notorious for making a nuisance of themselves. They gallivanted around London in highly coloured sports cars and called themselves "bright young things."

They consumed vast quantities of alcohol. They wore the most odd clothes and indulged in ritous behavior and absurd practical jokes. Elvira Barney had plenty of money. Michael Stephen came from a good family but was quite penniless, having been turned out of home by his father because of his unpleasant habits.

He had no occupation but described himself as a dress designer. His means of support were provided by a number of stupid women, of whom Mrs. Barney was the principal contributor.

At the time of his death he had been living with Elvira Barney for about twelve months. During that period she had kept him and they had quarrelled violently from time to time. The subject of the quarrels was, not surprisingly, other women.

In May, 1932, Elvira Barney gave a cocktail party at her flat. It had followed the usual trend of being noisy, very alcoholic and unpleasant. Michael Stephen

had assisted at the party and afterwards he and Elvira dined together at a well-known West End restaurant. Later they went on to a nightclub, leaving in the early hours of the morning.

A few minutes later Elvira Barney had, as usual, paid for all the entertainment that night. After their return to the flat a violent quarrel took place, and at about three o'clock in the morning shouts were heard, followed by two shots.

A few minutes later Elvira Barney telephoned for a doctor, saying that there had been a terrible accident and... for Heaven's sake come at once.

Stephen was found lying fully dressed at the top of the stairs, with a bullet in his lungs. There was a pistol containing five cartridges, of which two had been fired.

Elvira Barney, hysterical and under the influence of drink, was reeling round the flat, crying out, "He's in the room! I will die, too. I want to die."

The experts who were called in were satisfied that Stephen had been taken by his own life. They also made it clear that there had been a struggle, in the course of which Stephen's finger could not have been on the trigger at any time.

On the face of it, it was a fairly clear case, guinea with perhaps a possible defence of manslaughter. But the trial, which opened on July 4th, 1932, was to have an amazing result.

By the very nature of her defence she was legally, at least, guilty of manslaughter. But the jury saw fit to disregard not only the facts, but the law as well, and to set free a worthless sitting duck who also was an ingenious liar.

She was brilliantly defended by the late Sir Patrick Hastings and it is no wonder that he refused to see her at any time before her trial.

The brilliant advocate would have nothing whatever to do with his client's lies and deceit. He had a job to do and he did it wonderfully well in the best traditions of his profession.

How did this extraordinary result come about? The principal witness for the Crown was a woman who lived close by in the news. Originally she had said she heard the accused screaming just before the sound of the shot, "Get out, I'll shoot you."

In the witness-box she changed this to "Get out, I'll shoot." She also said that she had told Stephen some days before to leave the subject of the quarrels was, not surprisingly, other women.

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Chronicles of a Ginger Farm

by Gwendoline P. Clarke

Anyone wearing a new Easter bonnet over the week-end stood out. Rain, fog and even thunder storms. Traditionally we look for warm, bright sunshine at Easter, just as we look for snow at Christmas. But apparently the weatherman has thrown tradition to the winds and hands out whatever comes up at the moment. And in wet weather who suffers most? I would say mothers with small children, plus school-age children home for the holidays. After struggling with rubbers and overshoes all winter mother look forward to sending youngsters out to play without spending so much time dressing and undressing them.

The witness went on to say that Stephen had told her he didn't want to leave because he was afraid Mrs. Barney might kill herself. He might have added with more truth that he didn't want to leave his means of support.