

WEIRD TALES

THE UNIQUE MAGAZINE

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The ACCUSING VOICE

A Strange Tale

By MEREDITH DAVIS

WE, THE JURY, find the defendant, Richard Bland, guilty of murder in the first degree, in manner and form as charged.

Allen Defoe, foreman of the twelve men, listened with impassive face as the judge read away the life of the prisoner in the dock—the man whose death warrant Defoe had signed only a few minutes before. As the judge finished, Defoe glanced warily toward the prisoner. Somehow, he preferred to avoid catching his eye.

Bland, a slight, rather uninteresting type of man, stood with bowed head; Defoe now turned his gaze full upon him.

“Has the prisoner anything to say why judgment should not be pronounced?”

The judge's voice, coming after the short pause, sent a strange chill into the heart of Allen Defoe, juror. He hoped the prisoner's counsel would make the customary motions for a new trial or for time in which to file an appeal. He did neither: evidently Bland believed the verdict inescapable—or else he was out of funds.

Now the judge arose in his place, donning with nervous gesture the black cap that accompanies the most tragic moment in the performance of a court's duties. The judge seemed ill at ease in the cap. It was the first time he had

worn it. The grotesque thought flitted through Defoe's mind that perhaps the judge had borrowed the cap from one of his fellow jurists for the occasion.

The almost level rays of the western sun diffused a sombre, aureate glow athwart the judge's bench, so that the dark figure of the standing man was in mystic indistinctness beyond the shaft of light from the window. A fly now and then craved the spotlight for a moment and lazily floated from the growing dusk of the room to the avenue of ebbing day, streaming in from the west. And always there was a constant turmoil of dust particles, visible only when they moved into the bright relief of the sun-shaft.

The handful of spectators stirred restlessly while the judge was making his preparations. The droning noises of approaching summer evening in a rural county-seat were smothered by the buzz of ill-hushed voices. Perhaps that was why the judge, in the midst of adjusting his headgear, rapped sharply thrice with his gavel—or, it may have been only his excess of nervousness.

Defoe thought the judge never would stop fumbling with his cap. And finally the judge lost track of the jury's verdict and had to mess through the scattered papers before him until he found it. He didn't really require it to pronounce sentence of death upon the man in the dock. Hunting it, though, delayed the

inevitable a few seconds; and Defoe wondered, since he himself was near to screaming out with impatience, how the prisoner could stand it without going suddenly mad.

"For God's sake, read the death sentence!" exclaimed Defoe under his breath, but loud enough to arouse a nod of approval from the two jurors nearest him.

A moment later the judge found his voice:

"The prisoner will face the court."

Slowly, deliberately, the prisoner stepped forward in the dock, leaning slightly against the railing and letting one hand rest upon it. He looked squarely at the judge now, although he barely could distinguish his features in the dimness.

Again the judge spoke, and this time his voice was hurried and strained:

"The sentence of the court is that the prisoner be taken, between the hours of seven a. m. and six p. m. on Tuesday, in the week beginning October 22 next, from the place of confinement to the place of execution, and there be hanged by the neck until he is dead—dead—dead! . . . And may God, in His infinite wisdom, have mercy on your soul!"

The judge sank back heavily into the safety of his chair. His hand swept up to brush his forehead and with the same motion it whisked off the detestable little black cap.

The prisoner remained staring at the judge as one who is puzzled at a strange sight. Perhaps he would have stood there untold minutes if a woman's hysterical laugh, half-choked by a sudden upraised hand, had not broken the tension of the entire room. A bailiff tiptoed to the woman, and, as if revived to duty by the same cause, a prison guard strode forward to lead the condemned man away.

Defoe could have reached out and touched Bland as he passed the jury on his way to the cell across the street. But Defoe had no desire even to look at Bland: indeed, he did not, until Bland's back was passing out of sight through the door on the other side of the jury

box. Mechanically, then, Defoe fled out with the other jurors as the judge announced adjournment.

And the black cap lay forgotten on the rim of the judge's wastebasket, where the janitor found it that evening and crossed himself fervently as he timidly salvaged it from ignoble oblivion.

II.

DEFOE awoke with a shudder.

There was a moment or two, as is always the case when one arouses from heavy, dream-burdened slumber, during which Defoe could not tell where his dream ended and realities began. He blinked experimentally into the smouldering fire in the open grate before him; yes, he was conscious. For further verification of this he drew forth his watch and noted the hour. The glow from the fire was scarcely sufficient for reading the dial and Defoe leaned forward the better to see. He was still too drowsy even to reach around and turn on the electric lamp on the table behind him.

Still he was not certain whether he was yet dreaming, until—

"Don't budge, Defoe! I've got you covered!"

The Voice was close to his left ear. Its commanding acerbity quelled Defoe's impulse to spring to his feet; and as he gripped the arms of the chair tensely he managed to challenge his unseen intruder:

"Who are you? What do you want here?"

The Voice moved a little upward and back before it answered:

"You've just had a nasty dream, Defoe. Perhaps I—"

"How do you know I did!" interrupted Defoe.

"You did, though, didn't you?" the Voice insisted.

"Yes, but how did you know?" repeated Defoe.

"Never mind how," said the Voice. "I'll wager you've had the same dream pretty often in the last dozen years, too. It must be hell to have a scene like that

forever before your mind, so that you're always in dread of dreaming about it—"

"What scene?" demanded Defoe. "Are you a mind reader—a wizard—what are you?"

The Voice chuckled.

"None of those," it said. "As I was saying, you must be afraid, almost, to go to bed at night. I would be, if I thought I might dream of sending an innocent man to the gallows—"

"Stop!" Defoe fairly shouted. "Damn it all, come around here where I can see you!" and he made an instinctive move to turn about and confront his tormentor.

The firm pressure of an automatic barrel against his temple halted him.

"Don't make the mistake of turning around!" again warned the Voice incisively.

Then, in a lighter tone, it went on:

"If I were in your place, Mr. Defoe, do you know what I'd do?"

A pause. Defoe mumbled a faint "No."

"Well, I either would confess my whole knowledge of the affair—or—I'd commit suicide!"

Defoe started. It was uncanny, eerie, the way this mysterious Voice put into words the one gnawing thought that had plagued him the last dozen years of his life.

"Of course, you probably have contemplated those alternatives very often," the Voice continued. "But have you ever considered doing both? That is, did you ever think that you might confess first, thereby clearing an innocent man's name of murder, and then cheat the law yourself by committing sui—"

"For God's sake, stop that infernal suicide talk!" Defoe snapped. "In the first place, I don't know what 'affair' or what 'innocent man' you're talking about."

The Voice chuckled again. Defoe was beginning to hate that chuckle more than the feel of the automatic against his head. If the Voice kept on chuckling it might drive him to desperation. To grapple with his armed

inquisitor, even though he would court certain death in doing it.

"Why, there's no need to explain the obvious," the Voice replied, its chuckle rippling through the words. "Your dream ought to tell you that. Speaking of your dream again, Mr. Defoe, reminds me of a question I often wished to ask you: Did you see Bland at all after his conviction?"

"No, of course —" Defoe's guard had been down. He was fairly tricked, so he tried to run to cover again. "What—who is this Bland you're talking about?"

"Come, come, Mr. Defoe," said the Voice. "Think over your dream a moment. Surely you remember the man in the prisoner's dock—the man who took his sentence with head up, facing the judge like a Spartan! Surely you remember Richard Bland. But did you happen to see him again after that day?"

"No," Defoe said. "Why should I have seen him after my connection with his case ended?"

"But didn't you even write him a note expressing your regret at having had to perform the duty of—"

"Certainly not!" interrupted Defoe. "Who ever heard of a foreman of a jury doing such a thing? Besides, he deserved his punishment."

The Voice was silent a moment or two before it replied:

"We'll discuss the merits of the case later . . . And you didn't even go to see him hanged?"

"What manner of man do you think I am?" exclaimed Defoe. "Of course I didn't! I wasn't even in Chicago where he was hanged."

"No?" said the Voice. "Where were you?"

"A few weeks after the trial I had to go to Europe on a long business trip. I was gone a year or so. When I returned to this country I made my home here in New York City."

"So you never even read in the newspapers about Bland—" the Voice persisted. "I don't suppose the European papers would bother with a piece of American news like that, though."

"No. I never read anything about the case after I left this country," said Defoe.

"That's odd. I'd have thought you would have followed the case through to the end," the Voice said, half-musingly. "But still, if you had, perhaps you would not be here tonight."

"Why not? What difference would it have made?"

"I don't know. That's merely my surmise," said the Voice.

A faint footstep padded through the hall outside the living-room.

"Is that you, Manuel?" Defoe asked, wondering what would happen when his Cuban valet encountered the intruder behind the chair.

The footstep halted.

"Si, *senor*," answered the man-servant, at a respectful distance from his master's chair. "I come to see why you sit up so late, *senor*."

Defoe laughed mirthlessly. "Well, truth to tell, Manuel, I am detained on business," and he wondered again how Manuel had escaped noticing the other presence in the room.

"You mean you fell asleep, *senor*?" asked the valet.

"I did, but some friendly caller has kept me pretty well awake the last ten minutes."

"But he has gone? And you come to bed now?" inquired the Cuban.

Defoe, after a pause, said. "Yes; I might as well go to bed, I guess."

The Voice behind the chair broke in:

"Tell your valet you will smoke another cigar before you retire."

Defoe settled down again in the chair.

"You heard, Manuel?" he asked.

"You see, my visitor says he wishes me to smoke another cigar."

"But I see no visitor, *senor*," said the Cuban.

"You heard what he said, though," Defoe insisted.

"No, *senor*. I only hear you say he wish you to smoke another cigar," explained the valet.

"Well, you ought to have your ears examined, Manuel. Get my box from the table and hand it to my visitor."

Manuel fumbled in the darkness

until he found the box, then handed it to Defoe. The latter waved it toward the Voice behind him.

"My guest first, Manuel," he corrected.

The Cuban stood motionless. "I see no one else," he insisted.

The Voice interrupted:

"Tell him I don't care to smoke. Mr. Defoe."

"I can see no one, *senor*," the Cuban repeated.

"But didn't you just hear him?" Defoe cried, leaning forward nervously.

"No, *senor*, I hear no one speak but you."

Defoe stared up at his valet, then half rose from his chair.

"Sit down, Defoe!" commanded the Voice sharply.

Defoe sank back once more.

"There!" he exclaimed to his valet.

"Now tell me you didn't hear any one order me to sit down just then!"

The Cuban shook his head. "No, *senor*, I hear no one talk but you since I come in."

His master swore helplessly. "Are you trying to make a fool of me, Manuel? Do you dare stand there and tell me no one spoke to me?"

"I don't know, *senor*. I only know I hear no one speak—"

Again the Voice intruded:

"It may be that Manuel thinks you are trying to make a fool of him," it suggested.

"Do you?" Defoe asked the Cuban.

"Do I what, *senor*?" the valet asked, placidly.

"Do you think I'm trying to make a fool of you?"

"I do not say so, do I, *senor*?" the servant replied, deprecatingly.

"No, but you heard—or did you hear?—this visitor say it!"

The Cuban, almost tearfully, denied it, becoming verbose in his protestation.

Defoe flapped his arms on the wings of his easy chair and bade his valet hush.

"Get out of here, you brown-skinned dumbbell! One of us has gone crazy tonight!"

The Cuban moved off, keeping a

suspicious eye upon his master. His retreating footstep presently was heard dying away in the hall outside.

"Well, what do you think of that damned little Cuban?" Defoe asked the Voice. "I wonder what made him lie so brazenly?"

There was no response. Defoe repeated his second question.

Still silence answered him.

"Have you gone, my friend?" Defoe asked, turning part way in his chair to test the other's watchfulness. This time no automatic punched his head and no command wilted him into the depths of his chair again.

Still doubtful of his good luck, Defoe called out once more:

"I say, stranger, have you gone?"

The only sound that greeted his ears was the faint creaking of a window in the adjoining dining-room. Defoe rose and darted to the connecting door, snapping on the electric light at the entrance to the dining-room.

The room was vacant of any soul but himself.

All he could see was the slight movement of the lace curtain at the dining-room window—and when he examined the window he found it latched.

III.

THE NEXT day Defoe went to his doctor. He wished to take stock of himself; perhaps he had been applying himself too closely to his business.

"You are badly run down, Allen," the physician said, almost before he had sat down with his patient. "You look mentally distressed."

"I am," admitted Defoe. "Working too hard. I guess."

The doctor eyed him keenly.

"Anything else troubling you?" he asked.

Defoe insisted there really was nothing at all beside his work that was affecting him. So the doctor gave the usual diagnosis: Too much nerve tension, not enough sleep, not the proper kinds of food. He ended by advising more rest and quiet.

"And avoid excitement, too." he

warned. "That old heart palpitation might crop up again, you know."

It was all very well for the doctor to advise more rest and more sleep, but how was a man to sleep beneath a Damocles sword of mystery, of weird forebodings?

It was three weeks before Defoe felt that he was succeeding in obeying the doctor's instructions, partly, at least. Then—

It happened late one night. Defoe lay in bed, his back to the lighted electric lamp on the table: he had fallen asleep, reading. Suddenly he stirred at a touch on his shoulder.

"That you, Manuel?" he asked, drowsily. "All right, put out the li—"

"No, it is not Manuel—and don't bother to turn around, Defoe!" this last sharply, as Defoe made a movement to arise in bed.

"You again!" Defoe exclaimed. "What—how did you get in?"

"That's my problem, not yours," said the Voice. "I merely dropped in again to inquire if you had thought any more of doing what I suggested."

Defoe checked an insane desire to leap out of bed and make a break for the door—anything, to escape this tormenter at his back! But he remembered the automatic. . . .

He got himself under a semblance of control before he answered:

"Your suggestions were ridiculous. Why should I have anything to confess about the Bland trial, or why should I commit suicide over it?" He even essayed a laugh meant to be derisive.

But the intruder chose to ignore Defoe's evasions. His next remark was as startling as it was illuminating:

"Did you know," said the Voice, "that of the other eleven jurors who convicted Bland, only seven are living—still?"

"No; I haven't kept track of the other eleven men," replied Defoe, annoyed subconsciously by the detachment that the Voice gave to the word "still."

"Well, I have," said the Voice. "Two of the surviving seven are in insane asylums; two of the four dead committed sui—."

Defoe could brook it no longer. He wrenched around in bed to grapple with his antagonist, forgetful, in his madness, of the automatic. But before he could free himself from the bedclothes the lamp was snapped out, and Defoe was left ignominiously tumbled in the darkness on the floor.

A chuckle from the vicinity of the bedroom door told him of his guest's departure. . . .

When morning came, after the nerve-racking night, Defoe found it hard to realize that his two experiences with the Voice really had taken place. None the less, he knew they were preying on his vitality, on his brain-functions.

Repeatedly the thought came to him that it was all a dream like his recollection of the murder trial out of which he had awakened the night of the Voice's first visit. But always against the theory of the dream he placed his remembrance of the feel of the automatic revolver; and, too, the fact that he had talked with Manuel and with the Voice at the same time argued against the dream explanation.

Left, then, was conscience—that is, if the visits of the Voice were simply hallucinations of a distracted mind. But why should conscience wait for twelve years to haunt and harass him?

The more he pondered it all, the greater became the dread of another visit from the Voice. The greater grew his fear, too, of losing his reason, as he sought to analyze the situation from every conceivable standpoint. With every new bit of theorizing, Defoe felt himself giving way more and more to melancholia such as he knew is frequently but the prelude to insanity. Was it possible, he wondered, for a man's conscience to drive him to imbecility?

Defoe finally accepted the inevitable.

"Manuel," he ordered, the second morning after the bedroom encounter with the Voice, "pack my things. We're going away."

"Away, *senor*? Where?"

Defoe's brain groped vainly for an instant, then seized upon the only chance.

"The sea—a sea voyage. My nerves . . ."

Manuel busied himself among Defoe's clothes. "Do you need many things, *senor*? Do you go far away—Europe, perhaps?"

"No, no. Just down the coast—Old Point Comfort, I guess. Yes, that's it. A week or so of rest. Just my steamer trunk and a suitcase will do."

The day of the trip down the coast was as perfect as he could have wanted for his own satisfaction. All during the forenoon the Old Dominion steamer skirted the Jersey shore line, and Defoe sat out on deck basking in the sun and already feeling better for the salt-laden air that he breathed in deeply. In the afternoon he napped most of the time and when nightfall chilled the deck promenaders he descended with the rest to the dining-saloon.

It was while sitting in the smoking-saloon, after dinner, that Defoe first had the impression that he was being watched. A poker game was going on, lackadaisically, in one corner of the saloon; scattered in chairs and cushioned seats along the windows were perhaps a dozen or fifteen men. But, for the life of him, Defoe could not pick out any one in the room who might be watching him, now he gave his fleeting impression indulgence long enough to look about him.

Finishing a cigar, Defoe decided on a deck stroll before retiring. It was too cold and damp, with a fog beginning to gather, to permit of sitting on deck, so he paced to and fro briskly up near the fore deck beneath the pilot's tower. The nervousness of the few moments in the smoking-saloon, when he imagined himself being watched, transmuted itself into a shiver as the foggy dampness penetrated to his marrow. He lit a fresh cigar and puffed at it jerkily as if to generate bodily warmth. Presently the shiver developed into a veritable shudder such as precedes chills or certain forms of ague.

Defoe, thoroughly miserable and alarmed now at the fear of sickness on board ship, chafed his cheeks with his hands and, on his way to the entrance

to the stateroom, he flailed his arms about himself to stem the onrush of the chill. Once inside the passageway of the staterooms, however, he felt warmer, and by the time he reached his stateroom door the chill had subsided almost completely.

He was still uncomfortably cold, though, as he opened the door. With one hand he unbuttoned his overcoat and with the other he reached gropingly for the electric light button on the wall. He fumbled around for it a few seconds, then swore softly in vexation because he had not noticed by daylight just where it was located.

Groping with both hands, now, he stumbled around the none-too-commodious room, feeling for the push button on the wall. He paused once and took inventory of his pockets and cursed his luck for lack of another match.

Then he went to hunting in the dark again—until his hand came full against a living body. . .

IV.

THE BODY stirred, eluding Defoe's contact.

Defoe fell to quaking once more, but it was not the trembling of the chill this time. He opened his mouth to challenge the intruder, and all he could do was swallow and gag at the words that stuck in his throat.

A pressure against the pit of his stomach—a firm shove of a hand upon his shoulder—and Defoe found himself stepping backward until it seemed he must have walked the length of the ship. But of course he hadn't—he hadn't even left the stateroom—and suddenly he was tumbled on to the edge of the berth, the pressure against his abdomen increasing.

A vague nausea gripped him. He clutched at his abdomen and his fingers wrapped themselves around the barrel of an automatic pistol. The pressure against his body became unbearable, piercing. . . . Defoe crumpled back into the berth and the convulsive effort restored his speech.

"What the hell are you doing?" he

exploded. "Get out of here! What are you trying to do—stab me with a pistol?"

The incongruity of his question aroused a titter of amusement from the invisible presence.

"No, I only wished to make sure you weren't trying to get away."

That Voice again!—*here!* Defoe cringed in a sort of abject fear.

"What are you—*who are you?*" Defoe struggled to keep his voice steady, struggled, indeed, to keep his reason from flying out of balance and shattering into a thousand pieces of driveling idiocy.

"Call me anything you care to," replied the Voice in the dark.

"I don't believe you are—*anything* at all! I think you are all a dream, a nightmare, a damnable hallucination that I can't get rid of! To hell with you! I'm going to go down to the smoking-room and—smoke you out of my mind! I'm going to stay in the light from now on, day and night, until I get over this morbid dreaming!"

Defoe really thought he meant it all, until the pressure against his stomach made him doubt his courage and defiance.

Perhaps it was the nausea—maybe seasickness; he never had thought of that!—that was griping at his vitals like the insistent pressure of a steel-barreled weapon.

"Sit down, Mr. Defoe!" commanded the Voice. "I've got something to say to you."

"To hell with you!" Defoe repeated, almost hysterically now. His hands clutched at the pressure again—and once more the pistol barrel sent him squirming back into the recesses of the berth.

"I want to talk to you some more about the Bland case," went on the Voice, unperturbed by the other's outburst. "When are you going to confess?"

"Confess?" Defoe paried. "Confess what?"

"Confess that you knew Bland was innocent when you convicted him," said the Voice.

"But I didn't." It was like wrestling with one's conscience. Defoe thought, this interminable denying of Bland's innocence. He was wearying of it all; his mind was revolting at the repeated "third degree" of this mysterious Voice. Soon, he feared, his brain would refuse to function.

"But you've said you did." the Voice insisted.

"When? It's a lie!" exclaimed Defoe.

The Voice chuckled, sending a shudder through the man crouching in the corner of the berth.

"You probably don't know, Mr. Defoe, that for a number of years you have had the treacherous habit of talking in your sleep—talking volubly, excitedly, sometimes almost reconstructing entire incidents in your talk for the benefit of anyone who might happen to be listening."

"Well?" asked Defoe.

"Simply this: Manuel has overheard enough to—"

"Manuel? broke in Defoe. "What's he got to do with it!"

"I forgot to tell you," the Voice apologized. "The Cuban is my confederate—former member of the Secret Police of Havana, you know. I saved his life during the Spanish war and—well, he's paying back an old debt, as he calls it. He let me in and out of your house, and tipped me off about this trip. You see, Manuel had overheard you say, in your sleep, that you convicted an innocent man of murder. So I knew your conscience—"

"Are you trying to be my conscience? Are you trying to plague me into confessing? Are you—"

"No," answered the Voice, "unless you choose to call me your conscience. I'm willing. You seem to be in need of one. Do you know, Mr. Defoe," and the Voice took on a more affable tone, "you have been fearfully distracted the last few weeks or months. You need a rest—a long rest!"

Defoe was silent, hunched in the retreat of the berth. He had no fight left in him. Presently he fell to whimpering quietly, as a child does when it is

punished beyond endurance and is too frightened to cry. The Voice, it seemed, missed the old combativeness, gone so quickly after Defoe's late outburst, so it prodded the hunted man with its chief weapon—not its pistol, but its chuckle. This time it chuckled devilishly, aggravatingly, and it rasped against the tender sensibilities of the sniveling Defoe like salt in an open wound.

Then something broke what little bonds of restraint remained in Defoe. He sprang, catlike, to the outer edge of the berth and lunged for the arm that held the pistol. In the darkness his head struck the cross-support of the berth above and he slumped forward, half dazed by the blow.

Again the chuckle sounded in his ears, now ringing with the stunning impact; and again Defoe lurched forward, only to fall dizzily to the floor. He clambered clumsily to his feet, gripping the berth for a momentary prop.

Soon his head began to clear. He was assembling out of the maze of ache and buzzing in his ears and brain some sort of coherent idea of where he was and what had been happening.

"Now I know what it all means!" he burst forth presently. "You—you sneaking, cackling little conscience, get out of here! I'm going to cheat you if I have to become a drunkard or a dope fiend the rest of my life! I'm not going to let a conscience, or a voice or a chuckle, drive me to insanity—or to confessing—or to suicide!"

Defoe was steady enough now, supporting himself against the upper berth. His voice grew more strident.

"No, I'm not going to let my conscience get the best of me! You thought you could keep after me endlessly, but I'll get rid of you. I'm never going to be bothered with you or your voice again! Never! Now get out of here! Get out of here, I say!"

The chuckle—a croaking, sepulchral chuckle it was now—answered him out of the darkness.

"You might tell me, before I go, if you know who really did kill the man Bland was convicted of murdering,"

said the Voice. "I'm curious enough to wish to know his name." And the Voice chuckled once more.

"Damn that cackle! I'll tell you, if you choke off that infernal cackling! I'll tell you—*yes!* I can tell you, because *I did it!* I committed that murder, you understand? *I did it!* Now cackle all you want to! And I convicted Bland of it! Cackle, you damned little shriveled conscience! *Ho, ho, ho-ho-ho!* I think it's my turn—to—cackle—now!"

The words of the hysterical man rose to a maudlin scream that reverberated piercingly in the little stateroom.

"Now get out of here for good!" the raving Defoe shouted, recovering

coherence of speech after a time. "Get out—before—I—"

A blinding glare of light came as Defoe reached for the door. The intruder had found the push button.

Defoe stared—then toppled to the floor.

"Bland! Bland! You! It's you. . . ."

And before the stranger that was Bland passed from the room he felt again of the heart of the craven hulk at his feet. The doctor had been right: The tumult in the breast of the twelfth juror had been too much.

If only Defoe had known that the Governor had pardoned Bland, his secret might have been safe forever.
