

Phyllis Minter nee Osborne 1915 - 1938



This photo may be the one referred to in newspaper reports as having been taken on the promenade near the Royal Victoria Pier at approx. 11.00am on Saturday 21 May 1938.



There seems no doubt that this photo is of Phyllis but it's not known when or where it was taken. There appears to be someone sitting on Phyllis's left, identity unknown

The reports below appeared in the Folkestone Herald and Folkestone Express between 28 May and 5 November 1938. Both newspapers were weeklies and on Saturdays reported the proceedings of the previous week, frequently in great detail.

Jan Pedersen has kindly provided transcriptions of reports from both newspapers: these are reproduced here in two sets, the first from the Herald, the second from the Express.

Reports from the Folkestone Herald

Folkestone Herald 28 May 1938 – first report of the murder and initial enquiries

Local News

Hidden by bushes in a coppice between Caesar's Camp and Sugar Loaf hill, a young Folkestone woman was found dead on Thursday evening. The cause of death is believed to have been strangulation, and yesterday the Folkestone Police called in New Scotland Yard to assist them in their enquiries. It was officially stated last night that the woman was Mrs. Phyllis Butcher, aged 22, who had resided in the town for some years, living apart from her husband.

The discovery of the body was made shortly after 6 o'clock on Thursday evening by Kenneth G. Andrews, a 16 year old boy living in Ethelbert Road. He was playing about among the bushes at the foot of the hills between Holy Well and Caesar's Camp when he saw what he thought was a woman sleeping. As she did not move, however, when he spoke and touched her he realised that something was wrong and he ran back to his home and informed his father.

The police were communicated with and the Chief Constable (Mr A. S. Beesley), who was attending a Masonic function at the time, was informed. He immediately left for the scene of the tragedy and on arriving there took charge of the investigations.

Chief Inspector W. Hollands and the Police Surgeon, Dr. W.C.P. Barrett, were also summoned, and the latter made an examination of the body on the spot. He formed the opinion that the cause of death was strangulation. The body was lying on its back with the face upwards. The whole of the body was covered with a blue stuffed coat, presumed by the police to be the dead woman's property. Throughout the night the police continued their investigations and when the Chief Constable and other senior officers left some time later, other officers were left on guard. Photographs were taken of the body and the place where it was found before the body was removed in an ambulance to the mortuary at the Cemetery.

Yesterday the Chief Constable called in the help of New Scotland Yard and Chief Inspector W. Parker and a detective sergeant arrived in the town shortly before noon. There was no evidence of a struggle having taken place at the spot where the body was found, and the possibility of the woman having been brought there from somewhere else after death was not rejected from the line of enquiry followed by the police. The period the body had lain there was also closely investigated and the opinion formed that some hours had elapsed since death when young Andrews made his discovery. The clothing was damp and rain had fallen heavily up to early Thursday morning. Although some distance from the string of paths which run along the foot of the hills, access to the place from either Crete Road West or Hill Road would not be impossible. A field separates Hill Road from the spot, and the distance from the road is over 300 yards. This would be the more likely method of approach if a person were carrying someone.

The Chief Constable made an appeal through the Press last night asking anyone who had lodged Mrs. Butcher during the past week to get into touch with the Folkestone Police at once.

The official description of the woman is as follows: "Aged 22, height 5 feet 3 inches. Hair brown and bleached, more flaxen than brown; slim build. Dressed in a dark green frock with a scarf of similar material which was tied tightly round the neck. Blue shoes, no stockings or hat, and a blue coat which was covering the body". Enquiries which have been made show that the woman was last seen alive on Monday evening in Folkestone. Since then the police have no trace of her movements. The police state that they have a number of lines of enquiry which are being closely followed up.

Although the name of the woman is given as Mrs. Butcher, it is believed that she had used other names, including "Mrs. Spears".

It is believed that she was employed at a Folkestone hotel as a day cleaner last summer. The manager of the hotel said the woman was a good worker and appeared to be of a good type. "I had no complaint at all to make about her work", he said. "She worked here most of the summer."

Kenneth Andrews told the "Folkestone Herald" last night that he left his house at about 5.20 p.m. on Thursday and cycled up towards Caesar's Camp. "I then walked and crawled through trees and bushes" he said, "at the bottom of the Caesar's Camp looking for nests. I crossed a stream and as I crawled through a bush I noticed what appeared to be a bundle. I took a closer look and saw that it was a girl's head, and part of her leg was also showing. I shouted and touched the head with the stick but nothing happened. I then went home and told my father who fetched a policeman".

Mr. John Andrew, the father, said he had been at that spot that afternoon and must have been within a few yards of the body.

"I didn't notice anything" he added, "as it is a place that one could only crawl into".

Folkestone Herald 4 June 1938 – opening of the inquest and continuing investigations

Local News

The inquest on Mrs. Phyllis M. Spiers, who was found strangled near Caesar's Camp last week, was opened at the Town Hall, Folkestone, on Monday afternoon by the Borough Coroner (Mr. G.W. Haines) and after three witnesses had been called, the enquiry was adjourned until Friday, July 8th.

There were a number of members of the general public in the body of the court to listen to the proceedings, which lasted less than an hour.

The Chief Constable (Mr. A.S. Beesley) sat at a table with the Police Surgeon (Dr. W.C.P. Barrett) and Det. Sergt. Skarsdon, one of the Scotland Yard officers assisting the local police.

The Chief Constable was the first witness. "At 7.15 p.m. on Thursday last", he said, "I was called by my chief Inspector to a small coppice or wood. I was accompanied by the Coroner's officer. At the foot of the hills to the north of Folkestone, between Caesar's Camp and Sugar Loaf Hill, I saw a woman lying on her back covered pretty well from head to foot with a blue coat".

The Chief Constable handed to the Coroner a photograph showing the dead woman as she was found. The photograph was shown to the members of the jury.

The Chief Constable, continuing, said "She was lying on a slight incline with her head downwards, the lower portion of both legs being exposed from a point about half way below the knee. She had no stockings, but was wearing a pair of low-heeled shoes. Her face and head were covered, but a portion of her back hair, which was flaxen in colour, was exposed and lying straight out behind the body. I moved the coat and exposed the face and felt it. The face was quite cold, but soft to the touch. It was a very good colour and in fact quite natural. I formed the opinion that she was dead. Her nose was swollen and discoloured, and blood was oozing from the left nostril. I completely removed the coat and found that she was lying on her back with her arms and legs flexed, her knees being drawn up, and the right ankle crossed over the left ankle".

Describing the dead woman's clothing, the Chief Constable said an undergarment was badly torn. "She had on a green frock, pulled or dragged right up. There were very extensive bleeding scratches leading from her legs up to the thighs. They were especially numerous on the front. There were deep indentations on the lower part of the back of the body, made by pressure on the earth and dry pieces of twig and briar on which she was lying. All the clothing was saturated with rain except the back of the dress, which was dry. Between the back of the dress and the shoulders were many pieces -of dry twig, brambles, dry earth and grass". "Around her neck", continued the Chief Constable, "was an old green spotted scarf. It was wound twice round and tied twice exceedingly tightly, so tight that the whole of the scarf round the neck was sunk into the indentation made. I caused it to be cut with a penknife on the opposite side of the knot. There were no signs of a struggle at this spot. The grass was not trampled, and the brambles were not broken". The Chief Constable added that the photographs which he had produced were taken at the time of the finding of the body.

Dr. W.C.P. Barrett, the Police Surgeon, said he saw the body at the spot where it was found. "I have since made a post mortem examination", added the doctor, "and I found the nose flattened and exuding blood. There was a long bruise measuring four inches on the inner side of the left arm. There were two bruises on the chest. There were multiple bramble scratches on the lower limbs, these being more on the front than the back, but there were quite a few on the back. There was a deep indentation right round the whole of the neck".

The Coroner: Would you say the bramble scratches and bruises were ante-mortem?

Witness: Definitely.

Continuing, Dr. Barrett said death was due to strangulation caused by pressure on the main arteries to the head.

The Coroner: How long do you think deceased had been dead?

Dr. Barrett: Two days or under.

The Coroner: Not longer?

Witness: No, there was no sign of putrefaction.

The Coroner: Considerable pressure would be necessary to stop the flow of blood, I suppose?

Witness: No, I tried last night in bed and was surprised how little pressure was needed to make you feel faint. It was surprising.

Arthur Charles Spiers, 29, Sidney Street, Bexhill-on-Sea, who stated he was 27 and a milk roundsman, said he was formerly in the Army and stationed at Shorncliffe Camp. He said that he became acquainted with the deceased and knew her as Phyllis Minter. They were subsequently married at the Folkestone

Registry Office on April 11th, 1932. On January 25th, 1933, his wife gave birth to a daughter, who was now in his custody. He returned to Bexhill after the marriage and got work there. On April 13th, 1934, his wife left him, leaving the baby. They had quarrelled before as a result of a letter she had received. Witness said they had tried to patch up the quarrel once or twice.

The Coroner: When did you last see her alive?

Witness: Three years and ten months ago at Hastings.

The Coroner: You have never seen her since?

Witness: No, sir.

The Coroner: In November last you applied for a poor person's divorce? – Yes.

Did you know where she was living? – No.

A solicitor found it out for you? – That is so.

The Coroner: Your application for divorce was based on desertion?

The husband: That's right, sir.

The Coroner: How old was she when you married her?

The husband: Sixteen years and five months.

Witness said he visited the Folkestone mortuary on Friday afternoon and he there identified the body as that of his wife.

The Coroner: Do you know whether she followed any occupation after leaving you?

Witness: I could not tell you.

At this stage the inquest was adjourned.

The Chief Constable said he would like an adjournment for at least a month.

Adjourning the inquest until July 8th at 2.30 p.m., the Coroner said the police had many enquiries to make and he was afraid the jury would have to come again.

Local News

Sir Bernard Spilsbury, the eminent pathologist, was called in by the Chief Constable of Folkestone (Mr. A.S. Beesley) this week to assist in the investigations into the death of Mrs. Phyllis Spiers, the 22 year old Folkestone woman who was found strangled between Caesar's Camp and Sugar Loaf Hill on Thursday last week. The inquest on the dead woman was opened at the Town Hall, Folkestone, on Monday afternoon, and after three witnesses had been called, including the husband of the deceased, the enquiry was adjourned until Friday, July 8th.

The Folkestone Police, assisted by Scotland Yard officers, have continued their enquiries, working day and night during the past week, and a large number of clues have been followed up and many persons questioned.

The steps taken by the police to trace the movements of the dead woman during the last 48 hours of her life have included a door-to-door call at every house in certain districts of the town, ten plain clothes officers under Inspector Haestie having carried out this task.

A start was made at Cheriton and Morehall on Monday, followed by a comb out in the Foord district. The officers have shown a photograph of Mrs. Spiers to householders in the hope of obtaining information which may give them an important clue.

During the weekend a young soldier in the 1st Royal Berkshire Regiment, who had moved to Aldershot from Shorncliffe earlier in the week, was among those questioned at police headquarters by the Chief Constable and Chief Inspector W. Parker, of Scotland Yard. The soldier afterwards returned to Aldershot to rejoin other members of his unit who had gone there to prepare for the Aldershot tattoo.

A report appeared on Saturday that an unclothed man had chased two young Folkestone women on the hills near the spot where Mrs. Spiers's body was found and there was a suggestion that there might be some link with the crime, but the Chief Constable informed the Folkestone Herald that there was no truth in the report.

The exact place where the woman had been strangled has been established; it was stated to be not more than 30 feet from the spot where the body was found concealed by undergrowth. Further, the opinion was formed that the woman had met her death probably between noon and 3 p.m. on Wednesday of last week. Statements had been made that between Monday and Wednesday Mrs. Spiers had been seen in the town, one witness placing the time as late as 11.50 a.m. on Wednesday.

Mrs. M. Wright, living in the Black Bull district, also gave valuable information to the police, for she was able to show where Mrs. Spiers had spent the previous weekend. Mrs. Wright stated that the woman had called at her house on the Saturday morning and engaged a room. She described herself as a waitress and gave her name as Miss Phyllis Minter, stating that she had just arrived from Tooting. She said that she had come to take a job in the town. Before leaving the house on Monday morning about 10.30 the woman arranged to meet Mrs. Wright in the evening to go with her to a cinema, but that appointment was not kept.

By Sunday evening the Chief Constable stated that statements had been taken from between 40 and 50 persons, and the work of questioning was continued on the subsequent days.

Late on Saturday night a report was received that a man was detained at Sandwich after making a statement confessing to the crime.

The Chief Constable and Chief Inspector Parker immediately went to Sandwich, but after questioning the man they were satisfied that he knew nothing of the murder. The man, who had been stopped by a police constable on his beat, had said that he had come from Folkestone and was responsible for the crime.

Another possible link was the disappearance of an old motor cycle combination from a lock-up garage in the town. Messages were flashed to all police forces asking for news of this machine, which had been stolen from the garage between Tuesday night and early Wednesday afternoon of last week.

No line of enquiry has been overlooked by the police and in an effort to establish where Mrs. Spiers ate a few hours before she met her death calls were made at cafes and restaurants.

Sir Bernard Spilsbury was called in by the Chief Constable on Wednesday, and he arrived at Folkestone later. Sir Bernard went to the mortuary at the Cheriton Road cemetery where he carried out a post-mortem examination on the dead woman. During the examination, part of which was carried out during a violent thunderstorm, the Chief Constable and Chief Inspector Parker were present. Later the eminent pathologist returned to London. A large number of exhibits were also sent to Dr. Roche Lynch, the Home Office expert, on Thursday.

Last night the Chief Constable stated that the line of enquiry had been considerably narrowed down and was more pronounced.

With reference to his appeal the previous week for information as to where Mrs. Spiers slept on the Monday and Tuesday, Mr. Beesley said a number of people had made statements, but none as to where she had slept. Either this information is being withheld, or Mrs. Spiers slept out on these two nights, possibly in one of the huts which are being erected on the Kent Agricultural Show ground at the back of the golf links.

The funeral of Mrs. Spiers took place quietly on Thursday morning at the Folkestone Cemetery at Hawkinge. The Vicar of Folkestone (Rev. Canon Hyla Holden) officiated. Only near relatives of the deceased attended. Wreaths were received as follows: With deepest sympathy, from your heartbroken Arthur; with deepest sympathy, "Mum"; in fond remembrance of Phyllis, from Aunt Rose, Dorothy and Iris; in loving memory, from all at Bexhill; with sincere sympathy, from her pals at the Alexandra Hotel; with sincere sympathy, Mr. and Mrs. J. Mockridge and Johnny.

The Chief Constable's Appeal

Do you know where Mrs. Spiers stayed on Monday and Tuesday nights of last week? If you can help, communicate at once with the police.

The Chief Constable of Folkestone on Thursday evening said "It is of the utmost importance that anyone who can tell us where the dead woman stayed on the Monday or Tuesday nights before her death should communicate with me without waiting to be called upon".

Folkestone Herald 11 June 1938 – further investigations

Local News

During the week the Chief Constable (Mr A.S. Beesley) made a further appeal in connection with the murder of Mrs. Phyllis Spiers, who was found strangled with her own green scarf near Caesar's Camp on Thursday, May 26th.

The police announced that it was important that they should get into touch with a woman who was seen in Mrs. Spiers's company in Woolworth's Stores, Sandgate Road, Folkestone, on Wednesday, May 25th, probably only a few hours before she met her death.

The statement as issued by the Chief Constable was as follows: At about 6.10 p.m. on May 26th, 1938, a girl known as Phyllis Spiers, alias Butcher, Osborn and Wall, aged 22 years, 5 feet 5 inches, eyes blue, hair bleached, medium build; dressed in full length belted blue overcoat, green frock and blue leather shoes, no hat or stockings, was found murdered at a spot known as Caesar's Camp, Hill Road, Folkestone. It is earnestly desired to trace a woman who was in her company shortly before 12 noon on Wednesday, May 25th, 1938, at Woolworth's Stores, Sandgate Road, Folkestone. The woman is known to have purchased a packet of greaseproof paper. It is of the utmost importance that this woman should communicate with the Chief Constable, the Town Hall, Folkestone, or any police station at the earliest possible moment.

This statement was issued on Tuesday night following a visit to London by Chief Inspector W. Parker, of Scotland Yard, who with Det. Sergt. Skarsdon, also of Scotland Yard, are assisting the Folkestone police in their enquiries. Inspector Parker had a consultation in London with Dr. Roche Lynch, the Home Office analyst, to whom a number of exhibits had been forwarded the week before for examination. During the past week statements have been taken from further people at Folkestone police headquarters and every line of enquiry has been carefully followed up.

Wednesday's appeal brought to the Police Station several persons who were able to give information to the police, but where the dead woman slept on the Monday and Tuesday nights before her death still remains a mystery.

The police regard every piece of information as useful and any assistance that can be given should be offered without delay.

Folkestone Herald 18 June 1938 – investigation continues

Local News

Following a further week of investigations, Chief Inspector W. Parker and Detective Sergeant Skarsdon, of Scotland Yard, who have been working on the Folkestone strangled woman case with the Folkestone Police, visited Scotland Yard on Thursday. After consultations there, the Yard officers returned to Folkestone last night. During their visit to London they were also in conference with Dr. Roche Lynch, the Home Office analyst.

The Folkestone Herald understands that the police enquiries have not yet been completed in connection with the death of Mrs. Phyllis Spiers.

During the week further persons have made statements and have been questioned at the Folkestone Police headquarters by the Chief Constable (Mr. A.S. Beesley) and other officers assisting him.

Folkestone Herald 25 June 1938 – investigation continues

Local News

After continuing their investigations during the past week into the death of Mrs. Phyllis Spiers, the 22 year old Folkestone woman, who was found strangled near Caesar's Camp on Thursday, May 26th last, the two Scotland Yard officers who were called in the day after the discovery of the crime again visited London on Thursday.

There is good reason to believe that the police enquiries will be brought to a conclusion within the next few days.

Folkestone Herald 2 July 1938 – William Whiting is arrested and appears in magistrates court

Local News

William Whiting, 38, a labourer, of Dover Street, Folkestone, was detained and charged on Saturday with the murder of Mrs. Phyllis May Spiers, 22 year old Folkestone woman, who was found dead in a coppice near the foot of Caesar's Camp, Folkestone, on the evening of Thursday, May 26th. A green scarf was tied tightly round the dead woman's neck and at the inquest death was stated to have been caused by strangulation. Whiting was brought before the Magistrates on Monday morning and after evidence of arrest had been given he was remanded until next Tuesday.

The Magistrates: Councillor R.G. Wood presided and there were also sitting Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer, Mrs. R.L.T. Saunders and Judge H. Terrell, K.C.

The charge read over to Whiting was that "on or about 23rd May of this year at Folkestone feloniously with malice aforethought he murdered Phyllis May Spiers". Chief Inspector W. Parker and Det. Sergt. Skardon, of Scotland Yard, who had assisted the local police with the enquiries since the day following the finding of Mrs. Spiers's body, were both present in court. A large crowd which had gathered outside rushed into the court room when the public part of the court was opened. Many were unable to gain admittance.

The Chief Constable of Folkestone (Mr. A.S. Beesley) said, as the Magistrates were aware, the assistance of the Director of Public Prosecutions would have to be sought and therefore he only proposed to offer evidence of arrest that morning and then ask for a remand until Tuesday of next week. It would be a formal remand because he was quite sure the Director of Public Prosecutions would not be ready by that time to proceed with the case.

The Clerk (Mr. C. Rootes): You have made many enquiries and taken many statements?

The Chief Constable: Yes, and there are a large number of witnesses to be called.

The Chief Constable then gave evidence. He said that on Saturday he saw Whiting in his office and said to him "You know who I am; I am the Chief Constable of Folkestone". Whiting replied "Yes, sir". He then said: "William Whiting, I am going to arrest and formally charge you with the murder of Phyllis May Spiers on or about Monday, 23rd May, 1938, and you will be taken before the Court on that charge. I must caution you that you need not say anything unless you wish, but whatever you say will be taken down in writing and may be given in evidence. Have you anything to say?" Witness said Whiting replied "I do not wish to say anything. I am not guilty". Later Whiting was formally charged in his presence by the station sergeant and he then replied "I have nothing to say". He was then searched in witness's presence and taken to the cells.

The Clerk: Was anything found on him to which you wish to refer? – No.

Whiting said he had no questions to put to the Chief Constable.

Remanding Whiting until Tuesday of next week, the Chairman said they would appoint somebody to defend him.

The Clerk (to Whiting): A solicitor will be assigned to conduct your defence.

Whiting was then taken below.

Folkestone Herald 9 July 1938 – the inquest is further adjourned. William Whiting appears at Folkestone police court

Local News

The inquest of Mrs. Phyllis May Spiers, who was found dead near Caesar's Camp, Folkestone, on May 26th with a green scarf tied tightly round her neck, was further adjourned at the resumed inquest at the Town Hall, Folkestone, yesterday.

The Coroner (Mr. G. W. Haines) told the jury that under section 20 of the Coroners' Amendment Act, 1927, where a person was charged with murder they had to adjourn the inquest until the completion of the criminal proceedings. He therefore proposed further to adjourn the inquest until October 31st. It might

be that the jury might not have to come again. The Coroner mentioned that a man had been charged before the police court with murder. Mr. Lloyd Bunce, solicitor, was present during the brief proceedings.

Local News

William Whiting, 38, a labourer, of Dover Street, Folkestone, was again remanded, when he appeared at the Folkestone Police Court on Tuesday charged with the murder, on or about May 23rd last, of Phyllis May Spiers. Mrs. Spiers, a 22 year old Folkestone woman, was found dead at the foot of the hills near Caesar's Camp on the evening of May 26th.

Councillor R.G. Wood again presided on the Bench, and sitting with him were Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer and Mrs. R.L.T. Saunders.

When the case was called Whiting did not appear immediately from the cells and the Clerk (Mr. C. Rootes) said prisoner was now represented by Mr. Lloyd Bunce and no doubt the delay was caused by Mr. Bunce interviewing him.

After Whiting had been brought into the court, the Chief Constable (Mr. A.S. Beesley) said as he told the Magistrates last week he would ask for a further remand that day. He understood that the Director of Public Prosecutions would be ready by Wednesday of next week to proceed with the case.

The Clerk said he did not think that was the most convenient date for the Magistrates.

The Chief Constable said it might be possible to start the case on the Tuesday and then remand for a further week.

The Clerk: To the week beginning July 18th and then take the case during the week from day to day. The Clerk added that they had to consider the question of the Justices being available.

Mr. Bunce said he gathered the Justices were agreeable to Whiting being represented by counsel in that court.

The Chairman said they had given a certificate to that effect.

Whiting was then remanded until Monday next.

Prisoner asked if he could have his letters and photos which were in the possession of the police.

The Clerk: I am afraid that is not a matter for the Justices to decide.

The Chief Constable said they were personal and he did not think he would have any difficulty in complying with the request.

Folkestone Herald 16 July 1938 – William Whiting appears again at Folkestone police court

Local News

The case against William Whiting, 38 years old Folkestone labourer, who is charged with the murder of Phyllis May Spiers, aged 22, of Folkestone, who was found dead at the foot of the hills near Caesar's Camp on Thursday, May 26th, was opened by the Crown at the Folkestone Police Court on Monday.

Whiting was making his third appearance before the Magistrates, and after an all-day sitting the hearing was adjourned until next Monday, when further evidence will be taken.

Prosecuting for the Director of Public Prosecutions, Mr. B. H. Waddy, in his opening, suggested revenge as a motive. Among the witnesses called last Monday were Sir Bernard Spilsbury and Dr. Roche Lynch.

Mr. B. H. Waddy prosecuted for the Director of Public Prosecutions with Mr. F. Donal-Barry, of the Director's department, while Mr. J. Stuart Daniel, instructed by Mr. H. Lloyd Bunce, representing Whiting.

The case was heard by Councillor R.G. Wood (presiding), Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer and Mrs. R.L.T. Saunders.

A large number of exhibits were in court. The public part of the court was again crowded, some of those present having waited over two hours to obtain admittance.

Opening the case, Mr. Waddy said he was instructed by the Director of Public Prosecutions to prosecute Whiting, who was charged with having murdered a young woman named Phyllis May Spiers on or about May 23rd last. At the present moment he had in court two gentlemen who would be witnesses, Chief Inspector Parker and Det. Sergt. Skardon. Chief Inspector Parker was in charge of the case and he thought it was absolutely necessary that he should be present in court. With regard to Det. Sergt. Skardon, he would be most useful to him (Mr. Waddy) in handling and producing numerous exhibits and he would suggest that he also remained in court.

Mr. Daniel said he did not object.

Mr. Waddy said on Thursday, May 26th, somewhere about 6 o'clock in the evening a Folkestone youth was birds' nesting in a coppice at the foot of Castle Hill near Caesar's Camp, when hidden in the undergrowth of the coppice he found the dead body of Phyllis May Spiers. "I shall call before you a body of medical evidence and other witnesses who will tell you what was the condition of that body", continued Mr. Waddy, "and what was found in the immediate locality of the body. That evidence should, I think, lead you to this conclusion - that the girl met her death on May 23rd which was a Monday; that she met her death in this way - she was rendered unconscious by blows in the face and she was then strangled by hand, manual strangulation. Then, after her death, there was put round her throat and tied tightly a green scarf with white spots on it. It was put twice round her neck, pulled and knotted, but that was done after death. There are one or two possible reasons for tying the green scarf round the girl's throat. One possibility is that the person who did it desired to make assurance doubly sure and make sure that she died. The other possibility, one which will have to be considered, is that it was put round her throat in the hope that it might lead to the belief that the girl had committed suicide by tying it round her throat herself". Mr. Waddy, continuing, said after the girl's death, which, in the view of the prosecution, took place in a little clearing in this coppice which was visible to anyone up the hill, her body was dragged by the feet some 30 feet to the place where it was ultimately found. It was dragged down quite a steep hill and through a barrier or obstruction which existed between the place where they said she died and the place her body was found. That obstruction was a very rough obstruction and consisted of dead branches which were roughly fastened to a leaning post by pieces of barbed wire. Mr. Waddy said that he would show photographs and a plan of the place. The obstruction, he added, was probably put there to guard a bog which was at the foot of the hill and to which cattle might get. A great deal of importance might attach to the obstruction. Mr. Waddy said on one side of the court the Magistrates would see the obstruction referred to framed. There was a stout post and to the left there was a number of branches and they could see upon them some pieces of old rusted barbed wire. As they looked at it, and if they imagined the ground they were on was higher and that from the other side it went downhill again, the case for the prosecution was that this girl was dragged feet first through the gap, the murderer going backwards on his hands and knees. There would be given in evidence certain finds which were made in the locality. For instance there was a comb, certain hairs, and so on. What was of great importance so far as the gap he had mentioned was concerned was that there was a piece of barbed wire on the right hand side which if a person were going through backwards on their hands and knees would be just about where one's left shoulder would come. If prosecution were right in thinking that the murderer dragged the body through the gap, there would be every likelihood of a part of that barbed wire catching in the clothing which covered his left shoulder. Some ten yards below the opening the body was found. Beside the body was a girl's handbag and in it was a torn piece of a black and white scarf, quite different from the one found knotted round her neck. The rest of the scarf had vanished. It was a scarf which had been given to her by a man friend and she was wearing it on the very morning that she met her death. It was a comparatively flimsy thing and it would appear probable that after her death her assailant tied the dead woman's own scarf round her neck and in pulling it tight possibly ripped the end off. The suggestion was that he then put the green scarf round her neck and stuffed the torn scarf into her handbag, but after placing the handbag by the body he was minded to get rid of the torn scarf and took it out of the handbag again, leaving behind the little piece which he might not have noticed. Another important feature of the handbag was that there was not found in it a little green purse which this girl owned and carried, continued Mr. Waddy. It would appear probable that the assailant in taking out the major portion of the torn scarf possibly took out the green purse as well and may have put both in his pocket. Those were deductions which he thought might be drawn from the evidence which would be called before them as to what was found on the scene of the murder. One had then got to see in what way that evidence pointed to the accused as being the man who committed the murder. Witnesses would fall into groups and he would try as far as he could to call them according to the groups they fell into. The first pointer, which pointed to the accused as having been the man who committed the murder, was evidence that on May 23rd Whiting walked with this girl from somewhere in the centre of the town to the golf links and across those links. Not only would he be in a position to call witnesses to say that they saw Whiting on that part of the walk, but Whiting himself had made a statement in which he said that on that afternoon he walked with the dead girl to and over the golf course. When he got to the end of the golf links, if he and the girl turned right it would lead them to the foot of the other hill (Caesar's Camp) where there was a stile. If one got over the stile and walked 200 or 300 yards along the foot of the hill they came to the coppice where the body was

found. Mr. Waddy said he would call a witness who would say that he saw these two go up that road, losing them to view just by the bend where the stile was. The next pointer which pointed to Whiting was a body of evidence which would deal with his clothing. On May 31st the police came into possession of everything Whiting had on him. Included in the clothing was a jacket, and just over the left shoulder blade of that jacket was a right-angled tear torn upwards, and the evidence would be that the tear was exactly the type of tear which would be made on the barb of the wire in the obstruction if he were going through it backwards. One interesting piece of evidence which corroborated that view would be this. During the course of the investigations a police officer went through the gap backwards and his jacket was torn open by the barbed wire. They would see both jackets and see that the tears were similar and in similar places. The case for the prosecution would be that the tear which was found on prisoner's jacket on May 31st was exactly consistent with it having been made by the point of that barbed wire. Further, a more detailed examination of the coat showed that in one of the jacket pockets there were certain hairs. He was calling evidence to say that those hairs were exactly the same as the hairs from the head of the dead girl. The significance of that was in connection with what he had already told them about the torn scarf, the portion of which was found in the handbag. If they were right in thinking the dead woman's own scarf was used and torn, and then placed in her handbag afterwards to be removed in order to get rid of it and stuffed in the man's pocket, they would be likely to find in the man's pocket some of the girl's hairs. There was also found in Whiting's possession what was odd for a man to carry - a lady's small green zip fastened purse which a witness would say was exactly the same as the dead girl used to own and carry. The suggestion was that possibly it came out of her handbag at the same time as the piece of her own scarf and got into the murderer's possession. The third pointer, which was perhaps more important than any of the others, was the scarf which was round the dead girl's neck. It was a very distinctive scarf, a green one with white spots on it, and according to what prisoner told the police he had never had it. Further, he said that he had never had one like it and it was not his. But he (Mr. Waddy) would be calling before them, he thought he might describe them as a host of witnesses, who would tell them that they had seen Whiting frequently wearing the green scarf with the white spots and that he was seen wearing it as recently as May 20th, three days before he was seen in the company of this girl. If that scarf were his, how came it to be tied tightly round the neck of the dead girl?

Mr. Waddy said so far he had been telling them of those things which had been found which pointed to Whiting being the murderer. There was another branch of evidence in respect of which he would call witnesses and they would say that after the body had been found the accused, in unguarded moments in public houses, had made remarks to them which were only consistent with an admission that he had strangled a blonde girl. The dead girl had had her hair bleached. They were remarks made in unguarded moments. That was the major point of the evidence. As they knew, there was no burden on the Crown to prove a motive in a crime like that, but in that case they were in possession of evidence pointing to a motive for Whiting murdering this girl. This motive, to put it in one word, was revenge. The accused knew and was for some time associating with a young woman named Rose Woodridge. They lived together for a period but parted shortly before last Christmas. The girl left Whiting. There could be no doubt that he was, and still was, infatuated with Rose Woodridge and his mind was filled with an obsession of resentment against the person who came between him and this woman and caused that separation.

Evidence would be called to show quite clearly what accused's feelings were with regard to Rose Woodridge and what his feelings were to the person who caused him to lose her. There would also be evidence before them both from witnesses and Whiting's own statement to show that he firmly believed Mrs. Spiers was the person who had caused his separation from Rose Woodridge. The prosecution said here was a man who hated Phyllis May Spiers for what she had done, or he thought she had done, in parting him from the woman with whom he was in love. It only remained for him to say that after Whiting had been arrested on June 25th and charged he said "I am not guilty".

The first witness was Arthur Charles Spiers, 29, Sydney Street, Bexhill-on-Sea, a milk roundsman, who said that on May 27th he went to the mortuary at Folkestone and there saw the body of a woman whom he identified as his wife. She was 22 years old. Witness then identified his wife in three photographs. Two were of his wife with another woman and one with a man. He added that they were married on April 11th, 1932 and his wife's name was then Phyllis May Minter. They lived together for some time, but parted on April 13th, 1934. He last saw her alive about four years ago at Hastings by an appointment. That was after she had left him. He had recently commenced divorce proceedings against her.

Mr. Daniel reserved his cross-examination.

Kenneth George Andrews, 23, Ethelbert Road, Folkestone, said on Thursday, May 26th, after he had finished work he went to Caesar's Camp and entered a coppice at the foot of the hill. He was looking for birds' eggs. "I was looking for eggs in the coppice and while I was there I saw something that looked like a bundle", continued witness. "It must have been 6 p.m. I went to look at the bundle and after I had had a good look I saw it was a woman. The body was covered over with a dark green coat. I could see the hair and a leg sticking out from underneath the coat. I shouted as I thought it might be somebody asleep, and touched it with a stick, but did not interfere with the position of the body. I then realised it was not a sleeping person and went away from the place. A little later that evening I spoke to a police officer. I was

taken in a car back to the place with Inspector Hollands and Det. Constable Bates, and took them to the spot where I had found the woman”.

Mr. Daniel again reserved his cross- examination.

Chief Inspector W. Hollands said at about 6.30 p.m. on May 26th he received a telephone message. In consequence he went in a car and picked up the last witness and Det. Constable Bates, the Coroner's Officer. He then went to a coppice at the foot of the hills between Caesar's Camp and Sugar Loaf Hill. After entering the coppice Andrews took him to the spot where there was a body lying. Witness then examined a series of photographs of the place where the body was found. The first was a view of the coppice looking towards Sugar Loaf Hill, the next a view of the coppice from the hill above. About the centre of the coppice, said witness, there was a clearing where a figure could be seen lying. He found the body in line with a tree shown on the left but further down the bank. Witness said photograph No. 12 showed the appearance of the body as he first found it and was taken a little later the same evening. Photograph No. 15 showed the place where the body was found after it had been removed. Overhead the branches to some extent overhung the glade but did not completely cover it. Witness said later that same evening the coat was removed from the body and photograph No. 13 showed the appearance of the body with the coat off. The next photograph showed the appearance of the body from the other side after the coat had been removed. It also showed lying near the girl's right hand a lady's handbag which he found there. "When I first went there I lifted the coat off the face and immediately smelt that the body was putrefying", witness continued. "She was quite cold, her arms were quite stiff and slightly bent and her fingers were half clenched and there was nothing in the hands. The legs were covered in scratches going in all directions. The scratches were fresh and unhealed. The hair was dragged down beyond the head. If the body had been in an upright position the hair would have been above her head. The head was pointing towards the fields and slightly downhill. Her face was a normal colour and was turned to the right. The tongue was slightly protruding and just showing between the teeth". Witness said the condition of the coat was sodden and wet. There had been some heavy rain on Wednesday, May 21st and it rained a little on Tuesday between 1.30 and 2.30 p.m. On the Monday (May 23rd) the weather had been fine. He noticed that there was a little dirt splashed up on the hands as if from heavy rain. There were also rain marks on the handbag. The ground all round the body showed signs of heavy rain. Dry bramble and leaves were in the clothing at the back. The shoes were damp, but there was no mud on them. Nor was there any mud on her clothing. The condition of the body and clothing gave the appearance that it had been dragged along by the feet while lying on the back. The ground underneath the body was dry. There was no sign of a struggle in the glade where she had been lying. Near where she was lying there was a rough footpath rising from the spot towards Caesar's Camp. The ground of the footpath was a chalky clay and when they found the body it was damp. Towards the top of the footpath there was a barrier of branches and barbed wire as produced in Court. A green spotted scarf (produced) was found around the neck. The scarf was twisted twice round the neck and knotted twice. The knot was on the right of the wind pipe. The scarf was tied very tightly.

Mr. Waddy said he proposed calling Sir Bernard Spilsbury and Dr. Roche Lynch, and he would like Dr. Barrett, the local Police Surgeon, to be present in court while they were giving their evidence.

Mr. Daniel said he objected. Dr. Barrett made the first examination and it seemed that the opinion as to the cause of death might have been slightly changed since then.

The Clerk (Mr. C. Rootes) said it was very difficult to come to any decision without knowing what any of the witnesses were going to say. The Bench were in the dark.

The Chairman (Councillor R.G. Wood) said the Magistrates saw no reason for excluding Dr. Barrett from the Court during the hearing of the evidence.

Sir Bernard Spilsbury, Honorary Pathologist to the Home Office, who then went into the witness box, said on June 1st he made a post mortem examination at the borough mortuary on the body of a woman pointed out to him by Dr. Barrett. He saw the marks of a ligature which encircled the neck at the level of the larynx. It was pale and there was no injury of the skin beneath it. It was about one and a quarter inches broad at the front, three-quarters of an inch broad at the side and slightly more than an inch broad at the back. Sir Bernard then gave evidence of external injuries, which included a bruise across the bridge of the nose, two bruises on the right side of the forehead close to the scalp, a bruise one and a half inches long over the right lower jaw, midway between the point of the chin and the angle of the jaw. He said there were also two bruises each about one and a quarter inches long and a third of an inch apart along the left collar bone. On dissection those bruises were more extensive than was apparent on the surface and involved the muscles immediately above and below the collar bone. Another bruise was also found immediately above the inner end of the right collar bone. There was a bruise half an inch in diameter on the outer side of the right upper arm, and two similar bruises on the inner side. There was a long bruise on the inner side of the right forearm about halfway down. Witness gave evidence of other bruises and

scratches, which Sir Bernard said were distributed widely over the right hip and both sides and legs; also others on the back of the trunk up to the lower part of the shoulders. There were also scratches on the back of the right forearm, and one across the knuckles of the left hand. He added that he found other bruises which were not visible on the surface. The green scarf was produced and Sir Bernard said the mark of the ligature he found was consistent with the scarf produced having been tied tightly round the neck. Sir Bernard said the deceased was a perfectly healthy woman. The general changes of death from asphyxia were present, mainly the congested condition of the organs and the dark and fluid condition of the blood. The asphyxia was not produced by the scarf which was tied tightly round the neck when the body was found.

Mr. Waddy: If it had been tied round the neck during life what would have been the condition of the face?

Sir Bernard: The face would have been livid and there would have been tiny haemorrhages in the whites of the eyes and the skin of the face. The face must have been livid after death as long as the ligature remained in position.

Mr. Waddy: What conclusions do you draw as to when the ligature was applied?

Sir Bernard: It was applied after death. Continuing, witness said the bruising on the left side at the back of the larynx indicated that death was due to strangulation by the hand. The absence of bruising and abrasions on the skin of the neck suggested that deceased had been rendered unconscious before she was strangled.

Mr. Waddy: If a woman were conscious when she was being strangled by hand would she be likely to struggle violently? - Yes.

Sir Bernard said the number and distribution of bruises over the body indicated that deceased received a number of blows and some of these, especially those on the face, might have rendered her unconscious. Some of the smaller bruises on the arm, added witness, might have been produced by forcible restraint and others on the back of the neck and trunk by having been pressed firmly on a rough ground in the course of a struggle. The bruises were all recent and of a same age, and were produced shortly before death.

Mr. Waddy: Can you speak as to the possibility of death having been produced by suicide?

Sir Bernard: It is quite out of the question.

Continuing, witness said the scratches could be accounted for if the body were dragged through and over brambles to the place where it was found. It was a strong presumption that death occurred not fewer than three days before the body was found: it might have been longer. Assuming certain facts, it would be consistent to presume that death took place on the afternoon of May 23rd.

Cross-examined by Mr. Stuart Daniel, Sir Bernard said the absence of purification might mean that deceased had been dead anything short of three or four days. Death by the stopping of an artery would not account for all the signs that he found.

Dr. Roche Lynch, official analyst to the Home Office, said the jacket produced he received from Chief Inspector Parker. At the back of it eight inches from the left side seam there was a tear. The two points of the tear formed a right angle, the point of which was directed downwards and towards the right. The fabric had been torn and not cut. In his opinion the tear had been produced by some rigid, rounded and sharp pointed article, perforating the fabric, and whilst in that position the jacket had been moved downwards and to the right, so that one point of the tear was directed upwards and the other to the left away from the point of entrance. The tear was in the cloth of the jacket only, the lining being undamaged. A tear of that type was almost invariably produced when such a garment was caught in barbed wire, but of course any similar sharp-pointed article, if firmly fixed, could cause similar damage.

A photograph of a man wearing a coat was put in.

Dr. Roche Lynch said there was a tear in the coat of the man in a similar position to the one in the jacket produced. Dr. Lynch next examined the exhibit in court consisting of branches of a dead tree, a post and barbed wire, referred to as "The obstruction" in counsel's opening speech. Witness said looking at the front of the exhibit he saw towards the right-hand side a piece of barbed wire going round a bough and at the lowest point there was a barb. If a man wearing the jacket he had seen were to go through the gap backwards the point of the barb could cause the tear that he found. Continuing, Dr. Roche Lynch said he received from Inspector Parker two tubes of semi-liquid material, which appeared to be stomach contents. With the exception of small lumps of fat they showed almost complete digestion.

Assuming the stomach contents were taken from the deceased the condition would show that some hours had elapsed since the last meal had been taken. The lumps of fat were butter fat. On July 8th he received from Det. Sergt. Skardon a packet of Blue Label butter. The lumps of fat and the butter showed a general similarity. On one end of the green spotted scarf there were some signs of wear and in places there appeared to be impressions in the fabric. There was a slight sign of wear on the other side and three small holes. A pair of braces were produced and Dr. Roche Lynch said the marks on the bottom of one end of the scarf could have been produced by the teeth of the clip of the braces.

Mr. Waddy said that point of evidence indicated that the green scarf was a scarf probably worn by a man, who tucked the ends of it through his brace buckle. He was going to prove that those braces belonged to Whiting. He would also produce another pair of braces belonging to the prisoner which could not have made those marks.

Dr. Roche Lynch said the pair of braces attached to the trousers produced could not have made the marks on the scarf. Dr. Roche Lynch gave evidence of receiving from Chief Inspector Parker on two different occasions envelopes containing hairs. One contained some hairs which had been subjected to some sort of bleaching process, and the other envelope contained three hairs. Witness said there was also a number of hairs which he himself took off the jacket which was sent to him for examination. Two of the hairs came from inside the left hand pocket of the jacket and they had certain characteristics which were observed in the bleached hair.

At this stage the hearing was adjourned until next Monday.

Folkestone Herald 23 July 1938 – William Whiting's Folkestone police court hearing continues and he is committed for trial at the Old Bailey

Local News

William Whiting, aged 38, a general labourer, of Folkestone, charged with the murder of Mrs. Phyllis May Spiers, a Folkestone woman, was committed to take his trial at the Central Criminal Court next September, when the case for the Crown was concluded at the Folkestone Police Court yesterday.

After two all-day sittings on Monday and Tuesday, the hearing was adjourned until yesterday owing to the illness of a witness, who was found unconscious near a pond on the golf links early on Tuesday morning. During the hearings earlier in the week the case for the prosecution had been continued, a large number of witnesses being called. On Monday two alleged statements made by Whiting to Chief Inspector W. Parker, of Scotland Yard, were read. On Tuesday witnesses gave evidence of alleged statements which had been made by the accused in local public houses on occasions since the finding of Mrs. Spiers's body in a coppice near Caesar's Camp, Folkestone, on the evening of Thursday, May 26th. There was much public interest in the proceedings.

The magistrates were: Councillor R.G. Wood (presiding), Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer, and Mrs. R.L.T. Saunders.

Mr. Benjamin H. Waddy conducted the case for the Director of Public Prosecutions with Mr. F. Donal-Barry, and Mr. J. Stuart Daniel, instructed by Mr. H. Lloyd Bunce, defended.

Dr. William. Claude Percy Barrett, Police Surgeon, was the first witness when the case was continued on Monday. He said that on Thursday, May 26th at about 6.30 p.m. he went to a coppice at the foot of Caesars Camp. Chief Inspector Hollands was there with other officers. Witness saw there the body of a woman. There was a green scarf with white spots around the neck. It was wound around twice and tied very tightly with the knot pressing on the right side of the neck. It was above the larynx and close under the chin. The colour of the face was natural and the expression was peaceful. There was no blueness or lividity of the face. The tongue was just between the teeth and it was not injured. The nose was bruised and there was blood exuding from both nostrils. The condition of the nose was consistent with a blow shortly before death. The lower jaw was stiff when examined in the glade and the fingers were also stiff. The appearance of the scratches on the left shoulder blade and the position of the hair pointed to the fact that the body had been dragged by the feet. Later that evening witness conducted a post mortem at the Folkestone Mortuary. On entering the mortuary there was a distinct smell of putrefaction. He noticed one bruise on the lower jaw and three bruises on the forehead. There were also three distinct bruises on the inner side of the right arm, and two immediately below the collar bone, one the size of a threepenny bit and the other the size of a shilling. There were multiple other bruises which were not visible at the time. He discovered two fly eggs on the body. Fly eggs were normally laid on the flesh as soon as it putrefied. At a temperature of about 50 degrees Fahrenheit they would take about three days to hatch. On July 1st he showed the body to Sir Bernard Spilsbury and was present when he made his examination. In his (witness's) opinion the cause of death was strangulation caused by compression of the carotid arteries

causing immediate death. After what he had subsequently seen he was still of the opinion that death was due to the compression of the arteries rather than the obstruction of the air passage. Death took place at least two, and probably three days, before the evening of May 26th.

Mr. Daniel: That is quite different from the opinion you held formerly.

Dr. Barrett: I presume you are referring to the short report I made at 2 a.m. for the Coroner. I had had no time to consider it fully then.

Mr. Daniel: I have the evidence you gave at the inquest. That was not at 2 a.m.

Witness said since then other information had come to hand.

Mr. Daniel: Were not the full facts before you? - No, I don't think so. The fly eggs had not hatched then and that was a factor that helped. Furthermore, on Saturday there were signs of putrefaction which I did not know until after the inquest. There were no such signs when I examined it.

Mr. Daniel: You found scratches on the left shoulder blade. Were they made in your opinion after or before death? - After death. The mark was not a bramble scratch. All the others occurred before death.

Mr. Daniel: I take, it as to the cause of death, you disagree with Sir Bernard Spilsbury?

Dr. Barrett said he did disagree as to the cause of death.

(At the previous hearing Sir Bernard gave the cause of death as manual strangulation.)

Stanley S. Harrison, a professional photographer, gave evidence of photographs he had taken of the place where the body was found.

Mr. Waddy said he understood that the Coroner had raised some objection as to the report made by Dr. Barrett to him being produced there. He wanted the report put in because counsel for the defence had asked about it: if necessary he would have to call the Coroner to produce the document and then put it to Dr. Barrett.

The Chairman: I should have thought he would have preferred to let you have the report.

Mr. Waddy then called Mr. Bertram Harry Bonniface, Deputy Coroner, who said he had in his possession a report made by Dr. Barrett to the Coroner with regard to his post mortem and put in at the inquest held on May 30th.

Dr. Barrett was then re-called by Mr. Waddy and asked to look at the report he made to the Coroner.

Mr. Waddy: In the last paragraph of the report you say: "Death occurred at least 48 hours before the body was found and very likely 72 hours, i.e., Monday night, May 23rd, or Tuesday night, May 24th".

Dr. Barrett: That is so.

Mr. Daniel said his questions were in regard to the evidence Dr. Barrett gave at the inquest. He then found deceased had not been dead longer than two days.

Det. Inspector J. O'Brien, New Scotland Yard, said on July 1st he made photographs of a green scarf, a pair of braces, and a handkerchief.

Robert H. Bird, a photographer employed by Holiday Snaps, gave evidence of taking a photograph of Mrs. Spiers on Saturday, May 21st on the promenade near the Victoria Pier.

Alfred James Carter, another photographer employed by the same firm, also gave evidence of taking two pictures of deceased, one on the Saturday, May 21st, and the other on Monday, May 23rd. The second picture was taken about 11.30 to 12 o'clock near the Zig Zag cafe on the promenade. He could not describe the scarf Mrs. Spiers was wearing: it might have been a lined or spotted scarf.

Geoffrey Poole, assistant to the Borough Surveyor of Folkestone, produced a plan of the coppice and country surrounding it.

Douglas S. Moncrieff, in charge of the Meteorological Department, Folkestone, said on May 23rd there was no rainfall. At 6 p.m. on May 24th there was recorded one-hundredth of an inch of rain. On May 25th there was recorded .3 inches of rain, and at 10 a.m. on the following day .02 inches of rain.

When the hearing was resumed after lunch, Mr. Daniel said the accused had a complaint to make. He had had nothing to drink since he had been there.

The Chief Constable (Mr. A.S. Beesley) said he did not know whether it was intoxicating liquor prisoner wanted, but if it was anything else it could be prepared for him.

Mr. Daniel said the prisoner was asking for a pint of beer.

The Chairman said they could not give permission for that.

Det. Constable Bates, Coroner's Officer, gave evidence of proceeding to the spot where the woman's body was found. Witness said he put the fly eggs referred to by Dr. Barrett in a glass tube and left it at the Police Station. He examined the tube from time to time. At 10.30 p.m. on Saturday, May 28th there was no sign of life, but on the following morning at 9.30 a.m. he found that the eggs had hatched and the grubs were crawling. The temperature of the room was approximately 50 degrees Fahrenheit. On May 31st, in the evening, he took the prisoner to an outfitter in Folkestone and purchased for him a complete change of clothing. He then went with him to the Police Station where he changed into the new clothing. Witness took possession of all the clothing Whiting had been wearing. The hat, trousers with braces attached, and a jacket were produced. Witness said there was a tear in the jacket. The green zip-fastener purse was in the left hand pocket of the jacket.

Mr. Waddy: That was the pocket from which. Dr. Roche Lynch said he took certain hairs.

Bernice Katharine Hegarty, 18, Mead Road, Folkestone, who said that she had known Mrs. Spiers as Phyllis Minter for three and a half years, stated that she recognised the handbag produced as belonging to the dead woman. She also had a green purse. Witness could not say whether the purse produced was the one: it was something like the one Phyllis had. She had seen the dead woman wearing a scarf—a plaid sort of thing with a white and black fringe. The pieces of material (produced) were like the scarf she used to wear. Witness had never seen Phyllis wearing a scarf like the green one with white spots.

Mr. Daniel: When did you last see Phyllis?

Witness: On the Saturday before she was found.

Robert John Read, 50, Dover Street, Folkestone, said he was the deputy of a lodging house at that address. He had known Whiting well for six or eight weeks. He had known him for 15 years as a Folkestone man. He kept a daily record of the men who stayed at the house. On May 23rd Whiting was booked as having stayed there the night. He had also stayed there on May 24th, 25th and 26th. He was occupying a bed at the top of the house. He had a suitcase under his bed which witness handed to a police officer at the end of the week. Whiting had an old bus driver's coat hanging over the bed, but practically everything he had was in the suitcase.

Cross-examined, witness said he did not put anything into the suitcase. There was often something left behind by other people when they went out and the beds were so close together that it was difficult to tell whose it was. If he found things lying about and knew to whom they belonged he put them into a suitcase.

Mr. Daniel: I suppose things sometimes get into a bit of a muddle?

Witness: Pretty often.

Mr. Daniel: Is it common for men who come to the house to have two pairs of braces? - It is seldom that the men have two suits let alone two pairs of braces.

Det. Sergeant Johnson said on the evening of May 26th he went to the coppice at the base of Caesar's Camp. He took possession of a handbag and examined the contents. He found a piece of scarf material in the handbag.

On May 27th he made a search around the spot where the body was found during the evening. He found a comb with one broken end in the clearing. He examined the ground between the spot where he found the comb and the barrier of boughs. It had the appearance of having had a heavy object dragged over it in the direction of the barrier. He also found a long hair close to the spot where he found the comb. On May 26th witness obtained a hair from inside the collar of the coat covering the body. Another hair he found on

the left lapel of the coat and he also discovered a further hair on the right lapel. He found another hair on the bramble over the body. He took a hair off the post of the barrier. He also took three hairs from inside Whiting's hat. He obtained other hairs from the head of the deceased on June 1st at the mortuary. In the presence of prisoner's solicitor, on July 11th, witness obtained four hairs from his head and handed those with the others to Chief Inspector Parker. On May 31st he went to a lodging house, 50, Dover Street, Folkestone, and there obtained from the deputy a suitcase of clothes, the property of the prisoner. Whiting later saw it at the Police Station and he made some remarks about some photographs which were amongst the clothes. He said he would like to have them. In that suitcase there were a pair of blue and white braces. There was no scarf in the case. Witness said on July 7th he purchased ½ lb. of Blue Label butter which he sent to Chief Inspector Parker.

Mr. Daniel did not ask any questions.

Det. Inspector William Parker, New Scotland Yard, said on May 27th he went with Det. Sergeant Skardon to the copple near Caesar's Camp.

He returned there on the morning of May 28th and examined the clearing. It was quite clear that some heavy object had been dragged to the obstruction in the pathway. On May 30th at 10 p.m. with Det. Sergeant Skardon he saw Whiting at the Police Station. He said to prisoner "We are police officers from London making enquiries concerning Phyllis May Spiers who was found dead on May 26th at Caesar's Camp. I believe you knew her". He said "Yes". Witness then said "I desire you to tell me all you know about this woman and your association with her". He replied "I will tell you what I know".

Mr. Daniel: Was this the occasion when prisoner came to the Police Station from Woolworths?

Witness: I could not say.

Mr. Daniel: What time was it you came into contact with him? - About 10 o'clock at night.

Did you know how long he had been in the Police Station? - I did not.

Would you be surprised to know he had been there since 7.30? - No, I should not be surprised.

What time did he leave? - I finished with him somewhere about 2 o'clock in the morning. There were interruptions in between.

Are you sure it was not actually rather later than that? - No.

Did you make him strip at this interview? - Yes.

The Clerk (Mr. C. Rootes): At what stage?

Witness: After the statement had been taken from him.

Mr. Daniel: At what time between 10 p.m. and 2 a.m. was the statement taken? - Round about 11 o'clock.

How long did it take to get the statement? - About two and three-quarter hours.

Did he sign it immediately? - After the statement had been read over to him.

You are quite sure it was read over to him? - He signed it.

Did you say "Now sign here and walk out a free man"? - No, I certainly did not.

Did you say "Sign here and you can go"? - No.

Did you say anything of that sort? - No.

Did he have anything to drink all this time? - While I was there, no.

The question whether the alleged statement was admissible was raised and the Magistrates decided that it was quite admissible.

The alleged statement was then read by Mr. Barry. It commenced: "I am a widower. My wife died on May 3rd, 1936. She was strangled by George Arthur Bryant, who was afterwards executed at Wandsworth. I was at the time of her death living apart from wife". The statement went on to say that his (Whiting's) wife left him in 1935. Later he had lived in Dover with a Mrs. Woodridge, who left him in November, 1937,

after her mother had received a letter from a landlord in Folkestone saying that her daughter was drinking in public houses. While they (Whiting and Woodridge) were living at Dover a young girl, whom Mrs. Woodridge said was Phyllis Minter, came to see Mrs. Woodridge. Coming to Monday, May 23rd, the alleged statement described how Whiting met Mrs. Spiers about 12.30 p.m. and they went to the Globe Hotel on The Bayle. "We stayed there about 10 minutes", the alleged statement continued, "and she said she had something to show me, and she showed me some divorce papers. She said 'I can get married again'. I said 'Can you?' and read the divorce papers . . . She said 'Why don't you marry me and let's go back to Dover?' " The alleged statement next described how they went together to the golf links, and added "We sat down on the grass when she pulled out something wrapped in brown paper, some stitches and a ring, a little bone ring. She said that they were stitches which she had had taken out after her operation. We were both thinking. I don't know what was the matter with her that day; she was not cheerful. She did not speak much. I believe there was something worrying her. I have seen her like it at Dover when she came in staring at me. I cannot say what she had on her mind. Perhaps it was because she was down and out. I said nothing to upset her".

The alleged statement went on to say that they crossed the golf links and then went up Cherry Garden Lane, by the War Memorial, and into Cheriton Road. I again told her I worshipped Rose (Mrs. Woodridge)", continued the statement. "I said if Rose does not come back I shall never settle down again". The alleged statement next dealt with Tuesday and the Wednesday, and in it Whiting said that he did not see Phyllis on the Tuesday. It also stated that before the Monday (May 23rd) they had not discussed living together before. Continuing, witness said he examined defendant's body and there were no scratches or injuries on it. He noticed on the defendant's jacket at the back, at the point of the left shoulder blade, there was a right angle tear. He said to Whiting "Where did you tear your jacket?" and he replied "I don't know where or when I did it". Witness said "Do you recognise this scarf?" He replied "I have never seen it before. I have not worn a scarf myself for a long while, and I have never had one like that". About 11.15 p.m. on June 1st he saw Whiting again at the Police Station and went through the statement with him up to the point where he spoke about sitting on the grass on the golf course. Whiting then made a statement. Afterwards witness said to prisoner "Would you care for the statement you have just made to be taken down in writing?" He said "Yes, it is quite true". Witness then cautioned Whiting. Witness then dictated to prisoner the statement Det. Sergeant Skardon had written down.

The alleged statement was then read as follows: "When we went to the golf course on the Monday, the day I have already told you about, I mean when I was with Phyllis and when we, sat on the grass, she was very quiet and I said 'What is the matter?' " "She said 'I am fed up and I am going to do myself in.'" I said "How are you going to do it?" and she said 'Strangle myself with a scarf, round my neck'". "She was wearing a green spotted scarf. After we got up and walked across the golf links she was very quiet and kept on saying she was fed up. I have not seen her since Monday, May 23rd. I might tell you she was partly the cause of Rose Woodridge leaving me".

Inspector Parker said before Whiting made the last part of the statement there was some delay, he was very quiet, and he appeared to be thinking very deeply. The hearing was then adjourned until Tuesday.

When the hearing was continued on Tuesday morning, Mr. Waddy, prosecuting, said one of the witnesses he had proposed to call that day was in hospital dangerously ill. "We have an officer there watching to see whether this witness recovers consciousness", he said. "I understand he is unconscious. If a message comes through that the witness recovers consciousness it will be necessary to take an examination at the hospital under the Criminal Law Amendment Act, 1867. It is important if a witness were likely to recover that that should be done".

The Chairman (Mr. R.G. Wood): The court would be adjourned during that period.

Mr. Waddy: It would be adjourned to the hospital. I understand only this morning this witness was admitted to the hospital unconscious.

Later it was stated by Mr. Waddy that he hoped the witness would be able to give evidence on the Friday (yesterday).

Chief Inspector Parker was cross-examined by Mr. Daniel, who asked him how long the interview on June 1st lasted.

Inspector Parker: You mean prior to the statement?

Mr. Daniel: Yes.

Witness: About 15 minutes.

Mr. Daniel: Why did you read over the first statement? - There was some discrepancy in the dates in the first place.

You went on far beyond any question of dates in the statement? - Yes.

Why was that? - I was endeavouring to test the accuracy of his statement.

Was he then with you for some time after the statement was given that night? -No.

During the interview was it not you who first mentioned the word suicide? - No.

Did Det. Sergeant Skardon? - No.

Det. Sergeant Skardon, New Scotland Yard, was the next witness. He said on the afternoon of Friday, May 27th, he went with Chief Inspector Parker to a coppice near Caesar's Camp. It was raining heavily at the time. He noticed a clearing to the west of the barrier (produced) and there were signs on the ground that a heavy object had been dragged towards the barrier from a spot about 10 to 15 feet away. He was present with Chief Inspector Parker on May 30th when the prisoner made his statement. He (prisoner) was then wearing a blue jacket which had a right angle tear. Witness said on June 4th he posed whilst a photograph was taken and he also did so on June 8th. On the second occasion he went through the barrier backwards dragging a tailor's dummy. He was wearing a police serge tunic. As he went through backwards he tore the tunic on the barbed wire of the obstruction. Witness pointed out the barb on the exhibit in court. The tear was on the left shoulder blade. He knew there was a barb there and that there was a chance of tearing the tunic, but it was quite accidental.

Mr. Daniel: You did mean to tear your coat, didn't you?

Witness: No.

You knew the barb was standing up vertically? - Yes.

Mr. Daniel: The tears are of a different shape? - Yes, but the materials are different.

The weave of the two coats runs in the same angle from the shoulder? - I had not noticed that, but I am prepared to agree.

Mr. Daniel: When the second statement was given how long was the prisoner with you?

Witness: Half an hour to three-quarters of an hour.

Mr. Daniel: Wasn't it you or Inspector Parker who first used the word "suicide"? - No.

Pte. Harold Wall, 1st Batt. Royal Berkshire Regiment, Shomcliffe, recognised the dead woman in a photograph and said he knew her as "Phyllis Butcher". He first met her in March of this year. He became friendly with her. They lived together from May 15th to 19th as man and wife. He recognised the scarf Phyllis was wearing in a photograph as his. The scarf was plain on two sides and on the other two had a fringe. Witness had the fringe cut off and the end bound over. He last saw Phyllis on May 19th. Witness went to Aldershot on that day and left his scarf behind. He had never seen the green scarf with white spots in Phyllis's possession.

John Joseph Hurst, 100, Joyes Road, the manager of J. Hepworth and Son's shop, Sandgate Road, Folkestone, said he stocked a scarf similar to the green one from October, 1936, to February, 1937, and again from October, 1937 to February or March, 1938.

Mr. Daniel: It's a very common type of scarf?

Witness: Yes.

Charles Joseph Kimber, 4, Shakespeare Road, Dover, a clerk at the Folkestone Employment Exchange, Ingles Lane, Folkestone, said he knew prisoner by sight and had interviewed him in connection with his duties. He last sent him to a job on April 19th. He (prisoner) was wearing a scarf or neckerchief of dark green with white spots. The green scarf (produced) was very similar to the one Whiting was wearing. The scarf was tied on the left hand side of the throat. Witness thought the scarf was put round the throat twice and then tied with a reef knot. He saw Whiting again on April 21st and he was wearing the scarf then. He saw prisoner again between May 16th and 19th and to the best of his recollection Whiting was still wearing

the green scarf. He saw Whiting next on May 30th but he could not see whether he was wearing a scarf then as he had on a coat.

P.C. Pearce, of the Dover Borough Police, said on April 9th prisoner was in witness's charge at Dover for about three-quarters of an hour. He was wearing a bottle green scarf with dirty white spots. The green scarf (produced) was very similar. The scarf Whiting was wearing was wound round his neck twice and tied with a small knot on the left hand side.

Cross-examined, witness said it was not in connection with any criminal offence that Whiting was in his charge.

John McKinnan Taylor, 24, Walton Gardens, a clerk at the Folkestone Employment Exchange, said he saw Whiting on Friday, May 20th. He remembered that he was wearing a green scarf with white spots, similar to the one produced. He usually had it tied with a double knot on the left hand side. He had seen Whiting wearing the scarf on several occasions. He saw Whiting on May 30th, after witness had returned from leave, and he was not wearing any scarf then.

Mrs. Adelaide Maude Wright, 9, Garden Road, Folkestone, recognised Mrs. Spiers from a photograph and said that she knew her as Phyllis Minter. She came to witness on Saturday, May 21st and she let her a room. She stayed in the house on the Saturday and Sunday nights. She took her bread and butter and tea on the Monday morning. Witness said she used Blue Label butter. Phyllis came out with witness on the Monday morning. They did some shopping together and they left each other at 10.25 a.m. She did not see her again. She had arranged to meet Phyllis at 7.45 that evening outside the Lido. Witness kept the appointment, but Phyllis did not come. She expected her to sleep at the house that night, and she waited up for her. The comb produced belonged to Phyllis. She had not seen her with the green scarf (produced).

Hubert Pynaera, a waiter employed at the Royal Pavilion Hotel, said he first saw Mrs. Spiers at the Royal Pavilion Hotel, where she was working about a year ago. He saw her again this year, and from 10.40 a.m. to 12.30 p.m. on Monday, May 23rd, he was in her company. She was wearing a dark scarf with lighter lines in it.

Charles Leonard Varner, 13, New Street, Folkestone, said he knew deceased as the "Minter girl." He last saw her on May 23rd at the corner of New Street about 1.30 or 1.40 p.m. He saw Whiting come out of a shop and go over to her. He saw them turn and go into Bradstone Road.

Lillian Maude Varrier, the husband of the last witness, said she saw Whiting in Philpott's shop in New Street about 1.30 p.m. on May 23rd. He went to Bradstone Road where he met a girl.

Mrs. Norah Laws, 68, Foord Road, Folkestone, said she knew the deceased as "Miss Butcher". She came to the house of the witness on a Thursday morning in the middle of May and she let her a room. She stayed there two nights only and left without paying. Witness again saw "Miss Butcher" on the following Monday at dinner time. She "bumped into her" at the corner of Kent Road and Bradstone Avenue. Previously a friend of hers came in and spoke to her and it was in consequence of that that she went to the corner. She was with a man, but witness did not look at the man enough to recognise him again. Mrs. Spiers ran after her and spoke to her and then crossed over Foord Road by the Baths with the man.

William. David Marsh, 18, Clarence Street, Folkestone, said he was a pavior working for the Folkestone Corporation. On Monday, May 23rd, he had some repairs to do in Radnor Park Avenue opposite the Peter Pan Pool and he finished on the following Thursday. He knew the prisoner and while he was working there he saw Whiting pass about midday on Monday. He had a woman with him and was going towards the golf links. Witness did not know the woman.

William J. Harbird, 23, Allendale Street, Folkestone, a gardener employed at 7, Julian Road, Folkestone, said he knew the last witness and Whiting. He saw Whiting in Radnor Park Avenue on either May 23rd or 24th. Whiting had a woman with him and they were going towards the golf links. The woman was not wearing a hat and had on a navy blue coat. He recognised the young lady in the photograph as the woman Whiting was with.

Harry James Santer, 5, Pavilion Road, Folkestone, a groundsman employed by the Folkestone Golf Club, said on June 1st Det. Constable Bates showed him the body of a young woman in the mortuary. He had seen her on May 23rd about 1.20 p.m. on the beach road of the Folkestone golf links. She was accompanied by Whiting. He saw the girl sit down on a bank on the grass. Whiting was standing about nine feet away. She was very red under the eyes and it appeared as though she had been crying.

Florence Thompson, 19, Hamilton Road, Dover, said she knew the young woman in a photograph as "Phyllis". She also knew Whiting: she had seen him wearing a green scarf similar to the one produced.

She saw him wearing the scarf in Dover several times. She had seen Whiting in the Guildhall public house, Folkestone, a day or two before May 30th. Later she went to the South Foreland public house. Witness knew a girl named Rose. Whiting said he thought a lot of Rose and did not know the reason why she left him. Witness happened to mention to Whiting Phyllis's name in another public house. She said that it was a shame she was murdered because she was a decent girl. Whiting then said "If you don't keep your mouth shut about Phyllis I will put you on the spot". He then asked her how she would like a scarf round her neck. He said "You could do a murder without finding the print marks or footmarks". She said "It would not pay you to".

Robert William Weatherhead, 35, Darlington Street, Folkestone, said he knew Whiting well. He remembered a "noisy evening" at the Guildhall public house some little time ago. Whiting was there. Witness said it was a Friday; he believed it was June 23rd or 24th. He played darts with Whiting, who got very abusive with the landlord. Witness tried to pacify Whiting. Whiting tucked up his sleeves and rushed to the counter. Witness tried to pull him back and Whiting said "You ----.I will serve you the same as I served the blonde".

Mr. Daniel: I think I shall have an objection to this evidence.

Mr. Waddy: How can there be an objection?

Witness said Whiting had had one or two drinks.

Mr. Daniel said he objected to the evidence on the grounds that evidence of what prisoner said on other occasions was not admissible unless it amounted to a confession or an admission of the facts which tended to prove that he committed the crime. Taking it at its worst, this statement amounted to nothing more than an admission of a violent act against some unspecified person.

The Chairman said the Magistrates did not see why the evidence should not go in.

William W. H. Hall, 16, Great Fenchurch Street, Folkestone, said he had seen Whiting with Rose Milton (Mrs. Woodridge) on one occasion, at the Institution at Etchinghill. Whiting stayed with witness in March of this year for about two weeks. He said that he wished Rose was back with him and that if she ever wanted to make a home he was willing to start another one. Witness knew that they had been living together. Whiting talked about Rose a lot. Whiting wore a green scarf with white spots, exactly the same as the one produced. He wore it twice round his neck and tucked inside his jersey.

Mrs. Daisy Emily Hall, the wife of the last witness, said Whiting often spoke about Rose and blamed her (Rose's) mother for her leaving him. She remembered that Whiting had a green scarf with white spots on it.

Cross-examined, witness said prisoner had only one pair of braces.

Elvey Flynn, 21, Great Fenchurch Street, Folkestone, said she knew the deceased as Miss Phyllis Minter. She also knew Rose Milton, Whiting and Mr. and Mrs. Hall. Whiting asked her if she had seen Rose, and she said that she had not since the time that she had seen her coming out of the pictures. He said: "Have you said anything to her" and witness said "No". He then asked if she knew anyone who had; did she think that Phyllis had said anything; and said that if he found out anyone who did tell her anything he would strangle them. Whiting wore a green handkerchief with white spots on it round his neck. She had seen him put it on. He twisted it round his neck, knotted it in front, and put the corners of the scarf round his braces.

Rose Cathleen Woodridge, Eight Bells Lodging House, King Street, Canterbury, said she knew a man named Milton and for a time she lived with him as his wife. While she was living with Milton she got to know a girl named Phyllis Minter. She married a Mr. Woodridge on September 4th, 1935, and she lived with him not quite a year. After she separated from him she went to live with Whiting, whom she had known just a year. They lived in Dover until a fortnight before last Christmas when she went home. She knew the Alexandra public house, Folkestone, and she had gone there with Phyllis. When she got home she told Whiting that two fellows had asked her and Phyllis to go away with them. Whiting started getting a bit rough over it, and said that if she did not stop going about with Phyllis he would do something wrong - he would try to strangle her (Phyllis). Witness told him to be careful because walls might have ears. Later her (witness's) mother took her home. Whiting was upset. She had not seen Whiting since she had left him. While Whiting was with her he wore a green scarf with white spots round his neck. The scarf was like the one produced. She had worn the scarf. Whiting said he had got the scarf from "Hepburn's, near the Savoy Picture House". Mrs. Woodridge was taken out of the court to see the shop and on her return said it was Lewis and Hyland's.

Cross-examined, witness said Whiting only had one pair of braces when she was living with him.

Clifford James Moore, Ten Dials Street, Chiswick, said early this year he was employed as a clerk in the Public Assistance Department at Folkestone. He had seen Whiting on several occasions. On one occasion, in the middle of March, he noticed that prisoner was wearing a green scarf with white spots.

Mr. Waddy said but for the illness of the witness he had referred to he could have completed his case. He said that the hospital authorities expected to have Wanstall (the name of the witness) fit to give evidence by Friday. It was just possible that in calling him he might have to call one more witness.

The hearing was adjourned to yesterday.

(The witness referred, to was found early on Tuesday unconscious at the side of a pond on the golf links. His clothing was wet. He was taken to the Folkestone Hospital).

At yesterday's hearing, when the case was continued, Whiting was committed for trial at the Central Criminal Court in London next September. The proceedings did not last more than 20 minutes. Prisoner reserved his defence and stated that he would call witnesses at his trial.

When the hearing was resumed Mr. Waddy first re-called Mr. Kimber, who, he said, was not satisfied with one of the dates he gave in his evidence. "I understand you are not satisfied with one of the dates you gave", he said. Witness replied that that was so and said that he last sent Whiting to a job on March 19th and not April 19th.

The witness who was unable to appear on Tuesday was then called. He was Frederick Wanstall, of 17, Invicta Road, Folkestone, a groundsman employed by the Folkestone Golf Club.

Wanstall said he knew Whiting. At the beginning of June he was taken to the mortuary and shown the dead body of a girl. He had seen the girl on Monday, May 23rd, between 2 and 2.30 p.m. when he was cutting the grass of the 16th tee on the golf course. The tee was close to the road called "Cherry Garden Avenue" or the "New Road". She was accompanied by Whiting, and they passed four or five yards from witness. They were going towards Caesar's Camp. Witness went on with his work and then when he looked up again he saw them going up Waterworks Hill. He saw them up to the bend where they disappeared from view. Some way beyond the bend was a sort of stile, and from there there was a track going round the foot of Caesar's Camp to Sugar Loaf Hill and the New Road.

Mr. Waddy: That is the evidence for the prosecution and upon that evidence I shall ask for prisoner to be committed for trial at the Central Criminal Court. There are no Kent Assizes for many months, but there will be a sessions of the Central Criminal Court in the early part of September.

Whiting said he reserved his defence, adding "I will call witnesses at my trial".

The Chairman then announced that the Magistrates committed Whiting for trial at the Central Criminal Court.

Mr. Bunce (defending) asked for a defence certificate to allow for a solicitor and two counsel at the trial.

The application was granted.

Folkestone Herald 10 September 1938 – announcement of the date of William Whiting's trial

Local News

The trial of William Whiting, 38, a general labourer, of Folkestone, who was committed for trial by the Folkestone Magistrates in July on a charge of murdering Mrs. Phyllis May Spiers, a Folkestone woman, will open at the Central Criminal Court next Monday.

The Folkestone Herald understands that the Recorder of Folkestone (Mr. Roland Oliver, K.C.) will conduct the case for the Crown, and Mr. St. John Hutchinson, K.C., will lead the defence.

A large number of witnesses from Folkestone will give evidence.

Folkestone Herald 17 September 1938 – William Whiting is tried at the Old Bailey and found not guilty

Local News

William Whiting (38), a labourer, of Folkestone, was found Not Guilty at the Old Bailey yesterday of the murder of Mrs. Phyllis May Spiers, whose body was found in a coppice at the bottom of Caesar's Camp, with a green scarf round the neck, on the evening of May 26th.

The trial, before Mr. Justice Wrottesley, lasted four days and at its conclusion, when the foreman of the jury announced the verdict, there was some applause in Court. This was at once suppressed by Mr. Justice Wrottesley. Whiting was discharged shortly after the jury, upon which three women served, had given their verdict.

During the trial Whiting stated that certain passages in an alleged statement to the police had not been made by him. He admitted that the green scarf found round the neck of the murdered woman was his, but said that he had given it to Mrs. Spiers some days before her body was found. Four branches of a tree were exhibited in Court. They were enclosed in a frame along the front of the dock and beside them were four suitcases.

Whiting, who pleaded Not Guilty, went into the witness box on Wednesday and in answer to his Counsel's question "Did you murder this girl?" said in quiet tones "No, sir". He was subjected to a lengthy cross-examination by Counsel for the prosecution.

Mr. Roland Oliver, K.C., and Mr. B.M. Waddy prosecuted, and Mr. St. John Hutchinson and Mr. J. Stuart Daniel were for the defence.

Mr. Oliver said on the evening of May 26th, a boy of 16, named Andrews, was bird-nesting in a remote thicket near Folkestone when he came across the body of a woman. The police found that she had been strangled, and, he would ask the jury to say, murdered by a man. It was a case that might cause them a good deal of anxiety. There were a great many witnesses and the case in the main was one of circumstantial evidence. It was a murder of great brutality. The woman had received the most ferocious violence from her assailant. Mr Oliver said that the path to the thicket was very rough, more like a cattle track than a path. Mrs. Spiers was 22, and was married before she was 17. She lived with her husband for two years until 1934, and then they parted and her husband had never seen her again. "I am afraid there is no doubt she was a woman of immoral habits", continued Mr. Oliver. "She had affairs with many men and was therefore a young woman who might have gone to that place with a good many men. Whiting knew her quite well. Mrs. Spiers was practically destitute. She had twice stayed at lodgings with luggage and left without paying. The manner of her murder was fairly plainly written on the scene of the crime and on her body. She had obviously been violently attacked, perhaps with fists, and beaten into a state of unconsciousness. The murderer must have then dragged her further into the thicket. A blue coat was thrown over her, and tied and knotted tightly around her neck was a green scarf. That scarf is one of the most salient pieces of evidence in this case. Whether she was strangled by it, by the hands, or died in some other way is not known, but it was clear she was murdered. The scarf might have belonged to the murderer". By a curious coincidence, continued Mr. Oliver, Mrs. Spiers was "snapped" on the Folkestone front on the day of her death and the scarf she was wearing was obviously nothing like the green scarf. One portion of what the prosecution said was her own scarf was found in her handbag. The rest disappeared - they might think with the murderer. It was the case for the prosecution that her death took place on May 23rd, although he understood witnesses were to be called to say they saw her after that date. If the jury accepted that date it was quite significant that the last person who was seen with her was Whiting. Mr. Oliver then came to the question of motive. Whiting, he said, had lived at Dover for about a year with a married woman named Rose Woodbridge. She was a close friend of Mrs. Spiers, and Whiting did not approve of the association. One evening when Mrs. Woodbridge came home she told Whiting she had been out with "Phyllis", and that they met a couple of men who asked the women to live with them. That, according to Mrs. Woodbridge, made Whiting angry, and he said "If you don't stop going about with Phyllis I shall do something wrong". He threatened he would strangle Phyllis. "Be careful of Mrs. Woodbridge's evidence", Mr. Oliver warned the jury. "You may not think her a very reliable sort of woman, but that does not mean she cannot tell the truth. Whiting and Mrs. Woodbridge separated - her mother, I think, took her away - and this made him very jealous. He was anxious to find out who had brought about the separation. He was desperately in love with her. In a statement to the police he said he worshipped her and in his mind Phyllis was the person really responsible for coming between them". Mr. Oliver returned to the green scarf - "perhaps the most important piece of evidence in the case". Whiting had denied that it was his scarf, or that he ever had one like it. The prosecution had evidence that right up to the day of the murder he was wearing a similar green scarf, but on the day of the murder he was not. Another piece of evidence, found on a post in the thicket, was a hair similar to Whiting's. On July 1st Whiting made a long statement to the police, in which he said that he and Phyllis walked to the golf course and sat on the grass. Phyllis was very quiet. "I said 'What is the matter?'", the alleged statement proceeded. She said "I am fed up and I am going to do myself in" I said "How are you going to do it?", and she said "Strangle myself with a scarf round my neck". She was wearing a green scarf. Mr. Oliver submitted that Mrs. Spiers could not have strangled herself; she was murdered by someone. "How could

she have said to anybody `I am going to strangle myself with a green scarf` " he concluded, "and then someone have come along and murdered her with a green scarf?"

Evidence was then called for the prosecution.

Arthur Charles Spiers, husband of the dead woman, living at Bexhill-on-Sea, said that shortly before her death he began divorce proceedings against her.

Inspector Johnson, of Folkestone, was asked by Mr. Hutchinson whether a man had confessed to the police that he had committed the crime and that the police, after making enquiries, took no further steps with regard to the man

The officer said that he did not know. It was not a matter that he dealt with.

Dr. W. C. P. Barrett, the Folkestone police surgeon, expressed the view that the woman's death was caused by garrotting. He agreed that before the Coroner he gave his opinion that she had not been dead longer than two days when the body was found. He had heard "chit-chat" that Mrs. Spiers had been seen shopping after May 23rd. His original opinion and his present opinion were that death had taken place within two or three days.

Mr. Hutchinson: Do you know that Sir Bernard Spilsbury does not agree with your opinion about garrotting?

Dr. Barrett: Yes.

Mr. Hutchinson: You thought scratches were cause before death, and Sir Bernard after death?

Dr. Barrett: Yes.

Mr. Hutchinson: You agree that all these questions are matters of grave difficulty in which people may honestly make mistakes?

Dr. Barrett: Yes, and Sir Bernard's experience is much greater than mine. I have only had two cases of murder.

Sir Bernard Spilsbury said that he thought death was due to manual strangulation rather than garrotting with the green scarf.

Mr. Oliver: I don't think it matters whether it was manual strangulation or strangulation with a ligature. There is no doubt it was strangulation?

Sir Bernard Spilsbury: None at all.

Mr. Oliver: Is it in your opinion possible that she committed suicide by strangling herself with a scarf?

Sir Bernard Spilsbury: No, that it quite out of the question, in my view.

Replying to Mr. Hutchinson, Sir Bernard agreed that it was very difficult to fix the exact time of death. It might have been on May 23rd or May 24th.

Mr. Hutchinson: The police have told us of people who thought they saw Mrs. Spiers alive on May 25th. Could you go so far as to say she could not have been alive on the 25th?

Sir Bernard Spilsbury: I hardly think it possible.

Does that mean it is just possible, but very unlikely? – It is very difficult indeed to say.

When the case was resumed on Wednesday the jury asked if they might have an opportunity of examining more closely the tree branches which formed an exhibit.

Mr. Justice Wrottesley agreed to the request, and said they could be taken to the jury room and examined during the luncheon interval.

Chief Inspector Parker produced a long statement alleged to have been made by Whiting on May 30th. It began "I am a widower and my wife died on May 3rd, 1936. She was strangled by George Arthur Bryant, who was afterwards executed at Wandsworth. I was at the time of her death living apart from my wife. I had three children by her. She left me in December, 1935". The alleged statement went on to tell of his

association with a young married woman named Rose Woodbridge, and of Mrs. Woodbridge leaving him in November last, and added "I loved Rose, and in my mind I thought Phyllis Spiers was the cause of the trouble between us. I worshipped Rose". On May 23rd he had a drink with Mrs. Spiers, and she showed him some divorce papers and said that she could get married again. The alleged statement continued "She asked me 'Why don't you marry me and let us go back to Dover?' I said 'I want to get married, and have some of my children home'". They walked to the golf links. Something seemed to be worrying her, "perhaps because she was down and out. If Rose does not come back I shall never settle down again".

Inspector Parker said that he showed a green scarf to Whiting and he declared that he had never seen it before and had never had one like it.

Later Whiting made another alleged statement, said the witness, in which he said that while on the golf links Mrs. Spiers said she would "Do herself in". He (Whiting) asked how, and she replied "Strangle myself with a scarf round my neck". She was wearing a green spotted scarf. Inspector Parker said that he had tried to find any place where Mrs. Spiers might have slept or taken a meal after May 23rd, but had been unsuccessful.

Mr. Hutchinson: That did not surprise you, did it? She was continually in different places?

Inspector Parker: She was a resident of Folkestone, and I expected she would have been found after May 23rd had she been alive.

Asked why the alleged statement should have taken from 10 p.m. to 2 a.m., Inspector Parker said that he was endeavouring to discover the perpetrator of a crime. He agreed that he asked Whiting a good many questions.

Mr. Hutchinson: Can you tell me the difference between that and third degree methods?

Mr. Justice Wrottesley: I don't know what third degree means.

Mr. Hutchinson: I thought a police officer would know (to Inspector Parker): Do you know?

Inspector Parker: I have heard of the term but I do not know what it means.

Mr. Hutchinson: Do you generally, when making inquiries, cross-examine a man not only on what he is saying but on statements by other people? - I did not ask him about other people's statements. I was endeavouring to test the accuracy of his statement.

Inspector Parker agreed that there were no scratches on Whiting. There was a tear on his coat but no scratches on it. Several other men were examined by the police, he said.

Mr. Hutchinson: And there was the usual fake confession by a lunatic? - Yes.

A representative of a firm of outfitters at Folkestone said that during the winters of 1936 and 1937 his firm sold two or three dozen green scarves.

When evidence was called as to Whiting having worn a green scarf on various dates up to May 20th, Mr. Hutchinson said that it was not disputed.

The jury, during the luncheon interval, examined the tree branches and on their return discussed a point with counsel and the Judge as to the position of a piece of barbed wire.

Mrs. Wright, of Garden Road, Folkestone, said that Mrs. Spiers took a room at her house on May 21st in the name of Phyllis Minter. She had no luggage and said she came from Tooting and had a job at the Lido, Folkestone

Mr. Hutchinson: Were you surprised she did not turn up on the night of May 23rd?

Witness: I was.

You know she has gone off before without paying? - I know that now.

Mrs. Wright added that later that night she saw a man without a hat and wearing a light mackintosh, apparently waiting outside her house.

Alfred Sidney Beesley, Chief Constable of Folkestone, agreed, in reply to Mr. Hutchinson, that in June he caused an inquiry to be made as to where Mrs. Spiers stayed on May 23rd and 24th. He explained that he

had had statements that Mrs. Spiers had been seen on May 24th and he had done all he could to find out if it were correct. He could not find any place where she had stayed although she was supposed to have been seen in Folkestone.

Florence Thompson, who described herself as a friend of Mrs. Spiers, said that she had some drinks with Whiting on May 28th. "I remarked that it was a shame that Phyllis had been murdered", she continued, "and he asked me how I would like a scarf round my neck". "He said 'If you don't keep your mouth shut about Phyllis, I will put you on the spot. You can do a murder without finding fingerprints or foot marks'. I said: 'No. Wherever you go they will always trace you'".

Mr. Oliver: What was his manner? - He was quite quiet.

Replying to Mr. Hutchinson, Mrs. Thompson said that she had come over for the day from Dover. She and Whiting went to three public houses. She had a gin and peppermint in one; a port wine and a cherry wine in another, and a port and a cocktail at the third.

Mr. Hutchinson: Were you not a little imaginative? - No. I never get drunk.

I suggest he never said this at all? - He did.

Why should he say it? - Phyllis happened to be a friend of mine.

Robert William Weatherhead, a seaman, spoke of an alleged incident in a public house. Whiting, he said, became abusive and when the landlord came round to put him out he swore and said "I will serve you the same as I served the blonde".

Mr. Hutchinson: He had had a drink or two? - He had had enough to make him talk.

Rose Woodbridge, who said that she was living in a lodging house in Canterbury, gave evidence that she knew Phyllis Spiers as "Phyllis Minter". Mrs. Woodbridge said she (witness) was married in September, 1935, and parted from her husband a month later. Subsequently she lived with Whiting, leaving him a fortnight before last Christmas. Phyllis Spiers lived in the same street at Dover, and they were very friendly. Mrs. Woodbridge said that one day she told Whiting about "two fellows" arranging to take her and Phyllis to London. He was very angry and said that he would do something wrong if she did not keep away from Phyllis. He did not say what he meant by it.

The Judge: What did you say? - "Walls have ears". She added that her mother took her away from Whiting. He was there, and she gave him a reason.

Mr. Oliver: Did you hear your mother's reason for taking you away? - No.

This concluded the case for the prosecution.

Mr. Hutchinson, opening the case for the defence, said that Whiting was a man of no education and it was only by the help of the State that he was defended. That he had lied when he said he had never had a green scarf was true but because he told a lie about that it did not show he was guilty. They could imagine his feelings when he heard that a green scarf had been found round the woman's neck and his saying "If I admit the scarf is mine I am done for". "Would a man be such a fool as to take away a woman's scarf and substitute his own to strangle a woman?" asked Mr. Hutchinson. Whiting would tell the jury that, not on Monday, May 23rd but on the previous Friday, he gave Mrs. Spiers the scarf he was wearing. He did not think she was wearing it on the Monday when he went out with her. "Supposing someone else was with her - and there might be many with a motive against this unhappy girl on the Flotsam and Jetsam of life. Supposing she was killed by someone else on May 24th or May 25th, that she was then wearing a green scarf, then the murderer would probably leave it tied round her neck. That is much more likely than that this man would". There would be evidence by people who knew her well, who would swear that they saw Mrs. Spiers on May 24th, and some on May 25th. One of them would say that she was then wearing a green scarf.

Whiting then went into the witness box.

Mr. Hutchinson's first question to him was "Did you murder this girl?" "No, sir", he replied quietly. Whiting said that he was a married man, and that his wife was murdered and a man named Bryant was hanged for it. He (Whiting) lived with Mrs. Woodbridge. He was very fond of her then and he was now. After Mrs. Woodbridge had left him he met Mrs. Spiers on one occasion. She asked him if he missed Rose, and he said he did, and would like her back. On May 20th she asked him for his scarf, saying that she felt cold, and he gave it to her.

Mr. Hutchinson: Had you any idea that Phyllis, wanted to take Rose away from you? - No, she was a good little soul, and would not do it.
Describing his meeting with Mrs. Spiers on May 23rd, he said she showed him some divorce papers and said to him "Why not get married?" He said that he would marry her, but he had to get a job first.

Mr. Hutchinson: You were not in love with Phyllis? - No, but I wanted a home and my two children back. I was alone.

Whiting said that on this day Phyllis was not wearing the green scarf which he had given her. They went for a walk, and near the golf links she waved to a young man on a motorcycle, saying that he was "one of her boys". Soon afterwards she kissed him, and they parted. That was the last he saw of her.

Mr. Hutchinson: Did you take her by Caesar's Camp and strangle her? - No, sir.

Asked about his alleged statement, Whiting said the police officers kept asking him questions and he hardly knew what he was saying. He had denied that the green scarf was his because he had read about the scarf in the paper and he was frightened. Asked why he had suggested that Mrs. Spiers had committed suicide, Whiting replied "Inspector Parker put it to me telling me that if I told him that, I would walk out a free man - if I told him about it being a suicide with a green scarf".

Whiting continued: "Inspector Parker said 'Sit down, Bill'. He got the scarf, tied it twice round his neck, knotted it and said 'Quite easy, Bill. A case of suicide. It could easily be done.' I said 'No, it is not suicide, whatever it was it was murder'. He kept pressing me for nearly two hours and saying 'Have you made up your mind?' "While he was away, Sergeant Scarden said 'Go on Bill, tell him. Don't be a damned fool. He is trying to help you. You will have no more trouble. You will walk out free. We will go back to London and our case is settled' ". Whiting said that Mrs. Spiers was a "happy-go-lucky girl and would not commit suicide".

Mr. Hutchinson: Are you a friend of Mrs. Thompson?

Whiting: I hate the sight of her.

Whiting denied having said either that a murder could be done without leaving footmarks, or anything to the landlord of the public house about "Blondie". He concluded by saying that he bore no animosity towards Phyllis.

Mr. Roland Oliver, K.C., began his cross-examination on Thursday morning. His first question to Whiting was "When did you first tell anybody the scarf round Mrs. Spiers' neck was yours?" Whiting replied: I told my counsel two or three days ago".

Mr. Oliver: Did you hear your counsel ask a witness yesterday about scores of scarves being sold in Folkestone? - Yes.

Mr. St. John Hutchinson said he did not wish to interrupt but in justice to the prisoner he did not want a false deduction to be made. He had been told about the scarf before yesterday, but until he had specific instructions about the matter he thought it right to put the questions about the sale of scarves.

Mr. Oliver: Two or three days ago you told your counsel it was your scarf and you had not told anyone before that. Is that right?

Whiting: Yes.

At counsel's request Whiting took the green scarf from the cardboard box in which it had been placed as an exhibit and examined it closely. The frayed end was not there, he said, when he gave it to Mrs. Spiers.

Mr. Oliver: It has become frayed since you gave it to her? - Yes, sir.

Did you ever put the end of your scarf into the clip of your braces to hold it?

Whiting said he had not, adding "I will demonstrate how I put my scarf on, if you like, sir".

Mr. Oliver: You say you gave her that scarf on Friday, May 20th? - Yes.

You heard her landlady say she had never seen any such scarf in her possession? - Yes sir.

You last saw her with it round her neck on the Friday? – Yes

She was not wearing it on the Monday when you went for a walk with her? - No, sir.

Was she wearing a different scarf? - I didn't notice whether she had a scarf at all.

You are a Folkestone man? - Bred and born from good people at Folkestone.

Whiting said he did not know which of three hills was Caesar's Camp.

Mr. Oliver: Did you know there was a thicket at the bottom? - No, sir. I have never been there.

Mr. Oliver: It would be a pretty lonely place in that thicket, wouldn't it? - That I can't say, sir.

This girl Phyllis was a loose-living sort of girl, wasn't she? - So some people say. I can't say.

She would have gone to a place like that with quite a number of men if they had asked her? - Yes, she would do.

She would have gone there with you if you had asked her, wouldn't she? - Yes, I suppose so.

You knew where Ashley Avenue was. If she wanted to go home when you met her she would never have gone on to the golf links? She would have gone straight along Cheriton Road? - Not necessarily.

It would have been the ordinary way to go home? - I suppose it would.

Mr. Oliver: You were devoted to Rose Woodbridge? - Yes, I love her.

You were bitterly sorry when Rose Woodbridge left you, weren't you? - Yes.

You thought that some interfering person was responsible for her leaving you? - There was something about a letter through her landlord sent to her mother.

You thought the landlord or someone had sent a letter to her mother, and that is why her mother took her away? - Her mother did not explain to me why she had taken her away.

Were you anxious to find out who had done that? - No, sir.

And you never tried to find out? - No, sir.

Would you have been angry with whoever did that? - I would have just told him off about it.

How many coats had you in May? - I had a jacket - you have got it - and the light grey overcoat.

You were wearing that on May 21st? - Yes, sir.

When did it get torn? - It could have got torn anytime when I was out for mushrooms in the country.

You say it is your only jacket. Can you tell the jury how long it has been torn? - I never noticed it, sir

You bought the purse before Christmas and had it for months. A good many people must have seen you with it? - I expect so, yes, sir.

Answering the Judge, Whiting said when he was in London he used the purse for cigarette ends, papers and money.

The Judge: So you took money out of the purse to pay people? - Sometimes I used it for money and sometimes I had not much money.

Mr. Oliver: Did you ever have conversation with a woman named Flynn about Rose Woodbridge? - No conversation at all. I would not speak to her because I don't like the woman. She is a mischief making woman - always has been.

Did you never ask her if she knew anything about Rose Woodbridge or whether anyone had made mischief about Rose? - No, sir.

Did you never ask her whether she thought Phyllis made mischief about Rose? - No, sir.

The woman Florence Thompson said you hated and detested her. Is that right? - Yes.

Were you with her one night at the Guildhall public house? - I was never with her.

In the afternoon? - The public house was full of men and she came in there.

In answer to further questions, Whiting said he was in the "South Foreland" at dinner time and was conversing with people when she asked him to treat her to a dinner.

Mr. Oliver: Did you hear there that the body of this woman who had been murdered, had been found? Did not Mrs. Thompson say to you 'It is a shame Phyllis has been murdered'? - No.

She did not say anything like that? - No.

Did you say "If you don't keep your mouth shut about Phyllis I will put you on the spot"? - No.

Nothing like it? - No.

Sheer invention? - Yes, sir.

Did you say "How would you like a scarf round your neck?" - It is a pure invention.

Weatherhead is a friend of yours? - No.

You never said to him anything about "serving anyone as you served the blonde?" - No.

You had had some drinks? - I had had a drink or two.

Mr. Oliver then questioned Whiting at length about his alleged statement and asked "Do you say that the police wrote down things that you did not say?" - Yes, sir.

They actually invented things and said you said them and wrote them down? - Yes.

You gave them, in answer to questions, quite a detailed account of your movements with Phyllis on May 23rd? - Yes.

Is that part of the statement, stating where you met her, where you went and what you talked about, correct? - Yes.

Whiting, answering further questions, said "The police kept on and on saying 'You say Phyllis was the cause of Rose Woodbridge leaving?' They kept on putting that to me and I suppose I must have said 'Yes'".

Mr. Oliver: Did you say that the first time you saw Phyllis was when you returned to Folkestone? - I don't know, I can't remember.

Whiting said he did not discuss the letters which led to Woodbridge leaving. He had not heard that she had been in hospital.

Later the Judge asked Whiting: You say the police put down correctly a part of the sentence and not the other. Is that right?

Whiting: Yes.

Mr. Oliver: Would you have been annoyed if Phyllis led Rose astray?

Whiting: I would certainly have been annoyed with anybody who led Rose astray.

Mr. Oliver: Did you say that? - The police kept putting that to me.

Did you tell Rose that she was not to have anything more to do with Phyllis? - I said I could not keep her in food.

Did Rose and Phyllis get drunk and were they ordered out of a public house? - They were merry but they were not ordered out.

Whiting added "I have been through so much. Part of the statement is true but it is not true that they were intoxicated". He denied that he said that Phyllis was really responsible for coming between Rose and him.

Mr. Oliver: Having said you would marry Phyllis on Monday, May 23rd, did you make any attempt whatever to see her again? - No, sir.

You had arranged to marry this girl. She had told you her address. How is it that you never tried to find her until her body was discovered? - Because she was a girl who went with anybody.

It is not a question of what sort of girl she was, but what sort of man you are? - She said she would be at the library next day but she did not turn up and I forgot all about her.

Whiting said when he walked with Mrs. Spiers on May 23rd she was not wearing a green scarf.

Mr. Oliver: If she was not murdered that afternoon she must have had your scarf somewhere about her? - I don't know that she was murdered.

Your scarf was round her neck. If she was murdered that afternoon she must have had it somewhere about her for the murderer to have put it round her neck? - I don't know, sir.

Mr. Hutchinson (re-examining : Why did you sign the statement? - Because the officers said it would finish their case and they were going back to London.

This concluded Whiting's evidence and he returned to the dock.

Henry Allen, a general labourer, of Margaret Street, Folkestone said he had known Phyllis Minter by sight for eight years.

Mr. Hutchinson : It is suggested that she was murdered on May 23rd? - I saw her on May 24th at 9.30 p.m.

Allen said he fixed the date because on Tuesdays he looked after his children while his wife went to the pictures. She had just returned, and he had just come out. He was walking with Brooks in Margaret Street when they saw Phyllis. She was walking on the other side of the road smoking a cigarette. Allen continued "My friend whistled to her. She walked towards us, and I told my friend I did not want to be seen talking to her. I made a statement to the police on June 2nd". Phyllis, he added, was a familiar figure about the streets of Folkestone. He saw her about practically every day.

John Joseph Brooks, a labourer, and lodger at Allen's address, said he was with Allen when they saw Phyllis Minter. He knew Phyllis by sight by going in and out of public houses. Brooks added "I was going to speak to her and my landlord said 'Don't speak to her. If my missus comes along there will be a row' ". He did not go of his own accord to the police. They sent for him.

Mrs. Ella Hall, of Station Cottages, Folkestone, wife of a station porter at Folkestone Junction, said she saw Phyllis on May 24th or 25th when witness was going by bus to Sainsbury's shop in Sandgate Road. Mrs. Hall said she knew that it was on the Tuesday or Wednesday that she saw Phyllis because she did not go into the town for meat on Mondays. She saw Phyllis talking to two men. Mrs. Hall said she knew her because she worked with her six or seven years. "I have no doubt that this girl was Phyllis Minter", she said. "She said 'Hello' to me as I passed her, and I said 'Hello' back".

Mr. Justice Wrottesley: How do you know it was not the Tuesday or Wednesday of the week before?

Mrs. Hall: Because it would be too far back.

Edward Marwood, a news vendor, of Tontine Street, Folkestone, who made a statement to the police on May 29th, described how he saw Phyllis on the Sunday, Monday and Wednesday of the previous week, between the 23rd and 24th. On Wednesday, he said, he was walking up the "Milky Way" towards the "Bulldog steps " when he saw her. He had known Phyllis for years and fixed the time because he was going to the Labour Exchange to sign on. He went to the .Exchange on Mondays, Wednesdays and Fridays and on Mondays he did not go that way.

Marwood continued that he saw Phyllis on the Monday previous also, about 11 a.m. in Tontine Street when she was talking to a big, stout woman. She was not wearing a hat.

Mr. St. John Hutchinson: Did you see her the day before, on the Sunday?

Marwood replied he saw Phyllis between 9.30 and 10 a.m. She came over to West Terrace where he was selling papers and asked to be directed to a bus office because, she said, she was going to Margate to work.

John Henry Turner, of Millbay, Folkestone, another news vendor, said he saw Phyllis Minter twice on the Wednesday morning.

Lucille Georgina Godden, a waitress, of Bridge Street, Folkestone, who said she had known Phyllis nearly all her life, described how she and a friend saw her in the Alexandra public house on the Sunday evening. A little girl called Phyllis out of the public house. She returned, borrowed the telephone book from the proprietor and said she had had a call from someone she did not know. Miss Godden said she next saw Phyllis on the Wednesday night between 10.30 and 11 o'clock in the Dover Road on the pillion seat of a motorcycle. She was dressed in a blue coat and a green scarf. She had no hat. The machine was driven by a medium aged man in a light raincoat.

Answering Mr. Oliver, Miss Godden said she was certain it was Phyllis.

Mr. Oliver: Do you know that when the body was found it was already decomposing?

Miss Godden repeated that she was certain she saw Phyllis. She saw her face in the light of a street lamp. She did not put it in her statement about the scarf because she was not asked about that. Miss Godden was shown a scarf and in answer to the Judge said that was not the scarf Phyllis was wearing on the two occasions she saw her. The scarf in Court was of a darker shade.

Lilian Beasley, of Marshall Street, Folkestone, said that while with Miss Godden she saw Phyllis in the public house on the Sunday and a girl on a motor cycle on the Wednesday. Miss Godden told her it was Phyllis. Witness saw the colour of her hair and her coat but could not see her face.

Charles Butler, a fisherman, St. John's Street, Folkestone, who said he had known Phyllis since she was three or four, said he saw her in Tontine Street on the night of May 24th or 25th. It was recalled to his mind directly he saw her photograph. Witness added: "She was talking to a soldier about 6 feet tall and they appeared to be quarrelling. The man was in mufti but I know he was a soldier. She looked as if she was on the point of crying".

Richard Brazier a platelayer, also of St. John's Street, said on May 24th he saw a man and woman standing on the kerb "having a row". He was a tall man.

George Robert Neville, a motor driver, of Dudley Road, Folkestone, said he saw Phyllis, whom he had known about seven or eight years, on May 25th, in a street near the Harbour. The woman looked as if she had been sleeping out. She was dirty and tired looking, as if she had not washed.

Hilda Miller, a shop assistant at Woolworth's, Folkestone, said she knew Phyllis Spiers by sight. On May 25th she came to the shop accompanied by a woman who bought a roll of grease-proof paper. Phyllis was wearing a navy bluecoat, a blue-green dress and a green scarf. She had also seen her the day before. The woman with her was not Mrs. Wright.

Mr. Oliver: Mrs. Wright pointed you out in the street as the girl from whom she bought something on the 23rd and you said you hadn't sold her anything? - Yes.

When did you first hear this gin had a green scarf round her neck? - When I read it in the paper.

Do you think you imagined the green scarf? - No.

Do you know anyone in the world who saw her in a green scarf? - No.

How well do you know her? - Very well, but not to talk to.

Have you ever seen her with a green scarf before? - No. I had not seen her for two or three years.

If Mrs. Wright bought paper May 23rd she would come to your counter? - Yes.

Mr. Hutchinson: Was there anything which drew your particular attention to this girl? - I noticed her hair had been dyed.

Have you any doubt it was Phyllis you saw? - No.

Have you a fiancé, a police officer? - Yes, sir.

Did you mention it to him?

Mr. Oliver objected to the question, and the witness did not answer it.

William Knott, a labourer, of New Street, Folkestone, said he was in the public house at the time of the incident spoken to by Weatherhead, but he did not hear any threats by Whiting.

Mr. Oliver: Was there a lot of noise that night? - Not particularly, it was a bit jangly.

In his address to the Jury, Mr. St. John Hutchinson submitted that there was not enough evidence to prove that the girl was killed on May 23rd, and if they came to that conclusion, it was their duty to acquit. Criticising the action of the police regarding Whiting's alleged statement he said "I hope it will go forth that the police should not take statements like this from a man of this character after questioning him for five hours without food." He said that it was a very evil day when in a crime like murder, they could take a man, shut him up for hours and cross-examine him, without his being able to write his own statement, to try to make a motive. It was wrong for officers to cross-examine a man of Whiting's mentality at 10.30 or 11 o'clock at night, without protection.

Mr. Oliver, replying for the prosecution, referred to the witnesses for the defence who stated that they saw Mrs. Spiers after May 23rd. He said he was not suggesting that they came to say what was untrue but that they were genuinely mistaken as to the date.

When the trial started no one knew it was Whiting's scarf. It was a terrible fact. It involved that somehow or other it passed to the possession of the man who murdered her. It was said a man must not be convicted because he told lies, but if a man lied on a vital matter did it not destroy his evidence? Whiting had previously denied emphatically that the scarf was his. "If you seek to pass criticism on the police with regard to the statement", said Mr. Oliver, "You will remember their duty. Here was a brutal murder and for the protection of all of us they had to find out who did it. Can you believe that two experienced police officers could have been guilty of a tithe of what Whiting alleged against them? If he had not invented it would not these officers have been asked about it when they were in the witness box?"

The Judge, summing up, said there were certain facts that had not been disputed and these formed an admitted background as to which the Jury need not concern themselves. It was clear that Phyllis Spiers was first battered, possibly into insensibility, and then strangled. It was clear that this happened near the place where the body was found. It was clear that she was dragged to a comparatively open glade through the gap in the hedge into some bushes. She met her death sometime between the early afternoon of May 23rd and May 26th when her body was found. How long before May 26th was in dispute. It was clear that she was alone in the company of the accused man on May 23rd and that they were going in the direction of the spot where she was murdered. How came these two together? Was there anything in the relationship of the dead woman and the accused which might explain the murder? They knew he had lived with Rose Woodbridge until November, 1937, that he was very much attached to her and that when she left him it was to his great sorrow. If the jury accepted his signed statements - and these were challenged - he had said he disapproved of Rose meeting Phyllis at one time, and that Phyllis was the cause of trouble between him and Rose. Accused now denied that, and said in the witness box that that statement was put in his mouth by the police. They had heard the evidence of Sir Bernard Spilsbury, probably the most experienced man in these matters in the country, and he was of opinion that she had been dead approximately for three days when she was found. It was fair to sum up his opinion, said the Judge, by saying that Sir Bernard thought three days the most probable date; four days the next probable, and then two days in order of probability, and he thought they could rule out the probability of one day. If the case rested merely on suspicion that Whiting had the opportunity of murdering the girl it would be far from enough, but it led them to look into the matter further, and the other evidence. If accused did murder the girl on the afternoon of May 23rd, the Jury might expect to find, and might well ask, whether anything of his was found near the body. First and foremost there was the green scarf found tied tightly round her neck. Where did it come from? At one stage of the trial it seemed to be suggested it was not Whiting's property at all. He had told the police he had never seen it before. Two or three days ago he decided to abandon that denial and admit that the scarf was his. He now said that he had given it to the girl on May 20th. The Judge referred to the finding of a purse in Whiting's pocket resembling one which Mrs. Spiers had had. Dealing with the difficulty which the murderer would have in dragging the body through the gap, the Judge said that in the urgency of the moment, he would probably not notice some barbed wire. He might well tear his coat in doing so, and Whiting's coat was torn. Whiting said he had done it while mushrooming. By itself, continued the Judge, the tear was not of much value. But it was a remarkable coincidence, and things were accumulating. There was the green scarf, the purse and a tear-mark, which

would correspond with the crime as it was reconstructed. Another coincidence was the finding of a human hair resembling that of Whiting's on a post in the gap. Science, said the Judge, had not yet, he understood, reached the pitch when it could be said with certainty that a hair found "is my hair". The most that could be said was that "It was similar to my hair or your hair". The girl, continued the Judge, disappeared from everyone's view until the following day, when it was said by a number of witnesses for the defence that she was seen. "I could not recall any evidence that she was known to have slept anywhere indoors or to have sought shelter", he added. Referring to the evidence of Florence Thompson, the Judge continued, "I think we are apt to be censorious about people going to public houses. There is clearly nothing wrong about people going to one, two or three public houses. On the other hand the memory of such people may not be so valuable as people who have not had drinks". The Judge advised the Jury to be careful of Weatherhead's evidence in which he said Whiting had remarked "I will serve you the same as blonde". "This was at a time", said the Judge, "when everyone knew that this girl was murdered, and it would not take very much for that sentence to have been 'I will serve you the same as the blonde was served'. I should not attach too much importance to that evidence although it has been said that truth sometimes does come out when a man is in his cups". By itself the evidence of Flynn was of no value but with the other the Jury might think that it did something to bear out some of the things in accused's original written statement. The Judge then referred to the third degree which had been mentioned in that case. "Third degree is rather a dangerous word to use. We have probably read something about it - of prisoners being locked up, hurt and damaged, and awakened in the middle of the night. That is not the kind of thing suggested here. What is said is that the first statement took a very long time - from 10 p.m. to 2 a.m. That was recorded in the statement. A statement might take a long time when you have a not very clever man to deal with. Because it takes a long time it does not follow that it is untruthful. You have to remember that when one of us - a member of society - is found dead, it is the duty of the police to pursue their investigations with efficiency and rapidity. Close questioning is not a dangerous ordeal to an innocent person and it will not have escaped you that in the course of this trial a great many innocent persons have had to be closely questioned. The detection of crime - particularly serious crime - is more likely to be successful if the police work rapidly and do not let the grass grow under their feet". What was most strongly relied on by the defence was the evidence of witnesses who said they had seen Mrs. Spiers after the time the Crown said she was killed. After having been in accused's company on May 23rd she disappeared. No one could say where she slept or bought any food afterwards. The Jury must remember, he said, that she had no settled home and she was a bird of passage, here today and gone tomorrow. They must also remember these witnesses were found by the police themselves and honestly believed what they saw. The Crown, he continued, said it was a case of people making a mistake, as people did, when asked to recall when they had last seen a person whom they did not know very well. But if the Jury thought only one of these witnesses was not making a mistake and that the girl was seen alive after May 23rd, they had no choice but to find Whiting not guilty. Mr. Justice Wrottesley said he had prepared a time table showing the days and times when these witnesses said they saw her. In some cases their evidence might be open to criticism on the ground that they had made a mistake in identity, in others that they had got the wrong date. The jury would not attach too much importance to the accused's alleged statements. They would give their attention to more serious and weighty matters. At the same time they had got to remember that if in any way they fell short of satisfying themselves beyond reasonable doubt that this man committed the murder on Monday they had to find him Not Guilty at that stage. If they did not accept the story that he gave this young woman that scarf there was serious material there which might lead them to bring in a verdict of Guilty, putting aside, for the moment, the other evidence. Regarding the bulk of the evidence of the people who said they saw Phyllis Minter on the Tuesday and Wednesday, the evidence that the young woman was seen on Tuesday would probably occur to the jury as being more likely than the evidence of the two young women who said they saw her as late as 10.30 p.m. on Wednesday. But if the Jury accepted the evidence of even one of those persons who said they saw her on Tuesday or Wednesday there would be a doubt which should lead them to find the man Not Guilty, because it was tantamount to destroying the whole fabric of the case. It was not necessary for the defence to establish to their satisfaction that accused did not do it. The Judge continued "Persons will in this country, I am afraid - I am not afraid, indeed I am glad - will continue to be found not guilty of a crime which very likely they did because it cannot be proved against them. It is far more important that there should be no risk of a person who is not guilty being found guilty. So let my last words be for you to consider whether, apart from the people who saw this young woman alive, the prosecution's case is enough to justify you saying whether you are really certain that this man did it. If you get as far as that you must consider the numerous body of evidence that this young woman was not dead when the prosecution say she was and if there survives anyone whom you believe was right that the girl was alive, then clearly on that ground alone you shall say Not Guilty.

As stated, the Jury returned a verdict of Not Guilty.

Folkestone Herald 5 November 1938 – closing of the inquest adjourned since May

Local News

The inquest on Mrs. Phyllis May Spiers, 21 years old Folkestone woman, who was found strangled with a green scarf at the foot of the hills, near Caesar's Camp, Folkestone, on May 26th last, had been adjourned to last Monday, but the Borough Coroner (Mr. G.W. Haines) decided to close the enquiry without taking any further evidence.

Acting in accordance with section 20 of the Coroners' Amendment Act, 1928, Mr. Haines forwarded to the Registrar, as required, a certificate as to the cause of death (strangulation).

He told a Folkestone Herald representative that he was not bound to record a verdict.

Members of the jury and witnesses were informed beforehand that they need not attend at the Town Hall on Monday afternoon for the adjourned inquest.

Reports from the Folkestone Express

Folkestone Express 4 June 1938 – investigations and opening of the inquest

Local News

Where did Mrs. Phyllis May Spiers, aged 22 years, the Folkestone woman found strangled not far from Holy Well in a small coppice at the foot of the hills on Thursday night in last week, stay on the Monday and Tuesday nights previous to her murder? That is a point upon which the Folkestone Police desire to have information from anyone who can assist them. Mr. A.S. Beesley, the Chief Constable, last night said: It is of the utmost importance that people knowing where Mrs. Spiers stayed on either of these nights should communicate with us immediately, without them waiting for the Police to call on them. It certainly would be assisting the interests of justice if anyone with information of use to the Police would get into touch with them immediately.

The body of Mrs. Spiers, a married woman separated from her husband, and a foster child of Mrs. Minter, who formerly lived at a lodging house in Radnor Street, was first discovered by Kenneth George Andrews, a sixteen year old youth residing with his parents in Ethelbert Road. He was looking for birds' nests at the time, when he saw what appeared to be a bundle. Looking closer, he saw that a portion of a woman's head and leg were showing. He immediately proceeded to his home and informed his father, who at once found the constable on the beat, and particulars of the discovery were telephoned to Police headquarters.

Mr. Beesley, the Chief Constable, was immediately informed and he, accompanied by Chief Inspector Hollands, Dr. W.C.P. Barrett and Det. Constable Bates, the Coroner's Officer, were speedily at the scene. They found amongst the bushes the body of a woman completely covered with her blue coat, lying on her back with her head down the sloping ground.

Dr. Barrett made an examination, and gave it as his opinion that the woman had been strangled by her green scarf which had been knotted tightly round her throat.

The body was subsequently removed to the mortuary, where a long and careful examination was made by the Chief Constable, who took charge of the case, and the Police Surgeon.

The C.I. Department worked throughout the night trying to establish her identity and making numerous other enquiries. It was clear from the first examination by Dr. Barrett that the woman had been lying where she was found at least 24 hours. Before it was taken away photographs were taken of it and the surrounding land. An intensive search for possible clues was at once commenced by detectives of the Folkestone Force.

Early on Friday morning the Chief Constable decided to seek the assistance of Scotland Yard, and a few hours later Det. Inspector Parker and Det. Sergt. Scarsdon, from the Yard, arrived and began investigations in conjunction with the Chief Constable and his officers. There were no signs of a struggle at the place where the body was found, and the fact that the clothing was very wet showed that it was there on the Wednesday night when there was heavy rain.

The Chief Constable, Det. Inspector Parker, and numerous officers have ceaselessly and energetically carried out investigations from the time they began them. As a result it has been established that the murder occurred about fifty feet distant from the place where Mrs. Spiers' body was found. She had been passing in the name of Butcher for some time in Folkestone, where she had been employed at hotels and cafes.

On the Saturday previous to her death she went to a house in Garden Road, where she engaged a room, telling the landlady that her name was Minter, and that she had come from Tooting to take up a position

as a waitress at a cafe on the lower sea front. She brought no luggage with her, and slept at the house on Saturday and Sunday nights. On Monday morning she left the house, apparently to go to her work, after arranging with the landlady to meet her so that she could take her to the pictures. The landlady kept the appointment, but Mrs. Spiers did not, and she did not see her again. When the landlady returned to her home she noticed that a "man without a hat and wearing a light mackintosh was apparently waiting outside. On Monday morning Mrs. Spiers walked along the Marine Promenade, for she had her photograph taken as she was doing so. From that time there seems to be no connected story of her movements. It is stated that she was seen on Tuesday night with a tall man wearing a mackintosh. So far as is known she was last seen alive on Wednesday at about a quarter to twelve in a Sandgate Road shop, and therefore the probable time of her death was between noon and three o'clock on Wednesday in last week.

The enquiries of the Police have been of a very extensive character, and have extended over a wide area of the country. Mrs. Spiers attended many dances in the district, and was known to many men, not only in Folkestone, but in the military camps at Shorncliffe and the R.A.F. at Hawkinge. Over sixty men have been interrogated by the Police, and the process of elimination is still proceeding. The men include soldiers, airmen and civilians.

On Saturday night, a report was received from the Sandwich district that a man who had been stopped in a country lane by a Kent County police officer and questioned had stated that he had come from Folkestone and that he admitted he was responsible for the murder of Mrs. Spiers. Mr. Beesley and Det. Insp. Parker, and other officers without delay motored over to Sandwich, but on questioning the man they quickly came to the conclusion that he had had nothing to do with the crime.

A section of the Force had arranged to visit Epsom to see the Derby, but in view of the crime the immediately cancelled the arrangements.

Under Inspector Heastie a number of officers, in plain clothes, have made a house-to-house visit in the Cheriton, Morehall, Foord and the surrounding streets and roads, and the East Cliff districts, and have shown a photograph of Mrs. Spiers to the occupiers. They have also asked if she was known or had stayed there. Mr. Beesley, asked last (Thursday) night if that had brought any results, replied "It has brought some crumbs of useful information".

On Wednesday, Dr. Bernard Spilsbury, who has assisted in the unravelling of many murders, came to Folkestone at the request of the Chief Constable, and he, in company with Dr. Barrett, the Police Surgeon, and the Chief Constable, conducted a long examination of the body of the murdered woman at the mortuary. A large number of exhibits which have been collected in the investigations have also been sent to London for examination by Dr. Roche Lynch, the Home Office expert.

It was at one time thought that the theft of a Harley Davidson motor cycle from a Folkestone garage during Tuesday night or Wednesday morning had some connection with the crime, and the police of the whole of the country were asked to try and trace it, but that has now been ruled out by the officers engaged in the case.

The cause of Mrs. Spiers' death was not by asphyxiation, but the scarf having been tied so tightly the flow of blood through the carotid artery was snapped, and so her death must have been instantaneous.

The inquest was opened on Monday afternoon at the Folkestone Town Hall. Mr. G.W. Haines, the Borough Coroner, sat with a jury of ten. There was a large attendance of the public. Only three witnesses gave evidence, and the enquiry was then adjourned to July 8th.

The Chief Constable (Mr. A.S. Beesley) was the first witness. He said at 7.15 p.m. on Thursday he was called to a spot in a small coppice or wood, and was accompanied by the Coroner's Officer. At the foot of the hill to the north of Folkestone between Caesar's Camp and Sugar Loaf Hill he saw a woman lying on her back covered pretty well from head to foot with a woman's blue coat. The photograph produced was as she was found.

This photograph was handed to the members of the jury to examine.

The Chief Constable, continuing, said the woman was lying on a slight decline with the head downwards. The lower portions of both legs were exposed from a point about half-way below the knee. She had no stockings, but she wore a pair of low-heeled shoes. Her face and head were covered, but a portion of her back hair, which was flaxen in colour, was exposed, and was lying straight out behind the body. "I moved the coat", Mr. Beesley continued, "and exposed the face and felt it. The face was quite cold, but soft to the touch. It was of good colour and in fact quite natural. I formed the opinion she was dead. Her nose was swollen and discoloured and blood was oozing from the left nostril. I completely removed the coat and found she was lying on her back with her arms and legs flexed, her knees drawn. She

was wearing a pair of panties, which just covered her thighs. They were in good condition, but badly torn, especially at the back. Her green frock was pulled or dragged right up, back and front, level to her breasts, leaving the whole of the breasts and body bare. Very extensive bleeding scratches led from her legs right up to the thighs. They were especially numerous on the front. There were deep indentations on the lower part of the body made by pressure of the earth and dry pieces of twig and briar upon which she was lying. All clothing was saturated with rain, except the back of the dress, which was dry. The photographs put in were taken at once".

The jury were also handed these photographs to examine.

Dr. W.C.P. Barrett, the Police Surgeon, said he saw the body in the coppice where it was found. The woman was dead. He had since made a post mortem examination. There was a long bruise measuring four inches on the left arm. There were two large spots, dark in colour, on the chest. There were scratches on the left collar bone and there were multiple scratches on the lower limbs right up to the groin, but mainly on the front, but with quite a few on the back. There was a deep indentation right around the neck, front and back. The stomach contained ten small lumps of potato and brownish fluid resembling soup. The bruises and scratches were definitely ante-mortem. Death was due to strangulation caused by pressure on the main arteries to the head. Rigor mortis had set in and the limbs were rigid. The face was of a natural colour. His opinion was that she had not been dead longer than two days. Death might have occurred under that time. There was no sign of putridification.

The Coroner: There must have been considerable pressure to stop the flow of blood?

Witness: No. I tried it on myself last night and it is surprising how little pressure is needed to make you feel faint.

Arthur Charles Spiers, 29, Sidney Road. Bexhill-on-Sea, said he was 27 years of age and was a milk roundsman. He was formerly in the Army, stationed at Shorncliffe. When in the Army he became acquainted with the deceased and knew her as Phyllis Minter. They were married on April 11th, 1932, at the Folkestone Register Office. On January 25th, 1933, his wife gave birth to a daughter, who was in his custody. He returned to Bexhill and got work there. On April 13th, 1934, his wife left him with the baby, following a quarrel over a letter she had received. He tried to patch it up once or twice. He last saw her alive three years and ten months ago at Hastings. In November last he applied for a Poor Persons divorce. He did not know where she was living. His application for divorce was based on desertion. She was 16 years and five months old when he married her. He visited the Folkestone mortuary on Friday afternoon and identified the body as that of his wife. He could not say whether she followed any occupation.

The Coroner said he did not propose to take any further evidence.

The Chief Constable: My application is that you should adjourn the enquiry for at least a month.

The Coroner: I will adjourn the inquest until 8th July at 2.30 p.m. The police have many enquiries to make, and the jury will have to come again.

Folkestone Express 11 June 1938 – further investigations

Local News

The murder of Mrs. Phyllis May Spiers, aged 22, a Folkestone woman living apart from her husband, is still unsolved, but the police are not relaxing in their efforts to find the person responsible for her death by strangulation on Wednesday, May 25th.

It will be remembered that her dead body was found not far from Holy Well at the foot of Caesar's Camp on the evening of Thursday, May 26th, and since then the police have prosecuted their enquiries unceasingly and vigorously.

Mr. A.S. Beesley, the Chief Constable, from the time the dead woman was found, took control immediately of the case, and Chief Inspector Parker and Det. Sergt. Scarsdon from Scotland Yard arrived the following day, and have had a big share of the investigations which have been carried on since it was evident that Mrs. Spiers had been murdered.

The appeal made by the Chief Constable last week for anyone who could give information concerning the dead woman resulted in a number of people coming forward, and some of the details which they supplied were undoubtedly of assistance to the officers engaged in the case. Chief Inspector Parker and the C.I.D. staff of the Folkestone Police Force working under him have interviewed quite a number of people every day. On Tuesday Chief Inspector Parker visited Scotland Yard in order to report progress to headquarters

there, and he also saw Dr. Roche Lynch, the Home Office expert, with whom he conferred as to the result of his analysis of certain exhibits forwarded to him last week.

Mr. A.S. Beesley, the Chief Constable, has issued the following appeal to people to assist the Police: At about 6.10 p.m. on 26th May, 1938, a girl known as Phyllis Spiers, alias Butcher, Osborn and Wall, aged 22 years, 5ft. 5ins., eyes blue, hair bleached, medium build; Dress: full length belted blue overcoat, green frock, blue leather shoes, no hat or stockings, was found murdered at a spot known as Caesar's Camp, Hill Road, Folkestone. It is earnestly desired to trace a woman who was in her company shortly before 12 noon on Wednesday, 25th May, 1938, at Woolworth's Stores, Sandgate Road, Folkestone. The woman is known to have purchased a packet of grease-proof paper. It is of the utmost importance that this woman should communicate with the Chief Constable, the Town Hall, Folkestone, or with any Police Station at the earliest possible moment.

It is clear that the movements of the dead woman prior to noon on the day she met her death should be known as fully as possible, and if it is possible for any person to shed any light upon them it is their duty to get into communications with the police at once. Another direction in which great assistance can be rendered to the police is in supplying any information regarding Mrs. Spiers' whereabouts on the Monday and Tuesday nights before the day on which she was murdered. That she was in Folkestone on those two nights is known, and it is hoped that information as to where she slept then will be forthcoming.

The police, it is thought, have now decided that the theft of the Harley Davidson motorcycle from a Folkestone garage, and which they asked the police in all parts of the country to assist them tracing, had no connection with the crime.

The appeal of the Chief Constable published on Wednesday resulted in some people coming forward, as a result of which a few fresh facts came to the knowledge of the police.

Folkestone Express 18 June 1938 – investigation continues

Local News

The Folkestone Police, assisted by Chief Inspector Parker and Det. Sergt. Scarsdon, of Scotland Yard, are actively pursuing enquiries concerning the murder of Mrs. Phyllis May Spiers, aged 22, the Folkestone woman who was found strangled at the foot of Caesar's Camp on the evening of May 26th. They have interviewed a number of people who came forward as a result of the appeal made by Mr. A.S. Beesley, the Chief Constable, last week, and several fresh facts regarding the mystery have come to light.

Folkestone Express 25 June 1938 – investigation continues

Local News

The Folkestone Police, with the assistance of Chief Inspector Parker and Det. Sergt. Scardon, of Scotland Yard, are still proceeding with their enquiries concerning the murder of Mrs. Phyllis May Spiers, the 22 year old Folkestone married woman found strangled on May 26th near Caesar's Camp.

On Friday in last week Chief Inspector Parker and Det. Sergt. Scardon were at Scotland Yard, where they were in consultation with Dr. Roche Lynch, the Home Office expert, and other officers at the Yard. Returning to Folkestone, they have since been actively engaged on the case, and no efforts are being spared by the Chief Constable (Mr. A.S. Beesley), the Scotland Yard officers, and the C.I.D. staff of the Folkestone Police to solve the mystery of Mrs. Spiers' death.

Folkestone Express 2 July 1938 – William Whiting is arrested and appears in magistrates court

Local News

On Saturday, just over a month after the body of Mrs. Phyllis May Spiers, aged 22, a Folkestone woman, had been found at the foot of Caesar's Camp, to the north of Folkestone, Mr. A. S. Beesley, the Chief Constable, charged a Folkestone labourer, William Whiting, aged 38, giving as his address a lodging-house in Dover Street, with the wilful murder of the woman.

The dead woman was found amongst some bushes, and she had a green scarf tied round her neck, on the evening of May 26th. Since that day the Chief Constable, Chief Inspector Parker, and Det. Sergt. Skardon, of Scotland Yard, and the Folkestone Police, have been carrying out investigations concerning the woman's death. The accused man is a widower, and has three children. He is particularly well known in

the east area of Folkestone. The Chief Constable saw him in his office on Saturday and charged him. Later he was again charged in the Police Station and then placed in the cells.

Whiting was placed in the dock at the Police Court on Monday. He was charged that on or about 23rd May of this year at Folkestone he feloniously and with malice aforethought wilfully murdered Phyllis May Spiers.

The Court was crowded to its utmost extent, and the doors had to be closed, many people being unable to gain admission.

The magistrates were Councillor R.G. Wood, Alderman G. Spurgen, Mr. L.G.A. Collins, Judge H. Terrell, K.C., Mrs. A.M. Saunders and Alderman J.W. Stainer.

At the Court officials' table, in addition to the Clerk (Mr. C. Rootes) and the Chief Constable (Mr. A.S. Beesley), there were also seated Chief Inspector Parker and Det.-Sergt. Skardon, of Scotland Yard, who had been conducting investigations into the case.

The Chief Constable said it was a case in which, as the magistrates were aware, the assistance of the Director of Public Prosecutions was to be sought, therefore that morning he proposed only to give evidence of arrest, and then ask for a remand until Tuesday. It was a formal remand, because he was sure that the Director would not be ready by that time. They would need, he was afraid, a further remand.

The Magistrates' Clerk (Mr. C. Rootes): You have, of course, made many enquiries?

The Chief Constable: There are a very large number of witnesses to be called before you.

The Chief Constable, giving evidence, said at 12.34 p.m. on June 25th he saw the prisoner in his office. He said to him "You know who I am? I am the Chief Constable of Folkestone". Whiting replied "Yes, sir". Proceeding, he said: "I said 'William Whiting, I am going to arrest and formally charge you with the murder of Phyllis May Spiers on or about Monday, 23rd May, 1938, and you will be taken before the Court on that charge. I must caution you that you need not say anything unless you wish, but whatever you say will be taken down in writing and may be given in evidence. Have you anything to say?' Whiting replied 'I do not wish to say anything. I am not guilty'". At 1.20 p.m. the same day, continued Mr. Beesley, Whiting was formally charged by the Station officer, P.S. Butcher, with the offence. He was cautioned, and replied "I have nothing to say". Whiting was then searched and taken to the cells.

The Clerk: Nothing was found upon him to which you wish to refer?

The Chief Constable: No.

Whiting said he did not wish to ask the Chief Constable any questions.

The Chairman said they would appoint somebody to conduct Whiting's defence.

The Clerk: A solicitor will be assigned to conduct your defence.

The Chairman (to Whiting): You are remanded in custody until tomorrow week (Tuesday).

The prisoner was then hurried out of the dock, and without looking at the people in the Court Whiting proceeded to the Police Station below.

Folkestone Express 9 July 1938 – William Whiting appears at Folkestone police court

Local News

When William Whiting (38), a labourer, of Dover Street, Folkestone, charged with the wilful murder of Mrs. Phyllis May Spiers, appeared before the Folkestone magistrates on Tuesday, he was represented by Mr. Lloyd Bunce, a Folkestone solicitor. Whiting had been remanded eight days before, and the short time he was before the magistrates on Tuesday was taken up with formalities. He was ultimately remanded in custody until next Monday, when it is possible that the case might be opened and some evidence taken.

The public portion of the Court was crowded, many people having waited since 9 a.m. in the rain. There was a large crowd outside the Town Hall half-an-hour before the case was due to commence. One of the women who occupied leading places in the queue fainted, and was taken into the Town Hall, where she received attention.

The Magistrates were Councillor R.G. Wood, Alderman G. Spurgen, Mr. L.G. . Collins, Mrs. Saunders and Alderman J.W. Stainer.

The Chief Constable (Mr. A.S. Beesley) said he was asking for another remand. He understood the Director of Public Prosecutions would be ready on Wednesday in next week.

The Magistrates' Clerk (Mr. C. Rootes) said he did not think that was the most convenient day. He thought it would be better perhaps to remand the prisoner until Tuesday, unless the Director could commence on Monday. Continuing, he said he thought it would be better perhaps to commence the case the week commencing 18th July, and then it could be taken from day to day if so desired. They had to consider the justices available - the justices who started the case had to be available.

The Chairman, in reply to a query by Mr. Bunce, said the justices had decided that counsel should defend the prisoner.

The Chairman said Whiting would be remanded until Monday.

Whiting: I have an application to make. Can I have my letters and photos in possession of the police?

The Clerk: I do not think the magistrates have any power over that.

The Chief Constable said they were personal to Whiting, and he thought he would have no difficulty in complying with the request.

Folkestone Express 16 July 1938 – William Whiting appears again at Folkestone police court

Local News

When the case against William Whiting, aged 38, a labourer, of Dover Street, charged with the wilful murder on or about May 23rd of Mrs. Phyllis May Spiers, a Folkestone, woman, was opened the Folkestone Police Court on Monday, Mr. B.H. Waddy prosecuting on behalf of the Director of Public Prosecutions, said "The motive, to put it in one word, was revenge". Mrs. Spiers was found strangled at the foot of Caesar's Camp on the 26th May, her body being almost completely covered by her coat.

Whiting had been twice formally remanded, and the whole of Monday was occupied in hearing Mr. Waddy's opening, and five witnesses, two of whom were Sir Bernard Spilsbury and Dr. Roche Lynch. The Magistrates, after a sitting of close upon five hours, again remanded Whiting until Monday next when the case will be continued on the following days until all the evidence is heard.

There was a large number of exhibits in connection with the case, and they included framed portions of a tree and a rough fence which had attached to it barbed wire. The large framed exhibit was placed on the side of the magisterial bench.

The Magistrates were Mr. R.G. Wood, Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer and Mrs. A.M. Saunders.

Mr. B. H. Waddy and Mr. F. Donal-Barry, barristers, appeared to prosecute on behalf of the Director of Public Prosecutions, and Mr. J. Stuart Daniel (instructed by Mr. Lloyd Bunce) represented Whiting. Seated at the table with the officials were Chief Inspector Parker, and Det. Sergt. Skardon, of Scotland Yard, who have been engaged with the Chief Constable (Mr. A.S. Beesley) and the Folkestone Police in the inquiries in connection with the case.

There was another large attendance of the public in the Court, but not so large as on Whiting's two previous appearances.

Whiting was provided with a chair in the dock, but at first he said he did not require it, and stood during the opening statement by the prosecuting counsel and the hearing of the earlier evidence

Mr. Waddy said he was instructed to prosecute. Before he opened the facts of the case he wanted to say he had in Court two gentlemen who would be witnesses, Chief Inspector Parker and Det. Sergt. Skardon. Chief Inspector Parker was in charge of the case, and it was absolutely necessary that he should be there to instruct him. With regard to Det. Sergt. Skardon he would be most useful to him in handling and producing the numerous exhibits he would have to put in. He suggested that he should remain in Court except when Chief Inspector Parker was giving evidence. No other witnesses were in Court.

Mr. Stuart Daniel said he did not object to that.

Mr. Waddy said on Thursday, the 26th May, somewhere about six o'clock in the afternoon, a Folkestone youth was birds' nesting in a coppice at the foot of Castle Hill near Caesar's Camp. Hidden in the undergrowth in that coppice he found the dead body of Phyllis May Spiers. He would call before them a body of medical evidence and other witnesses, who would tell them what was the condition and what was found in the immediate locality, and the evidence would, he thought, lead them to the conclusion that this girl met her death on May 23rd, which was a Monday, and that she met her death in this way. She was rendered unconscious by blows in the face and she was strangled by hands, manual strangulation, that after her death there was put round her throat and tied tightly a green scarf with white spots on it twice round her neck, pulled tight and knotted. There were one or two possible reasons for tying that green scarf round the girl's throat. One possibly was that the person who did it desired to make assurance doubly sure and make quite sure she died. The other possibility, which was one which would have to be considered, was that that scarf was put round her throat in the hopes that it might lead to the belief that the girl committed suicide by tying it round her throat herself. If the girl's death, which in the view of the prosecution, took place in a little clearing in the coppice, which was visible up the hill, her body was dragged by the feet for some thirty feet or ten yards to the place where it was ultimately found. It was dragged down hill; it is quite steep, and through a barrier or an obstruction which existed between the place between the little clearing where, in the view of the prosecution, she died and the place where the body was found, that obstruction was a very rough obstruction and consisted of dead branches which were roughly fastened to a leaning post by means of barbed wire. Eventually it would appear that it was probably there to guard a bog which was at the foot of the hill to which cattle might possibly get. A great deal of importance might attach to that obstruction. That barrier had a gap in it through which it was possible for anyone to go. The obstruction was by the side of the side of the Court, and the Magistrates would see it had been framed. "You will see", Mr. Waddy proceeded, "there is a stout post leaning to the left and there are a number of branches, and you can see upon them some pieces of rusted barbed wire. As you look at that you will imagine that the ground you are on is a little higher and that from the other side it goes down hill. Again, the case for the prosecution is that the body of this girl was dragged by the murderer feet first through the gap, the murderer coming backwards on hands and knees. There will be given in evidence, certain evidence of a comb, certain hairs, and so on, but what is of great importance as far as that gap is concerned is that there is a piece of barbed wire to the right-hand side, which, if you were coming through the gap backwards on your hands and knees, would be about where your left shoulder would come. We are right in thinking that, if the murderer dragged the body through on his hands and knees there would be every likelihood that the point of that barbed wire would probably catch in the clothing which covered his left shoulder. Some ten yards below that point where the body was found, and opposite the body, was the girl's handbag. In the girl's handbag was a torn piece of a black and white scarf, quite different to the scarf knotted round her neck. The rest of that scarf had vanished. That piece of scarf was a portion of the scarf which we shall prove was given to her by a man friend, and she was wearing it on the morning she met her death. It would appear probable after her death her assailant tied her own scarf round her neck and in pulling it tight possibly ripped the end off. He then probably put the green scarf round her neck and put her own scarf in her handbag. Having put it in position he was minded to get rid of the torn scarf and took it out of the handbag again, but left behind the little bit, which he may not have noticed. Another feature of the handbag was that there was riot found in it a little green purse which, it would be proved to the magistrates, was owned and carried by her. It would appear probable the assailant, in taking out the major portion of the torn scarf, took out the green purse as well, and might have put them in his pocket". Those were the deductions that he (Mr. Waddy) thought might be drawn from the evidence which would be called before them.

As to what was found at the site of the murder one had got to see in what way that evidence pointed to the accused as being the man who committed the murder. "The first pointer", he continued, "which points to the accused as having committed the murder is the evidence that on the afternoon of May 23rd he walked with this girl from somewhere in the centre of the town up over the golf links and right across it. There is a road from the right leading to the scene of the crime. So far I am in a position to say that the accused has made a statement in which his own story is that on the afternoon of May 23rd he walked with this girl over the golf course. The next pointer is that on May 31st they came into possession of everything he had on him. He was wearing a jacket. That jacket just over the left shoulder has a right angle tear, torn upwards. The evidence will be that the tear is exactly the type of tear that would be made by the barbed wire in that obstruction if he were going through the obstruction backwards. A police officer went through that gap later, and his jacket was torn in exactly the same spot. In one of the accused's jacket pockets there were certain hairs, and I am calling evidence to show that those hairs were exactly the same as those which came from the head of the dead girl. In addition to a comb there was found in his possession a lady's little green zip-fastener purse which was similar to one the dead girl carried in her bag. That is really another pointer. The third pointer which is perhaps more important than any of the others is the scarf which was tied round the girl's neck. It is a very distinctive scarf. It is a green one with white spots upon it. According to what the prisoner told the police he has never had one like it and that it is not his".

He (Mr. Waddy) thought he might call before them a host of witnesses of every kind who would tell them that they had seen Whiting wearing this green scarf with the white spots, and that he was wearing it as recently as May 20th. If that scarf is his, how came it tied tightly round the neck of the dead girl? In public houses the accused, in unguarded moments, had made remarks which were only consistent with an admission that he had strangled a blonde girl, and that the dead girl was a girl who had had her hair bleached. They would hear not one, but several witnesses, who would speak to similar remarks. As the Bench were aware, there was no burden upon the Crown to prove motive for a crime like this, but, of course, if the Crown is in possession of evidence which points to a motive for such a crime the Crown lays such evidence before the Court. In this case they are in possession of evidence which would be laid before the Court pointing to the motive for this man murdering this girl. The motive, in a word, is revenge. Whiting knew and was for some time associated with a young woman named Rose Woodbridge. They lived together for a period, and parted shortly before Christmas last. She left him. There could be no doubt that he was not only, and was still, infatuated with Rose Woodbridge, but his mind was filled with an obsession of resentment against the person who came between him and Rose Woodbridge and caused that separation. Evidence will be called before the Court to show what his feelings were with regard to Rose Woodbridge and what his feelings were towards the person, whoever it might have been, who caused him to lose Rose Woodbridge. There would also be evidence before them, both from witnesses, and again on his own statement, to show that he firmly believed that Phyllis May Spiers, the girl who was murdered, was the person who had caused his separation from Rose Woodbridge. "The prosecution say", Mr. Waddy, continuing, said "that here is a man who hated Phyllis for what she had done, or what he thought she had done, in parting him from the woman with whom he was in love". The only other matter he had to mention was that the accused was arrested on June 26th, and that when he was arrested and charged he said "I am not guilty".

Arthur Charles Spiers, 29, Sidney Street, Bexhill-on-Sea, a milk roundsman, said he was shown the dead body of a woman at the mortuary. That woman was his wife, Mrs. Phyllis May Spiers, aged 22 years. His wife was the woman on the left of the photograph produced. He also recognised his wife in the second and third photographs produced. He was married to his wife on the 11th April, 1932. Her name then was Phyllis May Minter. They lived together for some time, parting on the 13th April, 1934. He last saw her alive about four years ago at Hastings, after she had left him. He had recently commenced divorce proceedings against her.

Kenneth George Andrews, 23, Ethelbert Road. Folkestone, a roundsman said on Thursday, 26th May, after he had finished work he went up to Caesar's Camp and into a coppice at the foot of the hill to get birds' eggs. He started hunting for eggs and while there he saw something that looked like a bundle. He thought that that was approximately about six o'clock in the evening. He looked at the bundle and saw that it was a woman laying there, covered over with what looked like a dark green coat. He could just see the hair and part of the naked leg sticking out. He shouted, thinking there might be someone asleep, and touched the bundle with a stick. He then realised that it was not a sleeping person. He went, away from the place and a little later spoke to a police officer. Some little time after he was taken in a car back to the place with Chief Inspector Hollands and Det. Con. Bates and took them to the spot. The body was in the same position.

Chief Inspector Hollands said at about 6.20 p.m. on the 26th May he received a telephone message and in consequence went with the last witness and Det. Con. Bates to the foot of the hills between Caesar's Camp and Sugar Loaf Hill. The lad took them to a spot where a body was lying. The first photograph in the book showed a view of the coppice looking towards Sugar Loaf Hill. The second showed a view of the coppice from the hill above. About the centre of the picture there was a clearing. He found the body near the foot of a big tree shown in the picture. Picture No 12 in the book showed the body as he first saw it. The last photograph in the book showed where the body was found after it had been removed. The branches of trees near the spot to some extent overhung, but did not completely cover it overhead. Later on the same evening the coat was removed from the body and photograph No. 13 showed the position of the body with the coat off. The next photograph showed the appearance of the body from the other side after the coat had been removed. Photograph 14 also showed a lady's handbag. When he first went there he lifted the coat from off the face and smelt putrefaction. She was quite cold, her arms were stiff, slightly bent, her fingers were half clenched; nothing in the hands and they were stiff. The legs were covered in scratches going in all directions, and these were fresh and unhealed. He noticed her hair was drawn out straight from beyond the head. Her head was pointing towards the field and was slightly downhill. Her face was quite a normal colour and her tongue was slightly protruding between her teeth. Blood issued from the left nostril when he moved her head. The coat that was over the body was sodden wet. There was heavy rain on Wednesday, 25th, and on Tuesday it rained a little between 1.30 and 2.30 p.m. It was fine in the morning on Wednesday, the rain being in the afternoon, and Monday was fine. He noticed that there was a little dirt splashed on the hands of the body, as though from heavy rain. The handbag showed rain marks and the ground all round showed signs of heavy rain. Her frock was pulled up above the level of the breasts in front and right up to the shoulder blades at the back. Dry brambles and leaves were in

the clothing at the back and they were quite dry. She was wearing a pair of knickers, which were torn badly, and appeared to be a new pair. In all the clothing were brambles and leaves, which were also dry. He noticed the girl's shoes, which were damp, but had no mud on them, and there was not any mud on her clothing. The body and clothing gave every appearance of the body having been dragged along by the feet while lying on the back. The ground underneath the body was dry when it was turned over. In the glade where she was lying there was no sign of a struggle and near where she was lying there was a rough footpath, rising sharply from her head towards Caesar's Camp. The ground of the path was chalky and it was slightly damp. At the top of the footpath there was a barrier across it. The branches (produced) was the barrier. Round the neck of the body was a green spotted scarf (produced). The scarf was twisted round the neck twice and knotted as in the exhibit. The knot was on the right of the windpipe and was very tight indeed.

At this stage the Court adjourned for lunch.

Mr. Waddy, on resuming, said he wished to ask that Dr. Barrett, the Police Surgeon, should be present in Court when Sir Bernard Spilsbury and Dr. Roche Lynch gave evidence.

Mr. Stuart Daniel said he objected to that. Dr. Barrett made the first examination and it seemed that the opinion of the cause of death might have been changed since then.

The Chairman said the magistrates did not see why Dr. Barrett should not remain in Court.

Sir Bernard Henry Spilsbury, hon. pathologist to the Home Office, said that on the afternoon of Wednesday, 1st June, he made a post mortem examination at tie Folkestone mortuary on the body of a woman. She was a well nourished woman, about 5ft. 4½ins. in height. Death stiffening was absent. There was no lividity in the face or lips and no tiny haemorrhages on the eyes or the skin of the face. He saw the mark of the ligature which encircled the neck at the level of the larynx. It was pale and there was no injury of the skin beneath it. It was about one and a quarter inches broad in front, three quarters of an inch broad at the side and slightly more than an inch broad at the back. Sir Bernard Spilsbury then described a number of external bruises he found on the face, including the jaw. Along the left collar bone, immediately above the inner end of the right collar bone, on the outer side of the right upper arm, on the inner side of the same limb, on the inner side of the right forearm, on the front of the left shoulder, on the upper part of the front of the arm, on the outer side of the right hip and on the thigh. There were many scratches in the skin, distributed widely, through the right hip and on both thighs and legs, and others on the back of the trunk up to the lower part of the shoulders. There were also scratches on the back of the right forearm, one on the front of the left forearm one across the knuckles of the left hand. In addition he also found the following bruises, which were not visible on the surface, but were visible on cutting through the skin. There was considerable area of bruising of the spine in the lower dorsal region and a bruise one inch in diameter at the same level and one and a half inches to the right. There was a bruise one inch in diameter to the right of the spine in the upper dorsal region. On internal examination there was a small bruise on the upper part of the back of the neck and another on the left side of the forehead. The skull and the brain, with its covering and blood vessels, were healthy and free from injury. On dissecting the neck there was bruising of the left sterno mastoid muscle at its lower end. There was also slight bruising of the corresponding muscle on the right side at the lower end and bruising of the left muscle higher up at the level of the lower jaw. There was a bruise at the upper side of the left main cartilage of the larynx and bruising on either side of that cartilage at the same level. There was slight bruising behind the larynx and there was bruising along the upper edge of the same cartilage which extended upwards. The bone was free from injury. The inner surface of the larynx and trachea was reddened. The tonsils and the glands in the upper part of the neck were very congested, and other organs in the body generally were congested but healthy, and the blood throughout the body was fluid and dark in colour. The mark of the ligature which he found was consistent with the scarf (produced) having been tied tightly round the neck. The deceased was a perfectly healthy woman. The general changes of death from asphyxia were present, namely, the congested organs and the dark fluid condition of the blood. The asphyxia was not produced by the scarf which was found tied tightly round the neck when the body was found.

Mr. Waddy: If it had been tied tightly round the neck during life what would have been the condition?

Sir Bernard Spilsbury: The face would have been very livid and there would have been tiny haemorrhages in the whites of the eyes and the skin of the face. The face must have been livid after death as long as the ligature remained in position.

What conclusion do you come to as to when the ligature was applied? - It was applied after death.

The bruising, he continued, on the left side at the back of the larynx indicated that death was due to strangulation by the hand. The absence of bruising and abrasions on the skin of the neck suggested that

deceased had been rendered unconscious before she was strangled. If a woman was conscious while being strangled she would be likely to struggle violently. The number and distribution of the bruises over the body indicated that the deceased received a number of blows and some of these bruises, and especially those on the face, might have rendered her unconscious. Some of the smaller bruises on the arms might have been produced by forcible restraint and others on the back of the neck and front by her being pressed firmly on rough ground during the course of the struggle. The bruises were all recent and of the same age and were produced shortly before death.

Mr. Waddy: Will you speak as to the possibility of death having been produced by suicide?

Sir Bernard Spilsbury: It is quite out of the question. Proceeding, he said with regard to the scratches on the body they were consistent with the body having been dragged over and through brambles. Assuming that the body was found in a coppice on May 26th and which was not fully exposed to the sun and assuming that there was an odour of putrefaction when the body was found and that rigor mortis was passing off, it was a strong presumption that death occurred not less than three days before she was found. It would be consistent with her meeting her death on the afternoon of May 23rd.

Cross-examined by Mr. Stuart Daniel, Sir Bernard Spilsbury said the absence of putrefaction might mean that the woman had been dead anything short of three or four days. The death from the stopping of an artery would not account for all the signs he found.

Dr. G. Roche Lynch, official analyst to the Home Office, said that he received the jacket (produced) from Chief Inspector Parker and examined it. At the back of the garment, eight inches from the top seam and three inches from the left side seam, then was a tear. The two parts of the tear formed a right angle, the point of which was directed down and towards the right. The fabric of the garment had been torn and not cut. In his opinion, the tear had been produced by some rigid, round, sharp-pointed article perforating the fabric and whilst in that position the jacket had been moved obliquely downward and to the right, so that one part of the tear was directed upwards and the other to the left away from the point of entrance. The tear was in the cloth of the jacket only, the lining being undamaged. A tear of that type was almost invariably produced when such a garment was caught in barbed wire, but, of course, a similar sharp-pointed article, if firmly pressed, could cause similar damage. In the photograph (produced) of a man with a coat which was torn, the coat was torn in the same position as the enlarged photograph of the tear (produced). Looking at the point of the barbed wire in the lower part of the exhibit (produced), if a man went through the gap backwards the point of the barb could produce the tear which he found. He received from Chief Inspector Parker two tubes of semi-liquid material, which appeared to be the stomach contents, which, with the exception of small lumps of fat, showed almost complete digestion. Assuming that those stomach contents were taken from the deceased the condition of them would indicate that some hours had elapsed since the taking of the last meal. On the 8th July he received from Det. Sergt. Skardon a packet of a certain butter. The two kinds of fat that were found in the stomach and the butter showed a general similarity. He had examined the green spotted scarf (produced) and observed from one end of the scarf signs of wear. At one end, in places, there appeared to be impressions in the fabric. There was a very slight sign of wear in the other side and three small holes. He saw the pair of braces (produced) and the marks on one end of the scarf could have been made by the teeth of the clip of the braces if the end of the scarf had been pushed in between the clip and the brace material. If a man wore the scarf round his neck the tails of the scarf would have reached to the clip of the braces. The marks could not have been caused by a second pair of braces (produced), which also belonged to the prisoner. He had received some hairs from Chief Inspector Parker. The hairs bearing certain numbers closely resembled the hairs in slide No. 124. He thought that they were probably from the same head. Two of the hairs came from the inside pocket of the jacket and closely resembled those in the slide, No. 124.

The Chairman announced that Whiting would be remanded until Monday.

Folkestone Express 23 July 1938 – William Whiting's Folkestone police court hearing continues

Local News

Two days of this week, so far, have been occupied at the Folkestone Police Court in hearing the evidence against William Whiting, 38, a Folkestone labourer, charged with the wilful murder of Mrs. Phyllis May Spiers, aged 22, the Folkestone woman, on or about May 23rd last. Last week, when Whiting appeared before the Court, Mr. B.H. Waddy, who appeared together with Mr. J. Donal-Barry, for the Director of Public Prosecutions, opened the case, a number of witnesses, including Sir Bernard Spilsbury and Dr. Roche Lynch, were called.

Whiting appeared in the dock on Monday, and the chief evidence was that given by Chief Inspector Parker, who presented two statements alleged to have been made by the accused. One was of exceptional length,

and it was stated that it occupied 2¾ hours to make. The second was only very short, and in the course of it Whiting was alleged to have said that Mrs Sniers had told him that she was going to do herself in, and when he asked her how she was going to do it said "Strangle myself with a scarf round my neck". The statement also mentioned that she was wearing a green scarf round her neck. The hearing proceeded on Tuesday, and when the case was re-opened, Mr. Waddy first told the Court that one of the witnesses he proposed to call was in Hospital, unconscious and dangerously ill. When all the other witnesses had been heard, Mr. Waddy said that he understood the witness, whose name was Wanstall, would be well enough to attend the Court on Friday, when the case for the prosecution could be concluded. The magistrates thereupon remanded Whiting until to-day (Friday).

The Magistrates were Councillor R.G. Wood, Alderman G. Spurgen, Mr. L.G.A. Collins, Alderman J.W. Stainer and Mrs. A.M. Saunders.

The Court was held in the large hall of the Town Hall, and when the hearing of the evidence was resumed on Monday the balcony was crowded with the general public.

Whiting was provided with a chair in the dock, but for the major portion of the day he remained standing, and it was very rare that he spoke to his counsel, Mr. J. Stuart Daniel, who was instructed by Mr. Lloyd Bunce.

Dr. William Claude Percy Barrett, Police Surgeon, said on Thursday, 26th May, he went to the coppice near the foot of Caesar's Camp, where he saw the dead body of a woman. He saw a green scarf with white spots (produced) around the woman's neck. It was round the neck twice and tied tightly with the knot pressing on the right side of the neck. It was close under the chin and above the larynx. He saw it cut and removed from the neck. The colour of the woman's face was natural, and the expression on it was peaceful. There was no blueness of the face, and the tongue was just between the teeth. It was not injured. The nose was bruised and there was blood exuding from both nostrils. It was consistent with a blow on the nose shortly before death. Rigor mortis was definitely present. He did not make a thorough examination in the coppice. The lower jaw and the fingers were stiff. When they turned the body over there were scratches on the left shoulder blade, and the position of the hair and clothing gave the impression that the body had been dragged by the feet. Dr. Barrett, proceeding, said later in the evening he conducted a post-mortem examination in the Folkestone mortuary. On examining the body he noticed a smell of putrefaction. All the joints were affected by rigor mortis. The head, shoulders and the hips were stiff, but they were movable. This he attributed to the body having been moved to the glade. Rigor mortis was usually complete in from ten to eighteen hours after death. The usual time was ten to twelve hours. Rigor mortis usually lasted for 48 to 72 hours. The length of rigor mortis depended on climatic conditions. Under cool conditions it lasted longer and was slower in its onset. Continuing, Dr. Barrett said there was a bruise on the lower jaw, three on the forehead, three on the inside of the right arm, one three inches in length on the inner side of the left arm, and two immediately below the collar bone. There were other bruises not evident at the time. During the post-mortem examination he found two collections of fly eggs on the body. Fly eggs were laid as soon as the body putrefied. At a temperature of about 50 degrees Fahr. such eggs would take about three days to hatch. At about 8 p.m. on May 27th he saw the body again. He found, by testing, that rigor mortis had disappeared, and the body was limp. He also took the contents of the stomach at that examination. Witness said he showed the body to Sir Bernard Spilsbury on June 1st, and was present when he made his examination.

Mr. Waddy: What is your opinion as to the cause of death?

Dr. Barrett: Strangulation caused by compression of the carotid arteries, causing immediate death.

Having regard to the dissection of the neck, what is your present opinion? - Having regard to what I have seen since I think death was due to pressure on the arteries rather than obstruction of the air passages.

In all the circumstances, what do you say about how long before the time that you saw the body on the evening of May 26th do you think death took place? - At least two, or probably three, days.

Witness was cross-examined about the evidence he gave at the inquest and the opinion he expressed then as to the length of time the woman had been dead.

Mr. Stuart Daniel, referring to the evidence given at the inquest, read: "The deceased had, in my opinion, been dead not longer than two days" - you said that on oath?

Witness: Yes.

Later, witness said he could not remember what he said, but if counsel had it in writing he would admit it. Continuing, witness said the scratch on the left shoulder blade was caused after death.

Mr. Daniel: Were all the others, in your opinion, incurred before death?

Witness: Quite definitely.

As to the cause of death, do you disagree with Sir Bernard Spilsbury? - I do disagree with Bernard Spilsbury. In my opinion it was caused by the tightening of the ligature.

Mr. Stanley Seymour Harrison, a photographer, of Tontine Street, Folkestone, gave evidence of the photographs he had taken of the body in the coppice and also of others taken when a tailor's dummy was used in connection with the obstruction, consisting of branches of trees and a portion of the fence.

Mr. Bertram Harry Bonniface, Deputy Borough Coroner, said he had in his possession a report made by Dr. Barrett to the Coroner of the post-mortem examination on a woman unknown and put in at the inquest.

Dr. Barrett, re-called by Mr. Waddy for re-examination, said the report produced was the report he made to the Coroner.

Det. Inspector James O'Brien, of New Scotland Yard, gave evidence of taking photographs of a green scarf, a pair of braces, and a handkerchief. One of the photographs showed holes in the green scarf made by the clip of the braces.

Mr. Robert Henry Bird, a photographer employed by a firm known as Holiday Snaps, said the photograph of Mrs. Spiers produced was taken on the promenade near the Royal Victoria Pier at approximately 11 a.m. on Saturday, May 21st.

Mr. Alfred James Carter, of Ramsgate, a photographer employed by the same firm, said he took the photographs produced near the Zig-Zag Cafe on Saturday, 21st May. It was a photograph of Mrs. Spiers. The other photograph of Mrs. Spiers was taken on Monday, 23rd May, at about 11.30 to 12 a.m., judging by the shadows. He noticed that she was wearing a scarf - it might have been a lined or spotted scarf.

Mr. Geoffrey Poole, Borough Surveyor's assistant at Folkestone, produced a plan of the coppice where the body of Mrs. Spiers was found.

Mr. Douglas S. Moncrieff, 23, Guildhall Street, Folkestone, in charge of the meteorological department of Folkestone, said on 23rd May the maximum temperature was 64 degrees Fahr. and the minimum 42 degrees Fahr. The minimum grass temperature was 36 degrees. There was no rainfall. On Tuesday, 24th May, the maximum temperature was 63 degrees, and the minimum 44. There was no rainfall recorded at 10 a.m., but at 6 p.m. there was 0.01 inches recorded. On Wednesday, 25th May, the maximum temperature was 59 degrees Fahr. and the minimum 48 degrees. There was a fall of rain of less than .005 inches at 10 a.m., and at 6 p.m. .3 inches of rain. On Thursday, May 26th, the maximum temperature was 61 degrees, and the minimum 46 degrees. The rainfall at 10 a.m. was .02 inches, and at 6 p.m. nil.

Cross-examined by Mr. Stuart Daniel, witness said there was no rainfall on Sunday, May 22nd.

At this stage the Court adjourned for lunch.

When the case was resumed, Mr. Stuart Daniel said he had a short application to make on behalf of the prisoner, who complained that he had not been given anything to drink since breakfast time.

The Chief Constable (Mr. A.S. Beesley) said he did not know whether it was intoxicating liquor, but if it was anything else it could be prepared for him.

Mr. Stuart Daniel: He is asking for a pint of beer.

The Clerk said that was not possible as it was intoxicating drink.

The Chairman said it was not really a matter for them to deal with

Det. Con. Bates, the Coroner's Officer, said he went to the coppice at the foot of Caesar's Camp, where he saw the body of the dead woman. There was a smell of putrefaction. He saw the fly eggs, and collected them in a glass tube, which he placed in a drawer at the Police Station. He examined it from time to time, and on Sunday, 29th, at 9.30 a.m. he found that the eggs had hatched, and the grubs were crawling. The approximate temperature of the office was 50 degrees Fahr. Continuing, witness said he showed the body of the woman to Mr. Spiers, to a Mr. Santer and Mr. Wanstall. On 31st May, in the evening, he took the

prisoner to an outfitter in Folkestone and purchased him a complete change of clothing. He changed into the new clothing at the Police Station, and witness took possession of all the clothing he had been wearing.

He was wearing a trilby hat, trousers and braces, and a jacket with a tear. These he produced. The green zip-fastener purse (produced) was found in the left-hand pocket of the jacket.

Mr. Waddy pointed out that was the pocket from which Dr. Roche Lynch had said he had taken certain hairs.

Mrs. Bernice Katherine Hegarty, 18, Mead Road, Folkestone, said she had known Mrs. Spiers as "Phyllis Minter" for about 3½ years. She recognised the handbag which she knew belonged to the murdered woman. She had a green purse which was something like the one produced. Witness could not say whether it was the same one. She remembered the murdered woman wearing a scarf, a plaid sort of thing with a white and black fringe. The piece of material produced was exactly like the scarf the murdered woman used to wear. She had never seen Phyllis wearing a green spotted scarf like the one produced.

Mr. Daniel: When was the last time you saw Phyllis?

Witness: On the Saturday before she was found.

Det. Sergt. Johnson said that on the evening of the 26th May he went to the coppice at the base of Caesar's Camp. He took possession of the handbag (produced). He examined the contents of the bag, and found the piece of scarf (produced) in the bag. On the 27th May he made a search round the site and found a comb with one end broken off. He examined the ground between the spot where he found the comb and the barrier. The ground had the appearance of having had a heavy object dragged over it in the direction of the barrier. Near the spot where he found the comb he found a long hair, which he put in an envelope. One hair was taken from inside the collar of the coat covering the body. Another hair was taken from under the left lapel of the coat, and another from the right lapel of the coat. He also found a hair on the bramble over the body. He took a hair off the fence post which formed part of an exhibit. In another envelope he placed three hairs from the prisoner's hat. He took some hairs from the head of the deceased woman at the mortuary and placed them in an envelope. On the 11th July last, in the presence of prisoner's solicitor, he took four hairs from the prisoner's head. On the 31st May he went to the common lodging-house at 50, Dover Street. He then obtained from the deputy a suitcase full of property. He showed them to the prisoner. Amongst the things were some photographs which prisoner intimated he would like. He found a blue and white pair of braces in the case. There was no scarf at all. He handed all the property to Chief Inspector Parker. On the 7th July he purchased half a pound of a certain make of butter and sent it to Chief Inspector Parker.

Robert John Read, 50, Dover Street, Folkestone, said he was the deputy of the lodging-house in Dover Street. He had known Whiting well for six to eight years. Prisoner had stayed at the house and was in and out of the house about two months ago. He kept a daily record of the men who stayed in the lodging-house. On the 23rd, 24th, 25th and 26th of May Whiting was booked to stay the night. He was occupying bed No. 25. He had a suitcase under his bed, which he handed to a police officer. He could not remember the date, but it was about the end of the week. There was an old bus driver's coat over the bed.

Mr. Stuart Daniel: Were there any braces lying about?

Witness: I don't remember any.

There was a certain amount of stuff lying about belonging to various people? - Yes, various articles.

If you find things lying about, and you do not know to whom they belong, do you put them in his suitcase?
- Yes, I do if the man has one.

I suppose things sometimes get into a muddle? Yes, they pretty often get into a muddle.

Chief Inspector W. Parker, New Scotland Yard, said on May 27th he went to the coppice with Det. Sergt. Skardon. They went again the following morning and examined the clearing. From the state of the ground it was quite clear that some heavy object had been dragged to the obstruction in the pathway. He saw the prisoner at the Folkestone Police Station on May 30th. He was accompanied by Det. Sergt. Skardon. He said "We are police officers from London making enquiries concerning Phyllis May Spiers who was found dead on May 26th at Caesar's Camp. I believe you knew her." He replied "Yes." Witness then said "I desire you to tell me all you know about this woman and your association with her". Whiting replied "I will tell you what I know".

Mr. Daniel questioned Det. Inspector Parker about the circumstances and the conditions when a statement was taken from Whiting.

Mr. Daniel: What was the time when you first came in contact with him?

Det.-Inspector Parker: About ten o'clock at night.

Do you know how long he had been in the Police Station then? - No, I do not.

Would you be surprised to know that he had been there since 7.30? - No, I should not be surprised.

What time did he leave that evening? - I finished with him somewhere about two o'clock in the morning, but, of course, there were interruptions in between. I had to see other people, and he had his story to tell me, and his statement was taken after.

Are you sure it was not later than that? - No.

It was exactly two o'clock? - Yes.

Did you make him strip at this interview?

The Magistrates' Clerk: At what stage, in the course of making the statement?

Witness: After the statement had been taken from him in writing.

Mr. Daniel: At what time between ten and two was the statement taken?

Det.-Inspector Parker: He commenced to tell me his story about ten o'clock or shortly after, and I should think the statement was commenced round about eleven o'clock.

How long did it take to get it down? - About 2¾ hours. It was written down carefully and very slowly.

Did he sign it immediately? -After the statement had been read over to him.

Whiting: You never read it over to me.

Mr. Daniel: Are you sure it was read over to him?

Det. Inspector Parker: I am positive.

Did you say "Now sign here and walk out a free man."? - No, I certainly did not.

Did you say anything of that sort? - No.

Was anything of that sort said to the prisoner in your presence? - No.

Did he have anything to drink during this time? - Whilst I was there, no.

You were there all the time? - During the time I have mentioned

Whiting, in his statement, said: "I am a widower, my wife died on 3rd May, 1936. She was strangled by George Arthur Bryant, who was afterwards executed at Wandsworth. I was at the time of her death living apart from my wife. I had three children by her. My wife left me in 1935." Later, went on the statement, he lived in Dover with a Mrs. Woodbridge. She left him in November, 1937, after her mother received a letter from a landlord in Folkestone saying that her daughter was drinking in public houses. While he was living with Mrs. Woodbridge a young girl, who Mrs. Woodbridge said was named Phyllis Minter, came to see her. In his statement Whiting said he met the murdered woman on Monday, May 23rd at about 12.30 p.m., and they went to the Globe public house on The Bayle. They stayed for about ten minutes. While they were there she said she could get married again. "I said 'Can you?'" continued Whiting's statement, "and read the divorce papers. She said 'Why don't you marry me and let's go back to Dover?'" The statement then went on to describe how Whiting and the girl went to the golf links. "We sat down on the grass", it continued, "when she pulled out something wrapped in brown paper. Some stitches and a ring, a little bone ring. She said they were stitches which had been taken out of her operation. We were both thinking. I don't know what was the matter with her that day. She was not cheerful. She did not speak much. I believe there was something worrying her. I have seen her like it at Dover when she came in staring at me. I cannot say what was on her mind. Perhaps it was because she was down and out. I said

nothing to upset her". Continuing, the statement described how they made their way to Cherry Garden Lane and into Cheriton Road, after crossing the golf links. "I told her that I worshipped Rose", it continued. "I said 'If Rose does not come back I shall never settle down again'. I did not see Phyllis at all on Tuesday. Phyllis and I did not discuss living together before last Monday".

Continuing his evidence, Chief Inspector Parker said he examined the prisoner's body, and there were no scratches on it. He was wearing a blue cloth jacket. At the back of the jacket, at the point of the left shoulder blade, there was a right angle tear. Witness asked him where he tore his jacket, and he replied "I don't know where or when I did it". He showed him the green scarf and asked him if he recognised it. He replied "I have never seen it before. I have not worn a scarf myself for a long while, and I have never had one like that". At about 11.15 p.m. on June 1st he, together with Det. Sergt. Skardon, saw the prisoner and went through the statement up to the point where he referred to sitting on the grass on the golf course on May 23rd. Whiting then made a statement which witness immediately instructed Sergt. Skardon to write down. Witness said to the prisoner after the statement had been taken "Would you care for this statement which you have just made to be taken down in writing?" He replied "Yes, it is quite true". The prisoner was taken to the Chief Constable's office, where he was cautioned, and the statement was read to him from Det. Sergt. Skardon's notebook. The statement was as follows: "When we went on to the golf course on the Monday, the day I have already told you about, I mean when I was with Phyllis and when we were sitting on the grass, she was very quiet, and I said 'What is the matter?' She said 'I am fed up and I am going to do myself in'. I said 'How are you going to do it?' and she said 'Strangle myself with a scarf round my neck'. She was wearing a green spotted scarf. After we got up and walked across the golf links. She was very quiet and kept saying she was fed up. I have not seen her since that Monday, 22nd May, 1938." "I might tell you that she was partly the cause of Rose Woodbridge leaving me", the statement concluded. Describing how the last sentence of the statement came out, witness said before Whiting made the last part of the statement there was some delay. He was very quiet and he appeared to be thinking very deeply.

The case was at this stage adjourned until the following day.

Before the evidence for the prosecution was continued on Tuesday Mr. Waddy referred to a witness who was unconscious and in Hospital. He said one of the witnesses he proposed to call that day was in Hospital dangerously ill. An officer was waiting to see if he regained consciousness, and if he did it might be necessary to take an examination of the witness at the Hospital, which was permissible under the Criminal Law Amendment Act, 1867. It was important, he continued, that if a witness was ill and not likely to recover that it should be done. The Court would adjourn to the Hospital.

The Chairman of the Magistrates: It is very unfortunate.

Mr. Waddy: I understand it was only this morning that the witness was admitted to the Hospital unconscious.

When the day's proceedings were brought to a close, Mr. Waddy said he could have completed all the evidence had it not been for the unfortunate illness of the witness, Wanstall, who was still in Hospital. He was told that Wanstall was expected to be there to give evidence on Friday.

It is understood that a man named Frederick Wanstall, of Invicta Road, an employee of the Folkestone Golf Club, was found unconscious at the edge of a pond on the golf links on Tuesday morning. His clothing was wet, and he was taken to the Royal Victoria Hospital, where he was detained.

Chief Inspector Parker went into the box for the purpose of Mr. Stuart Daniel continuing his cross-examination.

Mr. Stuart Daniel: Why did you read through his statement?

Witness: I was endeavouring to test the accuracy of his statement.

During the interview was it you that first mentioned suicide? - No.

Det. Sergt. Skardon? - No.

Det. Sergt. Skardon, New Scotland Yard, said on the afternoon of 27th May, 1938, he went with Chief Inspector Parker to a coppice near Caesar's Camp. It was raining heavily at the time. He noticed a clearing to the west of the barrier which was an exhibit. There were signs as if some heavy object had been dragged towards the barrier from a spot about ten to fifteen feet away. He was present when the statement was made by Whiting. Prisoner was wearing a blue jacket which had a right-angle tear. Chief Inspector Parker said "Where did you tear your jacket?" and he replied "I don't know where or when I did

it". He saw Chief Inspector Pinker produce the scarf and said "Do you recognise the scarf?" Whiting said "I have never seen it before. I have not worn a scarf myself for a long while, and I have never had one like that". On the 1st June he was present throughout the interview in which the second statement was made. On the fourth June he posed for the photograph (produced). On the 8th June he posed for a second photograph. He went through the barrier backwards, the only practical way, wearing a blue tunic. He tore his tunic on the barb of wire which he saw in the exhibit. He tore it on the left shoulder blade. That tear was quite accidental though he knew there was a barb there and there was a chance of tearing it.

Mr. Stuart Daniel: You have seen both these tears, have you?

Witness: Yes.

They are quite a different shape? - 'Yes, they are different materials.

The weave in the two coats runs at the same angle from the shoulder? - Yes.

Was it not you or Inspector Parker who first suggested suicide? - No.

Did you say to the prisoner "He is trying to help you"? - No.

Pte. Harold Wall, of the 1st Bn. Royal Berkshire Regiment, stationed at Shorncliffe, said that he recognised a girl in the photograph (produced) as Phyllis Butcher. He met her first about last March. He became friendly with her, and they lived together as man and wife from about 15th to the 19th May in Sandgate. In the photograph he saw that Phyllis was wearing a scarf. It was his scarf. The piece of scarf (produced) was part of his scarf. On two sides it was plain and on the other two a sort of fringe. He had the fringe cut off and the ends bound over. One side of the material produced showed where it had been bound over. He last saw her on the 19th May, and he left the scarf behind him. He went to Aldershot. He had never seen the green scarf (produced) in Phyllis' possession.

Mr. John Joseph Hearst, 100, Joyes Road, Folkestone, manager of Messrs. Hepworth's, Folkestone, said they stocked a similar scarf to the one produced. They stocked them from October, 1936, to November, 1937. He might have had them in stock after that date, but could not say definitely. They were definitely again in stock from October, 1937, to February or March, 1938.

Mr. Stuart Daniel: It's a very common type of scarf isn't it?

Witness: Yes.

Mr. Joseph Charles Kember, 4, Shakespeare Road, Dover, employed at the Folkestone Employment Exchange, said he knew the prisoner by sight, and had interviewed him in connection with his duties. He last sent him to work on the 19th April to the Esplanade Hotel. He noticed he was wearing round his neck a scarf or neckerchief. It was dark green with white spots. The green scarf (produced) was very similar to the one he wore. It was tied at the left-hand side of the throat. He would think that it was wound twice round the neck and then tied. It appeared to be in a reef knot. He saw him wearing the scarf on the 21st April. On the 16th to 20th May, to the best of his recollection, Whiting was wearing the scarf. That was the last time he saw him wearing the scarf. He next saw him on the 30th May, but he could not say whether he was wearing a scarf at all.

P.C. Pearce, Dover Borough Police, said on the 9th April last the prisoner was in his charge at Dover for about three-quarters of an hour. He noticed that he was wearing a bottle green scarf with dirty white spots around his neck. The green scarf (produced) was very similar to the one that he saw. The scarf was wound round prisoner's neck twice and tied in a small knot on the left-hand side of his neck.

Mr. Stuart Daniel: I want to get it quite clear it was not in connection with any criminal offence that he was in your charge?

Witness: No.

Mr. John McKinnon Taylor, 24, Walton Gardens, Folkestone, a clerk in the Folkestone Employment Exchange, said that he knew the prisoner by sight. He went on leave on the 21st May and returned on the 30th May. He last saw the accused on Friday, the 20th May, before he went on leave. On that occasion Whiting was wearing a green scarf with white spots round his neck quite similar to the one produced. He had frequently seen him wearing the green scarf. He saw the prisoner on the 30th May, and he was not wearing any scarf then, and he had never seen him wearing a scarf since that date.

Mrs. A.M. Wright, of 9, Garden Road, Folkestone, said she recognised Mrs. Spiers in the photograph. She came to her house on Saturday, 21st May, and witness let her a room in the name of Phyllis Minter. She stayed in the house on Saturday night, and on the Sunday night, and witness took her bread and butter and tea into her room on Monday morning. She used a certain kind of butter. On Monday morning witness went out with Phyllis, and they walked into the town. They did some shopping and left each other at 10.25 a.m., when witness caught a bus in Sandgate Road. She had not seen Mrs. Spiers since, but she had an appointment to meet her at the Lido at 7.45 p.m. on the Monday. Witness kept the appointment, but Mrs. Spiers did not arrive. Witness went home and waited for Mrs. Spiers. The comb produced belonged to Mrs. Spiers. She saw it on the chest of drawers by the side of her bed. As far as she could see Phyllis did not have a green scarf similar to the one produced.

Mr. Hubert Pynaert, a waiter at the Royal Pavilion Hotel, said he first saw Mrs. Spiers at the hotel, where she was working, about a year ago. He had only seen her once this year, on May 23rd, at 9.40 a.m., and he was with her until 12.30 p.m. During that time they walked by the beach. She was wearing a dark scarf with light lines in it. The piece of material produced was similar to the scarf.

Mr. Charles Leonard Varrier, of 13, New Street, Folkestone, said he knew the prisoner and Mrs. Spiers. He knew her as the "Minter girl". He last saw her on May 23rd at about 1.30 p.m. or 1.40 p.m. on the corner of New Street. He saw Whiting come out of a shop and go over to her. They both turned the corner of Bradstone Road together.

Mrs. Lilian Maude Varrier, wife of the previous witness, said she knew the prisoner. She saw him on Monday, May 23rd. He went to the corner of Bradstone Road and New Street, where he met a girl wearing a long blue coat.

Mrs. Norah Laws, of 68, Foord Road, said she knew the dead woman as Mrs. Butcher. She came to her house on a Thursday in May and took a room. She stayed for two nights, Thursday and Friday nights. She left without paying witness. Continuing, witness said she saw Mrs. Spiers the following Monday at dinner time. She was with a man. Mrs. Spiers ran after her and spoke to her. She saw Mrs. Spiers and the man cross over by the Foord baths. That was the last she saw of her.

Mr. William David Marsh, of 18, Clarence Street, Folkestone, a Folkestone Corporation employee, said he had to do some repair work to paving stones in Radnor Park Avenue, opposite the Peter Pan Pool. On Monday, May 23rd, he saw Whiting and a woman pass, going in the direction of the golf links. He did not know the woman.

William J. Harbird, of 23, Allendale Street, Folkestone, a gardener, employed at 7, Julian Road, said he saw Whiting in Radnor Park Avenue either on May 23rd or 24th with a woman. They were going towards the golf links. The woman was wearing a blue coat and was hatless. He recognised the young lady in the photograph produced.

Mr. Harry James Santer, of 5, Pavilion Road, Folkestone, a groundsman employed by the Folkestone Golf Club, said on June 1st he was shown the dead body of a young woman. He had seen her before on May 23rd at about 1.20 p.m. on the beach road at the Folkestone golf links. Whiting was with her. He saw the girl sit down on the bank and Whiting standing about nine feet away from her. He noticed that the girl was very red under the eyes, and it appeared to him as if she had been crying.

Mr. Waddy said the next witness he wanted to call was the one in the Hospital.

Mrs. Florence Thompson, of 19, Hamilton Road, Dover, said she knew the dead woman, Phyllis, and Whiting. She had noticed that the prisoner wore a green scarf similar to the one produced. She had seen him wearing the scarf at Dover on several occasions. Once, when she came over to Folkestone she saw Whiting at the Guildhall Hotel a day or two before May 30th. She went to various places, and eventually to the South Foreland public house with Whiting. Witness mentioned she knew a girl called Rose. Whiting told her that he thought a lot of Rose, and he did not know the reason why she left him. Witness said she happened to mention Phyllis' name in Jordan's public house, and Whiting said "If you don't keep your mouth shut I will put you on the spot". Witness said it was a shame Phyllis was murdered, as she was a decent girl. Whiting asked her how she would like a scarf round her neck. "He said 'You can do a murder without finding the print marks or the foot marks'", continued witness. "I said 'No, it would not pay you to'", added witness.

Mr. Robert William Weatherhead, of 35, Darlington Street, Folkestone, said he knew Whiting well. He remembered a "noisy" evening at the Guildhall public house on a Friday about 23rd or 24th June. Whiting was in the saloon bar and came round to the public bar and played a game of darts with witness as his partner. Whiting was abusive to the landlord, and witness tried to pacify him. Whiting tucked up his

sleeves and rushed towards the counter. Witness tried to pull him back, and he said "You ----. I will serve you the same as I served the blonde".

Mr. Daniel: I think I will have an objection to this evidence.

Mr. Waddy: How can there be any objection?

Witness said that Whiting had had one or two drinks.

Mr. Daniel said he did object to the evidence. It was not admissible against him unless it amounted to a confession or admission of facts which tended to prove that he committed the crime. Taken at its worst, the evidence amounted to nothing more than the admission of a violent act on an unspecified person.

The Chairman of the Magistrates said they did not find any grounds on which they could object to the evidence going in.

Mr. William W.H. Hall, of 16, Great Fenchurch Street, Folkestone, said he had seen Whiting with Rose Milton (Mrs. Woodbridge) at the Elham Institution. Whiting stayed with witness in March for about two weeks. He said he wished he was back with Rose, and if she ever wanted to, he was willing to start a home. Witness knew they had been living together. Whiting used to talk about her a lot. Whiting wore a green scarf with white spots on it. He wore it twice round his neck and tucked inside his jersey.

Mrs. Daisy E.C. Hall, wife of the last witness, said Whiting seemed very upset that Rose had left him, and blamed the girl's mother. She did the prisoner's washing, and she remembered that he had a green scarf with white spots on it.

Cross-examined, witness agreed that Whiting had only one pair of braces.

Mrs. Elvey Flynn, of 21, Fenchurch Street, Folkestone, said she knew the murdered woman as Phyllis Minter. She also knew Rose Milton, Whiting and Mr. and Mrs. Hall.

Whiting asked her on one occasion if she had seen Rose. She replied she had not seen her since the time she came out of the pictures. He said "Have you said anything to her?" and she replied "No". He then asked her if she knew anyone who had, and did she think Phyllis had said anything? He said if he did find out anybody who did tell her anything he would strangle them. Witness noted that the prisoner wore a green scarf with white spots on it. The scarf produced was the scarf. She had seen him put it on. He knotted it in front and twisted each end round his braces.

Mrs. Rose Cathleen Woodbridge, of the Eight Bells lodging house, King Street, Canterbury, said she knew a man named Milton, and for a time lived with him as his wife. While she was living with Milton she got to know a girl named Phyllis Minter. On 4th September, 1935, she married Mr. Woodbridge and lived with him for nearly a year. After she had separated from him she lived with the prisoner. At that time she had known Whiting for just over a year. She lived with him until a fortnight before Christmas, when she went home. She had been to the Alexandra public house, Folkestone, with Phyllis while she was living with Whiting. When she got home she told Whiting about two fellows who had asked her and Phyllis to go away with them. Whiting started to get a bit rough over it. He said "If you don't stop going about with Phyllis I shall do something wrong". He said he would try to strangle her (Phyllis), and witness told him to be careful as walls might have ears. Later on her (witness's) mother came and took her home, and Whiting was quite upset. She had not seen him since she left him.

While Whiting lived with her he wore a green scarf with white spots round his neck. It was similar to the scarf produced. She had worn the scarf which he had said he had purchased from Hepburn's near the Savoy Picture Theatre.

Mrs. Woodbridge, accompanied by Mr. Lloyd Bunce and Det. Segrt. Skardon, was taken out to identify the shop. When she returned she said it was Lewis and Hyland's.

Cross-examined, witness said Whiting had only one pair of braces.

Alfred James Moore, of 10, Dale Street, Chiswick, said in the early part of the year he was employed as a clerk in the Public Assistance Department at Folkestone. He had seen the prisoner on several occasions in the middle of March and he noticed that he was wearing a green scarf with white spots.

Mr. Waddy said had it not been for the unfortunate illness of an important witness he could easily have finished. He was unable to call a man named Wanstall, who was in Hospital. He was told that they expected to have Wanstall there to give evidence by Friday. It was just possible that in calling him he might have to call one more witness to fix a certain place and date.

Whiting was remanded in custody until today (Friday).

Folkestone Express 30 July 1938 – William Whiting's Folkestone police court hearing continues and he is committed for trial at the Old Bailey

Local News

The evidence for the prosecution in the case known as the green scarf murder case was completed at the Folkestone Police Court on Friday, when William Whiting (38), a labourer, of Dover Street, Folkestone, charged with the murder of Mrs. Phyllis May Spiers, who was found strangled at the foot of Caesar's Camp on May 26th, was committed for trial at the Central Criminal Court.

The case would have been completed earlier in the week, but Mr. B H. Waddy, for the prosecution, was unable to call Frederick Wanstall, an important witness, who was stated to be unconscious in the Hoyal Victoria Hospital.

First of all on Friday Mr. Waddy recalled Mr. J.C. Kember, a clerk at the Folkestone Employment Exchange, who corrected a date he gave in evidence at the previous hearing. He said he sent Whiting for a job on March 19th, and not April 19th.

Frederick Wanstall, 17, Invicta Road, Folkestone, a groundsman employed by the Folkestone Golf Club, said at the beginning of June he was taken to the mortuary and shown the dead body of a girl. He saw the girl on Monday, 23rd May, at about 2.30 p.m. Witness was cutting the 16th tee on the golf course, which was close to the road known as Cherry Garden Avenue or the New Road. The girl was accompanied by Whiting, and they passed within four or five yards of him going towards Caesar's Camp. He went on with his work and saw the couple going up Waterworks Hill. He saw them up to the bend, when they disappeared from view.

Beyond the bend there was a stile, and by getting over it a person could follow a cow track round the foot of Caesar's Camp to Sugar Loaf Hill and into the New Road again.

Mr. Waddy said that was the evidence he called for the prosecution, and upon that evidence he would ask the magistrates to commit the prisoner for trial at the next session at the Central Criminal Court. There was no Kent Assizes for many months. There would be a session of the Central Criminal Court in the early part of September.

The prisoner reserved his defence, and said he would call witnesses at his trial.

The Chairman (Councillor R. G. Wood) said Whiting would be committed for trial at the Central Criminal Court.

Folkestone Express 6 August 1938 – William Whiting's counsel retained

Local News

We understand that Mr. St. John Hutchinson, K.C., has been retained as leading counsel to defend William Whiting, the Folkestone man charged with the murder of Mrs. Phyllis May Spiers, on his trial at the Central Criminal Court, in September.

Folkestone Express 10 September 1938 – announcement of the date of William Whiting's trial

Local News

The Folkestone murder charge will open at the Old Bailey, London, on Monday, that day having been fixed after the opening of the Sessions on Tuesday. The case will, it is expected, last for at least two days.

William Whiting, a Folkestone 38 year old widower, is charged with the wilful murder of Mrs. Phyllis May Spiers, aged 22, who was found dead at the foot of Caesar's Camp with a green scarf round her neck. It was stated at the Police Court proceedings in July that she had been strangled.

Amongst the witnesses for the prosecution will be Sir Bernard Spilsbury, Dr. Roche Lynch, Chief Inspector Parker and Det. Sergt. Skardon, two officers sent down by Scotland Yard, to carry out the investigations into the crime.

Mr. Roland Oliver, K.C., the Recorder of Folkestone, will appear for the prosecution, and Mr. St. J. Hutchinson, K.C., will be the leading counsel for the defence.

Folkestone Express 17 September 1938 – William Whiting is tried at the Old Bailey

Local News

The Folkestone murder trial at the Old Bailey has occupied three days this week, and last (Thursday) evening, when the Court rose shortly before six o'clock, all the evidence for the prosecution and defence and the counsels' closing speeches had been heard. Mr. Justice Wrottesley, before whom the case is being heard, will give his summing up this (Friday) morning, and it is expected that the jury, of whom three are women, will give their verdict today.

The large number of exhibits were displayed in the Court, and the branches of a tree in a frame were placed in front of the dock. This was closely inspected by the jury on Wednesday when the Court rose for luncheon. It was alleged by the prosecution that the accused man came through the branches backwards, dragging the body of the murdered woman, and that a barb in a portion of the wire fence tore his coat on the shoulder.

The case was fixed to start on Monday, but owing to another case, which was not finished last week, occupying the greater portion of the day, it was decided that a start should not be made until the following day.

When Mrs. Rose Woodbridge was giving evidence on Wednesday the accused man cried in the dock.

The trial opened on Tuesday, when William Whiting, aged 38, a well-known Folkestone labourer, was placed in the dock on the charge of the wilful murder of Mrs. Phyllis May Spiers, aged 22, of Folkestone, on or about May 23rd, near Caesar's Camp. She was found lying dead, covered with a coat, having apparently been strangled, on the evening of May 26th. When the charge was put to him Whiting pleaded not guilty.

Mr. Roland Oliver, K.C., the Recorder of Folkestone, and Mr. B.H. Waddy were for the prosecution, and Mr. St. J. Hutchinson, K.C., and Mr. J. Stuart Daniel appeared on Whiting's behalf.

Mr. Roland Oliver said the object of his opening speech was to try to place the story before the jury so that they could have the general case of the prosecution. The best way, he said, was to put before the jury plans. At the top of one they would see marked three hills, forming the prominent feature of the landscape. A dotted line marked a line of thickets expanding the whole length of the foot of the hills. In places the thicket was extremely thick. Continuing, he said one way of getting to the thickets would be to go through various streets of the town. When they arrived at the golf course they walked to the left, which brought them into a road called Cherry Garden Avenue. When they got to Cherry Garden Avenue they turned to their right and went up towards Castle Hill. There was a stile which they could get over, and in that way walk along the hill side of the thicket. It was a very solitary place, and a very secluded place. The body was found some three-quarters of a mile round the thicket in the neighbourhood of Sugar Loaf Hill. She, and presumably her murderer, must have walked along that track to the secluded spot where she was murdered. It was a rough walk, and the jury would probably come to the conclusion that a man and woman would not go to such a place as that on a mere pleasure walk. Several reasons might occur to them. From that point of view it was right that they should know something about the woman. Mrs. Spiers was 22, and was married before she was 17. She lived with her husband for two years, until 1934, and then they parted, and her husband had never seen her again. "I am afraid there is no doubt that she was a young woman who was of an extremely immoral character," continued Mr. Oliver. "She had affairs with a great many men, and was, therefore, a young woman who might have gone to that place with almost any type of man, certainly a good many. The prisoner knew her quite well". Mrs. Spiers, he said, was practically destitute. She made a practice of staying a night or two at lodgings, without any luggage, and invariably disappeared without paying. The manner of her murder, explained Mr. Oliver, was apparently plainly written on the scene of the crime and on her body. She had obviously been violently attacked, probably with fists, and beaten into a state of unconsciousness before she was actually murdered. After that she had been dragged further into the thicket, because the place where she was first attacked could be seen from part of one of the hills that overlooked the thicket. The body was dragged by the murderer deeper into the thicket to a place where it could not be seen unless somebody went right into the thing. "Our case is that, the body lay there from May 23rd to the 26th", he added. A blue coat was thrown over the body, and round the neck, tied twice and tightly knotted, was a green scarf which was one of the salient pieces of evidence in the case. Whether the scarf was tied round after or before death did not matter. Whether the scarf murdered her or bare hands, it did not matter. The murderer had to drag the body, and he, presumably, walked backwards, dragging the body by the feet. He had to go past a piece of barbed wire in an obstruction, and the jury would see that someone walking backwards dragging a body

must run a considerable chance of damaging his clothing in the spikes of barbed wire. It was clear that the woman's body had been dragged. The whole of her clothing had been torn up and filled with twigs and brambles. Her hair was pulled right out behind her head as it had been dragged along the ground. Round the woman's neck was tied the scarf, and the members of the jury would be asked by the prosecution to say whether or not they were satisfied that the green scarf belonged to the man who murdered her. They had a quantity of evidence that she never had such a scarf herself. She was, by a curious coincidence, snap-shotted on that very day of her death, walking with another man in Folkestone, and the scarf that the photograph depicted her wearing was quite obviously nothing like the green scarf. In her handbag, when the body was discovered, was found a piece of the scarf she was wearing. Most of it had disappeared, but a little piece had been pushed in her handbag. There was conclusive evidence that she was wearing that scarf on that day, and that the green scarf was not hers, but the murderer's. The prosecution said the murder took place on May 23rd sometime after 2.30 p.m. He was aware that there were witnesses who were coming to say that she was alive after May 23rd. The jury would have to consider very carefully their evidence when they came. They would be glad to hear that those witnesses were found by the police. So far as they could tell, he went on, the people who knew her best, people who were habitually seeing her, said that was the last day they ever saw her. They had been unable to find any place where she stopped after May 23rd. They would have in evidence that when the body was discovered there was a smell of decomposition. If she had died on May 25th or 26th that would be very unlikely. The last known meal the woman had was breakfast consisting of bread and butter on Monday, May 23rd at about nine o'clock. On the Sunday morning she had deposited her luggage at the offices of the East Kent Road Car Company in Sandgate Road. If May 23rd was accepted as the day on which the young woman was murdered the last person she was seen alive with was the prisoner, walking in the direction of the stile that led to the scene of the crime. Mr. Oliver said Whiting had associated with a woman named Rose Woodbridge, a married woman, who left her husband in September, 1936, and went to live with the prisoner at Dover. She lived with him until somewhere about November last. Phyllis Spiers was a very close friend of Rose Woodbridge, and saw a lot of her and the prisoner at the time. Whiting did not approve of Phyllis' association with Rose. One evening Rose came home and told him she had been out with Phyllis and had met a couple of men who had asked the two of them to go and live with them. Whiting told Rose that if she did not stop going about with Phyllis he would do something wrong. Then he threatened he would strangle Phyllis. "Beware of Rose Woodbridge. You may not think her a very reliable sort of witness, but that does not mean she cannot tell the truth. It is for you to determine the value of these things", added Mr. Oliver. "It was quite clear the prisoner was very fond of her. Whiting and Mrs. Woodbridge separated - her mother, I think, took her away - and this made him very jealous. He was anxious to find out who had brought about the separation. He was desperately in love with her. In a statement to the police he said he worshipped her, and in his mind Phyllis was the person really responsible for coming between them". Concerning the green scarf, Mr. Oliver said it was probably the most reliable piece of evidence in that case Whiting had denied not only that it was not his scarf, but that he had never had a scarf like it. He has asserted that he was not wearing a scarf on the day of the murder. The prosecution had evidence that right up to the day of the murder he was wearing a similar green scarf, but that on the day of the murder he was not. Another piece of evidence, found on a post in the thicket, was a hair similar to Whiting's. On July 1st Whiting made a long statement to the police in which he said that he and Phyllis walked to the golf course and sat on the grass. Phyllis was very quiet. "I said, 'What is the matter?' the statement proceeded She said 'I am fed up, and am going to do myself in.' I said 'How are you going to do it?' and she said, 'Strangle myself with a scarf round my neck.' She was wearing a green spotted scarf." He contended that Mrs. Spiers could not have strangled herself.

Kenneth George Andrews (16), of 23, Ethelbert Road, Folkestone, a grocer's roundsman, said on Thursday, 26th May, he went to a coppice at the foot of Caesar's Camp bird-nesting. At about 6 p.m. he saw what appeared to be a bundle, but, looking closer, he saw it was a body of a woman covered with a coat. He shouted, and touched the head with a stick. He realised the woman was not sleeping, and later spoke to a police officer. He saw the body again, and it had not been interfered with.

Mr. Geoffrey Poole, an assistant in the Borough Surveyor's office, produced a street plan of Folkestone. He said he went to the scene and took measurements of the gap and checked the position of the gap after it was framed. It was the same as it was when growing.

Cross-examined, witness said standing on the sixteenth tee of the golf course it was possible to see up Castle Hill. There was a hut connected with the Kent Agricultural Show and some trees on the corner, but it was possible to see past them.

Dr. William Claude Percy Barrett, said Stanley Seymour Harrison, a photographer, was a patient of his, and was so ill as not to be able to travel.

Mr. Roland Oliver read the deposition of Mr. Harrison's evidence given at the Police Court proceedings.

Mr. Arthur Charles Spiers, 29, Sidney Street, Bexhill-on-Sea, a milk roundsman, said on May 27th he identified the body of his wife, aged 22 years. In the photographs produced he recognised his wife as the young woman wearing a dark coat. They were married on April 11th, 1932, and parted on April 13th, 1934. He last saw his wife alive in August, 1934, at Hastings. Before her death he had commenced divorce proceedings against her.

Chief Inspector Hollands said he went with the witness Andrews and the Coroner's Officer to the coppice, where the body was found, and caused the book of photographs to be taken. The body had apparently been dragged to the place through the gap framed in Court. When he raised the coat from the body he noticed a strong smell of putrefaction. On Monday, 23rd, it was a fine day, but on Tuesday it rained from 1.30 to 2.30 p.m. On Wednesday it rained all the afternoon. On the day when the body was found it was fine. The coat over the body was damp, and there were rain marks on the handbag. There were little pitmarks on the ground, and there were dirt marks on the woman's hand and arms where the rain had splashed up. The ground under the body was dry. In the place where he found the body there was no sign of a struggle. Round the woman's neck was tied the green-spotted scarf. It was twisted round twice very tightly, and knotted.

Mr. Hutchinson: Whoever it was who pulled this body through all these brambles, you would expect their coat to be very much scratched with brambles?

Witness: No.

How can you push through these sort of brambles without any mark, tear, scratch, or any result on your coat? - I went through them, and my coat did not get scratched with brambles.

Dealing with the question of the tear in the prisoner's coat, Mr. Hutchinson asked: When the man made the experiment he knew there was a tear in the left-hand shoulder of the defendant's coat?

Chief Inspector Hollands: Yes.

Did you think that was very much use as an experiment? When you went through you did not tear yours? - When I felt it tearing I went down and wriggled through.

Did you smell putrefaction? - Yes.

Did you see any signs of putrefaction? - No.

One man confessed he had done the murder? - Not to me.

He confessed, and police enquired into it, but took no further steps? - I do not know.

Det. Sergt. Johnson said on the evening of May 26th he saw the body at the coppice. He took possession of the handbag produced and examined its contents. He found the piece of material (produced) in the handbag. If it had been torn from a large piece he could find no trace of the larger piece. The following day he made a search of the place and found a broken comb. He examined the ground from the spot where he found the comb to the barrier, and it had the appearance of having had a heavy object dragged over it. He also found a long hair.

Mr. Roland Oliver said they had eliminated a great deal of evidence about the hairs, and they were dealing with only one or two.

Continuing, witness said he found another hair on the back of the post which formed part of the barrier. He also took three hairs from a hat, and other hairs from the head of the dead woman. On July 11th he obtained four hairs from the head of the prisoner. He handed the hairs to Chief Inspector Parker. Continuing, Det. Sergt. Johnson said he went to a common lodging-house in Dover Street on May 31st and obtained a suitcase of property from the man in charge. He found the pair of braces (produced) in the suitcase. On July 7th he purchased half a pound of butter.

Mr. Hutchinson: After you get through the gap, how far was it, to the other gap where the body was found?

Det. Sergt. Johnson: Ten or eleven yards.

It is a very low tunnel? - Not when you get through the tunnel.

Bits would catch your coat? - Possibly.

Mr. Hutchinson suggested it was impossible that the hair found on the post of the barrier had anything to do with the murder. He submitted it was a wild deduction, because anyone going through the barrier backwards could not have got into such a position to leave a hair in that spot.

Mr. Roland Oliver; It has been suggested that his head could not have touched that post. Do you agree that it could or could not have touched it?

Witness: I say it could have touched it.

Mr. Roland Oliver said he had had an opportunity of getting information from Sir Bernard Spilsbury and there was no point in the fly eggs at all and he was not calling any evidence about it.

The Coroner's Officer, Det. Con. Bates, said at 6.30 p.m. on May 26th he went to the coppice and saw the body. There was a smell of putrefaction. He later showed the body to a Mr. Spiers, Mr. Santer and Mr. Wanstall. On May 31st he purchased a complete change of clothing for the prisoner and took possession of all the clothing Whiting was wearing. The hat, trousers, braces and jacket with the tear produced all belonged to the prisoner. A small green zip fastener purse was found in the left hand pocket of the jacket.

Mr. Hutchinson: Did you notice any signs of putrefaction?

Witness: No, but the smell was very strong.

He was not arrested until June 25th? - I think that was the date.

You will agree that the tear you have pointed out might have been caused by anything? - The tear was on the jacket when I took it from the prisoner.

You do not suggest it could only be done by barbed wire? - No.

Mr. Douglas Scott Moncrieff, in charge of the Meteorological Department at Folkestone, said on May 23rd the maximum temperature was 60 deg. F. and the minimum 42 deg. F. The minimum grass temperature was 36 deg. There was no rainfall. On the Tuesday the maximum temperature was 63 deg. F. and the minimum grass temperature was 38. There was no rainfall at 10 a.m., but at 6 p.m. there was .01 inch recorded. On the Wednesday the maximum temperature was 59 deg. and the minimum 48. There was a fair amount of rain, less than .005 inches at 10 a.m., and at 6 p.m., .3 inch. On the Thursday the rainfall at 10 a.m. was .02 inches, and at 6 p.m. nil.

Robert John Reid, the deputy of a lodging house in Dover Street, Folkestone, said he had known the prisoner for about 19 to 20 years. He had stayed at his house for about three months. On May 23rd the prisoner spent the night at the lodging-house. He remained there until May 26th. He handed the prisoner's suitcase to a police officer.

Mr. Hutchinson: How many men are there in the same room?

Witness: Five.

It would be quite fair to say that people's properly gets mixed up sometimes? - Yes.

Dr. William Claude Percy Barrett said on May 26th at 7.30 p.m. he went to the coppice and saw the body. The position was consistent with the body having been dragged on its back. He did not notice any smell from the body, which was covered. At 9.10 p.m. the same night he saw the body in the mortuary, and there was a definite smell of putrefaction. He would not expect any smell from a body under the conditions present for at least three days. He would expect rigor mortis to set in after 12 to 18 hours and last from 48 to 72 hours. Of that body in those circumstances it would be 72 hours. When he saw the body in the thicket there was rigor mortis. At 8.30 p.m. on Friday, May 27th, the rigor mortis had completely gone. There were several bruises on the face and front of the body. The nose had been flattened by a violent blow. He was present when Sir Bernard Spilsbury made his examination, which revealed bruises in the neck. Dr. Barrett said he considered that the bruises were due to the ligature and death, in his view, was by garrotting with the scarf.

Mr. Oliver: How long before you saw the body do you think it likely that the woman met her death?

Witness: Forty-eight to seventy-two hours.

Mr. Hutchinson questioned witness about his report of the post-mortem examination to the Coroner.

Did you say the stomach contained ten lumps of potatoes?

Dr. Barrett: I did.

Is that correct? - Apparently no, when the lumps were put under the microscope.

And the brownish fluid? - There was a brownish fund in the stomach.

At the inquest, when you were on oath, you said "The deceased, in my opinion, had been dead not longer than two days"; what did you mean by that?

Witness: I rather expected the Coroner to take the question further, to tell you the truth.

Why did you tell him that; it must have been what you thought? - Why? Because I had heard rumours that she had been seen shopping. It seemed rattier absurd to certify somebody dead if she had been seen shopping.

Because of the chit-chat you heard you altered your opinion? - Put it that way if you like.

Are you changing your opinion because Sir Bernard Spilsbury has said anything different? - No.

You were the only one who gave evidence about this matter to the Coroner, and you said "The deceased, in my opinion, had been dead not longer than two days", and you now tell us you did not honestly say that. Do you deny saying that? - No, I do not. I cannot swear to saying that.

Did you tell the Coroner something that is not your honest opinion on the chance of the Coroner asking you something more? - No.

Do you think that the woman was more likely to have been killed on the 24th than the 23rd? - I still think it was 23rd.

You agree that it is a matter of opinion? - Absolutely a matter of opinion.

She certainly may have been living on the 24th? - It is possible, but I do not think it is at all likely.

Supposing twelve witnesses come here and say so, would that make you think she was probably alive on the 24th? - No.

You say she died from garrotting? - I consider it so.

You know Sir Bernard Spilsbury does not agree? - I know.

You thought the scratches were caused before death, and Sir Bernard after death? - The scratches on the legs.

You agree that all these questions are matters of grave difficulty where people may honestly make a mistake? - Yes. I agree that Sir Bernard Spilsbury's experience must be greater than mine. I have only had two cases of murder.

Sir Bernard Spilsbury said he made a post-mortem examination with Dr. Barrett. He found the body was that of a well-nourished young woman. He saw the mark of the ligature round the neck and a number of external injuries on the face and body. He examined the tissues of the neck and found bruising, just such as would be caused by the grip of the hand in manual strangulation. Strangulation in some form caused her death, and in his view it was manual strangulation. He would not have expected her to have been dead for three days, but he could not say definitely within 24 hours.

Mr. Roland Oliver: Is it, in your opinion, possible that this young woman, in the circumstances in which you saw her, had committed suicide by strangling herself with the scarf?

Witness: Quite out of the question.

Mr. Hutchinson: Supposing she had had a long walk, little food, and a terrible struggle, would that bring on rigor mortis very quickly?

Sir Bernard Spilsbury: Much more quickly.

Is not putrefaction caused or stimulated by the passing of rigor mortis? - It happens to be coincidental.

Supposing rigor mortis was accelerated, would that accelerate putrefaction? - Not necessarily.

Would you go as far as to say it was impossible for her to be alive on the 24th? - I hardly think it is possible.

Dr. Roche Lynch, Senior Official Analyst to the Home Office, described the tear on the prisoner's coat. At the apex of the tear, he said, there was a tiny round hole as though a round sharp pointed object had gone through the fabric before it had been torn. The tear must have been downwards and to the right. When the tear was made the coat would be on a man who was going backwards. Witness said he had looked at the barrier (produced), and part of the barbed wire could have made a similar tear as the one in the coat. Continuing, he said the woman's stomach contained butter fat. The last meal was taken at least three hours before death. He was shown the green scarf. The ends of it showed signs of wear, and there were marks which could have been accounted for by the ends of the scarf being made fast in the braces produced. He compared the hairs from the girl's head with the hair found near the comb, and they closely resembled each other. Both were bleached. The accused's hair and the hair from the post on the barrier closely resembled each other. The hair on the post could have come from anybody who had similar hair.

Mr. Hutchinson: Did you examine the coat by any chance to see if there were any scratches? - The tear was the only item of note. Dealing with the braces Mr. Hutchinson said the braces which could have made the marks on the scarf might have been a new pair. There were no signs of them being used.

Dr. Roche Lynch said there were signs that they had been used.

Mr. Hutchinson: I am suggesting that they might be a new pair, and in any case have hardly been used at all?

Witness: They have had some wear.

People who go to common lodging-houses do not have a couple of pairs of braces? -I bow to your superior knowledge.

To leave the marks that you found, or some of the marks, it must have been worn very often in that way? - If holes had been produced in the way I mentioned they must have been worn several times, but the linear marks could be produced in twenty minutes.

Robert Henry Rird, of Margate, and Alfred James Carter, of Ramsgate, employed by a firm of holiday snaps, gave evidence of taking photographs of the murdered woman.

Bernice C. Hegarty, of Mead Road, Folkestone, said she recognised one of the women in the holiday snaps (produced) as Phyllis Minter, whom she had known for 3½ years. She spoke to Phyllis at 9.45 a.m. on Monday, and recognised the handbag (produced) as her's. The green zip fastener purse (produced) was very like the dead woman's purse. Continuing she said the deceased had a dark check scarf similar to the piece of material (produced), but she had never seen her wearing a green spotted scarf.

Cross-examined, witness said the purse was something like the one Phyllis had.

Mr. Hutchinson: About the scarf, you say there was a fringe on it? - There was.

When was it you last saw Phyllis? - Monday morning at about a quarter to ten.

Mr. Hutchinson pointed out that the witness said she had last seen the murdered woman on Saturday morning.

The witness then explained that she had seen her on both days.

Pte. Harold Wall, of the Royal Berkshire Regiment, stationed at Shomcliffe, said he lived with the murdered woman from May 15th to the 19th, at Sandgate. He first saw her in February or the beginning of March, and gave her the scarf somewhere about April. Originally, it had a fringe on it, but he cut it off before he gave it to her. The piece of material produced was part of the scarf he gave to Phyllis. He had never seen her wearing the green spotted scarf. Continuing, witness said some of the letters in the suitcase (produced) were written by him to the murdered woman.

Mr. Hutchinson: What sort of place did you stay with her at? ;

Pte. Wall: It was a one room affair.

Did either of you have any luggage? - I was living at the camp. She had no luggage.

How many days were you there? - Four days.

Mr. Hutchinson went on to question the witness about statements that were taken from him.

Was it found that you had scratches? - One on the arm.

Did not the police discover that a car had been taken from Aldershot and taken back that night, the 23rd or 24th? - I heard something about it.

You do not know the distance shown on that car was exactly the distance from Aldershot to Folkestone? - No.

Mr. Hutchinson said he was not suggesting the witness committed the murder, but he did suggest that there was just as much evidence in some ways against others as against the prisoner.

The witness said he had nothing to do with taking the car from Aldershot, and the scratches on his arm happened while he was carrying meat.

Mr. Roland Oliver: Did you leave Aldershot at all between May 19th and the date of the discovery of the body?

Pte. Wall: No.

At this stage the Court rose until the following day.

The case was resumed at 10.30 a.m. on Wednesday.

Mr. Harold Henry Parker, 73, Dover Road, Folkestone, a Press photographer, said the previous day he took a photograph from the sixteenth tee on Folkestone golf course. It was possible to see the junction of Cherry Garden Avenue and Cherry Garden Lane and to see people going towards Caesar's Camp over the hedge. After a fleeting glance of people walking along Cherry Garden Avenue, a person on the sixteenth tee would see them when they reached the junction of the two roads.

It was decided by both defence and prosecution to have witnesses make observations from the sixteenth tee.

Chief Inspector Hollands, re-called, said the suitcase produced he got from the East Kent Road Car Company's office at Folkestone on June 1st. He made a list of the contents, which included a packet of letters, all addressed to Miss P. Butcher.

Mr. Ernest Edward Curtis an Inspector employed by the East Kent Road Car Company, said the blue case produced was like a case he saw on May 22nd or 23rd. On that occasion a young lady asked the next through bus to Margate and then left the office. After she had gone he noticed a dark bag there.

Pte. Harold Wall, re-called, said three of the letters produced were written by him to the murdered woman. They were addressed to Miss Phyllis Butcher, the name he knew her by.

Cross-examined, witness said he wrote the letters before May 19th, when she was in hospital. After he left her in May she gave him "G.P.O., Folkestone", as her address.

Chief Inspector W. Parker, New Scotland Yard, said on the afternoon of May 27th, he went to the coppice near Caesar's Camp. He supervised the framing of the barrier produced in the Court. On the side of the coppice nearer Folkestone there was an agricultural field. On May 30th, with Det. Sgt. Skardon, he interviewed the prisoner at Folkestone Police Station. He admitted that he knew the murdered woman. He said he would tell them what he knew and he made a long statement, which he made willingly. Witness said he was endeavouring to find out the prisoner's movements for several days. The statement was read and during the course of it Whiting stated: "I am a widower, my wife died on 3rd May, 1936. She was strangled by George Arthur Bryant, who was afterwards executed at Wandsworth. I was at the time of her death living apart from my wife. I had three children by her. . . My wife left me in 1935". Later, went on the statement, he lived in Dover with a Mrs. Woodbridge. She left him in November, 1937, after her mother received a letter from a landlord in Folkestone saying that her daughter was drinking in public houses. While he was living with Mrs. Woodbridge a young girl, who Mrs. Woodbridge said was named

Phyllis Minter, came to see her. In his statement Whiting said he met the murdered woman on Monday, May 23rd, at about 12.30 p.m., and they went to the Globe public house on The Bayle. They stayed for about ten minutes. While they were there she said she could get married again. "I said 'Can you?'" , continued Whiting's statement, "and read the divorce papers. She said 'Why don't you marry me and let's go back to Dover?' " The statement then went on to describe how Whiting and the girl went to the golf links. "We sat down on the grass", it continued, when she pulled out something wrapped in brown paper Some stitches and a ring, a little bone ring She said they were stitches which had been taken out of her operation. We were both thinking. I don't know what was the matter with her that day. She was not cheerful. She did not speak much. I believe there was something worrying her. I have seen her like it at Dover when she came in staring at me. I cannot say what was on her mind. Perhaps it was because she was down and out. I said nothing to upset her". Continuing, the statement described how they made their way to Cherry Garden Lane and into Cheriton Road, after crossing the golf links. "I told her that I worshipped Rose", it continued, "I said 'If Rose does not come back I shall never settle down again'. ... I did not see Phyllis at all on Tuesday. . . Phyllis and I did not discuss living together before last Monday". Continuing, witness said after the statement had been taken the matter of the jacket was mentioned. He noticed there was a tear in the prisoner's jacket on the left shoulder. He said "I don't know where or when I did it." He was asked about the green spotted scarf, and he said "I have never seen it before. I have not worn a scarf myself for a long while, and I have never had one like that." Whiting made another statement on June 1st, in which he said: "When we went on to the golf course on the Monday, thee day I have already told you about, I mean when I was with Phyllis and when we were sitting on the grass, she was very quiet, and I said 'What is the matter?' She said 'I am fed up and I am going to do myself in'. I said 'How are you going to do it?' and she said 'Strangle myself with a scarf round my neck'. She was wearing a green spotted scarf. After we got up and walked across the golf links. She was very quiet, and kept saying she was fed up. I have not seen her since that Monday, 23rd May, 1938. . . . I might tell you that she was partly the cause of Rose Woodbridge leaving me." Continuing, witness said he showed the contents of the suit-case to the prisoner. The suitcase was taken from the lodging-house in Dover Street, and Whiting said the articles in the case belonged to him.

Mr. Oliver: Did you endeavour to find out in Folkestone any house at which Phyllis had slept after May 23rd?

Witness: Yes.

Were you unsuccessful? - Yes.

Mr. Hutchinson: This man is a very uneducated man?

Witness Yes.

Why was it necessary to take a statement from him, you a trained police officer, from ten o'clock at night as you say, and I say later, until 2 in the morning? - I wanted to get as much detail on this man as possible.

Do you think that it is a usual time to take a statement fairly? - It was the most convenient time at that stage of the enquiry.

He was arrested on June 25th? - Yes.

Do you mean to say that you were in such a hurry that it had to be taken from 10 p.m. to 2 a.m.? - Yes.

"Why? - There were quite a number of people waiting at the Police Station to be seen on that particular evening.

Do you think it fair? Have you not heard of it being done in third degree in other countries? - I was endeavouring to discover who perpetrated this crime.

Surely it was not necessary to take a man at 10 at night and cross-examine him till 2 a.m. Did he get into a muddle? - No.

Did not he get ready to agree to any thing you put to him? - No.

Did you ask whether he had had any food? - Yes.

Had he? - I was told he had been given refreshment.

You examined him very severely? - Yes. I asked him numerous questions.

Is not that third degree?

Judge Wrottesley: I do not know strictly what third degree means.

Mr. Hutchinson (to Chief Inspector Parker): Do you know what it means when people say third degree?

Witness: I have heard of the term, but I do not know what it means.

Chief Inspector Parker said neither he nor Det. Sergt. Skardon suggested it was a case of suicide and that if it was it would let the prisoner out.

Mr. Hutchinson: What happened was on 27th or 28th he had an interview with the Chief Constable? -Yes.

Then he had this long sojourn at the Police Station on the 30th, leaving round about three, I am suggesting, in the morning, and the next day he was taken again and his clothes were taken away from him, and the next day he was sent for again? - Yes.

Witness said there were no scratches on the prisoner's body, and none, beyond the tear, on his coat. Continuing, witness said there were a whole lot of brambles around the branches produced.

The two nights preceding the murder she was with Mrs. Wright?

Witness: Yes.

Had you in your possession on May 30th anything like the whole of the evidence that has been called in this case? - No.

Det. Sergt. Skardon said he was present when the two statements were taken from prisoner, and actually wrote them down. The suggestion of suicide came from the prisoner.

Mr. Oliver: Did you or Chief Inspector Parker ever put the suggestion into the prisoner's mind about suicide?

Witness: No.

Continuing, witness said he went through the gap backwards and tore his jacket. He knew the barb of wire was there. Apart from the tear in his jacket he did not tear his clothes with the brambles as he walked about.

Cross-examined, witness said the brambles pulled at the fabric of his clothes. The tear in his coat was not very like the tear in the other coat.

Mr. Hutchinson: There were, of course a good many brambles about?

Witness: Yes.

Anyone going where you did would get their clothes, not torn, but scratched? - Possibly, it would depend on the material.

Witness said when he went through the barrier he knew the barb was there, and that the prisoner was supposed to have torn his coat. He (witness) could not have gone through the barrier, pulling the dummy, without tearing his coat.

Mr. Hutchinson: I am suggesting that the suggestion was made to him that this might have been suicide, and that would clear him?

Witness: It was not made.

You are sure? -Quite positive.

Neither directly nor indirectly? - Neither.

Neither by hint nor suggestion? - No.

Are you quite certain of that? -Quite certain,

John Joseph Hurst, of Joyes Road, Folkestone, manager of Messrs. Hepworth. Ltd., of Folkestone, said he stocked scarves similar to the one produced from October, 1936, to February, 1937, and again from October, 1937, to February or March, 1938.

Cross-examined, witness admitted it was quite a popular scarf.

In reply to Mr. Oliver, witness said all the scarves were not green. They were in four different shades.

Mr. Joseph Charles Kember, an employment clerk at the Folkestone Employment Exchange, said he had interviewed the prisoner in connection with his duty. He last sent the prisoner on a job of work on March 19th. At the time he was wearing a green scarf with white spots. The scarf produced was similar to the scarf the prisoner was wearing. Witness said he saw the prisoner again March 21st and between the 16th and 19th May. He wore the scarf knotted on the left-hand side of the neck, and it appeared to be wound twice round his neck.

Cross-examined, witness said he could see the ends of the scarf.

P.C. Pearce, Dover Borough Police said on April 9th the accused was in his charge at Dover for something like three-quarters of an hour. He was wearing a green scarf with dirty white spots. It was wound twice round the neck and knotted on the left-hand side.

Mr. John McKinnon Taylor, 24, Walton Gardens, a clerk at the Folkestone Employment Exchange, said he went on leave on May 23rd to the following Saturday. Before he went on leave he saw the prisoner on May 20th, and he was wearing a green scarf tied with a double knot on one side. After returning from his leave he saw the prisoner on May 30th, and he was not wearing the scarf. He had not seen him wearing the scarf since. The one produced was similar to the scarf the prisoner was wearing on May 20th.

Det. Sergt. Johnson, re-called, said he made a list of the contents of the handbag found beside the body. Among the articles in the bag was a piece of a cigarette packet with the name "H. Pyneart," printed on it in pencil.

Cross-examined, witness said there were a great many statements taken before 30th May.

Mrs. Adelaide Maude Wright, a widow, of 9, Garden Road, Folkestone, said she knew the murdered woman as Phyllis Minter. She let her a room on May 21st. On Monday, the 23rd, the woman had bread and butter and a cup of tea for breakfast. The woman had nothing more than what she stood up in. On May 23rd she went into the town with Phyllis. They went into Woolworth's at about 10 a.m., and witness bought a roll of white paper. Phyllis was wearing a blue coat and a grey coloured scarf. She had never seen her wearing a green scarf. Phyllis had a brown comb with a piece broken off the end. She was able to pick out the girl who served in Woolworth's.

Cross-examined, witness said Phyllis told her that she came from Tooting, and that she had a job at The Lido. She said she had left her luggage with friends, and witness was surprised when she did not return on the Monday. When witness arrived home on Monday night she saw a man without a hat and wearing a mackintosh waiting outside her house.

When the proceedings were continued in the afternoon the jury wished to know whether the barbed wire on the barrier was the same height from the ground as it was from the floor of the Court. The jury had examined the barrier during the luncheon adjournment.

Det. Sergt. Skardon said the heights were the same. According to the theory of the prosecution the murderer dragged the body downhill through the gap. The gradient was one in four.

Mr. Hubert Pyneart, a waiter employed at the Royal Pavilion Hotel, Folkestone, said he knew Mrs. Spiers by sight. A year ago she worked at the hotel. He met her on the morning of May 23rd at about 10.40 and walked with her round Folkestone. He was with her until 12.30 p.m., and during the morning walked with her in Sandgate Road. He had never walked with her before in the morning. While he was with her he wrote his name on a piece of card and gave it to the murdered woman. Witness said the scarf Mrs. Spiers was wearing was of a dark colour, very similar to the piece of material produced.

Mr. Charles Leonard Varner, of 13, New Street, Folkestone, said he knew the accused and also the murdered woman. He knew her as Minter, and he last saw her on the Monday before her body was found. She was at the corner of New Street. He saw prisoner enter Philpott's shop and then go over to the girl and give her a cigarette. They both went up Bradstone Road.

Cross-examined, witness said Weatherhead had not asked him to say anything about Longley.

Mrs. Lilian Maude Varrier the wife of the last witness, said on Monday, May 23rd, she saw the prisoner in Philpott's shop at about 1.20 p.m. She saw him leave the shop and meet the murdered woman. They went together towards Bradstone Road.

Mrs. Laura Laws, of 68, Foord Road Folkestone, said she knew the murdered woman as Phyllis Butcher. She let her a room on May 18th. She stayed there on Thursday and Friday, and left without paying. Witness saw the deceased on the following Monday in Bradstone Avenue. There was a man with her, but she ran after and spoke to witness. Afterwards the deceased went back to the man, and they walked towards the Public Baths.

Cross-examined, witness said the deceased told her that she was a maid at the Longford Hotel. She had no luggage, but she said she came from London.

Mr. William David Marsh, of Clarence Road, Folkestone, a pavior employed by the Folkestone Corporation, said on Monday, May 23rd, he was working in Radnor Park Avenue, and saw the prisoner pass with a young woman. They were walking in the direction of the golf course.

Mr. William John Harbird said he saw the prisoner with a young woman by the Peter Pan's Pool on May 23rd.

Mr. Hutchinson: At the Police Court you said it was the 23rd or 24th.

Witness: I was wrong on the dates.

Are you still certain it was not the 24th? - Yes, now.

Mr. Harry James Santer, of 5, Pavilion Road, a groundsman employed at the

Folkestone golf course, said on Monday, May 23rd, at 1.35 p.m., he saw the murdered woman with the prisoner walking along the road across the golf course. The woman looked as though she had been crying.

Frederick Wanstall, of Invicta Road, Folkestone, a gardener at the Folkestone golf course, said he saw the body of a girl at the mortuary. He saw her on Monday, May 23rd, with the prisoner. When he saw them, he was cutting the 16th tee near Cherry Garden Avenue. The prisoner and the girl were walking towards Caesar's Camp. He saw them as far as the point where the road they were walking on joined Cherry Garden Lane. The time was somewhere about two, or just after.

Mr. Hutchinson: You were not certain about the date?

Witness: Yes.

Mr. Hutchinson: What you mean is that you saw this man with some girl. You saw him walking along this lane on some day that you are not really certain. Is that what it comes to? Has it weighed on your mind very much, this case? - It has.

You did try to kill yourself because of it? - No. I do not think it was because of that. It was because I had left my wife because she had treated me unfairly.

Mr. A.S. Beesley, Chief Constable of Folkestone, said on June 25th, when he cautioned the prisoner, he said he was not guilty.

Mr. Hutchinson: On 4th June you were trying to find where Mrs. Spiers stayed on Tuesday?

Witness: Yes.

Florence Thompson, of 19, Hamilton Road, Dover, said she had a conversation with the prisoner about Phyllis. She told him that it was a shame that Phyllis was murdered. The prisoner asked her if she would like a scarf round her neck. He told her that if she did not keep her mouth shut about Phyllis he would put her on the spot. He said "You can do a murder without leaving finger prints and foot marks". They went to three public-houses together.

Cross-examined, witness said she did not have a great deal to drink. She never got drunk.

Mr. Hutchinson : I am suggesting that this man never said this to you at all. Did he?

Witness: He did.

There was nothing to call forth this man's anger in what you said? - I do not know.

Did he really say "You can murder without leaving linger prints or loot marks"? - Yes.

You are not a friend of his? - No.

Hardly know him? - Only by sight.

Robert William Weatherhead, of 35, Darlington Street, Folkestone, said he remembered a day when there was a row at the Guildhall public house. It must have been after May 31st. Witness took the prisoner as a partner at darts. Whiting was abusive to the landlord, who came round to put him out. The prisoner said to the landlord "I will serve you as I served the blonde". Whiting had had enough drink to make him talk.

Mr. Hutchinson: I suggest he did not say that?

Witness: I say he did.

Percy Ernest Wootton, licensee of the Guildhall Hotel, Folkestone, said on Friday, 3rd June, there was a row, and he had occasion to caution the prisoner, who begged him to let him stay, and he did so. He did not hear the prisoner say anything else.

Mr. William Hall, of 16, Great Fenchurch Street, Folkestone, said he knew the murdered woman, Rose Woodbridge and the prisoner. In March the prisoner stayed at his house for two weeks. While he was there he said if Rose was willing to come back to him he was willing to make a home for her. He said he worshipped her. In fact he often mentioned her.

Mrs. Daisy Emily Hall, wife of the previous witness, said in March the prisoner lived at her house for a time. While he was there he said he was sorry Rose had left him. He often spoke of her.

Cross-examined, witness said the prisoner did not like Mrs. Flynn, and she did not like him. She never saw the prisoner with two pairs of braces while he was at her house.

In reply to Mr. Oliver witness said Mrs. Flynn came to see her "now and again".

Mrs. Elvey Flynn, of 21, Great Fenchurch Street, Folkestone, said she knew Rose and the prisoner. She went sometimes to Mr. and Mrs. Hall's place, and remembered the time when the prisoner was staying there. When she went there the prisoner asked her if she knew any body who told Rose Woodbridge anything about him. He said when he found out anyone who had told Rose Wood bridge anything about him he would strangle them.

Cross-examined, witness said on one occasion the prisoner jumped up and ran upstairs when she went into the house, but on another occasion he spoke to her.

Mrs. Rose Woodbridge, Eight Bells lodging-house, King Street, Canterbury said she was married on September 4th, 1935. She lived with her husband for a month or two, and after leaving him she lived with Whiting for a year, and left him a fortnight before last Christmas. Phyllis was a great friend of hers. Whiting told her that she must stop going about with Phyllis when she told him about two fellows arranging to take them to London. Whiting said if she did not keep away from Phyllis he would do something wrong. She told him that walls had ears.

The prisoner was present when her mother took her away.

This concluded the case for the Crown.

Mr. St. John Hutchinson, in opening the case for the defence, said one of the essential points of the prosecution was that the woman was killed on May 23rd. The accused was walking with the deceased, and was seen by many people with her on that day. If the jury thought the evidence was so strong that she was undoubtedly killed on the 23rd, they would probably find Whiting guilty. Would it be possible for them to honestly say to themselves "I have no reasonable doubt that the day this woman was killed was on the 23rd May and not on the 24th"? This is a case of circumstantial evidence. Sometimes a case of circumstantial evidence could be the strongest they could have, and sometimes it could be the weakest. They could imagine sometimes it might be one of the most difficult to have to decide. He suggested that

that case would be very difficult for the jury to decide. Dealing with the green scarf, Mr. Hutchinson said Whiting lied when he told the police he had never had a green scarf and that he knew nothing about it. The fact that he has told such a lie showed in no way that he was a guilty man. It was only by the help of the State that the prisoner could be defended. He was a man of no position and no education. He was taken to the Police Station. The murder was well known in Folkestone, and the jury could realise that it caused a tremendous sensation. The scarf, which he knew was his, he knew was found on the dead woman. Was it, therefore, extraordinary for a man like that to deny the scarf was his? It was not very extraordinary for him to think if he admitted the scarf was his he was "done for". "Looking at it from a common-sense point of view", Mr. St. J. Hutchinson continued, "did they really think any murderer was such a fool when this woman has a scarf of her own, to deliberately take away that scarf, for that is what he must have done, and substitute it with his own scarf - leave one of his visiting cards, as it were, upon the corpse - after strangling her with his own hands deliberately take his own scarf and bind it round her throat for no apparent reason unless than for the reason to make people think she had committed suicide? He tied it like that, and no one out of Bedlam would think she had committed suicide. The prisoner was going to tell them that he gave her the green scarf. Whiting was a man who was in a desperate position, who was literally fighting for his life. What they had to ask themselves was, was the evidence of the prosecution true; were they reasonably convinced of the truth of the evidence? That was what they had to say before they acted upon the evidence of the prosecution. With regard to the evidence for the defence they had to ask themselves whether it was reasonably true. "There might be many with a motive against this unhappy girl on the flotsam and jetsam of life", he said. "Supposing she was killed by someone else on May 24th or 25th, that she was wearing a green scarf, then the murderer would probably leave it tied round her neck. That is much more likely than that this man would". He did not know whether the jury noticed the prisoner crying when Rose Woodbridge gave evidence and also when he (Mr. Hutchinson) was cross-examining her. His affection for her was real; perhaps a decent thing. His affection for her was now being used as evidence of motive. Of course it was not necessary to prove any motive at all, but most juries did look for some motive. The prisoner might have been annoyed with this woman, but what a gulf lay between annoyance and murder. With regard to the taking of the statements, he said, was he exaggerating when he said that that was as near third degree as they were ever likely to get in that country? The police, of course, at that time were trying to find a murderer, and they had tried to find a motive. He asked the jury if they were really going to act on that statement. They would hear from the defendant that he had nothing to do with it. People who knew her well would say they saw her on the 24th. Some would say they saw her on the 25th. Was that not going to raise a reasonable doubt in their minds? One witness was going to say she saw her with a green scarf on May 25th.

Whiting then went into the witness box, and Mr. Hutchinson's first question to him was "Did you murder this girl?"

Whiting: No, sir.

You had lived with Mrs. Woodbridge? - Yes.

You were very fond of her? - Yes.

Are you still desperately fond of her? - Yes.

She left you, did she not? - Yes.

She was taken away by her mother? - Yes.

How much did you know Phyllis? - I did not know her hardly at all.

Had she been over to see you when you and Rose lived together? - She used to come and see Rose now and again.

When did you see Phyllis at Folkestone? - On the Friday.

The Friday before the Monday when you saw her again? - Yes

Tell us what happened on that Friday? - I came out of the Guildhall at about ten past ten in the evening I was walking towards home, and I saw Phyllis on the corner. Continuing, Whiting said Phyllis said "Hello, Bill, do you miss Flo much?" He said "Yes, and I would like to have her back." She told him that she was down and out and hungry. He gave her half-a-crown, for she said she had had some trouble with the Labour Exchange.

The scarf produced was his property, and he was wearing it on the Friday, when he gave it to Phyllis. She had an open-necked blouse, and she had just come out of the Savoy Picture Palace. She was cold, and

asked for his scarf, which he took off and gave to her. She thanked him for it. He had no idea that Phyllis tried to take Rose from him. She was a good little soul. He next saw Phyllis on the Monday, May 23rd, at about 12.30 p.m. She was looking at some postcards in South Street. He had seen her before with the Belgian at 10.30 a.m. before going up Sandgate Road. When he saw her in South Street she asked if he was going to treat her. She said "Let's go up to the Globe", a public house on The Bayle. When they got to the Globe she had a brown ale, and he had a pint of beer. She then showed him some divorce papers in her handbag. She said "Why don't you get married, Bill?" He said "I will do, but I have got to get a job first". She said "Let's go to Dover and live, and get married afterwards." He was not in love with Phyllis, but he was alone, and wanted a home. He also wanted his daughter and eldest boy home. He told her that he would marry her, but he had to have a job first. She was not wearing his green scarf that day. From the Globe they went to the Public Library, and then into New Street, where he bought a box of matches at Philpott's. Going along Sussex Road Phyllis met Mrs. Laws and spoke to her. When she returned he asked her where she was going, and she said "Home". He asked her where her home was, and she said "89, Ashley Avenue". They went along and stopped opposite the Baths to look at the pictures. She said she was going to the pictures that evening with her landlady. She then said "Come on, let's go home". Continuing, prisoner said they went up St. John's Church Road and past the Hospital. She pointed to a room in the Hospital and she said she would show him something. They went along to the golf links and sat on a bank. She kept talking about getting married, and showed him some stitches and a bone ring. She said the stitches were from her operation. They then got up and walked across the golf links and got into Cherry Garden Avenue. They crossed the road and went round to the left into Cherry Garden Lane, and then into Cherry Garden Avenue again. They turned right into Cheriton Road, but she did not want him to go where she lived. A fellow went past on a motor bike, and she waved to him and he to her. She said he was one of her boys. She asked him not to come any further with her, as she did not want her landlady to see him. She kissed him and walked on. That was the last he saw of her.

Mr. Hutchinson: Did you take her up to Caesar's Camp and along there and strangle her?

Whiting: No.

A few clays afterwards he went along to the Chief Constable. He was kept at the Police Station all that day and next night.

On May 30th he was told that Inspector Hollands wished to see him. He went to the Police Station at about six o'clock. He was not given any food. Chief Inspector Parker commenced taking the statement at about eight o'clock. Before that he was kept in a room for about two hours. They then took him upstairs, where he saw Mr. Skardon, who said "Come into the torture chamber".

Mr. Hutchinson: He was being funny?

Witness: I suppose he was?

Continuing, witness said he was asked to sit down by Chief Inspector Parker, who had entered the room with him. He made a statement, and they kept putting questions to him. They took a statement and then put him below again for about half-an-hour, and then took him back into the room. Chief Inspector Parker, Det. Sergt. Skardon and Chief Inspector Hollands were there, and they kept questioning him until about a quarter or half-past two. They never read anything out to him, but said "Just sign here and walk out a free man". He had been at the Police Station since six o'clock, examined verbally for four hours, and then stripped and examined physically.

Mr. Hutchinson: What was in your mind at 2.20 in the morning? How were you feeling?

Whiting: I was beat.

Whiting further said he did not think that Phyllis wanted to take Rose away from him, and he had no reason to think that Phyllis was the cause of the trouble between him and Rose. He denied that the scarf was his because he had read in the paper that she was strangled with a green scarf.

With regard to the second statement, when he went into the room Chief Inspector Parker asked him to sit down. He took hold of the scarf, tied it twice round his neck and knotted it. Chief Inspector Parker said suicide could easily be done. Witness replied "No, it was not suicide. Whoever done that was the murderer".

Continuing, Whiting said Chief Inspector Parker kept leaving the room and going into the Chief Constable's office. When he came back he asked him whether he had made his mind up. In the intervals Det. Sergt. Skardon said "Come on, Bill, tell him. Don't be a damn fool; he is trying to help you. You won't have any more trouble. You will walk out a free man. We can go back to London, and our case is settled".

Mr. Hutchinson: Did you think you would be able to walk out a free man?

Whiting: Yes.

Prisoner said Chief Inspector Parker said "You don't know what I am. I don't want to be rough. I am going to help you". Det.-Sergt. Skardon kept saying "Go on, tell him. Tell him it is a case of suicide. We want our case cleared up. You were the last man seen with her; we don't want to charge you with murder". He handed prisoner his hat and said "Sign this and walk out".

Mr. Hutchinson: You did sign it and walk out.

Judge Wrottesley: You had nothing to do with the wording of the statement?

Whiting: I simply said "Yes".

They invented the story and you signed it? - Yes.

With regard to the incident in the Guildhall public house, he was singing, and the landlord caught hold of him. He (prisoner) said "I will handle you the same as you handle me outside." He denied saying he would serve him as he served the blondie. Whiting admitted that he hated the sight of Mrs. Thompson. He denied saying he would put her on the spot, but said he told her that he loved Mrs. Woodbridge. He bought the green purse at Dover Woolworth's before Christmas.

Mr. Hutchinson: Had you any feeling of hatred or revenge against Phyllis at all?

Whiting: No. She was a good little soul.

This concluded the examination of the prisoner, and the Court rose at twenty minutes to seven.

When the hearing was resumed yesterday (Thursday) Whiting was cross-examined by Mr. Roland Oliver.

Mr. Oliver: Will you look at the scarf - look at it carefully - is that actually your scarf?

Whiting: Yes.

When did you tell anybody that the scarf round this murdered woman's neck was yours? - I told my counsel.

When? - Two or three days ago.

Mr. Hutchinson said he had been told before Wednesday morning.

Mr. Oliver: Two or three days ago you told your counsel that it was your scarf. You did not tell anybody before then?

Whiting: Yes.

You see the ends of your scarf are frayed as if they had been in contact with some hard object? - Yes.

Can you tell the jury how that happened to your scarf? - It was never there when I had that scarf.

You mean those frayed marks were not there at all? - They were not there.

Since you gave it to her that came about - Yes.

Did you ever put the ends of your scarf in the clip of any braces to hold it? - No.

You say you gave her that scarf on Friday, May 20th? - Yes.

You heard a landlady say she had never seen any such scarf? - Yes.

You last saw her with it when she put it round her neck on Friday? - Yes.

You never saw that scarf again, did you, according to your case? - No.

She did not wear it on the Monday when you went for a walk with her? - No.

She was wearing a different scarf? – I did not notice.

You are a Folkestone man, aren't you? – Yes.

You know these three beehive-looking hills? – Yes.

Did you know there was a thicket along the bottom of them? – No, I never go up there.

You have never been up there in your life? – No.

Have you ever been up as far as the stile along the road called Castle Hill? – I came down that road last August, past that stile.

This girl Phyllis was a loose sort of girl? – According to what some people say.

She would have gone to a place like that with a good number of men if they had asked her, according to your knowledge of her? – Yes, she would.

You knew she would have gone with you if you had asked her? – I do not think she would.

In reply to other questions, Whiting said he loved Rose Woodbridge and he was sorry when she left him.

You thought some interfering person brought about Rose Woodbridge leaving you? – Something about a letter the landlord sent to her mother.

Were you anxious to find out who made that mischief? – No.

You never tried to find out who had done that? – No.

Would you have been angry with the person who had done that? – I would have asked them what they had done it for, that is all.

Can you tell the jury at all when your jacket got torn? It was the only jacket you wore on every day? – I never noticed it.

That purse which was in your pocket, you said you bought that before Christmas and had had it for months and months? – Yes.

A good many people might have seen you with it if it was yours? – I expect so.

Replying to a question by Mr. Justice Wrottesley, the prisoner said when he was in London he kept cigarette ends and papers in the purse. He also used it for money.

Mr. Oliver: You know Elvey Flynn?

Whiting: Yes.

Did you have any conversation with her about Rose Woodbridge? – I would not speak to her at all.

Why would you not speak to her? – Because I don't like her. She is mischief making and always has been.

Did you never ask her if she knew anything about Rose Woodbridge, or whether anybody had made mischief about Rose Woodbridge? – No.

You said you hated and detested Florence Thompson. Is that right? – Yes.

Were you with her one afternoon in the Guildhall? – She came in there.

Were you afterwards with her in Jordan's? – Yes.

Did you talk to her? – Yes. She asked me if I would treat her to a dinner in the South Foreland.

Did Mrs. Thompson say to you "It is a shame Phyllis has been murdered"? – She did not say anything like that.

Did you say "If you don't keep your mouth shut about Phyllis I will put you on the spot?" - No.

It is sheer invention? - Yes.

Did you say "How would you like a scarf round your neck?" - Pure invention.

Weatherhead is a friend of yours? - No friend of mine.

Is that an invention of his? - Absolutely

You never said you would serve anyone like you served the blondie? - No. There were other people in the bar.

Mr. Oliver then questioned Whiting about the long statement he had made.

Mr. Oliver; Do you say that the police wrote down things you did not say?

Whiting: Yes.

They invented things, and then you say they wrote them down, and you never said them at all? - Yes.

You gave them, no doubt, in answer to questions getting a detailed account of your movements with Phyllis on 23rd May? - Yes.

Is that part of the statement right? Did you tell them those things? - Yes.

They have written down a lot of things you have said about Mrs. Woodbridge. Did you say anything about Mrs. Woodbridge? - They put it to me that I had been living with Mrs. Woodbridge and I told them I had been living with her. They said "When you were there did a young girl named Phyllis Minter come there?" and I said "Yes". They said "You say Phyllis was the cause of Mrs. Woodbridge leaving you?" They kept on putting that to me and I suppose I must have said "Yes". Continuing, Whiting said he did not hear that she had been in hospital.

Can you think why the police should talk about her being in hospital? Are you sure you did not say that? - I am sure I did not.

Continuing, Whiting said he did say that he would be annoyed with anyone who led Rose astray. The police kept putting it to him and he said "Yes". He did not say he thought Phyllis was the cause of the trouble between Rose and him.

Mr. Oliver: What the police have done, according to you, is to write down a lot you did say and put in little bits they invented themselves? - Yes.

If you wanted to get Phyllis to that thicket for immoral purposes you may have talked about marrying her and living with her? - It never entered my mind.

After saying you would marry her on the afternoon of Monday, May 23rd, and knowing where you thought she lived, 89, Ashley Avenue, did you make any attempt to see her again after that Monday? - No.

You were lonely and wanted to marry; you had arranged to marry this woman. She had told you her address where you thought she lived. How came it you never tried to find her until her body was discovered? - She said she would see me next day in the Library. She never turned up and I forgot all about her.

Did you say to the police "I am always worried since Mrs. Woodbridge left me"? - Yes.

Whiting said the statement was not read over to him and the statement "This statement has been read over to me and is true", was put in after his signature was put on it. With regard to the second statement dealing with the question of suicide, Whiting said he did not see Phyllis wearing the green scarf on the Monday evening.

Mr. Oliver: Every word in that is a lie invented by the police?

Whiting: They kept saying it themselves.

Mr. Oliver asked Whiting to look at the scarf and said "Was that how it was when the police showed it to you?"

Whiting: Yes.

Mr. Oliver then reminded Whiting what he had said the previous day about Chief Inspector Parker tying the scarf twice round his neck, knotting it and saying "Look Bill, easy". "You show the jury what Chief Inspector Parker did with that scarf", added Mr. Oliver.

Whiting took the scarf, wound it twice round his neck and knotted it in the front.

Mr. Hutchinson: In this statement the police put questions to you?

Whiting: Yes.

You say it is the answers to these questions that they put down in some instances wrong? - Yes.

Mr. Henry Allen, of 4, Margaret Street, Folkestone, a labourer, said he made a statement to the police on June 2nd. He had known the murdered woman well by sight for about eight years. He saw her on May 24th at 9.30 p.m. in Margaret Street smoking a cigarette.

Cross-examined, witness said he saw Phyllis practically every day.

Mr. John Brookes, of 4, Margaret Street, Folkestone, a labourer, said he made a statement to the police on June 2nd. He knew the murdered woman by sight and saw her on May 24th between 9.30 p.m. and 9.45 p.m. in Margaret Street, when he was with the previous witness.

Cross-examined, witness said he saw the murdered woman practically every weekend in a public-house. He did not see her every day.

Mrs. Ella Hall, of Station Cottages, Folkestone, said the police sent for her and she told them she went to Sainsbury's on the 24th or 25th of May at about 10 a.m. She got off the bus at West Cliff Gardens and saw the murdered woman talking to two men. She said "Hello" to her.

Cross-examined, witness said she did not see Phyllis very often. She was not sure whether it was the 24th or 25th, but she knew it would not be the Monday.

Mr. Justice Wrottesley: Are you sure it was not the 17th or 18th that you saw Phyllis?

Witness: It was not as far back as that.

Miss Hilda Miller, of 28, Harvey Street Folkestone, a shop assistant at the Folkestone Woolworth's, said the police sent for her on May 28th. She knew Phyllis by sight and last saw her on May 25th between 11.30 and 12 noon in the store. She was with another woman, who bought a roll of greaseproof paper. Phyllis was wearing a navy blue coat and a green scarf similar to the one produced. She had seen the murdered woman the day before and she was wearing the same coat. She was able to fix the dates because it was the same week the woman was murdered.

Cross-examined, witness said she did not remember the murdered woman coming with Mrs. Wright to the shop on Monday. She first knew that the murdered woman had a green scarf tied round her neck when she heard the other girls talking about it. Witness said she was serving on a counter where paper was sold.

Mr. Hutchinson: Did you notice anything about Phyllis? What drew your attention to her?

Witness: I looked at her hair.

What did you notice about her hair? - It had been dyed.

Mrs. Wright, re-called, said she recognised Miss Miller as the young lady from whom she made her purchase on the Monday at Woolworth's.

Mr. Edward Marwood, a news vendor, of 29, Tontine Street, Folkestone, said he was sent for by the police on May 29th. During the week previous, on the Wednesday morning, at about 9.50, he saw the murdered woman near Milky Way. She had a book in her hand. He was able to fix the time because he was going to the Labour Exchange to sign on. He had seen the girl on Monday at about 10.50 a.m. or 11 a.m. outside

Wood's, in Tontine Street. She was then talking to a big, stout lady. He had also seen her on the Sunday morning, when she asked him where the East Kent booking office was. She had a case in her hand and said she was going to Margate.

Cross-examined, witness said he saw Phyllis a good many times during a week.

Mr. Hutchinson: Are you certain after you had seen her on Sunday that you saw her on two days after?

Witness: On Monday and Wednesday.

Mr. John Henry Turner, of 8, Mill Bay, Folkestone, a newsvendor, said on May 29th he gave a statement to the police. He knew Phyllis Minter by sight and saw her on Wednesday, May 25th. He was locking the "Star" office up at about 7.45 a.m., when Phyllis said "Good morning" to him. He walked with her as far as the Shakespeare public house. He saw her again at 8.20 a.m. and she said she was waiting for her pal.

Miss Lucille Godden, of 43, Bridge Street, Folkestone, a waitress, said she was sent for by the police. She had known the murdered woman all her life. On May 22nd she saw Phyllis in the Alexandra Hotel. Phyllis said she had had a phone call from somebody and did not know who it was. She next saw Phyllis again on the Wednesday evening in Dover Road, between 10.30 and 11 at night. She saw Phyllis coming up the road on the pillion seat of a motor cycle. She was wearing a navy blue coat and green scarf, but no hat. A medium aged man was driving the motor cycle. He was wearing a light raincoat, but no hat. She was able to fix the date because on the Monday and Tuesday she went to a dance and did not leave until 12 o'clock.

Mr. Oliver: I am going to suggest you are quite mistaken that you saw Phyllis between 10.30 p.m. and 11 p.m. on Wednesday.

Mr. Oliver: You are able to say she was dressed in a blue coat?

Witness: Yes.

And a green scarf? - Yes.

When did you first remember seeing her wearing a green scarf? - Different times I saw she was wearing a green scarf.

How long before this Wednesday had you seen her with a green scarf? - On Sunday.

Did you ever see her before with that green scarf? - I cannot remember what day.

A week before? - About that.

Did the police ask you how this woman was dressed? - Yes.

Why did you not tell them amongst other things she had a green scarf? - I thought I told them she had a green scarf on.

Has not your imagination been getting to work? - No.

In reply to a question by Mr. Justice Wrottesley, witness said she thought the scarf Phyllis was wearing was darker than the one produced.

Miss Lilian Beasley, of 37, Marshall Street, Folkestone, said she was with Miss Godden on the Wednesday when they saw Phyllis on the back of a motor cycle in Dover Road. She only saw the back of the murdered girl, but knew her because of her coat and hair.

Cross-examined, witness said she would not have seen Phyllis unless Miss Godden had said "There is Phyllis Minter".

Mr. Charles Butler, of 23, St. John's Street, Folkestone, a fisherman, said he had known the girl known as Phyllis Minter since she was three or four years of age. On May 27th he saw a newspaper photograph of the murdered girl. He had seen her on Wednesday, May 25th at the Dover bus stop at the top of Tontine Street. Witness said it was the 24th or the 25th when he saw the girl. She was talking to a man about six feet tall, who looked like a soldier. They appeared to be quarrelling and Phyllis looked to be on the point of crying.

Cross-examined, witness said he came ashore at about 10.05 p.m. and saw Phyllis at 10.35 p.m.

Mr. Oliver: You had just come from the sea every evening that week, including Monday?

Witness: Yes.

After the luncheon adjournment, Mr. Justice Wrottesley said that he had received a note from the jury. "If I thought it possible to do what is asked in accordance with the administration of justice in this country", he said, "I would do so, but it is quite impossible. I can only say 'No'". The contents of the note were not made public.

Mr. Richard Brazier, of 23, St. John's Street, Folkestone, a platelayer, said he lodged with Butler. He had known Phyllis Minter by sight for six months at the most. Looking at the photograph (produced) witness said he could not say he knew either of the girls depicted, but he knew Rose Woodbridge. On the Tuesday he met Mr. Butler at the bottom of Tontine Street. They passed the Congregational Church and he saw a woman and man standing on the kerb having a row. The man was tall and wore a light raincoat.

Mr. Hutchinson: You would not give the defence a statement?

Witness: I have been away working for the last 16 weeks.

Did you tell everything you could remember to the police – Yes.

Did you tell them more than you could remember? - No.

Mr. Hutchinson asked leave to treat Brazier as a hostile witness and asked Mr. Justice Wrottesley to read the statement given by the witness to the police.

Mr. Justice Wrottesley said he could see no signs of hostility.

In reply to his lordship, witness said he did not recognise the man or woman he saw at the bus stop.

Mr. Hutchinson: How do you know they were having a row?

Witness: They were arguing.

Cross-examined, witness said the incident happened on the Tuesday. He never went out on the Wednesday. He had only seen Phyllis once before.

Mr. Oliver: Is your memory a rather weak one?

Witness: No.

Mr. George Neville, of Dudley Road, Folkestone, said he had known the murdered girl for seven or eight years. He heard about her death on May 26th. He last saw her on May 25th at the bottom of Tontine Street at about 11.15 a.m. She was with two other women, and was wearing a blue coat with white spots on it and had no stockings on. He had no doubt at all that the girl was Phyllis.

Cross-examined, witness said the blue coat produced was not the coat he saw Phyllis wearing.

Mr. William Alfred Richards, of 60, Dover Street, Folkestone, a mechanic, said he had known the murdered woman ever since she was quite a small girl. On May 22nd he bought a rowing boat at Dover and on the Tuesday he rowed it from Dover to Folkestone. He reached Folkestone at 5.30 p.m. and he worked on it until about 9 p.m. The next day, Wednesday, he went to his father's house in Foord Road, and on the way passed Phyllis by Messrs. Rye's stores at about 10.15 a.m. He had no doubt at all that the girl was Phyllis Minter.

Mr. William Knott, of 13, New Street, Folkestone, a labourer, said he knew Whiting and Weatherhead. On the Friday night, when there was a row in the Guildhall, he was in the public bar. The landlord told Whiting that if he did not keep quiet he would put him out. He heard no threats.

Cross-examined, witness said there was not a great deal of noise, although it was a bit "jangley".

Miss Iris Horton, of 114, Buckland Avenue, Dover, employed by Messrs. Woolworth's, at Dover, said she had been in charge of the leather counter since before September, 1937. They sold many purses like the green purse produced.

Cross-examined, witness said that it was very rare they sold such a purse to a man.

Closing the case for the defence, Mr. Hutchinson, addressing the jury, said it was a very terrible murder. A young girl on the threshold of life had been done to death very brutally. "My submission is going to be", he continued, "that throughout this case there is not enough evidence here for you to say that the prosecution have done what they are bound to do. That is to prove to you beyond all reasonable doubt the guilt of the prisoner". There was one point for them, he said, in that case. Had it been proved to them beyond all reasonable doubt that the girl was killed on May 23rd? If they thought the evidence was so overwhelming as to be safe to act upon, that the woman was killed on May 23rd, they would get a very long way towards proving the guilt of the prisoner. Twelve reputable people had all given evidence that they had seen the woman alive after May 23rd. If they found that those twelve people must have been mistaken, they need not attend to any other part of the case at all. Continuing, he said the prisoner denied it-was his scarf, but he was lying. There was no doubt about that. Were they surprised that he told lies about it? It was wrong for him to tell lies. It would be dangerous if people were convicted merely because they told untruths to themselves out of trouble. Dealing with the statement about suicide, Mr. Hutchinson said it was one of the most extraordinary parts of the case. They knew the prisoner made a statement to the Chief Constable, but he never made any suggestion that the murdered woman was depressed or likely to commit suicide. He then made a statement of four hours, and he never breathed that she was going to commit suicide; in fact, he said he was going to marry her. Did it not seem extraordinary that he next suddenly evolved that theory? Were not four hours taken up by this wretched man being cross-examined by a clever police officer? "Really, I do protest as strongly as I can against that form of statement", he added. Continuing, Mr. Hutchinson said why not let the man write it himself; there was plenty of time? They kept him in the Police Station for four or five hours without food before they asked him a single question. Next day the man's clothes were taken from him, and he was given others. The next night he was sent for again, and at 11.15 he was cross-examined again. Why on earth did that man, out of the blue, suddenly make that suggestion of suicide?

Mr. Oliver, addressing the jury, said it was the prosecution's case that the woman was murdered on Monday, May 23rd. Since then no one could be found at whose house she had slept or in whose presence she had eaten. One suggestion came from a witness that she might have slept out. Did the jury think it at all likely that she would leave her belongings at the bus office unclaimed? When the body was found on May 26th at six o'clock it was smelling of decomposition. Did they require scientists to tell them that the girl was not living at ten o'clock the previous evening as some of those reliable witnesses say? Were they impressed by Sir Bernard Spilsbury when he said could not be alive on Wednesday? It was possible that she was alive on Tuesday, but riot probable. That she died on May 23rd was consistent with her disappearing from any house where she lived.

Folkestone Express 24 September 1938 – William Whiting's Old Bailey trial (continued). Found not guilty

Local News

The Folkestone murder trial at the Old Bailey, occupying four days last week, ended on Friday with the jury returning a verdict of "Not Guilty" against William Whiting (38), the Folkestone labourer, who was charged with the murder of Mrs. Phyllis May Spiers, (22), a Folkestone woman. Mrs. Spiers was found strangled at the foot of Caesar's Camp on May 26th, and the prosecution alleged that the crime had been committed on May 23rd.

All the evidence and the closing Speeches of counsel had been given by the time the Court rose on Thursday evening, and this only left the summing up of Mr. Justice Wrottesley, who had heard the case, and the consideration by the jury of their verdict on Friday. The summing up occupied nearly two hours, and the jury were absent for about two hours and twenty minutes in arriving at their decision. When the foreman announced that their verdict was "Not Guilty", there was applause in the Court, but it was immediately subdued, and after Whiting had been discharged and left the dock, some of the women witnesses kissed him, while some of the men congratulated him and shook him by the hand.

Mr. Roland Oliver, K.C., and Mr. B.H Waddy appeared on behalf of the Crown to prosecute, and Mr. St. J. Hutchison, K.C., and Mr. J. Stuart Daniel (instructed by Mr. Lloyd Bunce, of Folkestone) were for the defence.

The Judge, in the course of his summing up, said certain facts had not been disputed, and these formed an admitted background over which the jury need not concern themselves. Phyllis Spiers was undoubtedly first battered, possibly into insensibility, and then strangled. It was clear that this happened near the place where the body was found. It was also clear that she was dragged to a comparatively open glade through the gap in the hedge into some bushes. She met her death sometime between the early

afternoon of May 23rd and May 26th, when her body was found. How long before May 26th was in dispute. It was clear that she was alive in the company of the accused man on May 23rd, and that they were going in the direction of the place of the murder. How came those two together? Was there anything in the relationship of the dead woman and the accused which might explain the murder? They knew he had lived with Rose Woodbridge until November, 1937, that he was very much attached to her and that when she left him it was to his great sorrow. If the jury accepted his signed statements - and these were challenged by the defence - he said he disapproved of Rose meeting Phyllis at one time, and that Phyllis was the cause of trouble between him and Rose. Accused now denied that, and he said in the witness box that that statement was put in his mouth by the police. They had heard the evidence of Sir Bernard Spilsbury, probably the most experienced man in these matters in the country, and he was of opinion that she had been dead approximately for three days when she was found. It was fair to sum up his opinion, said the Judge, by saying that Sir Bernard thought three days the most probable date; four days the next probable, and then two days in order of probability, and he thought they could rule out the probability of one day. If the case rested merely on suspicion that Whiting had the opportunity of murdering the girl, it would be far from enough, but it led them to look into the matter further, and the other evidence. If Whiting murdered the girl on the afternoon of May 23rd, the jury might well ask themselves whether anything of his was found near the body. First and foremost there was the green scarf found tied tightly round her neck. Where did it come from? At one stage of the trial it seemed to be suggested it was not Whiting's property at all. He told the police he had never seen it before. Two or three days ago he decided to abandon that denial, and admit that the scarf was his. He now said that he had given it to the girl on May 20th. A purse was found in Whiting's pocket and this, the Judge said, resembled one which Mrs. Spiers had had. Mr. Justice Wrottesley then proceeded to refer to the difficulty which the murderer would have in dragging the body through the gap, and said in the urgency of the moment he would probably not notice some barbed wire. He might well tear his coat in doing so, and Whiting's coat was torn. Whiting said he had done it while mushrooming. By itself the tear in his coat was not of much value. But it was a remarkable coincidence, and things were accumulating. There was the green scarf, the purse and a tear-mark, which would correspond with the crime as it was reconstructed. Another coincidence was the finding of a human hair resembling that of Whiting's on a post in the gap. Science had not yet reached the pitch when it could be said with certainty that a hair found "is my hair". The most that could be said was that "It is similar to my hair or your hair". The Judge then commented upon the evidence given by Mrs. Thompson, Weatherhead and Mrs. Flynn. With regard to that of Weatherhead, he suggested that the jury would not attach too much importance to it when he said that Whiting had said to him "I will serve you the same as the blondie was served", although it had been said that truth sometimes did come out when a man was in his cups. Regarding the questions of the defending counsel concerning "Third degree", Mr. Justice Wrottesley said "Third degree" is rather a dangerous word to use. We have probably read something about prisoners being locked up, hurt and damaged, and woke up in the middle of the night. That is not the kind of thing suggested here. What is said is that the first statement took a very long time, from 10 p.m. to 2 a.m. That is recorded on the statement. A statement may take a long time when you have not a clever man to deal with, but because it takes a long time it does not follow that it is untruthful". The judge, continuing, said what was most strongly relied on by the defence was the evidence of the witnesses who said they had seen Mrs. Spiers after the time the Crown said she was killed. After being in Whiting's company on May 23rd she disappeared. No one could say where she slept or bought any food afterwards. The jury must remember that she had no settled home. She was a bird of passage, here today and gone tomorrow. They must also remember that these witnesses were found by the police themselves and honestly believed what they saw. The Crown said it was the case of people making a mistake, as people did when asked to recall when they last saw a person they did not know very well. But if the jury thought only one of these witnesses was not making a mistake, and that the girl was seen alive after May 23rd, they had no choice but to find Whiting not guilty. He had prepared a time-table showing the days and times when those witnesses said they saw the girl. In some cases their evidence might be open to criticism on the ground that they had made a mistake in identity; in other cases that they had got the wrong date.

The jury would not attach too much importance, he was sure, to the accused's alleged statements, but they would give their attention to more serious and weighty questions. At the same time they had got to remember that if in any way they fell short of satisfying themselves beyond reasonable doubt that this man committed the murder on Monday they had to find him not guilty at that stage. If they did not accept the story that he gave this young woman that scarf there was serious material there which might lead them to bring in a verdict of guilty, putting aside, for the moment, the other evidence. Concerning the bulk of the evidence of the people who said they saw Phyllis Minter on the Tuesday and Wednesday, the evidence that the young woman was seen on Tuesday would probably occur to the jury as being more likely than the evidence of the two young women who said they saw her as late as 10.30 p.m. on Wednesday.

If the jury accepted the evidence of even one of those persons who said they saw her on Tuesday or Wednesday there would be a doubt which should lead them to find the man not guilty, because it was tantamount to destroying the whole fabric of the case. It was not necessary for the defence to establish to their satisfaction that the accused did not do it.

The jury returned the verdict of "Not guilty " as stated earlier.