

MACBETH MEETS CSI: EVIDENCE FOR DEFENCE SPEECH

Exhibit: Autopsy Report

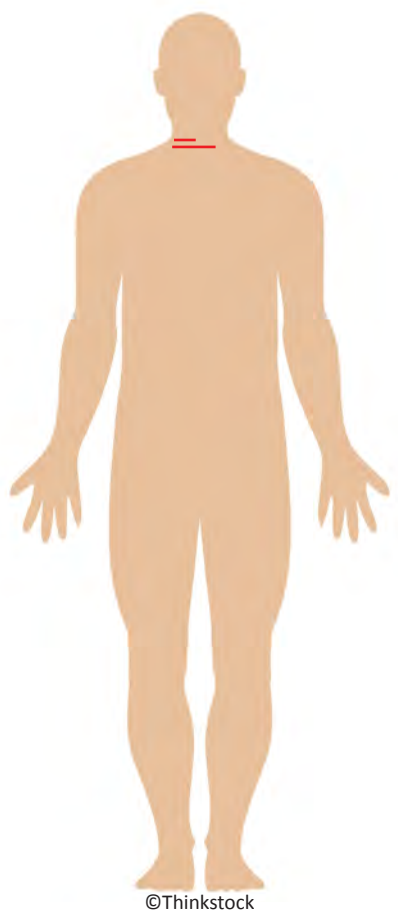
Office of the Inverness County Coroner			Autopsy Case #: 57-284	
Victim's Name: King Duncan			Date: October 31, 1609	
Sex: Male	Age: 54	Race: Caucasian	Weight: 108 kg	Height: 186 cm
Description of Corpse Upon arrival in the morgue, the body of a well-nourished Caucasian male, identified as King Duncan, weight 108 kg and height 186 cm, was presented wearing a white dressing gown (significantly bloodstained), undergarments, and a gold band on the right hand displaying the Scottish royal crest. The subject had shoulder-length blonde curly hair, which appeared disheveled upon arrival. Aside from the apparent injuries, the body appeared to be normal in physical development and appearance. The victim's eyes were open and the brow wrinkled, suggesting the victim was surprised by the attack. The hands appeared unbloodied and fingernails showed no clear evidence of a struggle.			 ©Thinkstock	
External Injuries Upon removal of the dressing gown, two clear wounds to the throat area were apparent. One wound indicated a smooth left-to-right laceration 13 cm in length. Depth was measured at 5 cm, indicating significant application of force. A second wound also indicated a left-to-right laceration, but the wound appeared somewhat uneven. Length was measured at 6 cm in length. Depth was measured at 1 cm. No other contusions were apparent on the body.				

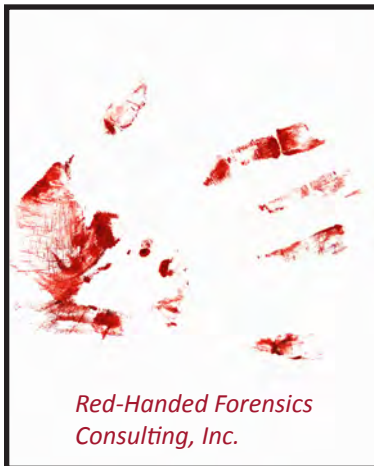
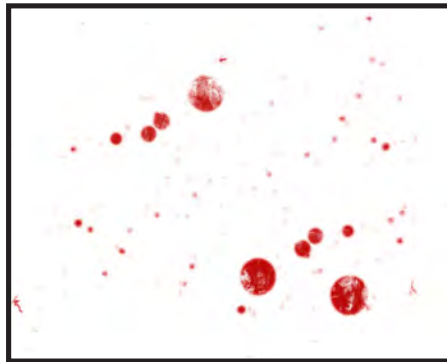
Exhibit: Autopsy Report (continued)

<p>Internal Injuries</p> <p>Indentations were evident on the hyoid bone consistent with a sharp-edged instrument and similar in size to the opening of the cut.</p> <p>The carotid artery was severed.</p> <p>The stomach contents revealed a partially-digested meal of pheasant, bread, cheese, and unidentifiable sweets.</p>
<p>Medical Diagnosis</p> <p>From the evidence gathered, depth of cut, severing of the carotid artery, and nicking of the hyoid bone, cause of death is determined to be exsanguination (fatal blood loss).</p> <p>Evidence also suggested that the additional laceration, because of its superficial nature, was caused by hesitation on the part of the assailant.</p>

Exhibit: Blood Spatter Analysis

EXPLANATORY NOTES:

When a force acts upon an exposed source of blood, the blood is broken into many small droplets by the energy applied. The greater the impact or force, the smaller the size of the droplets and the greater the number of blood droplets produced.



CONCLUSIONS:

It is clear by the blood spatter analysis collected at the scene that the victim was cut with controlled precision, causing very few blood spatters on the walls. This finding is consistent with the pooling of a large amount of blood found on the floor beneath the victim's bed.

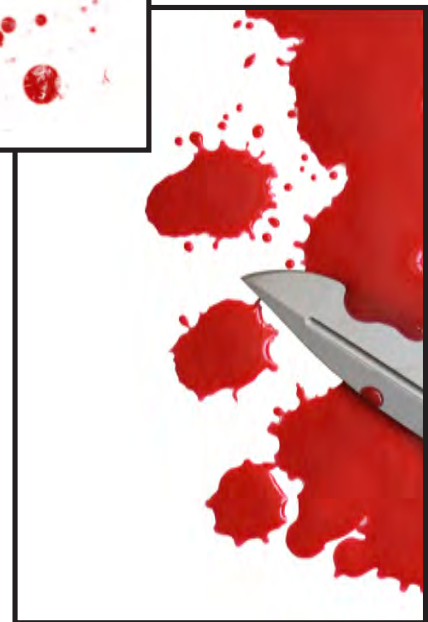






Exhibit: Fingerprint Evidence on Dagger

		
	Sample #1	Sample #2
		
Sample #3		

Final analysis of dagger confirms a match with three suspects:

- Sample #1 Macbeth (index finger)
- Sample #2 Guard (middle finger)
- Sample #3 Lady Macbeth (ring finger)

graphics: ©Thinkstock

Exhibit: Fingerprints



Name: Macbeth

Gender: Male

Weight: 86 kg

Height: 186 cm

Hair Colour: Black



Right Hand Fingerprints

graphics: ©Thinkstock



Name: Malcolm

Gender: Male

Weight: 67 kg

Height: 174 cm



Hair Colour: Blonde





Right Hand Fingerprints

graphics: ©Thinkstock

Exhibit: Fingerprints (continued)

	Name: Guard #1	
	Gender: Male	Weight: 77 kg
	Height: 182 cm	Hair Colour: Brown
		
Right Hand Fingerprints		

graphics: ©Thinkstock

	Name: Lady Macbeth	
	Gender: Female	Weight: 57 kg
	Height: 158 cm	Hair Colour: Black
		
Right Hand Fingerprints		

graphics: ©Thinkstock

Exhibit: Fingerprints (continued)



Name: Banquo

Gender: Male

Weight: 79 kg

Height: 198 cm

Hair Colour: Brown



Right Hand Fingerprints

graphics: ©Thinkstock



Name: Macduff

Gender: Male

Weight: 84 kg

Height: 176 cm

Hair Colour: Brown



Right Hand Fingerprints

graphics: ©Thinkstock

Exhibit: Additional Forensic Evidence

Exhibit 1



Lady Macbeth's maid observed Lady Macbeth handling a bloody knife in Lady Macbeth's chambers.

Exhibit 2

"A little water will clear us of this deed!
Will these hands never be clean?"
(As overheard by the Macbeths' doctor)



Exhibit 3



Jugs and basin used to clean the daggers after Duncan's murder



(Items discovered in the Macbeths' bedchamber by their maid)

all photos: ©Thinkstock

Exhibit: Correspondence, Letter from Banquo to Fleance

Dear Fleance,

If you are reading this letter, it means my instincts were right. I have been murdered. My son, I want you to learn from my experience to secure your future.

I have tried to set a good example of integrity, doing the right thing (even when it was more than inconvenient for me to do so). I have raised you with a clear sense of right and wrong. I have raised you to be aware of your environment. Watch the stars. Observe the natural order of things. Trust your gut instincts.

Our current king was misled. Three witches gave him false hope, feeding his ambition. He could have had it all. He was respected by his peers and loved by his king. He could have been king in the distant future. One could only hope to achieve this kind of greatness. However, in Macbeth's mind, he wanted to become king, and he wanted the throne immediately. These witches shared small truths with him in exchange for his soul forever.

Macbeth and I fought together for many years. After countless battles by his side, I would never have questioned his strength or his loyalty. To see how far he has fallen, in murdering our beloved Duncan and in murdering me, wracks me with guilt. I should have acted on what I knew. I fear that Scotland will pay a bloody price for my silence.

These witches shared several prophecies for our own future. While they neglected to mention the circumstances of my death (Believe me, I curse them for that!), they shared that there is great potential for us. I am not going to tell you what they said, out of fear they could mislead you in my absence. I want you to be the master of your own fate, without influence from such "instruments of darkness."

Instead, I'm going to remind you to keep your conscience clear. A bright future waits for those with noble qualities.

Be just. Be true.

Be great.

Exhibit: Correspondence, Letter from Macbeth to Lady Macbeth

My Love,

They met me in the day of success, and I have learned by the perfectest report, they have more in them than mortal knowledge. When I burned in desire to question them further, they made themselves air, into which they vanished. Whiles I stood rapt in the wonder of it, came missives from the King, who all-hailed me 'Thane of Cawdor', 'by which title, before, these weyward sisters saluted me and referred me to the coming on the time with 'Hail, King that shalt be!' This have I thought good to deliver thee, my dearest partner of greatness, that thou mightest not lose the dues of rejoicing by being ignorant of what greatness is promised thee. Lay it to thy heart, and farewell.

Yours,

Macbeth

Exhibit: Media

mactwitter

☐ Remember me

What's happening?

Following 213 Followers 300



Malcolm

The real king of Scotland
30 Oct 1610

Timeline

@Mentions

Retweets

Searches

Lists



The Witches

Fair is foul, and foul is fair,
Hover through the fog and filthy air (I, i, 11-12).



MacWeather Report

Unusual thunder and lightning reported near Forres Castle.



Old Man

On Tuesday last a falcon tow'ring pride of place, was by a mousing owl hawk'd at and kill'd (II, iv, 13-15). @Ross By the clock, 'tis day, and yet dark night strangles the travelling lamp (II, iv, 7-8).



Ross

Duncan's horses—a thing most strange and certain—turn'd wild in nature, broke their stalls, flung out (II, iv, 16-19). @Old Man 'Tis said they eat each other (II, iv, 22).



Macbeth

We hear, our bloody cousins are bestow'd In England and in Ireland, not confessing their cruel parricide (III, i, 33-35).



Lennox

The night has been unruly. Where we lay, our chimneys were blown down, And, as they say, lamentings heard in the air, strange screams of death, and prophesying with accents terrible (II, iii, 51-55).

Evidence: Court Transcripts

The following transcripts were collected during the proceedings of Macbeth's trial. Consider carefully the details that will support your case.

In each transcript, the witness will be identified in the header. The names of the Judge and the attorneys are the same.

Honourable Judge McNobleford presiding

In the case of Scotland v. His Highness King Macbeth, case number 57-284, in the year 1610, the above-entitled matter came on for oral argument before the High Court of Scotland.

Appearances:

For the Prosecution—Ewan Convictus, ESQ., on behalf of the people of Scotland, the Petitioners

For the Defence—Angus Defenderson, ESQ., Chief Counsel, Criminal Appeals, on behalf of His Highness King Macbeth, the Respondent

Transcript: The Witches

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Defenderson: If it may please the court, Mr. Chief Justice, we wish to call the three witches as hostile witnesses for the Defence.

Justice McNobleford: Proceed.

Mr. Defenderson: Madams? May I remind you, you are under oath. As you know, His Highness, the King, has recently been convicted of the murder of our beloved King Duncan.

Witches:(in unison) Aye.

Mr. Defenderson: Can you please tell the court how you came to know His Majesty?

Witch #1: Aye. In "a desert place" (I,i).

Witch #2: Aye, indeed. "Upon the heath" (I,i,7).

Mr. Defenderson: And can you please speak to the reason for your encounter with our great king?

Witch #3: Why, to tell the King of his fate, to share our prophecies for the future.

Mr. Defenderson: What would be the nature of those prophecies, Madams?

Witch #1: Ahhh, well, simply that our once-humble Thane of Glamis would, too, become the Thane of Cawdor and someday become the Scottish King.

Mr. Defenderson: Could you explain to the court why you would travel to this barren place to share this news? If it was already our King's fate, what, then, would there be to gain by sharing this fate with him?

Witch #1: (laughing) We are but cogs in the wheel of fortune, humbly serving Lady Fortuna by setting Macbeth's future in motion.

Witch #2: That is not to say we do not derive pleasure in this business of toppling proud men. (laughs)

Transcript: The Witches (continued)

Mr. Defenderson: Oh, so you do admit that you were in the "business of toppling proud men?"

Witch #3: (scowling with outstretched arms and wiggling fingers at the Defence) I should tell you about the sailor whose wife refused to share her chestnuts!

Witch #1 and 2: (in unison) Quiet, Hag!

Mr. Defenderson: Let's focus on Macbeth for the time being. Speaking of "toppling proud men," if your role was merely to set the wheels of fortune in motion, why then, when Macbeth came to you for a second time, did you purposefully equivocate and manipulate him, leading him into harm's way?

Witch #3: (winking at the court) We most certainly did no such thing!

Mr. Defenderson: Let's see about that. Please recount for the court the nature of the second set of prophecies you shared with Macbeth.

Witch #1: "Beware Macduff/Beware the Thane of Fife" (IV,i,78).

Witch #2: "Be bloody, bold and resolute; laugh to scorn/The power of man, for none of woman born/Shall harm Macbeth" (IV,i,86-89).

Witch #3: "Be lion-mettled, proud, and take no care/Who chafes, who frets, or where conspirers are. Macbeth shall never vanquish'd be until/Great Birnam Wood to high Dunsinane Hill/Shall come against him" (IV,i,99-103).

Mr. Defenderson: It seems to me, Madams, that you were quite forceful in your words, encouraging Macbeth to cast aside his fears, to "take no care," and "to be bold," because he need fear no man born of woman and no army except the Great Birnam trees themselves would rise up against him.

Witches: (in unison) Aye.

Mr. Defenderson: If that is the case, and you knew Macbeth's fate, you knew there was indeed a man not "born of woman" who would rise up against His Highness, and you knew that Great Birnam Wood could indeed rise up against him, why did you encourage Macbeth to be so bold as to kill his enemies? He took your advice and marched straight to his downfall.

Transcript: The Witches (continued)

Witch #3: (stammering) But...you see...it was...

Witch #2: It was his choice. Whatever we may say, whatever tricks we play, it is Macbeth who did the deeds.

Mr. Defenderson: But, Madams, you said yourselves, this was not choice, but Macbeth's certain fate. Which is it? Was Macbeth destined by Lady Luck and her whims to do these deeds, in which case he cannot be held accountable? Or did you use his love of country and desire to be king against him, tricking him into thinking he was safe and leading him to certain destruction? Never mind. Your Witnesses, Mr. Convictus.

Transcript: Sergeant

Justice McNobleford: Mr. Convictus, we will hear your next witness in Case 57-2844, Scotland v His Highness King Macbeth.

Mr. Convictus: Thank you, Your Honour. The Prosecution wishes to call Sergeant.

Justice McNobleford: Proceed.

Mr. Convictus: In what capacity were you familiar with Macbeth?

Sergeant: I was a Sergeant in his army.

Mr. Convictus: Would you say that Macbeth was a strong leader?

Sergeant: Sir, yes, sir. Macbeth waged war against "the merciless Macdonwald...from the Western Isles of kerns and gallowglasses...supplied" (I,ii,11-15).

Mr. Convictus: Macbeth must have hated Macdonwald's acts of rebellion. Did he bring Macdonwald to justice?

Sergeant: In a manner of speaking. "Brave Macbeth (well he [deserved] that name) disdaining Fortune, with his brandished steel, which smoked with bloody execution...carved out his passage until he faced the slave...and unseamed him from the nave to the chops, and fixed his head upon our battlements" (I,ii,18-25).

Transcript: Sergeant (continued)

Mr. Convictus: Clearly Macbeth can handle himself in man-to-man conflict. How, then, did he deal with the Norweyan lord's assault with fresh troops? Did Macbeth call for a retreat and spare the lives of his own soldiers?

Sergeant: Not bloody likely...I mean, no, sir. Macbeth did not order a retreat. Macbeth and Banquo "were as cannons charged with double cracks, so they doubly redoubled strokes upon the foe...to bathe in reeking wounds, or memorize another Golgotha" (I,ii,40-44).

Mr. Convictus: Indeed, Macbeth's thirst for blood seems to know no bounds. No further questions, Your Honour.

Mr. Defenderson: Permission to cross-examine this witness, Your Honour?

Justice McNobleford: Permission granted. You may proceed.

Mr. Defenderson: As a soldier of war, Sergeant, would you say you respected Macbeth's heroism that day?

Sergeant: Aye. There was none like 'im.

Mr. Defenderson: Is that because he was your superior on the field of battle?

Sergeant: Of course. But I wasn't the only man there who revered him.

Mr. Defenderson: Who else appreciated Macbeth's prowess as a military leader?

Sergeant: Why, don't you know? The King himself, King Duncan, called Macbeth a "valiant cousin [and] worthy gentleman" (I,ii,26).

Mr. Defenderson: So he did. No further questions of this witness, Your Honour.

Justice McNobleford: Thank you, Sergeant. You are excused.

Transcript: Seyton

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Convictus: If it may please the court, Mr. Chief Justice, we wish to call Seyton as a witness for the Prosecution.

Justice McNobleford: Proceed.

Mr. Convictus: Seyton, can you please tell the court of your relationship with the defendant?

Seyton: Aye. I have been his faithful servant for these long years.

Mr. Convictus: Did you serve Macbeth the night that King Duncan was murdered?

Seyton: Aye.

Mr. Convictus: Did you serve Macbeth the night that Lady Macbeth died?

Seyton: I was standing outside his chamber when he called, "Seyton! I am sick at heart" (V,iii,22). I replied, "What's your gracious pleasure" (V,iii,33)?

Mr. Convictus: Aye, sick at heart you say, indeed. And what was his Grace's pleasure?

Seyton: Macbeth inquired, "What news more" (V,iii,34)?

Mr. Convictus: What news was it Macbeth was hoping to hear? The death of King Duncan? And while you were attending outside Macbeth's chamber, did you happen to overhear anything?

Seyton: Overhear, sir?

Mr. Convictus: Conversations? Arguments?

Seyton: It is not a servant's place to be spying on his master, sir.

Mr. Convictus: (laughing) Ah, yes, the natural order of the universe. Of course, no servant would ever be spying at the door of his master. But, if say, by chance, you might have overheard something, I remind you that you are under oath, and you must share that with the court today.

Transcript: Seyton (continued)

Seyton: (reluctantly) While standing at his door, I did overhear his ramblings.

Mr. Convictus: Oh, so you do admit that you were listening at Macbeth's door?

Seyton: (blushing, while shifting uncomfortably in his chair) No! Not listening, overhearing.

Mr. Convictus: Okay then, out with it. Please recount for the court the nature of what you overheard.

Seyton: Macbeth was clearly distressed. He was lamenting the long life he had lived and that by this point in his life he should have "honour, love, obedience, troops of friends" (V,iii,28). He mentioned that instead he had "curses, not loud but deep" (V,iii,30).

Mr. Convictus: (winking at the court) Curses you say. Clearly, Macbeth was feeling guilty about something.

Seyton: (pointing, agitated, shouting) T'was the witches. They cursed him! It is all their fault! Macbeth said so himself! I overheard him saying how the witches had tricked him. "To doubt the equivocation of the fiend that lies like truth" (V,v,48-49). If Macbeth did anything to Duncan, it was the witches who forced him.

Mr. Convictus: Aye, sure, blame the witches. They make great scapegoats. Moving on. What else did you overhear Macbeth lamenting?

Seyton: He was such an honourable man. It was most distressing to see Macbeth so upset. He cried, "tomorrow, and tomorrow, and tomorrow creeps in this petty pace...Life's but a walking shadow...a tale told by an idiot...signifying nothing" (V,v,21-30).

Mr. Convictus: How so?

Seyton: Macbeth was a brave man and respected by both soldiers and King Duncan alike.

Mr. Convictus: If that is the case, why was Macbeth so distraught the night of his wife's death? It is clear that he had a guilty conscience.

Setyon: (stammering) But, no, wait...it was...

Transcript: Seyton (continued)

Mr. Convictus: (interrupting) Yes, sir, we heard you the first time, the witches. What would you have me do, sir? Burn them? Which is it now? Was Macbeth forced into unnatural acts by the witches, or did he do the deed to fulfill his own lust for power? Either way, your King Macbeth is guilty as charged! No further questions, Your Honour!

Transcript: Donalbain

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Convictus: If it may please the court, Justice McNobleford, we wish to call Donalbain, son of Duncan, as a witness for the Prosecution.

Justice McNobleford: Proceed.

Mr. Convictus: Sir, may I first express my condolences to you on the loss of your father and our great King Duncan.

Donalbain: Thank you, sir. He was a great man, indeed.

Mr. Convictus: Could you please tell the court how you learned of your father's brutal murder?

Donalbain: The morning following our visit to Macbeth's castle at Inverness, we knew that something was amiss. We heard the trumpets summoning us all at an early hour of the morning. When we came into the room, Macbeth announced to us that, "The spring, the head, the fountain of [our] blood is stopped, the very source of it stopped" (II,iii,103-104). We came to understand that this meant our "royal father" had been murdered (II,iii,106).

Mr. Convictus: What other details of your father's murder did you learn at that time?

Donalbain: The noble Lennox informed us that it was my father's guards who had done the deed. He reported that "Their hands and faces were all badged with blood. So were their daggers, which unwiped [they had] found/upon their pillows" (II,iii,109-111).

Mr. Convictus: And were the guards arrested for their alleged crimes?

Transcript: Donalbain (continued)

Donalbain: No, they were not. Instead, Macbeth announced to us that his fury led him to kill the men as they slept.

Mr. Convictus: "As they slept," you say?

Donalbain: Aye.

Mr. Convictus: Let me see if I understand. These guards allegedly murdered the king of Scotland, then fell fast asleep with their heads next to their bloody daggers? They did not flee? They did not conceal their weapons? They simply waited until morning to meet their certain deaths? Seems rather implausible to me.

Donalbain: All I know is what I was told.

Mr. Convictus: Your witness, Mr. Defenderson.

Mr. Defenderson: Could you tell me please, Donalbain, where you were at the time of the murder?

Donalbain: Why, I was sleeping...like everyone else in the court.

Mr. Defenderson: Can anyone verify your whereabouts between the hours of, say, midnight and the next morning when the bodies were discovered?

Donalbain: I should think that verifying my whereabouts would be unnecessary. The king was my beloved father. Can't you see how distressed my brother and I have been over our loss?

Mr. Defenderson: It is interesting that you should say that, Donalbain. Isn't it true that at the moment you were informed of your father's death, that you and your brother, Malcolm, stood mute while everyone around you, the defendant's wife included, swooned from their grief? Did Macbeth not rail that "no man...can be wise, amazed, temperate and furious, loyal and neutral, in a moment" (II,iii,116-117), while you stood whispering calmly to your brother, both temperate and neutral in your response? Did Macduff not rush to attend to Lady Macbeth while you did nothing?

Donalbain: Who are you to say how a man should respond to the gruesome murder of his own father? "To show an unfelt sorrow is an office which the false man does easy" (II,iii,152-153).

Transcript: Donalbain (continued)

Mr. Defenderson: Just answer the question, please.

Donalbain: I was in shock. My brother and I did not know what to think or how to respond.

Mr. Defenderson: And, Donalbain, once you did gain your composure and decided upon a course of action, what did you and your brother decide to do in response to your father's murder?

Donalbain: I fled to Ireland and my brother to England. "Our separated fortune...[kept] us both the safer" (II,iii,156).

Mr. Defenderson: So rather than stay and avenge your father's death, you ran away like cowards, only to become the stuff of gossip across the entire continent? I think we all know the answer to that. No further questions.

Transcript: Malcolm

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v. His Highness King Macbeth.

Mr. Defenderson: If it may please the court Mr. Chief Justice, we wish to call Malcolm as a witness for the Defence.

Justice McNobleford: Proceed.

Mr. Defenderson: Prince Malcolm, is it true that your father planned for you to succeed him on the throne?

Malcolm: Aye. He said, "We will establish our estate upon our eldest, Malcolm, whom we name hereafter the Prince of Cumberland" (I,iv,44-46).

Mr. Defenderson: And as Prince of Cumberland, this made you next in line for the throne after the death of your father?

Malcolm: Aye.

Mr. Defenderson: Where were you the night that King Duncan died?

Malcolm: My brother and I were sleeping in Macbeth's castle.

Transcript: Malcolm (continued)

Mr. Defenderson: So, you were present the night your father was murdered?

Malcolm: Aye.

Mr. Defenderson: And after your father was found dead, what did you do to defend his honour? Did you cry out to avenge your father's death? Question all in the castle? Search high and low for the murderer? Kill the murderer in mad revenge?

Malcolm: I asked my brother, Donalbain, "Why do we hold our tongues, that most may claim this argument for ours" (II,iii,129-130)?

Mr. Defenderson: And why indeed did you hold your tongues? It seems as King Duncan's sons you would have the most to say unless, of course, you had something to hide.

Malcolm: Donalbain told me to hold my tongue out of fear. "What should be spoken here, where our fate, hid in an auger hole, may rush and seize us" (II,iii,131-133)?

Mr. Defenderson: So, your brother was afraid of his fate? Was he worried that he would be found out for some wrong doing?

Malcolm: No, Donalbain was afraid of the murderer. He said "Let's away" (II,iii,133).

Mr. Defenderson: (smiling) So, you admit to fleeing the scene of the crime?

Malcolm: No! That is not what I meant. Donalbain was afraid for our lives. As heir to the throne, it served Scotland better to secure our own safety by splitting up. He said, "To Ireland, I. Our separate fortunes shall keep us both the safer" (II,iii,155-156).

Mr. Defenderson: Yes, it is clear that your safety was at the forefront, not that of your noble father. Is it not true that you and your brother, "took to horse, and...shift[ed] away" (II,iii,161-163)?

Malcolm: (defeated) Aye, but it is not what it seems. "There's warrant in that theft which steals itself when there's no mercy left" (II,iii,163-164).

Transcript: Malcolm (continued)

Mr. Defenderson: Hmmm. I see you would have the court believe in your innocence when you have just admitted to "stealing off" in the middle of the night after your father's murder. I see no justice in that. No further questions, Your Honour.

Transcript: Fleance

Justice McNobleford: Mr. Convictus, we will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Convictus: Thank you, Your Honour. The Prosecution wishes to call Fleance, son of Banquo.

Justice McNobleford: Proceed.

Mr. Convictus: Welcome, young man, to what is likely a difficult proceeding. I'm afraid I will have to ask some difficult questions of you. Are you ready to proceed?

Fleance: I am, m'Lord.

Mr. Convictus: Very well, then. In what capacity were you familiar with Macbeth?

Fleance: Well, sir, Macbeth was my father's best friend, at least until my father was murdered by Macbeth. He...he killed my father!

Mr. Convictus: Quite. What we are seeking to establish, young man, is His Highness' role in the murder of King Duncan. What do you know about the night King Duncan was brutally murdered?

Fleance: Well, there was this huge party with all of the King's men who had come along with him. Everybody was feeling pretty good, if you know what I mean, sir.

Mr. Convictus: Yes, yes! What time did you go to bed?

Fleance: My father and I were going to our quarters, and he asked me about the time. "The moon is down. I have not heard the clock," I says (II,i,2). He said something about the moon "going down at twelve," so I thought it would be after twelve, midnight, sir (II,i,3).

Transcript: Fleance (continued)

Mr. Convictus: Did your father say anything at all about what he had experienced?

Fleance: Well, sir, he did say something that I thought was strange. I remember he said, "There's husbandry in heaven, their candles are all out. A heavy summons lies like lead upon me, and yet I would not sleep. Merciful powers, restrain in me the cursed thoughts that nature gives way to in repose"(II,i,6-11).

Father gave me his sword and some of his armour, and I wanted to ask him about what he had said, because I thought, "Man, we've just come from a party! What could be wrong?" I didn't get a chance to ask him about that, though, because just then Macbeth came by.

Mr. Convictus: Macbeth? So Macbeth was walking the halls, too? Then what happened?

Fleance: Well, sir, Father grabbed his sword, but then saw it was Macbeth, so he gave it back to me. Then they had the weirdest conversation I have ever heard them have.

Mr. Convictus: Fleance, would you please tell us a little more about this "weird" conversation?

Fleance: Well, Father and Macbeth were talking about the king and about the diamond King Duncan had given Lady Macbeth, and Macbeth was all apologetic about not being better prepared, and the whole thing just sounded weird. Then father said, "I dreamt last night of the three Weird Sisters. To you they have showed some truth" (II,i,24-25). Macbeth got all antsy but said "I think not of them" (II,i,26). But he was all tense and looked around like he was worried that someone might hear them, and I wondered what that was all about, but then he said to father, "If you shall cleave to my consent, when 'tis, it shall make honour for you" (II,i,31-32). Well, that really got my thoughts going, and I could hardly wait until I could ask Father about that. Then it just seemed like Macbeth wanted to get rid of us.

Mr. Convictus: Fleance, this trial is really important. Are you certain this is what you heard?

Fleance: Oh, yeah! Because I asked Father about that after we left Macbeth, but Father told me it was nothing.

Mr. Convictus: Indeed. No further questions of this witness, Your Honour.

Transcript: Fleance (continued)

Mr. Defenderson: Permission to cross-examine this witness, Your Honour?

Justice McNobleford: Permission granted. You may proceed.

Mr. Defenderson: How old are you, son?

Fleance: I'm a boy at a glance, sir, but a man by heart!

Mr. Defenderson: Have you ever been to war? Have you ever seen your father and Macbeth in battle? Have you ever had opportunity to see blood up close?

Fleance: No, sir!

Mr. Defenderson: I would like to suggest, Your Honour, that a self-confessed "boy at a glance" has no knowledge whatsoever of knowing anything about when people are tense, or what their motivations would be and how they interact. Even "quoting" what his father said is mere hearsay and cannot be counted on for anything except being prejudicial to my client. I move that we strike the entire testimony of this youngster.

Justice McNobleford: Thank you, Mr. Defenderson, but the court will reserve the right to recall this witness if and when it desires. Thank you, Fleance, son of Banquo. You are excused.

Transcript: Hecate

Justice McNobleford: Mr. Defenderson, we will hear your next witness in Case 57-2844, Scotland v His Highness King Macbeth.

Mr. Defenderson: Thank you, Your Honour. The Defence wishes to call Hecate.

Justice McNobleford: Proceed.

Mr. Defenderson: What is your relationship to Witch #1, #2, and #3?

Hecate: I be their Queen, "the mistress of [their] charms"(III,v,6).

Transcript: Hecate (continued)

Mr. Defenderson: What was your involvement in their sharing of prophecies, more specifically, the titles of Glamis, Cawdor, and King, with Macbeth?

Hecate: I "was never called to bear my part [to] show the glory of our art" (III,v,8-9).

Mr. Defenderson: In your opinion, is Macbeth evil?

Hecate: Macbeth be "but a wayward son, spiteful and wrathful, who as others do, loves for his own ends," but he be not evil (III,v,11-12).

Mr. Defenderson: Interesting observation, given your position of authority. If Macbeth was, to quote your testimony, "wayward" or misguided, in your opinion, was Macbeth really free to make his own decisions?

Hecate: Many a soul travel without our guidance, ignorant of their own destiny. Question me not, sir, everyone's destiny be fixed.

Mr. Defenderson: That is all we have for this witness at this time. Thank you, Your Honour.

Transcript: The Doctor

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Defenderson: If it may please the court, Mr. Chief Justice, we wish to call the Doctor, as a witness for the Defence.

Justice McNobleford: Proceed.

Mr. Defenderson: Doctor, please tell the court of your relationship with His Highness King Macbeth and his wife, Lady Macbeth.

Doctor: Lady Macbeth was a patient of mine. I was called by her attendant to observe Lady Macbeth sleepwalking.

Mr. Defenderson: Doctor, please tell the court what you saw and heard when you observed Lady Macbeth.

Transcript: The Doctor (continued)

Doctor: Well, sir, for two nights, I watched Lady Macbeth, with her attendant, during which time I saw no behaviours of concern. However, on the third night, I saw and heard a great many things.

Mr. Defenderson: What was it that the attendant had reported?

Doctor: The gentlewoman informed me that, "Since his Majesty went to field, [she had] seen [Lady Macbeth] rise from her bed...Yet all this while in a most fast sleep" (V,i,3-7).

Mr. Defenderson: Rise from bed? Fast asleep? And you say, you also observed this on the third night? "In her slumbery agitation, besides her walking and other actual performances, what, at any time, have you heard her say" (V,i,9-11)?

Doctor: "I set down what [came] from her to satisfy my remembrance the more strongly" (V,i,28-29).

Mr. Defenderson: Yes. Continue, Doctor, what did you record?

Doctor: (hesitant) We heard many "foul whisperings" not fit for the gentlewoman (V,i,63).

Mr. Defenderson: As foul as the whisperings may be, this is a court of law and a trial for the murder of a King. What did Lady Macbeth say in her sleep?

Doctor: She rubbed her hands as if to wash them while shouting, "Out, damned spot! Out I say" (V,i,30)! And then she continued to say, "Yet who would have thought the old man to have had so much blood in him?" (V,i,33-34).

Mr. Defenderson: So much blood? Who was the old man she spoke of?

Doctor: She did not say, sir.

Mr. Defenderson: But she must have been referring to King Duncan?

Doctor: It is not a doctor's position to speculate, sir. It was clear her "heart was sorely charged" (V,iii,46).

Transcript: The Doctor (continued)

Mr. Defenderson: It sounds to me that a great deal of guilt was laid on Lady Macbeth's hands to make her sleep so disturbed. It therefore stands to reason that out of her desire to become queen, Lady Macbeth, not her husband, murdered King Duncan! Why else would she know of his blood?

Doctor: (reluctantly) It is possible. Another possibility is that she was suffering from homicidal somnambulism, which is the act of killing someone during an episode of sleepwalking. Unfortunately, "this disease is beyond my practice" (V,iii,51).

Mr. Defenderson: Homicidal somnambulism? Regardless of what you call it, a King was murdered, and the guilt covers the hands of Lady Macbeth. The witness is yours, Mr. Convictus.

Transcript: Old Man

Justice McNobleford: Mr. Convictus, we will hear your next witness in Case 57-2844, Scotland v His Highness King Macbeth.

Mr. Convictus: Thank you, Your Honour. The Prosecution wishes to call Old Man.

Justice McNobleford: Proceed.

Mr. Convictus: Do you recall the conversation you had with Ross, following Duncan's murder?

Old Man: I do.

Mr. Convictus: Can you please describe the events that occurred outside the castle that evening?

Old Man: "The heavens, as troubled with man's act, threaten[ed] his bloody stage" (II,iv,6-7).

Mr. Convictus: Can you be more specific?

Old Man: "By the clock [it was] day, and yet dark night strangle[d] the travelling lamp" (II,iv,7-8). It was not clear whether it was "night's predominance, or the day's shame" that made it so (II,iv,9-10).

Transcript: Old Man (continued)

Mr. Convictus: It was a dark day in Scotland, indeed. Who was suspected of the horrid murder of a righteous king?

Old Man: At first, Macduff told us the suspects were the guards, but Macbeth killed them. Then, he reported that "Malcolm and Donalbain, the King's two sons, [had] stolen away and fled, which put upon them suspicion of the deed" (II,iv,33-35).

Mr. Convictus: Did you believe Malcolm and Donalbain would kill their father?

Old Man: Macduff told us "the sovereignty would fall upon Macbeth" and that Macbeth's coronation would occur at Scone (II,iv,39-40).

Mr. Convictus: That's not quite answering my question, sir. Allow me to rephrase: Did you have any reason to suspect that Macbeth had been involved in Duncan's murder?

Old Man: It's not my place to question a king. I'm just telling you what I heard. I did find it interesting that Macduff was not attending Macbeth's coronation, though. Can't think of a logical reason for that, and his absence would certainly not go unnoticed.

Mr. Convictus: That is all we have for this witness at this time. Thank you.

Transcript: Ross

Justice McNobleford: We will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Convictus: If it may please the court, Justice McNobleford, we wish to call Ross, nobleman, as a witness for the Prosecution.

Justice McNobleford: Proceed.

Mr. Convictus: Sir, do you know the defendant?

Ross: Yes, I do.

Transcript: Ross (continued)

Mr. Convictus: Could you please tell the court the events leading up to the brutal murder of King Duncan?

Ross: Not much to tell. We were in battle with Norway. We had defeated Norway and had gone to report the events of the battle to the king, sir.

Mr. Convictus: If you please, what news did you report to King Duncan?

Ross: I reported the state of the battle to King Duncan, sir, and I reported that, "Assisted by that most disloyal traitor, the Thane of Cawdor, began a dismal conflict: till that Bellona's bridegroom, lapp'd in proof, confronted him with self-comparisons, point against point, rebellious arm 'gainst arm, curbing his lavish spirit, and, to conclude, the victory fell on us" (I,ii,60-66).

Mr. Convictus: How did King Duncan react to this news?

Ross: The king gave me some instructions. "No more that Thane of Cawdor shall deceive our bosom interest. Go, pronounce his present death, and with his former title greet Macbeth" (I,ii,72-74). King Duncan was very pleased with Macbeth as a warrior.

Mr. Convictus: So, Ross. What other contact have you had with Macbeth?

Ross: King Duncan sent me to meet with Macbeth, and I found Macbeth and Banquo coming from the battlefield. I gave him the message: "The King hath happily received, Macbeth, the news of thy success, and when he reads thy personal venture in the rebels' fight, his wonders and his praises do contend which should be thine or his... And for an earnest of a greater honour, he bade me, from him, call thee Thane of Cawdor, in which addition, hail, most worthy Thane, for it is thine"(I,iii,94-113).

Mr. Convictus: Let me see if I understand this correctly. Macbeth was now Thane twice over with twice the territory?

Ross: Aye, sir.

Mr. Convictus: What was Macbeth's response to this news?

Transcript: Ross (continued)

Ross: Macbeth questioned me about the Thane of Cawdor, and I told him that Cawdor had been executed. It was curious, though, that this news caused Macbeth to go into deep thought. He seemed to recoil, almost as if he had heard something totally unexpected and that these promotions had deeply shocked him.

Mr. Convictus: These promotions seemed to indicate Duncan's admiration of Macbeth as a nobleman of Scotland. How did Macbeth react when Duncan named Malcolm as the Prince of Cumberland, his successor to the throne?

Ross: I happened to be watching Macbeth when King Duncan was announcing his successor. When it was announced that Malcolm, Duncan's son, would be the next king, Macbeth turned white and almost seemed to faint.

Mr. Convictus: He must have been angry. Sounds like a motive to me. Your witness, Mr. Defenderson.

Mr. Defenderson: Sir, is it reasonable to assume that a man who has just been honoured and rewarded by his king, for whom he has so valiantly fought with no fear of harm to himself, would immediately turn around and assassinate his king?

Ross: That is something that does not make sense to me, sir, but facts are facts.

Mr. Defenderson: Well, then, Ross, what are the facts? Macbeth fought with everything he had to protect his king from treasonous enemies. The king rewarded Macbeth for his terrific fighting prowess. Macbeth was shocked and pleased by the promotions Duncan bestowed upon him. Macbeth murders Duncan?

Honorable Judge McNobleford: Mr. Defenderson, the court would appreciate it if you would leave the testifying to the witnesses, and just ask the questions. Let's move on.

Mr. Defenderson: My apologies, Your Honour, but I was overcome with my disbelief that a man who is mightily rewarded would immediately murder the one who honours him. That is indeed a common occurrence.

Transcript: Ross (continued)

Now then, Ross, you talked of Macbeth's reaction to King Duncan's announcement pertaining to his successor. You implied that Malcolm being named the successor was motivation for Macbeth to kill his beloved king. Is there any other basis for asserting that supposition, other than your vivid imagination or even jealousy of Macbeth?

Ross: No, sir.

Mr. Defenderson: I thought not. Indeed, it was the very thanes themselves who appointed Macbeth as king only due to the fact that Malcolm, the heir to the throne, ran away. Obviously, my client is being painted as the evil perpetrator in a crime that has little or no basis in fact, and is being charged only through innuendo and rumour. The Macbeths happened to be the unfortunate hosts to their king. A king for whom Macbeth fought with everything he had in order to protect not harm.

Who would then turn around and do harm to the one he had just risked life and limb to protect? No one. We must look for the criminal elsewhere. No more questions, Your Honour.

Transcript: Macduff

Justice McNobleford: Mr. Convictus, we will hear your next witness in Case 57-284, Scotland v His Highness King Macbeth.

Mr. Convictus: Thank you, Your Honour. The Prosecution calls Macduff, Thane of Fife.

Justice McNobleford: Proceed.

Mr. Convictus: Thank you, Macduff, for being willing to share your knowledge about this heinous crime perpetrated against the people of Scotland. Are you ready to proceed?

Macduff: I am, m'Lord.

Mr. Convictus: Very well, then. Tell us what you know about Macbeth.

Macduff: "O horror! Horror! Horror! Tongue nor heart cannot conceive nor name thee" (II,ii,64-65)! I had thought never to see such a horrible sight!

Transcript: Macduff (continued)

Mr. Convictus: Quite. What we are seeking to establish, sir, is the alleged role Macbeth had in the murder of King Duncan. It would help matters if you would answer the question asked.

Macduff: Macbeth is a traitor, a murderer! "Not in the legions of horrid hell can come a devil more damned in evils to top Macbeth" (IV,i,64-66).

Mr. Convictus: Those are strong words, sir. On what basis are you making these allegations against Macbeth?

Macduff: I recall a conversation I had with Malcolm. Duncan had announced Malcolm as the successor to the throne. Once the king was murdered, Malcolm and Donalbain sought safety and allies elsewhere. Aware of Macbeth's treachery, I went to Malcolm to enlist his help to reestablish the natural order to the throne and to bring order and prosperity back to Scotland. Then Ross came with news about the brutal murder of my family. "They were struck for [me]! Naught that I am, not for their own demerits, but for mine, fell slaughter on their souls" (IV,iii,258-260).

I determined to "Cut short all intermission. Front to front bring thou this fiend of Scotland and myself within my sword's length set him. If he 'scapes, Heaven forgive him, too" (IV,iii,265-268).

Mr. Convictus: What can you tell us about the night that King Duncan was assassinated?

Macduff: After the battle, King Duncan decided to stop in at Macbeth's castle. As I wasn't far from my own castle, I stopped in to see my family and then left for Macbeth's castle; King Duncan planned on an early departure. When I got to Macbeth's I had to pound my fists sore on the door, because no one was sober enough to answer the door. Really, the king in residence and no sober guards on duty! That was a travesty!

Mr. Convictus: Your Honour, please instruct the witness to answer the questions.

Justice McNobleford: Macduff, please respond to the questions asked.

Transcript: Macduff (continued)

Macduff: Alright, alright! Finally, the porter answered the door, and I went to wake King Duncan. I found him! "Confusion now hath made his masterpiece! Most sacrilegious murder hath broke open the Lord's anointed temple and stole thence the life of the building" (II,iii,67-69).

I was appalled, devastated. "Ring the alarm bell. Murder and treason! Banquo and Donalbain! Malcolm, awake! Shake off this downy sleep, death's counterfeit, and look on death itself! Up, up, and see the great doom's image! Malcolm! Banquo! As from your graves rise up and walk like sprites to countenance this horror! Ring the bell" (II,iii,76-82).

Mr. Convictus: There must have been quite a commotion after that. Who did you think had performed this treasonous act?

Macduff: Macbeth, without a doubt. Both he and Lady Macbeth acted oddly, and Macbeth killed the guards before we had a chance to question them. They were bloody, with bloody knives, and Macbeth just killed them! Really, a battle-hardened man like Macbeth losing control and killing the only potential witnesses? Ask me to believe in ghosts! Why would he do that unless he didn't want to have them talk? Then his wife faints? Again, very difficult to believe, and so it was not a huge leap to think Macbeth was involved.

Mr. Convictus: Indeed, those are questions we will continue to explore. No further questions of this witness, Your Honour.

Mr. Defenderson: Permission to cross-examine this witness, Your Honour?

Justice McNobleford: Permission granted. You may proceed.

Mr. Defenderson: Macduff, all you have offered is pure conjecture haven't you?

Macduff: Those are pretty good conjectures as far as I'm concerned. Why would the guards kill Duncan? What could they hope to achieve? They would be king? Don't make me laugh! Somebody was behind the killing, and it sure wasn't Malcolm because he had already been named as the successor. Who would be the most likely suspect, and who had the means and the opportunity? You've got it! Macbeth.

Transcript: Macduff (continued)

Mr. Defenderson: Yet you offer no substantive proof of that. Where is the evidence? Sir, if you had suspicions of Macbeth's guilt, why didn't you stop his ascension to the throne? Instead you went home and did nothing. Is that not correct, sir?

Macduff: Yes, that is true and something that I regret and will regret every day of my life. Had I done something, perhaps my family would still be here, and our country would not have suffered.

Mr. Defenderson: So Macbeth is not fully to blame, is he? You bear some of that responsibility as you allowed things to happen and yet did nothing to stop them. I wonder, what were you thinking of in terms of the future when you left your family behind? Perhaps you saw some way of benefiting from this tragedy, and so you must share in the guilt and blame because you saw a political advantage.

Mr. Convictus: I object, Your Honour! Defence is doing his own testifying and impugning the integrity of a respected nobleman.

Justice McNobleford: Mr. Defenderson, please contain your enthusiasm for testifying and ask questions for witnesses to answer.

Mr. Defenderson: My apologies, Your Honour. I was just addressing the witness' biases against my client, m'Lord. I am finished with this witness, m'Lord.

Justice McNobleford: Thank you, Mr. Defenderson. The witness is excused.