

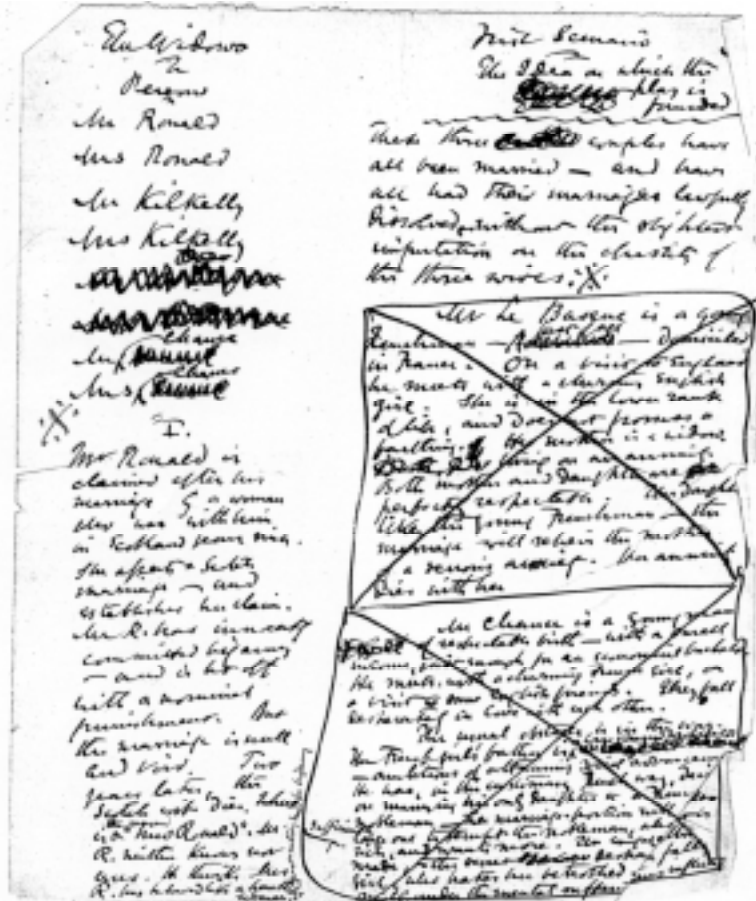


THE WILKIE COLLINS SOCIETY

The Widows

Unpublished sketches for two plays concerning marriage law

By Wilkie Collins



Edited by Andrew Gasson and Graham Law

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THE WILKIE COLLINS SOCIETY

The Widows: **Unpublished sketches for two** **plays concerning marriage law**

Andrew Gasson & Graham Law

What brought good Wilkie's genius nigh perdition?
Some demon whispered – "Wilkie! Have a mission.

We all now know Swinburne's witty couplet highlighting the heavy-handedness of Wilkie Collins's engagement with social problems in his late fiction. But few of us remember that, in the obituary assessment of Collins's literary career in which this parody of Pope appeared, the poet also proclaimed that 'nothing can be more fatuous than to brand all didactic or missionary fiction as an illegitimate or inferior form of art', praising *Man and Wife* as a fine example of the form (Swinburne, XX). Social evils attacked sporadically in the later novels cover a wide range, from the Scottish intermediary verdict of Not Proven in *The Law and the Lady* (1875), through the moral and financial sophistry of the Jesuits in *The Black Robe* (1881), to the practice of animal vivisection for scientific research in *Heart and Science* (1883). Abuses addressed by Collins with greater constancy and consistency, however, generally concern the social disabilities suffered by women under unequal and inconsistent laws or customs. Here, we would have to include not only those later novels (*The New Magdalen*, 1873, and *The Fallen Leaves*, 1879) which challenge the hypocrisy of prevailing attitudes towards prostitution, as typified by the Contagious Diseases Acts, but also those major sensation novels which attack the injustices suffered by women under current laws regarding lunacy (*The Woman in White*, 1860) or illegitimacy (*No Name*, 1862). Nevertheless, the crucial examples here must be those novels that centre on the regulation of marriage itself, that is, *Man and Wife* (1870) which advocates both major reform of existing marital law and new legislation protecting married women's

property, and *The Evil Genius* (1886) which focuses on divorce and child custody legislation.

Both of these works, it should be remembered, were written simultaneously in narrative and dramatic form, though professional performance was delayed for several years in the case of *Man and Wife*, and indefinitely in the case of *The Evil Genius*. Nevertheless, this should remind us that Collins's missionary demon was awakened at precisely the time when his involvement with the professional theatre was at its height. The purpose of the present pamphlet is to draw attention to two manuscript sketches, both entitled 'The Widows', for distinct missionary plays concerning the anomalies of contemporary marriage laws. Both are publicly accessible in separate archives (in Lancashire and Texas), but neither has been previously published or, as far as we are aware, discussed in the literature. Though neither saw the light of day as a completed drama, we believe that these sketches show Collins in the process of generating ideas that were sooner or later incorporated into, respectively, *Man and Wife* and *The Evil Genius*. Though neither manuscript is formally dated, we thus judge that the Lancashire 'Widows' was written in the late 1860s, while the Texas 'Widows' probably belongs to around a decade or so later. These judgments are supported not only by the general nature of the hand-writing as compared with dated evidence in Collins's extensive autograph correspondence, but also by specific textual evidence.

The Lancashire 'Widows' concerns three marriages dissolved due to blindspots and incompatibilities in current laws governing the marriage contract. In the case of the third marriage, the manuscript revisions show Collins wavering between a scenario based on inconsistencies between British and French law and one deriving from the alleged insanity of the wife at the time of the marriage ceremony. The first and second annulled marriages respectively concern the impediments to 'mixed marriages' between Catholics and Protestants under Irish law, and the countenancing of 'irregular marriages' under Scottish law. Public attention was drawn simultaneously to these legal defects through the celebrated 'Yelverton Case' running through the courts from 1858. When the case finally reached the House of Lords in 1864, judgement was given by a single vote in favour of the Irish Protestant, Captain Charles Yelverton, who was thus declared innocent of bigamy, and against the English Catholic, Theresa Longworth, who had claimed that she was legally united with Yelverton under irregular Scottish and Catholic Irish ceremonies both conducted in 1857. The vexed questions arising from this case were among those considered by the Royal Commission on the Laws of Marriage reporting in 1868, and largely dealt with in the 1870 Marriage Causes and Marriage Law Amendment Act (33 & 34 Vict. c. 110). Shortly before the passage of this legislation, Collins was to address these issues in print in the dramatic and narrative versions of *Man and Wife*, both issued in the summer of

1870 (see Page, ed., XX). What appears to be Collins's first interest in such questions, however, is signalled in a letter to his old friend and legal adviser Charles Benham of 25 September 1868, where the author seeks 'to find out what "Mrs Yelverton's" grievance is — in "a nutshell"— with a view to making it the starting point in a play (this between ourselves). Can you tell me, in what point her marriage, was "null and void"?' (Baker & Clarke, *Letters* II 313). It seems likely that the Lancashire 'Widows' sketch derives from around this time. It is certainly difficult to imagine that the author would consider writing another play concerning the vagaries of Irish and Scottish marriage legislation after *Man and Wife*.

For all the cancellations and insertions it is clear that the Lancashire 'Widows' manuscript represents a single document. This is not the case with the Texas 'Widows', which complicates considerably the question of dating. There are three entirely different kinds of stationery among the four leaves found in the envelope at Texas, and, of the two similar sheets, one is inscribed in black ink and the other in pencil. Moreover, three of the leaves employ different titles from that appearing on the envelope itself: 'The Widowed Wives', 'Chop and Change Ribs; or The Comedy of Marriage', and 'The Divorced Women'. Nevertheless, the documents are unified around the idea of a comic treatment of the issues of the grounds of divorce as exemplified by a series of affected couples. This obviously points towards the territory explored in *The Evil Genius*. The note on the containing envelope found at Texas suggests that the purpose of the proposed play is 'to illustrate the better idea of one Divorce only'. This suggests that Collins intended to attack the double standard underlying current English divorce legislation, whereby the wife's adultery alone is sufficient grounds for the husband to seek a divorce, but not the other way around. When the 1857 Matrimonial Causes Act (20 & 21 Vict. c. 85) was being debated, Collins had spoken out strongly against the 'senseless prejudice which leads some people, when driven to extremes, to the practical confession (though it may not be made in plain words), that they would rather see murder committed under their own eyes than approve of any project for obtaining a law of divorce which shall be equal in its operation on husbands and wives of all ranks who cannot live together' (Collins, 'Bold Words', 507). However, as noted in Law, ed. 12-14, an interpolated passage close to the end of *The Evil Genius* suggests that, in his last years, the author came to adopt rather more conservative opinions:

'Where there is absolute cruelty, or where there is deliberate desertion, on the husband's part, I see the use and the reason for Divorce. If the unhappy wife can find an honourable man who will protect her, or an honourable man who will offer her a home, Society and Law, which are responsible for the institution of marriage, are bound to allow a woman outraged under the shelter

of their institution to marry again. But, where the husband's fault is sexual frailty, I say the English law which refuses Divorce on that ground alone is right, and the Scotch law which grants it is wrong. Religion, which rightly condemns the sin, pardons it on the condition of true penitence. Why is a wife not to pardon it for the same reason? Why are the lives of a father, a mother, and a child to be wrecked, when those lives may be saved by the exercise of the first of Christian virtues — forgiveness of injuries? In such a case as this I regret that Divorce exists; and I rejoice when husband and wife and child are one flesh again, re-united by the law of Nature, which is the law of God.'

(After the Story 1. The Lawyer's Apology)

This suggests that the Texas 'Widows' manuscripts date from some time before the composition of *The Evil Genius*, the outline of which is first suggested in a letter to William Winter of 5 October 1884. There Collins records 'a new idea for a story *and* a play . . . The central notion is (between ourselves) — a divorced husband and wife, who (after a lapse of a few years) regret their separation.' (Baker & Clarke, Letters II 473-4). Moreover, a citation in the manuscript from a work by G.H. Lewes proves that one of the leaves at least can date from no earlier than 1875 (see Editorial Note 7). We thus conclude more tentatively that the Texas 'Widows' manuscripts derives from the later 1870s or earlier 1880s.

In addition to shedding new light on Collins's missionary tendencies, the two 'Widows' sketches represent further examples of the author's work-in-progress, and thus add to our understanding of his meticulous methods of preparation for literary composition. In particular, they suggest that a good deal of work remains to be done to grasp the complex relations between his writing for the fiction market and for the professional theatre. Back in 1852, in his Preface to *Basil*, Collins had argued that the novel and the play were 'twin-sisters in the family of Fiction'. The two sketches reproduced, transcribed and annotated here provide fresh examples of how frequently the two siblings are conflated and confused in his own writing career.

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Manuscript

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Acknowledgements

The editors would like to express their gratitude to the staff of both the Lancashire Record Office and the Harry Ransom Humanities Research Center for their generous assistance in providing access to the 'Widows' manuscripts and allowing the reproduction of images of them. Our thanks are also due to Faith Clarke née Dawson, for once more granting permission to reprint the unpublished writings of her great-grandfather.

The Widows (1)

Original rough sketch
for a play

The Widows
2
Persons
Mr. Rowel
Mrs. Rowel
Mr. Kilkelly
Mrs. Kilkelly
~~Mr. Rowel~~
~~Mrs. Rowel~~
Chance
Mrs. Chance
Mrs. Chance

Original rough sketch for a play / 1

The Widows

=

Persons

=

Mr Ronald

Mrs Ronald

Mr Kilkelly

Mrs Kilkelly

~~Mr Le Basque~~

~~Mrs Le Basque~~

Mr ~~XXXXXX~~ /Chance/

Mrs ~~XXXXXX~~ /Chance/

First Scenario

(1

=

The Idea on which the ~~xxxx~~ /play is founded/

These three ~~xxxx~~ couples have all been married – and have all had their marriages lawfully dissolved, without the slightest imputation on the chastity of the three wives.

I

Mr Ronald is claimed after his marriage by a woman who was with him in Scotland years since. She asserts a Scotch marriage – and establishes her claim. Mr R. has innocently committed bigamy – and is let off with a nominal punishment. But the marriage is null and void. Two years later, the Scotch wife dies. Where is /the second/ “Mrs Ronald” [?] Mr R. neither knows nor cares. He thinks Mrs R. has behaved like a heartless woman /in prosecuting him for bigamy/.

(2

II

Mr and Mrs Kilkelly have been married in Ireland by a /young/ Roman /Catholic/ priest. Mrs K. is a Catholic. Mr K. is a Protestant. The whole thing is a mistake~~xx~~ made in perfect good faith by the persons concerned. But the law is inescapable. The marriage is null and void.

III

~~xxxx~~

(?)

Mr and Mrs Chance. Mr Chance /(who is an ass)/ has discovered that his /clever/ wife is mad. He brings the case before the Divorce Court – proves it to the satisfaction of the authorities – and is by law relieved of the burden of a mad wife.² /See the newspaper article pinned to this ~~ø~~ page./³

(3

So here are three husbands turned into bachelors – and three wives who are neither maids nor widows, and who are divorced ~~xx xxx~~ under stress of circumstances without any blame attaching to any one of the three. The three ex-husbands and the three ex-wives are all perfect strangers to each other, living in places widely asunder and in social spheres widely different. Suppose these six people ~~all~~ /(not one of whom has married again) all/ meet in the same town ~~at~~ about the same time? What happens?

How do they meet? Quite naturally. For various reasons, they ~~hav~~ are all travelling in France in the year [blank] when Napoleon the Great revenged himself on the English Government by detaining every English subject found in France. The six are détenues obliged to herd in the place appointed to them with the rest /of their travelling countrymen./

[Cancelled Text]⁴

Mr Le Basque is a young Frenchman – ~~xxxx~~ /just of age/ – domiciled in France. On a visit to England he meets with a charming English girl. She is in the lower rank of life, and doesn't possess a farthing. ~~of~~ Her mother is a widow, ~~Both just~~ living on an annuity. Both mother and daughter are ~~xxx~~ perfectly respectable. The daughter likes the young Frenchman – the marriage will relieve the mother of a serious anxiety. Her annuity dies with her.

Mr Chance is a young man ~~in love~~ of respectable birth – with a small income, just enough for an economical bachelor. He meets with a charming French girl, on a visit to some English friends. They fall desperately in love with each other.

The usual obstacle is in the way. The French girl's father is a ~~xxxx man~~ /a large vineyard proprietor/ – ambitious of obtaining social advancement. He has, in the customary French way, decided on marrying his only daughter to a French nobleman – her marriage portion will be a /sufficiently/ large one to tempt the nobleman who is also rich, and wants more. The engagement is made, to the secret ~~xxxx~~ despair of the girl, who hates her betrothed, and falls so ill under the mental suffering thus inflicted on her, that she is sent to England /under the care of her mother,/ to some distant relatives settled in London for complete change of air, and to amuse her if possible by the novelty of seeing the habits of a strange people:

There is not the faintest hope for the lovers – they are obliged to keep their passions strictly secret or the girl would be taken back to France by her mother. They confide /in/ ~~xx~~ Chance's mother (his father is dead) – who takes the girl's side. She is getting worse instead of better under the anxieties that try her – and is indeed a pitiable person.

Mrs Chance says to her son, “Do as your father did. He married me privately (I was not considered good enough for him) – and his parents forgave us, when they found we were man and wife. You know how happy our married life has been”

Chance takes the advice – and persuades the girl. They ~~are~~ ~~married~~ /wait till the French girl rea[ches] the age of 21 and are then/ [married] privately with Mrs Chance and her mother as witnesses.

=

When the marriage is ~~xxxxx xxx~~ /revealed,/ a thunderbolt falls on man and wife, and on the witnesses to the marriage. None of them ~~have considered~~ /know anything of/ the French Law. The furious father declares the marriage invalid for want of the “trois sommations ~~xxxxxxx~~ respectueuses”.⁵ He is quite right as to France. Mrs Chance may be lawfully married in England – but she is living in concubinage in France. France is her home – she is fond of her mother and her sisters – she has a horror of her position, her ~~wif~~ husband's wife in England – and his mistress in France. Her husband appeals to her to cast her lot in England among his people. She refuses. There is a violent quarrel. They part for ever.

The Widows (2)

Idea for a Play

The Widows
 comic interest
 (Divorced couples)
 To be expanded
 - if necessary -
 to illustrate the
 better idea of
 our Divorce law
 with a serious interest

act I	Mr and Mrs Mr and Mrs Mr and Mrs	The Comedy of the Widows by Mrs. G. B. Shaw 1894
II	Mr Mrs Mr Mrs Miss Miss	
III	Mr and Mrs Mr and Mrs Mr and Mrs	
act II	Mr and Mrs a married woman a country town Don! Poo! all amiable manners played together by the actors above in the character scene - anti-...	

Belonging to
 the (the) family
 who are?

Idea for a Play⁶

The Widows
Comic Interest
(Divorced couples)

=

To be executed
– if necessary –
to illustrate the
better idea of
one Divorce only
with a serious interest

Act I Mr and Mrs
Mr and Mrs
Mr and Mrs

II Mr
Mr
Mr
Miss
Miss
Miss

III Mr and Mrs
Mr and Mrs
Mr and Mrs

Act I ~~Handel Festival at~~
Musical Festival in a country town
Dram: Per: all amateur musicians /(belonging to
different country associations) who are/ brought
together by offering themselves in the choruses.
Scene – ante-room in which the candidates wait to
be tested by the musical judges within.

“The Widowed Wives” Comedy

=
Make the first act show how the three married couples became divorced.

In the case of the husband and wife who represent the serious and pathetic interest, the marriage has been consented to by the man from a sense of duty – his honour as a gentleman is involved in his making the woman whom he has innocently led to suppose that he loves her his wife.

(See Lewes’s “Life of Goethe[?]”. Page 103)⁷

~~Chop and Change Ribs;~~

or

The Comedy of Marriage.

=
“With my sentimentalibus lachrymarorum,
And pathos and bathos delightful to see;
And chop and change ribs a la mode Germanorum,
And /hi-/ ~~high~~-diddle-ho-diddle-pop-tweedle-dee.”
(Rejected Addresses)⁸

1)

For ~~xxxxxxxx~~ / “The Divorced Women”/ idea

=
One of the divorced husbands (“A”) / – a mean ill-conditioned fellow – / recognises all the clever little methods by which his ex-wife captivated and managed him, in action once more ~~xx~~ to captivate the other divorced husband (“B”) who is in love with her. A’s ex-wife expects him not to mention who she is, and to treat her like a stranger in public – or B. will not marry her. The ex-wife is really fond of B. far more

2)

fond than she was of A. A. consents to keep the secret – and is /consulted/ ~~xxxxed~~ innocently by B. (his dear friend) during the progress of the courtship. A. then recognises with malicious delight all the “captivations” which he remembers. But a surprise is in store for him. Events appear to be adverse to the love-affair of B. and the ex-wife. The woman’s feelings are strongly roused – and, at the next confidential interview between the men, A. is astonished to discover proceedings /towards B./ on the part of the ex-wife, which she never exhibited to him. “Hullo!”

3)

“Hullo! she never said this – or did that – in my time! Did she never really care about ~~xxx~~ me, and is this fellow B. the man she would have preferred to me if she had met with him in time?” It ends in A being jealous of his divorced wife – and quarrelling with B. – and so discovering the truth. B. is fond enough of the ex-wife to marry her. And A. is left with a grievance which lasts him for the rest of his life.

Editorial Notes

¹ The autograph manuscript, now held at the Lancashire Record Office, Preston, comprises three numbered leaves measuring 23.75 x 28.75 cm and inscribed on the recto only, together with a torn scrap of paper of approximately 10 x 6 cm bearing the heading 'Original rough sketch for a play'. (Together with the sketch is found an unrelated brief autograph letter, signed by Wilkie Collins, dated 30 October 1884, addressed to the agent of the landlord of his Gloucester Place residence, and concerning the expiration of the lease (Baker et al., *Public Face*, IV 61.)

² The insanity of one of the contracting partners was among the impediments to lawful union which, if the fact came to light after the vows were confirmed, could result in the marriage being declared null and void in the courts (Stone, 191). Though the law in question made no distinction between male and female insanity, contemporary coverage of such cases in the press suggests that cases of annulment on the grounds of the wife's insanity were rather more common — arguably due to male dominance of the medical professions and the gendered nature of Victorian concepts of mental health.

³ With the manuscript at Preston is found a newspaper leading article (reproduced below) concerning two cases of bigamy, which bears the heading '*Daily Telegraph* [October 28th 1876]' in an unknown hand. Though this article undoubtedly bears witness to Collins's continuing interest in marriage law reform, it sheds no light whatsoever on the question of the insanity of one of the contracting partners as an impediment to lawful marriage, and is thus highly unlikely be the article to which Collins refers in his manuscript. Our thoughts on the dating of the manuscript also support this contention. The article, which might well be from the pen of Collins's literary colleague George Augustus Sala, a regular writer of leaders for the *Telegraph*, reads as follows:

LORD Bacon, in his essay on "Marriage and a Single Life," says "He was reputed one of the wise men that made answer to the question when a man should marry: 'A young man not yet, an elder man not at all.'" Assuming that Queen ELIZABETH'S learned Chancellor meant to include the, other sex in the general term "man," he might, if he could revisit our law courts and again sit in judgment on an unregenerate race of culprits, have frequent opportunities of illustrating his doctrine by modern instances. It is, of course only by a violent stretch of imagination that we can picture to ourselves the learned Lord of Verulam sitting in the place of Mr. Commissioner Kerr. Still, if he were capable of so much condescension, he might last Tuesday have studied two cases which perhaps would have proved useful and suggestive in the composition of his aforesaid essay. He would have been able, for example, not merely to confirm his theory that good husbands have often bad wives, but he might have been led to extend it in the opposite direction — that good wives are apt to have bad husbands. For on the day in question there came up for trial in the Central Criminal Court two prisoners, a man and a woman, charged with bigamy — the main facts in whose rather tragic life-histories are as follows. Alfred Derby the man, it was alleged, had feloniously married Mary Jane Howe whilst his own wife was still alive. He did not deny the accusation. His wife had deserted him. He had "lost sight of her for seventeen years." After this long spell of loneliness he had married again — indeed, so had his runaway spouse; and his second wife begged the Court to be merciful to him. Mr. Commissioner Kerr sentenced him to one month's imprisonment, remarking that "it was shocking to see the solemn ceremony of marriage treated with such levity." Then there followed a still more painful case. A respectable middle-aged woman was charged with having committed bigamy, and she too, did not deny it. The report of the proceedings tells us "she was married to her first husband in 1868. After living with her a few months he left her, taking away all her furniture, and leaving her almost destitute. She struggled on and tried to get her living

by keeping a small shop. Two years after this her husband came back, and induced her to live with him again. But when a short time had elapsed he deserted her once more, taking her furniture, and actually leaving her in debt." Since then he had, said her counsel, been leading a life of debauchery. It was further alleged that it was in the hope of extorting money from her that he had raised the prosecution against the poor woman whom he had hunted into sin. Mr. Commissioner Kerr seeing no "levity" in this sad story sentenced the culprit to six weeks imprisonment with hard labour, the second husband remonstrating that "she was a good woman" to whom "it was a shame" to give such a punishment.

If these sentences had been passed without remark they would not perhaps have suggested any comment. Both the man and the woman broke the law. It was due to the offended majesty of Justice that they should be punished, and we frankly admit that the penalty inflicted would some years ago have been much more severe. But Mr. Commissioner Kerr was not content with merely passing sentence. He admonished the prisoners as to the heinous offence they had committed in breaking the marriage tie. He said the man treated it with "levity" and as for the woman, she had made a "mockery" of it. Would it not be more reasonable to condemn the imperfect condition of a marriage law which sanctifies the desertion of a faithless spouse, and condemns the man or woman who has been forsaken either to a widowed life or one of sin? Would it be altogether useless if, when such cases as these came before them, our Judges took occasion to direct public attention to the fact that the present state of our code relating to divorce actually tempts men and women to break the law, and that it ought to be brought into better harmony with the exigencies of practical life and with the conscience and feelings of the people? We are no advocates for an extreme change in the enactments regulating marriage. We do not want to see the practice of granting divorces on the mere application of either side introduced into our country. Excessive licence in this respect led to disastrous results in ancient Rome. De Quincey, in his matchless sketches of the Caesars, says "Scarcely a family has come down to our knowledge that could not in one generation enumerate a long catalogue of divorces within its own contracted circle. Every man had married a series of wives - every woman a series of husbands." But there is such a thing as being over-strict as well as over-lax, and when we consider that our law as it stands does not admit prolonged and malicious desertion alone as a justification for dissolving marriage, we have little difficulty in understanding how harshly it operates in many cases, and how in such instances as those that came before Mr Commissioner Kerr, it tempts people who are sinned against into sinning. When a man is deserted for seventeen years by his wife, he is, to put it mildly, apt to form some other attachment. In such a case one of two things happens. Either men and women agree to cohabit illicitly, or the woman, under the influence of a perverted conscience, insists on the matrimonial ceremony being performed. Imprisonment with hard labour is rather a harsh punishment for a man, whose error has been amply avenged already by the scourging consequences of what the world calls a "matrimonial mistake." Even a woman whose husband is a brute, who leaves her destitute and only revisits her to rob her of the little stock in-trade she may have scraped together in the intervals of desertion, may have the relics of a heart and a conscience. She may be moved to accept the offer of a happier home from a man who loves her, while she may be deterred, not from breaking a legal tie which practical experience has proved to be a mockery, but from living with her lover unless her act be sanctified by some mark of religious observance. How is she punished, for her rashness? Her first husband blackmails her, or with threats of prosecution tortures her beyond endurance, and finally the curtain falls on the drama of her darkened life as she is leaving the dock convicted of bigamy, condemned to a felon's punishment.

THE time has come when liberty of divorce in this country should be less stringently restricted. Some twenty years ago people were terrified at the profanity of those who not being rich enough to pay for a special Act of Parliament proposed to

have their marriage dissolved. Then it was only possible to get law reformers to pass an Act allowing conjugal infidelity on the part of the wife, and conjugal infidelity plus cruelty or desertion on the part of the husband to be held as justifying dissolution of marriage. But is it reasonable that prolonged and wilful desertion alone should not be an equally good plea for freedom? Nearly all Protestant countries save England adopt this view. In Scotland, since 1573, four years wilful desertion is ground for a divorce. Holland, Prussia, the United States of America take an equally sensible course in the matter — indeed, they go much further, and that, too, without faring much worse as regards public morals. Is it beyond the “just and honest liberty” of a man to refuse to remain wifeless for no better reason than that the woman he married “deserts” him and is cunning enough to avoid being found guilty of adultery? If marriage be “the proper sphere of woman,” must it also be her destiny to live in enforced widowhood because she happens to be tied by the law to some ruffian who plunders her of all her portable property, and then leaves her destitute to fight the battle of life unprotected and alone? The old English Reformers did not think so. The Ecclesiastical Commission appointed by Henry VIII to draw up a revised matrimonial code were far more sensible, and far less dominated by sacerdotal superstition, than the framers of the Matrimonial and Divorce Act of 1857. If we are to judge by the “*Reformatio Legum Ecclesiasticarum*,” which they compiled, but for which Cranmer was in the main responsible, they recommended that divorce should be granted for malicious desertion, and even for prolonged absence without reasonable cause. Had the death of Edward VI not happened, had the common sense of the country not been swamped by the clerical reaction which followed during the reign of “Bloody Mary,” these enlightened suggestions of Cranmer’s would have found their way into the Statute Book, and Mr. Commissioner Kerr would be spared the trouble of occasionally denouncing a man for “levity,” and sentencing him for bigamy, because he happens to have married a woman seventeen years after his first wife deserted him.

⁴ The cancelled text clearly comprises two separate drafts of the scenario for the third dissolved marriage, both concerning incompatibilities between English and French law, though the husband in the first draft is French and in the second English. The cancelled blocks of text are found on the right hand side of all three leaves, beginning around 9 cm from the top of the first leaf and ending around 4 cm from the top of the third. On the left hand sides of leaves 1) and 2) are found the list of *dramatis personae* followed by the uncanceled, numbered notes on the legal problems plaguing the three marriages, while the introduction and conclusion to the general scenario are found on the right, respectively above and below the blocks of cancelled text.

⁵ Literally, ‘three dutiful warnings’, referring to the requirement under the Napoleonic code to formally petition paternal approval before marriage.

⁶ The autograph manuscript, now held at the Harry Ransom Humanities Research Center, University of Texas at Austin, comprises a torn, ink-stained envelope bearing the heading ‘Idea for a Play | The Widows | . . .’, and containing four unnumbered, folded leaves of varying size. The first, a torn, browned scrap of paper measuring about 12 x 15 cm, gives the act breakdown, while the second and third, both approximately 11.5 x 17 cm, are respectively headed “‘The Widowed Wives’ Comedy” and (under erasure) ‘Chop and Change Ribs’. These three leaves are inscribed on the recto only, while the fourth takes the form of a sheet measuring around 20 x 10 cm, folded to form four square pages, the first headed ‘For “The Divorced Women” idea’ and the last remaining blank.

⁷ WC refers to G.H. Lewes’s *Life and Works of Goethe*, first published in two volumes by David Nutt in 1855. The passage WC cites must be the following, in which Lewes seeks to justify Goethe’s decision not to enter into a marriage with Frederika:

It is a mistake to speak of faithlessness at all. We may regret that he did not feel the serious affection which would have claimed her as a wife; we may upbraid him for the thoughtlessness with which he encouraged the sentimental relation; but he was perfectly right to draw back from an engagement which he felt his love was not strong enough properly to fulfil. It seems to me that he acted a more moral part in relinquishing her, than if he had swamped this lesser in a greater wrong, and escaped one breach of faith by a still greater breach of faith — a reluctant, because unloving, marriage. The thoughtlessness of youth, and the headlong impetus of passion, frequently throw people into rash engagements; and in these cases the *formal* morality of the world, more careful of externals than of the soul, declares it to be nobler for such rash engagements to be kept, even when the rashness is felt by the engaged, than that a man's honour should be stained by a withdrawal. The letter thus takes precedence of the spirit. To satisfy this prejudice a life is sacrificed. A miserable marriage rescues the honour; and no one throws the burden of that misery upon the prejudice. I am not forgetting the necessity of being stringent against the common thoughtlessness of youth in forming such relations; but I say that this thoughtlessness once having occurred, reprobate it as we may, the pain which a separation may bring had better be endured, than evaded by an unholy marriage, which cannot come to good.

This is found on page 103 of the third, revised edition published under the title *The Life of Goethe* in a single volume in 1875 by both Smith, Elder & Co. in London and by Lupton in New York; a copy of the American imprint was part of lot 25 in the Puttick & Simpson January 1890 sale of Collins's library (Baker, *Reconstruction*, 157-8).

⁸ James and Horace Smith, *Rejected Addresses: or, The New Theatrum Poetarum* (London: J. Miller, 1812), the popular collection of parodies of the principle poets of the age, purporting to be unsuccessful entries to the public competition to find an appropriate address to herald the opening of the rebuilt Drury Lane Theatre on 10 October 1812. WC cites the chorus of the travesty of the popular tragedy *The Stranger* (adapted from *Menschenhess und Reue*, 1789, by August von Kotzebue), the second of three signed by 'Momus Medlar'. The opening stanza runs as follows:

Who has e'er been at Drury must needs know the Stranger
A wailing old Methodist, gloomy and wan,
A husband suspicious — his wife acted Ranger,
She took to her heels, and left poor Hypocon.
Her martial gallant swore that truth was a libel,
That marriage was thraldom, elopement no sin;
Quoth she, I remember the words of my Bible -
My spouse is a Stranger, and I'll take him in.
With my sentimentalibus lachrymae roar 'em,
And pathos and bathos delightful to see;
And chop and change ribs, a-la-mode Germanorum,
And high diddle ho diddle, pop tweedle dee.

No edition of the *Rejected Addresses* is recorded in Collins's library in Baker, *Reconstruction*, but the author had long been familiar with the work. In a letter of 4 November 1853 from Naples to Edward Pigott, Collins describes a shipboard encounter with an English bore who 'talked everywhere to everybody on every possible subject, in a prosy cracked bass voice that always seemed close at my ear. You will have some idea of him when I tell you that he was describing the origin of the "Rejected Addresses" and giving personal sketches of James and Horace Smith to a taciturn American, at three in the morning, with the rain clattering on deck and the lightning flashing on the sea . . .' (Baker et al., *Public Face*, I91-4).

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THE WIDOWS
IS LIMITED TO 300 COPIES**

