



THE LAW AND THE LADY
and
THE TRIAL OF MADELEINE SMITH

BY

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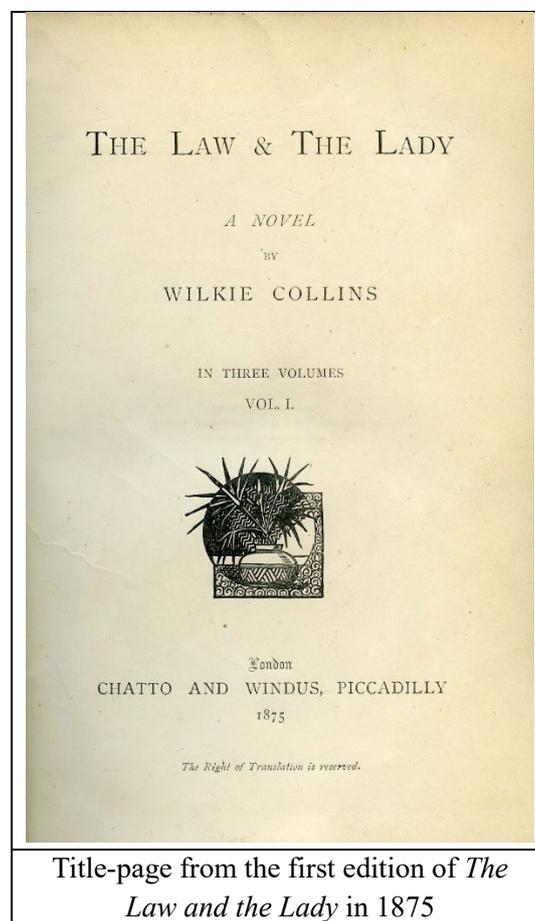
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THE LAW AND THE LADY

“The actions of human beings are not invariably governed by the laws of pure reason.”

In 2024, we enthusiastically celebrated the bicentenary of the birth of the celebrated Victorian novelist, Wilkie Collins (1824-1889). He is best known for *The Woman in White* (1860) and *The Moonstone* (1868) but he actually wrote over thirty books as well as plays and numerous short stories and non-fiction articles. This year, 2025, marks the 150th anniversary of *The Law and the Lady*, one of Collins best later novels first published in book form by Chatto & Windus during 1875. It had previously been serialised both in England in *The Graphic* from 26 September 1874 to 13 March 1875 and in the USA in *Harper's Weekly* from 10 October 1874 to 27 March 1875.



The Law and the Lady is essentially a detective story featuring one of Collins's resourceful female characters, Valeria Woodville/Macallan. She is an atypical Victorian heroine with dark hair and eyes compared with the more usual fair-haired lady protagonist in nineteenth century fiction.

There are several similarities between the novel and the notorious case of Madeleine Smith in 1857. Our rather more sympathetic heroine in *The Law and the Lady* is one of the earliest, if not the first, lady detective in a full-length novel, determined in this instance to overthrow the Scottish 'Not Proven' verdict and establish the innocence of her newly acquired husband, Eustace. Valeria becomes "positively resolved...to discover the secret" of his past and his reluctance to share the details of his former life. By finding the truth of Eustace's first marriage she will save her own.

Overall, the novel contains several features of modern detective fiction, including the amateur succeeding where the professionals failed, a court-room cross-examination, the introduction of an alibi, and the gradual elimination of the various suspects until the apparent murder is shown to be suicide.

Collins usually wrote a Preface for his novels but in the case of *The Law and the Lady* he provided just a rather cryptic 'Note to the Reader.'

Characters which may not have appeared, and Events which may not have taken place, within the limits of our own individual experience, may nevertheless be perfectly natural Characters and perfectly probable Events, for all that. Having said these few words, I have said all that seems to be necessary at the present time.

PLOT SUMMARY

Valeria and Eustace Woodville begin their marriage inauspiciously, when, on honeymoon at Ramsgate, Valeria discovers her husband's true name is Macallan. As Eustace refuses to explain, she confronts his mother who although sympathetic will also not answer her questions. Valeria becomes 'positively resolved...to discover the secret which the mother and son were hiding.'

On returning to London, Valeria confirms that her marriage is legally valid. She also visits Eustace's closest friend, Major Fitz-David. He knows the secret but is on his word of honour not to help its discovery. The Major, a modern Lothario, is sympathetic to Valeria's position and while not actively helping allows her to search his rooms. She finds a trial report revealing that Eustace was accused of poisoning with arsenic his first wife Sarah at the family Mid-Lothian house, Gleninch.

Eustace has therefore been tainted with the Scottish verdict of Not Proven. Valeria is now determined to find the proof of his innocence. Eustace, however, chooses to run away and goes abroad alone.



The medical evidence of poisoning at the trial was conclusive. Eustace admitted buying arsenic from a local druggist but claimed that it was at his wife's request, to improve her complexion. The prosecution alleged the marriage was unhappy and that Eustace was really in love with his cousin, Helena Beaulieu.

Valeria meets another of Eustace's friends, the eccentric Miserrimus Dexter who gave evidence for him at the trial. Dexter was born without legs and gets around either in a wheel chair or by hopping on his hands. His mood changes violently, from mild and melancholy to the brink of madness, and he is cared for by his simple-minded but devoted cousin Ariel. When Valeria tells Dexter that she suspects Helena Beaulieu he immediately agrees, recounting an incriminating conversation he overheard Helena having with her maid. Helena, however, has a perfect alibi.

Valeria next travels to Edinburgh to meet Mr Playmore, Eustace's lawyer at the trial. Playmore is convinced that Dexter is the villain since he is known to have taken the key to an intercommunicating bedroom door before the night of the poisoning. Valeria revisits Dexter who in the middle of a mental breakdown begins to tell the story of the fatal events. He mentions a letter torn into pieces but then lapses into permanent

madness. He is ultimately confined to an asylum, accompanied by Ariel who refuses to leave him.

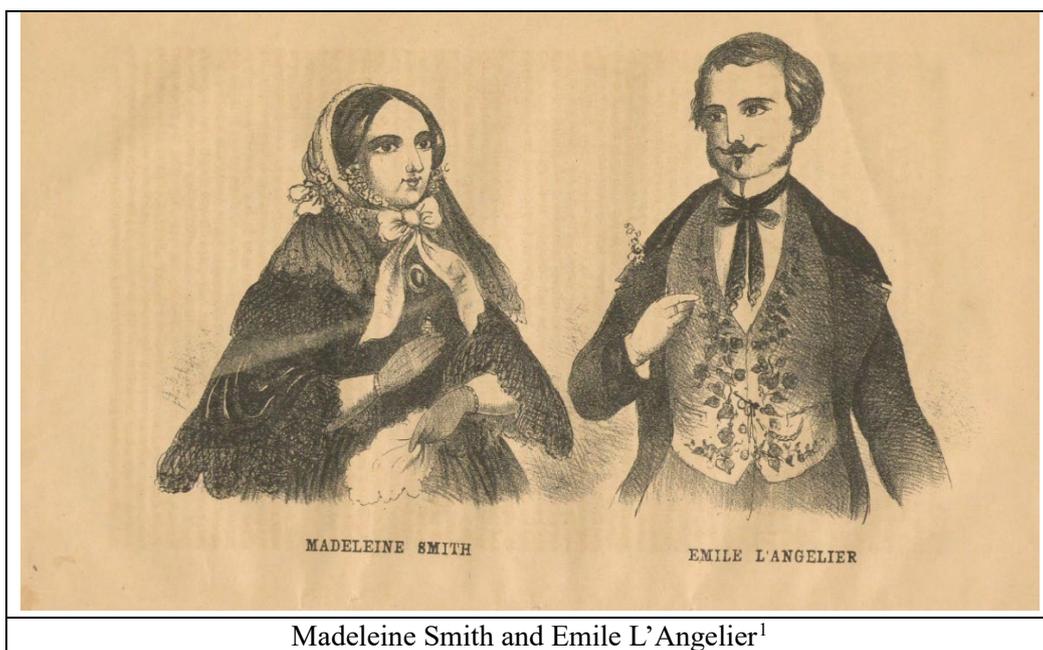
The torn letter is eventually found in a dust-heap behind the house at Gleninch and is painstakingly reconstructed. It is a suicide note from Sarah to Eustace, exonerating all concerned and confirming Eustace's innocence. She had rejected a previous marriage proposal from Dexter who was infatuated with her. When Dexter showed her Eustace's diary, which revealed he had never loved her – he married her only out of gallantry to save her from a compromising situation – Sarah took the arsenic. Using the missing key, Dexter stole the letter and once he was sure that Eustace would not be convicted of murder, tore it to pieces.

Eustace's innocence is established and, shortly after, he returns home, heroically injured while fighting for the Brotherhood in Spain. On his recovery, he agrees with Valeria not to read his first wife's reconstructed letter which remains sealed in its envelope. It will await the next generation, their newly born son.

THE MADELEINE SMITH TRIAL

Madeleine Smith was born on March 28, 1835, the first child of a prosperous Glasgow family. Her father, James, was a wealthy architect and her grandfather was David Hamilton, the leading architect whose work is still visible across Glasgow today.

She led a largely uneventful life until at the age of 20 in 1855 she met Pierre L'Angelier with whom she subsequently had a clandestine affair.



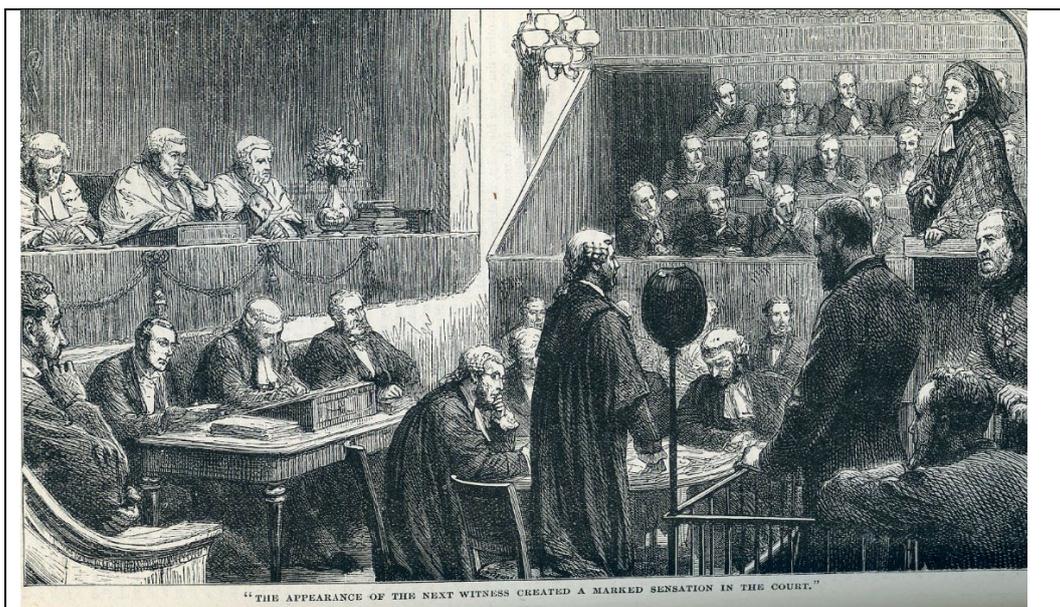
Smith attempted to end her liaison in February 1857 and asked him to return letters she had written to him. Instead, L'Angelier threatened to use the letters to expose her and force her to marry him. She was subsequently seen in a pharmacist ordering arsenic on three separate occasions, 21 February and the 6 and 18 March. Allegedly to use it to kill rats, she signed for the poison as M. H. Smith.

L'Angelier had told friends he had begun feeling unwell and, on one occasion, actually suggested Smith may have tried to poison him. On 22 March 1857 he was found by his landlady in severe pain and, despite the best efforts of the doctors, died early the following morning from arsenic poisoning. Following his death, Smith's numerous letters were found, she was arrested and charged with his murder.

The trial of Madeleine Smith took place between 30 June and 9 July 1857 at the High Court in Edinburgh. The significant part of the indictment read:

You are indicted and accused, at the instance of James Moncreiff, Esquire, Her Majesty's advocate for Her Majesty's interest: that ... on the 19th or 20th day of February, 1857 ... and on 22nd or 23rd of March you the said Madeleine Hamilton Smith did, wickedly and feloniously, administer to [or cause to be taken by] Pierre Emile L'Angelier, now deceased, ... a quantity or quantities of arsenic, or other poison ... in cocoa or in coffee, or in some other article or articles of food or drink ... with intent to murder the said Pierre Emile L'Angelier.

Smith was ably defended by advocate John Inglis, the future Lord Glencorse, although toxicological evidence confirmed that L'Angelier had indeed died of arsenic poisoning.



The trial scene from *The Law and the Lady*, illustration from the first US edition by Harper in 1875

The main elements in Smith's defence were two druggists who both testified that they coloured their arsenic to avoid accident, this not being found at the post mortem; and L'Angelier's valet testifying that the deceased had considered suicide at least once, heartbroken at the thought of Madeleine's leaving him.

Otherwise, the strong circumstantial evidence overwhelmingly pointed towards Smith's guilt since she had purchased the arsenic in the preceding weeks and she had a very definite motive. Nevertheless, by a majority the jury returned a verdict of Not Proven and Madeleine Smith walked free.

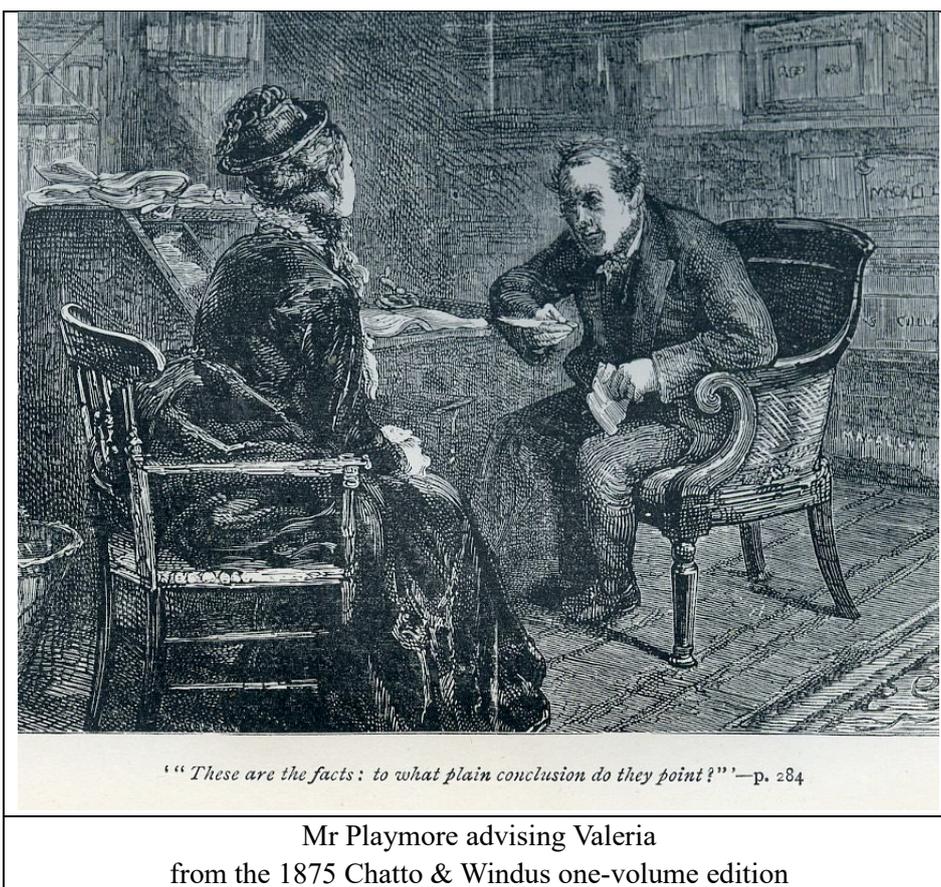
(The full contemporary report of the trial can be found online² as can details of the Madeleine Smith Collection in Glasgow.³)

After more than a century, this notorious trial remains well known and the verdict is regarded by some as controversial even now. The legally minded Collins would have known all of the details and included several aspects of the case in *The Law and the Lady*.

COLLINS AND THE LAW

Collins had himself qualified as a barrister in 1851 although he never actually practised. Family lawyers, however, frequently feature as friends and confidants in his stories from Mr Gilmore in *The Woman in White* to Mr Bruff in *The Moonstone*. In *The Law and the Lady* we have another sympathetic man of the law, Mr Playmore – “But then I am a lawyer, and my business is to make a fuss about trifles.” Playmore originally represented Eustace at his trial and now continues to offer Valeria support and encouragement in her quest for the truth.

Collins liked to use trials and based the structure of his earlier *The Woman in White* on courtroom procedure as he explains in its first chapter: “Thus, the story here presented will be told by more than one pen, as the story of an offence against the laws is told in court by more than one witness.” Valeria describes the Judges on the Bench as “the men who held in their hands my husband's honour, and my husband's life” but she declines to repeat the “hateful indictment ...in which my innocent husband was solemnly and falsely accused of poisoning his first wife.” Collins elaborates on his court proceedings in some detail, the trial report asking (1) Was his wife poisoned? (2) Who poisoned her? and (3) What was the motive? In addition, we have the first wife's letters and Eustace's diaries read out in court.



Collins always based his stories on prior knowledge and careful research so it is no surprise that the novel includes several features of the Madeleine Smith case and repeatedly dwells on the Scottish Not Proven verdict. Indeed, it gave Collins the opportunity to highlight the differences of English law and continue his didactic criticism of the Scottish legal system. This he had begun in his 1870 novel, *Man and Wife*, where he railed against the prevailing Scottish marriage laws.

Collins asked his own lawyer at the time, William Tindell, where he could lay his hands on

The Trial of Madeleine Smith at Glasgow for poisoning a young Frenchman – some few years since? I want that trial and any other Criminal trials which show the course of the procedure under Scotch Law in cases of murder. Any information you can direct me to, of this sort, will be of great use (and the sooner the better).⁴

Tindell must have sent Collins J. Hill Burton’s *Narratives from Criminal Trials in Scotland*⁵ a copy of which was found in his library at his death.⁶ This recounts a different trial for arsenic poisoning, that of John Lovie who was also acquitted with a Not Proven verdict.

Collins had also written to Tindell to enquire “Am I right in assuming that if a man marries a woman under an assumed name, the marriage is nevertheless a lawful one, if the woman has acted in good faith believing it to be the man’s own name.”⁷ This question is replicated in Chapter VI of the novel when Valeria travels to London to confirm her legal position.

There are several obvious similarities between the novel and the Madeleine Smith case. These include the administration of poison, arsenic in particular; its supposed benign use for cosmetic reasons; the evidence of the druggist; the descriptions of the dying Sarah on her deathbed; the suicide both in the novel and at the trial used as a defence to murder; the disturbed state of mind of the victim; the unrequited love of the victim; the importance of letters; and finally the ambiguous Not Proven verdict.

REVIEWS

The Law and the Lady was indifferently reviewed by the *Athenaeum*⁸ and the *Academy*⁹ and an unsigned notice in the *Saturday Review*¹⁰ damned it with faint praise. It acknowledged that

Mr Wilkie Collins has the art of telling a secret at greater length than anyone else. He wins his audience [...] by the promise of telling them a secret; but when they are caught he does not quite so quickly let them go. The secret fills three whole volumes. We doubt, however, if it altogether repays the trouble of getting at it. [...] he spends the reader’s time by giving him clue after clue, each of which turns out to be a false one; and does not let him unravel the mystery till the last chapter has been reached.

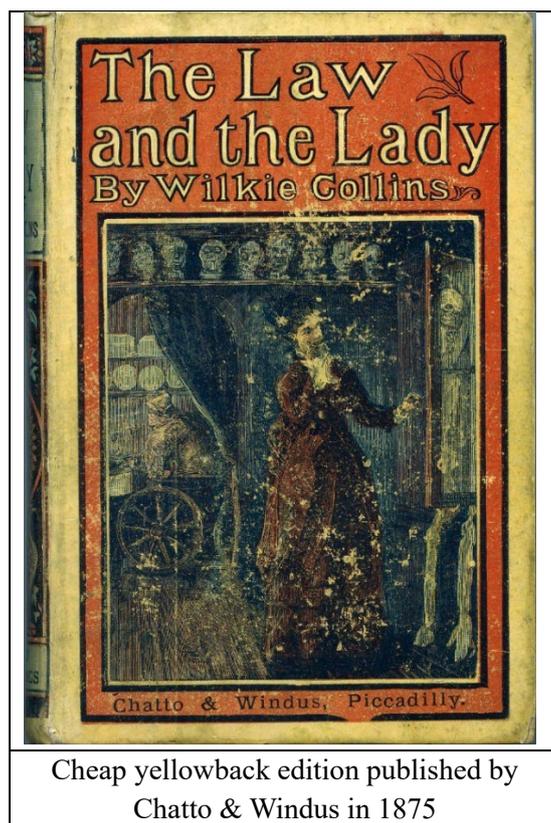
Any reader of common sense [...] would save himself the labour of following the lengthy clue by going to the end by the shortest cut of all.

Such criticism could just as well apply to any modern Agatha Christie or Dorothy L. Sayers detective story. The reader has always had the option of just turning to the last page for the final denouement!

*The World*¹¹ was more favourable but rather more philosophical.

The contrast between Mr Wilke Collins and most of his contemporaries is striking ... the novels of the day ... dwell ... with a new emphasis in the beauties and the phenomena of the natural world... Mr Wilkie Collins is wholly unaffected by the influence. He dwells in a world of strange and lurid imaginings, which is entirely his own.

Despite these criticisms, Chatto & Windus, who had become Collins's main publishers in 1874, first published *The Law and the Lady* in the standard three-volume format of the time. They began to issue the title in all of their cheap one-volume editions in 1875 and continued to produce these well into the twentieth century. The novel was also translated into several European languages including French, German, Italian and Russian.



Cheap yellowback edition published by
Chatto & Windus in 1875

So let's remember and even better read *The Law and the Lady* which in its sesquicentennial year is still available in print. It is very readable, gives an insight into the mores of the time and revives controversies about the sensational Madeleine Smith trial. Perhaps it may not compare with Collins's finest novels, *The Woman in White* or *The Moonstone*, but it is certainly worthy of our attention after 150 years. But until you read it and make your own judgement, perhaps your verdict should remain 'Not Proven.'

¹ From Cornell University Library Digital Collections.

² <https://digital.library.cornell.edu/catalog/sat3320>.

³ <https://libcat.csglasgow.org/web/arena/smith>.

⁴ *The Public Face of Wilkie Collins* eds. Baker, Gasson, Law, and Lewis, Pickering & Chatto: London, 2005, to William Tindell, 14 June 1874 [1460]. Also available online at <https://wilkiecollinssociety.org> *Collected Letters of Wilkie Collins*, digital edition 2024.

⁵ Chapman and Hall: London, 1852.

⁶ *Wilkie Collins's Library*, William Baker, Greenwood Press: Westport, CT, 2002.

⁷ *Collected Letters*, *ibid*, to William Tindell, 15 June 1874 [1461].

⁸ *The Athenaeum*, 20 February 1875.

⁹ *The Academy*, 3 July 1875.

¹⁰ *Saturday Review*, 13 March 1875, XXXIX, pp. 357-8.

¹¹ *The World*, II, January-June 1875, p. 176.

