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Chapter 18 - Third Question--What Was His Motive?

THE first question (Did the Woman Die Poisoned?) had been answered, positively. The second question (Who Poisoned Her?) had been answered, apparently. There now remained the third and final question--What was His Motive? The first evidence called in answer to that inquiry was the evidence of relatives and friends of the dead wife.

Lady Brydehaven, widow of Rear-Admiral Sir George Brydehaven, examined by Mr. Drew (counsel for the Crown with the Lord Advocate), gave evidence as follows:

"The deceased lady (Mrs. Eustace Macallan) was my niece. She was the only child of my sister, and she lived under my roof after the time of her mother's death. I objected to her marriage, on grounds which were considered purely fanciful and sentimental by her other friends. It is extremely painful to me to state the circumstances in public, but I am ready to make the sacrifice if the ends of justice require it.

"The prisoner at the bar, at the time of which I am now speaking, was staying as a guest in my house. He met with an accident while he was out riding which caused a serious injury to one of his legs. The leg had been previously hurt while he was serving with the army in India. This circumstance tended greatly to aggravate the injury received in the accident. He was confined to a recumbent position on a sofa for many weeks together; and the ladies in the house took it in turns to sit with him, and while away the weary time by reading to him and talking to him. My niece was foremost among these volunteer nurses. She played admirably on the piano; and the sick man happened--most unfortunately, as the event proved--to be fond of music.

"The consequences of the perfectly innocent intercourse thus begun were deplorable consequences for my niece. She became passionately attached to Mr. Eustace Macallan, without awakening any corresponding affection on his side.

"I did my best to interfere, delicately and usefully, while it was still possible to interfere with advantage. Unhappily, my niece refused to place any confidence in me. She persistently denied that she was actuated by any warmer feeling toward Mr. Macallan than a feeling of friendly interest. This made it impossible for me to separate them without openly acknowledging my reason for doing so, and thus producing a scandal which might have affected my niece's reputation. My husband was alive at that time; and the one thing I could do under the circumstances was the thing I did. I requested him to speak privately to Mr. Macallan, and to appeal to his honor to help us out of the difficulty without prejudice to my niece.

"Mr. Macallan behaved admirably. He was still helpless. But he made an excuse for leaving us which it was impossible to dispute. In two days after my husband had spoken to him he was removed from the house.

"The remedy was well intended; but it came too late, and it utterly failed. The mischief was done. My niece pined away visibly; neither medical help nor change of air and scene did anything for her. In course of time--after Mr. Macallan had recovered from the effects of his accident--I found that she was carrying on a clandestine correspondence with him by means of her maid. His letters, I am bound to say, were most considerably and carefully written. Nevertheless, I felt it my duty to stop the correspondence.

"My interference--what else could I do but interfere?--brought matters to a crisis. One day my niece was missing at breakfast-time. The next day we discovered that the poor infatuated creature had gone to Mr. Macallan's chambers in London, and had been found hidden in his bedroom by some bachelor friends who came to visit him.

"For this disaster Mr. Macallan was in no respect to blame. Hearing footsteps outside, he had only time to take measures for saving her character by concealing her in the nearest room--and the nearest room happened to be his bedchamber. The matter was talked about, of course, and motives were misinterpreted in the vilest manner. My husband had another private conversation with Mr. Macallan. He again behaved admirably. He publicly declared that my niece had visited him as his betrothed wife. In a fortnight from that time he silenced scandal in the one way that was possible--he married her.

"I was alone in opposing the marriage. I thought it at the time what it has proved to be since--a fatal mistake.

"It would have been sad enough if Mr. Macallan had only married her without a particle of love on his side. But to make the prospect more hopeless still, he was at that very time the victim of a misplaced attachment to a lady who was engaged to another man. I am well aware that he compassionately denied this, just as he compassionately affected to be in love with my niece when he married her. But his hopeless admiration of the lady whom I have mentioned was a matter of fact notorious among his friends. It may not be amiss to add that _her_ marriage preceded _his_ marriage. He had irretrievably lost the woman he really loved--he was without a hope or an aspiration in life--when he took pity on my niece.

"In conclusion, I can only repeat that no evil which could have happened (if she had remained a single woman) would have been comparable, in my opinion, to the evil of such a marriage as this. Never, I sincerely believe, were two more ill-assorted persons united in the bonds of matrimony than the prisoner at the bar and his deceased wife."

The evidence of this witness produced a strong sensation among the audience, and had a marked effect on the minds of the jury. Cross-examination forced Lady Brydehaven to modify some of her opinions, and to acknowledge that the hopeless attachment of the prisoner to another woman was a matter of rumor only. But the facts in her narrative remained unshaken, and, for that one reason, they invested the crime charged against the prisoner with an appearance of possibility, which it had entirely failed to assume during the earlier part of the Trial.

Two other ladies (intimate friends of Mrs. Eustace Macallan) were called next. They differed from Lady Brydehaven in their opinions on the propriety of the marriage but on all the material points they supported her testimony, and confirmed the serious impression which the first witness had produced on every person in Court.

The next evidence which the prosecution proposed to put in was the silent evidence of the letters and the Diary found at Gleninch.

In answer to a question from the Bench, the Lord Advocate stated that the letters were written by friends of the prisoner and his deceased wife, and that passages in them bore directly on the terms on which the two associated in their married life. The Diary was still more valuable as evidence. It contained the prisoner's daily record of domestic events, and of the thoughts and feelings which they aroused in him at the time.

A most painful scene followed this explanation.

Writing, as I do, long after the events took place, I still cannot prevail upon myself to describe in detail what my unhappy husband said and did at this distressing period of the Trial. Deeply affected while Lady Brydehaven was giving her evidence, he had with difficulty restrained himself from interrupting her. He now lost all control over his feelings. In piercing tones, which rang through the Court, he protested against the contemplated violation of his own most sacred secrets and his wife's most sacred secrets. "Hang me, innocent as I am!" he cried, "but spare me _that!_" The effect of this terrible outbreak on the audience is reported to have been indescribable. Some of the women present were in hysterics. The Judges interfered from the Bench, but with no good result. Quiet was at length restored by the Dean of Faculty, who succeeded in soothing the prisoner, and who then addressed the Judges, pleading for indulgence to his unhappy client in most touching and eloquent language. The speech, a masterpiece of impromptu oratory, concluded with a temperate yet strongly urged protest against the reading of the papers discovered at Gleninch.

The three Judges retired to consider the legal question submitted to them. The sitting was suspended for more than half an hour.

As usual in such cases, the excitement in the Court communicated itself to the crowd outside in the street. The general opinion here--led, as it was supposed, by one of the clerks or other inferior persons connected with the legal proceedings--was decidedly adverse to the prisoner's chance of escaping a sentence of death. "If the letters and the Diary are read," said the brutal spokesman of the mob, "the letters and the Diary will hang him."

On the return of the Judges into Court, it was announced that they had decided, by a majority of two to one, on permitting the documents in dispute to be produced in evidence. Each of the Judges, in turn, gave his reasons for the decision at which he had arrived. This done, the Trial proceeded. The reading of the extracts from the letters and the extracts from the Diary began.

The first letters produced were the letters found in the Indian cabinet in Mrs. Eustace Macallan's room. They were addressed to the deceased lady by intimate (female) friends of hers, with whom she was accustomed to correspond. Three separate extracts from letters written by three different correspondents were selected to be read in Court.

FIRST CORRESPONDENT: "I despair, my dearest Sara, of being able to tell you how your last letter has distressed me. Pray forgive me if I own to thinking that your very sensitive nature exaggerates or misinterprets, quite unconsciously, of course, the neglect that you experience at the hands of your husband. I cannot say anything about _his_ peculiarities of character, because I am not well enough acquainted with him to know what they are. But, my dear, I am much older than you, and I have had a much longer experience than yours of what somebody calls 'the lights and shadows of married life.' Speaking from that experience, I must tell you what I have observed. Young married women, like you, who are devotedly attached to their husbands, are apt to make one very serious mistake. As a rule, they all expect too much from their husbands. Men, my poor Sara, are not like _us._ Their love, even when it is quite sincere, is not like our love. It does not last as it does with us. It is not the one hope and one thought of their lives, as it is with us. We have no alternative, even when we most truly respect and love them, but to make allowance for this difference between the man's nature and the woman's. I do not for one moment excuse your husband's coldness. He is wrong, for example, in never looking at you when he speaks to you, and in never noticing the efforts that you make to please him. He is worse than wrong--he is really cruel, if you like--in never returning your kiss when you kiss him. But, my dear, are you quite sure that he is always _designedly_ cold and cruel? May not his conduct be sometimes the result of troubles and anxieties which weigh on his mind, and which are troubles and anxieties that you cannot share? If you try to look at his behavior in this light, you will understand many things which puzzle and pain you now. Be patient with him, my child. Make no complaints, and never approach him with your caresses at times when his mind is preoccupied or his temper ruffled. This may be hard advice to follow, loving him as ardently as you do. But, rely on it, the secret of happiness for us women is to be found (alas! only too often) in such exercise of restraint and resignation as your old friend now recommends. Think, my dear, over what I have written, and let me hear from you again."

SECOND CORRESPONDENT: "How can you be so foolish, Sara, as to waste your love on such a cold-blooded brute as your husband seems to be? To be sure, I am not married yet, or perhaps I should not be so surprised at you. But I shall be married one of these days, and if my husband ever treat me as Mr. Macallan treats you, I shall insist on a separation. I declare, I think I would rather be actually beaten, like the women among the lower orders, than be treated with the polite neglect and contempt which you describe. I burn with indignation when I think of it. It must be quite insufferable. Don't bear it any longer, my poor dear. Leave him, and come and stay with me. My brother is a lawyer, as you know. I read to him portions of your letter, and he is of opinion that you might get what he calls a judicial separation. Come and consult him."

THIRD CORRESPONDENT: "YOU know, my dear Mrs. Macallan, what _my_ experience of men has been. Your letter does not surprise me in the least. Your husband's conduct to you points to one conclusion. He is in love with some other woman. There is Somebody in the dark, who gets from him everything that he denies to you. I have been through it all--and I know! Don't give way. Make it the business of your life to find out who the creature is. Perhaps there may be more than one of them. It doesn't matter. One or many, if you can only discover them, you may make his existence as miserable to him as he makes your existence to you. If you want my experience to help you, say the word, and it is freely at your service. I can come and stay with you at Gleninch any time after the fourth of next month."

With those abominable lines the readings from the letters of the women came to an end. The first and longest of the Extracts produced the most vivid impression in Court. Evidently the writer was in this case a worthy and sensible person. It was generally felt, however, that all three of the letters, no matter how widely they might differ in tone, justified the same conclusion. The wife's position at Gleninch (if the wife's account of it were to be trusted) was the position of a neglected and an unhappy woman.

The correspondence of the prisoner, which had been found, with his Diary, in the locked bed-table drawer, was produced next. The letters in this case were with one exception all written by men. Though the tone of them was moderation itself as compared with the second and third of the women's letters, the conclusion still pointed the same way. The life of the husband at Gleninch appeared to be just as intolerable as the life of the wife.

For example, one of the prisoner's male friends wrote inviting him to make a yacht voyage around the world. Another suggested an absence of six months on the Continent. A third recommended field-sports and fishing. The one object aimed at by all the writers was plainly to counsel a separation, more or less plausible and more or less complete, between the married pair.

The last letter read was addressed to the prisoner in a woman's handwriting, and was signed by a woman's Christian name only.

"Ah, my poor Eustace, what a cruel destiny is ours!" the letter began. "When I think of your life, sacrificed to that wretched woman, my heart bleeds for you. If _we_ had been man and wife--if it had been _my_ unutterable happiness to love and cherish the best, the dearest of men--what a paradise of our own we might have lived in! what delicious hours we might have known! But regret is vain; we are separated in this life--separated by ties which we both mourn, and yet which we must both respect. My Eustace, there is a world beyond this. There our souls will fly to meet each other, and mingle in one long heavenly embrace--in a rapture forbidden to us on earth. The misery described in your letter--oh, why, why did you marry her?--has wrung this confession of feeling from me. Let it comfort you, but let no other eyes see it. Burn my rashly written lines, and look (as I look) to the better life which you may yet share with your own

HELENA."

The reading of this outrageous letter provoked a question from the Bench. One of the Judges asked if the writer had attached any date or address to her letter.

In answer to this the Lord Advocate stated that neither the one nor the other appeared. The envelope showed that the letter had been posted in London. "We propose," the learned counsel continued, "to read certain passages from the prisoner's Diary, in which the name signed at the end of the letter occurs more than once; and we may

possibly find other means of identifying the writer, to the satisfaction of your lordships, before the Trial is over."

The promised passages from my husband's private Diary were now read. The first extract related to a period of nearly a year before the date of Mrs. Eustace Macallan's death. It was expressed in these terms:

"News, by this morning's post, which has quite overwhelmed me. Helena's husband died suddenly two days since of heart-disease. She is free--my beloved Helena is free! And I?"

"I am fettered to a woman with whom I have not a single feeling in common. Helena is lost to me, by my own act. Ah! I can understand now, as I never understood before, how irresistible temptation can be, and how easily sometimes crime may follow it. I had better shut up these leaves for the night. It maddens me to no purpose to think of my position or to write of it."

The next passage, dated a few days later, dwelt on the same subject.

"Of all the follies that a man can commit, the greatest is acting on impulse. I acted on impulse when I married the unfortunate creature who is now my wife.

"Helena was then lost to me, as I too hastily supposed. She had married the man to whom she rashly engaged herself before she met with me. He was younger than I, and, to all appearance, heartier and stronger than I. So far as I could see, my fate was sealed for life. Helena had written her farewell letter, taking leave of me in this world for good. My prospects were closed; my hopes had ended. I had not an aspiration left; I had no necessity to stimulate me to take refuge in work. A chivalrous action, and an exertion of noble self-denial, seemed to be all that was left to me, all that I was fit for.

"The circumstances of the moment adapted themselves, with a fatal facility, to this idea. The ill-fated woman who had become attached to me (Heaven knows--without so much as the shadow of encouragement on my part!) had, just at that time, rashly placed her reputation at the mercy of the world. It rested with me to silence the scandalous tongues that reviled her. With Helena lost to me, happiness was not to be expected. All women were equally indifferent to me. A generous action would be the salvation of this woman. Why not perform it? I married her on that impulse--married her just as I might have jumped into the water and saved her if she had been drowning; just as I might have knocked a man down if I had seen him ill-treating her in the street!

"And now the woman for whom I have made this sacrifice stands between me and my Helena--my Helena, free to pour out all the treasures of her love on the man who adores the earth that she touches with her foot!

"Fool! madman! Why don't I dash out my brains against the wall that I see opposite to me while I write these lines?"

"My gun is there in the corner. I have only to tie a string to the trigger and to put the muzzle to my mouth--No! My mother is alive; my mother's love is sacred. I have no right to take the life which she gave me. I must suffer and submit. Oh, Helena! Helena!"

The third extract--one among many similar passages--had been written about two months before the death of the prisoner's wife.

"More reproaches addressed to me! There never was such a woman for complaining; she lives in a perfect atmosphere of ill-temper and discontent.

"My new offenses are two in number: I never ask her to play to me now; and when she puts on a new dress expressly to please me, I never notice it. Notice it! Good Heavens! The effort of my life is _not_ to notice her in anything she does or says. How could I keep my temper, unless I kept as much as possible out of the way of private interviews with her? And I do keep my temper. I am never hard on her; I never use harsh language to her. She has a double claim on my forbearance---she is a woman, and the law has made her my wife. I remember this; but I am human. The less I see of her--exc ept when visitors are present--the more certain I can feel of preserving my self-control.

"I wonder what it is that makes her so utterly distasteful to me? She is a plain woman; but I have seen uglier women than she whose caresses I could have endured without the sense of shrinking that comes over me when I am obliged to submit to _her_ caresses. I keep the feeling hidden from her. She loves me, poor thing--and I pity her. I wish I could do more; I wish I could return in the smallest degree the feeling with which she regards me. But no--I can only pity her. If she would be content to live on friendly terms with me, and never to exact demonstrations of tenderness, we might get on pretty well. But she wants love. Unfortunate creature, she wants love!

"Oh, my Helena! I have no love to give her. My heart is yours.

"I dreamed last night that this unhappy wife of mine was dead. The dream was so vivid that I actually got out of my bed and opened the door of her room and listened.

"Her calm, regular breathing was distinctly audible in the stillness of the night. She was in a deep sleep: I closed the door again and lighted my candle and read. Helena was in all my thoughts; it was hard work to fix my attention on the book. But anything was better than going to bed again, and dreaming perhaps for the second time that I too was free.

"What a life mine is! what a life my wife's is! If the house were to take fire, I wonder whether I should make an effort to save myself or to save her?"

The last two passages read referred to later dates still.

"A gleam of brightness has shone over this dismal existence of mine at last.

"Helena is no longer condemned to the seclusion of widowhood. Time enough has passed to permit of her mixing again in society. She is paying visits to friends in our part of Scotland; and, as she and I are cousins, it is universally understood that she cannot leave the North without also spending a few days at my house. She writes me word that the visit, however embarrassing it may be to us privately, is nevertheless a visit that must be made for the sake of appearances. Blessings on appearances! I shall see this angel in my purgatory--and all because Society in Mid-Lothian would think it strange that my cousin should be visiting in my part of Scotland and not visit Me!

"But we are to be very careful. Helena says, in so many words, 'I come to see you, Eustace, as a sister. You must receive me as a brother, or not receive me at all. I shall write to your wife to propose the day for my visit. I shall not forget--do you not forget--that it is by your wife's permission that I enter your house.'

"Only let me see her! I will submit to anything to obtain the unutterable happiness of seeing her!"

The last extract followed, and consisted of these lines only:

"A new misfortune! My wife has fallen ill. She has taken to her bed with a bad rheumatic cold, just at the time appointed for Helena's visit to Gleninch. But on this occasion (I gladly own it!) she has behaved charmingly. She has written to Helena to say that her illness is not serious enough to render a change necessary in the arrangements, and

to make it her particular request that my cousin's visit shall take place upon the day originally decided on.

"This is a great sacrifice made to me on my wife's part. Jealous of every woman under forty who comes near me, she is, of course, jealous of Helena--and she controls herself, and trusts me!

"I am bound to show my gratitude for this and I will show it. From this day forth I vow to live more affectionately with my wife. I tenderly embraced her this very morning, and I hope, poor soul, she did not discover the effort that it cost me."

There the readings from the Diary came to an end.

The most unpleasant pages in the whole Report of the Trial were--to me--the pages which contained the extracts from my husband's Diary. There were expressions here and there which not only pained me, but which almost shook Eustace's position in my estimation. I think I would have given everything I possessed to have had the power of annihilating certain lines in the Diary. As for his passionate expressions of love for Mrs. Beaulieu, every one of them went through me like a sting. He had whispered words quite as warm into my ears in the days of his courtship. I had no reason to doubt that he truly and dearly loved me. But the question was, Had he just as truly and dearly loved Mrs. Beaulieu before me? Had she or I--won the first love of his heart? He had declared to me over and over again that he had only fancied himself to be in love before the day when we met. I had believed him then. I determined to believe him still. I did believe him. But I hated Mrs. Beaulieu!

As for the painful impression produced in Court by the readings from the letters and the Diary, it seemed to be impossible to increase it. Nevertheless it was perceptibly increased. In other words, it was rendered more unfavorable still toward the prisoner by the evidence of the next and last witness called on the part of the prosecution.

William Enzie, under-gardener at Gleninch, was sworn, and deposed as follows:

On the twentieth of October, at eleven o'clock in the forenoon, I was sent to work in the shrubbery, on the side next to the garden called the Dutch Garden. There was a summer-house in the Dutch Garden, having its back set toward the shrubbery. The day was wonderfully fine and--warm for the time of year.

"Passing to my work, I passed the back of the summer-house. I heard voices inside--a man's voice and a lady's voice. The lady's voice was strange to me. The man's voice I recognized as the voice of my master. The ground in the shrubbery was soft, and my curiosity was excited. I stepped up to the back of the summer-house without being heard, and I listened to what was going on inside.

"The first words I could distinguish were spoken in my master's voice. He said, 'If I could only have foreseen that you might one day be free, what a happy man I might have been!' The lady's voice answered, 'Hush! you must not talk so.' My master said upon that, 'I must talk of what is in my mind; it is always in my mind that I have lost you.' He stopped a bit there, and then he said on a sudden, 'Do me one favor, my angel! Promise me not to marry again.' The lady's voice spoke out thereupon sharply enough, 'What do you mean?' My master said, 'I wish no harm to the unhappy creature who is a burden on my life; but suppose--' 'Suppose nothing,' the lady said; 'come back to the house.'

"She led the way into the garden, and turned round, beckoning my master to join her. In that position I saw her face plainly, and I knew it for the face of the young widow lady who was visiting at the house. She was pointed out to me by the head-gardener when she first arrived, for the purpose of warning me that I was not to interfere if I found her picking the flowers. The gardens at Gleninch were shown to tourists on certain days, and we made a difference, of course, in the matter of the flowers between strangers and guests staying in the house. I am quite certain of the identity of the lady who was talking with my master. Mrs. Beaulieu was a comely person--and there was no mistaking her for any other than herself. She and my master withdrew together on the way to the house. I heard nothing more of what passed between them."

This witness was severely cross-examined as to the correctness of his recollection of the talk in the summer-house, and as to his capacity for identifying both the speakers. On certain minor points he was shaken. But he firmly asserted his accurate remembrance of the last words exchanged between his master and Mrs. Beaulieu; and he personally described the lady in terms which proved that he had corruptly identified her.

With this the answer to the third question raised by the Trial--the question of the prisoner's motive for poisoning his wife--came to an end.

The story for the prosecution was now a story told. The staunchest friends of the prisoner in Court were compelled to acknowledge that the evidence thus far pointed clearly and conclusively against him. He seemed to feel this himself. When he withdrew at the close of the third day of the Trial he was so depressed and exhausted that he was obliged to lean on the arm of the governor of the jail.