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Wilkie Collins and the Inheritance Plot

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Wilkie Collins and the Inheritance Plot

Julia Podziewska

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Abstract

The paramount question this study seeks to answer is why, in the midst of massive and contentious commercial property reform and a flood of accessible printed matter about it, did the leading cultural form of mid-nineteenth century England, the novel, and above all some of the most popular, widely-read, best-selling novels of this time and place—Wilkie Collins’s *The Woman in White*, *No Name*, *Armadale* and *The Moonstone*—centre on inheritance, a post mortem and long established mode of property transfer, and along with it the related instrument of the marriage settlement, rather than commercial transactions. The thesis seeks to find an answer by working within the following overarching research question: what is the precise relationship between the novel during the 1860s and the revolutionary reconceptualization of property effected by the Companies Acts of 1844-1862.

The textual and contextual investigation of the four novels serialised between 1859 and 1868, which traces the interconnections between inheritance plot motifs within each novel in turn, shows that the texts describe transfers of property that fail to follow anticipated paths; protagonists and reader alike trace property passing with ease and speed through numerous, unfamiliar and unknown hands. It is here, the thesis demonstrates, that the novels display their most immediate connection with the new property forms authorised in response to the cyclical crises that convulsed British economic life during the very years Collins consolidated his career as a novelist; and it is here that we can begin to understand the novelistic qualities for which Collins is best known and celebrated: his plotting. Despite many decades of scholarly attention, critical acclaim for skilful plotting, and the recognition of the centrality of inheritance in Collins’s novels, the integral relationship between novelistic form and property has not been recognised.

The novels further deal with problematic, contested, threatened and unstable identity, and concomitant to that, and linked with the new commercial phenomenon of limited liability, fluctuating degrees of responsibility through mental states affected by fever, derangement, idiocy, trauma, drugs and sleep. The study as a piece of literary history is weighed towards determining the manner in which and the extent to which new modes of capital formation leave their impress on Collins’s novels.

Candidate's Statement

I declare that, except where explicit reference is made to the contribution of others, this dissertation is original and the result of my own work. The thesis was carried out in accordance with the regulations of Sheffield Hallam University and no part has been submitted for any other academic award at this university or any other academic institution. Any views expressed in the thesis are those of the author and in no way represent those of the University.

Julia Podziewska

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Introduction

Readers of *All the Year Round*, the two-penny weekly in which *The Woman in White*, *No Name*, *Armadale* and *The Moonstone* first appeared, would have had first-hand experience of living in a world of rapidly changing property forms and relations, along with apparatus of governance and administration struggling and shifting to keep up with it all. These changes would have been met in a variety of quotidian guises: the task of finding and keeping work, travelling, daily living expenses, getting married, registering a birth, hiring a servant, leasing a house or renting rooms, using a savings bank, providing for sickness and old age, writing a will or taking out a life insurance policy. In the eighteen-sixties, *All the Year Round* and *The Leisure Hour: A Family Journal of Instruction and Recreation*, a periodical aimed at an audience of similar income, ran practical series, each spanning several issues, ‘Common Law’ and ‘Hints on Legal Topics’ respectively, that detail the types of contractual and donative relationships it imagined its readers would enter over a lifetime.¹ Both journals detailed attention to practical ways in which to ensure provision for dependants after the breadwinner’s death be that via a last will and testament or through the relatively new, and not yet very popular form, life assurance. Less individualistic, more abstract understanding about inheritance and other property matters would have been achieved by articles that reported on what was written and said in both Houses of Parliament, select and legislative committees, courts of justice, chambers of commerce, in the periodical press, on the streets and in workplaces. The change was depicted as a move from a residual and longer established conception of inclusive use of or benefit from a given property to a radically different notion of the transferability of exclusive rights in property, articulated above all in terms of a freely entered contractual relationship between equals. The former was both promoted as beneficial protectionism and contested as an encumbering hindrance that benefited none but the old corruption. The latter was advanced as an individual’s right, or not, to transfer that claim by gift or sale to someone else, a representation that drew on residual and well-established radicalism in its call for liberty and the rights of the individual but which thereby masked extant inequality in political representation and redistributive justice. As shall be seen in the chapters to come, in *All the Year Round* and other publications, matters pertaining to

new property relations and forms were not always depicted as black and white. In Collins's novels they never are.

The paramount question this study seeks to answer is one of uneven development, namely why, in the midst of massive and contentious commercial property reform and a flood of accessible printed matter about it, did some of the most popular, widely-read, best-selling novels of this time and place— most notably the four above-mentioned Collins novels—centre /on inheritance, a post mortem and long established mode of property transfer, and often the related instruments of the marriage settlement and entail, rather than commercial transactions.² The thesis seeks to find an answer by working within the following overarching research question: what is the precise relationship between these novels of the late 1850s and the 1860s and the revolutionary reconceptualisation of property effected by the Companies Acts of 1844-1862?

The Companies Acts were a response to the cyclical commercial crises that agitated the middle years of the nineteenth century; the legislation signalled an attempt to stabilise, legitimise and codify types of commercial and financial organisation, practice and instruments—such as the joint-stock company, limited liability, shares, securities and debentures—which often had no legal precedent, and thereby to limit the damage the serial crises effected on capital accumulation, the exchequer and governmental stability.³ The laws enabled the formation of commercial enterprises at greater speed and lower cost than the chartered companies that had laid the foundation of Britain's mercantile supremacy, which the new joint-stock companies—even larger-scale and more capital-intensive undertakings—were replacing. Formed by a simple and far less regulated process of registration rather than a parliamentary act, these new entrepreneurial associations and ventures would be advocated and championed with a rallying cry of freedom, liberty, and democracy. Not only did J. S. Mill and Proudhon see these emerging forms of productive social association as a break from restrictive, hampering oligarchical old corruption and a harbinger of a better more socially just world, in Volume Three of *Capital* Marx likewise recognises the paradox of the exclusive collectivity and collective exclusivity of share capital as he sketches the idea of joint-stock company assets as: 'the abolition of capital as private property within the framework of capitalist production itself'.⁴ For the many who benefited, users and/or investors, from the most successful of the undertakings—

the gas, water, and public buildings companies—the allure of the joint-stock company and limited liability form is not difficult to grasp.⁵

In view of the resonance and reach of these commercial transformations and the responses they provoked, reference to the Companies Acts in this thesis is used not only to signify their precise, restricted statutory form, but also as a synecdoche for that broader change in property forms and relations that liberal hegemony continues to pass under the name of ‘free trade’ reform. The thesis, as such, builds on historian and political theorist Ellen Meiksins Wood’s understanding of law within broader capitalist relations, which she writes of as

tak[ing] the form of particular juridical and political relations – modes of domination and coercion, forms of property and social organization – which are not mere secondary reflexes, nor even just external supports, but constituent of these productive relations.⁶ (27)

Thus focussed above all on the novels’ mediation of ‘particular juridical relations’ and ‘forms of property and social organization’, the thesis recognises as crucial to understanding changes during the 1840s to 1860s some slightly earlier legislation: the Inheritance Act (1833) and the Wills Act (1837). These smoothed the path for the later directly commercial legislation by legally authorising particular property forms and relations. The new meaning(s) that all these Acts bring to life have a direct and keen bearing on the fictional texts under consideration. Contention and disruption such as the statutes set out to address, and in the process themselves triggered, erupt in the novels too; their primary plots trace property gone astray and battles over rightful possession. The novels further deal with problematic, contested, threatened and unstable identity, and concomitant to that, and especially linked with the new commercial phenomenon of limited liability, fluctuating degrees of responsibility through mental states affected by fever, derangement, idiocy, trauma, drugs and sleep. All these connections are established in the three chapters devoted to a close reading of the novels in the light of the Acts and contemporary response to changes in property relations. This scrutiny shows that although on one level the disparity between the legislation and the fiction appears to be a classic case of uneven development, with the Acts calling to mind market transactions and public association between strangers, and the inheritance plot novels telling of gift transfers between members of the family, on another level critical appraisal shows they have far more in common than meets the eye, and offers some reasons why.

The textual and contextual investigation of the four novels serialised between 1859 and 1868, which traces the interconnections between inheritance plot motifs within each novel in turn, shows that the texts describe transfers of property that fail to follow anticipated paths; protagonists and reader alike trace property passing with ease and speed through numerous, unfamiliar and unknown hands. It is here, the thesis demonstrates, that the novels display their most immediate connection with the new property forms authorised in response to the cyclical crises that convulsed British economic life during the very years Collins consolidated his career as a novelist; and it is here that we can begin to understand the novelistic qualities for which Collins is best known and celebrated: his plotting.

From the moment of the novels' first appearance to the present day, mention has been made of Collins's 'technical dexterity as a story teller' and a 'constructor of novels of complicated action'.⁷ One obituary is representative in claiming that 'As a weaver of plot he has no rival in England, and in certain respects [among...] the French contrivers of elaborate plots';⁸ others echo this sentiment, 'We doubt if there are stories in English in which the plots are more perfect than in the four we have named...';⁹ 'The skill of the plot, the construction and the narrative [...] was far beyond the reach of anything written by Dickens to Thackeray.'¹⁰ Yet Collins's skilful, labyrinthine plotting has never been investigated or accounted for to any satisfactory degree, certainly not in historicist terms, despite the fact that Collins's work has received a huge amount of critical attention since Winifred Hughes published *The Maniac in the Cellar: Sensation Novels of the 1860s* (1981).¹¹ Critical attention to the above-mentioned quartet of novels has primarily orientated itself to investigating thematic concerns. This includes a host of matters that variously abut, overlap and are related to the new property forms and relations key to the hypothesis tested in this thesis but which never deal with the broader sweep of changing property relations of the mid-nineteenth century and which fail to observe the integral relationship between property and plot. Studies explore Collins's work in terms of law, property and reform in relation to legislation (Dougald Maceachen, 1950),¹² forensic science (D. A. Miller, 1980 and Thomas Ronald, 1999),¹³ Samuel Smiles's Self Help ideology (Nicholas Rance, 1891),¹⁴ literacy (Patrick Brantlinger, 1998),¹⁵ the Second Reform Act (Jonathan Loesberg, 1986),¹⁶ the mind sciences (Jenny Bourne Taylor, 1988),¹⁷ insolvency (Stana Neniach, 1990),¹⁸ the periodical press (Deborah Wynne, 2001 and Catherine Delafield, 2015),¹⁹ material culture (Lyn Pykett, 2004),²⁰ jewellery (Jean

Arnold, 2011),²¹ and the list goes on. Only one essay has directly addressed the novels' formal qualities as a historical phenomenon, Loesberg's 'The Ideology of Narrative Form in Sensation Fiction' (1986). However, this study is not confined to Collins's work, nor even the novel form, but about sensation fiction in the 1860s more generally, contextualising it within the political pressures that culminated in the Second Reform Act. The approach taken by this short article, written over a quarter of a century ago, will be discussed in due course, as will the work of other scholars, when their arguments relate to the issues I address.

As regards critical attention paid to property in the novels, this has predominantly been viewed through a gendered lens; attention has concentrated on female protagonists and links made with campaigns for married women's property rights.²² These gender-orientated studies having as their compass the Matrimonial Causes Act 1857 and the Married Women's Property Acts 1870 and 1882, display a limited capacity to illuminate the male protagonists in Collins's novels who are motivated to act because their claim to an inheritance has been denied (for example, Percival Glyde, Michael Vanstone, Mr Blake père and Godfrey Ablewhite). The prism of gender has also occluded broader, more complex matters of property claims during the period as studies so orientated tend to present absolute and alienable property anachronistically, as a *fait accompli* rather than precisely what is being battled over, the fundamental element disrupting residual, long established, traditional modes of gendered property laws.²³ Likewise, focus on legal technicalities has generally left unquestioned the broader-politico-economic drivers behind law reform. Hence, despite many decades of scholarly attention, critical acclaim for skilful plotting, and recognition of the centrality of inheritance in Collins's novels, *the integral relationship* between novelistic form and property has not been recognised. It is for this reason that it struck me as more politic to establish a viable critical framework and test it on a small set of novels which were primarily structured by an inheritance plot, than from the outset to attempt examination of Collins's work in general or a broad and varied group of authors and texts. I chose to focus on Collins as it is his novels above all which are primarily structured by an inheritance plot, and as such it is in his work that inheritance most strongly bears on literary form. Other novels from the period under consideration in which an inheritance plot features with prominence equal to those examined in the thesis constantly came to mind: *Great Expectations* (1861) and *Our Mutual Friend* (1865), *Wives and Daughters* (1865), *The Mill on the*

Floss (1860) and *Middlemarch* (1871-72); *Orley Farm* (1862) and *Miss Mackenzie* (1865). However, it is not plotting that gives these novels their renown. My aim was to explore the connection between inheritance and plot. Further, I gauged that it would be more prudent to embark on a more all-embracing exploration of the inheritance plot within the mid-nineteenth century novel only once I had a more comprehensive understanding of what inheritance and other modes of property transfer meant in mid-nineteenth century British society (and as I discovered, the colonies), and how the concept was used in, or absent from, other types of writing.

This study deviates from the critical trend that has primarily framed Collins's novels as sensation fiction. For the purpose of comprehending their plots and how these in turn were shaped by emergent and shifting forms of property, it sets the issue of sensationalism aside to focus on the type of mediation that Collins's novels perform as 'a socially symbolic act' that symbolically expresses capitalist social relations and their reproduction in a manner which has the simultaneous capacity to confirm and sustain those social relations and their reproduction as well as alternatively to expose them in a fashion that critically stalls their continuation, and thus offers the potential for change. That said, the study as a piece of literary history is weighed towards determining the manner in which and the extent to which new modes of capital formation leave their impress on the novel, above all modes such as the joint-stock company and limited liability, both of which enable ever faster and anonymous capital circulation. The novel is recognised to be the most salient socio-economic and political rhetorical and narrative form in the developed capitalist world of the mid-nineteenth century. This is the focus rather than speculation on the impact the novels had on reformist causes, or later literary production. In this respect the thesis attempts to complement rather than compete with James Taylor's magnificent and rightly prize-winning study of the antipathy that novels, verse, drama and the visual arts displayed towards nineteenth-century joint-stock enterprise.²⁴

The groundwork for grasping the interconnections between new property forms and relations and these novels is laid in the opening chapter which details mid-nineteenth century notions of inheritance and property. The novels are then explored in the three chapters devoted respectively to the three Collins works serialised in *All the Year Round* between 1859 to 1868: *The Woman in White* (Nov. 1859- Aug. 1860), *No Name* (March 1862- Jan. 1863) and *The Moonstone* (Jan. – August 1868 and together with the latter, *Armada* (Nov. 1864 - July 1866) his only novel to appear

in the *Cornhill*.²⁵ Chapter One traces the scope of notions of inheritance and property circulating in mid-nineteenth century Britain and its dominions; this material attests to how property lacked any secure theoretical underpinning in Britain during this period. The chapter closes by sketching the approach adopted to analyse the novels within this wider context of inheritance transfer, namely a close reading of primary texts that draws on the notion of the ‘plot motif’ elaborated in 1925 by the formalist critic Boris Tomashevsky, and is informed by a mixture of later critical theory and archival findings.²⁶ Each subsequent chapter addresses its respective novel(s) in a manner that builds on earlier texts discussed and arguments made.

Chapter Two, on *The Woman in White*, adopts the relatively straightforward approach of working through eight identified inheritance motifs in the order they appear in the text to demonstrate how each motif evokes association with discussion and events beyond the novel. Links are made in particular with articles that many readers of the novel, as well as Collins as journal contributor, would have read, as they had appeared in *All the Year Round* and its precursor *Household Words*, as well as journalism in the *Leader* which Collins was likely to have encountered through his involvement with that radical weekly. Analysis further shows how individual inheritance plot motifs relate to others, both preparing the way and sparking anticipation for what is to come and triggering recall of earlier motifs, often in a fashion that spurs reassessment. Attention in this chapter is weighed towards the sequence in which given elements make an appearance, including their frequency and repetition, along with their relationship to texts and events beyond the pages of the novel, to show how Collins propels his readers through the plot by playing on knowledge of— and gaps in knowledge about— inheritance matters.

Chapter Three, which analyses *No Name*, builds on the foundations laid in the two earlier chapters concerning inheritance debate and events beyond the novel, to focus more intensively on how intrinsic textual matters are structured. The novel’s four inheritance plot lines are extricated from each other to reveal how the novel’s elaborate aggregate plotline is propelled by a dynamic contest over the meaning of inheritance and conflicting inheritance claims. Scrutiny also reveals how multiple embedded narrative is used both to control access to information and readers’ degree of proximity to and sympathy for particular protagonists.

Chapter Four, on *Armadale* and *The Moonstone*, shows Collins again producing stories of a ‘curious bequest’ underpinned by the same basic repertoire of

inheritance elements, but diverging from the early model. Inheritance is explored in relation to the novels' other structuring elements, a death-bed warning and the birthday event, respectively. The first novel soon shrinks concern with the event-trigger property, transferring interest to whether or not the warning will be heeded and the prediction realised. The second shifts attention away from the structure involving inheritance and a will to a secondary birthday celebration structure, tying events more tightly than previously to rhythm of the financial calendar. Here, in contrast to *Armadale*, more events than ever are triggered by inheritance matters, but the legalistic side of inheritance is no longer depicted as complex and mysterious, and instead institutions of finance capital are depicted as posing more of a challenge, and deployed to generate narrative anticipation and suspense.

Analysis in all four cases demonstrates that the inheritance plot is the primary structure of the three stellar works that first appeared in the weekly *All the Year Round*, and that each rests on the same repertoire of plot elements; *Armadale*, by contrast, published in the monthly *Cornhill*, includes the same repertoire but differently arranged. Each chapter of the thesis endeavours to unfold the integral, dialectical relationship between the inheritance plot and broader property concerns of the period that were regularly aired in the periodicals in which the novels initially appeared.

Notes

¹ These series are addressed in Chapter One, Section Four, and also drawn on in the analyses of the novels in the subsequent chapters.

² See Karl Marx: ‘The uneven development of material production relative to e.g. artistic development.’ and ‘But the really difficult point to discuss here is how relations of production develop unevenly as legal relations’ Karl Marx, *Grundrisse* (1857-1858) (Penguin Book in association with New Left Books, 1973), p.50. <https://www.marxists.org/archive/marx/works/download/Marx_Grundrisse.pdf>

³ See James Taylor’s study of the rise of the joint-stock company, which makes a major contribution to nineteenth-century literary and cultural studies in addressing popular and press (including visual) apprehension of the phenomenon: *Creating Capitalism: Joint-Stock Enterprise in British Politics and Culture, 1800-1870* (Woodbridge: Boydell Press, 2006) and also Mark Freeman, Robin Pearson, James Taylor’s *Shareholder’s Democracies?: Corporate Governance in Britain and Ireland before 1850* (Chicago: University of Chicago Press, 2012). See also Paddy Ireland’s work, which details the nature and impact of the Acts with view to their continuing role: ‘Capitalism Without the Capitalist: The Joint Stock Company Share and the Emergence of the Modern Doctrine of Separate Corporate Personality’, *The Journal of Legal History* 17:1 (1996), pp.41-73; ‘Limited Liability, Shareholder Rights and the Problem of Corporate Irresponsibility’, *Cambridge Journal of Economics* 34 (2010), pp.837-856; and ‘Company Law and the Myth of Shareholder Ownership’, *The Modern Law Review* 62 (1999), pp.32–57.

⁴ Karl Marx, *Capital Volume III, Part V, Chapter 27* <https://www.marxists.org/archive/marx/works/1894-c3/ch27.htm>

⁵ See Leone Levi’s highly critical paper of most joint-stock enterprise shows a success rate for those companies formed between 1844-68 as 85% Gas, 72% water and 66% for public buildings, as against 41% for railways and 32% assurance and a miserable 16% for banking and finance. ‘On Joint Stock Companies’, *Journal of the Statistical Society of London* 33:1 (1870), pp.1-41, p.37.

⁶ Ellen Meiksins Wood, ‘The separation of the ‘economic’ and the ‘political’ in capitalism’, in *Democracy against Capitalism: Renewing Historical Materialism* (Cambridge: Cambridge University Press, 1995), pp.19-48, p. 27.

⁷ Arthur Compton-Rickett, ‘The Reader: Wilkie Collins’, *The Bookman*, June 1912, pp.107-114, p.109 and p.115. The article writer attributed the second quote to Thomas Hardy.

⁸ Obituary [Unsigned], *Athenaeum*, 28 September 1889, p.418, quoted in Norman Page, *Wilkie Collins: The Critical Heritage*, (Abingdon: Routledge and Kegan Paul, 1974), p.248.

⁹ M. W. Townsend [Unsigned], Obituary, *Spectator*, 28 September 1889, pp.395-6, quoted in Page, p.250.

¹⁰ Obituary [Unsigned], *Athenaeum*, 28 September 1889, p.418, quoted in Page, p.248.

¹¹ Winifred Hughes, *The Maniac in the Cellar: Sensation Novels of the 1860s* (Princeton: Princeton University Press, 1980).

¹² Dougal B. Maceachen, ‘Wilkie Collins and British Law’, *Nineteenth Century Fiction* 5:2, (1950), pp.121-139.

¹³ D. A. Miller, ‘From Roman Policier to Roman-Police: Wilkie Collins’s *The Moonstone*’, *Novel* 13:2 (Winter 1980), pp.153-170; R. Ronald Thomas, *Detective Fiction and the Rise of Forensic Science* (Cambridge: Cambridge University Press, 1999), and ‘The Moonstone, Detective Fiction and Forensic Science’ in ed. Jenny Bourne Taylor (Cambridge: Cambridge University Press, 2006), pp. 65-78.

¹⁴ Nicholas Rance, *Wilkie Collins and other Sensation Novelists: Walking the Moral Hospital* (London: Macmillan, 1991).

¹⁵ P. Brantlinger, ‘What is “Sensational” about the “Sensation Novel”?’’, *Nineteenth-Century Fiction* 37:1 (1982), pp.1-28; ‘Novel Sensations of the Eighteen-Sixties’, Chapter 7 of *The Reading Lesson: The Threat of Mass Literacy in Nineteenth Century British Fiction* (Bloomington: Indiana University Press, 1998), pp.142-165.

¹⁶ Jonathan Loesberg, 'The Ideology of Narrative Form in Sensation Fiction', *Representations* 13:13 (1986), pp.115-38.

¹⁷ Jenny Bourne Taylor, *In the Secret Theatre of Home: Wilkie Collins, Sensation Narrative, and Nineteenth Century Psychology* (London: Routledge, 1988).

¹⁸ Stana Nenadic, 'Illegitimacy, Insanity, and Insolvency: Wilkie Collins and the Victorian Nightmares', in *The Arts, Literature, and Society*, ed. by Arthur Marwick (London: Routledge, 1990), pp.133-162.

¹⁹ Deborah Wynne, *The Sensation Novel and the Victorian Family Magazine* (Basingstoke: Palgrave, 2001); Catherine Delafield, *Serialization and the Novel in Mid-Victorian Magazines* (Abingdon: Routledge, 2016) esp 135-147.

²⁰ Lyn Pykett, 'The Material Turn in Victorian Studies', *Literature Compass* 1:1 (2004), pp.1-5.

²¹ Jean Arnold, *Victorian Jewelry, Identity, and the Novel: Prisms of Culture* (Farnham: Ashgate, 2011).

²² Lyn Pykett, *The Sensation Novel from The Woman In White to the Moonstone* (Plymouth: Northcote House, 1994) and 'Collins and the Sensation Novel' in *The Cambridge Companion to Wilkie Collins*, ed. by Jenny Bourne Taylor (Cambridge: Cambridge University Press, 2006), pp. 50-64.

²³ Sidia Fiorato's 'Women, Property and Identity in Victorian Legal Culture: Wilkie Collins's *The Woman in White*', *Pólemos* 8:1 (2014), pp.25-50, is a textbook example of such an approach.

²⁴ James Taylor, *Creating Capitalism*.

²⁵ The following editions have been chosen for their proximity to the serial text. There is not much textual variation in volume and serial versions, or in different editions of the novels under discussion. Any comments about variant texts are made in the endnotes to the chapter. For the purpose of this study the novel was read in serial as well as volume form, with an eye on inheritance and property transfer non-fiction appearing alongside it. *The Woman in White* (1860), ed. by John Sutherland, (Oxford: Oxford University Press, 1996); *No Name* (1862), ed. by Virginia Blain (Oxford: Oxford University Press, 1986); *Armada* (1864), ed. by Catherine Peters (Oxford: Oxford University Press, 1989); *The Moonstone* (1868), ed. by John Sutherland (Oxford: Oxford University Press 1999).

²⁶ Boris Tomashevsky, 'Thematics' (1925) in *Russian Formalist Criticism: Four Essays* ed. by Lee T. Lemon and Marion J. Reis, (Lincoln: University of Nebraska Press, 1965), pp. 62-95.

Chapter One: Inheritance, Property and Plot

Introduction

Were you to take the mid-nineteenth century English novel as an unmediated reflection of the world beyond the page, you could easily come to the conclusion that inheritance issues were a topic on everyone's lips and permeated all levels of public debate during the 1850s and 1860s, such is their high profile in the fiction. Look beyond the novel, however, and things appear otherwise; confusingly, the matter of inheritance feels marginal and meagre; but only initially. Closer inspection shows it to be everywhere, scattered and varied, addressed as will writing, curious legal cases, charitable bequests, the safekeeping of probate records, legacy duties, succession tax, primogeniture and entail, trusteeship, and life assurance; and couched in myriad registers, and sundry rhetorical and generic forms, from various institutional loci, representing a wide range of interests, and mobilised to different political ends: legal manuals, practical guidebooks, advice columns for the layperson, reports of commissions and parliamentary debate, Bills and Acts, book reviews, political pamphlets, theoretical treatises, scholarly historical tomes as well as court reports, short stories and amusing anecdotes.

What this bewildering variety and spread evinces, this chapter submits, is that during the mid-nineteenth century property lacked any solid theoretical grounding. Historian of Political Economy Julian Hoppit has argued that the period 1688-1833 displayed so many 'uncertainties over property rights' that some contemporaries 'questioned whether property had a sound theoretical basis at all'.¹ The multifarious display of inheritance stands as a response to this situation; what we see are traces of attempts, from a number of angles, to devise a new model with which to ground and authorise emergent property forms and relations, attempts that notably play out in a form familiar to all, namely intergenerational wealth transfer, or as it is more commonly termed, inheritance.² This search was pursued as neither of the two main residual explanatory models that had been in force up until this time—premised on appropriation theory and civil law theory respectively— models that had authorised property ownership and legitimated transfer modes by appeal to the security of the subject and to the state respectively, were able to accommodate the emergent new property forms and relations brought to life by the Companies Acts.³ With the

ascendency of new anonymous, mobile rentier capital, so evidently neither the fruit of the owner's or their forebearers' labours, it became increasingly difficult to legitimate holding and transfer using the appropriation theory (that is that working the land gives the worker and their descendants the right to it in perpetuity), traceable back to Chapter Five of John Locke's *Second Treatise of Government* §.27. 'Whatsoever [man] removes out of the state that nature hath provided, and left it in, he hath mixed his *labour* with, and joined it to something that is his own, and thereby makes it his *property*.'⁴ Alternatively, and likewise, models premised on property rights ensuring the stability of the state, that is, the civil law justification, outlined inter alia by Blackstone, and echoed in the nineteenth century by J. R. McCulloch, became increasingly untenable as succession evermore took the form of the transfer of personalty—of often volatile value, and untethered from political rights—rather than land.⁵ Accordingly, there came to be sought a new rationale for inheritance transfer alongside justifications for other modes of transfer and possession. It is within this context that we may better understand the varied and often conflicting portrayals of inheritance that mark mid-nineteenth century England, and which so vitally shape the novel of the period.

This chapter is primarily concerned with sketching a map of the divergent manifestations of inheritance in mid-nineteenth century England to show how this diversity of levels, interests, perspectives, purposes and representational modes imbricate with one another as well as with wider property transfer issues. It groups them under the following headings i) the Inheritance Act (1833) and the Wills Act (1837); ii) theoretical treatises and scholarly tomes; iii) professional and para-professional guidebooks; iv) advice published for the layperson; v) life assurance; vi) provision as responsibility: Collins's account of a family intestacy; vii) primogeniture; viii) accounts of curious bequests; and finally ix) accounts and understandings of new property forms and their distribution. This range of overlapping and conflicting meanings and their scope can best be expressed through the deployment of this conflicting-category based classification system (a mixture of genre and topic). Appreciation of the diversity that the notion of inheritance touched upon at mid-century, and its difference from present day usages, allows us to construct a context within which the novels appear as recognisably social forms, traversed by contending voices, drawing on familiar and less well-known ideas, and engaging the reader by

playing with their ignorance and knowledge about rhetorical as much as legal conventions, and their fears and hopes as well. Thus we can see the structural and rhetorical possibilities and potential of the novel as a social form and recognise the very aspect of Collins's works that his contemporaries and later critics have valued them for, the feature in which the semantic and structural are inextricably fused: their plotting. This focus therefore runs counter to two ideas generally promoted in Collins criticism, and especially scholarship addressing his fiction and the law: that the novels' extrinsic significance in relation to legal matters resides in their role as agents and channels of liberating reform—or conversely restrictive social containment—and that their intrinsic impact consists of the 'court-trial technique' of their 'epistolary method'. The charting of inheritance concepts outlined here provides an alternative to these current and dominant notions of Collins's novels. The image of novelist as reformer and text as *roman à thèse*, or conversely novel as an instrument in a broader carceral system, are undynamic and idealist as models for the serialised novels under consideration in this thesis and require supplementing with attention to rhetorical form; were Collins to be celebrated for or charged with any reform or cultural effect, the possibilities his work opens up for the novel, primarily in relation to plot, should not be omitted.

In addition to scrutinising how inheritance was conceived of directly by those living at the period, in public or private writing, this chapter also includes accounts of how it has been configured retrospectively by modern historians who have used archived materials, data collected at the time such as probate records, to profile past practice in a manner that well may not always have been apparent to those living at the time, and which radically overhaul commonplace notions of mid-nineteenth century behaviour. This identification of the worm's and the bird's eye views of mid-nineteenth century inheritance also provides a space in which a number of technical terms that will be used in later chapters can be clarified, including 'free testamentary disposition', 'absolute and alienable property', 'intestacy' and 'administration'. This mapping allows us to see how modern literary criticism addressing Collins and his peers has largely projected today's hegemonic meanings vis-à-vis property relations and forms onto the past, in a manner that hampers our understanding of the inheritance plot. Awareness of the multiple conflicting meanings of inheritance at mid-century permits the devising of a historical poetics that apprehends the novel as a social form. Accordingly, the closing section of the chapter rounds off with a brief account of the

Russian formalist-based analytical approach that I have devised to better register the historical groundedness of Collins's plotting, a critical procedure that connects inheritance points, paths and properties to inheritance practices and texts beyond the world of the novel to ascertain the individual and collective social interests in which these operate. This present chapter thus lays the groundwork for later scrutiny of the novels' inheritance plots in a manner that shows how in the last instance they are inextricably bound with changing property forms and relations, thus making possible an explanation of the significance of these events for our understanding of the more general prominence of the inheritance plot in the mid-nineteenth century novel.

1. The Inheritance Act (1833) and the Wills Act (1837)

A key challenge facing any analysis involving mid-nineteenth-century inheritance is that our ideas about it are profoundly moulded by the nineteenth-century novel itself, and if not directly, then through varying degrees of mediation by film or television adaptation, or even in their final spectral incarnation, of an on-screen novel-haunted costume-drama.⁶ The generally promoted idea is that, compared with what today prevails as inheritance, namely the intergenerational transfer of property *mortis causa* by will⁷—in mid-nineteenth century England the notion embraced not only the will but legal instruments and transfer processes which most of us no longer use and hence are unfamiliar with—primogeniture, entail and entitlement—as well as common law rulings—no longer extant—that seriously disadvantaged women.⁸

Critical regard keenly trained on transfer processes involving primogeniture, entail and settlements, alongside women's property rights, has tended to omit discussion of some other key laws of the period under discussion (the 1840s to the 1860s), that is, the Inheritance Act of 1833 (3 & 4 Will. IV, c.106) and the Wills Act 1837 (7 Will. IV & 1 Vict., c. 26).⁹ Mention is rarely made of either piece of legislation in modern criticism although both were decisive in a new, more market-oriented way of governing the transfer of rights in a given property following the death of their holder, and in laying the foundations of the laws that today continue to regulate modern inheritance practice in England and Wales.¹⁰ Broadly speaking, the first Act ensured that anyone in receipt of a property received it 'absolutely', in a fashion not burdened with responsibilities or obligations to—or open to claims from—anyone else ('encumbered' was the term used at the time), or as C. B. Macpherson puts it, in

reverse, absolute property holding gives one the right to exclude others from access and usage (the instance with which we are most familiar today is the Enclosure Acts).¹¹ Absolute tenure also permitted freedom of transfer, technically referred to as ‘free testamentary disposition’. Hence the accompanying notion of ‘alienability’, that is, the authority of a holder (or someone representing a group) to transfer use rights in a resource to another holder (or group). The second Act instituted a far more rigorous and consequently more secure transfer procedure, one conveying moreover freehold land (real property) and all other property (personalty) by the same instrument—the last will and testament—which now involved mandatory and very precisely regulated signatures and attestation for both testator and witnesses.¹² It is imperative to register these aspects of the legislation for they laid the foundation and served as proto-types for the new property forms and relations to come; especially noteworthy is the congruence of the Acts with broader legislative trends—most clearly displayed in the Company Acts 1844-1862—to speed up, lower the cost of and thereby ease the circulation of property whilst minimising risk—risk both on the macro-scale of overall property accumulation as well as related state stability, and on the micro-scale of the individual investor; this is so rarely the impression conveyed by literary criticism.

Little modern literary critical attention, however, has been paid to the Wills Act of 1837, intimating that no clarification is necessary, presumably because the law governing wills remains the same today as then.¹³ Scholarship by Catherine O. Frank remains the exception. Her focus, on ‘[h]ow the last will and testament, acknowledges even creates, the desire to control one’s own property’, differs from mine in paying less attention to the often shared and common property relations that this legislation was breaking away from, concentrating rather on ‘the legal regulation of individual will through laws of inheritance, and the rise of legal professionals to mediate the law, [which] emphasise the turn towards bureaucracy.’¹⁴ The purpose of this thesis by contrast shows how tightly imbricated this focus on the inheritance of absolute and alienable property was with broader changes in the formation of modern capital, above all in the ushering in of cheaply and rapidly transferable forms we which can now see were vital to the emergence of a particular type of productive social association: the joint-stock company with limited liability. As such, although the will today is technically the very same instrument as that instituted by the Wills Act of 1837 in that the words are unchanged, socially it had a very different resonance in occupying a place in a radically and rapidly transforming landscape of property forms and relations.

In replacing the Statute of Wills of 1540 (32 Hen. 8, c.1), which had applied solely to freehold real property, the 1837 Act extended the requirement of a written, signed and witnessed document to personalty and a range of other residual property types, such a copyhold land administered by manorial courts. Those in the Lords supporting legislative change pointed out during debate that one of the key problems the proposed Bill aimed to remedy was the incoherence and internal contradiction of the English legislative process: ‘The Real Property Commissioners have stated ten different modes of making wills, sanctioned by the law of England, and depending on the various sorts of property intended to be disposed of’.¹⁵ *Household Words* and *All the Year Round* would argue the same, and for years to come Dickens as a campaigning editor drew readers’ attention to remaining incongruent aspects of the English jurisdiction, with expressive titles such as ‘What I call Sensible Legislation’, ‘Law and Order’, ‘A Needle of Sense in a Haystack of Law’, ‘The Statute Book’ and ‘Consolidate the Statutes!’, ‘Patched Law’.¹⁶ In the 1837 Lords debate no mention was made of any possible advantages that long established property forms and rights, such as individual rights in common property, had brought and bring; instead, fears of loss were played on, and prevailing legislative discrepancies viewed as in no way safeguarding any particular rights of property holders, but rather, as ‘expensive and sometimes hazardous contrivances which both impeded transfer and could lead to loss as holders and their families might not fully understand their legal rights or be able to pay for the best advice’.¹⁷

Demand for an instrument of post mortem transfer that treated all property equally, regardless of its form, notionally eroded the historical importance of the difference between realty (freehold land and buildings, not leasehold) and personalty (personal property) which—in the words of the foremost journalistic juridical commentator of the day, James Fitzjames Stephen—had been rooted in ‘[t]he solid distinction between [...] property which supplied a permanent means of livelihood, and property which was liable to be consumed in the act of using it’.¹⁸ This shift in ‘the notion of living on the interest of one’s money’ —from association ‘with Jews and usurers squeezing the last farthing from their victims’ to ‘quiet people receiving dividends with mechanical regularity’— propelled rentiers out of an oppositional position and placed them on par with landowners.¹⁹ Inversely it acknowledged that land could be regarded as a commodity, something with exchange value as well as use

value. This is clearly acknowledged at the end of the Lords debate, when Lord Wynford remarked:

He did not understand the reason why it should be permitted to a boy of seventeen years of age to will away any amount of personal property, even to the value of a million of money while he was prevented at that age from disposing of, by testament, even a shilling's-worth of real property.²⁰

The Wills Act thus formed a crucial step on the broader path of property transformation by helping to erode the distinction between realty and personalty and thereby consolidate free and rapid transfer as synonymous with property and property rights per se.²¹

The commodity aspect of this statutory change bears with particular force on the Collins's novels under consideration as each is structured by a plot centring on the still far more easily alienable property of personalty, and income derived from such an asset. The ease and pace with which properties in Collins's novels pass through numerous, unfamiliar and unknown hands is nowhere to be found in the earlier, and usually realty-centred, courtship novels which Collins's at first evoke with their country house settings and wealthy protagonists, a genre with which his readers would have been familiar. This process of property intended for, and anticipated by close family slipping away to distant, unheard of relatives, strangers, derives from the other plot tradition on which Collins draws, that of the personalty-centred 'it' novel or novel of circulation: both trends are discussed in Chapter Four. It is impossible to imagine the plot fusion displayed in Collins's novels occurring prior to the changes in mid-century capital formation initiated by the Inheritance and Wills Acts of the 1830s and sanctioned by the Companies Acts of 1844-1862.

One more factor which distinguishes the significance of the Wills Act in mid-nineteenth century England from its resonance today merits consideration. Despite the very wording of the Wills Act remaining unchanged, it has now become virtually synonymous with the conveyance of property between family members whereas, as already pointed out, in the nineteenth century a host of other instruments apart from direct inheritance were available and used for this type of transfer, including trusteeship and inter vivos (between the living) transfer modes. Trusteeship, a key device enabling and underpinning the difference between historical and modern notions of inheritance, plays a significant role in each of the plots under discussion

(Philip Fairlie in *The Woman in White*, Admiral Bartram in *No Name*, a Scottish law firm acting for Ozias Midwinter's father in *Armada* and Godfrey Ablewhite in *The Moonstone* each operate as trustees in a plot-determining manner), yet it is rarely addressed and explored in modern literary criticism. Further, modern readers will likely not be familiar with this mediating type of transfer procedure as a device deployed within the family context—that is, someone holding property on behalf of and for the benefit of someone else—to a large extent because far fewer adults die when their children are minors, or leave a spouse unable to gain employment to support themselves.

Alongside and related to trusteeship was the use of inter vivos property transmission—often on marriage—which in tandem with post mortem transfer made up part of the more general, life-long, property cycle, a characteristic feature of middle-class life. J. R. Morris's micro-historical study of Leeds 1780-1870 identifies the importance of this 'family property cycle' for the urban middle-class, as well as the role and status of trustee in such social circles.²² *A Handy Book of Property Law in a Series of Letters* (1858), the very popular and often reprinted mid-nineteenth century guide by Edward Burtenshaw Sugden, sometime Lord Chancellor and Tory peer Lord St. Leonards, (who maintained that there were 'few social questions of more importance' than trusteeship) clearly displays the interconnections between wills and trusts in its structure, with letters (chapters) XXI and XXII elaborating trusteeship following tightly on the heels of letters XVIII-XX, concerning wills.²³ The similarly popular *A Guide to the Unprotected in Everyday Matters relating to Property and Income by A Banker's Daughter* (1859) discusses the importance of having a reliable trustee before moving on to the subject of wills.²⁴ The centrality of the trust to an ever broader range of property owners in Victorian Britain and its connection with inheritance has been demonstrated by modern legal historian Chantal Stebbings who summaries her findings with the observation: 'trusts were regarded as a powerful and essential tool in family provision [...] of a mixed fund, or of personalty, established for the benefit of persons in succession, generally the wife for life, remainder to the children of the marriage.'²⁵

Based on archival evidence of individual property holders' involvement in legal process at mid-century, varying degrees of legal understanding and competence are argued by modern historians. Morris, whose focus is on middle-class property relations observes that though ubiquitous, in the nineteenth century inheritance and

associated processes and procedures were usually found challenging by those involved in and deploying them. Stebbings's study of trusteeship comes to the opposite conclusion, whilst Owens's work on middle-class urban inheritance patterns falls somewhere in-between.²⁶ Less attention has been paid to publications disseminating ideas about and taking positions on the new laws pertaining to inheritance and wills. These ranged from markedly pragmatic short pieces, advising and instructing the reader who sought advice on how to draft a will and warning about the perils attending the will writing process, to volume-length treatises on jurisprudence. The first more commonly addressed the outcomes of the Wills Act whilst the second veered more towards the Inheritance Act, that is, more abstract matters relating to the law. It is possible to discern a third type of writing that hovered between the pragmatic/concrete and the abstract/ theoretical ends of the spectrum: informative handbooks. Though mostly and primarily directed at legal professionals who sought to keep abreast of the relentless amendment in property law, these publications appear also to have appealed to the writers who drew on them for the advice and legal information columns that constituted their legal copy, the periodical contributors, a group who merit inclusion as para-legal professionals (although as contemporary and modern commentators have observed, these are not discrete categories; the legally trained often turned to engage in fiction and journalism). Each type of publication is now outlined in turn.

2. The contractual subject and inheritance

Various weighing up the relative merits of ordained succession patterns versus free testamentary disposition, John Ramsey McCulloch, J. S. Mill and Henry Maine were certainly cognizant of both the 1833 and 1837 Acts; each writer sought a different route through their struggle to reconcile the practice of inheritance with the free trade cause they were all advancing. Their attempts to harmonise transgenerational property transfer with the notion of the liberal contractual subject (a notion that lay at the base of their politico-legal project) reveal how unstable the theoretical underpinning of property was at this time. Political economist McCulloch, who was more of a populariser than an original thinker, deploys rhetorical evasiveness to remedy the problem; political economist and philosopher Mill tackles the difficulty by keeping his engagement with inheritance to a minimum; and the third, jurist, Oxford Professor of Law and codifier of Indian law, Maine, manages to intensively detail succession

practices in the ancient worlds of Greece and Rome, ancient and medieval Britain, followed by contemporary India, without ever affording the same treatment to contemporary Britain, although it was changes in English and Welsh property forms and relations, including succession behaviour, along with British encounters with alternative legal systems in its overseas territories, that triggered his work. The arguments forwarded by these three high profile authors were extensively reviewed in the serious quarterlies, and thus would have been read by policy makers, and thereby shaped legislation, as well as fiscal and courtroom decision-making, and as a result shaped the lives of Collins's readers; the more serious periodicals would also have been drawn on by some of those writing for the more popular and cheaper periodicals, and thus ideas would have circulated and been reshaped in the process, a reworking that will become apparent when we examine these in due turn.

The position adopted by McCulloch in his work of 1848, *A Treatise on the Succession to Property Vacant by Death*, assumes the very things it sets out to explain, McCulloch opens his text by stating that:

It would be useless to take up the reader's time by dwelling at any length on the advantages resulting from permitting [...] a very considerable degree of freedom to those who wish to devise property by will.²⁷

And so the book continues, using this phatic rhetoric throughout, with phrasing that offers a series of lacunae in place of the history of the thing it purports to explain, in expressions that gesture in the direction of change as progress as forwarded by classical political economy, that is, in the shape of a story of rational self-interest and the gradual liberation of commercial impulse: 'It is abundantly certain [...]'; 'It is obvious indeed [...]'; 'the truth of these statements is too obvious [...]'; 'Every one, indeed, [...] must know that such is not the case'.²⁸ Whilst McCulloch's sentiments on the importance of inheritance—'the laws of inheritance [...] exercise an extraordinary influence over [a nation's] social state'—are echoed in Mill, the philosopher will give them a very different inflection.²⁹

Mill stresses the economic rather than the social significance of inheritance: 'The portions of the civil law of a country which are of most importance economically,' he writes, 'are those relating to the two subjects of Inheritance and Contract'.³⁰ It is precisely Mill's concern with the economic that enables us to understand why, having announced a parity between inheritance and contract

throughout his oeuvre, this writer is remarkably reticent about the procedure of and the premises for inheritance. Tellingly, unlike McCulloch, Mill never produces a complete pamphlet or volume on succession issues; this would involve probing areas of property theory with which his type of liberalism is ill equipped to deal because of the universally equivalent contractual subject in which it is rooted. Nevertheless, a mining of the interstices of *Principles of Political Economy* (1847-71) yields a number of valuable nuggets about the processes of change taking place in mid- nineteenth century England, and enable us to see the challenges they posed Mill's broader scheme. Furthermore, it reveals a position on inheritance that is far more consistent and considered than that of fellow political economist McCulloch.

Mill's focus on political economy in *Principles* is primarily on the law of partnerships, joint-stock companies and contracts; he wants to see property forms and rights as something generated by industry and commercial enterprise. Mill sees commercial transfers and transactions underpinned by an appropriation (labour) theory of property rooted in Locke, and like him Mill encounters difficulties in the justification of inheritance.³¹ Mill's engagement with inheritance, in spite of its meagreness, is particularly interesting in view of the very different way in which it squares the circle of the freedom of the individual property owner (to do what they want with their property) versus broader political and civil order (to prevent a destabilising disequilibrium rooted in ever widening gap between the possessing class and the dispossessed). Whereas McCulloch employed evasion, Mill approaches matters head on: 'It is not the fortunes which are earned, but those which are unearned, that it is for the public good to place under limitation' sums up his position.³² Broadly speaking, Mill proposes a system of unlimited freedom to give (tallying with notions of property rights established by both Locke and Blackstone) but controlled reception: 'With respect to the large fortunes acquired by gift or inheritance, the power of bequeathing is one of those privileges of property which are fit subjects for regulation on the grounds of general expediency [stable state]'.³³ Thus he recommends 'restraining the accumulation of large fortunes in the hands of those who have not earned them by exertion, [and] a limitation of the amount which any one person should be permitted to acquire by gift, bequest, or inheritance',³⁴ and no more collateral inheritance (an issue that recurs in Collins's works, as we shall see).³⁵ That said, here Mill qualifies his vision of a full and free testamentary disposition by imposing one limitation; an amount would be held back by the state for any 'dependants, who, being

unable to provide for themselves, would become burthensome to the state', a standpoint which complements his belief that it is parents' duty 'to provide [the child] such education, and such appliances and means as will enable them to start with a fair chance of achieving by their own exertions a successful life'.³⁶ Both these are issues that Collins will explore in the novels under consideration. As regards limitations on the receiver, Mill proposes a rule whereby 'no one person should be permitted to acquire, by inheritance, more than an amount of moderate independence'.³⁷ In the same paragraph, and related to the philosopher's desire to reduce social inequality, following Jeremy Bentham he advocates that in cases of intestacy (where someone dies without making a valid will) estates should escheat (revert) to the state; but with a caveat that echoes the limitation recommended in relation to freedom of bequest, out of any intestate's estate the state would be 'bound to make a just and reasonable provision for descendants, that is, such a provision as the parent or ancestor ought to have made, their circumstances, capacities, and mode of bringing up being considered'.³⁸ (This will be addressed by Collins's *No Name*.)

In thus arguing, Mill was promoting nothing new. These sentiments had since the late eighteenth century moulded government policy, in the shape of an incremental duty—which could range from 1% to 11.5% —on legacies (the technical term of inheritance of personalty) and successions (the technical term for inheritance of realty) that increased step-by-step accordingly to the distance of the relationship between testator/deceased and legatee/successor.³⁹ There is visible slippage in Mill's text, an expression of desire for a greater equality which can be brought about by 'a considerable tax on legacies and inheritances' together with statutes using tax 'as a means of mitigating the inequalities of wealth', but the retention of disparity is slipped in in the form of Mill's employment of extremely vague terms about the acceptable level of transferability:⁴⁰ the 'moderate independence' and the 'mode of bringing up' are very unspecific. Hence, although Mill elaborates far less on inheritance than McCulloch, he actually says far more. McCulloch repeats information obtainable elsewhere and never reveals the ground of his arguments; Mill by contrast builds on Locke, Smith and Bentham to fashion a liberal policy that seeks to overcome contradictions in his attempt to marry the notion of liberty and distributive justice.

Sir Henry Maine, our third figure, warrants attention for his jurisprudential approach to inheritance. As with Mill he regarded it as the most important part of the civil law. *Ancient Law: Its Connection with the Early History of Society, and Its*

Relation to Modern Ideas (1861) is the most serious and extensive treatment of inheritance as an historical and comparative phenomenon in the mid-nineteenth century.⁴¹ Merging historical jurisprudence with ethnography, the study never frames contemporary succession law and practice within the context of changing domestic property forms and relations or in terms of the needs and activity of contemporary national commerce and finance, that is, the operations that led to the institution of joint-stock companies and limited liability. Awareness of this silence helps us understand why other social spaces, such as fiction and journalism, emerged as arenas in which to explore these matters. The thrust of Maine's argument tracing a shift in social organisation from status to contract (the famous subtitle of its chapter five), evidences historical and world inheritance practice with a detail found nowhere else; only it by-passed contemporary practice at home.

Maine was extensively and very well reviewed; Mill, as a prominent liberal thinker and in the 1860s as an MP, had his ideas well disseminated, too; and McCulloch, principal economic contributor to the liberal quarterly the *Edinburgh Review* and the *Scotsman*, whilst less original a thinker than the others was widely read as a prolific populariser and disseminator of knowledge about political economy. Hence the position that each of this trio adopted in relation to inheritance would have filtered through and been accessible to writers who read the periodicals, and the general, non-professional, audience.

3. Guidebooks for legal professionals and paraprofessionals

As pointed out above, advice and information about inheritance in the cheaper periodicals took very different forms from the manner in which these three systematic writers tackled it, ranging from short prose items that approximated text-book historical accounts such as the pieces comprising the *Leisure Hour* series that will be scrutinised here, to writing in the tale-like tradition of Harriet Martineau's *Illustrations of Political Economy* a fusion of economic and literary narrative from the 1830s, under which heading falls a series of articles in *All the Year Round* that includes inheritance and life assurance among the other legal matters it addresses. These accessible forms drew on the flood of legal guidebooks that poured onto the market in response to—variously—the relentless amendment of property forms and relations taking place, the accompanying legal reform (such as the above-discussed Acts); and a growing army of legal professionals (solicitors and barristers) and paraprofessionals (legal clerks,

agents, auctioneers, stewards, surveyors and of course legal journalists), among whom need be counted the trustees and executors whose tasks were made ever more onerous by the growing complexity of property law and volume of property itself.⁴²

Some legal guidebooks were clearly aimed at the professional and some at the layperson. Others—in the absence of an announced target audience—appear (to the modern eye at least) to be appealing to both readerships. This third type can be accounted for in terms of people who appealed for aid and advice to figures who, whilst not qualified professionals seemed better placed to deal with legal matters than the person asking, due to their authority and education: clergymen, teachers, and magistrates for example.⁴³ However, the iterated standard advice ‘never make [a will] if you can possibly help it, without the aid of a lawyer’ suggests that they were often out of their depth, as indeed parliamentary debate in 1857 indicated that some legal advisers could also be.⁴⁴ (*No Name* includes such an example in the shape of the housekeeper Mrs Lecount. Stuck in the Scottish countryside, she seeks advice about will and trust writing by post from a ‘general agent’, a businessman friend of her late husband; this move complicates the plot line manifold, in an unanticipated manner, as shall be shown in Chapter Three.) Typical of the first category—writing directed to the legal professional—is a title that appeared fast on the heels of the Wills Act of 1837, Henry Kent Staple Causton’s *How to make a Will; a Familiar Exposition of the 1st Victoria, Cap XXVI. commonly called the New Law of Wills; with Notes, an Historical Review, a Summary of All the Clauses, and an Extensive Index* (London: Henry Kent Causton, 1849); clearly falling under the second heading—for the layperson—is George Booth’s *Instructions How to Make and Execute a Will: with the Necessary Directions to Testators, Executors, Legatees, &c* (London: William Tweedie, 1864); and seemingly aimed at both professional and lay reader, or the para-professional, a volume earlier issued by Booth: *A Manual on the Present State of the Law of Wills; adapted as a guide for their preparation in simple cases with forms for ordinary use* (London: L. Booth, 1861).

The changing contours of the landscape of mid-century property and related legal forms within which inheritance and wills constituted such an important node, can be apprehended from a perusal of titles alone. Several guidebooks hint at how the roles of executor and trustee were growing evermore complex for applicants as these roles became catered for by specialist volumes: John Corrie Hudson *The Executor’s Guide*, second edition (London, 1854); Robert H McClellan *The Executor’s Guide ...*

Second Edition... Greatly Enlarged (Albany, 1873); and Bernard Cracroft *The Trustee's Guide: a synopsis of the ordinary powers of trustees in regard to investments, with practical directions and tables of securities*. Second Edition (London: Edward Stanford; Bernard Cracroft, 1876). That such books were employed is suggested by *A Guide to the Unprotected* which on the role of the trustee advises that: 'Any one accepting this Office should thoroughly understand what he undertakes, and never act without the advice of a lawyer, particularly when asked to give consent to a change of investment.'⁴⁵ The inclusion of the words 'practical', 'plain', 'familiar' and 'popular' in several publications suggests a growing number of lay people dealing with property who felt out of their comfort zones, or who were presumed to feel that way: R. Thompson has his work billed doubly— as 'popular' and 'familiar'— in the strapline proclamation 'Author of *Popular Treatises on the Laws of England*' on the cover of his *Amended Law of Wills. A Familiar Treatise on the Law of Wills, with ample instructions ... numerous forms, and remarks on Intestacy etc* (London: 1844? (sic)); William Easton (Solicitor)'s volume tries to lure the broad audience with a 'practical' and friendly 'useful hints' approach: *A Practical Legal Guide to the Law Now in force for the Protection of Creditors and Debtors; also as to the Making of a Will, and the necessity of making One, with useful Hints Upon the Law of Landlord and Tenant, in Divorce Cases...* (London and Walworth, 1873).⁴⁶ Whom Thomas Boyfield Sikes's book was aimed at is difficult to work out: *The Testament of the Law: or, the Truth about the Devolution and Distribution of Property in cases of Intestacy; with a Proposal for an Intestacy Act. To include Real as well as Personal Estate etc* (London: 1862), its 'truth' and 'proposal' indicate that it may have been a campaign publication in the Law Question conflict that will be explored presently in discussion of primogeniture.

Although publishing houses were for the most part located in the capital, close by the law courts and seats of power, they were firmly aware of distant domestic and overseas readerships, who may have had no easy access to legal professionals. (In *The Woman in White* as well as *No Name*, geographical distance hampering access to a lawyer shapes plot development.) Books directed to meet this need included the 1858 *The Comprehensive Letter writer: a universal guide to correspondence for ladies and gentlemen containing examples of 240 letters on various subjects, with practical hints on letter writing; ... instructions for making wills and other useful matter* (Glasgow: Cameron, Clark & Co; London, Richard Griffith); and likewise Dr Paley's *How to*

make a will : in accordance with the provisions of the new law of wills; 1st Victoria, cap. XXVI, and the "New wills act, 1852"; with full explanations and directions for making a will, and a codicil to a will, with a variety of special forms... (London: Henry Kent Causton, 1864). *A few Hints as to Proving Wills, etc., without Professional Assistance* (London: Sampson, Low, Son, & Marston) falls into this same category. British subjects living abroad, an increasingly large numbers emigrating from mid-century, were catered for with William Amos Scarborough Westoby's *The Wills of British Subjects made Abroad, or, Rules for the Guidance of English residents on the continent in the execution of their wills* (Paris: A. Durand; Stassin and Xavier; London: Longman and Co., 1858), and as we shall see, this matter of the legatee abroad is touched on in the novels.⁴⁷ In *Portable Property: Victorian Culture on the Move*, John Plotz points to the journal, alongside books, as instrumental in the colonial retaining connection with social mores of the home country.⁴⁸

An example of this can be seen the regular reference *All the Year Round* made to the ever shifting British legislative apparatus as it was adapted to conditions in the Australian colonies, and in a manner that it celebrated the new country for simplifying land transfers procedures (through a system of legislation, rather than deed search) far in advance of the home country, an article that indicates there to have been a two way influence.⁴⁹ Despite the title, the English overseas were not, on the other hand, the intended audience of *Succession Laws of Christian Countries* (London: Stevens and Haynes, 1877). Author Eyre Lloyd states its target in his preface as 'the general reader' (viii), hoping that 'members of the legal professions' also will find its comparative succession sections of use. This serious, well-written and informative volume, authored by a barrister-at law at the Inner Temple who names his sources and acknowledges his work as derivative, gives hint of its purpose in its subtitle 'With Special Reference to the Law of Primogeniture as it Exists in England'. It was evidently part of the broader, highly political 'Land Question' debate, a key word in which was 'primogeniture'; this will be discussed in Section Seven. Lloyd's book was conservative in intention; clearly not on the side of the republican factions calling for land redistribution and reform.

Volumes such as those enumerated above eased the task of the periodical writers. However, the transfer process was (generally) no cut and paste affair. Certainly, as shall be seen, 'borrowing' without attribution was practised on a large scale (Section Eight on curious bequests and Section Six parts 1 and 2 of Chapter

Two). But exclusive focus on the journalistic penchant for plagiarism obscures the far more interesting process of the active and creative transformation of source material.

4. Common Law advice: articles and books

Articles in the less expensive eighteen-fifties and -sixties periodical press which detail the regulations governing will writing easily give the impression— a near quarter century after the Wills Act of 1837 had been passed— that concern raised by this legal instrument was now confined to technicalities, and thus that the premises of the Act were accepted and uncontested by editors, writers and readers. But alternative readings are possible. Writers' focus on how to adhere to the law may be read in terms of critical energies channelled down this route— rather than a speculative path— in the absence of any clear theoretical premises grounding property. It is also possible to entertain the idea of the same reader reflecting on inheritance on different levels—the practical and the theoretical—each for a different purpose: necessity and freedom. It is this last critical perspective that one particular mid-century account encourages the modern critic to adopt, that is, the lived experience of inheritance for the majority of England's population as understood by Karl Marx, which was expressed in the stance he took on question of inheritance. This is worth attending to, prior to reading the legal advice offered to the English periodical reader, as it gave a deep sense of what a lifeline inheritance was for many.

At the Fourth Annual Congress of the First International in Basle in 1869 Marx countered a motion proposing the total abolition of the right of inheritance on the grounds that: 'The chief aim of people in saving for their children was to insure them the means of subsistence'.⁵⁰ Lockean notions legitimating inheritance are absent as Marx envisages a future in which rights are no longer those in private property: 'If a man's children were provided for after his death' 'he could not care about leaving them wherewith to get a living, but as long as this was not the case, it would only result in hardships'.⁵¹ This portrayal of inheritance as a strategy deployed by families who survived on earned income rather than asset derived income echoes that expressed by those explaining the technicalities of will writing and promoting life assurance. However, it was not solely the wage dependence that Marx saw around him in urban England that shaped his position on responsibility for dependants; this would also have been spurred by the prevailing practice in his birthplace, Prussia, where an inheritance

system oriented towards supporting the family was in operation ('In Prussia, only a little of a man's property could be willed away', he points out in his Congress speech) rather than one centred on free testamentary disposition, enabling the ever faster circulation of unencumbered property as in England.⁵² Marx had actually opened his Congress speech by distinguishing between 'testamentary right, or inheritance by will' that, he argued, came out of Rome before spreading, with Christianity, through certain parts of Europe, eventually settling in England and subsequently the United States; and 'the intestate right, the family right', otherwise known as the 'German right of inheritance', which had recently been reinstated in France following the revolution.⁵³ Only once he had outlined the history of these distinctive European traditions did Marx move on to underscore the above-cited practical imperative of inheritance among working people. This evinces that at all rhetorical levels—in the treatises, the handbooks, political rhetorical and, as will be seen, some of the advice columns, the historical origins of various inheritance practices were rehearsed. Marx closed his contribution by pointing out the damage that could be done by agitation directed at abolition. The present, he argued, was a moment to work for social change. To call for an end to inheritance 'would irritate and frighten people and do no good': '[A]bolition would only lead the working class away from the true point of attack against present society'.⁵⁴

The dual temporality expressed here—inheritance in the present to ensure daily and generational social reproduction and the abolition of inheritance in a future in which it would no longer be necessary—is contradictory. Internally conflicting positions recur throughout when positions and sentiments held with regard to inheritance are surveyed. With inheritance so critical for subsistence, it comes as no surprise that the emphasis in a number of articles appearing in the weeklies and fortnightlies is geared towards practical steps to ensure successful transfer of assets. This primary concern with the practical matter of ensuring the validity of the will did not, however, necessarily limit the creative licence of writers. The wide scope open to contributors and editors is evident from two radically contrasting series that ran the newly cheapened press: 'Common Law' in *All the Year Round* (1860) and 'Hints on Legal Topics' in the *Leisure Hour* (1865). Together they enable us to gauge what their editors and writers considered to be their audience's level of inheritance awareness, what they deemed requisite levels of legal familiarity, and what purpose they thought such articles served, (as well as what cultural work they possibly effect unwittingly).

The eight-part ‘Common Law’ series which ran from 7 Jan to 7 July 1860 bears more immediately on the novels under consideration than the later series not only because Collins was a long-standing contributor of fiction and non-fiction to as well as a staff member on Dickens’s journals, but more importantly here, because the legal articles were serialised to overlap with a novel that repeatedly refers to legal complexity and ignorance: *The Woman in White*, which was serialised from November 1859 through to August 1860. Dickens as editor took enormous care over the thematic compatibility of material in his journals, as will be discussed and further demonstrated in the following, fifth section, of this chapter, on life assurance. The craft and quality of the ‘Common Law’ series is thrown into relief by the less impressive attributes of the *Leisure Hour* series. Although both present themselves as audience advice guides addressed to a similar readership, and broadly overlap in the range of legal issues they cover, they each position the reader very differently.

‘Hints on Legal Topics’ is more typical of mid-century journalism’s handling of inheritance and other legal matters in its simultaneous delivery of advice and information within an historical framework that serves to explain given transfer modes, accompanied by illustrative cases. In Dickens’s periodicals these three tasks are allocated to different text types: advice in one, history in another and cases in another. The *Leisure Hour* series in contrast to ‘Common Law’ not only appears to have scattered aims, but it also comes across as a hastily cobbled together project rather than well planned endeavour, a quality which indicates that it was felt pressing to address legal matters, even if the editorial board and contribution writers were ill-prepared to think through how this might best be done.

Issued in dribs and drabs it starts out with a firm sense of purpose with four consecutive weeks on ‘Wills and Will-Making’ (parts I-IV) in January.⁵⁵ The first of these addresses the technicalities of will writing including how and why the law stands as it does; the second part addresses charitable bequests giving cases and the political history behind the present law; the third covers curious bequests and instances which the law did not permit, a subject on which the fourth elaborates, as if to caution that although England had free testamentary disposition this did not mean that you could do as you wished. Following this January quartet on wills, February saw two pieces issued at intervals on ‘Settlements of Landed Property’ (parts V and VI). In March it then tails down to one, ‘Marriage Settlements’ (part VII), before rising to two in April, ‘Sales of Land’ (part VIII) and ‘Gifts of Personalty’ (part IX) in April. Everything

addressed concerns property rights. May returns to one number, ‘Mortgages of Personalty, and Pawns’ (part X); June again has two, ‘Landlord and Tenant’, but carelessly they are both numbered XI. July, August and September have only one legal hint apiece: ‘Farming and Country Matters’ (parts XII and XIII), and ‘House Property in London’ (part XIV). Things pick up again in October with three weeks on ‘Masters and Servants’ (parts XV, XVI, XVII). ‘Observance of the Lord’s Day’ (part XVIII) in November is followed in December by another piece introduced with the heading ‘Hints on Legal Topics’, but this is an article entitled ‘Copyright’ (part I), which is then, in consecutive weeks, followed by two more on the same subject (parts II and II), although indication of a change of tack to a new series has never been given. Accordingly, although the series devotes far more time and space to inheritance matters than the ‘Common Law’ series, and also has inheritance open the series, in the *Leisure Hour* the subject of ‘Wills and Will-Making’ eventually loses some of its gravitas and import as it is subsumed by a morass of editorial disorder.

The legal series Dickens commissioned is by contrast so highly orchestrated that here ‘the conductor’ of *All the Year Round* shows himself to truly merit his status as ‘conductor’. Further, inheritance matters pack some punch as the termination point of the journal’s arc of its legal trajectory. In place of the portmanteau quality of the ‘Hints’ series and its meandering route, the 1860s series takes the form of a carefully structured eight piece course that guides us through the ‘Common Law’ encountered in the lives of an individual, who is named Mr Blank, joined later by a Mrs Blank (names pointing to an awareness of the ideal type of subject—anonymous—for a modern world based on contractual rather than status relations),⁵⁶ a journey that moves from cradle-to-grave – or rather - from birth certificate to last will and testament, covering along the way i) registering a birth and raising a child, ii) marriage, iii) hiring domestics, iv) responsibility for servants and hiring tradesmen and shopping law, v) shopping law, pawnbrokers and horses and adulterated goods, vi) housing law rent and tenancies, vii) railway travel, luggage law and life insurance, viii) life assurance and a last will and testament. ‘The Very Last of Very Common Law’ (June 1860) intimates itself as capable of tackling the legal labyrinth against which Dickens has fulminated throughout his editorship, declaring itself ‘an intelligible guide-post’ in the process of ‘disposing [...] of [...] worldly goods’ along ‘a legal highway [...] with many little twists and turns’, advising Mr Blank at the end of his life to make the best possible provision for his family.

Unlike the majority of writing on inheritance and wills, ‘Common Law’ pays little attention to the roots of the legal labyrinth, paring its focus down solely to matters that might shape the lives of its presumed readers. First, it details who is barred from making a will (those politically persona non grata, idiots, lunatics, infants, those born deaf and dumb, women unless they have a separate estate); and second, it gives technical details about where precisely a will is to be signed, on how many pages, and by whom, and with what name, an issue that had generated much parliamentary debate in 1852 and led to calls for the amendment of the 1837 Act. In splitting off practical matters from causes and legal history, for example in the ‘curious bequest’ type articles and historical instances examined in Section Eight of this chapter, *All the Year Round* effects an ideological manoeuvre that counterparts the ‘Common Law’ series’ deployment of an autobiographical mode. ‘Mr Blank’ extracted from history appears to be an ideal contractual subject of liberalism.

‘Common Law’ indicates an assiduous reworking of source material, which was likely one of the legal handbooks outlined in the previous section. Its organisational logic, the biography of Mr Blank also displays a concerted attempt to hold the reader’s interest by employing a narrative mode in which much political economy and legal information was presented at mid-century, that is, to Ariadne-like lead the reader through a financial or legal labyrinth.⁵⁷ This is one of the rhetorical devices the foremost commercial journalist David Morier Evans would later employ to steer his readers through the opening chapter of *Speculative Notes and Notes on Speculation* (1864); the method he uses to account for the operations of the City of London, entitled ‘A Singular Event’, appears to draw directly on Dickens’s.⁵⁸ The mode chosen for the ‘Common Law’ series also parallels and relates to another narrative mode used to elucidate property matters, the ‘autobiography’ of an inanimate object, a shilling or a joint-stock company, a rhetorical form that can be thought of as a small scale version of the ‘it novel’ otherwise called the ‘novel of circulation’ (mentioned above in Section One of this chapter), a genre that will be addressed later in connection with the narrative modes Collins drew on for his novels, in which plots are structured to form pursuit of a missing personal property, and which becomes most visible in *The Moonstone*.

Autobiography of the type just discussed was a cross-class and cross-educational level narrative type. Not only was it used by Evans, but several years later *Blackwood’s* also employed it to elucidate new commercial legislation in the shape of

‘The Autobiography of a Joint-Stock Company (Limited)’ and in its eleventh number the *Leisure Hour* printed ‘An Autobiography of a Shilling’.⁵⁹ This deployment by the *Leisure Hour* of fiction-associated modes for addressing financial and legal matters intimates that what prevented its usage in ‘Hints on Legal Topics’ was not an editorial policy decision based on aversion to the form. Indeed, the very first number of the magazine had opened with a two-part Martineau-like tale on its front page entitled ‘The Accommodation Bill’. This was illustrated with a well-executed end grain wood-block illustration of ‘the TEMPTER -- and the TEMPTED’ sitting in a coffee shop with countenances marked by ‘reckless boldness’ on the one hand and ‘trouble [...] and indecision’ on the other; this was a piece which intimated in its final paragraph that the fusion of literature and economy was now a familiar mode: ‘it will have been badly drawn if a formal moral is needed at its close’.⁶⁰ The choice of this narrative mode, one favoured by Dickens (see Section Eight), intimates that the *Leisure Hour* (first issue 1 January 1852, was shadowing *Household Words: A Weekly Journal Conducted by Charles Dickens* (first issue 27 March 1850). The actual rather than rhetorical socio-economic profile of the *Leisure Hour* readership is suggested by this need to explain a credit instrument commonly used by the landed and commercially wealthy.

The periodical had directly described its anticipated audience in the editorial to this opening number in a fashion that enables us to trace the circulation of figures connected with inheritance and property law. The *Leisure Hour* claimed as its mission: to ‘dedicate our pen to the thoughtful of every class’; however, it also wrote that it ‘dismisses the idea that the key of knowledge is the exclusive possession of the son of genius or of wealth’ thus accordingly ‘bid[s] the working man accompany us in our visits to the hoary relics of other times’ where he can ‘mark the slow but sure progress of social enfranchisement, and hail the first shouts which announce the resurrection of mankind from the sepulchre of the Middle Ages’.⁶¹ The final phrase resonates with a striking image used by Maine in *Ancient Law*, where he charges ‘The land-law of England’ with being ‘“the Herculaneum of Feudalism”’.⁶² Whether or not the writer had actually read Maine, what matters here is the circulation of tropes and the development of common sense of the law and the reason for its intricacies. The same ‘feudal’ labelling of laws relating to land and a range of others regularly featured in Dickens’s periodicals alongside those fuming against the mid-Victorian juridical structure and the laws on its statute books with titles expressing ossification,

hampering and obscuring: ‘An Encumbered Estate’, ‘Slow Conveyancing’, and ‘A Clear Title to Land’.⁶³ Better suited as provision for a dependant family for those who lived on income from earnings rather than income-generating property assets (real estate or personality), were the financial arrangements that gained an ever higher profile as the century progressed.

5. Life Assurance

With inheritance an ethico-political behaviour as well as a legal technicality, and the present analysis equally as concerned with representation as with practice itself, another phenomenon that falls within the field of this study’s vision is life assurance.⁶⁴ It is especially pertinent to discussion of Collins’s work given the connections that have been made between the *Once-a-Week* serial *The Notting Hill Mystery* (1862-1863), by ‘Charles Felix’ (Charles Warren Adams) and *The Moonstone*. Leading historian of detective fiction Julian Symons argues that this narrative based, like Dickens’s earlier mentioned ‘Hunted Down’, on a false insurance claim was ‘the first detective novel’⁶⁵ Insurance and assurance attracted increasing press coverage at mid-century. Life assurance was certainly not new, although in one of the more extensive articles on the subject, ‘Is your Life Insured?’, published in 1852 in the *Leisure Hour*, the author rhetorically positioned it as if it was commonly regarded as new by the population at large.⁶⁶ Championing instead a more distant lineage, the piece dates the first appearance of this type of cover to the early eighteenth century, tracing its genealogy to fifteenth-century ship and cargo insurance developed in the enterprising sea-faring nations of Spain, Britain, the Netherlands and Italy. It becomes clear that the *Leisure Hour* was endeavouring to endow the practice with credibility and prestige via pedigree when we read this history in the light of *All the Year Round*’s alternative account of life assurance, in one of its ‘Common Law’ cradle-to-grave legal advice pieces. The history Dickens’s weekly gives it associates the origins of life assurance with the profligate activity of gambling. This negative slant had its own historical precedent. Up until the Life Assurance Act of 1774 (14 Geo. 3 c.48), it had been possible to take out a policy on anyone’s life, whether or not the holder had an ‘insurable interest’ in that life or not, hence the unofficial short form of ‘the Gambling Act of 1774’. As three generations stood between this legislation and the article, the rekindling of this particular association demands elucidation.

Close reading of *All the Year Round* suggests that the hostile position adopted towards life assurance in the ‘Very Common Law’ piece was in part connected with Dickens, as editor, creating a favourable context within which to present one of his own short stories (what other factors may have been behind it will be addressed presently). ‘Hunted Down’, about a murderous insurance fraud, had first been published in the August and September of 1859 in the *New York Ledger*, ten months before the penultimate ‘Common Law’ piece came off the press on 16 June 1860.⁶⁷ During that early summer, the story would have been on Dickens’s mind as he was pasting up the 4 and 11 August numbers of *All the Year Round* for the printer, which contained ‘Hunted Down’ for his British audience. Whilst we do not know the author of the ‘Common Law’ series, we do know that Dickens was wont to make great changes to his contributors’ submissions, and it is likely that he would have interfered with this one whilst his own creative engagement with life assurance was on his mind.⁶⁸ The positive inflection that the *Leisure Hour* gave life assurance would have sat uneasily with Dickens’s short story. Thematically, it was clearly linked to the case of the notorious Rugeley poisoner, Dr William Palmer, who killed his family for the insurance pay-outs, an account of which Dickens had himself authored and included in *Household Words* not long before.⁶⁹ Formally, with its first person narration by the rather unreliable ‘Chief Manager of a Life Assurance Office’, ‘Hunted Down’ was clearly modelled on Collins’s—far more successful—short stories, many of which had by this time appeared in Dickens’s magazine prior to their reappearance in the volumes *After Dark* (1856) and *Queen of Hearts* (1859). By the 1860s, life assurance’s negative connection with gambling (apart of course from murderers taking the risk of being discovered to have killed family and friends when they were the beneficiary of a policy) had largely died down. Viewed within the circumstances of its particular publishing context, the perspective adopted in *All the Year Round*’s ‘Common Law’ piece of June 1860 certainly appears to have been shaped by strategic considerations of the editor. This sense is confirmed when we see that elsewhere in the periodical press, life assurance is shown in a positive light, as a display of both collective action and individual social responsibility. Six years earlier a *Household Words* article entitled ‘Be Assured’ (1854) remarked of life assurance in the opening line of its closing paragraph, ‘If you lose your life your fellow men provide something for those who may be left to mourn you’, having promoted insurance in general as ‘one of the very best modes of bringing about in a healthy way the maxim of share and share

alike'.⁷⁰ Similarly, *Chambers's Edinburgh Journal* (1847), a journal set up for the working man but reputed to be read by masters, maintained that: 'by [...] life assurance, the head of a family can make sure that, die when he may [...] his widow and children will be endowed with a certain amount of means';⁷¹ and in the Religious Tract Society's *Leisure Hour* (1852): 'Providence charges every man with the temporal welfare of those who are bound to him by ties of blood [...] the most important [...] duty is [...] to secure, in the event of his own decease, the comfort of those he may leave behind'.⁷²

The unfavourable view of life assurance, however, can also at another level be linked to a general creeping critical animosity towards emergent types of company formation and their openness to fraud: joint-stock assurance companies. But before moving on to this, let it be noted that although the gambling connotation had faded by 1860, nevertheless, insurance was still used by very few. The *Leisure Hour* piece, whose title—'Is Your Life Insured?'—bespeaks promotion of the practice, also tries to generate an enthusiasm for it by alluding to how '[n]early sixty offices are opened in the metropolis'. On the other hand, the figures it gives for policy holders are singularly unimpressive: 'throughout England, Ireland, Scotland, the British Colonies, and the entire continent of Europe' only 250,000 lives were insured, when in 1850 the combined population of the major Western and central European countries (Austria, Britain, France Germany and Italy) stood at 151.7 m, and with Russia the total came to 220.2m.⁷³

Life assurance cannot be omitted from any serious historical survey of mid-nineteenth century inheritance practice and debate because as the periodical articles make clear in their general promotion and recommendation, it was the ideal form of provision for those dependant on people who relied on earned income, should anything happen to the earner; any possible savings from wages and salaries, it was recognised, would be insufficient (as is discussed in Chapter Three on *No Name* in relation to housekeeper Mrs Lecount). The positive—earlier cited—*Chambers's* review explains lucidly for those who don't grasp the principle, what life assurance is and how it works. For instance, taking out a policy rests on claims that need to be verified by a medical officer (a figure who features prominently in the Dickens sensation story) and that this operation has important social potential. 'In the middle ranks of life', the contributor remarks, 'few have much capital to stand for the benefit of their families, in the event of their early decease; but most have incomes'.⁷⁴ Several years later *Blackwood's*

Magazine responded far less generously to a volume under its review, *Annals, Anecdotes, and Legends: A Chronicle of Life Assurance* (London, 1853), maintaining that ‘in reality, there was very little to be said, no new views to be propounded’ on the matter, in part because the market was flooded with publications on the subject.⁷⁵ *Blackwood’s* held John Francis to be one of those responsible for this state of affairs with his ‘monopolising ambition’ in the field of financial matters; he had produced: a history of the Bank of England, and one of English Railways, and a guide to characters of the Stock Exchange. (This aside valuably permits us a glimpse of the broader landscape of property/finance-related output as seen through the optics of a contemporary familiar with the field). Regarding the social imperative of life cover, on the other hand, *Blackwood’s* concurs with *Chambers’s*:

There are, we firmly believe, no institutions in this country more strictly beneficial to the best interests of society, or more benevolent of their motive, than these insurance companies [...] whose object [it] is by human means, to banish care from the dying pillow, and to provide for the widow and the orphan.⁷⁶

However, whilst repeating the *Chambers’s* reviewer on this score, this author does not follow him in elaborating on the types of company formation offering insurance cover. Elsewhere this matter was given consideration.

Such framing of the matter of life assurance took on a dual aspect. First, concern was predominantly with social responsibility for dependants, that is, assurance that mirrored behaviour traditionally linked to inheritance; this perspective had undertones of a middle-class alternative to the workhouse. Second, and increasingly, concern was with life assurance in relation to newly emerging property forms and relations, the aggregate rather than the individual; and life assurance as a financial instrument. This second perspective was a response to the increasing numbers of cases of company misfeasance and malfeasance that were coming to light. Morier Evans’s *Facts, Failures and Frauds: Revelations, Financial, Mercantile, Criminal* (1859) collated a dozen or so high profile and extensively reported cases of embezzlement, the second of which recountings was that of ‘Walter Watts and his Frauds upon the Globe Assurance Company’.⁷⁷ The other bank and railway company frauds it rehearsed exposed the general vulnerability of joint-stock enterprise and the risk attendant on limited liability which together had made readers aware of life assurance enterprises’ vulnerability to maladministration. *Blackwood’s*, in its fleeting

reference to assurance companies as commercial concerns rather than as an alternative to inheritance, is notable for mentioning by name the ‘fraudulent companies [...] the Independent and the West Middlesex’.⁷⁸

The naming of particular cases, as in Morier Evan’s work, suggests fraud is more to be understood as a matter of the moral compass of particular individuals involved in a given enterprise than systemic phenomenon, the structural nature of given enterprises increasing opportunity for fraud. Overall, as time went by, this second framing of life assurance, paradoxically assurance as risk rather than a guarding against it, would come to dominate the press. By mid-century, readers were increasingly encouraged to think about risk in terms of company structure and financial instruments involved, which were linked to the dangers attending the newly emergent property forms of joint-stock companies and limited liability. The relative merits of the three financial forms assurance enterprise could take —the speculative property company (joint-stock with limited liability), the mutual and the mixed type— are anatomised by *Chambers’s* and the *Leisure Hour*. Samuel Smiles, who vigorously advocates life assurance in both *Self Help* and *Thrift*, recommended the second type on the grounds that it was both the safest and fairest, likening the mutual to an extension of the friendly society and the savings bank principle.⁷⁹ *Household Words* and *All the Year Round*, alternatively, focused on the other, less secure types of company formation, and not only in the ‘Common Law’ piece mentioned above. In ‘Your Money or Your Life’, the setting up of an insurance firm along public company lines is recounted, again deploying the fictional biographical narrative mode.⁸⁰ Carefully chosen words to clearly articulate ironic scepticism about the limited liability joint-stock venture in general (‘so many worthy people [...] looked upon insurance speculation as perfectly legitimate’).⁸¹ Indeed, life assurance is here really a pretext; the piece is more concerned with the legal structure of the enterprise involved. The piece echoes the sentiments found earlier in a *Household Words* series about setting up a company, by Jerrold, which warns readers to beware of such enterprises.⁸² Hence, over time, articles about life assurance moved away from concern with the policy holder’s or beneficiary’s contractual property rights, replacing this with interest in life assurance as a new financial form, a new property type. Thus from initially appearing as a means of safeguarding for the less propertied and an alternative to inheritance, it becomes depicted in terms of profit and the value of shares for the propertied, as another place for investment, including of inherited wealth.

6. Provision as responsibility: the Collins family

Those writing handbooks and articles elucidating the legal technicalities of wills and trusts and other such instruments underscore the imperative of proper procedure in terms of provision as an ethical responsibility—to both family and business associates—warning against ‘culpable neglect of performing so simple a duty as that of making a will’.⁸³ As has been shown, neither J. S. Mill nor Karl Marx bypasses this practical and moral imperative, even though this aspect lies at the absolute periphery of their visionary socio-economic imaginaries as each is primarily concerned with inheritance in terms of aggregate social reproduction.

Strong corroboration that inheritance (or in its absence, life assurance) was a lifeline for many who had to work for a living, together with their families and their creditors can be found on the opening pages of Wilkie Collins’s very first published book, *Memoirs of the Life of William Collins R.A.* (1848). It includes a particularly rich and complex inheritance scene that it is impossible to disassociate from Collins’s later iterative return to inheritance in the novels.⁸⁴ Here in the *Memoirs* mid-nineteenth century inheritance behaviour is illuminated by both the depicted event itself and by the future novelist’s manner of depicting it. First the event: the aftermath of the death, in 1812, of William Collins père, Wilkie Collins’s grandfather. The scene sketched is one of penury, precariousness and near disaster for the Collins family. Over the space of two pages in stages we are taken through unexpected death, a funeral, the administration of the estate of the deceased (administration instead of probate is the procedure undertaken when someone has died without a will), and the sale of his effects, and finally we land on a strikingly stark image of the family ‘found by [a] kind friend, [...] taking their scanty evening meal on an old box,—the only substitute for a table which they possessed.’⁸⁵ Everything has gone to pay off creditors, even ‘the small relics sacred to him for his father’s sake —his watch, the spectacles, the snuffbox’.⁸⁶ The vulnerability shown here is depicted in terms that indicate that it is nothing unusual for those of the Collins family’s socio-economic stratum, the skilled, lettered and articulate small-trader /small business class, indeed the very groups and income brackets that will later make up the bulk of the readership for Collins’s journalism and fiction. This sentiment is expressed and confirmed in a *Leisure Hour* article that had appeared a decade earlier: ‘An individual may act as prudently as

possible, he may work day and night with an industry which knows no rest, and yet be irretrievably ruined by a single accident'.⁸⁷ Collins's decision to use one 'of the few journals kept by [his father]' to relate this section of 'the history of the heart of a man of genius' effects a simultaneous proximity (the bereaved son's immediate experience) and distance (the grandson's voice is not heard at this point), a fusion of compassion and credibility; this heralds the novelist's later use of embedded narrative as a means of controlling emotional impact.⁸⁸ In addition to the eating-off-a-box cameo, the precariousness of existence for even the industrious and skilled, such as William Collins père and fils, is further driven home by the son's use of legalistic technicalities in his diary. It is not ignorance about the law and finance that have led to the family dining on a wooden box; and immediately they are not saved from their creditors by their knowledge. That said, the positive long-term prospects of the family may be attributed to this awareness. William senior had been a picture dealer and occasional published writer; his son, William Collins R.A., would on his death be one of the most feted painters of his day, out-selling Constable and Turner—hence the *Memoirs*—and leave an estate of £11,000, a sum of nearly half a million pounds at today's value.⁸⁹ The voice Wilkie Collins adopts in the memoir expresses anger, he writes of 'the Insatiate and impatient creditors' who compel his father to part from his (grand)father's 'small relics'; 'even these', Collins laments, 'he had been forced to purchase as a stranger, not retain as a son'.⁹⁰ This sentiment cannot be decoupled from his later inheritance plots.

Close familiarity with succession procedure and handling creditors is displayed in the journal references to 'renouncing the administration, in favour of Mr Langdon' and 'Signing a paper with Frank [his brother], containing renunciation of the estate of my dear father; the one we signed before being only sufficient for my mother.'⁹¹ The absence of any explanatory commentary here indicates that Wilkie Collins assumes readers of the *Memoirs* to be familiar with the legal procedures undertaken to handle an estate when someone died without a will. Both instances confirm Stebbings's and Morris's view of familiarity with legal process and terminology.⁹² Likewise, obliquely, the passage from the painter's journal shows awareness of how to deal with business debts: marketable assets are sold, and their marketable value transferred to the creditors. The absence of any glossing terms here supports the findings of recent scholarship on the inheritance practices of the middle-class in the nineteenth century; familiarity with handling an estate on death was a

constitutive feature of the commercial middle-class male profile, along with familiarity with executorship, trusteeship and instruments of credit.⁹³

7. Primogeniture and the Land Question

Mid-Victorian novel readers, like their modern counterparts, would certainly have had their familiarity with the inheritance of land shaped by fiction; plotlines structured by entail and primogeniture are found in work by Gaskell, Trollope, Thackeray, Eliot, Braddon and Wood, to name but the then and now best-known novelists published during the decade under consideration. However, unlike later audiences, those reading and writing in the 1860s, whether their actual grasp of the legal details primarily originated in fiction or non-fiction reading, or their own practical or professional experience, would have been unable to disassociate allusions to land inheritance matters from the broader 'Land Question' that animated the period's radical and reform campaigns.⁹⁴ The 1860s witnessed debate about the concentration of land ownership just as the 1840s had witnessed an expression of a growing sense of distributive injustice with the rise and consolidation of Chartism at home, and the Springtime of the Peoples in mainland Europe. These contestations of power were inseparable from landownership as throughout Europe it was this that gave political representation. Hence the period has been represented by various historians as one of high class-tensions. Gareth Stedman Jones refers to 'waves of propertied class anxiety' and J. K. Walton maintains that at this time 'Britain came closer to revolution [...] than at any point between the 1640s and the aftermath of the first World War'.⁹⁵

Antagonism was not helped by figures that emerged from the 1861 population census suggesting an ever-larger acreage in a smaller number of hands.⁹⁶ Attempts were made to challenge this using statistical evidence. In the same way that leading statistician G. R. Porter had in 1851 marshalled data in his attempt to refute apprehension of a growing divergence in property ownership, so members of the ruling class, anticipating that belief in an increasing concentration of land would be disproved, called for a parliamentary return, a census of land ownership (no survey had been undertaken since the Norman Conquest).⁹⁷ Accordingly, parish valuations used for the poor rate were in 1872-73 collated into a 'modern doomsday', officially known as *The Return of the Owners of Land*.⁹⁸ Ubiquity of concern with the monopoly of land is borne out by the swift appearance in cheaply available volume form of the return, both commercially and by HSMO. In his introduction to his revised and

corrected edition of 1876, *The Acre-Ocracy of England*, John Bateman discussed the book's wide popularity. Furthermore, related dispute involved whether or not it ought to be possible to transfer rights in land as swiftly and cheaply as rights in any other property, which to a great extent the Companies Acts of 1844-1862 had effected in everything but land, and for which, as has been pointed out the Wills Act (1837) prepared the way. Dickens's periodicals served as a key platform disseminating support for this mode of transfer. Free trader reformers and radicals maintained that the long-standing distinction drawn between land and other types of property both impeded trade and 'tended to promote the agglomeration of agricultural lands in a constantly lessening number of hands';⁹⁹ for many this lay at the root of the nation's political ills. This multifaceted phenomenon reached one of its peaks in the 1860s, dominating political activity, recurring in debates and arguably as is contended here drawn on by novelists.¹⁰⁰

The practices of primogeniture and entail, which developed out of concern with the capital value of an estate and the family name attached to it, rather than the fate of individual family members, surfaces frequently in mid-nineteenth century literature as a trope that opens up a narrative space for the exploration of the fate, agency and scope of those who find themselves with limited property or even none at all. The issue of using entail and primogeniture to ensure that a landed estate was not fragmented and dispersed but rather consolidated, at least in value if not in acreage, lay at the centre of the above-discussed land question campaign launched by radicals and reforms during the 1860s.

A library of attention has been devoted to the matter of primogeniture, entail and strict settlement as it features both broadly and more particularly within the novel. Here we shall confine ourselves to scrutinising engagements made in two contemporary publications from mid-century in view of the fact that, first, as was said earlier, popular culture has familiarised us with the general thrust of these abstruse practices; second, outlines of the genealogy of these practices are widely available and easily accessible; and third, these legal practices as they bear on the inheritance plots of Collins's novels will be addressed as they feature in later chapters.¹⁰¹ Each of the two mid-century publications under scrutiny in this section addresses primogeniture, entail and strict settlement distinctively, the first more in keeping with the common manner of tracing inheritance history, and the second as an incisive critique. Together, the short-lived weekly the *London Review* (1869) that made appeal to the better

educated liberal middle and upper-classes, and a pamphlet (1864) published by supporters of the free traders Bright and Cobden in response to an attack on them in a *Times* leader, in conjunction with modern historical research, provides a background against which novelistic reference to primogeniture can be more firmly grasped.

The 1869 *London Review* article refers to knowledge levels prevalent just at the end of Collins's most successful decade as a novelist. Geared towards a better educated and wealthier reader than *All the Year Round*, this weekly maintained that whilst 'There has been a great amount of nonsense written, and still more nonsense talked, about what is called "the Law of Primogeniture and Entail". [...] [r]eally, not one man of ordinary reading and intelligence in a thousand has knowledge of the subject.'¹⁰² What the anonymous author perceives to be the general understanding, he outlines in the following terms: all that 'every political sciolist [someone who pretends to be knowledgeable] really knows about the matter is that somehow eldest sons are generally in possession of the landed estates, whilst the younger ones are in the Church, the army, the navy, or the Civil Service'.¹⁰³ The author then criticises those who erroneously believe this to be statute rather than custom, who 'assume [...] there is some law of William the Conqueror still unrepealed which renders such a descent inviolable until a Reformed Parliament shall repeal the law.'¹⁰⁴ This purported low level of understanding, nevertheless, is precisely sufficient to follow Collins's plots, and those of the other aforementioned novelists; and, more importantly, it is these very lacunae that enable novelists to play with inheritance in their plots, to toy with their readers' half-grasps. The article then moves on to plug gaps in knowledge by detailing the 'three ways by [...] which a man may come into possession of an estate', a feat it manages far more succinctly than had the 1865 *Leisure Hour*'s 'Hints of Legal Topic: Wills and Will-Making' series, which had spread it out over four weeks' issues and over twelve pages.¹⁰⁵ This strong correlation in the case of the *London Review* and the *Leisure Hour* between brevity of account and cost of periodical confirms what we will have suspected, that the better off and better educated required less elaboration because, unsurprisingly, they were more au fait with legal matters.¹⁰⁶ Nevertheless, for the purpose of this thesis, what the article serves primarily to indicate is what was considered, by the more informed and educated such as Collins, to be the wider public's understanding of how landed estates in general were passed on; and this sense of the level of comprehension operates as the ground on which later—during analyses of the novels—to examine what precisely primogeniture motifs consist of and how

they operate. As already mentioned, Collins's novels register a shift away from the issues surrounding the transfer of land towards those of the transfer of personalty, as does the earlier discussed 'Common Law' series. That *All the Year Round* advice series displays no concern with broader property transfer issues, such as entail, bequests, and heirlooms, or the history of will writing (unlike its counterpart in the *Leisure Hour*); although the journal, like *Household Words*, did discuss the history of property law but in different articles, separate from those giving legal advice.

E. T. Rogers and Henry Tupper's pamphlet 'Primogeniture and Entail' (1864) approaches the matter quite differently from the *London Review* piece.¹⁰⁷ Having detailed how landholding in England and Wales was growing ever more concentrated because of 'the accursed feudal principle',¹⁰⁸ citing an article from the *Morning Star* (a paper edited by the two free traders Cobden and Bright, and formerly associated with the Chartist movement), the pamphlet points out that even those members of the landed class with no right in the land benefited from their class position in the form of their access to the professions and sinecures:

A multiplication of well-paid public offices and a heavy expenditure are among the direct results [of entail and primogeniture] for the younger branches of estated families, cut off from a share in the property, they must be supported, and they are accordingly quartered on the public.¹⁰⁹

This is exactly the sentiment that Collins launches in his representation of the Clares in *No Name* (following also Dickens's Barnacle family in *Little Dorrit*). Given Collins's earlier association with the radical socialist weekly the *Leader*, it is likely that Collins held the sentiments expressed in the pamphlet; he is certainly highly critical of such young men as Frank Clare in *No Name*, and Franklin Blake and Godfrey Ablewhite in *The Moonstone*. (Lead) Allan in *Armadale* falls into the same category.

The cited *Morning Star* passage in the pamphlet strenuously points to the concerns of the land question in the 1860s, the attention given to, and the amount of support land reform campaigns generated in their focus on growing inequality vis-à-vis increasingly concentrated distribution; it also suggests that Collins calculated that many readers would have shared similar feelings, too. The younger sons of the gentry in contemporary literary fiction are depicted as every bit as parasitic as the eldest. It also indicates the degree to which at mid-century reference to primogeniture operated

as much metonymically, expressing a whole raft of political demand and apprehension, as it referred to an actual practice.

8. Curious bequests

This penultimate section of a chapter concerning the forms and focus of mid-nineteenth-century English writing about inheritance brings together several modes of representation and cases that do not fit neatly under the previous headings, but which keenly illuminate fiction involving wills and inheritances. One of the most notable is an article that appeared in the *Cornhill* entitled ‘The Strange Story of the Marquise de Douhault’, a detailed account of the case that had inspired *The Woman in White*.¹¹⁰ This piece is remarkable for its silence about a work that had impacted so forcefully on British cultural life just three years earlier. In view of the fact that the *Cornhill* had been set up as a vehicle for serialised novels by the leading authors of the day, it is likely that readers would have been aware of Collins's novel, thus making the absence of mention puzzling. Firmly focused on the actual case rather than any mediation and given the proximity of form and rhetorical tenor to the French text, Maurice Méjan's *Recueil des causes célèbres* (1808), Collins's source text, the *Cornhill* piece does nevertheless contain two subliminal allusions to the novelist's work, suggesting that the author of the piece could not omit Collins altogether.¹¹¹ First, the title word ‘strange’ echoes that found in the very first fiction Collins's had published in Dickens's *Household Words*, the short story ‘A Terribly Strange Bed’ (1852).¹¹² Second, midway through the article the eponymous marquise is termed ‘The woman without a Name’, a phrase that resonates with a fusion of both *No Name*, the title of the novel that Collins had published just before the article appeared, and his earlier best-seller.¹¹³

In general, however, non-specialist articles recounting historical inheritance practices and incidents tended to have a far more humorous inflection than the Douhault piece, and rather than extensively elaborating one case they breezily survey numerous instances. Why periodical editors thought to amuse as well as to inform their readers with instances of curious bequests is worth considering. Two reasons come to mind. First, this was above all easy copy for journalists, who could source material from the extensive findings of the numerous government commissions into charitable foundations held through the first half of the century, although it was not even necessary to go to the original blue books as the most eccentric instances had in 1842

been redacted into volume form by H. Edwards ‘to combine instruction with amusement’ in *A Collection of Old English Customs: And Curious Bequests and Charities, Extracted from the Reports Made by the Commissioners for Enquiring Into Charities in England and Wales*.¹¹⁴ The *Athenaeum* had reviewed the *Collection* in a manner strongly indicative of both the social and financial import of charitable bequests making, inter alia, reference to a scene about the Charity Commissioners in Peacock’s *Crotchet Castle* involving a promised and overdue index to the commissioners’ reports; the journal also illustrated the nature of Edward’s book with choice and eccentric examples. Several of the periodical articles showcasing ‘curious bequests’ are not candid about the fact that their work is mediated by Edwards. A piece in *Household Words* (1853) opens by proclaiming that ‘we are about to extract from the Government report on the local charities of the country ...’ but in fact instances bequests documented by Edwards. Likewise ‘Old Parish Bequests’ in the *Leisure Hour* (1862) which announces that ‘In the reports of the Charity Commissioners, embodied in a huge series of blue books, much curious information may be found’, omits reference to Edwards even though the cases it enumerates match those he detailed.¹¹⁵ A later three-part series appearing in *All the Year Round* (1869), entitled ‘Wills and Will-Making’, and a further piece in *Chambers* soon after that, ‘Testamentary Curiosities’ (1872), make no mention of any source (and neither at this late stage do they draw on Edwards’s work).¹¹⁶

The ‘curious bequest’ theme cannot solely be attributed to the part of the writer; appeal to the reader needs be factored in as well. The amusingly curious items documented above certainly would have served as a counterpart to the detailed technical instructions on will writing discussed earlier. As pointed out in the section on life assurance, when Dickens was at the editorial helm, non-fiction and fiction would be devised to imbricate. Another such example of editorial orchestration can be seen in ‘Coming into a Fortune’, a fiction about siblings whom poverty has divided, by emigration to Australia; the inheritance that might have come to them to prevent this arrives too late in life. This poignant short story appeared just before *No Name*—a novel likewise involving a lost inheritance and emigration—drew to a close.¹¹⁷ Thus fiction as well as well as factually-based curious bequest pieces offered levity to balance the seriousness of the subject of drawing up a legal document. The fiction and curiosities pieces above all created a space in which— improbable though it at first sounds—something approximating the theoretical as opposed to the technical side of

property's grounding was played out. The rehearsal of various —predominantly historical rather than contemporary—unusual bequests involved an exploration of the moral premises on which property is held and transferred, and the practical purpose that intergenerational wealth transfer could serve. Whilst we must hence be careful not to dismiss these 'curious bequest' type accounts as nothing but titbit page fillers, they certainly could serve this function. *Reynold's Miscellany* (1850) plugs the inch left after a short story with a couple of lines entitled 'Curious Bequest', a case of a Bolsover man leaving a weekly three-shilling allowance for his dog together with instructions that the beast be dressed in sable to attend his master's funeral.¹¹⁸

The general reporting of such 'eccentric provision', as the periodical terms it, would have reinforced a sense of a non-eccentric, standard and regular way of leaving resources. This is the cultural work effected by the type as a whole; interest in divergence from the present operates ideologically to consolidate and legitimate the transformations that have occurred, setting them off as normal and standard in contrast to the eccentricity and oddness of the past. Generally, as in the *Household Words*' piece 'I Give and Bequeath' from 1853, the principal overt aim of the articles is to mock the pretensions of those seeking immortality, for example by means of 'seven shillings and sixpence per annum [...] bequeath[ing] a leg of pork to the parish bell ringers, to be discussed [sic] on New Year's morning' (22) or 'forty pounds [...] for] a halfpenny loaf to every soul, rich and poor, in the parish' of Hampstead; 'the yearly sum of four shillings and fourpence [...] in figs, bread and ale, for the poor scholars in the free-school in Giggleswick, Yorkshire'.¹¹⁹ Not only is emphasis normally on the eccentric, but also on the benefactor rather than the receiver, the general tenor being, as articulated in *Household Words*, 'that as soon as a man sits before the form of a "last will and testament," his ideas begin to run riot.'¹²⁰ It was not, however, always the testator's mind in which ideas rioted; several cases prompted the novelist's imagination. For instance, a column entitled 'Women and Wills' that appeared in the *Leader* in 1858 overlaps too neatly with *No Name* for it not to have operated as an important source.¹²¹ Further instances are identified in the chapters discussing specific novels.

9. Property and transfer procedures

Having now mapped out the main rhetorical modes in which inheritance was registered, the ways they support and challenge each other, and their various framings and focuses, it is time to reflect on actual inheritance transfers that were taking place at mid-century, and how these were reshaping the broader social formation, first as ascertained by contemporaries and then by modern historians. One of the main literary periodicals of the day held that the increasing aggregate amount of personal property passed on by inheritance was giving rise to a new type of rentier class; alongside this, one of the period's leading statisticians sought to reassure that this growing wealth was not being funnelled to an exclusive group but rather was distributed to the benefit of all; and parliament recognised that the legal instrument in place for these transfers could run more smoothly, all of which viewpoints enhance our sense of the tensions generated by inheritance in this particular socio-economic formation over these years.

In 1863 an article punningly entitled 'Rising Generation' appeared in the *Saturday Review* announcing that 'The country grows richer and richer'. '[T]he habits and manners derived from the enjoyment [of money],' it continues, 'are no longer an accident in life, but are the ordinary and daily possession of great numbers of people'.¹²² This rising monetary wealth is recognised as inseparable from inheritance: 'There are many more young men of fortune than their used to be [...] having plenty of money and no call to work (the very term "fortune" indicates how unpredicted and uncontrolled this type of transfer was as a social phenomenon)'.¹²³ However, the initial fearful tenor — 'They do audacious, extravagant reckless things, and do not blush to be found out' — shifts midway and the piece mollifies, closing on a note of promise — 'Society cannot fail to gain from this increase of independence'.¹²⁴ The contradictory qualities displayed by the young and privileged of the 1860s are present in Collins's protagonists too.

A decade earlier, the sense of increased wealth expressed in the *Saturday Review* had been confirmed by G R Porter's 1851 statistical paper mentioned above. This indicated not only what type of property people had but also in what relative proportions, thus conveying a sense of distributive (in)justice. Hence it sketches a landscape of property concerns which we can imagine inhabited by Collins's readers. Each of the four sets of figures Porter uses to substantiate his claim — savings bank deposits, dividends from the funds, income tax returns and probate duty — serves also

to illustrate one of the main threads of this study's argument, that non-landed assets were gaining increasing importance overall and for a growing number of individuals and families whose livelihoods came from either passive investments (rentier capital) or rested on assets that at some point in the family property cycle had to take the form of liquid capital. In issuing these findings, free trader Porter sought to confute what he held was a common belief and one 'calculated to create among the people a widespread discontent with the order of things', namely, that 'the rich are continually becoming richer, and the poor poorer'.¹²⁵ Collins's novels indicate the high profile this feeling had as they often give a sense of this disparity; nowhere more strikingly than in the Vauxhall Gardens scene in *No Name*, which warrants quoting at length to indicate how deeply imbricated Collins's views were with contemporary economic debates engaging in distributive justice:

Miserable women, whose faces never smile haunt the butcher's shops [...] with eyes that devour the meat they dare not buy, with eager fingers that touch it covetously, as the fingers of their richer sisters touch a precious stone [... Here] the hideous London vagabond [...] lounges, lowering and brutal, at the street corner and the gin-shop door; the public disgrace of his country, the unheeded warning of social troubles that are yet to come [...] While the national prosperity feasts, like another Belshazzar, on the spectacle of its own magnificence, is the Writing on the Wall, which warns the monarch, Money, that his glory is weighed in the balance, and his power found wanting.¹²⁶

The sentiment would be expressed by a character as well as in omniscient narration. In *The Moonstone* (about a 'richer sister' and her 'precious stone'), working class Limping Lucy yearns class revenge: 'Mr Betteredge, the day is not far off when the poor will rise against the rich.'¹²⁷ Recent research into death duty statistics gathered by the Inland Revenue at the time shows the Vauxhall Garden's scene depiction to be closer to the actual distribution of wealth in mid-century England than the apprehension of the world that statistician Porter is seeking to promote.¹²⁸ Longitudinal work tracing social mobility via surnames in England that includes the nineteenth century confirms this, too, revealing that 'Social status is more strongly inherited even than height'.¹²⁹

Porter's testimony in defiance of these articulations of class difference nevertheless allows us to see the degree to which England was proportionally becoming an ever more personalty-based society. Porter's paper also gives us a small

glimpse into the changing profile of property distribution. It draws first on figures about savings banks (institutions aimed at and set up for the poorer classes, and as recent scholarship now shows, extremely important for growing control over property by women and minors from that group); in November 1830 England, Wales and Ireland boasted 412, 217 savings bank depositors whose deposits totalled circa £13.5 m whereas by 1848 the figure had risen to 970,825 with a worth of circa £27 m, a financial profile that can also be seen as a growth from 12s 8d per head to 20s 11d., a near doubling. (Census figures trace the population at around the same time as increasing from 16.6m in 1831 to 21.2 m in 1851.) Porter also documents statistics for dividends paid out on investments in the public debt; these show that fund-holder numbers fell slightly across the board apart from at each extreme; between 1831 and 1848 the number of holders whose dividends exceeded £2000, which would have included commercial undertakings such as insurance companies, rose by five, from 172 to 177, whilst the number receiving under £5 grew by well over eight thousand from 88,170 to 96,415 (whilst numbers in the next category of 'under £10' inched by 147 from 44,790 to 44, 937). What these figures indicate is that an increasingly greater number of individuals were making small investments in the funds, either as individuals or via the collective mediation of insurance companies. The third set of statistics Porter uses, income tax returns from 'incomes derived from trades and professions', shows a rise of 168%, from 1821 to 1848, that is circa £36 m., and, perhaps more significantly— given our interest in the socio-economic standing of novel readers—an increase of just over 60,000 people whose income stood in the respectable and comfortable category of between £150 to £500 p.a., (a group that grew from 30,732 in 1812 to 91,101 in 1848; this was the group scrutinised in the 'Rising Generation' article). The very final figures Porter offers bear especially on this study as they derive from probate duty, a tax on personal property left on death (and first imposed in 1797 to help fund the war with France), the very type of property on which Collins centres his novels. Whilst these figures— unlike the earlier sets— tell us nothing about the number of individuals paying probate, the 'value of estate' data sets show the total amount gathered by the treasury leaping from circa £3.5 m in 1801 to circa in £44 m, in 1848. '[T]he increase during less than half a century', Porter wrote in 1851, 'must strike us with astonishment'.

Reading these statistics today has much the same impact as they did for Porter. Orientating us with regard to property forms, values and relations, they allow us to

sense the context out of which the novels to be analysed emerged, one marked by an increased volume and proportion of personal property, the ownership of such property among an ever larger group of people, and a growth in the number of people new to such property rights, and finally the growth of property rights which were new to all. With this huge amount of more liquid capital (selling realty was a far more lengthy process) in circulation we can understand why investors sought secure types of investment - be that in savings banks with poor returns, or consols - safe but low, but were later encouraged to place it where they could and enter into ever more risky speculative types of investment such as railways, mines, plantations, public utilities and government stock, and not just at home, but increasingly overseas. Foreign investment grew from a total of £200m in 1850, bringing in a 12m return annually, to £1,000m by 1870-1875, bringing in £50m annually, and received sustained press attention, especially at the pen of Morier Evans, the leading financial commentator of the day, after the run of commercial crises that characterised the fifties and sixties.¹³⁰ Collins's novels register the flight of capital overseas, in the shape of 'an officer in command of an East Indiaman' who inherits the Blackwater Park estate in *The Woman in White*; ventures overseas to China in *No Name* and a complex relationship with India in *The Moonstone*. It was the Joint-Stock Company legislation of 1844 and then the Limited Liability legislation of 1855 that enabled such investment and to a large extent created the 'rising generation' of inheriting youth written about in the *Saturday Review*.

As mentioned in earlier sections, whilst ever closer scholarship has been undertaken on the holders and the holding of personal property, modern historians' assessments of how challenging legal processes were found by contemporaries vary. One of those who thinks inheritance and associated processes and procedures were found difficult is R. J. Morris, despite the ubiquity of 'the family property cycle'. Chantal Stebbings whose work on Victorian trusteeship in many respects concurs with that of Morris, especially with regard to the status and commercial openings familiarity with legal procedure brought, along with the positions of executor and trustee, argues that the subjects of her research were au fait with rather than challenged by the transfer procedures they adopted. Stebbings is adamant that this group was 'self-reliant, educated and commercially astute':

All sections of the middle classes, and some of the skilled working class, employed the trust. Gentlemen, clerks in holy orders, butchers, printers, merchants and yeomen were typical of the range of middle-class settlors.¹³¹

Trusts were most often used at marriage and death. Levels of awareness would certainly have varied across the population and Collins's texts intimate an awareness of this variability, as shall be demonstrated. Members of the establishment of the time, however, largely held a position closer to Morris's outlook regarding the layperson's grasp of legal process, namely, that non-specialists were baffled and confused by the law. The dissemination of this particular, official viewpoint—of struggle with legal issues— may well have shaped novelists' apprehension of their readers' grasp of inheritance matters. Reports in the newspapers of parliamentary debates about an amendment to the Wills Act would certainly have drawn the attention of most novelists; Collins certainly appears to have played with his readers' levels of awareness.

A revival of interest in the provision of the 1837 Act during the eighteen- fifties and sixties, and registered in novels of those decades, can be understood by a debate that took place in the Commons in 1852. A Bill had been proposed calling for an amendment to one of the phrases used in the 1837 statute, that directing the testator to sign in the correct place, namely, 'at the foot or end of the will'.¹³² (This was one of the technicalities obsessed over in the periodical advice columns). One MP claimed that this wording was leading to invalid wills. Though the 1837 Act had been instituted to rectify the shortcomings that had marked previous wills legislation, it had, it was claimed, unwittingly further confused the testators, and as a result 'every week there was a basketful of bona fide wills which had not been admitted to probate.'¹³³ Another MP argued that the proposed replacement phrasing in the new Bill was even worse: 'The use of the collection of adverbs [...] unmatched even in the structure of English Acts of Parliament', vividly castigating the law as a 'jumble of enactments' 'a maze without plan'.¹³⁴ This is the background against which we can better understand the coverage given to will writing in the *Leisure Hour* and *All the Year Round*. Contemporary parliamentary perception of the figure at whom the periodical advice was directed: the will writer, rewards attention. The Master of the Rolls observed that writing a will was

a matter to be performed only once in a man's life, frequently by uneducated persons, and was one which was of vital importance to them; and it was the incumbent duty of the Legislature to enable persons of common understanding to perform it in such a manner that the law might carry into effect their last wishes.¹³⁵

Opinion differed however regarding how mediated access to statutes need be. The Solicitor General maintained that '[t]he great mass of the makers of wills seldom looked at an Act of Parliament to make their wills'; Hence Parliament's duty was 'to [i]nform Courts of Justice how they were to interpret wills when they came before them, and how they were to pronounce on their validity' not 'to teach people how to make their wills'.¹³⁶ Another member of the House, however, the former Solicitor General, disagreed that the public need not understand this law: 'If anything came home to men's bosoms, the making of their wills did so; and it was very well known that in the great majority of cases wills were made without professional assistance.'¹³⁷ It was on these grounds that he objected to the 'farrago of words' the Bill proposed, a 'mystification' that would 'confuse the minds of simple persons'.¹³⁸

It was not only the minds of the simple who were baffled by changes in property law. Between the 1840s and 1860s new types of property, railway mortgage debentures for instance, that had never yet been met with in the English courtroom, came before the bench. These forced judges to decide on transfer routes about property forms and relations that had never yet before been met with.¹³⁹ This is because, as was pointed in discussion of the Wills Act of 1837 the rules governing the paths of transfer for realty and personalty were distinct. Accordingly, should someone die without making a will, or leaving an invalid or contested will—situations which could easily arise as much from changed circumstances as from negligence—intestacy rules governing realty would dictate the path of primogeniture and in the case of personalty partible division of assets. Thus, when those holding the newer types of property died and cases of contested inheritance arose, English courtrooms served as a crucible in which many key categorisations, definitions and legal identities of new property types were forged. Thus it is that the relationship between inheritance and new property forms can be seen as even more deep-rooted and intimate than apparent from the novels.

10. Approaching the novels

Devising a critical approach with the capacity to register how shifting inheritance procedures and practice imbricate with Collins's plots poses the challenge of finding a way to address simultaneously a series of novels with notoriously labyrinthine plots and an arena of fast changing and much contested, complex property forms and relations that are unlikely to be familiar to those interested in the formal qualities of the nineteenth-century novel. Accordingly, here, for the purpose of demonstrating how Collins's novels were a constituent element in and of that process of changing property relations, both registering and probing it, for the purpose of analysis non-fictional texts and knowledge about actual practice have been addressed first and apart from the fictional. With a better grasp now of the particular complexity of mid-nineteenth-century inheritance property transfer, above all contested wills, purposes and beneficiaries, and these in turn located within the context of broader changes in mid-nineteenth-century property relations, it becomes possible to more clearly register and apprehend the basic repertoire of narrative components that are found in the novels under discussion. Each of these presents a variation that modifies the previous novel's organisation of inheritance. There is a substantial amount of overlap for readers to feel the family resemblance, to know they are reading 'a Collins', but enough difference to feel they have a 'novel' novel, and to keep them in suspense.

The basic repertoire of narrative components can be reduced to three; these elements occur in each of the novels. First, each contains what I term a map of the anticipated trajectory, in which at, or near, the start of each text, the conditions of a last will and testament are made known, by a lawyer or family member. Next, as well might have been anticipated, the map is not followed. Veering from the anticipated path, property for and anticipated by close family slips away to distant, unheard of relatives, even strangers. This can be linked to prevailing ideas about restricting collateral inheritance as well as broader fears about property disappearing once commercial enterprise is organised along joint-stock lines, between strangers, rather than partnership principles, among known, trusted and familiar business partners (partners who were often close family members). The final element common to the novels is that in each, the chain of events is triggered by a contested claim over an inheritable property. Of course, it is only in England, and colonies and dominions governed by the laws of the motherland, that these can happen, because it is the one jurisdiction in which there is free testimony disposition, that is, you can leave the

property you own to whom you wish. In Scotland, as in Europe under the Napoleonic code, wives and children had a right to a certain portion of their husband's and father's property. In England, such rights disappeared with the Dower Act of 1833 (3&4 Will. IV, c. 105), part and parcel of the wave of reform that included the Inheritance Act of that year.¹⁴⁰ family members lost out as assets were freed for the market. The analysis of the novels shows how the elements in the repertoire play out to make up the inheritance plot, thereby re-configuring interest in and concern with broader property transfer matters.

To account for the dialectical emergence of novels whose primary plots tell of inheritable property gone astray and which are driven by contending inheritance claims, this thesis draws on various critical approaches, each of which serves to comprehend a particular facet of the relationship between property relations as manifested in inheritance and a set of novels primarily structured by an inheritance plot. The novels have been read within the context of the periodical press thereby broadly deploying the method that has become mainstream thanks to the pioneering work of scholars such as nineteenth-century print culture specialist Laurel Brake, and in relation to Collins and the periodicals *All the Year Round* and the *Cornhill* work by Deborah Wynne and Catherine Delafield, and to inheritance by Catherine O. Frank.¹⁴¹ As for the close textual analysis chosen to scrutinise the novels' plots, this has been informed by apparatus offered by Boris Tomashevsky's 1925 essay 'Thematics'.¹⁴² This seminal work of Russian Formalism offers a particular and subtle appreciation both a text's internal and its external dynamics. It does so by developing the notions of 'theme' and 'motif' by building on the distinction between plot and story. As such Tomashevsky's analytical frame is ideally suited to analysing the work of a novelist regarded as having 'story-telling and plot-construction capacities of the highest order', who was self-confessedly ever determined to both 'appeal to the reader' and experiment in 'the art of writing fiction'.¹⁴³ 'Thematics' provides a conceptual toolkit with which to isolate given textual elements (be these actants, events or objects), which it terms 'motifs', that make up the whole, which it terms the 'theme' ('Mutually related motifs form the thematic bonds of the work').¹⁴⁴ At the same time the essay socially situates these motifs and the theme by acknowledging both the agency of the writer composing the narrative and the socio-historically circumscribed nature of a given narrative. Plot, Tomashevsky maintains, is where the writer displays both his or her own agency, for plot is 'the aggregate of th[e] same motifs' as those that compose the

logical, causal-chronological order' [of motifs] known as story, but transformed by the 'wholly artistic creation' of the writer.¹⁴⁵ 'The place in the work in which the reader learns of an event, whether the information is given by the author, or by a character, or by a series of indirect hints – all this is irrelevant to the story', Tomashevsky contends, 'But the aesthetic function of the plot is this bringing of an arrangement of motif to the attention of the reader.'¹⁴⁶ (This conception of plot also gives us a glimpse into the writer's sense of scope for possible agency in the world.) This understanding enables us to abstract the inheritance plot from the novel and isolate each of the two textual components associated with plot: the sequence in which motifs make an appearance and, as each motif always inheres in a position of seeing or telling, narrative perspective.

In the four novels under discussion, we most commonly learn about inheritance property transfer from the vantage point of a protagonist who appears at some point in the storyline – but it can also be through the voice of an omniscient narrator. What we learn ranges from the property's value, the mode of transfer used, what legal instruments or customary rights are involved – will, entail, marriage settlement, codicil, trust, rules of the law of intestacy- who it was left for and by whom. It is these that make up the novel's inheritance motifs. The three subsequent chapters of this thesis demonstrate Collins's skill in arranging inheritance motifs to build his plots. The thesis submits that these plots have made their appeal because they are arranged to follow the course of transfer of an inheritance property, a choice of arrangement that gives the works a coherent structure ('To be coherent, a verbal structure must have a unifying theme'), and they also appeal because the matter of property transfer— including but not confined to inheritance transmission— was both an immediately resonant issue ('A work must be interesting', providing 'simple entertainment', 'literary interests and general cultural concerns' to readers), at the same time as a residual literary form; the inheritance plot had a lineage ('The writer constantly tries to solve the problem of artistic tradition').¹⁴⁷ It is the inheritance plot that enables Collins to both 'appeal to the reader' and experiment in 'the art of writing fiction'.¹⁴⁸

Notes

¹ Julian Hoppit, 'Compulsion, Compensation and Property Rights in Britain, 1688-1833, *Past and Present* 210 2011, pp. 93-128.

² 'Intergenerational wealth transfer' is the term preferred by the Cambridge History of Wealth Project < <https://historyofwealth.org/> >

³ See C. B. Macpherson for a broad exposition of different models including Plato, Aristotle, St Augustine, St Thomas Aquinas, Bodin, Hume in 'Capitalism and the Changing Concept of Property', in *Feudalism, Capitalism and Beyond* ed. by Eugene Kamenka and R. S. Neale (Canberra, Australian National University Press, 1975) pp.104-124, p.108.

⁴ John Locke, *Two Treatise of Government* (London: Whitmore and Fenn, 1821), p.209. See Losurdo for the most incisive critique of this foundational text of Western liberalism and its relation to the legitimization of the taking of unenclosed landed property as 'waste'. Domenico Losurdo, *Liberalism: A Counter-History* (trans. Gregory Elliott), (London: Verso, 2011). See too Androo Linklater *Owning the Earth: the Transforming History of Land Ownership* (New York: Bloomsbury, 2013).

⁵ 'All laws regulating succession after death are, Blackstone tells us, creatures of civil policy. A son has by nature, no right to succeed to his father's land, nor is the father by nature entitled to direct the succession to his property after his own decease', James M Morton Jr, 'The Theory of Inheritance', *Harvard Law Review* 8:3, Oct. 25, 1894, pp.161-167, p. 165.

⁶ I have in mind here the BBC's *The Paradise*, loosely based on Zola's *Au bonheur des dames* (1883) as well as ITV's *Downton Abbey* and the BBC's *The Village*, both of which draw on the mid-Victorian novel sub-genre of the family chronicle.

⁷ *Mortis causa* (L) means in anticipation of approaching death.

⁸ For a concise account of women's legal disabilities during this period see Rachel Ablow, '“One Flesh”, One Person, and the 1870 Married Women's Property Act', *BRANCH: Britain, Representation and Nineteenth-Century History*. Ed. Dino Franco Felluga. Extension of *Romanticism and Victorianism on the Net*. Web. [28 June 2017]; Lee Holcombe remains the best and most comprehensive historical account, *Wives and Property: Reform of the Married Women's Property Law in Nineteenth-Century England* (Toronto: Martin Robertson, 1983).

⁹ The span of years referred to here embraces the property-reshaping Company Acts legislation passed between 1844 and 1862 and novels serialised between 1859 and 1868.

¹⁰ Catherine O. Frank is one of the few critics to address and explore the Act. Her monograph differs from this study in that adopts a Whig history manner of the shift from common, multiple and restricted property rights to absolute and alienable property rights. *Law, Literature and the Transmission of Culture in England 1837-1925* (Farnham: Ashgate, 2010).

¹¹ The best known study of this phenomenon remains C. B. Macpherson's *The Political Theory of Possessive Individualism: From Hobbes to Locke* (1962) Oxford: Oxford University Press, 1964).

¹² Note that 'realty' is freehold land, and leasehold properties fall under the title of personalty as what is held is the lease/the contractual right to use the building or land, not the building or land itself.

¹³ This is the claim made by Catherine O. Frank: 'The Wills Act of 1837 [...] made the will a distinctly modern document'. Her monograph explores the emergence of the modern subject in terms of 'a paradox of the will', that is 'at once a testament to private, autonomous character and a bureaucratic tool of legal identity'. *Law, Literature and the Transmission of Culture*, p.1.

¹⁴ *Ibid*, p. 1.

¹⁵ Hansard, HL Deb 23 February 1837, vol 36, cols 963-86.

¹⁶ In order: Henry Morley and James Knox, 'What I call Sensible Legislation' [Unsigned], 3 January 1852, *Household Words*, pp.341-344; Henry Morley, 29 March 1856, 'Law and Order' [Unsigned], *Household Words*, pp. 241-245; William Henry Wills and John Oswald Head, 'A Needle of Sense in a Haystack of Law' [Unsigned], 1 April 1858, *Household Words* 385-387; 'The Statute Book' [Unsigned] *All the Year Round*, 29 March 1862, pp.58-61; 'Consolidate the Statues!' [Unsigned], *All the Year Round*, 1 August 1863, pp.543-549; 'Patched Law' [Unsigned], 22 August 1863, pp. 606-609.

¹⁷ Hansard HL Deb 23 February 1837, vol 36, cols 963-86. This matter links up with the issues raised in Chapter Three (*The Woman in White*) of this thesis on the keeping of documents such as wills, birth and baptismal certificates, marriage certificates and death and burial certificates.

¹⁸ James Fitzjames Stephen [Unsigned], 'Marriage Settlements', *Cornhill Magazine*, 1863, pp.666-677, p.670.

¹⁹ *Ibid.*, p. 669-670. See too Thomas Piketty, *Capital in the Twenty-First Century* (2013) (Cambridge Mss; Harvard University Press, 2014) pp.238-242.

²⁰ HL Deb 23 February 1837, vol 36, cols 963-86.

²¹ See C. B. Macpherson (1975).

²² R. J. Morris, *Men, Women and Property in England, 1780-1870: A Social and Economic History of Family Strategies amongst the Leeds Middle Classes* (Cambridge: Cambridge University Press, 2005).

²³ Edward Burtenshaw Sugden, *A Handy Book of Property Law in a Series of Letters* (Edinburgh: Blackwood, 1858), p.159.

²⁴ *A Guide to the Unprotected in Everyday Matters relating to Property and Income by A Banker's Daughter* (1859) second edition (London: Macmillan & Co, 1864), pp.119 and 121.

²⁵ Chantal Stebbings, *The Private Trustee in Victorian England* (Cambridge: Cambridge University Press, 2002), p.7-8.

²⁶ Owens, 'Property, Will-Making' (2000), p. 97.

²⁷ McCulloch, *Treatise*, p.1.

²⁸ *Ibid.*, pp.3, 4-5, 2 and 32.

²⁹ *Ibid.*, p.2.

³⁰ In thus arguing, Mill was promoting the sentiments that would become policy. J. S. Mill, *Principles of Political Economy with some of their Applications to Social Philosophy* 7th edn (London, Longman, Green and Co., 1909), V.ix.1.

³¹ Locke explains possession in terms of the labour involved in taming the waste; and with the beneficiary of an inheritance not having to labour for possession, justification for ownership is complicated.

³² Mill, *Principles* V.ii.14.

³³ *Ibid.* For discussion about different states' regulatory policies see Jens Beckett, 'The Longue Durée of Inheritance Law: Discourses and Institutional Development in France, Germany, and the United States since 1800', *The European Journal of Sociology* 48:1 (2007), pp.79-120.

³⁴ Mill, *Principles* V.ii.14.

³⁵ A collateral relative is someone which is not a relation by descent (child or grandchild) or ascent (parents or grandparents), but rather related otherwise, e.g. brothers and sisters, nephews and nieces, uncles and aunts.

³⁶ Mill, *Principles* II. ii. 14.

³⁷ Mill, *Principles* V. ix. 2.

³⁸ Mill, *Principles* as above.

³⁹ See Lesley Hoskins, Samantha Shave, Alistair Owens, Martin Daunton, David R. Green, *The Death Duties in Britain, 1859-1930: Evidence from the Annual Reports of the*

Commissioners of the Inland Revenue, History of Wealth Project: Working Paper 1, University of Cambridge, September, 2014). <https://historyofwealth.files.wordpress.com/2013/06/working-paper-1.pdf>, p. 5.

⁴⁰ Mill, *Principles* V.vii, 7.

⁴¹ Henry Maine, *Ancient Law: Its Connection with the Early History of Society, and Its Relation to Modern Ideas* (London: John Murray, 1861)

⁴² See Avner Offer, Chapter One: 'Solicitors: Profile of the Profession' for development of legal profession in *Property and Politics 1870-1914* (Cambridge: Cambridge University Press, 1981) p.11-22. This is slightly after our period but the account of the relationship between changing property types and the growth of the professional still holds. See too M. Birks. *Gentlemen of the Law* (London: Stevens,1960). See Stebbings for the complexity of the law in articles: 'The Devolution of Partnership Property', *The Journal of Legal History*, 11:2, (1990) 270-278; 'The Legal Nature of Shares in Landowning Joint-Stock Companies in the Nineteenth Century', *The Journal of Legal History* 8:1, (1987), pp.25-35 and 'Statutory Railway Mortgage Debentures and the Courts in the Nineteenth Century', *The Journal of Legal History* 8:1 (1987) pp.36-47.

⁴³ The titles here discussed are taken from the *Cambridge History of Wealth Project: 'Inheritance, Families and the Market in Britain, 1850-1930'*. The project has produced a database of available guides appearing during its scrutinized span of years. Here I draw on those from between 1840-1870. <<https://historyofwealth.org/>>

⁴⁴ *A Guide to the Unprotected* (1864) p.vi., was one of the most lucid and well-reviewed mid-century handbooks for the layperson. See reviews in *The Reader* 15 August 1863, p.171; *The Athenaeum* 22 August 1863, p. 240; and *The Examiner* 26 December 1863, p.824; the latter maintained that '[a book] more honest and intelligent is not likely to be published for many a day'.

⁴⁵ *A Guide to the Unprotected* (1864), p.110.

⁴⁶ Other titles include George Stevens Allnut *The Practice of Wills and Administration 1848-1860* (London, J Crockford); and James Traill Christie, *Concise Precedents of Wills: with an Introduction and Practical Notes* (London, Maxwell, 1849) and *Concise Precedent of Wills with and Introduction and Practical Notes* 2nd edition (London: W Maxwell, 1857); William Hayes, *Concise Forms of Wills: with Practical Notes* (4th edition (London, Dublin, 1849); (5th ed) (London: S. Sweet, 1869); 6th edition in 1863, *Hayes and Jarman's Concise Forms of Wills: with Practical Notes* (London: H. Sweet. 1969 (1898 11th ed and in 1933the 16th edition; John Corrie Hudson, 'Plain Directions for Making Wills in Conformity with the Law ... To which is added a clear exposition of the law relating to the distribution of personal estate in the case of intestacy' (second edition corrected) (London, 1842).

⁴⁷ Julie Jefferies, *The UK Population: Past, Present and Future*, (London: ONS, 2005), p. 4.

⁴⁸ John Plotz, *Portable Property: Victorian Culture on the Move* (Princeton: Princeton University Press, 2009).

⁴⁹ See articles about the introduction of conveyancing by registration of title in South Australia, which is linked with the name of Registrar-General Robert Torrens 'Economy in Sheepskin'[Unsigned], *All the Year Round*, 3 December, 1859, pp.132-135; 'Transfer of Colonial Land'[Unsigned], *All the Year Round*, 22 March, 1862, pp.38-39. Also 'A Maori Court-Martial' [Unsigned], *All the Year Round*, 10 October 1863, pp.162-164.

⁵⁰ Karl Marx, 'The Right of Inheritance', *First International Working Men's Association General Council Minutes* 20 July, 1869, taken by George Eccarius, <https://www.marxists.org/archive/marx/iwma/documents/1869/inheritance-speech.htm>

Note that Marx does not probe into or rehearse how the working family operates and how Karl Marx, all other references to this document.

⁵¹ Ibid.

⁵² Ibid. See too for discussion of difference Sigrid Weigel, 'Inheritance Law, Heritage, Heredity: European Perspectives', *Law & Literature* 20:2 (2008), pp. 279-285.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ *The Leisure Hour: a Family Journal of Instruction and Recreation*, (hereafter *Leisure Hour*) 'Hints on Legal Topics: I.—Wills and Will-making', 7 Jan 1865, pp.6-8; II 14 Jan 1865, pp.26-28; III 21Jan 1865, pp. 45-48; and IV 28 Jan 1865 pp.52-55.

⁵⁶ Mr and Mrs Blank evoke the anonymous lady and gentleman 'of property' in Chapter Ten of *Our Mutual Friend* who have 'to do with traffic in Shares', 'no antecedents, no established character, no cultivation, no ideas, no manners; have Shares'.

⁵⁷ Anne Lorhli points to 'the use of fictitious characters to serve as mouthpieces of information and opinion' in Dickens periodicals, in discussion of the language and rhetorical mode of journalism deployed. *Household Words : A Weekly Journal 1850-1859 Conducted by Charles Dickens : table of contents, list of contributors and their contributions based on the Household words office book in the Morris L. Parrish collection of Victorian novelists*, (Toronto : University of Toronto Press, 1973), p. 9.

⁵⁸ David Morier Evans, *Speculative Notes and Notes on Speculation* (London: Groombridge, 1864). Familiarity of address, the voice of a personal friend taking you through, is also to be found in *A Guide to the Unprotected* (1864).

⁵⁹ 'Autobiography of a Shilling' [Unsigned], *Leisure Hour*. 11 March 1852, pp.163-164; Laurence Oliphant [Unsigned], 'Autobiography of a Joint-Stock Company', *Blackwood's Magazine*, July 1876, pp. 96-122.

⁶⁰ *Leisure Hour*, 1 January 1852, p.9.

⁶¹ *Leisure Hour*, 1 January 1852, p.9.

⁶² Henry Maine wrote that it is 'certainly much more closely allied to the land law of the Middle Ages than that of any continental country' p.226. See too modern writers on primogeniture and literature who maintain that 'the debate about primogeniture was going to be [...] a confrontation between a conservative and in many ways, feudal conception of society and a new alternative liberal, more democratic bourgeois view'. *Ancient Law* p.74

⁶³ E. Mitchell [Unsigned], 'An Encumbered Estate', 25 July 1857, *Household Words*, pp.84-89; John Oswald Head, [Unsigned], 'Slow Conveyancing' 6 March 1858, *Household Words* pp.284-285.; 'A Clear Title to Land', 29 November 1862, *All the Year Round*, pp. 276-279..

⁶⁴ The terminology used in the articles is retained here, with assurance as the noun and insure as the verb.

⁶⁵ Julian Symons, *Bloody Murder: From the Detective Story to the Crime Novel*, (London: Faber and Faber, 1972) p. 51.

⁶⁶ 'Is your Life Insured' [Unsigned], 15 April 1852, *Leisure Hour*, pp.247-250.

⁶⁷ Charles Dickens, 'Hunted Down: In Two Portions [i]' [Unsigned] *All the Year Round*, 4 August 1860, pp.397-400 and 'Hunted Down: In Two Portions [ii]' [Unsigned], *All the Year Round*, 11 August 1860, pp.422-427.

⁶⁸ Gerald Giles Grubb, 'Dickens' Influence as an Editor', *Studies in Philology* 42:4 (1945), pp.811-23; William Baker, 'Wilkie Collins, Dickens and *No Name*', *Dickens Studies Newsletter* 11:2 (1980), pp. 49-52.

⁶⁹ Charles Dickens, [Unsigned] 'The Demeanour of Murderers', *Household Words*, 14 June 1856, pp.505-507.

⁷⁰ George Dodd [Unsigned], 'Be Assured', *Household Words*, 2 December 1854, pp.365-369, p. 369.

- ⁷¹ ‘Sturrock on Life-Assurance’ [Unsigned], *Chambers’s Edinburgh Journal*, 6 March 1847, pp.158-159, p.158; a review of John Sturrock’s *The Principles and Practice of Life-Assurance* (Dundee, 1846). For readership see Alvar Ellegard, ‘The Readership of the Periodical Press in Mid-Victorian Britain II Directory’, *Victorian Periodicals Newsletter* 4:3 (1971), pp. 3-22, p.21.
- ⁷² ‘Is your Life Insured’[Unsigned], 15 April, 1852, *Leisure Hour*, 247-250.
- ⁷³ B. R. Mitchell, *European Historical Statistics, 1750-1975*, 2nd ed. (New York, 1980).
- ⁷⁴ ‘Sturrock on Life-Assurance’, p. 158.
- ⁷⁵ ‘A Chapter on Life Assurance’ [Unsigned], review of *Annals, Anecdotes, and Legends: A Chronicle of Life Assurance*, by John Francis, *Blackwood’s Edinburgh Magazine*, July 1853, 105-116. p.116.
- ⁷⁶ ‘A Chapter’ p.116.
- ⁷⁷ Morier Evans, *Facts, Failures and Frauds: Revelations, Financial, Mercantile, Criminal* (London: Groombridge, 1859), p.74-105.
- ⁷⁸ ‘A Chapter’, p.115.
- ⁷⁹ Samuel Smiles, *Self-Help* (London: Murray, 1859); *Thrift* (1875), (London: John Murray, 1886).
- ⁸⁰ Andrew Halliday [Unsigned], ‘Your Money or Your Life’, *All the Year Round*, 30 April 1864, pp.275-280, p.275.
- ⁸¹ *Ibid.*, p.275.
- ⁸² William Blanchard Jerrold [Unsigned], ‘Completely Registered [ii]’, *Household Words*, 14 January 1854, pp.469-471; and William Blanchard Jerrold and William Henry Wills [Unsigned], ‘Provisionally Registered [i]’, *Household Words*, 9 July 1853, pp.445-448.
- ⁸³ ‘Sturrock on Life-Assurance’ p.159.
- ⁸⁴ Wilkie Collins, *Memoirs of the Life of William Collins R.A.* (1848) (Wakefield: E. P. Publishing,1978).
- ⁸⁵ *Memoirs* p.48..
- ⁸⁶ *Memoirs*, p. 47.
- ⁸⁷ ‘Is your Life Insured’, p.247
- ⁸⁸ *Memoirs*, p.43.
- ⁸⁹ Walker Art Gallery, Liverpool <<<http://www.liverpoolmuseums.org.uk/picture-of-month/displaypicture.aspx?venue=2&id=262>>>
- ⁹⁰ *Memoirs*, p.47-48.
- ⁹¹ *Memoirs*, p.46-47.
- ⁹² This is the group Stebbings identifies as one that was ‘self-reliant, educated and commercially astute’, ‘a class with unprecedented power and influence in national life’ comprising ‘businessmen, bankers, lawyers, doctors, clergymen, civil servants and shopkeepers’(2002), p.6; see too Morris (2005).
- ⁹³ In addition to scholarship on inheritance and property by Stebbings, Morris, Owens and Stobart, Josephine Maltby and Janette Rutterford (2006) have shown how increasing numbers of women, especially with the growth of passive investment, had a far keener grasp of legal and financial matters than usually given credit for.
- ⁹⁴ See Asa Briggs, ‘Middle-Class Consciousness in English Politics, 1780-1846’, *Past & Present* 9 (1956), pp.65-74.
- ⁹⁵ Gareth Stedman Jones, *Languages of Class: Studies in English Working Class History 1832-1982* (Cambridge: Cambridge University Press, 1983), p.189, and J. K. Walton, *Chartism* (London: Routledge, 1999), p.1 both cited in Josephine Maltby ‘To Bind the Humbler to the More Influential and Wealthy Classes’: Reporting by Savings Banks in Nineteenth Century Britain’, *Accounting History Review* 22:3 (2012), pp.199-225.

⁹⁶ See discussion in John Beckett and Michael Turner 'Land Reform and the English Land Market, 1880-1925' in *The Land Question in Britain 1750-1950* ed. by Matthew Cragoe and Paul Readman (Basingstoke: Palgrave, 2010), pp. 219-236, p. 220.

⁹⁷ G. R. Porter, 'On the Accumulation of Capital by the Different Classes of Society', *Journal of the Statistical Society of London* 14:3, Sept 1851, pp.193-199.

⁹⁸ John Bateman, *The Acre-Ocracy of England: a List of all Owners of Three Thousand Acres and Upwards, with their Possessions and Incomes, Arranged under their Various Counties, Also their Colleges And Clubs* (London: Basil Montagu Pickering, 1876), pp. v and vi.

⁹⁹ E. T. Rogers and H. Tupper, *Primogeniture and Entail: Letters of E. Thorold Rogers, MA and Mr Henry Tupper, of Guernsey and Others, on the History and Working of the Laws of Primogeniture and Entail in their moral, social, and political aspects.* (Manchester: Ireland, 1864) (Hereafter known as Letters of Rogers and Tupper), p.17.

¹⁰⁰ As the title of Matthew Cragoe and Paul Readman's study suggests, this phenomenon is currently perceived by historians to have spanned three centuries of British life: *The Land Question in Britain 1750-1950* (Basingstoke: Palgrave, Macmillan, 2010). Rance and Loesberg's more politico-historicised and formal studies of sensation fiction place it within the broader context of agitation for the Second Reform Bill, which links with the Land Question as qualification for the franchise was determined by property holding status.

¹⁰¹ Modern writers whose work has been used for this study include William L., Miller, 'Primogeniture, Entails, and Endowments in English Classical Economics', *History of Political Economy* 12:4, (1980), pp.558-581; Offer (1981); Linklater (2013).

The modern literary critics who address the subject include Zouheir Jamoussi, *Primogeniture and Entail in England: A Survey of Their History and Representation in Literature* (Tunis: Centre de Publication Universitaire,1999); Sarah Macpherson, 'Rent to Own; or, What's Entailed in *Pride and Prejudice*', *Representations* 81:1 (2003), pp.1-23; Phoebe Poon, 'From Status to Contract: Inheritance and Succession in George Eliot's Late Fiction', *Sydney Studies in English* 38 (2012), 50-80; Frank (2010).

¹⁰² 'Primogeniture' [Unsigned], *London Review* (1869), pp. 26-27, p.26.

¹⁰³ *Ibid.*, p.26

¹⁰⁴ *Ibid.*, p.26.

¹⁰⁵ *Ibid.*, p.27..

¹⁰⁶ The *London Review* was priced at 3d then 4d, *All the Year Round* at 2d and the *Leisure Hour* at 1d. (Ellegard, 1971).

¹⁰⁷ Central issues addressed by the pamphlet include: 'the relation of the poor to the land, and the accumulation of large estates in the hands of a limited number of proprietors'(3), contemporary land-holding patterns as a residue of the Norman Yoke (9); the abolition of primogeniture in the colony of South Australia (14) and the damage done by the 'feudal principal' (15) to agricultural improvement (19) and 'agriculturally unmixed evils' (25).

¹⁰⁸ Letters of Rogers and Tupper, p. 16.

¹⁰⁹ Letters of Rogers and Tupper.

¹¹⁰ E. S. Dixon, 'The Strange Story of the Marquise de Douhault', *Cornhill Magazine*, May 1863, pp.629-637.

¹¹¹ The article tells of a real eighteenth century French case in which a woman who was as innocent as Laura marries a man with a mental illness ('horrors of epilepsy' p. 631), and is later falsely imprisoned by her brother who lays claims to the totality of their parents' property. As in *The Woman in White* when the heiress turns up at the family home, the servants claim not to recognise her; those who have imprisoned the marquise maintain that she has died, and that the woman calling herself Mme de Douhault is a pretender and really a servant woman

from the asylum. The volume Collins used was Maurice Méjan's *Recueil des causes célèbres et des arrêts qui les ont décidées* 2nd edition, 26 vols. Paris' (1808) which can be accessed at the Bibliothèque Nationale de France.

¹¹² Wilkie Collins, 'A Terribly Strange Bed' *Household Words*, 24 April 1852, pp.129-137; 'Old Parish Bequests', [Unsigned], *Leisure Hour*, 17 May 1862, pp.317-319, p.317.

¹¹³ Dixon (1863).

¹¹⁴ H. Edwards, *A Collection of Old English Customs: And Curious Bequests and Charities, Extracted from the Reports Made by the Commissioners for Enquiring Into Charities in England and Wales* (London: Nichols and Sons, 1842).

¹¹⁵ 'Old Parish Bequests', p. 317.

¹¹⁶ Percy Hetherington Fitzgerald, 'Wills and Will Making', *All the Year Round*, 20 March 1869, pp.375-379; 'More of Wills and Will Making', *All the Year Round*, 10 April 1869, pp.454-456; and 'More of Wills and Will Making', *All the Year Round* 15 May 1869, pp.574-576. It is probable that these were largely written by Dickens. See earlier endnote 71. 'Testamentary Curiosities' [Unsigned], *Chambers's*, 6 July 1872, pp. 421-426.

¹¹⁷ Margaret Stansfield [Unsigned], 'Coming into a Fortune', *All the Year Round*, 20 December 1862, pp.354-360.

¹¹⁸ 'Curious Bequest' [Unsigned], *Reynolds's Miscellany* 2 February 1850, p. 28. Another similar filler is 'Curious Bequests' [Unsigned], *London Reader*, 27 May, 1865, p.109.

¹¹⁹ William Blanchard Jerrold [Unsigned], 'I Give and Bequeath', *Household Words*, 5 March 1853, pp.22-24, p. 22.

¹²⁰ *Ibid.*, p.22.

¹²¹ 'Women and Wills' [Unsigned], *The Leader*, 3 April 1858, pp.323-234.

¹²² 'Rising Generation' [Unsigned], *Saturday Review*, 26 March 1863, pp.375-376. One contemporary in particular give us a clearer sense of the property concerns of Collins's readers.

¹²³ *Ibid.*, p.136.

¹²⁴ *Ibid.*, p.136.

¹²⁵ Porter, 1851, p.193.

¹²⁶ Wilkie Collins, *No Name*, pp.188-189.

¹²⁷ Wilkie Collins, *The Moonstone* (1996 ed.), p.184.

¹²⁸ Lesley Hoskins et al. remark that nineteenth century Britain was notable for 'the widening ownership of wealth' and transmission of that wealth on death was what helped middle-class families reproduce and sustain themselves. (2014), p.1.

¹²⁹ Transgenerational socio-economic reproduction is growing as a research area. See too Gregory Clark and Neil Cummins, *Surnames and Social Mobility 1230-2012*, *London School of Economics and Political Science. Department of Economic History Working papers* No. 181 November 2013, p. 1 <https://www.lse.ac.uk/economicHistory/workingPapers/2013/WP181.pdf>

¹³⁰ See Diane Drummond, 'Sustained British Investment in Overseas' Railways, 1830–1914: The Imperial Dream, Engineers' Assurances or an "Investment Hungry" Public?' <http://www.docutren.com/HistoriaFerroviaria/Semmering2004/pdf/13.pdf>; Richard Tames, *Economy and Society in Nineteenth century Britain*, (1972) (London: Routledge, 2006), p. 91.

¹³¹ Stebbings (2002), p.6.

¹³² All citations are from the Law of Wills Amendment Bill, HC Deb 27 May 1852, vol 121, cols 1234-52. <http://hansard.millbanksystems.com/commons/1852/may/27/law-of-wills-amendment-bill>

¹³³ *Ibid.*

¹³⁴ *Ibid.*

¹³⁵ Ibid. After the Lord Chief Justice, England's second highest judge.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid. The 'farrago of words' in question, proposed to replace the phrase in use was "at, or after, or following, or under, or beside, or opposite" ; another idea was 'shall sign in such a manner that it shall be evident that he means to give effect to it as his will'.

¹³⁹ Stebbings, 'Statutory Railway Mortgage Debentures', *The Journal of Legal History*, 8:1, 1 May 1987, pp.36-47.

¹⁴⁰ For recent scholarship on French literature and inheritance see work by Andrew Counter including 'Give and Take: Marriage and Disinheritance in Nineteenth-Century French Women's Writing', *Dix-Neuf*, 11:1, 2008, pp. 76-89. Thomas Piketty (trans. Arthur Goldhammer), *Capital in the Twenty-First Century*, (Cambridge Massachusetts: The Belknap Press of Harvard University Press, 2014).

¹⁴¹ Laurel Brake, and James Mussell, 'Digital Nineteenth-Century Serials for the Twenty-First Century: A Conversation,' 19 *Interdisciplinary Studies in the Long Nineteenth Century*, 21, 2015, Open Library of Humanities, Dec. 2015; Deborah Wynne (2001), Catherine O. Frank, *Law, Literature and the Transmission of Culture in England 1837-1925* (Farnham: Ashgate, 2010), Catherine Delafield (2015).

¹⁴² Boris Tomashevsky, 'Thematics' (1925) in *Russian Formalist Criticism: Four Essays* ed. by Lee T. Lemon and Marion J. Reis (Lincoln: University of Nebraska Press, 1965), pp. 62-95

¹⁴³ J. L. Stewart, 'Wilkie Collins as a Novelist', Rose-Belford's *Canadian Monthly and National Review*, Nov., 1878, pp.586-601, quoted in Page, p. 224.

¹⁴⁴ Tomashevsky, p.68.

¹⁴⁵ Tomashevsky, p.68.

¹⁴⁶ Tomashevsky, p.68.

¹⁴⁷ Tomashevsky, pp.63-64.

¹⁴⁸ Wilkie Collins, *Armada*, p. xxxvi.

Chapter Two: The Woman in White

Introduction

The main strand of the inheritance plot in *The Woman in White* involves a nefarious intrigue to dispossess heiress Laura Fairlie of a £20,000 legacy by switching her identity with that of the eponymous ‘woman in white’, poor, feeble-minded, Anne Catherick.¹ This conspiracy, advanced by Laura’s husband—Sir Percival Glyde—the chief beneficiary, will also see a second, £10,000, legacy pass to Laura’s Aunt Eleanor, wife of co-conspirator and scheme originator Count Fosco.² Glyde and Fosco’s conspiracy is semi-successful in that the villains get the money, though it disappears to Glyde’s and Fosco’s creditors. This foregrounded inheritance, the pivot on which events turn, is, however, far from the only inheritance plot in the novel; it has two other inheritance sub-plots variously interwoven with the main instance as well—as do all the other novels in the quartet. Endeavours to uncover the £20,000 and £10,000 conspiracy reveal it to be rooted in yet another case of inheritance gone astray, what the novel terms Percival’s ‘Secret’, the fact—to use the lead protagonist and secret discoverer’s words—that ‘*he was not Sir Percival Glyde at all, [...] he had no more claim to the baronetcy and to Blackwater Park than the poorest labourer who worked on the estate*’ (521), a secret which up to the point of revelation only working-class Anne Catherick and her mother are aware of. The second inheritance subplot consists of two types of post mortem property transfer both radically different from the fraudulently seized land and title: a life insurance policy and a drawing-master’s practice. Apart from the several occasions on which these last two—the policy and the practice—have given rise to some very diverse and contradictory claims about the social status of Walter Hartright, these elements have never yet been subject to any sustained scholarly attention within literary criticism, where post mortem provision is overwhelmingly regarded as synonymous with legal inheritance and vice versa legal inheritance thought of in terms of post mortem transfer.³ In relation to the main plot trajectory, the Glyde and Hartright sub-plots serve two functions: they both propel the main plot line and buttress and variegate the post mortem property transfer motif. This assemblage of plotlines and ranging modes of post mortem property transfer and provision intimates an historical juncture at which residual forms are being eclipsed by emerging alternative and oppositional modes and there is no clear sense of any one type having yet secured hegemony.

The overall inheritance plot trajectory of *The Woman in White* and the other novels in the quartet might usefully be thought of in terms of an expedition route, a trope that has the advantage of evoking notions of both the temporal process of meaning making and space in which the text is arranged. As such the expedition simultaneously points in the direction of analyses of plot concerned with the internal arrangement and dynamics of plot elements, namely the formalist understandings outlined at the end of the previous chapter, as well as approaches that more address the way in which our understanding is incrementally built up and transformed during the course of reading (as in Peter Brooks's psychoanalytically orientated study of plot).⁴ Deploying this figure we see that the text provides several supply points, stocked with inheritance motifs, that fuel and orientate the reading venture; supplies that may be picked up, or not, as the case may be, depending on the readers desires and needs. In *The Woman in White* inheritance elements are arranged and offered in the following sequence: 1) the Hartright family provision; 2) the terms of Laura's inheritance and marriage settlement; 3) obtaining signatures for an official document, mysteriously referred to as 'the parchment';⁵ 4) Glyde and Fosco conspire to resolve their financial embarrassments; 5) Walter refuses to hear about Laura's finances; 6) the revelation of Percival's Secret; 7) Mrs Catherick's part in the fraud; 8) the Limmeridge estate. It warrants consideration that whilst the majority of these clusters of inheritance factors are narrated by Walter Hartright, when it comes to core details concerning Laura's £20,000 legacy, these are placed within testimonies related by other protagonists: Vincent Gilmore, the Fairlie family lawyer in the case of the second cluster and Laura's lovingly protective half-sister, Marian Halcombe in the case of the third and fourth clusters. This multiple-narration device is crucial to the successful profiling of Hartright as a man whose desire for Laura, unlike that of the venal suitor who becomes her husband, is free from any mercenary motive.

1. Mr Hartright senior's posthumous provision

The inheritance incident sequence opens with a life insurance policy taken out by Hartright's father, which has granted a comfortable payment to his wife and daughter (they 'were left, after his death, as independent of the world as they had been during his lifetime' (7)). No precise monetary value is given, although the ensuing narrative bears witness to its worth: whilst Hartright's earnings from his trade as a drawing

master enable him to support himself, the insurance pay-out frees Hartright *filis* from having to provide for his mother and sister, thereby releasing him to become the hero who saves Laura. This plot element accords with a positive contemporary sentiment expressed by a range of authors. As was noted earlier, *All the Year Round* considered life insurance ‘excellent provision’, and of such importance to its readers that the matter was addressed across the two final articles of its ‘Common Law’ series, which ran during the serialisation of *The Woman in White*. In ‘Very Common Law’, life insurance provision followed the matter of insuring luggage and the person on railway journeys and in ‘The Very Last of Very Common Law’, it opened the article, and led into the less extensively covered matter of will-writing.⁶ Several years later, deploying the term life assurance to cover what we would think of as insurance, Samuel Smiles imagined it as ‘a *joint-stock* plan for securing widows and children from want’; ‘a *contract*, by which the inequalities of life are to a certain extent averaged out and compensated’(my emphasis).⁷ These figurative terms signal it as a fitting modern solution in a world where contract is superseding custom, wage-labour becoming the main mode of sustenance, and joint-stock commercial enterprise gaining an ever higher profile.⁸ However, in *The Woman in White* the insurance policy is unusual and certainly not the Everyman’s arrangement suggested by Smiles: Hartright *père* has both managed to ‘devote to the insuring of his life a *much larger portion* of his income than most men consider it necessary to set aside’ (6-7) (my emphasis) and, it is intimated, the total income of which this is ‘a portion’ is larger than average: ‘His exertions had made him *highly successful* in his profession’ (my emphasis). This allusion to the extraordinary qualities of the father’s policy somewhat stalls any identification the reader may have begun to make with members of this working, earning, life-insuring family.⁹

Hartright, it is important to note, is not a recipient of the pay-out, but of a tradeable skill; he needs be presented as active, not passive, a man who makes money rather than receives it if he is to achieve heroic stature; however, as the novel progresses, generating and receiving are shown to be not so clearly distinctive as at first appears to be suggested by the modest claim: ‘My father was a drawing master [...and] I had succeeded to his connection’(6-7). At this point in the text financial independence is signalled in terms of labour, which at Limmeridge is remunerated at the ‘surprisingly liberal’ (16) rate of ‘four golden guineas a week’ (17), ‘Oh, Walter, your father never had such a chance as this!’ (16), his mother observes. Only much

later does the text reveal the capital value of this legacy, his father's practice, and its 'purchase money value' (441). At the start of the text Hartright's words 'succeeded to his connection' (7) are rather equivocal. Whilst 'succession' is a term that often appears in collocations concerned with the acquisition of land, in Hartright's case it is never fully clarified what precisely has been passed on, whether Hartright père's skill, a network of fellow masters (such as Italian teacher Pesca who gets him the job at Limmeridge) or the client list of families in need of tutors. The phrase especially begs the question 'connection with or to what?' in the light of the (Italian) political connection involving Pesca, Fosco and the Brotherhood, as well as the way in which Hartright picks up work through a network of connections.¹⁰ There is something about it that suggests what E. P. Thompson referred to as 'the very secretiveness of the friendly society, and [...] its opaqueness under upper-class scrutiny', an invocation that will be addressed more fully later, in relation to joint-stock companies.¹¹

Hartright's words at the outset of the novel chiefly seem to signal a seemingly modest endowment, not a transfer that needs—or could—to go in a will. But, although certainly less in monetary terms than Laura Fairlie's £20,000, it is nothing to be sniffed at. Critics, who represent Hartright as penniless, together with those who call him middle-class, are not closely following the text. In, for example, *Wilkie Collins and His Victorian Readers: A Study in the Rhetoric of Authorship* (1982), Sue Lonoff writes of Hartright as 'the lowly drawing master', 'a poor but virtuous and respectable drawing master', adding that 'as an artist, he has no chance of amassing a [...] fortune' 'comparable' to Laura's.¹² But this is quite inaccurate with regard to both intrinsic textual features (that appear throughout the novel, not simply at this point in the text) as well as extrinsic factors. This was a golden moment for artists and illustrators, and if Hartright's remuneration at Limmeridge is an accurate index of the world beyond the novel, teachers as well. Collins, with picture-framer grandfather and artist father, brother and friends, and many of his serial and volume-form novel readers would have been aware of this, and of the sums commanded by pictures and their producers.¹³ This, especially in relation to Royal Academy exhibitions, was highly-publicised news.¹⁴ Further to this, Hartright's receipt of payment in guineas, as opposed to pounds, also generates a sense of gentlemanly as distinct from tradesman-like artistic production, a position that will be reversed later in the novel when he works as an illustrator for 'bread' (420); the text bears the imprint of the field of commodified labour divided into production for fees and for wages/a salary, a crucial step in

capitalist hegemony, dividing different sections of those who need to sell their labour power to live. Hartright's shifting between spheres also intimates a personal world in flux that points to a wider world in which various residual, established and emergent modes of production clash and compete with each other, alongside different modes of post mortem transfer, about which more subsequently.

As regards intrinsic textual information about the drawing master's property relations, there is a proleptic connection between the opening (the Hartright provision) inheritance plot cluster and the fifth cluster (Walter's refusal to hear about Laura's finances) which appears in the novel's Third Epoch, as Collins called his third volume. Walter—a working professional—is depicted as the near financial equal of an impoverished gentlewoman: ('She [Marion] had between two and three hundred pounds left of her own property; and I had nearly as much remaining from the purchase money obtained from the sale of my drawing master's practice'(441)). Thus, the phrase about Hartright 'succeed[ing] to his [father's] connection' is subject to analeptic revision at this point once it is understood that he has inherited something of monetary value as a commodity, namely, something that is both alienable (i.e. can be transferred to someone else), and has a market value, alongside his embodied skill, an asset which cannot be alienated, but with which he can generate an income and livelihood by producing alienable objects, as the text will remind us throughout its course. However, at this later point he will not be earning *guineas* 'instructi[ng] in sketching' and mounting a collector's drawings, but '*bread* [...] drawing and engraving on wood for the cheap periodicals' living 'in furnished lodgings of the humblest kind' (420) (my emphasis).¹⁵ Rather like the oddly ambivalent life insurance policy, a form increasingly promoted among the waged and salaried but not in the form of the investment made by Hartright's father, Hartright's drawing-master status, skills, possession and property do not fit easily into any extra-textual sociological schemata, or make for any intrinsic coherence: close analysis reveals the novel displaying signs of ideological strain at this point. Within the broadest terms of the novel, however, it is this combination of skills and practice that make him an independent man, and enable him to earn a living: first as a drawing master at Limmeridge (17); then as a draughtsman in an exploratory expedition to South America (180); and subsequently, in employment on the aforementioned 'cheap periodicals' (420) in London: thus he thwarts the worst excesses of the baronet and count and remedies the damages they have done. These references to Hartright's status

and connections with the world of artistic production and reproduction grow in density as the plot progresses, especially towards the end of third volume, when they serve the purpose of signalling that he is quite able to provide for his wife and hasn't married Laura, as did Percival Glyde, for 'mercenary motives' (161). By this point, no longer living in hiding fearful of Count Fosco, he has moved on from the 'cheap periodicals' having been invited to work in Paris developing wood engraving techniques for an illustrated magazine (637) and is then 'sent to Ireland' (641) by the newspaper to which he is attached to 'make sketches for certain forthcoming illustrations' (641). Thus it is that the motif of pecuniary gain enabled by his father's 'bequest' runs through the novel in tandem with the main inheritance plot, occasionally surfacing to create a quiet background murmur of waged and salaried lives, of commodity labour, against which the main inheritance plot events are played out. Walter is never, though, presented as a fully self-made man; in part his respectability rests on having traceable origins, a father's modest 'connection'.

2. The terms of Laura's inheritance and marriage settlement

After detailing Walter's succession, the text falls silent about property transfer inheritance motifs for an interval of about hundred pages. Foregrounded instead are the developing relationships between Hartright, Laura and Marian and further mystery about the Hampstead woman in white.¹⁶ When the next inheritance motif does occur, it takes the form of the first component in a basic repertoire of three events discussed at the end of the previous chapter. This novel's main inheritance plot, the 'conspiracy against Laura', opens with 'a map of the anticipated trajectory' (of which this section of the chapter is an instance) generated by the occasion of Laura's forthcoming marriage. This prospective event necessitates the drawing up of a marriage settlement (whose historical connection to post mortem inheritance will be expounded in the following chapter, on *No Name*), the terms of which 'it is impossible to refer [to] intelligibly', according to the lawyer who narrates this section, 'without first entering into certain particulars in relation to the bride's pecuniary affairs' (149).¹⁷ For an orphaned only-child of the landed gentry, this means the property rights that will devolve to her on her attaining the age of majority. It is these (property transfer) 'expectations' (149), to use the moniker of the period, that occasion the drawing of a settlement; and the heiress's status as a parentless, female minor with a negligent

guardian, that serves as an ideal pretext for the hyper-lucid detailing of her ‘pecuniary affairs’.

Accessible lexis, simple syntax and logical order, decidedly non-technical language are the distinguishing qualities of the three-and-a-half-page account of ‘the map of the anticipated trajectory’; these are credible and appropriate features for a testimony that is notably double valenced. Operating within a markedly ambivalent time-frame, it is purportedly produced to report past events for a non-specialist readership (where its time is that of the past perfect),¹⁸ a report which consists of an erstwhile exchange between an elderly lawyer and his young female client (where its time is that of the future and conditional). The monetary value of the properties involved is documented, along with an account of by and for whom they were left and why, and the legal processes, some negotiable, others not, which will invest given beneficiaries with particular property rights under certain conditions. Accordingly, it is not ‘professional obscurities and technicalities’ that threaten to hamper understanding of this ‘map of the anticipated trajectory’ traced by Gilmore, but the kinetic character of the paths of succession; these would have been as tortuous for Collins’s contemporaries as they are for the modern-day reader. How the former reacted to this element of Collins’s literary practice is touched on in section six of this chapter, in relation to the marriage register, and discussed in the next chapter, which identifies such readers as belonging to the first generation in which so many members’ lives were determined by contractual rather than customary relations and which contextualises Collins’s writing within a broader context of contemporary inheritance debate and practice.

Three properties are itemised in Gilmore’s account. First, Laura’s ‘possible inheritance of real property, or land’ (149), namely the entailed Limmeridge estate. At the time of concern, the months leading up to and for some time after the conspiracy (from November 1847 until August 1852), this is in the hands of her uncle, Frederick Fairlie, a man unlikely to marry and produce a son, and thus seemingly due to be transferred to Laura on his death, whereby it will bring her an income of £3,000 p.a. for her lifetime.¹⁹ Further, should she have a son, it will pass to him; and should she have no heir and predecease her husband, be transferred to him instead. For all this detail, Limmeridge and rights in it play no part in the plot up until the very end, when like a *deus ex machina* it brings the novel to a close but in a way that more corresponds to a residual courtship novel tradition than with the properties that have dominated up

to that point. Second, there is Laura's 'absolute inheritance of personal property, or money, when she came of age' (150). This consists of 'the comfortable little fortune' (150) of £20,000 willed her by her father,²⁰ which her lawyer envisages will be settled following 'recognised principle' (161), the 'grounds of common legal caution' (162), namely, that it is to generate her income for life. Should she pre-decease her husband, it will bring him an income after this, before the principal passes to any children they have; and if she dies childless, it will then pass to those Laura chooses to appoint. The third property consists of a life-interest only in a sum of ten thousand pounds that Laura's father has willed his sister to exact revenge for her marrying a foreigner; the elderly lady stands to inherit these ten-thousand pounds only in the unlikely case that she outlives her niece. It is precisely the contingent that is brought to the fore by the remaining, and longer section of this inheritance cluster, which involves Gilmore and Merriman's (Glyde's lawyer) to and fro negotiations about the course the property over which Laura is to have has absolute control, the £20,000 legacy, will take after her marriage: Laura's uncle refuses to heed his legal adviser's counsel over the settlement of her absolute inheritance of property, and thus 'The whole sum, if she left no children, was to slip into the pockets of her husband' (153) despite the fact that 'Sir Percival Glyde has no shadow of a claim to expect more than the income of the money' (161). Thus, it is that the text early flags up the way in which the map of an anticipated inheritance trajectory might not be followed.

The text underscores divergence from the anticipated path both directly and indirectly. It does the former using the terms: 'audacious proposal' (153) and 'against all rule' (162), and obliquely as it points to the property veering from the customary path in Gilmore's triple reference to his paternal sentiment for Laura, first speaking of this as if 'towards a daughter of my own' (156); second in the phrase 'no daughter of mine should be married under such a settlement' (162); and third in the statement 'No daughter of mine should have been married [...] under such a settlement' (163). This presentation of established legal custom, and with it legal professionals, as filially protective contradicts numerous other portrayals in the text: for example, neither Laura's father nor her uncle are presented as concerned with her well-being; neither Gilmore nor later his partner Kyrle succeed in their attempts to protect Laura's interests; and the established legal instrument of marriage settlement is shown to involve negotiable terms that can be settled against the weaker party's interests. It comes as no surprise to read that soon after the settlement has been drawn up, on terms

Gilmore abhors, he is forced to retire following a ‘seizure’ and ‘apoplectic fit’, symptoms that announce that the modern world of negotiated settlement (Merriman) and disregard for tradition (Frederick Fairlie) have overloaded and congested his conservative sentiment (he has described himself as ‘holding the soundest Conservative principles all my life’ (161)) and rendered him unfit for a more individualistic, laissez faire world. At the start of the narrative, in the settlement scenes, however, Gilmore’s traditional skills and qualities are ideally suited to the task in hand.

Collins here underscores how the complex can be presented in an accessible form, with lay people involved in legal process comprehending what is taking place, by portraying Gilmore, the lawyer who narrates this section of the novel, emphasise that in *his* hands the ‘explanation [will be made] briefly and plainly, and [...] ke[pt..] free from professional obscurities and technicalities.’ (149). This allusion to making things perspicuous foreshadows the subsequent cluster of inheritance motifs, where Glyde tries to force his wife to sign a legal paper, without telling her what it concerns. Again, we jump ahead here, but the moment in the text we are dealing with, with its ambivalent time-frame, which renders in one and the same sequence both the solicitor’s detailed and patient explanation for the layperson for whom the text is purportedly written, and for a young woman three months off twenty-one, is diametrically opposed to the next moment in the text relating to a legal document. This later document scene contains verbal echoes and inversions of the passage about the will, all of which indicate that the connections between plot elements were carefully and wittingly crafted; that this plot is very much an ‘arranged’ thing.

In a reversal of carefully precise explanation that Gilmore recounts having offered Laura, the subsequent inheritance cluster gives an account of Laura asking her husband what the document concerns, only to be told: ‘I have no time to explain [...] besides, if I had time, you wouldn’t understand. It is a purely formal document, full of legal technicalities, and all that sort of thing.’ (247). Her second request is met with: ‘Nonsense! What have women to do with business? I tell you again, you can’t understand it.’ (247). The third time she asks him, Glyde responds with a one-liner that epitomises all we need to know about understanding and power in this relationship, and beyond:

‘[...] let me try to understand it. Whenever Mr. Gilmore had any business for me to do, he always explained it first, and I always understood him.’

‘I daresay he did. He was your servant, and was obliged to explain. I am your husband, and am not obliged.’ (247)

The scene incisively crystallises knowledge and power in their relationship, throws retrospective light on the marriage settlement scene, and particularly within the context of this novel and others in the trilogy, the connection between an understanding of legal matters and power. Thus it is that although the second cluster of inheritance motifs, the scene elaborating the terms of Laura’s inheritance and marriage settlement, intimates a relationship between knowledge and power, this is only fully dramatized in the subsequent inheritance cluster, the exchange between Laura and Glyde in the parchment scene. The novel’s inheritance trajectory is composed of text structured though such retrospectively and prospectively connected elements, repetitions with variation.

3. The map is not followed: Glyde attempts to divert Laura’s assets

This next inheritance motif finely exemplifies how Collins uses inheritance elements to interlace plot. In a reverse or mirror fashion, Glyde’s behaviour has been foreshadowed in Gilmore’s account (whereas the lawyer offers a full explanation versus the baronet offers none. Furthermore, in turn, this scene further interlaces the plot by proleptically laying the ground for two types of subsequent event, the activity of eavesdropping and that of preying on ignorance. This, the third, inheritance cluster starts the moment Marian hears Merriman inform his client that ‘it all rests with Lady Glyde.’ (228). Marian’s response: ‘[I] listened [...] with my ear at the keyhole’ (228) prefigures the scene in which she (even more) audaciously perches in her petticoats on a roof to listen in on Glyde and Fosco’s machinations. The first eavesdrop, with Marian listening in at the library keyhole, marks the first point at which the text firmly signals that ‘the map is not followed’. However, it will only be at the next inheritance cluster that the text completely divulges and confirms the precise object and aim of the incident, that is when Fosco accuses Glyde: ‘Your mad temper lost the signature to the deed, lost the ready money, set Miss Halcombe writing to the lawyer’ (330). However, there is never any doubt that Glyde’s attempts to obtain his wife’s signature for ‘a parchment’ (the closest specification) relate to the property detailed in the

previous, marriage settlement inheritance cluster, and is motivated by his earlier referenced debts. The plot is here propelled by the dramatic tension at play between two plot lines: Glyde's attempts to force Laura to sign a parchment and Marian's attempt to establish precisely the nature of the document and its ramifications should it be signed. Marian's correspondence with the lawyer Kyrle is a textbook case of *paralepsis*, an extensive documentation of a lacuna of ignorance. The text tantalises, intrigues and mystifies with a range of levels generating 'speculation': it clearly points to property going astray (Glyde's debts are repeatedly referred to) but precisely where and how is never made clear, and even at the very end of this scene, the letter Marian receives from the Fairlie family lawyer is speculative, never definitive. Until that point the text offers a mass of detail that gives no sense of direction. For example, Marian recollects that Merriman had advised Glyde to have his wife 'sign her name in the presence of a witness— or of two witnesses, if you wish to be particularly careful— and then put her finger on the seal and say, "I deliver this as my act and deed" ' (228). The scene operates to be enjoyed by a range of readers, from those able to gauge more precisely what is happening legally to those for whom its impact rests predominantly the dramatic struggle of wits between Marian and Glyde, with an evocation of press coverage about the validating importance of correctly placed signatures.

Glyde fails to get Laura to sign. Marian blocks Glyde's endeavour, supporting Laura to resist signing a document the nature of which they are both ignorant (248-49), 'a transaction' that Marian rightly suspects is 'of the meanest and most fraudulent kind' (255). This scene foreshadows another instance of Glyde exploiting a female in a mean, fraudulent fashion, one re-rendered from a different class perspective when in a later inheritance cluster servant woman Mrs Catherick, telling of her of her involvement with Percival, relates how 'he had practiced on [her] ignorance' (545). But in the library scene Glyde's machinations are not only thwarted by Marian. Collins further dramatizes events by having Fosco refuse to support Glyde, motivated in this case by a desire to ensure rather than to obstruct the validation of the parchment. This clash of protagonists again draws on topical legal issues and the topical confusion about the law and its meaning. '[I] object to Madame Fosco being a witness to Glyde's signature, when I am also a witness myself' (264), the Italian declares, in words that evoke the English legal fiction of 'coverture', whereby a married woman's status as a legal person was subsumed to that of her husband, even though Glyde has 'explained to him that the law of England allows [a wife] to witness a signature as well as her

husband.’ (245). The Count’s response to his co-conspirator’s assurance plays on contemporary uncertainty, in part because of recent publicity about the 1852 Act for the Amendment of the Wills Act, 1837 (15&16 Vict., c.24), concerning attestation and signatories and discussed in the previous chapter. Both sides keep us in the dark with regard to the nature of the parchment mystery. In a sinister parody of the position later taken by Hartright in relation to Laura’s finances, Fosco’s words convey a sense of honourable, gentlemanly behaviour not subterfuge: ‘Whatever this document [...] may be [...] I neither know nor desire to know’ (245), whilst leaving other protagonists and readers in the dark. Marion, because she cannot, likewise reveals nothing, though contrastingly she is explicit about the skulduggery she senses, writing of ‘the mysterious arrangement (as the lawyers called it)’ (251) and ‘speculations in which we might have indulged.’ (271). The text’s prevailing mood of uncertainty and insecurity about the transfer places the reader in ignorance that parallels that of Laura and Marian.

This particular inheritance cluster is, like Gilmore’s account of Laura’s property rights, structured by another instance of a dual time-frame; it is placed within the testimony written by Marian ‘relat[ing her] own experience, word for word’(6), of events as she experienced them at the time, when she was in relative ignorance. Accordingly, everything is filtered through her erstwhile ignorance, a quality shown to be not only a matter of chronology, but also of status, here linked to gender and lack of professional training. Accordingly, she asks a lawyer ‘for his advice [...] expressed in plain, downright terms which [she and Laura] could comprehend without any danger of misinterpretations and mistakes’ (256), a request which imbricates with contemporary debate about the lucidity and accessibility of legislation, as does her line that:

the nature of the legal contract by which the money was to be obtained, and the degree of personal responsibility to which Laura might subject herself if she signed it in the dark, involved considerations which lay far beyond any knowledge and experience that either of us possessed. (255)

At the same time, Marian’s words display resolve to contest this situation by developing a strategy with which to fight back, guilefully having Glyde ‘suspect that we two women understood the laws and obligations of business as well as himself’ (255). The sense of partial knowledge, an awareness of general rules but not specifics,

of speculation rather than certainty dovetail with the state of knowledge surrounding wills and will making within the broader context of the novel's originating moment.

Close focus on the matter of validating signatures, both Laura's legally authorising signature and witness attestation of it, rather than the exact property in question, evokes the concern about wills and will making voiced in contemporary parliamentary debate, legal handbooks for the layperson, and periodical guidance discussed in the previous chapter. The parchment scene, along with a scene in Collins's subsequent novel, *No Name*, deploying for plot purposes witness and signatory issues revolving around getting the right number—and for Fosco the right kind—of witnesses, display historical accuracy given the late 1840s settings these novels; the fact they were written a decade or so after the 1852 amendment to the 1837 Wills Act intimates that this second lot of legislation had not yet worked to allay anxiety about witnesses and signatures. As the novel narrows attention down to the technical processes of transfer, the broader context of what particular property rights, instruments and processes of transfer were being amended or instituted at the time has been overlooked by literary criticism. One consequence of this has been that literary criticism has generally studied matters of property within the novel as a legal issue rather than as a matter of distributive justice, ownership and class relations.²¹ The link between signing and Laura's money is for the most part conveyed by repeated reference to 'her husband's embarrassments' (254) and 'the purpose of borrowing money', (254) words that link back to Gilmore's more financially and commercially astute and less euphemistic references in the marriage settlement scene: 'the debts on his estate were enormous, and [...] his income, [...] was virtually, for a man in his position, next to nothing' (153); these terms anticipate and point to the map not being followed, the realisation of the fear articulated by Gilmore that 'The whole sum, if she left no children was to slip into the pockets of her husband' (153). The letter from the lawyer replying to Marian's appeal for advice confirms the correctness of Gilmore's, and Marian's own, suspicions. Kyrle's words return discussion to a more formal register than that employed by Marian, though like Gilmore's, his remain in an accessible legal register: 'a loan of the trust money to Sir Percival (or, in other words, a loan of some portion of the twenty thousand pounds of Lady Glyde's fortune) is in contemplation', he explains, offering a simpler way of phrasing things, pointing out that this is 'a breach of trust' (273), and that the consequence, if she signs, will be that her trustees would have to advance Sir Percival money from her £20,000, and if this

were not repaid it would mean less for any children she might have. These words resonate with and repeat Gilmore's earlier pronouncement: 'In plainer terms still, the transaction, for anything that Lady Glyde knows to the contrary, may be a fraud upon her unborn children' (273). This third, parchment, inheritance cluster draws to a close with Fosco telling Marian that, Glyde 'has seen fit' to 'put off' 'the business of the signature'; the ominous phrase 'for the present' pointing forward to another attempt, generating a sense of foreboding anticipation (277).

4. Money as an aide memoire

The fourth inheritance cluster verifies again how the novel's trajectory operates fugally via retrospective and prospective allusion to inheritance and property possession. This cluster concerns the very same property as earlier but rendered from a different angle, as envisaged by Glyde and Fosco, conspiring when they believe themselves to be alone. The men on whom attention is here focused engage in an exchange built out of very different terms than those that have been used in discussion up to this point, between lawyers and clients, lawyer and fellow lawyer, and husband and wife. Discussion here, as has already been mentioned, confirms Marian and Kyrle's suspicions; in addition, the language performs Fosco's and Glyde's respectively distinctive approaches to laying their hands on Laura's property to pay off their debts. The Italian's mode of speech is periphrastic as will be the ruse he deploys to gain possession of the £10,000 Phillip Fairlie has (potentially) bequeathed Mme Fosco; by contrast, Glyde's manner of speaking is terse and direct, as was shown in the imperatives he employed to obtain his wife's signature: 'Sign your name, there' (247), 'Come back and sign! [...] Come back and sign!' (249). Fosco circuitously recounts returning 'from the Continent with our affairs very seriously embarrassed—' (329), language that Glyde, who appears to have far more pressing debts, rebuffs with the brusque 'Cut it short!', a mode of speech that Fosco refers to as 'your own solid English words' (329). Glyde continues in his characteristic paratactic mode, delivering his phrases like punches: 'I wanted some thousands and you some hundreds, and without the money we were both in a fair way to go to the dogs together. There's a situation. Make what you can of it. Go on.' (329). As well as bespeaking *how* the men go about things, their altercation serves to recall *what* it is about. It reiterates and further elucidates the marriage settlement scene located two hundred pages earlier or

in serial instalment terms three months back.²² Between times the novel has told, inter alia, of the marriage and the honeymoon, the Secret, the sightings of Anne Catherick, and a mysterious parchment. Accordingly, repetition of detail about the inheritance appears to be intended to serve as an aide memoire for readers, and possibly as straightforward help for those who did not fully grasp the many strands of the terms of Laura's inheritance and settlement the first time they read or heard about it. This mnemonic purpose is strongly suggested by Fosco's request to Glyde: 'refresh my memory about your affairs—it is sometime since I talked then over with you' (332). In addition to reiterating the terms of the inheritance, the scene establishes motivation in elaborating on the financial instruments Glyde is using to raise money and the reason he is so hard pressed. His failure to get Laura to release her property means that he has borrowed 'by means of bills at three months [...] at a cost that makes [Fosco's] poverty stricken foreign hair stand on end!' (332), that is, a method that pushes him further into debt. He also replies negatively to Fosco's enquiry about 'other security to borrow upon', a response that foreshadows the reference to 'borrow[ing] money on [...] property' (542) in the scene where details about Percival's illegitimate possession of Blackwater Park is revealed:

He [Glyde] came to England and took possession of the property [...] he took possession as a matter of course. But he could not borrow money on the property as a matter of course. There were wanted of him [...] a certificate of his birth, and [...] a certificate of his parents' marriage. (542)

Likewise, in the conspiracy scene Glyde's words: 'barely enough to pay our daily expenses' reiterate reference to his income earlier made in the settlement scene: 'though nominally a large one [...] for a man of his position next to nothing'(153); the conspiratorial exchange also includes Glyde's reference to 'Three thousand a year, when her uncle dies'(332) and Fosco's response: 'I don't give you much [...] for your chance of the three thousand a year' (333) allusions which echo Gilmore's reference to Glyde's potential 'use of three thousand pounds a year' (150) on Frederick Fairlie's death. As Fosco cannot envisage Laura not producing an heir, he calculates his friend's expectations to be: 'Absolutely nothing—except in the case of [Laura's] death' (333). Although these iterated inheritance motifs strongly suggest an aide memoire, this is not what it feels like in the process of reading. The mnemonic works subliminally as

surface attention is drawn to the gradual accumulation of the co-conspirators' distinctive characteristics, concern with nature of the conspiracy and its outcome.

'[...] in the case of Lady Glyde's death, what do you get?'
'If she leaves no children— [...] Why then I get her twenty thousand pounds.'
'Paid down?'
'Paid down.' [...]
'[...] let us say your wife dies before the summer is out-'
'Drop it, Fosco!'
'Let us say your wife dies _____ ,'
'In that case you would gain twenty thousand pounds, and you would lose _____',
'I should lose the chance of three thousand a year.'
'The remote chance, Percival – the remote chance only.'
'[...] my wife's death would be ten thousand pounds in your wife's pocket. Sharp as you are, you seem to have conveniently forgotten Madame Fosco's legacy.' (333)

The dialogic nature of this scene contrasts sharply with Gilmore's monologue, just as Glyde and Fosco's psychopathic disregard for Laura contrasts with Gilmore's paternal protectionism.

The repetition and elaboration in this cluster operate to clarify the previous parchment and signature incidents. Intellectually superior arch-conspirator Fosco recaps for the benefit of his stooge (and in another instance of a dual time-frame, Collins for the benefit of his readers): 'Here's your position. If your wife lives, you pay those bills with her signature to the parchment. If your wife dies, you pay them with her death' (334).

5. Property rights and identity

The next inheritance cluster is a dispositive of the earlier examples, a type of paralipsis. Here, exposition about the monetary value of Laura's fortune and channels that might be used to transfer it is reined in: Walter refuses to hear about Laura's property and Kyrle announces that it has been lost. Attention shifts to the monetary resources that Marian and Walter bring to the task of verifying Laura's identity; legal matters likewise focus on the same end. High profile is given to assets held by Marian and Walter that they will invest in the retrieval of Laura's lost identity, and which will supplement 'the daily work of [Walter's] hands' (440) that 'sufficed for [their] necessities' (41). Hence Collins fills the landscape of property forms, which had begun

with the opening reference to the Hartright family's means. Marian draws on 'a little property [...] amounting to rather less than seven hundred pounds', which is held by 'her stockbroker' in 'the funds' (430), using this 'for the expense of [...] secret enquiries and investigations' (441) after she has used just over half to pay off the nurse who smuggles Laura out of the asylum: 'Miss Halcombe took four banknotes of a hundred pounds each from her pocket book, and offered them to the woman, as compensation for the risk she was to run, and for the loss of her place.' (431). The lawyer later rephrases this— 'she secretly bribes a nurse to let her escape' (451)—to show how much less positively the 'compensation' might seem 'from a stranger's point of view' (451). Collins also shows how a stranger from a different gender and class position might see the money: the nurse asks for a letter to show her sweetheart 'when he asks how I got the money' (the implication that working-class women most easily get money and are suspected to get it by the sale of sexual favours is reinforced by Mrs Catherick's history) and Marian herself speaks to the nurse of the payment as 'your marriage-portion for a reward' (431), a particularly ironic turn of phrase to be used in relation to getting Laura out of the asylum given the circumstances that have put Laura there. As mentioned above in the discussion of inheritance motif one, Hartright contributes to the investigation fund nearly the same amount of 'between two and three hundred pounds', the sum left Marian after the bribe, his derived 'from the remaining purchase money obtained by the sale of my drawing-master's practice before I left England' (441), whilst he 'get[s ...] bread by drawing and engraving on wood for the cheap periodicals' (433). Both motifs revise earlier portrayals of these protagonists' financial situation. Marian had earlier claimed: 'My father was a poor man, and Miss Fairlie's father was a rich man. I have got nothing, and she has a fortune' (60). Her 'nothing' is, nevertheless, instrumental in supporting Hartright's search for evidence. Moreover, her assets are double the sum that the asylum nurse and her beloved need 'to start in business' (431).²³ Hartright's reference to his savings is the first time his having resources other than those that he has earned is mentioned: earning has always been emphasised up to this point. This portrayal of modest resources and a means of earning a living involves a rewriting, required to eradicate any suggestion that mercenary motives are propelling a search for a lost inheritance; at the same time, to appear respectable he cannot be portrayed as totally propertyless.

It is in this section, when the lawyer announces: 'I see little hope [...] of recovering her fortune' (454) that the plot trajectory concerned with the transfer of

personhood appears to subsume that of the transfer of property. The announcement of the loss of Laura's fortune, and by association, a plotline about inherited property, is crucial in generating the surprise element in the revelation of Percival's 'Secret'. Kyrle's explanation points to the legacies as lost for good and any attempt to retrieve them pointless: 'The foreigner would probably leave the country, before proceedings were commenced; and Sir Percival's embarrassments are numerous enough and pressing enough to transfer any sum of money he may possess from himself to his creditors' (454). The lines are, however, equivocal: they gain authority by alluding to concern with the risks attending liquid capital, creditors, and porous jurisdiction borders; but at the same time, conjecture is indicated by the lawyer's conditional tense phrasing, a narrative touch that elusively keeps plotline paths open.

An iterated staging of ignorance about the legacies is constitutive of Walter's ethical edge and in ensuring that his quest is never associated with monetary gain. He firmly contests Kyrle's assertion that 'the money question always enters into the law question' (454), the phrase with which the lawyer introduces his words about there being 'little hope [...] of recovering her [Laura's] fortune' (454). Hartright announces his lack of awareness in response to Kyrle's feeder line: 'You are of course aware—', using an indicative declaration to stop and silence the lawyer: 'I have never known anything about [Lady Glyde's affairs] in former times, and I know nothing of them now—except that her fortune is lost. [...] There shall be no money motive [...] no idea of personal advantage' (454). He proclaims his aim as to have her accepted in 'the house in which she was born', have her name erased from the tombstone and have Glyde and Fosco 'answer for their crime to ME'. (454). Walter will restate this desire to remain ignorant even following the restitution of Laura's identity, when at the novel's close, following her acceptance at Limmeridge, he speaks of 'Knowing, and desiring to know, nothing of those [Laura's] affairs (633). (There is a textual contradiction in the scene when Hartright reports his extraction of a confession from Fosco; he makes reference to Laura's £10, 000 life-interest inheritance that on her death will pass to Mme Fosco (that is, the women in turn stand to benefit from the proceeds that can be generated from the principal sum). If Walter is to achieve hero status, to display his greatness in more than the typeface majuscules 'ME', his quest needs be a 'redressing [of] an infamous wrong' unshackled from association with the retrieval of property rights from which he might benefit; instead it must be the apparently more innocuous task of reinstating Laura's identity. This is also portrayed

as the more challenging task: ‘Questions of identity’, Kyrle maintains, ‘.. are.. the hardest of all questions to settle’ and would cost ‘thousands instead of [...] hundreds’ (452).

The scene accordingly represents identity and property rights as separable, distinguishable elements, although the novel overall never settles on their precise relationship: they are always in flux. As Max Weber observed in his writings of the 1920s on law, the economy and society, despite the spread of market relations, inheritance remains based on an amalgam of long-established rights and obligations dependent on natural family relationships on the one hand and on the other, more modern, contract-like testamentary freedoms that proportionally increase with marketisation.²⁴ The contradictory and contested nature of this combination comes to a head at the novel’s close. The text cannot keep social identity/personhood apart from property rights, although this is what it seems to be trying to do at certain points with its dual task of charting one quest for property and another for identity, which may be traced to its desire to represent the social formation in which it was written and was intended to be read.²⁵ Inheritance rights were and still are determined by both ‘a legally recognised family relationship’ and ‘substantive freedom of testation’ to draw once again on Max Weber’s terminology.²⁶ This becomes crystal clear in the following inheritance cluster, in which Percival’s ‘Secret’ is divulged.

6. Dramatizing the insecurity of claims to property

The revelation of Percival’s ‘Secret’ constitutes the third and final element in what has been referred to as the basic repertoire of narrative components structuring the Collins novels under discussion, namely, the chain of events triggered by a contested claim of an inheritable property. Hartright and the reader following him are here firmly returned from an identity plotline to a property inheritance plotline, not the plot concerning Laura’s fortune but that which initiated it and, furthermore, one which fuses property with person. Attempting to fathom a secret that he and Marian thought of as a conundrum linked to the lower end of the social spectrum, that is, concerning the illegitimacy of Anne Catherick, a poor, weak-minded young woman from the servant class, Hartright uncovers a case of illegitimacy at the very opposite end of the socio-economic spectrum, concerning a man of estate and title: Percival Glyde has forged his parents’ names in a parish marriage register. The revelation, forcing together the property and identity plotlines, and unearthing a plotline in which the two (estate and

title) are inseparably bound, ruptures the earlier trend of keeping the narrative threads apart. Hence this inheritance cluster revolves not around the ‘what’ of the transfer, the value of the property concerned, and the title attached to it, but rather the ease with which property rights can be transferred fraudulently, specifically the machinery of transfer. This analysis touches on the wider debates about the security of the registers, and the way in which Collins reworks concern about the registers to shape his narrative.

Poorly kept and unreliable parish registers with inaccurate and erroneous entries, which could impede lawful property transfer had been a topic of concern for several decades by the time *The Woman in White* appeared. Indeed, a case of ‘false entry’ ‘false in three particulars’ in a parish register was in 1855 detailed in the *Leader*, the weekly to which Collins contributed reviews and essays prior to his engagement by Dickens.²⁷ ‘Altering a Parish Register’, which reports the court case addressing the matter, appeared on 10 March 1855, that is, during the time of Collins’s involvement with the ‘leftist’ weekly (between 1851 and 1856), and between his writing of *Hide and Seek* (1854) and *The Dead Secret* (1857); his next novel would be *The Woman in White*.²⁸ Several elements in the *Leader* report tally with the novel; first, the matter of a false entry in a register (in the novel Hartright uncovers a forged entry); second, the paper mentions punishment for felony (in the novel a key feature in Mrs Catherick’s testimony is her belated discovery that in abetting a forgery she had committed a capital crime); and third, a bribe ‘that paid the passage money to Australia’ of a young married couple (Marion’s earlier-mentioned bribe is sufficient to enable the asylum nurse to set up a business with her fiancé; the Australia theme surfaces in *No Name* where ‘the cost of a steerage passage to Australia for a man and his wife’ is how Magdalen rewards the maid who teaches her how to act as a parlour maid.²⁹

Household Words was also concerned with mismanaged parochial registers. This first took the form of a short piece, ‘The Destruction of Parish Registers’,³⁰ which was then followed by a series of another four articles, entitled ‘The Doom of English Wills’. These pieces likewise address the safe-keeping, or not, of important documents, in this case copies of wills held by the ecclesiastical authorities, dealing with Canterbury, York, Lichfield and Chester jurisdictions in turn. Although there are distinctive differences between the jurisdiction and size of a parish, which was directed to keep registers of baptisms, marriages and burials, and the nation’s 200 or more church courts, which registered wills, both administrative units were central to the

lawful transfer of property, and in ecclesiastical hands at the time *The Woman in White* is set,³¹ further, both had been charged, as is here shown, with gross maladministration.

Placing the vestry episode within the context of periodical and other debate about parish registers and probate records, the text reveals a historical resonance that has not yet been recognised.³² Not only does this mode of reading indicate associations that Collins would have presumed his readers to make but, more importantly, it throws light on how and the degree to which Collins re-shaped non-novelistic material to rework the formal properties of the novel. Connection between ‘Percival’s Secret’ of forgery in the registers and wider debate about the easy misappropriation of property at mid-century and the period leading up to it has been overshadowed by a literary critical concentration on the baronet’s illegitimacy, Laura’s property rights as a married woman and her loss of identity level were not fit for purpose. There was huge pressure for reform propelled by different interests. In his depiction of the register-holding vestry, Collins engineers his text to show a range of social levels; the common collective concern is placed side by side with disregard from the powerful at the heart of the metropolis.³³

This inheritance motif episode is distinctive for the protracted manner in which the secret is discovered. The revelation is more of a chain composed of links of overlapping information, often viewed from different perspectives, stretched out over a longer number of pages, and a far longer reading duration than any cluster yet accounted for. This emission of information in overlapping waves, or playing the story like a fugue, the same melody but in different keys, will become a hallmark feature of Collins’s novel writing, and it is forged here in *The Woman in White*, the second of the serialised novels.³⁴ In part this can be accounted for in terms of Collins’s cognisance of the serial publication reading experience, repetition as an aide memoire; but it is made to do more than this. In one instance, where in a different week reference is made to Percival’s parents living– and dying–abroad, there occurs an almost imperceptible accretion that is key to the impact and shock that comes with the revelation. A sense of the baronet’s background, which gives credibility to the conditions that gave rise to his fraudulent activity and which will prove to be so constitutive of his ‘Secret’ and the originating trigger to all subsequent events, is built up by this subtle, incremental series of imbricating semes. These don’t announce themselves as repetition because each time the reference is made by a different voice or focaliser, and hence, because each viewpoint comes with a different amount of

knowledge and awareness, in part related to their social position, in part relating to a particular relationship with Percival.

‘Percival’s Secret’, which incorporates the issue central to this inheritance cluster, that of Percival’s parentage, extends over six issues, from Week 30 (16 June 1860), when Hartright ‘master[s] all the information Marian could afford on the subject of Percival’s family’ (465) up to Week 36 (28 July 1860) the point at which, after Percival’s death, Hartright hears details about ‘the [lawful] heir to the [Blackwater Park] estate’ from a talkative local. Marian’s comment in Week 30 informs Walter of why Percival’s father, Felix, lived on the continent; not the frequent mid-nineteenth century reason of insolvency, but his deformity, his love of music, his radicalism (465-66). We can read this same as ironing out the problem of why this landed estate isn’t tied up in an entail (Felix ‘had no country tastes of any kind [...] no attachment to the estate (466)). It also gives a perspective on the Glydes that will be countered from a radically different class position by Mrs Catherick. This information about the Glydes’ status and property is in turn replayed in the following issue, Week 31 (23 June 1860), when Hartright speaks to Anne’s friend Mrs Clements, who recalls Percival coming from ‘foreign parts’ and ‘in mourning’ (477); but this detail, until read with hindsight, feels incidental, as in this episode the attention of Mrs Clements and her interlocutor, Hartright, is firmly on Mrs Catherick’s relationship with Percival, and the possibility that he is Anne’s father. The next issue, Week 32 (30 June 1860), Hartright meets Anne’s mother, Mrs Catherick, in a scene that prefigures the discovery of Percival’s illegitimacy and fraud, by means of yet another recapitulation of the parentage motif; this time it displays class-based contested meaning:

‘Sir Percival is a powerful a man —a baronet—the possessor of a fine estate—the descendent of a great family—’ [says Hartright]
She [...] suddenly burst out laughing.
‘Yes,’ she repeated, in tones of the bitterest, steadiest contempt. ‘A baronet—the possessor of a fine estate—the descendent of a great family. [...]’ (500)

Later, once Percival’s illegitimacy and fraud have been revealed, in yet another instance of Collins using the plotline to re-render the same story events, in Week 35 (21 July 1860) (an episode discussed in the following section of this chapter), Mrs Catherick will send Hartright a letter explaining her involvement in Percival’s scheme, a point at which the text is most explicit about forgery and fraud - and the difference in punishment between the present (the novel’s present of 1848 and the first readers’

present of 1859/60)—and the past, 1827, when forgery was still a capital offence. Again, Percival's parentage will be mentioned, this time in even greater detail, and from a different ethical and class position. Mrs Catherick is sympathetic to the illegitimate: 'I thought him hardly used. It was not his fault [his parents] were not married' (544). Accordingly, by placing the novel within a broader context of publication and events, it becomes possible to see a deep historical underpinning of narratological device that Gerard Genette terms 'repetition from different points of view', here the diverse and conflicting.

Repetition from different points of view is not the only way that Collins uses the plotline to re-render the same story events and represent a chorus of different voices in relation to the matter of the insecure registers; he also deploys embedded narrative, or quotation within quotation. Critical commentary rarely omits mentioning Collins's use of multiple narration but it is less forthcoming about the extent to which he employs it in the form of embedded rather than sequential narration. Too often critics have taken the novel's opening court-room scene metaphor at face value, including the directive that protagonist's testimony is 'given from their own knowledge' (5). As we shall see in the following chapter, on *No Name*, narrative embedding can be a crucial technical element in the novel's generation of concurring and well as contested meaning. A prime example of how Collins felicitously embeds narration to show consensus in *The Woman in White* occurs in Week 33 (7 July 1860). In this vestry episode it is deployed to render a sense of agreement about the importance of secure registers (such as we have seen earlier in discussion of non-fictional consideration of the registers). Hartright is driven to the church in Old Welmington by Mrs Catherick's reaction to the words 'the vestry of the church' (501) in the previous scene; the vestry depicted in a fashion that clearly imbricates with the debate detailed above, and in a fashion that exposes how Collins transmutes his materials so as to push at the boundaries of novelistic narrative form. Three factors in this episode bear elaboration: the characterisation of the clerk as garrulous; his embedded narration and the attributes of the vestry.

Whilst there is a logic to Collins's order: first, Hartright meets the parish clerk, the holder of the vestry keys; and subsequently, they enter the building, this sequence of events also enables the text to set off a chain of reference to and a series of examples of the clerk's garrulousness, and this has a broader narrative purpose. Not only will he be described as a 'loudly talkative old man' (507), which pairs with the phrases

‘chattering on’ (508), ‘the old man’s talkativeness’ (510), and Hartright’s resolution ‘to give the old man no more opportunities of talking’ (511) until he has finished examining the register, but there is a direct transcription of his flow: both are imperative for the operation of the text. They create a verbal clutter amidst which words and phrases can be hidden. For example, as the two men enter the building reference is made to the hampered lock, in a seemingly throwaway fashion, and as a dramatized element too (‘I’m obliged to bring you this way, sir [...] This is a perverse lock [...] I’ve mentioned that to the church warden fifty times over at least’ (508); the lock will later prove a key element in the plot. Likewise, he chatters on about ecclesiastical administrative negligence, about how nothing has happened to restore the building although:

Six gentlemen dined [...] made speeches, and passed resolutions, put their names down, and printed off thousands of prospectuses. Beautiful prospectuses, sir, all flourished over with Gothic devices in red ink [...] it ended in a dispute [...] The money dribbled in a little at first [...] and after that, there wasn’t a halfpenny left (508).

The account is strikingly like contemporary reports of bodies of men setting up fraudulent joint-stock companies, all fancy prospectuses and little else, an association, that foreshadows fraud and forgery that is about to be revealed. These are just two examples of the clerk’s elaborations. The lexical profusion of the passage - in terms of both Hartright’s depiction of the clerk’s speech and the represented speech itself, operates as a synecdoche of the cluttered, untidy chaotic vestry, which in turn stands for chaos of ecclesiastical governance, an account of which was given above.

Collins’s depiction of the church vestry with its ‘litter of dusty papers’ (508), ‘heavy and mouldy’ ‘atmosphere’ (508), backwardness and general dilapidation, blamed by the parish clerk —‘we’re in a lost corner – and this is an untidy vestry’, ‘Not like London – is it, sir?’ (509-510)—on a shortage of funds from London, repeats the very same concerns about ‘the abstraction, loss, and careless custody of registers [that] is constantly going on’ according to a barrister reported in a *Household Words* article a decade previously, in 1850, especially, with reference to official documents held outside the metropolis. The episode fully rehearses these concerns, voicing them in a matryoshka of concern about parish registers that is first shown as Hartright’s interior thought: ‘I was struck by the insecurity of the place’; second by his interrogation of the clerk: ‘Is that considered a sufficiently secure place for the register

[...] Surely, a book of such importance as this ought to be protected by a better lock, and kept carefully in an iron safe?’ (510); third by the parish clerk’s response: ‘Those were the very words my old master was always saying years and years ago’; and fourth through the clerk quoting his old master, “‘Why isn’t the register [...] kept in an iron safe.” If I’ve heard him say that once, I’ve heard him say it a hundred times’ (511). The parish clerk’s ramblings about the man at fourth remove, the vestry clerk, convey how as a solicitor the latter was concerned with due process, he ‘kept a copy of this book, in his office in Knowlesbury’, and ‘had it posted up regular [...] with the fresh entries here’ (511), an act which proves crucial to the narrative; it is here in the Knowlesbury office that Hartright discovers ‘a blank space’ where there is an entry in the parish marriage register. This method of narrating a quotation within quotation gives a firm sense of general consensus about the importance of register security. The passage about a London enterprise purportedly concerned with renovation, but coming to nothing, suggests in addition to commercial ventures, dissatisfaction with both ecclesiastic and government process too.

Criticism has focused overwhelmingly on Percival’s illegitimacy. However, as scrutiny of this inheritance episode shows, the novel pays as much attention to the (easy) usurpation of property as much as position: ‘he was not Sir Percival Glyde at all, [...] he had no more claim to the baronetcy and to Blackwater Park than the poorest labourer who worked on the estate’ (592). That this bringing together of both ends of the social spectrum, will be repeated, word for word in *No Name* indicates that it merits more extensive consideration, and that needs to be placed within a broader context of writings about inequitable property distribution, and legitimising and contesting property claims at the time. Hartright’s description of the vestry, lined with ‘heavy wooden presses, worm-eaten and gaping with age’ (508) and scattered ‘a litter of dusty papers’ (508), resonates with the phrasing used by Burn, Bruce, Wills and Dickens in the contemporary register debate outlined above, and the easy loss of rightful claims.³⁵ Mention has been made of how ‘The Destruction of Parish Registers’ in *Household Words* on 6 July 1850 cites Bruce in having registers ‘in a damp place under the staircase, and in a shameful state of dilapidation’; ‘among a quantity of wastepaper in a cheesemonger’s shop’, used ‘to singe a goose’; ‘in a tattered state, behind some drawers in the curate’s back kitchen’; ‘their scattered leaves at the bottom of an old parish chest’³⁶ Verbal echoes show this particular inheritance cluster is inextricable from longstanding and more wide-ranging concern with far deeper reaching diversion

of claims to and rights in assets than that involved in Percival's long undiscovered felony.

The next point at which inheritance matters relating to Glyde are mentioned occurs in Hartright's (retrospective) report after the first day of the inquest into Glyde's death (he has been burned alive in the vestry during an attempt to destroy evidence of his forgery; a knocked over candle consuming the 'litter of dusty papers' and a hampered lock preventing his escape). As Hartright ruminates on what he would have done with his knowledge had Glyde not been killed, he wonders whether he would have kept quiet about it in exchange for a confession about the conspiracy that swapped Anne for Laura, or whether he would have put property rights above Laura. Stating his belief that 'the robbery of the right of others was the essence of Sir Percival's crime' (539), Hartright distances himself and is distanced from Glyde and his criminal behaviour as he reflects and concludes: 'Could I [...] keep the right heir from the estates, and the right owner from the name. Impossible [...] In common honesty and in common honour I must have gone at once to the stranger whose birth right had been usurped' (539). The plot is arranged to keep Hartright from facing any such moral dilemmas.

7. Mrs Catherick's part in the fraud: class perspectives

During the inquest adjournment Hartright receives a letter from Mrs Catherick, no longer obliged to keep 'the Secret'. This endows the matter of responsibility and motivation for the fraudulent transfer of the Glyde estate with further depth. The letter relates the extent of her knowledge and involvement, thereby throwing retrospective light, from a different socio-economic position, onto gentlewoman Marian's earlier voiced complaint about legal ignorance: 'If I had known what the law considered the crime to be, and how the law punished it,' writes Mrs Catherick, 'I should have taken proper care of myself, and have exposed him then and there. But I knew nothing' (542); this is later repeated 'He had practiced on my ignorance' (545). The serious consequence of her ignorance is spelled out: 'He owned [...] what the frightful punishment really was for his offence, and for anyone who helped him commit it. [...] In those days [...] Murderers were not the only people liable to be hanged' (545). We learn that unaware of the capital nature of her crime, she had pitied his illegitimacy, showing a class-based sympathy for another member of the dispossessed: 'I thought him hardly used. It was not his fault that his parents were not married; and it was not

his father's and mother's fault either' (544)) and thus allowed him to access the vestry, to falsify his parents' marriage entry and thereby claim his father's estate and title. Thus the false entry and its later destruction, along with the perpetrator, in the vestry fire, can in part be traced back to Catherick's complex of motivations (these are given far more attention than Felix Glyde's failure to provide for his natural son). That said, it is worth noting the point made in the letter that Percival's 'first notion was only to tear the leaf out (on the right year and month), to destroy it privately [...] nobody could say his [parents] had not been married after that' (544). This well could have been Collins's 'first notion', changed in the light of all the discussion and evidence about forgery in cases of fraud. The text whilst keen to represent Mrs Catherick as a materially motivated woman willing to sell her services for trinkets, who nurses her dying sister not out of compassion but with an eye to a legacy, also shows her motivation as more complex than is generally recognised as part of a broader picture of just and unjust property rights.

Having dealt with how Felix Glyde's property came into the hands of his illegitimate son and what instruments were used to channel it, the novel turns to the rightful settlement of the landed estate in Hampshire. Hartright fortuitously shares a cab with a garrulous local keen to chat about the big local event; the (rare) free indirect discourse in which the passage is recounted consists of Hartright speaking the local's words (words that link back to Bruce's assertion that ill-kept registers threaten the right of British subjects in the colonies):

He had died without leaving a will, and had no personal property to bequeath, even if he had made one; the whole fortune which he had derived from his wife having been swallowed up by his creditors. The heir to the estate (Sir Percival having left no issue) was the son of Sir Felix Glyde's first cousin — an officer in command of an East Indiaman. He would find his unexpected inheritance sadly encumbered but the property would recover with time; and, if 'the captain was careful, he might be a rich man yet, before he died.' (556)

The words that follow, in Hartright's own voice, display more concern with the just restoration of property rights:

The heir whose rights he had usurped was the heir who would now have the estate. The income from it, for the last three-and-twenty years, which should properly have been his, and which the dead man had squandered to the last farthing, was gone beyond recall. (556)

Between this chain of motifs about Blackwater and the baronetcy, and the final instance of property transfer, which concern Limmeridge, one more mention is again made of the £10,000 legacy. This, as has been pointed out, involves the text contradicting itself about Hartright's ignorance of Laura's fortune. When Hartright goes to see Fosco for a 'full confession of the conspiracy' including the date on which she left Blackwater for London (605), his words do not tally with his earlier and later claims to know nothing about the money. 'You are guilty', he accuses Fosco, 'of an infamous conspiracy. And the gain of a fortune of ten thousand pounds was your motive for it' (604) to which the Italian, fully in character as the man with superior knowledge of the English law to the English, replies: 'Gently, Mr Hartright. Your moral clap-traps have an excellent effect in England—keep them for yourself and your own countrymen, if you please. The ten thousand pounds was a legacy left to my excellent wife by the late Mr Fairlie' (604). The confession Fosco pens iterates debt as the motivation for the conspiracy: 'Large sums of money, due at a certain time were wanted by Percival (I say nothing of the modicum equally necessary to myself); and the one source to look to for supplying them was the fortune of his wife' (615). However, no indication is ever given regarding what Percival and Fosco were borrowing for.

8. The Limmeridge estate: land values

The final inheritance cluster, which brings the novel to a close, includes the inheritance element that has given rise to most critical debate, notably the words: 'Mr Walter Hartright—the *Heir of Limmeridge*'. Representative is the observation made by Ayelet Ben-Yishai in his discussion of legal precedent and Victorian fiction that 'the sentence as it is structured could be taken as an introduction of Walter *as* the Heir of Limmeridge'.³⁷ Yet rarely is this inheritance element on the final page of the novel discussed in relation to the preceding clusters of inheritance motifs to which it stands in marked contrast. Compared to the monetary terms in which the novel's formative structuring inheritance thread was couched (Laura's £20,000 possibly £30,000 inheritance), the Limmeridge estate conjures up different, longer established social formations, composed of a fusion of residual historical property relations and the legal instruments to effect them, awareness of which has often come down to us via

established literary genres and narrative plot lines. The very nearly closing words of the novel, announced by Marian as she passes Hartright his infant son: ‘Mr Walter Hartright—*the Heir of Limmeridge*’ (643) have been mined for their ambiguity and predominantly linked to married women’s property rights, and campaigns to secure them, during the mid-nineteenth century, with various interpretations. It has been suggested both that this indicates that Walter takes possession of the estate, or alternatively that Walter takes possession on behalf of his son; either way it shows him as little better than Glyde. If one returns to the lawyer’s account of Laura’s inheritance in cluster two, it is possible to glean legal technicalities that establish that it is young Walter who is the heir, not the drawing master his father; that the estate must be held by trustees until he comes of age; that he is an heir apparent, that is, someone who cannot be displaced by anyone else from his position in the line of inheritance, in contrast to the heir presumptive position that Laura occupied prior to her uncle’s death; had Frederick Fairlie produced a legitimate issue the estate would have passed to that person. But it is not these details that are important here. The novel appears to have changed tack. What therefore does warrant attention is precisely the absence at this moment in the narrative of that earlier type of detail about property and property law, which has characterised the novel up to this point.

In contrast to what has gone earlier, the final pages of the text are markedly reticent about matters of property and the law, at least in any modern form that advances notions of freedom to determine what happens to one’s property after one’s death, one characterised by papers, documents, signatories and attestors. This is the type of transfer identified by J.S. Mill as a defining characteristic of property per se: ‘This institution of property [...] consists in the recognition, in each person, of a right to the exclusive disposal of what he or she have produced by their own exertions, or received whether by gift or by fair agreement, without force or fraud from those who produced it’.³⁸ *Limmeridge* does not fall into this category of property transfer type. It is an entailed estate; transfer is predetermined. But it would be a mistake to simplistically think this opposed to the development of modern capital forms. The role entail played in the amassment of capital in the form of land, the great enclosure movement of the eighteenth-century, a crucial stage on the path to England’s free trade capitalist relations, and the imprint it left on the novel, will be explored in a later chapter. Weber noted the symbiotic relationship between different capital forms in England: ‘In English law freedom of testation aimed at the stabilisation of the fortunes

of the great families, *which was also served by the very opposite institutions* of landed investment, primogeniture, and strict settlement [entail]' (my emphasis) (137) Hence at the end of *The Woman in White*, attention focuses not on choosing an heir, but instead on the activity of filling the preordained position of heir, and this too occurs in a pre-modern fashion, with dramatized gesture, in ritual enactment, as though a shift in historical time has occurred, away from the modern world of wills, contract-like testation, documentation and back to another age, one that evokes country estates and the relationships found in Jonson's country house poem *To Penhurst*. The ideological tension this bespeaks will be explored in more detail later. In the very final section of the novel, named (in volume edition) 'The Story concluded by Walter Hartright', Hartright, Marian, Laura Kyrle and the fly-driver arrive at Limmeridge to prove Laura's personhood in a scene that is void of detail about legal and property matters as we have been shown it so far. The closest the text comes to such is when Walter offers Frederick Fairlie the choice of 'doing his niece justice on my terms' (632), namely, recognising his niece by means of the collected evidence or 'facing the consequences of a public assertion of her existence in a court of law' (632): this encounter and its terms delineate these two different approaches to determining property rights. With Frederick Fairlie always choosing the easiest path, that of having a quiet life, Laura's regaining of her personhood is shown to depend on the very same quality as that which led to its loss in the first place, that is, the uncle takes the easy option: a case of narrative symmetry too neat to be credible. A relationship between uncle and niece or nephew that acts as a catalyst of narrative events is repeated in each of the four novels under consideration and later will be assessed as a marker of a shift from pre-modern to modern social formations. Just as Frederick Fairlie had earlier agreed to the terms in Merriman's draft of the marriage settlement, so too he accedes to Walter's narrative of events that is required to verify Laura's identity. Once this is secured, an echo of cheers from the tenants on the Limmeridge estate and servants in the house enact a ritual reclamation of status that delineates a world anachronistic to anything experienced in the preceding several hundred pages; and even the erasure of the tombstone inscription, which before had been associated with the erroneous death certificate takes the form of a communal rural landed drama: 'the throng of villagers collected around the grave [...] not a voice was heard – not a soul moved, till those three words 'Laura, Lady Glyde' had vanished from sight'(635). A similar residual cultural form haunts the very closing scene too, as Marian makes reference to the

‘landed gentry of England’ and ‘*the Heir of Limmeridge*’ phrases that evoke the traditional novel of courtship, and generate association with the recent best seller that Collins detested, Charlotte Younger’s conservative High-Church romance *The Heir of Redclyffe* (1853), about which he wrote a very negative review.³⁹

Conclusion

The abstraction of inheritance elements undertaken in this chapter has explored the construction and the working mechanism of *The Woman in White* by thinking of plot as, to employ Tomashevsky’s terms, an: ‘aggregate of ... motif[s]’.⁴⁰ It has sought to demonstrate how overall plot and constitutive motifs alike appeal to the ‘general culture concerns’ of the readers Collins was addressing, pointing to topical inheritance matters that appeared in the press and parliament to show how these were reworked into a matter of ‘literary interest’.⁴¹ It has been shown that the legal and property related matters of the day given a high profile in the novel were not confined to the issue of married women’s property rights but embraced issues that affected men as well as women and the non- and small-property owning as well. It has endeavoured to show that documentation and registration was a central element in broader debates about the security of property rights and just and lawful property distribution.

Whilst the plot of the novel is open to being read as a marriage plot, this chapter has argued that viewing the novel through the optic of inheritance rather than or in addition to courtship enables us to better apprehend its deep underlying structure, a structure built on a repertoire which, it will be argued in subsequent chapters, reappears in later novels. *The Woman in White* displays a heightened sensitivity to contemporary debate about property transmitted by inheritance, and this chapter has shown the range of sites and debates the novel draws on this to radically rewrite established property plotlines.

It was earlier pointed out how literary criticism has generally approached property within the novel as a legal matter rather than one of distributive justice, ownership and class relations. This chapter has adopted an angle of analysis that enables us to see how Collins’s inheritance plotting draws on and opens out to a large number of property issues many of which not only shaped the lives of his contemporaries but those reading his texts later too. As the above abstraction of inheritance elements in *The Woman in White* has sought to show, this novel displays

a heightened sensitivity to contemporary debate about property transmitted by inheritance, drawing on this to radically rewrite established property plotlines. Excessive concentration on the closing scene has occluded recognition of a dense network of reference to inheritable property that gives primary structure to the novel.

Notes

¹ References to novel are to the OUP World's Classics (1996) edition, edited by John Sutherland. This edition offers the clearest indication of the difference between the 1861 'New Edition' text, on which it is based, and the first version, serialised over 40 weeks, between 26 Nov 1859-25 Aug 2 1860 in *All the Year Round*.

² £20,000 would be worth c. £860,000 today and £10,000, £430,000, thus Laura's 'total monetary value' is £1,290,000. I have calculated today's equivalents for mid-Victorian sums throughout this thesis using the National Archives' currency convertor which calculates one pound sterling in 1860 as £43.16 at 2005 rates. Hence, I multiply figures in the novels by 43. <<http://www.nationalarchives.gov.uk/currency/results.asp#mid>> [Accessed 7 June 2016]

³ John Reed associates inheritance with the 'eternal reward' of religious salvation rather than secular provision in *Victorian Conventions* (Ohio: Ohio University Press, 1975), p.287.

⁴ Peter Brooks, *Reading for the Plot: Design and Intention in Narrative* (1984), (London: Harvard University Press, 1992).

⁵ The term parchment, processed animal skin, is used as a synecdoche for a document of importance, as traditionally, for reason of its longevity, this was used in preference to paper to ensure preservation. The topicality of such terms becomes evident in section six of this chapter, which addresses the matter of insecure document keeping and preservation. See the article by Edward Whitaker, documenting the history of baptismal/birth, marriage and burial/death registration, which describes the seventeenth-century registrar's obligation to 'make his entries in volumes "of good vellum or parchment"' Edward Whitaker [Unsigned], 'The Story of the Registers', *Cornhill*, Sept.1879, pp.317-331, p.319.

⁶ 'Very Common Law' [Unsigned], *All the Year Round*, 2 June 1860, pp.180-184 and 'The Very Last of Very Common Law' [Unsigned], *All the Year Round*, 7 July 1860, pp.303-306. The quote comes from the June article p. 182.

⁷ Samuel Smiles, *Thrift* (1875) (London: John Murray, 1886), p.111 and p.113.

⁸ See E. P. Thompson *The Making of the English Working Class* (1963) (Harmondsworth: Penguin, 1980), p. 455. Note too that life insurance was also related to the long-established mutuality of independent artisans and tradesmen.

⁹ See historian Cynthia Curran on the Commons' Select Committee on Income Tax in 1861 which noted that only very few men at the top of their professions 'ever made enough to be able to insure their lives for a worthwhile amount.' p.220 in 'Private Women, Public Needs, Middle-Class Widows in Victorian England' *Albion* 25:2 (1993), pp.217-236.

¹⁰ When he, Marion and Laura are living in obscurity in 'a populous and a poor neighbourhood' (p.420) in London, to hide from Glyde and Fosco, Walter reports how he relies on a fellow artist for support: a friend whom I had known in former times -- a wood engraver, in large practice'- (p.441).

¹¹ Thompson, *Making*, p.460

¹² Sue Lonoff, *Wilkie Collins and His Victorian Readers: A Study in the Rhetoric of Authorship* (New York: AMS Press, 1982), p.93.

¹³ With the expansion of the penny and wider periodical press illustrators could earn well. See Marianne Van Remoortel's study, *Women, Work and the Victorian Periodical: Living by the Press* (Basingstoke: Palgrave Macmillan, 2015), p.111.

¹⁴ Note that when Frith's *Derby Day* (1856-58) was sent to Australia, the *Melbourne Age* reported on its sales and copyright values. It exaggerated, reports Andrew Montana, but no doubt the figures pulled the crowds.'From The Royal Academy to a Hotel in Kapunda: The

Tour of William Powell Frith's *Derby Day* in Colonial Australia', *Art History* 31, (2008), pp. 754–785, p.759.

¹⁵ See Tim Dolin 'Collins's Career and the Visual Arts' in *The Cambridge Companion to Wilkie Collins*, ed. by Jenny Bourne Taylor (Cambridge: Cambridge University Press, 2006), pp.7-22, which considers the world of illustrators and which ranges from the phenomenally popular work of William Frith to a reminder of the novelist's 'first-hand knowledge of the financial insecurity to which artists were always vulnerable' p. 20.

¹⁶ Of the novel's six hundred and forty-three in the edition used here.

¹⁷ Little mention is made of the marriage settlement in *Household Words and All the Year Round*, although it is used in both *The Woman in White* and *No Name*.

¹⁸ The lawyer tells of events that have occurred and are completed. The past perfect denotes something in the past (the past tense) which is a completed event or state (the perfect aspect). However, he is describing an episode in the past at which he explained to his client probable, possible and contingent outcomes (hence the future and the conditional mood).

¹⁹ £129,000 p.a. today.

²⁰ £860,000 p.a. at today's prices.

²¹ For example, Catherine O. Frank's 'Fictions of Justice: Testamentary Intention and the (Il)legitimate Heir in Trollope's *Ralph the Heir* and Forster's *Howard's End*', in *English Literature in Transition 1880-1920*, Summer, 2004, 47:3, pp.311- 331; *Law, Literature, and the Transmission of Culture in England 1837-1925* (Farnham: Ashgate, 2010).

²² Gilmore gives his account of the conditions of Laura's inheritance in Week 3 of the serialised novel, on 21 Jan 1860; Marian hears the men conspire in Week 21 of the serial, on 14 April 1860.

²³ The sums that Marian and Walter bring to fund their quest of restoring Laura's identity are larger than the average middle-class annual income according to figures presented by historian Cynthia Curran; she cites scholarship showing the average to be less than £160 p.a. Curran also cites contemporary publications stating that between £150-200 p.a. was the minimum that a respectable person could live off. p.219.

²⁴ Max Weber, *Max Weber on Law in Economy and Society*, ed. by Max Rheinstein (Cambridge Mass.: Harvard University Press, 1954) pp.100-101.

²⁵ Property rights would become a central element in liberal hegemony, which with Gladstone as Chancellor of the Exchequer was consolidating at the time Collins wrote this novel, at the same time as the liberal ethos was nominally critical of oligarchy and promoted the notion of the self-made man. See Anthony Howe, 'Free Trade and Its Enemies', in *The Victorian World*, ed. by Martin Hewitt (London: Routledge, 2012), pp.108-124.

²⁶ Weber p.101 and p.137.

²⁷ This is examined in detail in my forthcoming article 'The Woman in White's Vestry Episodes: Reworking Journalism as Novelistic Discourse', *The Wilkie Collins Journal*, 2019 (forthcoming).

'Altering a Parish Register' reported the full court case and verdict, *The Leader and Saturday Analyst* 10 March 1855, p. 226. All page references are to this report. The pre-trial event was reported in 'Illegal Marriages' in *Leader* on 28 October 1854, p.1016. Earlier in the year that *The Woman in White* was published, the *Leader* carried a report about a complex case of false identity, bigamy, intestacy and unlawful possession that rests on a discovery of a marriage certificate that proves the widow is not the intestate husband's wife, and therefore not entitled to his estate. There is overlap between this report and elements of *No Name*. See 'A Real Romance' [Unsigned], *Leader*, 29 January 1859, p.148.

²⁸ For details about Collins's involvement with the paper see Kirk H. Beetz, 'Wilkie Collins and *The Leader*', *Victorian Periodicals Review* 15:1 (Spring 1982), 20-29.

²⁹ Wilkie Collins, *No Name* (Oxford: Oxford University Press, 1986), p.449.

³⁰ W. H. Wills [Unsigned], 'Chips: Destruction of Parish Registers', *Household Words*, 6 July 1850, p.351.

³¹ 'Not everyone left a will and not all wills needed to be proved by a court. Most people who left a will used the appropriate church court. [...] Until 1858 there were more than 200 church courts each of which kept separate registers of wills – there was no central index' National Archives <http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/wills-or-administrations-before-1858/>

³² Probate is the process of administering the personalty of the deceased. Up until 1858, before civil authorities took charge, if someone died leaving personal property of worth, the person directed to deal with their estate post mortem, the executor, had to apply to a church court to deal with these assets, that is, to 'administer the estate'.

³³ Philippa Levine has observed that the new Public Record Office Act of 1838 (1 & 2 Vict. c. 94) was solely concerned with metropolitan and national records and not arrangements concerning the populace in the provinces and parochial issues. Further, it would not be until 1852 that the public were able to gain access to the Office; and the older records remained kept at parish level. 'History in the Archives: The Public Record Office and Its Staff, 1838-1886', *The English Historical Review* 101:398 (Jan. 1986), pp.20-41

³⁴ The first was *The Dead Secret*, published first in *Household Words* in 1857.

³⁵ See Bruce, William Downing, *A Letter Addressed to Monckton Milnes, Esq., MP on the Condition and Unsafe State of Ancient Parochial Registers in England and the Colonies* (London: James Ridgway, 1850); *An Account of the Present Deplorable State of the Ecclesiastical Courts of Record with Proposals for their Complete Reformation* (London: Henry Adams, 1854); *How the Ecclesiastic Courts Rob the Public: with Proposals for their Reformation* (London: Henry Adams, 1856); John Southerden Burn, *The History of Parish Registers in England* (London: Edward Suter, 1829).

³⁶ Cited in *Cornhill Magazine* Whitaker, (1879).

³⁷ Ayelet Ben Yishai, *Common Precedents: The Presentness of the Past in Victorian Law and Fiction* (Oxford: Oxford University Press, 2013), p. 163.

³⁸ J. S. Mill, *Principles of Political Economy*, (1848-71) (Oxford: Oxford University Press: 1994), p.25.

³⁹ Nicholas Rance, *Wilkie Collins and other Sensation Novelists: Walking the Moral Hospital* (London: Macmillan, 1991), p.46.

⁴⁰ Tomashevsky, p. 68.

⁴¹ *Ibid*, p.63-64.

Chapter Three: *No Name*

Introduction

No Name is structured by an inheritance ‘plot’ trajectory that consists of an eighteen-year-old woman’s breathtakingly high-risk crusade to gain possession of the assets that her father, Andrew Vanstone, has unsuccessfully assigned his children. The monetary value of £80,000 that Magdalen pursues to realise her father’s testamentary intentions is derived from ‘a fortune [he] invested in excellent securities’ (87) combined with money raised from his estranged brother’s sale of ‘the Combe-Raven property’ (177), the family home in which Andrew had happily lived with his daughters and their mother. Much loved sisters Magdalen and Norah Vanstone are left penniless following their parents’ sudden deaths. Their father, who had immediately formalised his union with their mother on the death of his disreputable, fortune-hunting first wife, has failed to realise two things: that marriage invalidates any earlier will and that it does not legitimise a couple’s offspring. Thus the property intended for the girls is conveyed by the rules of intestacy to their long-estranged uncle Michael and, on his death, to two cousins in turn, Noel Vanstone, Michael’s son, and George Bartram, the son of Andrew’s late and estranged sister. Magdalen is determined to share possession of the fortune with her sister as their father intended. She keeps next to ‘her bosom a tiny white silk bag [...] in which she had put the extracts [from her father’s final letter to his lawyer]’; ‘“This tells me in his own words what his last wishes were for both of us”, she said, “and this is all I want for the future” ’ (122). To realise these wishes she teams up with the rascally but endearing conman, Captain Wragge (a very distant kinsman-by-marriage of her mother), donning a series of disguises to wheedle herself into a relationship with each of the heirs in succession (first as housekeeper, then as wife, next as housemaid). In spite of this, in the end, and after the property has in less than two years coursed through the hands of four heirs, it appears that she has lost all chance of gaining possession. However, her sister Norah discovers a hidden letter, which takes the form of a ‘secret Trust’ attached to the most recent will and which imposes conditions that have not been met. Magdalen thereby finds she has by default a claim to the assets, and is entitled to absolute possession of half the original sum. She nevertheless tears up the letter as it conveys the property to her as Noel’s widow rather than as Andrew’s daughter. In thus destroying the legal

instrument that gives her her claim, all the property is left in the hands of Norah's husband.

Thus summarized the novel sounds very different from *The Woman in White*. This was precisely Collins's intention. In a letter dated July 1861, he told his mother that Dickens, and in turn *All the Year Round*'s office manager, sub-editor and part owner W. H. Wills, had responded very positively to the novel's ground-plan, adding: 'I think I can hold the public fast with an interest quite as strong as in *The Woman in White*, and with a totally different story' [my emphasis].¹ Sixteen months later he would reiterate his claim of 'following a new course' by prefacing the volume edition of the novel with the assertion that it was based on 'a plan [...] which differs from the plan followed in my last novel', revealing its secret – the parents' extremely belated marriage —'mid-way in the first volume' (xxxvi). Tacitly, nevertheless, the preface signals a connection with the earlier work by employing the same majuscule S for 'Secret' ('The only Secret contained in this book ...') that had been used in *The Woman in White* (xxxvi). In this earlier novel 'the Secret' had been the plot's primary bridge between the world within the text and that without, and thus spoken of and pursued by both protagonists and readers alike: the Secret was the key element of that novel's narrative drive, forwarding the plot to the denouement. Accordingly, alternative rhetorical devices needed to be found to retain audience interest in the face of early disclosure of the secret in *No Name*. The potential perils of early disclosure would have come home to Collins through familiarity with Trollope's *Orley Farm*, which revealed its mystery too soon. Collins, aware of what piqued his readers' fancies, along with the importance of sales, reassured his audience that his new 'design' would 'rouse the reader's interest' as much as the last (xxxvi).

It will be argued in this chapter that this arousing of interest is primarily effected through the deployment of carefully-arranged references to inheritance, each of which modifies the meaning indicated in and suggested by the previous instance, the significance of inheritance growing ever more dense, complex and multifaceted as the novel progresses. This plays with and draws on the reader's knowledge of debates about property and its transfer in its course, above all in relation to the recently reformed process of will writing and the phenomenon of 'the trust' (an arrangement whereby one or persons —the trustee—holds and administers property on behalf of another/others—the beneficiary). Intra-textually, the novel is built out of four tightly interwoven inheritance plots that each runs practically the whole length of the novel.

The principal narrative seam, the tale of the Vanstone fortune summarised above, is interlaced by three inheritance subplots that alternately trigger and resolve events in the main plotline; and at the novel's heart, a cut-throat contest interweaves the thread of orphaned Magdalen with that of the widowed housekeeper Lecount. The women compete with each other for a sum of money which has been lost to them because their potential benefactors have died intestate but to which each feels entitled. Driving us through to the novel's end is a desire to discover not a secret but rather the outcome of their contest, to find out whether Magdalen will be allowed to accomplish her mission. The nuances of the final convoluted loops in the Combe-Raven property's path, briefly sketched in this chapter's opening paragraph, concerning a secret trust, and including the question of who has agency, when and why, have attracted little attention, with the result that critical commentary remains unclear about what precisely takes place at the end of the novel. By locating the text within broader mid-century practice of and debate about property transfer, the examination undertaken in this chapter seeks to remedy and account for this literary critical confusion and avoidance. Analysis of the novel's representations of attempts to transfer through wills and trusts show that its vitality primarily resides in Collins's ability to set contending definitions of inheritance against each other, to show how far meaning can be stretched, how far meanings can overlap and where they depart from, conflict with or contradict each other. As such, this challenges the dominant reading of *No Name*, which has focused on married women's property rights. For example, Lyn Pykett writes that, alongside *The Woman in White*, '[it] response[d] to the debates about the Divorce and Matrimonial Causes Act of 1857 and the defeated Married Women's property bill of 1856.'²

At the core of *No Name* lies a contest over different understandings of rightful inheritance. The divergent interpretations staged include the legally binding, and in this case enacted, definition, which has Andrew Vanstone's property descend to his next-of-kin as governed by the new Wills Act 1837 (1 Vict. c.26) and the law of intestacy (technically the 1670 Statutes of Distribution 22 & 23 Car 2 c 10). Another facet of inheritance shows it as free testimony disposition. This is what Andrew intends, and what Noel effects; however, both men mess up and fail to direct the property in keeping with their intention. Michael Vanstone conceives of the fortune that comes his way from his estranged brother, Andrew's intestacy, in terms of 'Providential interposition' (110). Inheritance also serves as revenge, the very opposite

to inheritance as the recommended benign provision for dependents. The late Andrew Vanstone's lawyer tells Miss Garth, the Vanstone girls' governess, about the 'vindictive will' (89) of Mr Vanstone the elder, the instrument that alienates Andrew's siblings Selina and Michael, with serious repercussions for Andrew's daughters. (The 'vindictive will' is picked up and developed in *The Moonstone*.) Inheritance is also depicted as sign of love and care, and duty, as is evident in Andrew's bequest to his daughters. We learn of this as Magdalen reads her father's final letter of instruction to lawyer Pendril, a document that recurs from one week's instalment to the next as Magdalen touches the small silk bag around her neck that contains a copy of these words. Inheritance also appears as an annuity or pension, in the form of the reward for service that Mrs Lecount hopes for and finally negotiates. A more open-handed mode of gift legacy, one that serves as a sign of friendship rather than obligation, is the inheritance Mrs Wragge receives from a female friend. It is this that lures Captain Wragge into a mercenary marriage. As such he, together with Frank Clare, who likewise marries for money, think of inheritance as a commercial opportunity and a way of avoiding work. Inheritance is also shown to be an opportunity to display magnanimity. Mrs Lecount leaves public bequests to scholars and orphans. Finally, inheritance is shown as a means of securing hegemony among the governing class. As a younger son of a landed family, with a legacy of negligible monetary value, Mr Clare thinks of himself as 'a pauper with a pedigree' and calls on his family connections to advance his son Frank. Each protagonist deploys their own definition of rightful inheritance in their respective struggle to make their way through life.

By following each of the four lines through in turn, tracing these various usages in dialogic action, we will see the text's highly sensitive and aware registration of the mid-nineteenth century contest in Britain over the meaning of property rights, forms and transfer. *No Name* generates curiosity, anticipation and suspense by playing with its readers' (extra-textual) knowledge and ignorance of the law pertaining to inheritance, in particular the law relating to will writing and trusts.³ This narrative operation draws on and animates broader concerns precipitated by the general upheaval in property types and relations and questions of property transfer that preoccupied inhabitants of mid-nineteenth century Britain. These changes impacted on the lives of all, from the great landowners and financiers down to those who owned nothing but the labour they had to sell. Each interest group might have used the same terms, such as 'property', 'inheritance', 'money', 'share' and so on, but each word and

phrase would have for each interest group been variously inflected by actual and potential reform, as each sought to defend and advance their interests from a different vantage point shaped by a different history and drawn by a different image of future history.

Exploring these intrinsic and extrinsic aspects, this chapter seeks to demonstrate that Collins was justified in claiming that ‘In trying [...] new ground, I am not turning my back in doubt on the ground which I have passed over already.’(xxxvi). *No Name* features the very same three elements of the inheritance plot repertoire (‘map’, ‘divergence’, and ‘trigger’) described in earlier chapters, and in the very same sequence, and like *The Woman in White* assumes its audiences’ latent familiarity with the law, their awareness that it was in the process of rapid reform, that it was uncertain, shifting and complex; and it plays with this indeterminacy— whilst at the same time offering novelty. Collins’s *modus operandi* in this novel, and arguably in others, is crystallised in a paratactic sentence towards the end of the preface, where he juxtaposes his desire ‘to enlarge the range of my studies in the art of writing fiction’ with that of ‘appeal[ing] to the reader’ (xxxvi). Careful attention to where *No Name* repeats elements and where it differs, and recognition of the broader socio-economic currents and events that shaped their inclusion allow us to build a sense of the currents shifting literary form and the place of the novel (as a genre and in this instance) in hegemony-securing consent and in counter-hegemonic critique. The subsequent sections of this chapter discuss the above-outlined issues starting with a discussion of Collins’s overall orchestration of the multiple inheritance plotline. Discussion then moves on to analysis of the main, Vanstone property plotline, before analysing the three supporting plotlines.

1. The four inheritance plotlines

No Name has double the previous novel’s number of inheritance references. Its alternating repetition of inheritance-linked names, Wragge, Clare, Vanstone and Lecount—each attached to given properties and different modes of possession—bespeaks the underlying logic of the novel’s plot structure, the pattern of its interlaced narrative fabric. There is a structural intricacy here which has not yet been fully recognised and accounted for. It is easy to concur with the early Collins biographer Kenneth Robinson that *No Name* remains ‘the most unjustly neglected of all Collins’ novels’, but once its sophisticated and intricate structuring of plot has been recognised,

it is difficult to see it as he does, that is, as ‘an example of plain, straight forward storytelling at its best’.⁴ *Pace* Robinson, I contend instead that the novel is a highly orchestrated structure of many voices, perspectives that overlap at some points and diverge at others. Paradoxically, the invisibility of Collins’s coordination and management of such a broad range of perspectives might well be due to his skill in handling multiple, embedded discourse. Vocalisers and focalisers operate so smoothly within the narratological equivalent of a Versailles hall of mirrors, that they remain unapprehended; close textual attention to the narratological aspects of Collins’s storytelling reveals that free indirect discourse is deployed with finesse and that a high degree of text is, to use Bakhtin’s notion, ‘within quotation marks’.⁵ It is this that allows Collins to handle complex analeptic and proleptic shifts, and economically concertina time and space with his deft management of embedded narration, as will be seen in discussion of the Clare family inheritance. The immediately practical advantage of Collins’s sophisticated orchestration of narrative perspectives was observed in the chapter on *The Woman in White*, and will be elaborated in discussion here and on *Armadale* and *The Moonstone* too in respect of serialised narrative; here multiple narratives and focalisers serve as an aide-memoire; information can be conveyed several times, by various narrators. The outcome of characters retelling from a slightly different vantage points is the building of a complex nuanced sense of inheritance.

Another factor that has distracted critical attention away from the novel’s complexly frame-worked and embedded narration is Collins’s frequent use of multiple narration. The narratological sophistication of *No Name* has been overlooked as interest in Collins’s penchant for and use of multiple narration has honed in on the more obvious, and clearly announced, narrators of *The Woman in White* and *The Moonstone*. Structured as a series of omniscient narrated ‘Scenes’ interspersed with ‘In Between the Scenes’ sections composed of letters and diaries, *No Name* appears to have misled critics into thinking it less sophisticated narratologically than the better-known and more obvious multiple-narrated examples. The theatrical term ‘Scenes’ primarily makes reference to the geographical fixedness of a stage set, as each scene section takes place in and is heralded as a different geographical location: ‘Combe-Raven, Somersetshire’, ‘Skeldergate, York’, ‘Vauxhall Walk, Lambeth’ and so on. Contrawise, the ‘interludes’ are geographically unfixed, mostly letters and diaries—oddly enough a textual organization that travesties the legal division of property into

reality (fixed landed property) and personalty or movables. The embeddedness of different viewpoints—within the scenes and between the scenes—is what enables Collins to pack in and dramatize such a range of attitudes towards inheritance, property rights and ownership. If this results in an appearance of ‘plain, straight forward storytelling’, it is the outcome of enormous industry by a highly skilled practitioner who was not only at the top of his form, but according to figures was at the top of the sales lists.

An extrication of the Wragge, Clare and Lecount plotlines respectively and a placing of these under the microscope alongside the main Vanstone/Bartram plotline enables us to see the breadth of array of inheritance transfer types on which this particular novel rests—already indicated above, and also what each plotline does in terms of triggering or concluding events in the central Vanstone inheritance plotline. Such analysis of individual plot construction, and at the ground level, forms a foundation from which to move on and up to a higher level of abstraction, to consider what motivated this mode of narrative organisation. But before embarking on the examination of extricated plot threads, I want to recollect the trope of an expedition route used at the start of *The Woman in White* analysis that envisaged plot as both process and space. Although embarking on a different, and certainly more intricate, journey from the earlier one, a glance at the map of the novel from an aerial vantage point makes apparent the bigger picture that we are venturing to understand.

The Wragge inheritance plotline runs the longest course through the novel, appearing at relatively regular intervals throughout. The next introduced, the Clare inheritance line, similarly extending from beginning to end, surfaces far less frequently, but it is an iceberg of an inheritance motif, not much on the surface but profound in its consequences; it is this motif that marks the catastrophe, triggering the main plotline events. And although it has done its task by the end of the novel, Collins ensures that he is not taken for a penny-a-liner with his extravagant proliferation of plotlines, by showing that he remembers what he set running forty-three weeks previously and that he knows he has to close it down. The Lecount plotline is likewise well-proportioned, balancing the initial niggardly legacy from the housekeeper’s husband with the concluding philanthropic bequests she herself makes to various residents of Zurich and Geneva. Both legacies extend beyond (or alternatively viewed, fall outside) the central inheritance motif associated with her name, namely, the recompense she reckons due from her employers. Lecount’s quest is to secure the

legacy the miserly Michael and Noel Vanstone are morally but not legally obliged to pass her, and to prevent Magdalen from disrupting this transference.

2. The Combe-Raven property

The main plotline takes an unanticipated route when Andrew Vanstone fails to make a valid will. What distinguishes this main plot-line from the accompanying and underlying ancillary threads is that a personal estate represented as a monetary value lies at the novel's core, one depicted as passing through the hands of a series of owners, in contrast to the other plotlines which revolve around the lot of one or two named individuals. Hence this plotline far more resembles one structuring an 'it novel' (a 'novel of circulation') than did *The Woman in White*, Collins's previous *All The Year Round* serial, which had had more in common with the plot of a courtship novel and a bildungsroman. *No Name* depicts individual human agency as diminished in situations where there is uncertainty about property rights. Time and again protagonists are depicted as having a weak grasp of property transfer law. Since the revival, during the 1980s, of interest in Collins and the sensation novel more widely, the matter of agency has largely been viewed through the lens of medicine and the mind-sciences, and gendered notions of identity and the subject.⁶ Scrutiny of this novel's main trajectory reveals that at this historical juncture imperilled agency is also fundamentally and inextricably linked with property law. Mention has already been made of a shift from encumbered property with common rights to unencumbered property with exclusive rights, a change enabled by legislation such as the Inheritance and Dower Acts of 1833, which operated to the disadvantage of dependants. At the same time, other transformations of the legal apparatus enabling ever freer and faster circulation of property took the form of statutes permitting the setting up of joint-stock companies with limited liability. Characterised by the anonymity of both the share-holder and the profit-creating concern, the new type of property authorised by this type of corporate concern, the shareholder's asset, took the form of that mysterious thing, a future profit, the magnitude of which was unknown until paid out. Accordingly, the shareholder has agency, an absolute, alienable right, with respect to the freely transferrable share while at the same time there is total absence of agency because the value of the share is and will be contingent upon forces outside the control of the shareholder. This fast-changing world within which the novel was written is welded to the world inside the novel to a large extent through its generation of a sense that ability to predict the course

of the plot rests on the reader's familiarity with the property law. Scrutiny, however, reveals that the text does not in fact include any senses that enable the outcome to be calculated. Instead the novel plays on the more general conviction that in a world apparently shifting from custom to contract, familiarity with legal protocol and adherence to correct legal procedure are imperative.

This can initially be seen in the focus on will-writing: the will Andrew Vanstone has made, which inadvertently leads his property/assets astray, and the will written by Andrew Vanstone's father, which helps trigger the crisis in generating sibling enmity. Later in the novel's drama, a key scene is that in which Mrs Lecount has Noel rewrite his will in a manner that aims to disinherit his wife. All these narrative threads test the attention readers have given to periodical articles explaining correct practice. The plotline concerning the Combe-Raven £80,000 further focuses on and distinguishes between different types of property that can be held, and to what ends. A doctor treating the dying Mrs Vanstone enquires whether 'Mr Vanstone's property was in money or in land?' (79); Miss Garth's reply of 'money' leads to the consoling response that the girls will be provided for. The text also distinguishes between different types of personal property. Once belief in the girls' security has been disabused, on the revelation of the girls' illegitimacy, lawyer Pendril tells the girls that 'any possessions Personally, belonging to you ... your jewelry and dresses, and any little presents ... are entirely at your disposal' (115). The description evokes the legal category of paraphernalia, the items a widowed or estranged woman was entitled to keep as they were regarded beyond (*para* Gk.) the dowry (*pherne* Gk.). A range of property types is displayed in Michael's assets: 'part of his money is supposed to be in the funds, and part laid out in railway investments, which have survived the panic ... and are rapidly rising in value', and also that 'he has invested with great judgement in house property' (177). His son Noel, by contrast, is more concerned with bibelots, his father's 'collection of foreign curiosities' (205). Michael and his son Noel's respective inherited acquisitions, stand in contrast also to the personal property Andrew Vanstone held. Whilst both branches of the family hold property that is easily liquidated, portable property (securities, investments in the funds, shares) including residential leasehold property, and if Combe Raven is realty, then it is unencumbered and thus quickly sold, their assets are depicted with distinctive moral inflections. Michael and Noel's are depicted as assets held to for their market value to generate further profit, whereas Andrew's property is represented in terms of support for his

dependants: the Combe-Raven residence to house them, and ‘a fortune of more than eighty thousand pounds—a fortune invested in excellent securities’ to give his daughters on their marriage. (85) Andrew’s financial probity is couched in moral terms: ‘He lived up to his income, but never beyond it; and all his debts added together would not reach two hundred pounds’ (85). Each differing type of featured asset provokes reflection not only on the holder, but on the rules and traditional practices regulating the transfer of different property types as well as the different kinds of transfer instrument, and legatee, that these diverse characters are likely to and finally do appoint.

When the plotline eventually returns to the matter of will-writing, it does so with a difference. Whereas the episodes concerned with Andrew’s will tested the reader’s capacity to imagine what on earth might have gone wrong, the scene in which Mrs Lecount gets Noel to rewrite his will contains an array of elements that trigger thoughts about what on earth has been done right; it is a textbook case of ‘How Not to Write a Will’. The final time the main plotline moves into the new area of the trust, with *The Dead Secret* (1857), which had first appeared in *Household Words* (3 January - 13 June 1857), and to which direct reference is made when Mrs Lecount advises Noel to attach to his will ‘a letter—which is a dead secret between the admiral and you’ (419), a mode of allusion that generates a sense of belonging to a wider community of Collins’s readers. But the earlier novel does not fully prepare them for this one. Here Collins really has ‘enlarged the range of [his] studies in the art of writing fiction’, to use his words from the Preface, by going beyond a straightforward deployment of a literary element (the Gothic). This work draws on the legal as well as the literary. *The Dead Secret* rested on the discovery of a crucial document that lay secreted in a dilapidated, unused wing of a large country house. *No Name* gives this trope another dimension by layering it with a trust—a legal device rather than simply a secret document—and a mode of property transfer that had not in Collins’s career yet been given such a significant role. The final three Scenes, set in Dumfries, St. John’s Wood, and Aarons’ Buildings respectively, sound out readers’ familiarity with contemporary notions of the trust, the trustee and trusteeship, and the letter detailing the secret trust comes into Magdalen’s hands, and she destroys it.

A historicised sense of trusts afforded by recent historical research particularly illuminates Mrs Lecount advice to Noel that he add a secret codicil to his will to prevent Magdalen marrying George.⁷ It also explains the scene in which Magdalen

tears up the document that conveys her the property it sought to prevent her accessing. The anxiety that could be generated by one person's responsibility (the trustee's) for holding and administering property for another (the beneficiary) is mobilised to dramatic effect. The Admiral's mental stress presents itself in the abnormal behaviour of sleepwalking which leads to the hiding and the loosing of the crucial document, as well as to Magdalen's dismissal from service at St Crux as she is caught searching the residence's disused rooms.

Each conflict that drives forward the £80,000 inheritance plotline generates association with the contending inheritance positions of the individual (free testamentary disposition) versus the collective (civil law justification or the security of the state). Further, a series of crucial narrative junctures form taunting paradoxes: Andrew's beneficiary, his brother, Michael—who likewise dies intestate—manages to successfully channel his (now compounded) property as intended by virtue of the fact that he has not made a will. The text makes the most of this irony, and for readers who may not have noticed it, the text underscores the paradox by presenting it explicitly. Magdalen, when disguised as Garth, makes appeal to Noel with reference to this paradox: 'the law which has taken the money from these sisters, whose father made no second will, has now given that very money to you, whose father made no will at all' (208). Michael's beneficiary, Noel, in turn controls the course of his respective legacy by correctly re-drafting a will, and not dying intestate. By adding a codicil—that is, a supplement that modifies the will, which takes the form of a secret trust—Noel fails to anticipate all eventualities that might arise, and consequently his plan for the property's path collapses. The trust gives the property to Magdalen, the very person Noel had used a secret trust to exclude. Hence the tale of the £80,000 fortune turns full circle as the Vanstone daughters become the beneficiaries of Andrew's estate as he had initially intended.

Few in the audience would have felt totally secure in their prediction of forthcoming events. If we place wills alongside the matter of personalty and trust law, and then all three within a context of legal contest and reform, the full complexities and ambiguities of English property law activated by the novel's central narrative course are thrown into relief; it is this that enables a fuller understanding of Collins's achievement in his reorganisation of his material to ensure he told 'a totally different story'.

No Name vigorously reworks the repertoire of ‘map’, ‘divergence’, and ‘trigger’ components that had featured in *The Woman in White*. Whilst the three repertoire elements appear in the same order, their dispersion differs. In the earlier novel they had been arranged as discrete junctions of inheritance matters separated out at spaced intervals over many weeks and spread across the novel’s three volumes. In *No Name*, however, they occur early on and in an aggregate, sequential form, compacted in and across a series of six consecutive weekly instalments, all within The First Scene, set in Combe- Raven, and in Volume One. Critical bypassing, in this case of the repertoire, can be accounted for in terms of the text from the outset. It trains critical attention onto the figure of Magdalen, who appears always on the first narrative plane. Later, during the central third of the novel, our reading is primarily directed towards and by the magnificently staged Magdalen/Mrs Lecount drama. This thread runs beneath and extends beyond the Magdalen/Lecount episodes; it leads from the moment at which Andrew Vanstone tells Magdalen of the provision (he believes) he has ensured both his daughters through to the scene in which Magdalen tears up a document that leaves her half the £80,000.

3. The Wragge and Clare inheritances

Just as the first reference to inheritance in *The Woman in White* is oblique, via Hartright senior’s posthumous provision for his family, so too is this novel’s. It consists of the announcement that Captain Wragge, the unexpected visitor who had made a fleeting appearance at the end of the previous week/chapter, ‘had married a poor ignorant woman [...] who had unexpectedly come into a little money, and whose small inheritance he had mercilessly squandered to the last farthing’ (18). Reference to this inheritance, along with mercenary marriage for an inheritance more generally, will be woven through the text up to its penultimate week. Semantically, the diminutives ‘little’ and ‘small’ announcing the modesty of Matilda Wragge’s inheritance belie its structural import and eventual impact.

The legacies attached to Matilda’s name merit particular examination within the context of the novel’s first site of publication, *All the Year Round*. The periodicals Dickens edited were sensitive to the negative impact property legislation had on working class women like her.⁸ Financially independent prior to marriage, having supported herself as a waitress, Matilda has been left a legacy by another woman. The typicality of her pre-marital position is confirmed by the 1851 census, which shows financial self-sufficiency of two-thirds of the forty-two percent of unmarried women

aged between twenty and forty.⁹ Inheritance historian David Green notes that ‘evidence suggests that bonds of affection and kinship links, especially those concerning other women, were both recognized and reinforced through bequesting strategies’, and that ‘female testators tended to behave in ways that clearly favoured other women’.¹⁰ Many spinsters, he observes, left their estates to nieces, a ‘relationship [... that] repeats itself in many novels of the period.’¹¹ Collins’s reference to the legacy from ‘an elderly female relative’ (18) suggests that Matilda’s was this type of collateral transfer. Paradoxically, the woman- to-woman support appears to have lost rather than secured Matilda an independence. However, the common law property rights for married women that bear on her inheritance are never detailed, or explained within the novel. This suggests that Collins assumed his readers to be familiar with these property arrangements, possibly imagining the majority of his audience to be from the social class that common law affected and thus in no need of explanation.

This interpretation tallies with and is supported by the findings of recent research into women’s legal and financial know-how during the late eighteenth and the nineteenth centuries. This widens out previous arguments which have tended to focus more exclusively on the issue of coverture at the expense of exploring the full range of financial and legal activity by women. The more recent body of work testifies to the existence of legal instruments other than equity that enabled women to hold on to their property on getting married.¹² It also recovers a vast reservoir of evidence drawn from the newly-founded small claims courts that evinces how much credit women secured in their husband’s names. The significance of this scholarship for our reading of *No Name* and other mid-nineteenth century fiction is that it testifies to lower-middling women as au fait with legal and financial matters. Further, it gives hint of why Matilda is drawn as simple minded: i.e. it cannot be assumed that she has so easily been duped out of her inheritance because of her class background, rather, it is her feeble mindedness which accounts for this. The archival evidence unearthed by Finn et al points to women of Garth’s or Lecount’s background displaying astuteness and wit, and having awareness to protect a small legacy.¹³ Other evidence in support of the idea that Collins assumed his readership to be familiar with the way women’s property rights changed on marriage takes the form of the silence on the matter found in an article that had appeared in *All the Year Round* during the serialisation *The Woman in White*, ‘More Common Law’, the second of eight pieces composing the

previously mentioned Common Law series.¹⁴ The article from 21 Jan 1860 addresses banns and signatures, conflicting jurisdictions, and even the validity of a marriage when one party uses a false name. How familiar with this property ruling Collins's reader would have been is impossible to determine given conflicting contemporary opinion; it certainly confirms Wynne's argument about how scrupulously Dickens and Wills sought to have fiction dovetail with non-fiction.¹⁵

Since the law is not flagged up as either something about which readers need to be informed, or presented as a particularly contested and contentious issue, I would contend—in opposition to the general thrust of criticism—that the featuring of the legacy here is not primarily undertaken to engage with debate about married women's property rights, but is rather determined by a plot imperative: the revelation that 'Miss Bygrave' is actually Magdalen. Matilda plays a key role here, her naivety leading her to give vital information to Mrs Lecount. Thus, Matilda unwittingly lays the way for Mrs Lecount to garner evidence that eventually proves to Noel Vanstone that the 'Miss Bygrave' he thinks he has married is in fact his cousin Magdalen. Mrs Lecount thereby persuades him to rewrite his will to exclude his wife, Magdalen/ 'Miss Bygrave', and have the £80,000 once again escape the Vanstone girls.

Understanding Matilda's plot function elucidates why she comes with both an inheritance and an expectation of another. The legacies account for why a self-confessed obsessive professional swindler should be partnered with a (necessarily) clumsy, garrulous figure who could (and does) so easily blow his cover. He rationalises this marriage to Magdalen, telling her that:

An elderly female relative shared the favour of fortune, [...] with my wife; and if I only keep up domestic appearances, I happened to know that Mrs Wragge will prove a second time profitable to me, on that elderly relative's death. But for this circumstance, I would probably long since have transferred my wife to the care of society at large [...] I can't afford to take this course' (258)

Without this explanation it defies logic why he should remain with his wife, especially given that he has already squandered her fortune, taken a sizeable cut of Magdalen's savings and her stage earnings and has long had a steady income stream from blackmailing Magdalen's mother. Matilda costs to keep, is useless domestically, and most of all poses the huge risk of exposing Wragge's ruses. This element of danger only adds to narrative excitement. She plays a crucial role within the plot structure; from which her legacies are inextricable. Further, she serves for verbal and visual

comic effect; and plays an important but overlooked role in providing Magdalen with occasions to show generosity and affection when hard-headedly focused on the (war)-path of seeking justice, and therefore keeping our sympathy for the determined, and for some readers immoral heroine. (Mrs Oliphant compared this novel unfavourably with *The Woman in White*, criticising Collins for ending Magdalen's 'career of vulgar and aimless trickery and wickedness' with 'a good husband and a happy home'.)¹⁶

The Wragge inheritance not only operates to connect moments across the span of the novel's structure overall. It also serves to bridge the world of the novel with that of the reader. Wragge, feeling that the scheme for Magdalen to marry Noel under an alias is threatened by his 'wife's stupidity' (258), brings it up again as he explains to Magdalen his plan to send Matilda to 'a retired farm house' (259), remarking: "You have often read of poor people being suddenly enriched by legacies reaching them from remote and unexpected quarters. Mrs Wragge's case, when I married her, was one of these" (258).

With regard to the earlier-mentioned world of political contention about the property rights of women after marriage, Collins engages with these in showing Matilda to be not totally vanquished by her transactional marriage. For comic effect but with a satirical and politically topical edge the text makes way for her to voice the significance of a small legacy to a woman who has worked as a waitress: 'When you have a trifle of money left you that you didn't expect, if that don't make a lady of you, what does?' (149) she remarks to Magdalen in an extraordinary foreshadowing of the alternative definition Magdalen later gives to her lady's maid Louisa as she is being trained in the duties of a parlour maid: ' "A lady is a woman who wears a gown, and has a sense of her own importance"'. For all the wittiness of the zeugmas in Matilda's account of the consequence of her meeting Wragge— 'He took care of me and my money. I'm here, the money's gone' (149), Collins is sensitive to the albeit momentary control that receipt of the legacy had given her over her destiny, which reflects the empowerment brought about more broadly by woman-to-woman small legacies, a practice as has been said confirmed by recent scholarship into the post-mortem transfers of female small property owners.¹⁷

The second supporting plotline, that of the Clare inheritance, makes for the novel's second inheritance reference. The Vanstones' neighbour and his extremely modest family inheritance shows how the governing class looks after itself via connections of blood and marriage. Clare has received 'a magnificent library' of

nugatory financial value and ‘no money to help [his three sons] with’ in default of land, as he ‘[b]elong[s] to a younger branch of a family of great antiquity’ (23). This is one of two components that make up the minimal inheritance plotline of the Clares; the other shows the eldest son Frank’s response to this (landed gentry and apparent) privation, namely, his targeting someone with a comfortable inheritance to remedy his own penury: marriage to ‘the elderly widow of a rich colonist’ (541). With only two features, this thread operates differently from the other plotlines. Running nearly the whole length of the novel, this plotline is positioned to underpin events in the main Vanstone story. Whilst the Clare plotline is overwhelmingly related indirectly and takes place away from the first plane of narration, the structural purpose of its first element is to trigger the novel’s main trajectory.

For the narrative to take the path it follows and the adventure undertaken by Magdalen be a credible course of action, it is imperative that Frank Clare, Magdalen’s betrothed, lacks both assets and get up and go. The second of these necessary attributes posed a narratological—and logical—problem given that it was believed at the time ‘that somehow eldest sons are generally in possession of the landed estates, while the younger ones are in the Church, the army, the navy, or the Civil Service’, as was discussed in Chapter One. Frank, the eldest son of a younger son, is managed by Collins with a plot gesture towards the professions: he is sent off to train for two of the newer professions in turn, engineering and commerce (rather than the aforementioned traditional ones) and he soon returns, a failure.

The structural task of the Clare family inheritance, whilst obscured, is key to the novel’s plot mechanism. It is the family’s want of inherited resource, and inability to secure a lucrative position in the professions, that triggers the novel’s central events, those composing the Vanstone plotline, albeit that the narrative crafting of the Clare plotline trains attention onto Magdalen as (and at) the centre of the story. This in turn encourages reflection on her acting in *The Rivals* and thus, preparing the way for later events, her impersonation talents above all else in the run up to her father’s death. The narratological handling of these various elements renders the craftsmanship of the Clare thread invisible. Cut through and push aside all features and qualities generated by association with the episode of Magdalen’s acting and the theme of entail, and it is possible to apprehend clearly the connection between the Clare and Vanstone inheritance plotlines and how precisely the Clares’ behaviour triggers subsequent

events, all of which are tightly imbricated with inheritance related matters. This is easier understood when events are thought of in reverse order.

The daughters are left penniless as their father has died intestate; his death in a railway crash occurs on a journey he has made after rearranging his diary to meet his lawyer at the earliest possible opportunity, to update his legal papers; his appointment with his lawyer concerns both his last will and testament and the property transfer that is an *inter vivos* version of this post mortem instrument, namely, a marriage settlement—Andrew Vanstone wants to make this financial settlement as Magdalen has become betrothed to Frank Clare, (and it is whilst making arrangements for this event that Frank’s father, Mr Clare, has informed Magdalen’s father, Andrew Vanstone, that his recent marriage to Magdalen’s mother has rendered his will invalid); the marriage settlement is pressing as in married life the young couple will rely on the assets Magdalen brings it (Andrew’s intention is to set up Frank in a business as a partner) as Frank is incompetent professionally and will bring no assets to the marriage; Frank’s father cannot help him financially because, as has been outlined above, ‘Belonging to the younger branch of a family of great antiquity, the one inheritance of importance that he had derived from his ancestors, was the possession of a magnificent library’ (22).

It is such rhetorical structuring devices, non-causal but linked association, that enable *No Name* to all-pervasively press the sense that happenstance and not necessity governs events in its novelistic world. It rarely shows the outcome of an action to be that which is intended by particular subjects (the death that catapults Andrew’s daughters into penury occurs as he is trying to ensure their security; Noel’s attempt to prevent Magdalen coming into possession of his estate, projects it into her hands). This will be followed through in *Armadale* – which displays an even more intense fascination with causality, freedom and necessity, providence and chance.¹⁸ In this novel, as elsewhere in his oeuvre, Collins is clearly working in opposition to any sense of the pre-determined—divinely ordained or otherwise: the notion of ‘Providential interposition’ (110) as an explanation of circumstance is given to the covetous and unsympathetic uncle, Michael Vanstone. Collins is also challenging the image of the power and agency of the individual that Mill’s democratic liberalism promoted in the figure of the contractual subject.

Collins is able to effect this sense of contingency as he has the rhetorical and narratological skill to concertina lots of time into a back story, and concisely sow seeds

for the future by using narrative multiple frame-working. The same device will again be used in *Armada*, where characters retell their stories from slightly different vantage points to build a complex, nuanced sense of inheritance. *No Name*'s first reviewers were acutely aware of the novel's overall compositional finesse as displayed here, though as with most modern critics, they recognised it without detailing its components: Dickens defined it as 'wonderfully fine';¹⁹ eminent critic H. F. Chorley declared it the work of 'an artist [...] with no common creative and constructive powers';²⁰ and even the censorious *Saturday Review* though considering the novel 'a mere puzzle', recognised that 'it is so very difficult to invent a puzzling plot [...] a very considerable effort of the mind'.²¹

The Clare inheritance also imbricates closely with the primogeniture issue as articulated within the context of the 'land question'. The ghostly presence of this type of property and its mode of transfer as against the foregrounded personalty and easily liquidated property owned by the Vanstones (Andrew's brother Michael has no problem and loses no time in selling the family home, Combe-Raven), can be sensed in the description that: 'the stout old [Clare] family stock had begun to wear out in the later generations, and [Frank] had more in him of the shadow of his ancestors than of the substance.' (26) Concentration of landownership involved the removal of such dead wood as Frank, although positions would be sought for the non-land-inheriting. The role the professions play in provisioning the younger members of the landed family and in securing hegemony (rather than serving the nation's productive infrastructure) is reinforced by the long speech given Frank's father on how 'Over our whole social system, complacent Imbecility rules supreme' (49), a rhetorical set-piece which traces a network of establishment nepotism involving landed interest, politics, commerce and the church, and that rings of Dickens's Barnacle family in *Little Dorrit* (1857).

Just as Mr Clare's inheritance of nothing but a library kicks off events in the main plotline, so Frank Clare's mercenary marriage to a colonial widow pulls the narrative threads together and winds them up, as in a Restoration comedy. Collins's library held a fair-sized collection of Restoration drama.²² In a welter of impossible coincidence as if this were *The Beaux' Stratagem*, a letter from Mr Clare to Magdalen telling of Frank's fortune weaves her former betrothed's thread into the Wragge and Vanstone skein bringing all together in their rightful, fitting pairs. Hence this second Clare motif too is embedded, taking an epistolary form in the shape of a letter from

Mr Francis Clare which tells Magdalen what Frank has been up to since the couple parted, thereby effecting a full narrative closure of their plot thread. Frank's solution to his dilemma, marrying a wealthy widow, is shown in a highly framed narration, reported at third hand, and in writing: Mr Clare writes to Magdalen about an invitation he has received from Frank, to the young man's upcoming wedding, which is accompanied by an account of how he met his elderly widowed heiress fiancée. Hence both Clare motifs represent those born into the landed class, but without inheritance, devising ways of tapping into first manufacturing and then commercial wealth. This makes an implicit critique of the damage done by inherently exclusionary primogeniture; although as the novel will go on to show in report of Vanstone family's past, partible inheritance, when assets are apportioned, often equally, between heirs, brings its own trials too.

4. Mrs Lecount's claims

The Lecount inheritance plotline further contributes to the variegated meaning of 'inheritance' played out in the novel. It overlaps with the Vanstone inheritance plotline because of Mrs Lecount's dependence as housekeeper on her employers Michael and Noel. The plotline is orientated less towards inheritance as a legalistic process, be that in the shape of a formal statutory property right or a written instrument—legacies in a will, a trust in the shape of a marriage settlement or letter, or an intestacy—than a range of various hierarchized relationships and the customary and localised (as opposed to contractual) inheritance practices they evoke - to her employers, husband, brother and finally some residents of the Swiss cities Geneva and Zurich respectively. Each of these associations bespeaks a residual inheritance practice, and evokes the ghost of hierarchical socio-moral duty the property-owning were once obliged to display to their more vulnerable dependants—master and servant, husband and wife, mature/experienced to young/untrained—before the moment of 'the great transformation' and the shift from 'status to contract'.²³ As such, this narrative thread shows traditional relationships of dependency and support overshadowed and erased by the contractual. The contract lies at the base of the commodity exchange, a socio-economic model in which legal subjects are represented as identical and equivalent legal subjects, which—theoretically—obviates the need for charity.²⁴ Mrs Lecount's struggles remind us of what one historian of inheritance

has pointed out: ‘Today it is largely forgotten that inheritance also means incurrence of obligations.’²⁵

Fiction had dramatized this shift from moral to market economy within domestic service only five years earlier, in a *Reynold’s Miscellany* serial by Fanny Trollope, ‘Jessie Phillips: A Tale of the Union Workhouse’, focused on the waning of customary obligations. An annuity of twenty pounds made over to a widow, a ‘much esteemed, well-conducted wet-nurse to the young heir’ ‘some twenty-seven years before’ (163), is represented as standard practice in the contemporary (post-Poor Law Amendment Act of 1834) English Midlands of Fanny Trollope’s tale.²⁶ Collins, in contrast to Fanny Trollope, represents traditional and customary practice operating not alongside and in tandem with the newly market-orientated, contractual tendencies that will soon occlude it, but already on the wane with custom weakened, and unenforced.²⁷ None of the inheritance motifs with which widow and servant Lecount is associated involves the assured and legally binding; each is optional, resting on ‘gratitude’ (183) and ‘grateful regard’ (415) (both shown to be in short supply), and there is certainly no sign of any moral economy, any enforcement of customary entitlement by any wider community. As a Swiss, Mrs Lecount is migrant labour, isolated from the population of her locality of origin. As a servant she is confined within her employer’s domestic interior, again with no collectivity to support her claims. As a widow, whose sole relative mentioned is a brother in Switzerland, she has no-one at hand to support her cause. Each facet of this isolation builds up a sense of what motivates her to fight for what she considers her due recompense, a sentiment she spells out as her employer is finally poised to make a will in her favour: ‘“The widow of Professor Lecompte, sir, takes what is justly hers—and takes no more” ’ (415).

The Lecount plotline posed the novelist both intrinsic and extrinsic challenges. Intrinsically he was faced with having to square the circle of ensuring that Magdalen achieve her aim of retrieving her father’s fortune at the same time as representing the servant and widow Lecount as a rival equal to the *déclassé* Magdalen in their contest for Noel’s favour; managing this was a narrative imperative if the reader’s attention was to be held through the two women’s twenty-one-week long tussle. Extrinsically, Collins had to control readerly sympathy so that his audience didn’t over-empathise with the woman whose situation (as a servant) more likely resembled their own. It needs be remembered that the size of this readership would have been substantial.

Bruce Robbins has reminded us, in what remains the foremost study of the servant in Western literature, that the ‘total servant readership [was] larger than that of the intelligentsia’.²⁸ Particularly those readers accessing the novel through the affordable serialised format in *All the Year Round* may have fallen into one or more of the categories Lecount represents: as a servant, an economically vulnerable single female and/or as a widow.

It is important to hold in mind that vulnerability and widowhood were not synonymous. Collins plays on this broad range of widow identities—having Lecount on the one hand a vulnerable dependent—but on the other hand someone with phenomenal agency and vitality who finally triumphs, thereby challenging modern associations of widowhood with powerlessness. Collins here manages the extrinsic by means of the intrinsic once again, as he did in the Clare plotline, by drawing on embedded narrative techniques to control readerly sympathy through narrative distance. He ensures that he doesn’t alienate his novel-reading widows or servants by mediating and deflecting his portrayal of the Swiss housekeeper, especially her negative features. The structural is here clearly visible as a pre-eminently social form: Collins uses narrative form to choreograph social proximity between various social layers.

This plotline features several different legacies, and in every instance but the last (the charitable bequests Lecount leaves) concern a lack of rather than possession of anticipated inheritance, either total absence, meagreness or a stressful hesitation and long delay. Custom (as was the case with the Clares) is depicted as an ineffectual guarantor of security. This absence of means is key to propelling Mrs Lecount into rivalry with Magdalen, thereby setting up the dynamic that drives the central inheritance plotline—the tracing of the £80,000 Vanstone fortune. In each woman’s case, material security and social status is toppled by an impediment to an anticipated inheritance and restored not by earned income, but the receipt of a legacy. Both women are portrayed as victims of the social order, their lots rooted in enforcement of the letter of law that administers what they sense to be inequality and injustice; and in turn both are saved and secured by a utopian, poetic justice.

The Lecount inheritance plotline points to, and engages with, insecurity for servants and widows left without provision by those on whom they have been dependent—and in this respect it mirrors the Vanstone girls’ plotline. The novel is a space in which the modelling of freedom vanquishing necessity is possible, and a

utopian resolution can be found: Lecount gets the £5,000 she is after, and Magdalen the girls' £80,000, and each at no cost to the other. Thus, Collins shows that there is quite enough to go round. The protagonists thus require qualities that, despite their differences of age, income, origin, education and nationality, weigh equally in the balance for advantage. Concurrently, to propel us through to the very end of the novel (the very last reference to Mrs Lecount occurs in week forty (471)) the text needs us to favour Magdalen, a young woman some of whose qualities well might alienate some readers or lead them to be reluctant to identify with her. A range of devices is employed to ensure that Mrs Lecount, Magdalen's rival, never gains more sympathy than Magdalen yet comes across as of comparable strength.

The first way greater sympathy is achieved for Magdalen than Lecount is by having the housekeeper appear filtered through the eyes of another protagonist. Only once Lecount's inheritance matters are pulled to the fore does the contest between Magdalen and Lecount ensue. The *Saturday Review* responded to this staging with indignation: 'the whole point of the story, the one source of interest it possesses, is the contest between these two deceitful, wicked, obstinate women'.²⁹ When Lecount's inheritance is first mentioned it becomes apparent that her introduction is angled to do more than hinder (servants') sympathy for her. This first representation also paves the way for the novel's principal contest as it sets up the women as equals. They are shown to be equal through Wragge's eyes: both are his prey. He is, to use words from his diary: 'a moral agriculturalist, with his eye on two crops at once, and his swindler's sickle ready for any emergency', weighing up his opportunities, 'wonder[ing] which side I shall eventually belong to.' (188). This metaphor sows the seed, to borrow Wragge's figurative vehicle, of the potential peer rivalry that will flourish. Another of the incidental elements keeping the women in balance—so to speak—is the fact that both women's loss is due to intestacy, albeit for different reasons. The intestacy that leaves Lecount without her due serves as the springboard from which the housekeeper launches into a defence of her new master's bachelorhood and fortune, becoming, as Wragge rightly predicts, 'an awkward obstacle'(183) in Magdalen's path to retrieve her late father's fortune. The housekeeper's expectations illustrate historian of Victorian domestic service, Trevor May's claim that 'Perquisites were a frequent cause of friction, being open conflicting interpretations'.³⁰ The text is ever vigilant to keep anything that might rouse sympathy for Lecount to a minimum.

The legacy of little monetary worth left Lecount by her husband, pulls the housekeeper to the fore. This is an item referred to as both a tank and an aquarium, ‘ornamented in the middle by a miniature pyramid of rock-work interlaced with weeds’, in which reside a range of creatures: ‘Snails clung to the side [...] tadpoles and tiny fish swum swiftly in the green water; slippery efts and slimy frogs twined in and out of the weedy rock-work’, and crowing the central ‘pyramid, there sat solitary [...] a little bright eyed toad’ (200). Tanks or aquaria were still very much a novelty in mid-nineteenth century Britain, and furthermore very fashionable. Initially neither tank nor toad are deployed to make reference to inheritance but rather to depict Lecount in terms that alienate her from the reader’s sympathies, and to trigger the dynamic of the two women’s first encounter. It certainly sends no message of fashionable good taste. The initial appearance of the tank as a legacy takes place at a formal and narratological threshold moment. As week seventeen draws to a close, and Magdalen, disguised as Garth, waits with Lecount for Noel to summon them into the back parlour. Lecount refuses to talk about her master’s affairs turns attention to ‘the Tank’ and ‘the late professor Lecompte, the eminent Swiss naturalist, telling her listener ‘he left me his subjects and his tank. I had no other legacy’ (204). It is these words—signifying nothing of monetary value— that allow us to understand why the housekeeper will put up such a fight for what is due her from her employers, as well as the nature of that fight: a cold blooded one.

Lecount’s trip to Zurich in pursuit of a legacy from her brother is a fine instance of how the finesse and success of Collins’s plot structure is shaped and enabled by the demands of serial publication. The incident picks upon a line seeded earlier in the novel, focalised through Wragge, who has mined Noel of the information that the housekeeper’s brother in Zurich, a bachelor, ‘possesses a little money; and his sister is his nearest relative’(274). Later, the plan to have Noel to marry Magdalen rests on Lecount’s departure for Zurich, called by a doctor to the bedside of her dying brother (the letter a Wragge forgery). The passage repeats verbatim the earlier reference:

[Noel] had certainly informed him that the housekeeper’s brother possessed a modest competence; that his sister was his nearest living relative; and that there were some unscrupulous cousins on the spot who were anxious to usurp the place in his will which property belonged to Mrs Lecount. (323)

Lecount finally does manage to secure her employer's guarantee that her service will be acknowledged, when she persuades Noel to change his will in favour of his cousin George (via the Admiral and a Secret Trust) to the exclusion of his wife, Magdalen. The episode dramatizes contest over inheritable property, the conflict over different types of claim. Although the scene is framed to play on the reader's knowledge about the correct protocols of will-writing, Lecount's defiant arbitration with Noel merits close attention for the position it establishes on just distribution of assets. The housekeeper, depicted from the outside by the omniscient narration, is shown as responding assertively to her (former) master's reluctant suggestion that he deals with her provision first: 'with the tone and manner of a woman who was not acknowledging a favour, but receiving a right' (414). The scene is dramatized as a fight out between opponents, with Noel increasing the sum of the legacy step by step as the housekeeper responds by recoiling to the sums initially offered: at £1,000 with 'the majestic indignation of an outraged woman'; at £2,000 with 'contemptuous silence'; at £3,000 she 'moved with impenetrable dignity'; at £4,000 'gathered her shawl with a shudder'; finally at £5,000 she returns from the door, magnificently upping her game with the demand that it be 'free of legacy duty' (414-415). Although in relation to pay-levels in the world beyond the text, including the fictional world of Fanny Trollope's tale, the sum is astronomical, (Fanny Trollope's fictional wet-nurse received £20 p.a.), Collins is careful to frame it as the sum intended by Lecount's first employer, Michael Vanstone. He underscores this first in a letter George Bartram writes to his cousin Noel: 'my dear fellow, Mrs Lecount is not an ordinary servant. You are under obligations to her fidelity and attachment in your father's time as well as your own.' (week thirty-three; 381-382); and second, in an appeal for help to her confidential agent, where Mrs Lecount writes of her 'faithful services, rendered through a period of twenty years, to his father and to himself'; it is these, she claims, that 'forbid him, in common decency, to cast me out helpless on the world, without a provision for the end of my life' (387).

The inclusion of reference to legacy duty (the tax not the moral obligation) is singular for a novel and merits some consideration. Lecount's ability to bargain not only an extraordinarily high sum but further to this a tax-free legacy certainly confirms her negotiation skills and power. Contemporary readers who fell within the tax paying bracket would have realised that this duty amounted to no mean sum. Then as today, legacy and succession duties were calibrated according to relationship with the

deceased: ‘the lowest rates were paid by spouses, then lineal relatives; intermediate rates by more distant kin; and the highest rates by recipients who were not related to the donor.’³¹ Thus it is that the housekeeper turns the tables on the words Noel used on meeting Magdalen disguised as ‘Miss Garth’: ‘Mrs Lecount [...] is one of my father’s bargains’ (206), it is she, Lecount, who in the end displays the better financial acumen.

The plotline then turns away from inheritance as support for an individual’s benefit to introduce legacy for the public good, Lecount’s charitable bequests scholarship and domestic service. The intrinsic purpose of this plotline incident becomes clear on consideration of its position in the narrative and Magdalen’s trajectory: it is to indicate Magdalen’s penurious situation and hint at what now motivates her in her mission to recover her father’s fortune. Mention of Lecount’s public generosity also shifts Lecount’s legacy out of the realm of the fantastic (£5000 annuity) to link it back into the real world where throughout the early to mid-nineteenth century charitable bequests were a constant subject of public discussion. They were brought to the attention of the propertied and literate via report in the four charity commissions (1818, 1819-30, 1831-34 and 1835-37) either in the shape of articles (in *Household Words*, *All the Year Round* and elsewhere) and books drawing on the parliamentary reports, or in fictional responses to them such as Trollope’s *The Warden* (1855), a novel that testifies to the amount and violent nature of press coverage the issue of charitable bequests stirred. The less fortunate would have keenly felt change as from 1834 the weight of responsibility for the needy and unpropertied shifted from charitable almsgiving to the Poor Law Unions.

‘Hint’ is the operative word here. Initially it is not clear why mention is made of either the legacies Lecount receives or gives. They appear extraneous, and in themselves no way further the plot action. Couched in an embedded narrative, in the midst of hearing how Magdalen is settling in as a parlour maid St. Crux, we read that following Noel’s death, Lecount went back to Switzerland ‘to live off the interest of her legacy, in honourable and prosperous retirement, in her native place’ (471), and on the next page that Lecount has marked half her fortune ‘a “Lecompte Scholarship,” for poor students, in the university of Geneva’ (471), and the other half for the municipal authorities of Zurich to train orphan girls for service. This is a double-edged bequest, a charitable donation that effects no social change in that it reproduces the past: the university bequest evokes her husband’s endeavours, and seeks to reproduce

his activity, at the same time as the Zurich bequest reverberates with Michael's treatment of the Vanstone girls (he has offered them £100 a piece to enter service- 'Let them, as becomes their birth, gain their bread in situations'). Does this warrant the main text? The text immediately unsettles any sense of this as an 'honourable' gesture, by adding a touch of the tongue-in-cheek grotesque. Mention is made of an 'extravagant eulogy' given 'these philanthropical bequests' by the city papers, in which 'William Tell [...] was compared disadvantageously with Mrs Lecount' (472). This news throws Magdalen's parlous position into relief, as she learns of it when near her lowest ebb. In hope that access will lead her to find 'the Secret Trust' her late husband has drawn up for his executor uncle, Admiral Bartram, a legal document necessary to Magdalen's mission, she has installed herself in Bartram's country house. Hence the Swiss housekeeper's generous bequest serves to underscore Magdalen's lowly status and hopelessness at this narrative juncture. Report of Lecount's reward from her former master, Noel, comes via gossip in the servants' hall; and Magdalen will in turn learn of the legacy via a column in a Swiss newspaper marked up for the Admiral's perusal. The information is thus carefully placed.

Conclusion

Chapter Three has demonstrated how *No Name* carries over the basic underpinning inheritance plot structure of the 'map', 'divergence' and 'trigger' repertoire to generate a very differently orchestrated set of plotlines. This retention of the repertoire, it has been argued, was in part effected to ensure continuity with Collins's earlier work and thus offer the readers features with which they were familiar and which they associated with Collins as 'author of *The Woman in White*'. The novelty demanded by an audience takes the form of a move away from the courtship and/or marriage plot type. This is replaced by a complex narrative dynamic devised from four distinctive narrative threads, each of which is rooted in inheritance issues.

Inheritance plot-threads and incidents are frequently used to solve narrative problems such as why Captain Wragge stays with his wife (he is awaiting a second inheritance), how to get Mrs Lecount off scene (she travels to Switzerland in hope of a legacy), how to reintegrate the Clare plotline (have Frank return to Britain by marrying a prosperous widow), and how to have a non-mercenary but driven lead protagonist (Magdalen wants to realise the intentions her father's penned in his final letter). Nevertheless, such a density of inheritance plotlines points to the novel as an

exploration of inheritance as a social practice and what it means in mid-nineteenth-century Britain. This is especially evident in the novel's many-faceted depiction of inheritance, including as divine providence, justice, revenge, duty, love, friendship, opportunity, and class reproduction, a feature that confirms what a strong contested practice inheritance, transgenerational and post mortem property transfer was in mid-nineteenth-century Britain. This is also indicated by the higher profile *No Name* awards the issue of earned income compared with *The Women in White*. Remunerated labour in this later novel throws into the foreground inherited assets as a mode of unearned income: Magdalen and Nora Vanstone have to earn livings, as do Frank Clare, Mrs Lecount and the Wragges. Each protagonist is depicted as ideally preferring a life supported by an unearned rather than earned income. Yet in the end, inherited assets are subsumed to earned income, and certainly less-favourably viewed than at the end of *The Woman in White*. In the final chapters of the novel Magdalen is confirmed not to have been pursuing her father's assets, but rather his wishes (as registered in the letter she long carries in a small silk bag near her heart). Her tearing up of the secret trust letter that confirms her entitlement to £40,000 as Noel's wife, rather than as her father's daughter, further signals and confirms that her long endeavour has not been about monetary value, or legal entitlement, but a matter far more personal: an affective not contractual relationship. Furthermore, the man to whom her future is tied, Captain Kirke, is represented as someone who lives off earned not inherited assets. Accordingly, although the novel's overall structure of four tightly imbricated inheritance contests produces a sense of a world in which livelihood is primarily determined through inheritance, its final pages point to a future world less dependent on inherited property, and the conflicts it sparks.

Notes

¹ Letters, 11 July to Harriet from Broadstairs, *The Letters of Charles Dickens*, Vol. X, 1862-1864, ed. Graham Storey (Oxford: Clarendon Press, 1998).

² Lyn Pykett, *Wilkie Collins: Authors in Context* (Oxford: Oxford University Press, 2005), p.134. See too Carolyn Dever, 'The marriage plot and its alternatives', pp. 112-113, in ed. Jenny Bourne Taylor (2006), pp. 112-124.

³ Law of Will Amendment Bill, *Hansard* HC Deb 27 May 1852 vol. 121 cc 1234-52 .

⁴ Kenneth Robinson, *Wilkie Collins: A Biography* (1952) (London: Davis-Poynter, 1974), p.155.

⁵ Michael Bakhtin, 'Discourse in the Novel', in *The Dialogic Imagination: Four Essays by M M Bakhtin* (trans. Caryl Emerson and Michael Holquist), ed. by Michael Holquist (Austin: University of Texas Press, 1981), pp.301-331.

⁶ See Jenny Bourne Taylor, *In The Secret Theatre of Home*; Deirdre David, 'Rewriting the Male Plot in Wilkie Collins's *No Name*', Pykett, (1998), pp. 136-148; Kylee-Anne Hingston, ' "Skins to Jump Into": The Slipperiness of Identity and the Body in Wilkie Collins's *No Name*', *Victorian Literature and Culture*, 40:1 (2012), pp.117-135.

⁷ See Chantal Stebbings, *The Private Trustee in Victorian England* (Cambridge: Cambridge University Press, 2002).

⁸ See Mary Lyndon Shanley. *Feminism, Marriage, and the Law in Victorian England*, (Princeton: Princeton University Press,1989), p.60.

⁹ Green, (2000), p.195.

¹⁰ *Ibid*, p.220 and p.221.

¹¹ *Ibid* p. 219.

¹² Finn, p.709. Furthermore, it is important to look at how by time of the Great Judicature Act of 1873 (36 & 37 Vict c. 66) the courts of Chancery (Equity) and Common Law were remade into a unified court system. Legal reform that did away with contradictory jurisdictions was key to a system evermore centred on the contractual rather than customary relationship. This was a requisite step making for the smooth operation of corporate capitalism consolidated at mid-century. One of the best explanation of the changing juridical system remains the first chapter of Holcombe (1982).

¹³ See position for wealthier middle-class women Green and Owens, 'Gentlewomanly Capitalism? Spinsters, Widows, and Wealth Holding in England and Wales, c. 1800-1860'. *The Economic History Review* 56:3 (February 2003), pp.510-536.

¹⁴ 'More Common Law'[Unsigned], *All the Year Round* , 21 Jan 1860, pp. 301-304.

¹⁵ Wynne (2001), pp. 99-100.

¹⁶ Review of *No Name* [Unsigned] in *Blackwood's*, 18 August 1863, p.170.

¹⁷ See Green, 'Independent' (2000), and Penelope Lane, 'Women, Property and Inheritance: Wealth Creation and Income Generation in Small English Towns, 1750-1835', in Stobart and Owens (2000), pp.172-194; and also see Maxine Berg, 'Women's Property and the Industrial Revolution', *The Journal of Interdisciplinary History*, 24:2, (Autumn 1993), pp.233-250.

¹⁸ See Ian Hacking for the emergence of statistical probability and the collection of statistics by the state during the nineteenth century in *The Taming of Chance* (Cambridge: Cambridge University Press, 1990).

¹⁹ Dickens, letter to Collins, 20 September 1861, quoted in Page (1974), p.129.

²⁰ H. F. Chorley [Unsigned], Review of *No Name*, *The Athenaeum* 3 January 1863, 10-11, quoted in Page 131-134, p. 132, 133 and 134.

²¹ Review of *No Name* [Unsigned] *Saturday Review*, 17 January 1863, pp.84-85, quoted in Page pp.136-138, p.136-137.

²² William Baker *Wilkie Collins's Library: A Reconstruction* (London: Greenwood Press, 2002), p.37.

²³ See Karl Polanyi, *The Great Transformation* (1944) (Boston: Beacon Press, 2001), and Maine, *Ancient Law*.

²⁴ See the different representation of this juridical equality in J. S. Mill *On Liberty* (1859), Marx in *Grundrisse* (1858), and E. P. Thompson's *Customs in Common* (1991) (Harmondsworth: Penguin, 1993).

²⁵ Weigel, p. 260.

²⁶ Mrs Fanny Trollope's 'Jessie Phillips: A Tale of the Union Workhouse' *Reynold's Miscellany*, 10 and 17 Oct 1857, Nos 483 and 484. p.187. The serial ran to 26 Dec 1857.

²⁷ See Bruce Robbins, *The Servant's Hand: English Fiction from Below* (Duke University Press, 1986), p.42.

²⁸ Bruce Robbins points out 'that all novelists would have been raised by servants', p.105.

²⁹ Review of *No Name* by Wilkie Collins [Unsigned], *Saturday Review*, 17 Jan 1863, pp.84-85, p. 84.

³⁰ Trevor May, *The Victorian Domestic Servant* (Hants: Shire Publications, 2007), p.10.

³¹ Hoskins, 'Death Duties', p.5. Today post mortem transfers between married couple and civil partners are inheritance tax free.

Chapter Four: *Armadale* and *The Moonstone*

Introduction

This chapter contends that the key structural element distinguishing the inheritance plots of *Armadale* and *The Moonstone* from those of the earlier novels lies in Collins's use of a prologue to encase the trigger of plot event, rather than the embedding of it in the main narrative body. Deployed to frame incidents that are geographically distant from as well as antecedent to the novels' main plot, what appears to underpin the introduction of this structuring device is the provenance of the property deployed to spark conflict: the West Indies and India respectively. The prologue thereby enables property from beyond the distinctive jurisdictions of the three kingdoms (of England and Wales, Scotland, and Ireland) to be conceptually managed via narrative structure. This is at a historical conjuncture in which global capital has outgrown and therefore chafes against the jurisdictional frameworks that had grown up alongside primarily domestic capital circulation but for which no hegemonic legal technology has yet been established. Materialist scholarship demonstrating the materiality of the law and its centrality in the process of capital formation, and accordingly laying theoretical foundations for an understanding of the legal system as a technology without which capitalism could not operate, has, for methodological reasons, generally operated within a domestic jurisdiction. I have in mind here work by historian E. P. Thompson, sociologist Marc W. Steinberg and historical geographer Carl J. Griffin, as well as the previously mentioned legal historian Chantal Stebbings.¹ Further, this rarely touches on inheritance law as an instrument of social reproduction, concentrating instead primarily on labour and immediate land use rights. To paraphrase Marx and Engels of *The Communist Manifesto*, when the 'world market [developed] a cosmopolitan character', 'the national ground' was as much 'drawn from under the feet of' of law as it was from industry and finance.² Collins's response to this social process is displayed in his reworking of the inheritance repertoire in *Armadale* and *The Moonstone*, and this operation may aid our understanding of the structural innovation of the novels' plots.

Just prior to the publication of these novels, the colonies that feature in each had achieved a high press profile thanks to wide coverage of the British authorities' bloody repression of challenge to its power in both jurisdictions, the Indian Rebellions

of 1857 and the Jamaican Rebellion of 1865, and it is to these events that the narratives' geo-politics are usually tied, within a loosely post-colonialist framework of enquiry.³ However, this chapter aims to demonstrate that the deployment of colonies in the considered novels can be accounted for by more than a particular topical context, and it does so by building on an emerging analytical framework that positions the novels in terms of global capital developments. Examples of this include Nathan K. Hensley's 'Armadales and the Logic of Liberalism', which points to the connection between British finance, empire and reform via the notion of the exchangeable and equivalent subject, a concept that links the liberal, democratic subject of electoral reform, back to the violence of the commodified, equivalent, marketable subject of the slave economy, and Joshua Gooch's examination of *The Moonstone* through the optic of the interrelationship of narrative economy and political economy in the tension between the purportedly unproductive sectors of domestic service and British finance.⁴ The relationship between property extracted from the colonies and the inheritance plot structures of *Armadales* and *The Moonstone* is most illuminated when framed within this broader context of mid-century global capital. The structural aspect of the novels' plots has received little attention from post-colonial approaches which also find it difficult to account for why both the Armadales property and the diamond finally end up in the hands of quasi-colonial (Midwinter) and colonial subjects (the Brahmins).

That the introduction of property from the colonies as the object of inheritance transfer features alongside a simultaneous dropping of the deployment of the motif of inheritance as necessary support for dependants may be found to be historically linked rather than coincidental. (Chapter One discussed dependency as a dominant mid-nineteenth-century legitimation for intergenerational property transfer.) Both heir Ozias Midwinter and heiress Rachel Verinder are depicted as materially independent of the eponymous inheritable properties: the Armadales estate and title and the Indian diamond known as the Moonstone, respectively. Collins's variations on the inheritance plot theme in these texts can also be understood in terms of the emerging market position of the literary producer who whilst needing to offer something new also needs to retain an audience and elicit new members by means of a signature, a brand, and in the case of his temporary shift to the *Cornhill*, the variations can also be understood in terms of the distinctive editorial policies governing each periodical.

This combination of inheritance and the colonies was addressed by Raymond Williams in his discussion of the English novel of the 1840s. '[T]he Unexpected

Legacy and the Empire’, he contended, offered ‘[i]ndividual solutions’ to ‘social problems of the time’ for which ‘there was no general solution’.⁵ Collins’s work shows that by the mid-1850s this model for understanding these two novelistic elements was less applicable, certainly with regard to novels by this writer. The convention of the unexpected legacy had been reworked into the loss of an anticipated legacy whilst simultaneously inheritance had been extended from an isolated ‘device’ into an overall plot structure, occasionally punctuated by Empire (Australia, Canada, India in the early 1860s). By the mid-1860s the Empire resonated throughout Collins’s inheritance plots, albeit very differently configured in *Armadale* from in *The Moonstone*, and also in a manner that whilst still underpinned by legacies begins to subsume the inheritance plot to other features. The feature of the dead hand controlling the lives of the living is reworked away from legal mechanisms: in *Armadale* towards the more abstract issue of metaphysical or scientific determination, or chance; in *The Moonstone*, turning instead to the realm of the (un)conscious mind and the individual’s scope of responsibility, after a play with class, gender and race stereotypes. However overshadowed, inheritance remains nevertheless inextricable from both novels, suggesting that as a structuring convention the inheritance plot had come to signal a text as written ‘By the Author of *The Woman in White*’,⁶ and as such had become too much part of this literary producer’s identity to be jettisoned without risk to disappointing audience expectation, and thereby potentially destabilizing the appeal of his work and thus its market position.

Although a both metaphysical and psychological ‘doubt whether we are, or are not, the masters of our own destinies’ (*Armadale* 40) overshadows the dead hand legal device in both *Armadale* and *The Moonstone*, these novels revitalise the inheritance plot by exploiting the drama of the trans-jurisdictional. In so doing they touch on the very theoretical foundation of hegemonic British notions of private property, on which the inheritance laws and practices of mid-nineteenth century England were built. As was mentioned in Chapter One, these foundations had initially been laid in the late seventeenth-century in response to encounters with overseas territories cultivated in accordance with principles that clashed with those advocated by and in the Metropolitan centre.⁷ In featuring the tri-partite repertoire of inheritance elements far less prominently than earlier, *Armadale* and *The Moonstone* bespeak something more systemic than the individual solution via legacy and empire in the novels Williams

discussed, at the same time as they display something far less regular than the legal system in transformation on which the plots of *The Woman in White* and *No Name* (and *Hide and Seek* and *The Dead Secret*) rested: precisely because they draw on the trans-jurisdictional for their drama.

Armadale and *The Moonstone* exploit the inherent drama and disruptive potential of property and persons originating from outside and yet entering the jurisdiction of the metropolitan state. Non-domestic property is unsettling to established relations and claims because English property law is rooted in documentary and testamentary evidence of precedence and use for which no equivalent apparatus exists to monitor overseas claims of possession. The range of approaches adopted to tackle legal issues arising from overseas possession indicates its fluidity and contested status. Eyre's 1877 *Succession Laws of Christian Countries* operated as a practical guidebook, possibly for those invoked in overseas trading relations;⁸ Henry Maine's *Ancient Law*, in relation to India, outlines the dissolution of an ancient, complex and operative legal system to better fit it to British market imperatives.⁹ Recent research into widow's right to possession in Australia indicates how ill-suited English land law could be to the vast and only newly registered territories of colonial possessions.¹⁰ In an age of ever-increasing global traffic and diminishing proximity brought about by a revolution in communication and finance technologies, both overseas property and overseas property relations posed challenges to established legal systems and representational regimes that fast needed to be overcome if global trading networks and thus global capital were to grow. Collins manages the challenge posed by conflicting jurisdictions and property regimes in *Armadale* by using The Prologue to foreshorten and compress the inheritance repertoire into the Armadale estate plotline, before shifting from the past to near the present with attention focused on the outcome of the opening issue's deathbed warning, and on to the figure of Miss Gwilt. *The Moonstone* likewise accords far less weight to the gem as a legacy than its other values, financial, symbolic, religious and social, most strikingly by first positioning the transfer as a revenge, secondly by relocating the occasion of transfer from the death-linked will/bequest to a birthday party (three birthday events in all), and thirdly by showing this tangible item to fluctuate in market value. However, unlike *Armadale*, *The Moonstone* does return to the inheritance repertoire as its overall structure, possibly because *Armadale* had not

met with the positive response anticipated by his publisher, who had paid the unprecedentedly high advance sum of £5,000, and also too because this serial involved a return to Dickens's fold, where he had built renown with his inheritance plot structuring.¹¹ Collins's earlier novels had made reference to colonial property and persons, as would several later fictions. The high profile afforded inheritable property from the colonies in *Armadale* and *The Moonstone*, then the move away from it in later novels, indicates one of the challenges global capital posed the representational regime of the English novel, which was so rooted in the technology of a single jurisdiction.

Armadale

1. Colonial Property and Persons

Critical attention to 'the father's last words to the son' in the dying man's confession, the paternal command, 'Never let the two Allan Armadale's meet in this world: never, never, never!' (41) has focused on its status as a prophecy, and whether subsequent events are happenstance or accurate prophecy—above all the dream on *La Grace de Dieu*. Accordingly, the part played by the bequest of a plantation in sparking a chain of furious and finally fatal retribution is obfuscated, even though the novel's opening instalment, the prologue, precisely details the triggering historical transfer of property rights and the original heir's violent reaction to his dispossession. A symptom and equally a consequence of this critical oversight is that scholarship has tended to read the title of the novel to refer to the numerous protagonists who bear that name rather than the colonial real estate, a slave plantation, 'the great Armadale property' (20), even though we are told that adoption of the name had been the condition of possession: 'he offered the West Indian estate to me, and my heirs after me, on one condition—that I and my heirs, should take his name' (21). The acquisition of an overseas colonial property as a plot trigger merits particular consideration in light of the fact that Collins omitted this element when he prepared the novel for the stage. The 'alteration' announced in the title: *Miss Gwilt: A Drama in Five Acts. Altered from the Novel of Armadale*, consists of the erasure of all trace of the colonial property as well as the transmutation of Ozias and Allan into brothers and Lydia Gwilt into an innocent, a transformation that (via their omission) curiously links the violence of

colonial possession with Lydia Gwilt's reported and potential violence and violations.¹² Another feature that rewards consideration is why the outlining of an anticipated trajectory is here decoupled from a legal and publicly accessible document, a will, to be projected instead onto a personal and essentially private document, a dying father's letter to his son.

Modern critical discussion of *Armada*—in contrast to the initial reviews—does not shy from pointing out that the novel 'examines the criminal legacy of British slave ownership',¹³ concerns 'disinherit[ance] from the Armadale West Indian estates'¹⁴ and 'violence in the sugar colonies'.¹⁵ Nevertheless, despite these allusions to the extraction of market value from colonies (Marx's primitive accumulation, David Harvey's accumulation through dispossession),¹⁶ this colonial relation is generally not examined through the optic of the originating issue of contested property claims but rather the property holder's race, and race as it occurred in debates about heredity in the mother-country and Europe more broadly.¹⁷ This occlusion is particularly injurious in Collins studies given how many mixed race figures play lead roles which are often germane to property claims (Ozias Midwinter in *Armada*, Ezra Jennings in *The Moonstone* (1868), the Count de Layrac in the play *Black and White* (first performed in 1869), Natalie Graybrook in the story 'Miss or Mrs' (1871), Gerald Roylake in 'The Guilty River' (1886)). Audrey Fisch rightly observes that 'there is a new sort of logic about the penetration of mixed-race characters into Victorian society' in Collins's work.¹⁸ The logic that she senses, I would contend in the light of recent scholarly findings, appears to be rooted in inherited colonial property. Not only is it often this that allows the mixed-race subject 'incorporation [...] into traditional English society',¹⁹ but with a compound effect that reinforces global capital and the colonial project. Colonial historian Daniel Livesay notes that despite prohibitions in the West Indies limiting how much mixed-race subjects could inherit, capital trumped race as wealthier families managed to sidestep the law: a bequest of £46,000 and an education in Britain is documented as having occurred in 1739.²⁰ Even when a bill was passed preventing 'the frequent practice of devising large properties to mulattos and negroes' by capping inheritance at £2000, this excluded the wealthiest and led to a new path to hegemony opening:²¹ a significant number of 'elite mixed-race Jamaicans' travelled to India as members of the India Civil service, lawyers or civil servants and distanced themselves from their slave past'.²² With 'global migration [...] a key pathway by

which mixed-race elites reframed Atlantic identities and financial futures’, Collins’s novelistic version of events in the shape of Ozias Midwinter, strangely reworks this history.²³

Exploring the place of property claims in the treatment, categorization and standing of mixed-race people in Britain’s colonies during the late-eighteenth and early-nineteenth centuries, archival research has uncovered a relationship between race and property extraction and accumulation, and what is most arresting in this context of *Armada* and the inheritance plot is how it relates to inheritance. Livesay highlights ‘a number of inheritance lawsuits between mixed race offspring and white kin, as well as white fathers using hereditary promises to control children of color’ and ‘large sugar fortunes tricking down to illegitimate children of color, [with] a not insignificant number t[aking] relatively advanced positions in colonial society’.²⁴ In a recent review of Livesay’s work, historian Catherine Hall, familiar with the Scottish-West Indies traffic of people and property through her work on *Legacies of British Slave-Ownership*, refers to Stephen Foster’s study of the global stretch of a Scottish family, *A Private Empire*. One strand of its history so uncannily resonates with *Armada* that seems a likely source of the *Armada* estate plot. (Ozias’s mother is Creole, the name his father has taken is that of a Scottish town, his step-father is Scottish, too, and the proceeds of the slave-estate sale fund his education and a small bequest.) Hall, writes that:

a family from Scotland [...] sends son William to the colonies where he has a son called Allan from a relationship with the slave woman; a return to Scotland where he marries the daughter of the Dundee town clerk, and where he names the son he has with her, Allan too – both named after his father. However, the illegitimate is named after his father, ie Williams, and the legitimate child after the family name Macpherson.²⁵

The above-cited scholarship poses a challenge to and complicates arguments rooted in simple racial binaries by uncovering the frequent anachronism of notions of race that pervade literary and broader cultural criticism, bearing thus particularly on *Armada* (along with the other Collins’s text that revolve around mixed-race protagonists). ‘French and British imperial attitudes towards race were much more multifaceted than once thought’, Livesay contends, arguing that ‘modern scholarship has been unduly influenced by the Jim Crow era of American race consciousness: one that obscures a

much more complicated pre-Civil War history'.²⁶ The post-humous transfer of colonial derived property to mixed-race colonial subjects, which enables these subjects' insertion into European society, in mainland Europe and its colonial possessions, exemplifies another current of global capital circulation pressing up against jurisdictional frameworks that then had to adapt their legal technology to new circumstances.

2. Compression of the inheritance repertoire

Armada both echoes and departs from the other three novels under discussion in the way that it deploys the inheritance repertoire. It features a document that will shape future events, not a will, as in earlier and later novels, but a death-bed confession of murder containing a warning open to both supernatural and natural interpretation. Furthermore, yet another document with no legal weight, Ozias Midwinter's transcription of Allan's dream, soon overshadows both the prediction in the father's letter and the West Indian estate issue it recounts. Hence, having operated as the grounds or trigger for conflict, the matter of the passing on of property is subsumed by the non-legal, personal articulations, first a prediction, then a dream. The inheritable property is picked up only once more, when Ozias Midwinter comes of age and receives a letter from his father's lawyer. The monetary value extracted from the Armadale estate, proportionate to his part-share claim as son, is accordingly strongly eclipsed by these other features, possibly in part because property extracted from slave estates was such a politically sensitive issue at the time when the American Civil War (1861-1865) was still raging, in part because of Britain's changed position on the slave trade, and in part, and most importantly here, because the novel had developed with colonial property featuring at its margins rather than centre, and thus was in the process of developing a convention within which it could be otherwise deployed. Both *Armada* and *The Moonstone* show such property pushed further to the centre than usual.

Nevertheless, the Armadale estate, much diminished in value with competition and end of slave-trading and slave-holding in the West Indies, is compactly reported as 'invested [...] for my [Midwinter's] education' (91), an allusion that signals it as a transfer that accords with beliefs discussed in Chapter One, expressed by J. S. Mill and others, in relation to providing for the education of dependants so that they could operate independently, supporting themselves in the world. As such, this eventually

uncontentious slavery-rooted inheritance supports Reitz's positive reading of the novel within the context of the *Cornhill's* journalistic reflection on the 'expanding empire', that is one displaying 'the possibilities for "progress" based on a violent past.'²⁷ *Armada* shows Midwinter's education together with the remaining capital sum of the bequest to unexpectedly well-equip him for the world, despite its limited market value, although this occurs on the level of dramatization. Only one allusion is made to Midwinter's cultural capital. Allan's tutor, the Rev. Brock, finds books in the stranger's knapsack 'the Plays of Sophocles, in the original Greek, and the Faust of Goethe, in the original German. Both much worn by reading' (51), a library that signals the mysterious stranger as safe because of cultural worth. His later employment as land steward and journalist, and thus his independence, can likewise be traced to his education, but again attention is never explicitly drawn to this by the text.

From the moment mention is made of the lawyer's letter, the text removes overt attention from inheritable property shifting it from the father to heredity biological inheritance from mother's side. From this point onwards, the West Indies features solely in the form of Midwinter's dark skin 'my mother's negro blood in my face' (he attributes the 'passions in my heart' to his West Indian born, white father) (81). This dropping of the already compacted account of colonial property and its transfer, which has evaded presentation in the narrative's present by means of *The Preface*, again flags up a convention in process of development for representing global property transfer and claims. The complexity of the *Armada* plot and the shrinking of the inheritance repertoire certainly seems to indicate the difficulty of narrativizing colonial property. Debates about property were wholly underpinned by legal terms, as we have seen. Thus, when property comes from abroad, from outside the jurisdiction of any of the three kingdoms, it poses a challenge. The one clear case addressed by the *Cornhill* regarding the difficulties with different jurisdictions, took the form of an exploration of the different laws within each of the kingdoms, an article provoked by the notorious Yelverton case.²⁸ Scholarship by Graham Law and Andrew Maunder documenting Collins's arrangement for colonial editions of his work, to Australia and Canada, indicates awareness of a readership beyond the domestic audience, who might have been concerned about property rights abroad, and who would have been reflecting on the relationship between law in the newly acquired territories and law at home country.²⁹ However, the way in which the novel veers away from the matter of

colonial property having once set it up as a trigger indicates that it was not primarily this topicality that drove Collins's inclusion of the slave estate. The omission of the Armadale estate from the stage version confirms this.

Armadale does not totally forgo the matter of property inheritance, as opposed to biological heredity, in that it brings on an almost too text-book case of 'the unexpected legacy' in the shape of Thorpe Ambrose. It is this valuable Norfolk estate that will propel Lydia Gwilt in her machinations. Collins's account of how it comes to Allan Armadale constitutes a parody of the trope of unexpected legacy discussed by Raymond Williams. It comes to him via a circuitous path, and a series of very unexpected deaths and in a fashion that echoes Mary Braddon's *John Marchmont's Legacy* (1863). Book One, Chapter Three of the novel, 'The Lincolnshire Property', likewise involves the same fine mockery of the unexpected legacy trope. John thus hears the unlikelihood of his possession:

this is how the case stands: your first cousin is the present possessor of Marchmont Towers; he has a son, fifteen years of age, who may or may not marry; only one son, remember. But he has also an uncle—a bachelor uncle, and your uncle, too—who, by the terms of your grandfather's will, must get the property before you can succeed to it. Now, this uncle is an old man: so of course, he'll die soon. The present possessor himself is a middle-aged man; so, I shouldn't think he can be likely to last long. I dare say he drinks too much port, or hunts, or something of that sort; goes to sleep after dinner, and does all manner of apoplectic things, I'll be bound. Then there's the son, only fifteen, and not yet marriageable; consumptive, I dare say. Now, will you tell me the chances are not six to six he dies unmarried? So you see, my dear old boy, you're sure to get the fortune; for there's nothing to keep you out of it, except—

Accordingly, for seasoned readers of sensation fiction, Collins's audience would have understood the comic side to the path of Allan's inheritance, especially as it involves an unexpected legacy, and like the Armadale bequest, one that backfires on the intentions of the dead-hand seeking to control future generations.³⁰ Thorpe Ambrose descends to Allan via his mother, and from the Blanchard family who, as punishment for her transgressions, sought to exclude her and her offspring from possession.

3. *Cornhill*

Armadale's relationship to adjacent texts in the *Cornhill* has received far less attention than the dynamic imbrication of serialised fiction and surrounding texts in *Household Words* and *All the Year Round*, the scholarly illumination of which was variously confirmed, supplemented and developed in earlier sections of this thesis. This relatively less evident display of interconnection may in part be attributed to distinctive editorial policies. Literary historian John Sutherland maintains that the editor of the *Cornhill* at the time *Armadale* appeared, the skilled pressman and journalist Frederick Greenwood, was 'one of the greatest of Victorian editors', albeit one whose stature remains overshadowed by Dickens. Unlike the Conductor of *Household Words* and *All the Year Round*, Greenwood evidently did not see his task as one of orchestrating each instalment in the intertextual manner of his rival. Reitz confirms this in her examination of *Armadale*, which argues that the novel's ambiguity can best be understood within the context of the *Cornhill*'s representation of a range of positions of Englishness and empire, a critical perspective that echoes and confirms the image of national identity Linda Colley developed in *Briton's: Forging a Nation 1707-1837* (1992). Deborah Wynne's focus on the fiction (rather than non-fiction) with which *Armadale* overlapped, Elizabeth Gaskell's *Wives and Daughters* for the first few instalments and Trollope's *The Claverings* for the last in a chapter, both flags up and provides a way to critically tackle this absence of correlation. It is notable, too, that no reference is made to *Cornhill* articles by Jenny Bourne Taylor's *In the Secret Theatre of Home* (chapter on 'Armadale the Sensitive Subject as Palimpsest') in contrast to her mention of Dickens' periodicals in discussion of *The Woman in White* and *The Moonstone*. The lack of resonance or dialogue between the novel and the periodical may be traced to different strategies adopted by, and visions informing, respective editors. Greenwood's comparatively less choreographic approach to his periodical certainly appears to have afforded Collins a space in which to try something new. The innovation displayed by *Armadale* in its movement away from the overarching inheritance plot and arrangement of inheritance repertoire motifs prior to a return to these in *The Moonstone* is strongly correlated with the novelist's temporary distance from Dickens, his house-style and legal-reform programme, as well as the

challenge posed by global capital relations outlined in the previous section of this chapter.

The Moonstone

The Moonstone opens with a family paper telling of the curse attached to a yellow diamond seized as a spoil of war in India. A collection of eye-witness accounts then follows, documenting the events surrounding the loss of the gem in England. The stone is given Rachel Verinder in accordance with her uncle's will, on her eighteenth birthday. Its disappearance is unfathomable, despite the best efforts of detectives, amateur and professional. Suspicion about the re-kindling of the curse is aroused by the presence of three Indians in the vicinity and the bequest purportedly intended as revenge by the pillaging-officer on his sister Julia, Rachel's mother, for socially ostracizing him.³¹ The revenge motif that featured in *No Name* is here more fully developed. Investigation reveals that gentleman-amateur sleuth, cousin Franklin Blake, took the gem for safekeeping (unwittingly as he had used laudanum that night) but was intercepted by evangelical-clergyman cousin Godfrey Ablewhite who planned for the stone to be cut and sold to cover the embezzled trust fund he had used to support a mistress. The Indians waylay the scheme, killing Godfrey in the process. Rachel marries Franklin. The tale closes with the gem's return to India, to be held at a sacred site.

This novel is rarely considered in terms of its inheritance plot although what propels readers through to its end is a narrative trajectory tracing the whereabouts of a gem that, once within the jurisdiction of England, has been rendered the object of a bequest transfer. Further, as is divulged at the very end of the novel, what has triggered the event announced on the novel's pages of contents as 'The Loss of the Diamond (1848)' (lvii), which occurs several hours after the stone has been passed to Rachel on the evening of 21 June 1848, is an embezzling trustee's pressing need to pay out three days' later a £300 half-yearly income to the fund's beneficiary, and less urgently, within the next eighteen months to find the total swindled £20,000 to meet his obligation to hand over the principal sum when the charge comes of age in February 1850. Reference to this recipient's status as a minor intimates the assets to be a legacy, a point requiring little elaboration for contemporary readers who, as was explicated in

sections one and nine of Chapter One were familiar with such trust arrangements. The bequeathing of the diamond, its disappearance and the trust-fund trigger constitute the novel's three inheritance repertoire elements that link it back to the earlier analysed *All the Year Round* serials. Thinking through this novel in terms of its inheritance plot and thereby linking it back to the previous novels, draws attention to the way in which like them its concern with contested possession is far more complex and historically resonant than has often been noted. The observation expressed by John Reed in one of the first articles to address the novel's colonial connections, that the gem 'is stolen property, that rightly belongs to the men viewed as thieves', has become an ever more common position held by criticism.³² But 'stolen property' and 'thieves' are legal terms that the novel avoids in its preference for the words 'loss' and 'missing'. Note how the first part of *The Story* is titled 'The Loss of the Diamond'. Underscoring this is Sergeant Cuff's response to Franklin Blake: 'Nobody has stolen the Diamond' (105), a phrase that resonates with transnational and jurisdictional aspects of the novel that render the idea of 'theft' and legal possession problematic and near impossible.

4. Property forms and genre change

Inheritance is not, however, the direction in which historically orientated literary criticism of *The Moonstone* has generally turned. That has rather been away from the novel's conditions of emergence and Collins's past oeuvre and often somewhat teleologically, towards the future, the detective trend that this novel purportedly set in motion. This phenomenon is best known through a pronouncement made in 1951 by 1948 Literature Nobel Prize winner and the then leading critic of the Anglo-American establishment T. S. Eliot which positioned the novel as 'the first, the longest and greatest of English detective novels'.³³ This status has effectively aestheticized the novel's articulation of property, both domestic inheritance events and global and finance capital transfers, as concentration on detection as a genre can detract from the way in which the novel operates as a rendition of the inheritance plot and one in which financial institutions and processes eclipse legal institutions and instruments as the plot's key nodal points. This is not to underestimate the light shed on detective fiction as a literary practice of writing and reading, above all by Tzvetan Todorov in his discussion of the 'duality' of the literary detective narrative, its operating as both 'the story of the crime and the story of the investigation', according to his famous dictum in 'The Typology of Detective Fiction'.³⁴ Likewise the way in which this type of

fiction can accordingly be thought of as what Peter Brooks terms ‘the narrative of narratives’,³⁵ and D. A. Miller ‘an interestingly paradoxical economy ... in which *everything might count*’.³⁶ Rather, the aim here in using the inheritance optic is to draw attention to the overlooked density of financial sites that occur in what, on the first page of main narrative body, ‘The Story’ (lvii), Franklin Blake is cited as terming ‘this strange family story of ours’ (7). These points include the palace treasury from which the gem is looted at the outset, the banks in London and Frizinghall at which it is kept, the services of bankers, moneylenders, debt collectors and trustees, and Amsterdam, London’s long-term rival at the world of finance capital, the home of the rival to the British East India Company, VOC, the Vereenigde Oost-Indische Compagnie - the Dutch East India Company, which had pushed the British into India and the fabric trade by beating them in the initially more lucrative spice trade.

The argument made here suggests that these financial nodes are constitutive of the novel’s mystery and that the framing of *The Moonstone* in terms of detective fiction can lead to an all too abstract perspective on the lost property around which the plot revolves, one which severs it from broader changes in global property forms and relations, thereby blunting its historical edge, bypassing the challenge presented by new property forms and claims. A reinstatement of the novel within a more clearly historicised context that grounds ‘the loss of the diamond’ and ‘the discovery of the truth’ within identifiable property transfer practices, institutions and debates, allows us to reconnect the mystery sparking the detection process with the mystery of new property forms, relations, institutions and practices that characterised evermore globally connected mid-nineteenth century Britain. The clearest example of this can be seen in *The Moonstone*’s evident connection with the serial generally regarded as the very first detective novel in English, Charles Felix’s *The Notting Hill Mystery* (1862-63). Now identified as actually written by lawyer Charles Warren Adams, the *Once-a-Week* serial which involves the collation of documents by an investigator, sleepwalking and the use of a soporific, is rooted in the financial crime of a fraudulent insurance claim; critic John Sutherland has pointed to the likely purpose behind Franklin Blake’s collection of documents as ‘a whopping insurance claim’.³⁷ Linking the novel to global capital also accords with and builds on Reitz’s scholarship, which traces the roots of detective fiction to British policing of the colonies, starting with the early nineteenth century, especially India.³⁸

The detective framework, concerned with abstract absence and loss, rather than historically specific jurisdictional losses, tends to overlook other of *The Moonstone*'s antecedents, how it returns to and reworks Collins's own earlier inheritance plots.³⁹ The novel's collation of eye-witness accounts evokes the mode of restorative justice and purpose shaping the narrative processes of the two earlier *All the Year Round* novels. *The Woman in White* had traced a pursuit to restore a gentlewoman's identity and status, whilst the trajectory followed by *No Name* concerned the tracking of a bequest that daughter considered her morally rightful claim. *The Moonstone* parallels both these paths in its documentation of an investigation into a search for a lost gem, and the tale it tells of uncovering the process in which this loss occurred, its determinants and consequences, rather, that is, than restoring a property to an anticipated claimant. The novel likewise takes up and develops elements of *Armadale* in centring on a property with colonial origins and its acknowledgement of violent accumulation by dispossession.

Critical reception of *The Moonstone* has generally shied away from the novel's inheritance plot in part because of the standing this is accorded by the text itself. The novel's inheritance motifs are largely subsumed and thereby muted by different property transfer motifs, above all that of the birthday gift occasion, and intertwined with this another increasingly high-profile institution and its practices, a refashioned finance sector. The process and occasion of post mortem property transfer, although it still underpins the text's fundamental structure in the shape of the inheritance repertoire, is here subordinated to a very different type of occasion for gift property transfer, which neither features in the family property cycle nor is yet an established element middle-class social life: the birthday. The use of the nascent ritual of the birthday party as a setting, the giving of a bequest as a birthday present and the inclusion of three birthdays (the same *célébrée* but different years) has to date not been addressed. Accordingly, this chapter endeavours to demonstrate the hypothesis that the pivot which enabled the generic change for which this novel is so renowned, as the forerunner or even one of the first examples of the detective novel, is the now seemingly commonplace, and thus much overlooked, celebration of the birthday. This occasion enables a different type of property form to come into play by severing the inheritance gift transfer from its connection with traditional obligations, especially of necessary and obligatory support, depicting it instead as a property type better suited to the absolute and alienable conditions ushered in by the Wills and Inheritance Acts

of the 1830s. This takes place against the background of a more general cultural transformation of free circulation of property effected by the Company Acts of 1842-1862 which so deeply reconceptualised property, and for which the Inheritance and Wills Acts played such a preparatory role in disencumbering and removing binding established interests.

India complements the birthday in that it is constitutive of this new property formation. The new rendition of the inheritance plot effected by this novel is enabled by the gem, a type of property that has newly entered the jurisdiction of England leaving in its wake troubling and unsettling legal waves in part because of its history as an object looted by a member of the East India Company's presidency army. Accordingly, no protagonist able to claim within the English court system is able to express a traditional right to this property in the manner depicted in the dramatization of contested interest in the earlier novels. Accordingly, the birthday and India operate as narrative elements that support a plot articulating more than ever before a scenario of freely circulating property. As a birthday gift, which is not only from overseas but also from a collateral, an uncle, the gem is a vehicle through which a sense of absolute and alienable property is conveyed. The traditional mechanism of the bequest gives way to the birthday as a new social means with which to transfer property. Detaching the transferable property from traditional claims, the narrative releases it into an arena in which various protagonists might lay claim to it (Rosanna, the other servants, Rachel, Franklin), thereby opening up new narrative possibilities.

Key to *The Moonstone*'s narrative is an underlying shift of weight in property forms and relations. At mid-nineteenth century, the residual, associated with encumbering customary duties, obligations and responsibilities, as has been shown in earlier chapters, was an already rapidly diminishing force in Collins's novels, and here in *The Moonstone* it features in two places: first, in the novel's secondary, underpinning plotlines, and secondly, in its reference to Indian property practices. Traditional legacies, given as provision for dependants, are received by Lady Julia Verinder from her husband, Rachael Verinder from her mother, Franklin Blake from both his mother and father. Protagonists who do not receive the legacies to which they believe themselves entitled, and when needed, namely Miss Clack and at one point Godfrey Ablewhite, are depicted as destabilizing social elements. Even the £5,000 Godfrey receives at a crucial juncture from a lady admirer falls into this category too. Legacies of an untraditional kind are vital to clearing up the central mystery of the loss

of a central legacy. This is in large part solved thanks to two of the dispossessed, a servant and the doctor's assistant, leaving Franklin unusual items that prove requisite to clear his name and enable him to marry his beloved: Rosanna Spearman leaves Franklin his stained nightgown and Ezra Jennings leaves him important pages from his Journal.

In contrast to the primary properties left in the other novels, *The Moonstone's* main plotline concerns not legacy left to provide and support but rather a contingent transfer of assets to a woman who is already well provisioned. Furthermore, this transfer, we are led to understand, is motivated by a sentiment that is quite opposed to provision: revenge. In addition, and in support of the revenge interpretation, should given conditions not obtain (Rachel's mother needs to out-survive Col. Herncastle, her estranged brother, for the gem to pass to her daughter) the uncle's spoil of war will bypass the prospective young heiress and go instead to fund a chair of chemistry at a university in the north of England, a purpose strongly connected with modernity and the new industrial economy. These features associated with legacy of the diamond point in the direction of ascendant rather than residual property forms and relations.

The Prologue to *The Moonstone* deflects attention from and side tracks the reader from the diamond's connection with the modern in its reference to the stone's ancient 'eleventh century' (2) history. The same occurs in a series of later references to the Hindoo priests' pursuit of the gem they hold sacred. But, nevertheless, within the parameters of 'The Story' of the moonstone, the gem operates as a device which evokes property forms and relations unhampered by traditional obligations and duties: these are projected on to India and the Hindoos. The gem's central association with modernity is not because the gem takes a tangible and literally portable form. Rather, the diamond is the harbinger of the future because it comes from outside the jurisdiction of England, and thus because English property claims rest on a history of use, that is, are bound up in given, articulated and contested social relations. The newly arrived gem from India effectively and judicially speaking during the moment of history at which the novel appeared (1868) and was set (1799, and 1848-50), lacks the history necessary to securely determine the rightfulness of the various claims made upon it. It is this state of uncertainty that the novel draws on for its drama.

The novel presumes and delineates discrete English and Indian jurisdictions (hence the form and frameworks) holding the relationship between the two in the interstices of its ever-shifting narrative plates. For the purposes of a novel about

detection of a missing object, the diamond is an ideal absolute and alienable property. Unlike in the earlier novels there is no concern with respective claims. Within the parameters of the English jurisdiction in which the novel plays out its owner is juridically accountable to no-one, free to pass his property on to whomsoever he wishes, for reasons that require no explanation. The tale told by the 'Story' points out that unlike the monetary sums that features in the earlier novels, the diamond does not constitute necessary livelihood provision for any protagonist.

However, worth noting is that whilst wills are legion in this novel, they do not cry out for attention in the same way they did in the other texts; their operation is far more covert. Their presence and the events they propel rarely take place on the first of this novel's representational planes, but are deeply embedded in time and hidden in reported speech and accounts; such narrative devices cushion impact and lower profile, at the same time as they indicate that the transgenerational transfer of wealth works behind the scenes, out of view, to keep this social order afloat and its cogs turning. A key rhetorical strategy that detracts attention from inheritance is the replacement of complex inheritance motifs on which the plots turned in earlier novels with straightforward wills that are accessible to the layperson and require no professional explanation. (These perhaps are more representative of the type of legal instrument Collins's readers met with in their lives). The family solicitor, Bruff, tells Franklin that 'the will [made by his uncle, the diamond-leaving 'wicked Colonel']' was a very simple matter [...it] began and ended in three clauses' (37) later reporting that that left by Sir John Verinder was even simpler, with the testator instructing: 'Everything to my wife. That's my Will' (264), and 'In ten minutes', Bruff adds, '[it] was drawn, and executed' (265). These representations suggest that the legislation of the 1830s was becoming operative and normative. Attention is further parried from inheritance by the text's staging of the central bequest transfer as a birthday offering, as will be explored in depth in the next section. Both these aforementioned departures from the earlier novel occur against a broader background more notable for its reference to the world of finance (banks, moneylenders, debts, cheques etc) than the legal (wills, solicitors and marriage settlements). In tandem with this shift away from earlier association with the law, the plot of *The Moonstone* is actually rooted in a far higher number of will-triggered events than any of the other novels.

5. The Birthday

It is not only the property type that is new in this novel. At the time *The Moonstone* was written (1868) and the time it was set (1848-1849) the birthday party was itself a historical novelty. Hence the two are well paired. The oil painting *Many Happy Returns of the Day*, a domestic genre scene by W. P. Frith, was, it has been observed, ‘the first illustration of a Victorian birthday party’.⁴⁰ Further instances of the newness of the gift giving birthday ritual at mid-nineteenth century will follow below. The will that leaves the eponymous moonstone to Rachael Verinder stipulates that the diamond be presented to the niece of Colonel John Herncastle on her birthday following his death. It is this moment of transfer that marks the departure from the dominant mid-nineteenth century inheritance plot, in which it is a rarity for the moment of actual transfer to recipient to be shown. Furthermore, within the nineteenth-century property-cycle of the English middle-class as studied by the pre-eminent historian of property, R. J. Morris, the birthday is not catalogued as a significant property-passing occasion at all. In fact, it rarely features at all in fiction of the first half of the nineteenth century. For all the genteel socialising that happens in Austen, never once is it at a birthday party. At mid-century, in Trollope, Eliot and Collins too, the word is usually used as a synonym for someone’s age rather than as a social event. Accordingly, Collins’s deployment of the birthday is of more than passing or arbitrary significance and indeed pivotal in a reorientation of genre.⁴¹ It is, however, well worth consideration, particularly when it is recognised that the birthday celebration had only been documented as a feature of British middle-class social life for just over a decade when the novel appeared.

On the odd occasion when critical silence about the novel’s birthday is broken, it is in terms that intimate the social event itself to be intrinsically insignificant, as the meaning of the birthday is projected elsewhere. Its relevance is taken to be the date, 21 June, and thus attention is drawn away from the Verinder family gatherings in East Yorkshire and London and projected on to the June Days in Paris, or the calendrical significance of the solstice (which in 1848 happened to fall on 21 June).⁴² Whilst the date certainly refers to these events, by themselves they do little to account for a narrative structure around three birthday events. Three features are threaded into the gift given on the central birthday occasion, of 1848—the year in which the moonstone disappears—that give the diamond as a legal property a profile that resonates with the qualities on the ascendant in mid-nineteenth century England, that is the status as

absolute and alienable personal property. First the diamond does not constitute requisite provision for the beneficiary. On her eighteenth birthday, in 1848, Rachel is a prospective very wealthy heiress, and underscored early in the text is the fact that if particular conditions are not met, it is not she to whom the gem will pass, a potential diversion which is never associated with injustice for Rachel. Second, related to the first, the diamond is given Rachel not by a direct line relative, but a collateral, which was observed in Chapter One to be an increasingly contentious type of property transfer, especially amongst those promoting Free Trade ideology. It is precisely because the uncle, as a collateral, is not responsible for securing Rachel's provision and the diamond is not her means of livelihood passed on by a descendant, that it is of little narrative consequence that it returns to India. Third, the diamond comes recently from overseas, an ideal pedigree with which to represent absolute and alienable property within the jurisdiction of England. With no history within the jurisdiction, the moonstone is unencumbered with any claims, hence the return of the diamond never comes across as a loss in the same way as does Laura Fairlie's loss or that of the Vanstone girls as its status as a property within the jurisdiction of England is ever depicted as uncertain. The moonstone is thus as an ideal type of personal property—alienable and absolute—for easy transferability within the commercial conditions of England after the passing of the Company Acts. A valuable and easily moveable family jewel that can never be considered an heirloom. This is thrown into relief when we set this diamond alongside those that feature in the two gem-centred narratives flanking Collins's, by equally popular mid-nineteenth century novelists, Thackeray's 'The History of Samuel Titmarsh and the Great Hoggarty Diamond' (1849) and the novel Trollope wrote in response to Collins's work, *The Eustache Diamonds* (1871). At issue in both these other stories is the matter of whether or not the gem is an heirloom, a legal definition which is shown in each to turn on a slightly different matter, that of the diamond's setting in the first and whether it was part of an entail in the second; no such considerations trouble the gem that has been in the country for under fifty years, and for most of that time held in a bank vault by a bachelor.⁴³

To demonstrate the hypothesis that the birthday is the pivot of change from the inheritance plot to different type of property transfer plot, and that the birthday gift from overseas and from an uncle as a vehicle through which a sense of absolute and alienable property is conveyed, this chapter examines the novel plot as the site on

which changing property forms and relations leave their deepest imprint as in the preceding chapters.

Investigation of the text within a broader context of use of the word 'birthday' itself in mid-nineteenth century novels and reference to the occasion of the birthday in fiction, the periodical press and visual arts, indicates that it is this event as a pretext for gift transfer and social congregation that pushes to one side, or submerges, inheritance occasions such as will drafting and will reading. The novel can accordingly be read as a new rendition of the inheritance plot, one which swings away from a form rooted variously in the country house novel, the courtship novel, the gothic and the it novel, changing direction to face towards features that will be picked up and worked into detective fiction (which will often feature loss and death motivated by a sense of injustice about an inheritance). It is the eponymous gem that operates as a pivot for this turn from one literary form to the other, as a bequest transferred to the recipient on a birthday; and the moonstone can play this role because of its particular qualities as a property that, as shall be elaborated, belongs to two jurisdictions within one of which it is heavily freighted with deep historical claims and within the other depicted as an ideal absolute and alienable property, through its fluctuating value and easy border crossings.

This motif takes the form of the reaction to the presentation of the moonstone, characterized here as a gem 'that shone awfully out of the depths of its own brightness' (61). The text portrays a gifting ritual that swerves sharply from the established path of life-journey-events and concomitant transmission processes that have been registered by the inheritance plot up to this date, both in Collins's work and more broadly. The diamond is handed over on a birthday, as a birthday gift, and focus is on the appearance of a tangible object and the responses this generates. This is a departure from the usual inheritance plot occasions of death (manifested for example in the writing, reading, loss or duplication and so on of the will) or a prospective marriage (registered in the form of marriage settlement or entail). The only notable instance in a mid-nineteenth century novel of a birthday featuring as a moment linked to significant intergenerational property transmission occurs in *Adam Bede* (1859), yet even here, the occasion of prospective squire and heir apparent Captain Arthur Donnithorne's coming of age, the bequest is anticipated rather than confirmed and realised. Hence the significance of the motif six section of *The Moonstone* lies in the way it moves away from and radically transforms the established inheritance plot by

pushing the usual threshold stage of death or marriage into the background to make space for an occasion that contemporary accounts suggest was just beginning to be documented as new hegemonic ritual.

Birthdays are not catalogued as a significant property-passing occasions in the nineteenth-century property-cycle of the English middle-class as studied by R. J. Morris and in fact they rarely feature in fiction of the first half of the nineteenth century.⁴⁴ It will come as no surprise given Dickens's reputation for having 'invented Christmas', that it is in his novels that birthdays feature most often, and as a mark of not simply of years passed but a significant social occasion. Dickens's final completed novel, *Our Mutual Friend*, displays his acute insight into the role birthdays were coming to play as a social negotiation strategy in the following exchange between a socially aspirant couple:

Said Mr Podsnap then to Mrs Podsnap, 'Really I think we should have some people on Georgiana's birthday'.

Said Mrs Podsnap then to Mr Podsnap, 'Which will enable us to clear off all those people who are due'.⁴⁵

In the same novel a further acknowledgement of the birthday's social profile, and Dickens's promotion of it, is to be seen in the sentimental inscription 'From her husband on her birthday' that enables the Inspector to confirm that Rokesmith, Handford and Harmon are the same people.⁴⁶ Dickens further displays his popularising of the event by printing in *Household Words* a George Augustus Sala article entitled 'Birthdays'.⁴⁷ This reinforces Dickens's novelistic representation as it sharply notes how they serve to mark social distinction, and in a new fashion too. Birthdays now it appears are not restricted to mark the coming of age of the landed and the prospect coming into possession of substantial assets, or in like vein to celebrate a monarch, they shape the lives of a broader comfortable class, the type depicted in W. P Frith's domestic genre scene 'Many Happy Returns of the Day' (1856), an oil painting which social historian Elizabeth H. Pleck contends was 'the first illustration of a Victorian birthday party'.⁴⁸ Sensitive to the broader reform project of *Household Words*, Sala's piece notes that after 'our first Birthdays [which] are all pretty nearly alike' class division becomes immediately apparent: 'the Birthday becomes an institution to be kept with great state, and splendour, and carousal by the rich, to be neglected, or ignored by the poor.' Pleck's scholarship chimes with this; the primary purpose of the

event, her research findings have shown, was for the younger generation of the middle and upper classes to learn and practice the manners and social etiquette that were considered by adults of the group to be required for membership in later life. This background anchors motif six into its historical context thereby enabling it to be read with greater nuance.

Closer to the world of mid-century is a scene from *Middlemarch* (1871), the reading of Featherstone's will. This is focalised through the eyes of the wealthy local landed estate owners who literally look down on the tenant farmers and manufacturers gathered in response to Featherstone's funeral invitation, a narrative device that enables a panoramic survey how the future wellbeing and happiness of a gathered group of interested parties rests, or is imagined to rest by those concerned, and with a range of expectations at. Book Four Chapter 34 outlines his motivation and their preparation; and Chapter 35 the terms and condition of his will and the general deflation and disappointment. This scene shows the allocation of the testator's real and personal assets. Although this is set in 1832, thus only one rather than two generations before the time of writing, it still involves a customary ritual. Novelists more concerned with the contemporary than the historical, even though they might set their novels in the recent past, such as Collins, Trollope and Dickens, shifted the ritual of enacted property transfer from the community of affected parties to within the lawyer's office, or site of document drafting, a transformation that bears the imprint of the changes instituted by the Inheritance and Wills Acts of the 1830s.

This inheritance motif, which presents the diamond in terms of the reaction it provokes in the party gathered for the birthday celebration, eventually stabilises by settling for some time on (narrator) Betteredge's view. But even focalised through this one protagonist, the text shimmers with vacillation as he searches for appropriate vehicles through which to convey a sense of the diamond and the impression it leaves. There is a statement of fact: 'it *was* a Diamond!'; a simile is deployed: 'The light that streamed from it was like the light of the harvest moon'; and a comparison is drawn: As large, or nearly, as a plover's egg! Betteredge reports that the whole party had responded to the gift with amazement, However, the motif closes with words that break the collective awe: 'Carbon, Betteredge! mere carbon, my good friend after all.' (62). Carbon is precisely what has made so many wealthy in Yorkshire. With hindsight, or more likely on second reading the purpose of his dismissive phrasing is clear; it is in Godfrey's interests to play down anything of monetary value to disguise

his desperation and appear uninterested in the gem, scientifically detached as it were. The carbon allusion also operates analeptically and proleptically to bridge seemingly disparate elements of the text and weave it together. The chemical referent evokes the path the diamond would have taken had Rachel's mother not been alive; it would have been sold and gone toward funding a Professorship in Chemistry at the northern university. foreshadows an exchange that takes place in the subsequent chapter (serialisation week five) when at the birthday dinner party, guest Dr Candy – without once using the term 'carbon' requests that Rachel 'let him take it home and burn it' 'puff!—we will evaporate the Diamond and spare you a world of anxiety about the safekeeping of a valuable precious stone' (65), a suggestion that Lady Julia wishes could be realised, as she concurs with Betteredge about the disruptive quality of the gift. Dr Candy's proposition to make the diamond disappear reiterates an idea that Betteredge had earlier put to Franklin: 'I was thinking, sir [...] that I should like to shy the diamond into the quick sand'. 'We found a fund of merriment', the house steward continues, 'in the notion of making away with Miss Rachel's lawful property, and getting Mr Blake [senior] as executor, into dreadful trouble— [...] though where the merriment was, I am quite at a loss to discover now' (40).

From the outset the very moment of transfer is riven with equivocation. First it is positioned liminally, on the page aurally not visually, heard through a door and by Betteredge as 'an outbreak of screams' (from Godfrey Ablewhite's sisters, 'the Bouncers'). A more extensive (visual) paragraph then follows, and here the second equivocation occurs, as it consists of an ekphrasis that mixes both formally stylized art with realism. This starts with a static arrangement that brings to mind religious or historical academic scenes:

There stood Miss Rachel at the table, like a person fascinated, with the Colonel's unlucky Diamond in her hand. There on either side of her, knelt the two Bouncers, devouring the jewel with their eyes, and screaming with ecstasy every time it flashed on them in a new light.
(61)

The paragraph then turns more kinetic bringing to mind the type of interior domestic genre scene painted by Collins's godfather, David Wilkie — 'Reading the Will' (1820) or 'The Bride at Her Toilet on the Day of Her Wedding' (1838) come to mind— his close friend William Collins, Collins's father, more commonly executed outdoor genre

scenes. The unsymmetrically arranged figures here, each focused on something different, generate a totally different and finally far more ominous dynamic:

There at the opposite side of the table stood Mr Godfrey, clapping his hands like a large child, and singing out softly, 'Exquisite! exquisite!' There sat Mr Franklin in a chair by the bookcase, tugging his beard, and looking anxiously towards the window. And there, at the window, stood the object he was contemplating—my lady, having the extract from the Colonel's Will in her hand, and keeping her back turned on the whole of the company. (61)

In sum, the tableau vivant in this short passage of text offers a parodic rendition of the solemn featy ritual of donation that was staged at the very end of *The Woman in White*, with Laura presented to her uncle and the rest of the Limmeridge household and tenants. What warrants attention here is not the different attitudes to the occasion of transference that was observed and analysed in the previous chapter with regard to different attitudes to inheritance; here there is a strikingly unsettled combination of modes: aural and visual; formal and informal; status and kinetic; centrifugal and centripetal, which together indicate an aesthetic responding to broader social flux, mutation that it was argued above was registered in and took the form of the birthday commemorations themselves.

Conclusion

Armada and *The Moonstone* are once again built on the inheritance repertoire, but in these instances inheritance transfer is given a very different position and prominence from in the two earlier novels, a narratological handling that this chapter has viewed through the optic of the challenges posed by transnational property transfer. The novels display the problem posed by overseas property's entrance into the home jurisdiction, the legal technology of which had developed primarily to deal with domestic use and claims and not those of global capital. Narrative solutions to the incursion of this type of property into the established inheritance plot is shown in Collins's use of a Preface in these novels. This operates as the space in which to hold and separate the back story of the origins of his novels' primary bequests, the monetary value of a sale of the Armadale slave estate and the Moonstone diamond seized as a spoil of war, respectively. The chapter has focused on other narrative transformations instituted to partner this new element, which is seen as much as ethico-political as it

is structural. In *Armada* the Preface serves as a space into which the inheritance repertoire is compressed before attention is taken by the forewarnings of a non-legal death bed document, and an English inherited property that is written as if to parody the unexpected legacy plotline discussed among others by Raymond Williams and John Reed. Recent historical scholarship into colonial property possession and inheritance practice among those of mixed-race complicates any straightforward post-colonial reading of *Armada*. In *The Moonstone* the Preface operates to contain the violence of geographically and historically distant colonial dispossession before the inheritance repertoire, whilst still underpinning the overall structure of events occurring in England, is marginalised in favour of two ever more high profile institutions, the financial sector and the birthday party. Both signal a break of established moments and modes of property transfer. Raising the issue of the extent to which ‘we are, or are not, masters of our own destinies’ (*Armada* 40), these two later novels are structured so as to transform a more traditional inheritance plot. Both drop the motif of inheritance as required support for dependants that had dynamized the earlier novels, and which largely legitimised transfer in public debate about inheritances: beneficiaries in the later novels are independent of the eponymous properties. This narrative transformation diminishes the degree to which destiny is seen as shaped by the transfer of family property, thereby opening out onto a world of alternative property transfer arrangements.

Notes

¹ E. P. Thompson, *Whigs and Hunters: The Origins of the Black Act* (New York: Pantheon Books, 1975); Marc W. Steinberg, 'Marx, Formal Subsumption and the Law', *Theory and Society* 39:2 (2010), pp. 173–202; Carl J. Griffin, 'Becoming Private Property: Custom, Law, and the Geographies of 'Ownership' in 18th- and 19th-Century England', *Environment and Planning A*, 42:3 (2010), pp.747–762.

² Karl Marx and Friedrich Engels, *The Communist Manifesto* (Harmondsworth: Penguin Books, 1967), p. 83.

³ See John Reed 'English Imperialism and the Unacknowledged Crime of The Moon-Stone', *Clio*, 2:3 (1973), pp. 281-290; Tamar Heller, 'Blank Spaces: Ideological Tensions and the Detective Work of *The Moonstone*' ed. by Lyn Pykett *Wilkie Collins: New Casebooks* (Basingstoke: MacMillan, 1998) pp.244-270; Lillian Nayder, 'Collins and Empire' in ed. by Jenny Bourne Taylor *The Cambridge Companion to Wilkie Collins* (Cambridge: Cambridge University Press, 2006) pp. 139-152, pp. 139-140; Caroline Reitz, 'Colonial 'Gwilt' in and Around Wilkie Collins's *Armada*', *Victorian Periodicals Review*, 33:1 (2000), pp. 92-103, p. 95.

⁴ Nathan K. Hensley, 'Armada and the Logic of Liberalism', *Victorian Studies*, 51:4 (2009), pp. 607–632; Joshua Gooch, 'Narrative Labor in Wilkie Collins's *The Moonstone*', *Lit: Literature Interpretation Theory*, 21:2 (2010), pp. 119–143.

⁵ Raymond Williams, *The Long Revolution*, (London: Chatto & Windus, 1961), p. 65.

⁶ See announcement 'The Moonstone. By the Author of "The Woman in White," ', &c., &c.' in *All the Year Round* 4 January 1868, the date of the first instalment.

⁷ Domenico Losurdo, *Liberalism: A Counter-History* (London: Verso, 2014), p. 23-25; Andro Linklater, *Owning the Earth: The Transforming History of Landownership* (London: Bloomsbury, 2014), pp. 80-85.

⁸ Eyre Lloyd, *Succession Laws of Christian Countries with Special Reference to the Law of Primogeniture as it Exists in England* (London: Stevens and Haynes, 1877)

⁹ See Maine *Ancient Law* and Rachel Sturman on Maine in *The Government of Social Life in India: Liberalism, Religious Law and Women's Rights*, (Cambridge: Cambridge University Press, 2012), pp. 18-24.

¹⁰ Charlotte Macdonald, 'Land, Death and Dower in the Settler Empire: The Lost Cause of "the Widow's Third" in Nineteenth-Century New Zealand', (Special Issue: New Zealand Leading Cases)', *Victoria University of Wellington Law Review*, 41:3 (2010), pp. 493–518.

¹¹ Kenneth Robinson, *Wilkie Collins: A Biography* (London: Davis-Poynter, 1974) pp. 163-164; Catherine Peters, *The King of Inventors: a Life of Wilkie Collins* (London: Secker & Warburg, 1991), pp. 235-236.

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- ²⁷ Reitz, 'Colonial "Gwilt" ' (2000), p.92.
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- ²⁹ Graham Law and Andrew Maunder, *Wilkie Collins: A Literary Life* (Basingstoke: Palgrave Macmillan, 2008) p. 142; See too J. E. Traue, 'The Public Library Explosion in Colonial New Zealand', *Libraries & The Cultural Record*, 42:2 (2007), pp. 151-164. This documents a surprisingly high level of periodicals and novels from the home country, that confirms the better known work on this matter by John Plotz (2008).
- ³⁰ The path of transfer has several times been misunderstood by critics – Thorpe Ambrose is not equally available to Ozias Midwinter. I think we can read this as one of the novel's indices of modernity – shifting away from repetition of the past, self-determination, shaping one's own future (link to modern plot).
- ³¹ In week 2, Jan 11, we read in *Betteredge* the House-Steward's account that 'the Honourable John [...] was [...] one of the greatest black-guards that ever lived. [...] He came back [from India] with a character that closed the doors of all his family against him' p.30.
- ³² Reed, 'English Imperialism' (1973), p. 283.
- ³³ T. S. Eliot, 'Wilkie Collins and Dickens', *Selected Essays of T. S. Eliot*, 3rd ed. (London:1951).
- ³⁴ Tzvetan Todorov, *The Poetics of Prose* (1971) trans. R. Howard, (Oxford: Blackwell, 1977), p. 44.
- ³⁵ Peter Brooks, *Reading for the Plot*, p. 25.
- ³⁶ D. A. Miller 'From *roman policier* to *roman-police*: Wilkie Collins's *The Moonstone*', *Novel*, 13 (Winter 1980), pp. 153-170, p. 153.
- ³⁷ Sutherland, *The Moonstone* p. xvi.
- ³⁸ Caroline Reitz 'Bad Cop/Good Cop: Goodwin, Mill and the Imperial Origins of the Detective Author(s)', *Novel: Forum on Fiction*, 33:2 (2000), pp. 175-195.
- ³⁹ Understanding this process is helped by consideration of a serial to which it has been linked but not yet extensively to *The Notting Hill Mystery*.
- ⁴⁰ Elizabeth H. Pleck, *Celebrating the Family: Ethnicity, Consumer Culture, and Family Rituals* (Cambridge, Mass.:Harvard University Press, 2000), p 149.
- ⁴¹ This occasion is what marks the diamond as superfluous – Rachel has no need of it. This is not a significant life stage, rather it is an anniversary of an offence.
- ⁴² Rance, p. 88.
- ⁴³ Alan Roth, 'He Thought He Was Right (But Wasn't): Property Law in Anthony Trollope's *The Eustache Diamonds*', *Stanford Law Review*, 44:4 (April 1992), 879-897.

⁴⁴ George Eliot includes one in *Felix Holt* (1866) Matthew Jermyn holds one on 'his eldest daughter's birthday, [where] the young people had a dance', 'it is smaller than usual' because Jermyn is now the agent for a Radical candidate.

⁴⁵ Charles Dickens, *Our Mutual Friend* (1864-1865) Book 1, Chp. 11.

⁴⁶ *Ibid* Book Four, Chp. 12.

⁴⁷ George Augustus Sala [Unsigned] 'Birthdays', *Household Words*, 7 April 1855, pp.238-240.

⁴⁸ Elizabeth H Pleck, p. 149.

Conclusion

This thesis has examined a group of mid-Victorian novels written by Wilkie Collins: *The Woman in White* (1859), *No Name* (1862), *Armadale* (1864) and *The Moonstone* (1868) and the stories they tell about transfers of property that fail to follow anticipated paths. At first glance, with their country house settings, and gift, rather than market, property relations, inheritance, bequest, marriage portions, the novels could easily be taken as looking backwards. However, the properties which feature in each work, easily alienable, portable properties, rather than encumbered and entailed real estate, and crucially the ease and pace with which they pass through numerous, unfamiliar and unknown hands, hint at their connection with the new property forms ushered in by the mid-century Companies Acts of 1844-62. Recognition that the primary structure of these novels was that of the inheritance plot prompted the question of how novelistic plot can be identified as part of the social process, and how history can be inscribed in the plot structure as much as the content of a novel. The hypothesis the thesis tested was that Collins's notoriously complex plots were driven by the same historical motors as those generating the property forms conjured into existence by the Companies Acts of 1844-1862 and associated legislation.

The thesis has revealed the dominance and significance of the inheritance plot in Collins's work, and in showing how this engages with new types of property relations and forms that were taking shape in mid-nineteenth century Britain, it has demonstrated how the semantic and structural are inextricably fused in the novels. The thesis has connected the four novels to very specific issues around property relations at this time, and in particular the way these were expressed in the popular and specialist press of the day, above all in *All the Year Round* in which three of the novels were serialised, and also in the *Leader* where Collins worked as a writer of non-fiction. The thesis demonstrates that the often-remarked complex plotting of Collins masks how he used this to fully explore the complexities of newly emergent and highly contentious property relations, and how in turn property related issues encouraged and enabled him to develop new modes of novelistic expression. Collins's sophisticated narrative structuring goes far beyond the organizational device of multiple narration and testimony, and relies equally on a multiple narrative embeddedness. This feature

relies on a combination of speech types and syntactical forms that lays the foundation for the telescoping of time and place in the novels, an essential feature of Collins's labyrinthine plotting.

The thesis has tackled the problem of historical difference with regard to the language and rhetorical forms in which property relations were couched. The analytical approach devised entailed conceiving of inheritance within a broader category of property transmission, one rooted in a more general notion of British nineteenth-century capital formation, which disregarded whether a property transmission might be classified as a gift or a commercial transfer. It is this that enabled recognition of how the inheritance plot would be strongly illuminated against a background of property transfer in general.

Adopting a contextual approach alongside a formalist rooted method of close reading enabled the thesis to begin to unfold the integral, dialectical relationship between the inheritance plot and the broader property concerns of the period which were regularly aired in the periodicals in which the novel initially appeared. It is this analysis that has elucidated and afforded explanation of aspects of the novels that have rarely been addressed. The analysis undertaken has recovered a pre-history of today's property forms deeply inscribed within the formal structure of this quartet of novels, within their plots and their engagement with contemporary debate about emerging property forms and relations, demonstrating the impact of new commercial practices and institutions on mid-nineteenth century social life,

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