Ward I.

[The Trials of Lizzie Eustace: Trollope, Sensationalism, and the Condition of English Law.](#)

Journal of Law and Society 2016, 43(1), 66-84.

Copyright:

This is the peer reviewed version of the following article, which has been published in final form at <http://dx.doi.org/10.1111/j.1467-6478.2016.00741.x>. This article may be used for non-commercial purposes in accordance with [Wiley Terms and Conditions for Self-Archiving](#).

Date deposited:

29/09/2016

Embargo release date:

03 November 2016

Abstract

The Eustace Diamonds was published in 1872. It was the third of Anthony Trollope's famed Palliser series. It represented, however, something of a diversion, telling the story of the 'cunning' Lizzie Eustace who declines to return a priceless diamond necklace to the estate of her recently deceased husband. Critics have supposed that *The Eustace Diamonds* can be read as a contribution to the contemporary genre of 'sensation' novels. Sensation novels were full of sex, crime and scheming young women like Lizzie Eustace. The law should of course have brought to Lizzie to justice. But it does not; indeed it barely tries. For the law in *The Eustace Diamonds*, as in so many 'sensation' novels, is conspicuous only in a failure that is as metaphorical in purpose as it is prosaic.

The Trials of Lizzie Eustace: Trollope, Sensationalism and the Condition of English Law

Ian Ward

The idea that writers might deploy the law as a metaphor for something else is not new, and neither is the more particular idea that Victorian authors might have done so in order to nurture broader reflection on the 'condition' of England. Charles Dickens's *Bleak House* is commonly read in these terms. Dickens did not have much time for lawyers, especially those he created, and not much patience with legal process. But it was not just Dickens. Travesties of procedural justice lie at the heart of novels such as Thackeray's *The Newcomes*, George Eliot's *Adam Bede* and Mary Gaskell's *Mary Barton*, whilst egregious lawyers can be found constantly wandering throughout the pages of the Victorian canon. Nowhere, however, was the failure of law so commonly deployed than in the so-called 'sensation' novel of the 1860s and early 1870s. The sensational 'moment' was relatively brief. But it was long enough, too long according to many. English literature was never the same again.¹ It was not simply that the sensation novel was written differently. So too was it read differently. The purpose of this article is to take a closer look at the sensational moment and more particularly at one novel which was intended to be read perhaps at the margins of the sensation genre, Anthony Trollope's *The Eustace Diamonds*. Trollope was a rather evasive sensationalist, as we shall see, but when his devoted readers encountered the first serialised parts of his novel in late 1871, they found much with which they had elsewhere become all too familiar.

¹ See here P. Brantlinger, 'What is "Sensational" about the "Sensation Novel"?' (1982) 37 *Nineteenth Century Fiction* 1, at 1-2. In Brantlinger's influential genealogy, the 'sensation' novel can be placed between late Gothic and the emergent genre of detective fiction. If there had been no sensation 'moment' they would not, the surmise runs, have been a Sherlock Holmes or a Hercule Poirot. Winifred Hughes places the sensation novel at the same 'transitional' point. See her *The Maniac in the Cellar: Sensation Novels of the 1860s* (1980) at 70.

There was sex, crime and a wicked woman; and there was a legal system which was patently unable to do much about the sex, the crime or the wicked woman.

THE SENSATIONAL MOMENT

In the Preface to the second edition of his *The English Constitution*, published in 1872, Walter Bagehot invited his readers to contemplate England 'in the time of Lord Palmerston'. It was not, in terms of strict chronology, much of a reach. Palmerston had died in October 1865. In terms of constitutional 'reform', however, the intervening seven years represented an 'age'; or at least it did to Bagehot. Palmerston had known that placing 'power in the hands of the masses' only 'throws the scum of the community to the surface'.² But barely two years after the seventy-nine year old Palmerston's heart had given out, whilst groping a maid on the billiard table at Broomfield Hall, the Tory administration of Derby and Disraeli had recklessly enacted a second 'mischievous and monstrous' Reform Act, as a consequence of which England was now a very different place, and a much more worrying one. There had, Bagehot soberly advised, been 'great changes in our politics', changes of a 'pervading spirit'. The 'bovine' masses had been given the vote, for which reason he could predict only 'calamity' and socialism.³ Even Derby famously conceded that the Act represented a 'leap in the dark'. But he was persuaded of the evil necessity. As Disraeli averred, the 'times' were 'tempestuous' and without another Act there would likely be revolution in the streets of London.⁴

RH Hutton would later, famously, acclaim Bagehot as the 'greatest Victorian'.⁵ The compliment was as much representational. Asa Briggs suggested the same a few years later in an essay on mid-Victorian constitutionalism. Bagehot, Briggs ventured, was representative of a certain mid-Victorian state of mind; intellectually liberal, viscerally conservative, necessarily troubled. It was moreover a common predicament. Lots of Victorian gentlemen, for whom the 'age of improvement' had morphed into a 'world of nightmare', felt much the same.⁶ And their metaphors had darkened accordingly. Derby did not invoke a leap in the light. Neither did Thomas Carlyle. His essay on the 1867 Act was entitled *Shooting Niagara: And After?* It was, of course, the same Carlyle who, forty years earlier, had first supposed that England was 'sick and out of joint' and suffering from a debilitating 'condition'.⁷ Little had happened in the intervening decades to make him any less grumpy. Nothing was to be gained by looking back to 1832 he opined. 1790 was the pressing historical referent. Dickens, fresh from publishing his *Tale of Two Cities*, agreed.

² M. Bentley, *Politics Without Democracy* (1996) 161.

³ W. Bagehot, *The English Constitution* (2001) 194-5, 197-8, 201-2, and A. Buchan, *The Spare Chancellor: The Life of Walter Bagehot* (1959) 138, 144-5, and 208, commenting on the tone of 'settled melancholy' which characterises the 1872 Preface.

⁴ A. Briggs, *The Age of Improvement* (1959) 497.

⁵ G. Young, 'The Greatest Victorian', in N. St John Stevas (ed.) *The Collected Works of Walter Bagehot* (1986), vol. 15, 209, 212.

⁶ Briggs, *op. cit.*, n. 4, 95, 102.

⁷ G. Himmelfarb, *The Spirit of the Age: Victorian Essays* (2007) 48.

The 'general mind' of England as the 1860s advanced was much like that of revolutionary France.⁸ There would in the end be no revolution. But the fear that the next riot was only, quite literally, a stone's throw away remained. There were in sum plenty of reasons to worry in mid-Victorian England; too many voters, too many closet Jacobins, too many cities and too many people moving to them, too few going to church, too few finding employment, too much sex and too much crime.

And too many people reading stuff too. Literacy levels were rising inexorably. The 1851 census revealed that 31% of men and 45% of women were still functionally illiterate. By 1871 the figures were down to 19% and 26%. By 1860 there were over five hundred Mechanics Institutes up and down the country running literacy classes. 1859 saw the publication of the first academic study of the novel. Eighty-six million newspaper stamps were issued in 1850. By 1864, the circulation figures for provincial weeklies was in excess of two and half million. There were five different dailies and five weeklies in Newcastle upon Tyne alone. Driffield had three weeklies. For the professional writer a larger readership was a matter of celebration; more readers meant more money. For reformers such as John Stuart Mill it was furthermore an unarguable sign of progress. Others were less sure. Reading in general, Victoria's first Prime Minister Lord Melbourne observed, was the 'vice of the present day'.⁹

More especially there were all the novels, especially those which were commonly termed 'sensational' and which had burst onto the literary scene at the very dawn of the 1860s. The 'sensation' novel was of course a particular expression of a broader 'sensational' moment. Whilst Westminster bickered about the merits and demerits of further franchise reform, the attention of the rest of England had turned to an epidemic of moral and sexual degradation which was spreading through its alleyways, gin-houses and drawing rooms. Godless, leaderless middle England, as the readers of the morning papers daily discovered, had lost its moral compass; a supposition the credence of which was seemingly enhanced by the joyously salacious accounts of proceedings which were being brought before the newly established Divorce Court. And then there were all the murders. Countless column inches were taken up with the lives, and deaths, of the 'Doncaster poisoner' William Palmer, of the murderous teenager Constance Kent who preoccupied the celebrated Mr Whicher for so long, the notorious Madeleine Smith who was accused of poisoning her lover in Glasgow, but who sensationally escaped the noose with a 'not proven' verdict; and so many others. It was all so thrilling. Sex and crime, it seemed, was everywhere. England was teeming with psychopathic daughters and murderous lovers, whilst behind every twitching net-curtain might be found a bored and bigamous house-wife.

⁸ G.Jones, 'Introduction', in G.Jones (ed.) *Charles Dickens, A Tale of Two Cities and the French Revolution* (2009) 10.

⁹ L.Mitchell, *Lord Melbourne* (1997) 22, 25.

Many of whom were also, and of course, reading sensation novels, the most successful of which invariably contained three essential ingredients; sex, crime and most importantly a beautiful young woman, who was either traduced by wicked men, or who conversely had devoted her life to traducing them. The gender connotation was defining, the expectation pressing, as the hugely successful Mary Elizabeth Braddon acknowledged. There was 'nothing', Braddon recognised, that 'English men and women enjoy more than' a 'really good murder'; except perhaps for a spot of salacious extra-marital sex.¹⁰ So that is what she and her fellow sensationalists gave them; along with myriad instances of spousal violence, rape, fraud, bigamy, even the occasional 'criminal' conversation. The 'palette' of the sensation reader, she remarked on a different occasion, 'requires strong meat, and is not very particular as to the qualities thereof'.¹¹ The presence of crime moreover necessitated the presence of law, for which reason there would invariably be a scattering of generally clueless detectives and mendacious lawyers; not, of course, to provide any reassurance, but rather to serve as a chorus of the contemptible.

Two of the novels commonly regarded as announcing literary sensationalism, Braddon's *Lady Audley's Secret* and Ellen Wood's *East Lynne*, both move around the myriad lies of adulterous women who think nothing of transgressing moral and legal norms in order to realise their marital and amorous ambitions. The latter is perhaps unusual in presenting readers with a relatively positive depiction of a worthy, if crushingly dull, lawyer; the cuckolded Archibald Carlyle, whose wife runs off to France with her lover. There are no similarly worthy lawyers, dull or otherwise, in any of Braddon's novels. There are however lots of bored and beautiful young women, and lots of cuckolded men. In *Lady Audley's Secret* there is perhaps the most beautiful and most pathological of all. The eponymous Lucy Audley rampages across the Braddon's blockbuster, marrying and murdering a series of besotted men until her crimes are finally uncovered by an acquaintance of one her unfortunate victims. Of course the idea of prosecuting Lucy before the law is barely countenanced. Instead she is sent to a far worse fate, to live the rest of her life in Belgium.

The consonance between England's 'condition' in the 1860s and the rampant popularity of the sensational genre was commonly appreciated by variously disapproving critics; alongside the especially troubling gender implication. Amongst the more perceptive was a young Henry James who, in a review of Braddon in 1865, observed of sensation novels that their

Novelty lay in the heroine being, not a picturesque Italian of the fourteenth century, but an English gentlewoman of the current year, familiar with the use of the railway

¹⁰ The sentiment found famous expression George Orwell's analysis of Victorian sensationalism, entitled 'The Decline of the English Murder', in *The Penguin Essays of George Orwell* (1968) 351-4.

¹¹ J.Carnell and G Law, 'Our Author: Braddon in the Provincial Weeklies', in M. Tromp (ed.) *Beyond Sensation: Mary Elizabeth Braddon in Context* (2000) 150 and R.Wolff, *Sensational Victorian: The Life and Fiction of Mary Elizabeth Braddon* (1979), 155-6, 163.

and the telegraph. The intense probability of the story is constantly reiterated. Modern England the England of today's newspaper crops up at every stage.¹²

Sensation novels, James appreciated, were set in the here and the now, and whilst they might have sought recourse to all manner of familiar Gothic tropes, in fact purported to present something that was intensely real and ordinary. The perceptive James was one of the few to take a more reflective view of sensationalism. Fraser Rae, though hardly approving of the literary 'abomination', likewise noted that Braddon's particular success lay in her ability to present crime as 'the business of life'. So did an anonymous reviewer in the *Christian Remembrancer* who invoked a Carlylean resonance in concluding that the sensation novel was clearly a 'sign of the times'. Others eschewed perception for a simpler, more visceral, disgust. The Reverend Paget expressed himself to be 'utterly demoralised' by the sensation novels that he was invited to review; 'so licentious and so horrible'. The Very Reverend Henry Longueville Mansel, Dean of St Pauls, indomitable literary reviewer and self-appointed guardian of the nation's morals, agreed. There was 'something unspeakable disgusting in this ravenous appetite' for sensationalist 'carrion'.¹³

Prospective audience was a common concern, pathological metaphors a common recourse. The *Westminster Review* suggested that there the 'sensational mania' was a species of 'virus' for which there was no known treatment. According to Mansel, sensation novels were written to satisfy 'the cravings of a diseased appetite'. The blame lay more closely with those women writers who failed to appreciate their responsibility to the coming 'generation'.¹⁴ In due course Braddon would admit that a novel such as *The Doctor's Wife*, a blatant plagiarism of Flaubert's *Madame Bovary* which she churned out in 1864, was 'not a story' which should be 'placed in the hands' of a 'young person'.¹⁵ But that was much later. In 1864 she just banked the cheques and kept on writing her stories of wicked women, gullible husbands and ripped bodices. And in this she was certainly not alone, as was only too patently, and painfully, apparent.

As the 1860s unfolded middle England was assailed by countless similar tales, and not just from the more familiar culprits, Wood and Braddon, Wilkie Collins and Charles Reade. A new generation sensed an opportunity. A young Thomas Hardy managed to kick-start his career in 1871 with the strategically entitled *Desperate Remedies*. It said everything the circulating library reader needed to know; and Hardy never looked back. And then there were the more established and hitherto more respectable who, to the evident horror of their erstwhile critical admirers, appeared to succumb to the demands of the market and the lure of very large advances. Amongst their number might be counted the Charles Dickens who published *Great Expectations* in 1861 and who, a decade on, died mid-way through *The Mystery of*

¹² In I. Ward, *Sex, Crime and Literature in Victorian England* (2014) 65

¹³ Ward, *id.*, pp.61-2, 64-5.

¹⁴ Ward, *id.*, p.64.

¹⁵ Wolff, *op. cit.* n.11, 61.

Edwin Drood. Another perhaps was the novelist who, in his essay on the mind-set of anxious mid-Victorian England, Briggs placed alongside Walter Bagehot as representative of what Lord Brougham famously termed the 'intelligence of the country'; Anthony Trollope.

THE TRIALS OF LIZZIE EUSTACE

As a self-styled 'advanced conservative liberal', Trollope like Bagehot was caught between a residual fear of revolution and a broader appreciation of 'improvement'. He too was an avowed admirer of Palmerston, and the kind of pragmatic, if increasingly arcane, species of Whiggery which had apparently died that same morning in October 1865. It has been suggested that the entire series of Palliser novels, which Trollope had begun in late 1864, can be read as a kind of extended encomium to the virtues of 'old' Whiggery. There is certainly much that is 'old' Whig in the lead character of Plantagenet Palliser, not least the determination not to allow the practice of government to be derailed by fanciful ideologies. Bagehot termed it 'dullness', and meant it as a compliment. Trollope later suggested that in casting the irredeemably dour and dedicated 'Planty' Plantagenet he had come closest to creating the 'perfect gentleman'.¹⁶

Back in 1867, as the second Reform Act was struggling through Parliament and Bagehot was wrestling with the various essays which made up his *English Constitution*, Trollope was still basking in the critical acclaim which accompanied the publication of the last two Barset 'chronicles' and the first Palliser novel *Can You Forgive Her?* By 1872, conversely, his star had waned slightly, despite the relative success of the second Palliser novel *Phineas Finn* in 1869. Whilst some kind comments had been made regarding *Ralph the Heir*, which appeared in 1871, other recent novels such as *Linda Tressel* and *Sir Harry Hotspur* had failed to generate much critical applause or much money, whilst the current serialisation of *The Golden Lion of Granpere* was hardly making waves. There was however another novel which had begun serialisation in the latter part of 1871. It was entitled *The Eustace Diamonds*, and was written as the third of the Palliser novels. The final instalment appeared at the very end of 1872, the full length novel a few months later. A little later, Hugh Walpole would acclaim the novel as 'one of the first comedies in the ranks of the English novel'.¹⁷

There is a brief account of *The Eustace Diamonds* in Trollope's *Autobiography*, sandwiched between a muse on the hassles of moving house and the rather different stresses which came with organising a visit to Australia.¹⁸ The novel, Trollope summated, is nothing other than the 'record of a cunning little woman of pseudo-fashion, to whom, in her cunning, there came a series of adventures unpleasant enough in themselves, but pleasant to the

¹⁶ See A. Trollope, *Autobiography* (1996) 229, and also P. Brantlinger, *The Spirit of Reform: British Literature and Politics 1832-1867* (1977) 209-10.

¹⁷ H. Walpole, *Anthony Trollope* (1928) 99. More modern critics have tended to be kinder too. Victoria Glendinning suggests that it is 'one of his best novels'. See her *Trollope* (1992) at 403.

¹⁸ Trollope, *op. cit.*, n.16, pp.217-19.

reader'.¹⁹ Allusions were made to Thackeray and Wilkie Collins. As he wrote the 'idea constantly presented itself to me that Lizzie Eustace was but a second Becky Sharp', whilst in regard to the plot, Trollope further surmised, his 'friend' Collins would probably have 'arranged' it better.²⁰ But, in regard to the *Autobiography* at least, that was it. Trollope was not inclined to dwell too long on *The Eustace Diamonds*. He was clearly not too impressed with his own handiwork. He had 'written much better'.²¹

It is certainly true that everything moves around the 'cunning' Lizzie, wife of the recently deceased Sir Florian and in contested possession of a necklace of diamonds estimated to be worth £10,000. Lizzie claims that Sir Florian intended her to keep the jewels. They are, she maintains, 'altogether my own', given her 'forever and ever'. No one believes her. Nothing more than 'downright picking and stealing' Lady Lithlithgow opines (91).²² Such 'a necklace', as Lord Fawn recognises, 'is not given by a husband even to a bride in the manner described by Lizzie'. In fact they were merely lent 'for the purpose of a special dinner party'. At first the Eustace family is inclined to let things rest for 'the sake of tranquility'. The family lawyer Mr Camperdown, however, is determined that the 'swindler' Lizzie cannot be allowed to get away with her 'robbery'. He will 'jump upon' her (75, 264). Lizzie however refuses to relinquish possession. Nor is it clear that she should. She knows that the diamonds were 'not really' her own, but is genuinely 'not sure' in law whether she must relinquish them. Her 'ideas about law and judicial proceedings were very vague' (93).²³ In this she is not alone. As Lizzie digs in an increasingly frustrated Camperdown casts around for alternative legal strategies. But the more he casts around the more frustrated he becomes. He seeks recourse to the esteemed Mr 'Turtle' Dove, barrister and 'learned counsel' of unquestioned authority, for an opinion on the law of heirlooms (261-2). If the diamonds can be considered heirlooms then it would not have been within Sir Florian's power to give them to Lizzie, for which reason she would not be entitled to keep them.

Conscious of the criticism which had attached to a previous attempt to navigate his way through the 'meshes' of the law in the earlier *Orley Farm*, published in 1860-1, Trollope asked his friend and fellow Garrick Club member Charles George Meriwether QC to draft Dove's opinion.²⁴ It was certainly comprehensive, replete with five legal authorities and eleven further judicial opinions. Unfortunately what it did not provide was much legal

¹⁹ Trollope, *id.*, p.218.

²⁰ Trollope, *id.*, p.218. Not that Trollope was much of an admirer of Collins's style. With Collins, he observed in the *Autobiography*, 'it is all plot'.

²¹ Trollope, *id.*, p.218.

²² All references given internally are to A.Trollope, *The Eustace Diamonds* (2004).

²³ See here S.Daly, 'Indiscreet Jewels: *The Eustace Diamonds*' (2005) 19 *Nineteenth Century Studies* 69, at 72, and also W.Kendrick, '*The Eustace Diamonds*: The Truth of Trollope's Fiction' (1979) 46 *ELH* 1979 ??, at 145.

²⁴ The reference to the 'meshes' of the law is found in *Phineas Finn* and is generally agreed to be an allusion to the difficulties he encountered in *Orley Farm*. See A.Pionke, 'Navigating "Those Terrible Meshes of the Law": Legal Realism in Anthony Trollope's *Orley Farm* and *The Eustace Diamonds*' (2010) 77 *ELH* 129, at 129, and also M.Wan, '*Stare Decisis*, binding precedent, and Anthony Trollope's *Eustace Diamonds*', in M.Wan (ed.) *Reading the Legal Case: Cross-Currents Between the Law and the Humanities* (2013) 205-6.

clarity. The diamonds, Mr Dove resolves, cannot be proven to be 'heirlooms' since Lord Eustace as 'devisor' did not item them as such in his will. Moreover, the idea that 'any chattel may be made an heirloom by an owner of it' is anyway mistaken. And so is the belief that the law of heirlooms is concerned with 'trinkets only to be used for vanity and ornament'. In sum there is 'much error about heirlooms'. And the situation would not necessarily have been resolved if the diamonds were considered to be heirlooms, for they might then be deemed 'paraphernalia'; articles of personal property which can be retained after marriage. The law, Mr Dove confirms, 'allows claims for paraphernalia for widows'; at least in 'limited' form, most of the time. In Lizzie's case a claim that the diamonds were 'paraphernalia belonging to her station' might be 'doubtful', but arguable still (262-3, 297).²⁵ There was rather too obviously a lot that was 'doubtful'; about Lizzie, about the diamonds, and about the law which was supposed to govern their proprietary relation.

Camperdown, hitherto the epitome of cold reason, is driven to distraction: 'A pot or pan may be an heirloom, but not a necklace! Mr Camperdown could hardly bring himself to believe that this was the law'. He muses obsessively on the inability of the law to deal with 'an evil-minded harpy' such as Lizzie. It is 'a thing quite terrible that, in a country which boasts of its laws and of the execution of its laws, such an imposter as was this widow should be able to lay her dirty, grasping fingers on so great an amount of property, and that there should be no means of punishing her' (289-92).²⁶ Thoroughly distressed, Camperdown visits Mr Dove in his Chambers for further explanation. Pressed to explain why the diamonds would not be considered to be an heirloom Dove opines that whilst a single diamond might be so determined, a necklace would not for the simple reason that its setting might be changed at will from one generation to another. It could hardly thus be deemed to be 'precious'. Camperdown is incredulous. It is in part a problem of 'error', but it also a problem of uncertain precedent and the finest of interpretive semantics. Camperdown has devoted his entire professional life to the law. But when he needs it most, it disappoints. All, he concludes bitterly, after hours of pouring over precedents, settings and settlement deeds, is 'confusion' (184-5, 295).

And it is not just Camperdown who despairs. 'As far as I can see', Lord Fawn tells another of the family lawyers, Hittaway, 'lawyers are always wrong'. The young barrister Frank Greystock muses on his chosen profession, one which trains its practitioners in the art of obfuscation, of 'mastering the mysteries of some much-complicated legal case which had been confided in him, in order that he might present it to a jury enveloped in increased mystery' (155). Readers of Trollope would have been entirely familiar with the perception.

²⁵ For commentaries on Dove and his opinion, see Pionke, *id.*, pp.145-6, N.Lacey, 'The Way We Lived Then: The Legal Profession and the 19th Century Novel' (2011) 33 *Sydney Law Review* 599, at 606, L.Goodlad, 'Anthony Trollope's *The Eustace Diamonds* and "The Great Parliamentary Bore"', in M.Marwick, D.Morse & R.Gagnier (eds.) *The Politics of Gender in Anthony Trollope's Novels* (2009) 105, and Wan, *id.*, pp.210-14.

²⁶ See also J.McMaster, *Trollope's Palliser Novels: Theme and Pattern* (1978) 96, 101.

Trollope held his lawyers in much the same regard as Dickens held his.²⁷ 'I have an idea that lawyers are all liars', Lucius Mason had concluded a decade earlier in *Orley Farm*; an observation which lent some justification to his own lawyer's rueful observation that 'we lawyers' are indeed 'much abused now-a-days'. Not least it might be supposed by writers such as Trollope who created women such as Lizzie Eustace to torment them.

And it is not just the lawyers who fail to inspire. Trollope's detectives are every bit as useless when it comes to solving, or resolving, things. Later called in to investigate the apparent theft of the diamonds, it quickly becomes apparent that they have no clue as to where they might be or what might have happened.²⁸ And much the same can be said of the successive magistrates Lizzie fools. The magistrate in Carlisle to whom she swears a false statement in regard to the supposed theft is far too easily gulled, the magistrate before whom she is summoned in London only too eager to believe the barely credible excuses she provides in order to deflect intimations of her own perjury.²⁹ Lizzie may be genuinely terrified of the prospective consequence of this perjury being uncovered; to be kept 'upon the treadmill and bread and water for months and months', Mrs Carbuncle supposes (690). But the terror only serves to sharpen her performance. Floods of tears and a little judicious hand-writing are enough to win over the sitting magistrate, who by the end 'was altogether on her side'. 'Poor ignorant, ill-used creature – and then so lovely', the narrator observes of proceedings, 'That was the general feeling' (716). The law is no match for Lizzie's theatrics.³⁰ It is rarely much of a match for anyone's theatrics. Trollopian trials invariably dissolve into little more than arcane rhetorical games.³¹ The trials of Lizzie Eustace are no exception. When she is asked to return to London to give evidence at the subsequent trial of the real thieves Lizzie declines feigning illness. The clerk of the court is despatched to check. But Lizzie refuses to see him. Despite their 'anger' at Lizzie's 'fraudulent obstinacy', it is resolved that nothing can be done, or at least the officers of the court cannot bring themselves to try to do anything (749-50). Lizzie escapes, again.

And this matters because, as the reader is informed from the very start, Lizzie is not just a 'selfish, hard-fisted little woman' but also an habitual liar. 'It may', accordingly, 'seem unjust

²⁷ See here J.Kincaid, *The Novels of Anthony Trollope* (1977) 14-15, suggesting that Trollope's depiction of lawyers in *The Eustace Diamonds* makes for particularly grim reading.

²⁸ The narrator reports that when the matter of the diamonds becomes a matter of public interest the 'newspapers had been loud in their condemnation of the police' (553).

²⁹ Lizzie determines to carry the diamonds in a strong box with her on a journey to her Scottish estates. On her return journey the box is stolen at Carlisle. Lizzie had removed the diamonds from the box, but claims that they have been taken too. She hopes that by so lying Camperdown will halt his threatened Chancery action for the recovery of the diamonds. The box is found shortly after, and suspicion falls on one of her footmen. Suspicions however quickly grow in regard to the veracity of Lizzie's story. All a bit 'fishy' Lady Linlithgow reflects (460). Shortly after the diamonds are indeed stolen.

³⁰ Kincaid suggests that Lizzie is one of the most accomplished of Trollope's actors, *op. cit.*, n.27, pp.204-5.

³¹ For a commentary on the presentation of Trollopian trials as little more than verbal jousts, see G.Fischelli, 'The Language of Law and Love: Anthony Trollope's *Orley Farm*' (1994) 61 *ELH* 635, at 635-44, and C.Lansbury, *The Reasonable Man: Trollope's Legal Fiction* (1981) 91.

to accuse her of being stupidly unacquainted with circumstances and a liar at the same time; but she was both'.³² She may not have been sure whether her retention of the diamonds was lawful. But she thinks nothing of spinning a complicated weave of fibs in order to enhance her chances of keeping them. Within a few pages she is already lying about the diamonds, telling creditors that she does not have them, signing promissory notes on false pretences, raising imaginary fiancés, and secretly pawning the jewels. And so it goes on. The more Lizzie lies, the more she is obliged to lie again in order to cover her original sin; the claim that the diamonds belong to her.³³ Her success is due entirely to the skills she displayed in court. Lizzie is a consummate 'actress', as the narrator repeatedly confirms, coaching herself 'before the glass', so that she can 'tell her story in a becoming manner' (54). 'When there came to her any fair scope for acting', the narrator observes, 'she was perfect', whereas in 'the ordinary scenes of ordinary life' she 'could not acquit herself well'. There 'was no reality about' Lizzie. Her cousin Frank is torn between disapproval and admiration. John Eustace wonders if, had the law permitted it, Lizzie would not 'make an excellent lawyer' (699). The narrator is less ambivalent, observing that her performance was 'too' perfect. There was 'too much of a gesture, too much gliding motion, too violent an appeal with the eyes'. Perhaps, but it is sufficient to take in an awful lot of men, and indeed women, who should have known better.

There is of course an immediate context to the vexed question of who owns the diamonds in law; the often heated debates which moved around the passage of the 1870 Married Women's Property Act. The Act established the right for married women to retain a legal right to money earned and property inherited. In effect it established a right to 'separate' property akin to that which had been developed in equity during the previous century. The peculiarities which surround 'paraphernalia' would be writ all the larger. The 1870 Act did not go as far as many campaigners wished, and it was only with the passage of the 1884 Married Women's Property Act that the most obviously deleterious consequences of the ancient doctrine of coverture were finally redressed. In the perception of its critics however the 1870 Act had already gone much further than it should. Notably many suspected that the real motivation for the 1870 Act was not so much a principled concern for the situation of married women than a wish to address instances of collusive marital fraud. The instance of marital fraud in *The Eustace Diamonds* may not have been collusive, but it was resonant. Whilst Lizzie had little intention of working for a living, she certainly intended to marry for one, for which reason her rights as a married woman, and then a widow, were immediately pertinent. In securing marriage to Sir Florian she 'had played her game well, and had won her stakes' (46).

³² It has been suggested that Lizzie is the first of three reprehensible upstarts who Trollope presents successively, to be followed by Melmotte in *The Way We Live Now* and Lopez in *The Prime Minister*. See Kendrick, *op. cit.* n.23, pp.136-7.

³³ See here Kendrick, *id.*, p.143.

The same critics worried more generally that by enhancing the proprietary rights of women the 1870 Act would hasten the fragmentation of the family. The Victorian conservative invested much social and cultural capital in the sanctity of the family, the 'true key to English happiness'.³⁴ It was for this very reason that sensation novels generated such critical consternation. They intimated rebellion, intended to be read as 'narratives' of 'active resistance'.³⁵ There is little doubting that Lizzie was inclined to rebel. As she confides to the thoroughly obedient Lucy Moore it is not 'my plan to be tame' (176). It has been suggested that in her rebellion Lizzie 'challenges the Establishment by resisting the legal system that attempts to define her as only a wife, mother and widow but not as a legally independent human being', and she does so by creating an alternative 'fictional text of her life'.³⁶ The creation of a rebellious Lizzie does not of course mean that Trollope was a feminist writer; far from it. In the *Northern American* he quipped notoriously that the 'best right a woman has is the right to a husband'.³⁷ And Lizzie is certainly not the only negatively drawn female in *The Eustace Diamonds*. Lots of thoroughly dislikeable women walk through its pages, or more commonly sit gossiping in its sitting-rooms. Lady Hittaway is a compulsive muck-spreader, Lady Linlithgow an inveterate card-cheat, whilst Lady Fawn will say anything to anybody who might be persuaded into marrying one of her odious children.

The Trollopean canon is full of disagreeable women. But there are a lot of agreeable ones too, like indeed the angelic Lucy Moore, who is written as a very obvious counterpoint to the 'cunning' Lizzie. And it might be noted a lot of disagreeable men, such as Sir Griffin Trewitt. The newly married Trewitts have a minor place in *The Eustace Diamonds*. But Sir Griffin's view of marriage is clear. He does not 'mean to have any ill-humour' from his wife; she will have 'the worst of it if there is'. As the Trewitts depart the novel, the reader is left with an image of his wife Lucinda sitting by the fire exhausted by the violence of the previous night, waiting for Sir Griffin to return with a 'look of fixed but almost idiotic resolution' on her face, and a poker in her hand (675-7). There are too many couples like the Trewitts in Trollopian England, too many lost loves and distant husbands, too many intimations of violence and too many tears; and too many lies. If the 'condition' of England was looking a little less rosy in 1872, the condition of its women had been desperate for a very long time. In Lady Glencora Palliser Trollope created one of his favourite characters. Lady Glencora was intended to be very different from Lizzie Eustace; except perhaps in one way. Trapped within a desperate and loveless marriage herself, Lady Glencora cannot help but admire Lizzie Eustace, not least her boldness in 'wearing' her diamonds in public (195). The actions of Lizzie Eustace could never be condoned. But they might be understood.

³⁴ In the words of Sir Alexander Patterson. Quoted in E.Koonce, 'Lizzie's Sensational Public Invasion and her Rewriting of British Legal History in Anthony Trollope's *The Eustace Diamonds*', in L.Touaf & S.Butkhil (eds.) *The World as a Global Agora: Critical Perspectives on Public Space* (2008) 174.

³⁵ The expression is Lisa Surridge's. See her *Bleak Houses: Marital Violence in Victorian Fiction* (2005) at 9-10.

³⁶ Koonce, *op. cit.* n.34, pp171-2. The same thesis is suggested in Kendrick, *op. cit.* n.23, pp.138-43.

³⁷ In Goodlad, *op. cit.*, n.25, p.107.

A GREAT DIVISION IS MADE

The case for including *The Eustace Diamonds* in the pantheon of literary sensationalism remains contestable. The *Spectator* clearly had its suspicions. It was the 'element of sordidness' which ultimately made the novel such a 'depressing' read. The author had 'given too much rein to his pleasure in coarse-painting, and has not quite produced upon his readers the sense of complete verisimilitude' that might have been preferred. Ultimately however it was the 'breathing pretence and dissimulation' of its protagonist Lizzie Eustace which the reviewer found so troubling.³⁸ Across the Atlantic the *Nation* took a slightly different view, albeit working with the same referent. Whilst *The Eustace Diamonds* might be 'dull at times', it was 'more entertaining than half a hundred of the parodies of sentiment which forever attract hungry readers'.³⁹ The *Times* eschewed the contention and simply concluded that it was an 'excellent novel', whilst the *Saturday Review* was pleased to announce that 'Mr Trollope is himself again'.⁴⁰ The latter review was perhaps the most perceptive of all. Noting that the character of Lizzie was 'certainly well drawn', it commended most especially her credibility:

She likes talking and making confidences, and saying pretty things; she is capable of keen enjoyment in the exercise of her powers, whether she is abusing her absent acquaintances in select epithets, which is her notion of friendship, or following the hounds at the risk of her neck in the hunting-field. She longs to confide in her associates, only it is not in her nature to trust a woman. Her designs are not colossal. A secret is a real burden. She is too clever, and the use she makes of her ignorance is a feminine feature. A great many women would have utilized their ignorance of law as she does, and stuck to the diamonds with a like pertinacity.⁴¹

At the end of the day it was this ordinariness which troubled. Sensation novels traded on the paradox; the consequences of extraordinary crimes committed by ordinary people.⁴² In endeavouring to retain her diamonds Lizzie does what many if not most girls of her age and in her circumstance might have been expected to do. She knows the score. In matters of love, as she informs Frank, 'Honesty in a woman the world never forgives'; and in most other matters too (481). Lizzie Eustace is a classic example of the kind of 'equivocal heroine' who populated so many sensation novels.⁴³ Not only does she do what any girl might have done, she feels the same frustrations, and makes as a consequence the same, in many ways predictable, mistakes. It is the 'companionableness', as the *Saturday Review* concluded, 'a life and spirit, about her which keeps her within the bounds of humanity'. What again troubled so many critics of the kinds of novel in which the kinds of women like Lizzie lived

³⁸ In D. Smalley, *Trollope: The Critical Heritage* (1969), 372-3.

³⁹ Smalley, *id.*, p. 375.

⁴⁰ Smalley, *id.*, pp. 374, 376.

⁴¹ Smalley, *id.*, p. 376.

⁴² For a discussion of this defining 'paradox', see Hughes, *op.cit.* n.1, pp. 16-18, 60.

⁴³ See Hughes, *id.*, p. 46.

was the possibility of reader empathy. Lizzie should have been condemned, and reformed, then maybe pitied a bit. She was not supposed to be admired, still less her actions understood or condoned.⁴⁴

There was certainly a lot about Lizzie that might have appealed to the devotee of the sensation novel, as Trollope well knew. Whilst *The Eustace Diamonds* might have been nominally placed within the Palliser series, it is not about politics or indeed the Pallisers. Plantagenet Palliser has a walk-on part, his wife Lady Glencora flits in and out serving as a kind of ancillary narrator. But the novel is squarely about the scandalous life, and lies, of the 'exquisitely lovely' Lizzie Eustace, dark-haired, possessed of a sultry voice and the kind of eyes that would 'ravish you' (54-5, 147). The loveliness is vital, for not only did the sensation novel reveal the extraordinary beneath the ordinary, but so too did it reveal the presence of evil behind the mask of beauty.⁴⁵ Lizzie has the same temperament, pathological, calculating, 'incapable of real anger', as Braddon's eponymous and similarly beautiful Lucy Audley (55). And she reads the same kind of books as so many similarly misguided heroines, the wrong books, romantic, French.⁴⁶ She certainly adores the wrong poet, wiling away her hours dreaming of Byronic 'corsairs' who might come to her rescue. To all appearances Lizzie is a quintessential sensational 'heroine', as Lady Linlithgow appraises, 'what with her necklace, and her two robberies, and her hunting, and her various lovers' (570).

Of course, by 1872 the sensational 'moment' had nearly passed. If Trollope had intended to catch the sensationalist wave he had rather missed the flow. There again there was still money to be made, and few Victorian novelists were more sensitive to commercial trends than Trollope.⁴⁷ The place of *The Eustace Diamonds* in the *Autobiography* is again suggestive, just after a muse on the estimated £800 he had lost in selling his house at Waltham. The inference to Collins's *The Moonstone* a few lines later is just as telling.⁴⁸ Trollope knew what he was doing when he wrote *The Eustace Diamonds*; in precisely the same way that Braddon knew what she was doing when she wrote *Lady Audley's Secret*. He knew what his readers wanted, and he knew what they would buy. At the same time, he

⁴⁴ The cultivation of empathy was of especial importance to Trollope, as Stephen Wall has emphasised, for which reason the creation of credible characters, rounded as much by their flaws as much as their virtues, was critical. See S.Wall, *Trollope and Character* (1988) 10-13.

⁴⁵ An expression of the 'generic principle of doubling', as Winifred Hughes puts it. See *op. cit.* n.1, 20.

⁴⁶ She keeps a copy of the Bible next to her as she reads her favourite French novels, so that in the event of a surprise visit she might quickly make a swap (121).

⁴⁷ In his *Autobiography*, he famously took the trouble to present an account of his earnings to date, in 1876. They amounted to just under £69,000. It was in sum 'comfortable, but not splendid'. See *op. cit.* n.16, 231-2. For a comment on Trollope's commercial sensitivity, see Wall, *op. cit.* n.44, 4-5.

⁴⁸ Trollope, *id.*, p.218. It has even been suggested that Trollope was endeavouring to re-cast a 'realist' version of Collins's novel. Trollope was an ambivalent critic of Collins, with whom, he observed in the *Autobiography*, 'it is all plot'. The idea to which Trollope may have been consciously writing a realist version of Collins's novel is reinforced by evident parallels in their respective accounts of the diamonds' origins. In both cases the diamonds come into the hands of English families as a consequence of the military campaign launched by the British against Tipu Sultan in Mysore at the very end of the eighteenth century.

also knew what defences he might deploy when the critics, as was to be expected, began to sharpen their pencils.

A first defence is didactic. It was this defence which saved Wood's *East Lynne* from a still more savage critical reception, at least in some quarters. According to the *Conservative*, in casting *East Lynne* before her devoted readers Wood had 'served the interests of morality in holding up to society a mirror in which it may see itself exactly reflected'; a conclusion that was both reassuring, and at the same time, thoroughly unsettling.⁴⁹ The *Saturday Review* adopted much the same tone in regard to *The Eustace Diamonds*. There was 'much not only to amuse but to learn from, if people will accept the conduct of most of its actors as a warning', adding that its author, after all, 'only paints society as it is shown to him'.⁵⁰ Interestingly, on publication of Trollope's *The Way We Live Now*, just three years later, the *Times* adopted the same tone. It 'should make us look into our own lives and habits of thought, and see how ugly and mean and sordid they appear, when Truth, the policeman, turns his dark lantern suddenly upon them, and finds such a pen as Mr Trollope's to write a report of what it sees'.⁵¹

It is certainly a defence which Trollope was keen to deploy.⁵² 'Gentle readers', Trollope had observed at the close of *Ralph the Heir*, published just a few months earlier, 'the physis is always beneath the sugar, hidden or unhidden'.⁵³ Half way through *The Eustace Diamonds*, the narrator pauses to emphasise that the story of Lizzie Eustace is intended to provide a 'true picture of life', to 'show men what they are, and how they might rise' (357). And the same intent is repeatedly asserted in the *Autobiography*. A writer must 'please', but so too 'must' he 'teach whether he wish to teach or no'.⁵⁴ Whilst 'nothing can be more dull or more useless' than simply relating a 'string of horrible events', of 'horrors heaped upon horrors', if the larger purpose is to promote reader reflection on the 'truth' of 'human nature' then the 'higher aim' justifies the means:

Let an author so tell his tale as to touch his reader's heart and draw his tears, and he has, so far, done his work well. Truth let there be – truth of description, truth of character, human truth as to men and women. If there be such truth I do not know that a novel can be too sensational. (147)

This latter sentiment gestures towards the second defence. In the third of her sensationalist blockbusters, *The Doctor's Wife*, published a decade earlier, Braddon had endeavoured to write an ironic pastiche of the sensation genre. This did not, as her many critics observed, mean that the novel was not sensational, still less did it absolve her of the responsibility of

⁴⁹ Ward, *op. cit.* n.12, p.52.

⁵⁰ Smalley, *op. cit.* n.38, p.376.

⁵¹ In F.Kermode, 'Introduction' to A.Trollope, *The Way We Live Now* (1994) 23.

⁵² Kincaid suggests that *The Eustace Diamonds* is perhaps Trollope's most didactic novel. See *op.cit.* n.27, pp.201-2.

⁵³ A.Trollope, *Ralph the Heir* (1978) 425.

⁵⁴ Trollope, *op. cit.* n.16, p.143.

writing it. But Braddon was adamant that it was, as a consequence, a more 'serious' work. The irony reinforced the pretended didacticism, the titillation justified as a means to the better education of her readers. The same can be inferred in *The Eustace Diamonds*. Whilst Lizzie's 'story' was 'absolutely false in every detail', the narrator confides, the public appetite for 'sensationalized stories is great', and the 'little mystery' of the diamonds 'is quite delightful'; so much so that Lady Glencora hopes that it will never be solved (470-1). There is for sure a distinctly Swiftian tone in the division of the drawing rooms of England into rival camps of 'Lizzieites and anti-Lizzieites'.⁵⁵ The former hold that their heroine has been 'very ill-treated'. The latter suppose that she is 'bold' and 'rapacious'. The schism even reaches into Westminster, threatening incredibly enough to bring down the government. When her dithering fiancé the Liberal Lord Fawn finally abandons Lizzie, his Conservative opponents rally to her cause. But when Lady Glencora, wife of the prospective Liberal Prime Minister Plantagenet Palliser declares that Lizzie must have been a 'victim', all the pieces shift. The anti-Lizzieite Liberals are 'obliged' to swear a new allegiance, for which reason all the Tories turn against her (455-6, 531). The governance of England moves around what people think of Lizzie Eustace. As Walter Kendrick shrewdly observed, of Trollope's writing in general and *The Eustace Diamonds* in particular, 'the paradox' of Trollopean 'realism is that it lives on the energy of what it condemns: only the lie of fiction allows the truth to be told'.⁵⁶

This paradox found variant expression in a famous passage in the *Autobiography* in which Trollope challenged the idea that there was anyway a clear binary distinction between the 'sensational' and the 'anti-sensational' novel:

Among English novels of the present day, and among English novelists, a great division is made. There are sensational novels, and anti-sensational; sensational novelists, and anti-sensational; sensational readers, and anti-sensational. The novelists who are considered to be anti-sensational are generally called realistic. I am realistic... All this I think is a mistake – which mistake arises from the inability of the imperfect artist to be at the same time realistic and sensational. A good novel should be both – and both in the highest degree. If a novel fail in either, there is a failure in art.⁵⁷

The testamentary assertion is telling. Trollope, like Wood, wanted the best of both worlds; to be esteemed as a respectable author, and to be rich. And in regard to the critical 'mistake' he may have been right. The nature of the 'sensationalist' still troubles modern critics, in large part for the reasons which Trollope insinuated.⁵⁸ Nicholas Daly has suggested

⁵⁵ Brantlinger, *op. cit.* n.16, pp.211-12.

⁵⁶ See here Kendrick, *op. cit.* n.23, p.156.

⁵⁷ Trollope, *op. cit.* n.16, 146.

⁵⁸ For an overview of these critical travails, see A.Maunders, 'Mapping the Victorian Sensation Novel', (2005) 2 *Literature Compass* 1, at 5-8 and also 26 concluding that the genre, in sum, 'remains contradictory', a mass of ambiguities and inconsistencies, and also, rather earlier, Hughes, *op. cit.* n.1, pp.47-57.

that it represented a mutant species of realist 'condition' of England literature; assuming a radically different approach to articulating and 'encoding' the same underlying fears. Certainly the critical existence of a 'sensationalist' genre of literature cannot be denied, regardless of how contestable, and how stable, its generic boundaries might be.⁵⁹ And *The Eustace Diamonds* looked, and read, like a sensation novel. All the necessary ingredients were present, the beautiful heroine, perhaps not as wicked as some, but wicked enough, the intimations of sexuality, and the crime. Stealing diamonds from gullible husbands, might not seem quite as sensational as murdering them. But it is troubling enough.

And then there is the hopeless inability of the law to somehow stop beautiful, scheming women from doing what they want. The failure of law is not, as we noted before, a peculiarity of the 'sensational' novel. But its failure served an especial purpose in a genre of literature which traded so obviously on a popular fascination with sexual and criminal transgression. Moreover Lizzie cuts a curious and still more troubling figure within the genre, for the simple reason that she so obviously gets away with it. Most sensationalist heroines are brought to some kind of justice. It might take the form of a criminal trial, despatch to a continental asylum or, as in the case of Ellen Wood's Isabel Vane, a harrowing death-bed torment. But not Lizzie Eustace. At the end of the novel Camperdown confesses to being 'ashamed' at the amount of money 'he had wasted' on his futile attempt to bring Lizzie to justice. Indeed, it is not just that Lizzie has somehow escaped justice. The law never really tried. Ultimately, despite all the money and all the legal machinations, at no point has any serious 'attempt' been made to 'punish her'. In the case of Lizzie versus the law, Lizzie had 'triumphed' (753, 755).

The law is present in *The Eustace Diamonds* because the plot moves around a criminal act. But it is conspicuously absent as a mechanism for effecting justice. The presence of this absence gestures towards another of the defining paradoxes of the genre, and the age; the thoroughly distressing thought, as Winifred Hughes puts it, that life was 'ruled by coincidence rather than logic', by chance and 'circumstance', good luck and ill.⁶⁰ Some murderous wives might be brought to justice, as might some thieving widows, but some would not; just as some unjustly incarcerated girls might be rescued from asylums whilst others would remain trapped for years and years.⁶¹ The depiction of sclerotic procedures, stuffy courtrooms and dim-witted detectives insinuated a deeper regulatory malaise. And another critical ambiguity, for having expressed the absence, and its deleterious

⁵⁹ See here N. Daly, *Sensation and Modernity in the 1860s* (2009), 6-7, 17, and also 27 likewise suggesting that it may be treated as an 'aberrant strain' of the complementary genre of domestic novel. Much the same suggestion can be found in Brantlinger, *op. cit.* n.1, p.27.

⁶⁰ Hughes, *op. cit.* n.1, pp.22, 58.

⁶¹ See Daly, *op. cit.* n.59, pp.33-4, discussing this paradox in the immediate context of Collins's *The Woman in White*.

consequences, the sensation novel assumed the role of regulatory surrogate.⁶² The didactic defence was premised on precisely this assumption, and whilst few narrators were quite so readily moved to judgement as those commonly found in Ellen Wood's novels, most evinced a similar prejudice. This did not mean that justice was ever assured. But it did mean that the reader might be guided towards a proper appreciation of what was right and what was wrong.

There is an immediate and very obvious parallel to be drawn here; with the demise of another institution in which Englishmen and women had, for centuries, placed so much regulatory faith. Trollope certainly noted it, fashioning his celebrated Barchester 'chronicles' around the trials and tribulations of the established Church. Matthew Arnold's *Dover Beach* provided a despairing poetic complement. Half a generation later, Thomas Hardy would confirm the moment of God's 'funeral'.⁶³ The absence of praying complemented the absence of law and the absence of moral abstinence. Henceforth, according to Thomas Carlyle, the morals of mid-Victorian middle England would be shaped by a very different kind of clerisy; a 'Priesthood of the Writers of Books'.⁶⁴ The prospect hardly reassured those who regarded themselves in more familiar clerical guise. London may have been teeming with Jacobins, its drawing-rooms populated by any number of lascivious lovers, murderous mistresses and thieving wives, but in the opinion of John Henry Newman far and away the greatest threat to the sobriety, and the sanctity, of mid-Victorian England was to be found in men and women who read too much and as a consequence had 'views' on 'matters of the day'.⁶⁵ From a very different perspective Wilkie Collins articulated much the same concern in an essay published in *Household Words* in 1858, wondering the consequences of writing for a 'public to be counted by millions; the mysterious, the unfathomable, the universal public'.⁶⁶ One consequence, of course, would be his fortune. Another would be that of his good friend Anthony Trollope.⁶⁷

⁶² The broader thesis was ventured, influentially, in D. Miller, *The Novel and the Police* (1988), and also M. Knight, 'Figuring out the Fascination: Recent Trends in Criticism on Victorian Sensation and Crime Fiction' (2009) 37 *Victorian Literature and Culture* 323, at 327-8, picking up on the obviously Foucaultian resonance.

⁶³ For a commentary here see A. Wilson, *God's Funeral* (1999), 3-15.

⁶⁴ T. Carlyle, *Selected Writings* (1986) 247.

⁶⁵ In Himmelfarb, *op. cit.* n.7, at 25.

⁶⁶ Essay entitled 'The Unknown Public', published in volume 18 of *Household Words* (21 August 1858) at 217-222.

⁶⁷ Not that either ever seemed to feel other than financially pressed. No matter how much Trollope earned, he always seemed to spend more. Financial pressures are a recurrent theme of his *Autobiography*.