



TROLLOPIANA

THE JOURNAL OF THE
TROLLOPE SOCIETY

Number 107 ~ Summer 2017

Trollope's Legal Mistakes in
'The Great Orley Farm Case' – Can You Forgive Him?

Todd Shields

Contents

Number 107 ~ Summer 2017

FEATURES

2 An Interview with Susan Hampshire

Actress Susan Hampshire talks about her career and specifically about playing Lady Glencora and Madeline Neroni in BBC adaptations of Trollope's novels.

8 Trollope's Legal Mistakes in 'The Great Orley Farm Case' – Can You Forgive Him?

Todd Shields

Texas based lawyer Todd Shields has been a devoted Trollopian since the early 1990s. He considers whether criticism of Trollope's treatment of the law in *Orley Farm* was justified.

20 What Muriel Rose Remembered - Part Three

Trollope Society Chair, Michael Williamson, explores more of what Muriel Rose, Anthony Trollope's grand-daughter remembered.

25 Legal London and Old Bailey Insight

Trollope Society member Nicky Barnes describes a tour of Legal London which complemented the London discussion day on 'Trollope and the Law'.

27 Talking Books

The Trollope Society thanks members who have contributed to the RNIB's Talking Books.

32 An Honour for the First Lady

Pamela Barrell is appointed to be the first Bedeswoman of the Trollope Society.

REGULARS

28 Your Letters

Your questions, comments and observations on Trollope and the Trollope Society.

33 Omnium Gatherum

A collection of all sorts of things of interest to Trollopians.

Editorial

We are delighted to include in this edition of *Trollopiana* an interview with actress Susan Hampshire, famous amongst Trollopians for her roles as Lady Glencora and Madeline Neroni in BBC adaptations of Trollope's novels. Susan has long been a supporter of the Society and has recently agreed to become one of our Vice Presidents, so the interview, with insights into her experiences playing these roles, is timely.

We are also very pleased to include two further items from the meeting in London last year which focussed on Trollope and the Law. Society member Todd Shields, a practising lawyer from the United States provides a spirited defence of Trollope's depiction of his profession in *Orley Farm*, which provoked outraged criticism from lawyers not just at the time of its publication in 1862 but also when it was reprinted in the 1920s. Also featured is a description of a themed walk through London's principal legal sites conducted on behalf of the Society for those attending the seminar.

Our series of articles, prepared by Society Chairman Michael Williamson, drawing on the recollections of Trollope's grand-daughter Muriel Rose about her family, reaches its third part and moves on to talk about her experiences in Italy with her great uncle Thomas Adolphus and his family.

We have also seen in the last few weeks the publication, at last, of a reasonably priced edition of the full version of *The Duke's Children* with the original text restored after more than a decade's efforts by Professor Steven Amarnick and his team. Members of the Society can obtain a copy through the Society at a discounted price making it a fantastic bargain.



Mark Green
markr_green@msn.com

An Interview with Susan Hampshire

Susan Hampshire is one of the most recognised British actresses of her generation. She has enjoyed popular and critical success in a career that has spanned six decades on both stage and screen. She continues to appear in television dramas but is perhaps most fondly remembered by members of the Society for her starring role as Lady Glencora in the 1974 BBC series 'The Pallisers' and for her appearance as Signora Madeline Neroni in the 1982 BBC series 'The Barchester Chronicles'.

What made you want to become an actress?

I wanted to become an actress by accident, I really wanted to be a nurse, but I wasn't good at Latin which in those days you needed for nursing. However when I was about nine I had the thrill of playing Jean Simmons as a child in the film *Woman in the Hall*. I never forgot that magical time.

Then I wanted to be a classical ballet dancer, but I grew too tall and anyway I was not built right physically. So almost by accident the stage was my dream. Not that my father was pleased, he had hoped his children like him, would go to university - preferably Oxford - and my mother had hoped I would be a ballet dancer like her.

How did you train?

I did not have any formal training at a Drama school, but I went to the Hampshire school, my mother's school and we had regular ballet, singing and drama classes AND a school concert of some sort each term. It was then I discovered I loved performing.

What sort of work did you do at the start of your career? What sort of roles did you take? Where did you play?

I started my career as a "walk on" at the Festival Ballet at the Festival Hall. Later my brother-in-law Chris, helped me write to all the Repertory Companies and I managed to get a job as an ASM (Assistant Stage Manager) also playing small parts. I am sure I was dreadful, but it was good experience. A fairly lowly start! An ASM is a general dogsbody, running errands, making the tea, collecting the props and sweeping the stage. I loved it and was so happy when I was given a small part, even if I was playing a boy! Or an old lady.

Young actresses go to masses and masses of auditions for parts that, sadly, they do not get. I was no exception. But sometimes you get lucky. After several years in repertory theatre, I was offered an ASM and understudy job in a West End show *Expresso Bongo* starring Paul Scofield. Well, as luck would have it, the producers could not find the girl to play the Debutant, I had to read the part in rehearsals until they found the right actress. Then one day the producers said they would like me to play the part, which, although small, was funny and very good. I was thrilled and my role stopped the show on the opening night and had very good reviews. That was my first real break.

By the time I was 21, I was starring in the West End in *Follow That Girl*. My name was up there, although it wasn't all smooth sailing after that, but eventually I managed to get the part of Fleur in *The Forsyte Saga*. That was life changing, and the most wonderful part, "bad people" always are! The *Saga* was a big break for all of us, except Kenneth Moore who was already a big star. The other actors were hugely respected but not famous like Kenneth.

How aware were you that *The Forsyte Saga* was such a cultural watershed in TV dramas, the first really big (26 episodes) costume drama by BBC?

The Forsyte Saga had 20 million viewers. It was the start of the BIG classic series. Wonderful for the BBC and Donald Wilson the producer-writer.

It was very special for us to be in a programme that was not only good, but also very popular. There was no way of recording a programme in those days to watch later so even the time of church services were changed. It was a huge success for the BBC and Donald Wilson who adapted the book wrote the scripts and produced the *Saga*.



How much of a sense of ensemble do you get in a big TV production, such as might be found in a stage production?

The whole cast was wonderful and great to work with. Luckily Martin Jarvis and I got on well (as we had to be “in love” for 12 episodes. The terrific actor Eric Porter (Soames, I played his daughter Fleur) and I worked really well together, so the whole experience was a joy. We were all so lucky to be in it. I had also worked with the late, great Maggie Tyzack (Winifred Forsyte) at the Royal Court in *The Ginger Man* with Nicol Williamson - then the hottest actor on the West End.

The *Saga* made us all household names, though of course Kenneth Moore was already a film star.

How did you get the role of Glencora in *The Pallisers*? And how did you prepare for the role?

I landed up playing Glencora in *The Pallisers* almost by accident.

Pauline Collins was the BBC's first choice, but she turned the role down: then Hayley Mills was cast, but as she had just had a baby she suddenly realised that with a young child the gruelling schedule would have been too much. (In fact, for the first few episodes I was in the clothes designed for Hayley Mills. Raymond Hughes the costume designer did a brilliant job, all his costumes were superb.)

So finally after several auditions and meetings I was cast as Glencora about three weeks before filming started. Terrifying!!

The role as Glencora goes from a teenager in love with an unsuitable man to middle aged society hostess with “problem” children of her own. How do you portray that growth in the character?

I had never read any Trollope and we were making 26 episodes encompassing what seemed to me a library of Trollope's work. I am a VERY slow reader so to begin with I had to skip a lot of the chapters in order to just follow Glencora's journey. I caught up later and used the novels as a Bible, referring to them every evening when I returned from rehearsal.

Lady Glencora

Susan Hampshire as Lady Glencora in BBC TV's 1974 adaptation of *The Pallisers*.

On the first day of filming Phillip Latham (Plantagenet) and I were in the coach taking us all to the location and we heard the Director or one of the executives say something like “Those Plantagenets are so BORING, I dread filming the scenes with them “ or words to that effect. Not a great boost to our confidence, I am not sure we ever recovered!!

What was it like to film the series?

The filming before the series started was tough, as in the morning I could be playing the young Glencora and in the afternoon I could be filming the scenes where she is the mother of three teenagers. Different wig, costume and make up; and at that point I had hardly finished reading the novels. I was thrown in at the deep end. It was even tougher for the wig, make up and costume department as they had the responsibility for all the characters. Barbara Murray was so good and so calm.

What do you think of *The Pallisers* in retrospect?

I didn't really watch the series when it was first shown, but when it went out again for the Trollope bicentenary. I appreciated the brilliance of Simon Raven's adaptation. A mammoth task.

Considering the series was made in 1974 and for such a small budget compared with the huge budgets of today's big series, I thought it stood the test of time. The script, the directors, the actors, the costumes all great. I was proud and lucky to have been part of it.

Can you describe playing the very different role of Madeline Neroni in *Barchester Chronicles*?

Barchester Chronicles was a television experience unlike any other. Not only was the cast amazing, they were huge theatre names, many of whom had worked together at the National or the RSC, but also there was Donald Pleasance a big movie star at the time. This gathering of unique actors was quite intimidating.

The young Alan Rickman, fairly new on the scene, was mesmerizing as Slope and effortlessly over shadowed every one with his brilliant performance.

David Giles, the wonderful director, (with whom I had worked on the *Forsyte Saga* and *Vanity Fair*) was used to and happy with my way

of working, using the novel as my bible and searching through the pages at night for anything that I thought maybe useful to the scene. I remember at one rehearsal, I had found a Trollope gem the night before and was excited that it could possibly be added to the scene; only to be met at rehearsals by a fierce army of RSC and National actors who said in no uncertain terms that I could NOT change or add one word to the script, even if they were Trollope's words. Needless to say I never made a suggestion again!

In fact the director had to persuade me that even if I was intimidated by the cast, Madeline would never care what the characters/cast/actors thought, and would NEVER reveal any weakness in her attitude to others.

I love playing people who live by their wits and use whatever attributes they possess to advantage. This takes great energy and thought. These women are not lazy, they work hard to survive.

What are your views on the roles for woman on stage and screen as they get older?

I think the reason there are not so many roles for the older women is that we, as a race, love youth and beauty. Apparently we see before we hear. I think that concentrating on the young is a commercial decision by producers.

People dream of being “young“, I am not sure many people long to be old or want to witness deterioration, so to answer your question: we are all young once and have our chance. Then there is the reality of not being wanted as an actor anymore, and yes, it is tough (when there is not much work when you are older). I doubt this will change no matter how much women stand up and shout.

Luckily for men this does not apply!



Trollope's Legal Mistakes

'The Great Orley Farm Case'

– Can You Forgive Him?

Todd Shields

Todd Shields practices law in Houston, Texas. He has been a devoted Trolloper since the early 1990s, and has had a special interest in Orley Farm since 2004, when he tried to a jury verdict a case arising out of a forged will ostensibly executed by a wealthy Texas oil man.

Orley Farm was released in twenty shilling parts, published monthly from March 1861 to October 1862. Trollope's contemporary critics gave *Orley Farm* generally excellent reviews.¹ Trollope himself, writing in the mid-1870s in his *Autobiography* released in 1883, stated, in Chapter 9: “[m]ost of ... my friends who ... are competent to form an opinion on the subject ... say that this is the best I have written ...”

The plot of *Orley Farm*, which Trollope described in his *Autobiography* as being “probably the best I have ever made,” focuses on the conduct of Lady Mason, a young woman who in her twenties had married Sir Joseph Mason, a wealthy London merchant forty-five years her senior. The crucial issue is whether Lady Mason, shortly before Sir Joseph's death, forged a codicil to his will in order to ensure that her two-year-old son by Sir Joseph, Lucius Mason, would become the owner of the family's residence at Orley Farm, rather than passing under Sir Joseph's pre-existing will to his adult son by a former marriage, Joseph Mason of Groby Park in Yorkshire.

The resolution of this crucial issue required Trollope to deal at great length with various aspects of what Trollope denominated on

¹ See generally Donald Smalley, *Trollope: The Critical Heritage* (Routledge & Kegan Paul, 1969) (hereinafter cited as “Smalley”), at 143-178. See also David Skilton, *Anthony Trollope And His Contemporaries* (Longman, 1972), at 24-28.

the first page of *Orley Farm* as “The Great Orley Farm Case.” In doing so, Trollope portrayed lawyers involved in courtroom proceedings, something that he did in at least eleven of his novels.² Trollope also used *Orley Farm* as a platform for arguing for legal reform of the English system of advocacy, which he considered to be ill-suited for what he conceived to be its principal purpose - the search for truth. Trollope particularly abhorred the treatment of courtroom witnesses under the English system of advocacy. In Trollope's view, witnesses in court were routinely subjected to badgering cross-examinations by unscrupulous barristers who were willing to subvert the truth to seek acquittals for clients that they knew or strongly believed were guilty. Trollope, in Chapter 71 of *Orley Farm*, states that “[e]vidence by means of torture ... we have for many years past abandoned as barbarous ... [h]ow long will it be before we shall recognize that the other kind of torture is equally opposed both to truth and civilization ...” Trollope even went so far as to subject English barristers to one of his greatest condemnations, namely, that by carrying out their professional duties to their clients in the English system of advocacy, barristers were disqualifying themselves for consideration as gentlemen. Thus, in Chapter 56, Trollope states: “I cannot understand how any gentleman can be willing to use his intellect for the propagation of untruth, and to be paid for so using it ...”

“A number of Trollope's contemporary critics ... took issue with inaccuracies in his descriptions of the legal proceedings”

A number of Trollope's contemporary critics, while generally praising *Orley Farm* as one of his finest works, took issue with inaccuracies in his descriptions of the legal proceedings, his failure to understand and appreciate that barristers and judges play discrete roles in the litigation process, and his obvious bias against courtroom lawyers. As a critic reviewing *Orley Farm* in the *London Review* stated,

² See Richard Mullen with James Munson, *The Trollope Companion* (Thistle Publishing, 2014), at 725 (“Court-room trials or hearings figure in *The Macdermots of Ballycloran*; *The Kellys and the O'Kellys*; *The Three Clerks*; *Orley Farm*; *The Vicar of Bullhampton*; *The Eustace Diamonds*; *Phineas Redux*; *Lady Anna*; *John Caldigate*; *The Land-Leaguers*; and *The Last Chronicle of Barset*.”).

“[t]here is ... one subject which Mr. Trollope pursues with unremitting zeal. He cannot bear a lawyer. They are all rogues, not by nature, but by profession ... [Given his attitude] ... Mr. Trollope ought to get his law right. As it is he always gets it wrong ...”³ Similarly, in a review in *The Times*, the reviewer praised Trollope for having “attempted and ... achieved something higher in *Orley Farm* than in any of his works ...,” but went on to say “[w]e cannot praise his theory as to the administration of the law. Mr. Trollope ... has apparently taken up the idea ... that lawyers are all liars, and that the procedure of our courts is less adapted to elicit than to conceal the truth. He thinks that barristers should be judges rather than advocates ... [and] should refuse to accept a brief where they believe that their proposed client is guilty ... These are notions which ... have a thousand times been refuted, which come naturally enough in the pages of fictitious history, but which we are astonished to find in the fiction of an author who has generally so much regard as Mr. Anthony Trollope for hard facts and for common sense ...”⁴

“Mr. Trollope ought to get his law right. As it is he always gets it wrong”

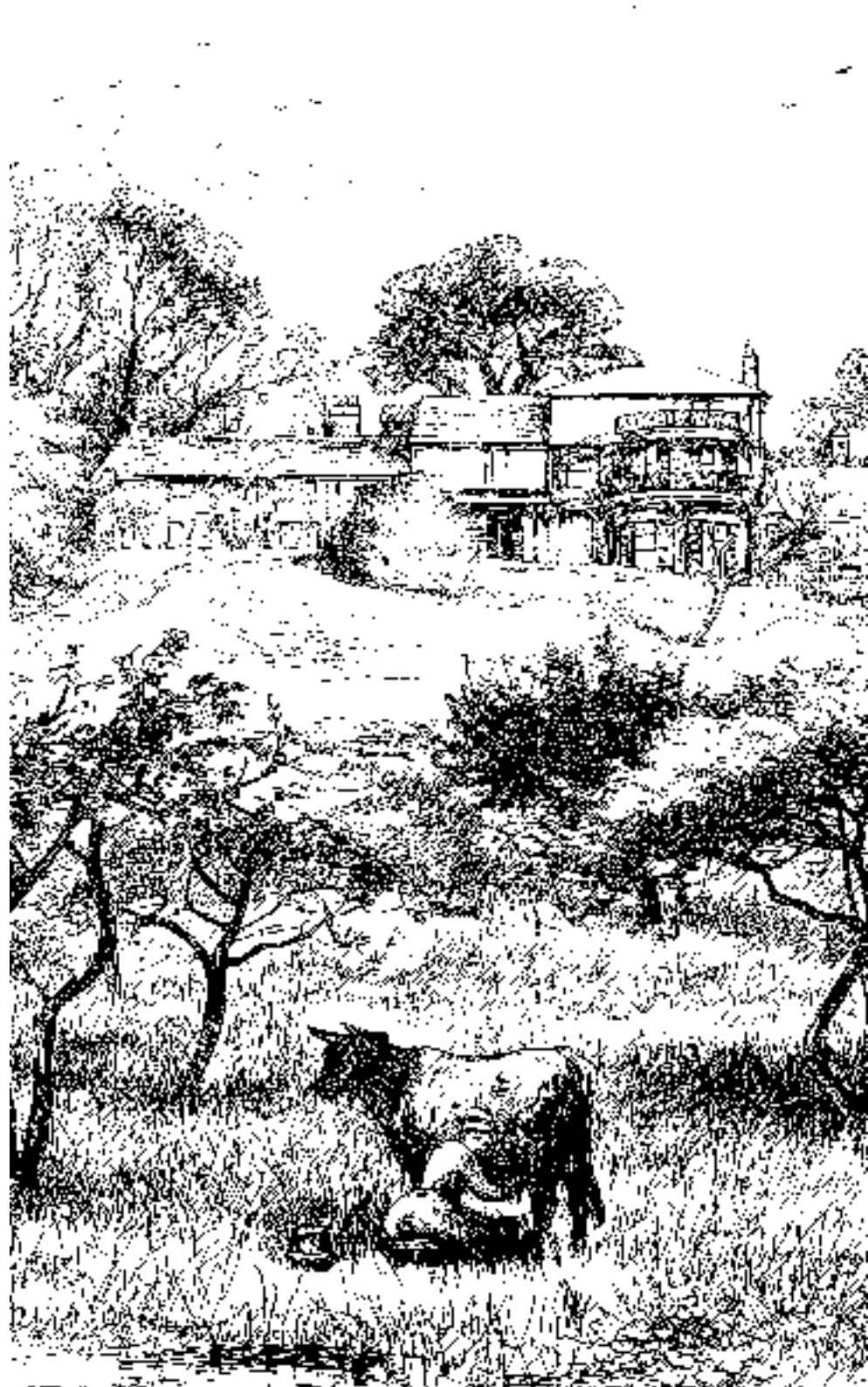
Trollope was well known for being highly opinionated, and he may have continued to harbor his generally-unfavorable opinions of barristers and the English system of advocacy. However, as time went on, and particularly after he had ready access to some of the most distinguished English lawyers of his day as fellow members of the prestigious London clubs to which he was admitted in the early to mid 1860s, Trollope made significant efforts to “get his law right” in his novels. For example, Trollope’s work papers in the Bodleian Library confirm that he sought legal advice in working out the plot for *Lady Anna*, which involves several complex legal points relating to inheritance. Among these papers, is a single page document, on the front and back of which are two columns, with Trollope’s handwritten questions regarding legal points on the left-hand side, and with his

³ See “Mr. Trollope and the Lawyers,” London Review, November 8, 1862, reprinted in Smalley, supra note 1, at 156.

⁴ See Unsigned Notice (later attributed to E.S. Dallas), *The Times*, December 26, 1862, reprinted in Smalley, supra note 1, at 160-161.

Orley Farm

by Sir John Everett Millais London, Chapman and Hall, 1862.



lawyer-consultant's responses to his questions set out adjacent thereto on the right-hand side.⁵ Similarly, Trollope even went so far as to engage one of his barrister friends from the Garrick Club, Charles Merewether, to write an opinion on the English property law concepts relating to heirlooms and paraphernalia as they might apply to efforts to retrieve the Eustace diamonds from Lizzie Eustace. Trollope then incorporated this legal opinion into the text of Chapter 25 of *The Eustace Diamonds*, an instance of incorporation of the work of others into his own work that Trollope identified in Chapter 6 of his *Autobiography* as being the "one exception" to his declaration that "I have never printed as my own a word that has been written by others ..."

"The literary critics found no serious faults in Trollope's treatment of lawyers and legal proceedings in his later novels."

Trollope's efforts to ensure that his descriptions of legal proceedings were accomplished with the same realism for which he had won so much praise in other areas clearly bore fruit. The literary critics found no serious faults in Trollope's treatment of lawyers and legal proceedings in his later novels. However, in 1923, over forty years after Trollope's death, a recent reissuance of *Orley Farm* prompted a distinguished English barrister, Sir Francis Newbolt, KC, to mount a scathing attack on Trollope's description of the legal proceedings in *Orley Farm* as well as Trollope's related attacks on the ethics and actions of the barristers portrayed in that novel.⁶ Newbolt stated: "The author of the longest novel ever written about a codicil was not aware of the meaning of the word. A codicil could form no part of a will, to which it was necessarily an addition ..., and yet, "[t] here was only one execution. What Mr. Trollope called a codicil was a clause, repugnant in character and fatuous in imagination, which

followed the body of the will, and preceded the one attestation clause ..." (Newbolt at 54). Newbolt concluded that Trollope, who allegedly had "attacked and aspersed a whole profession, and talked about the deliberate propagation of untruth for gain ..., " had created a situation in which "the ordinary reader was entitled to ask whether he was a credible witness in support of such an indictment." Newbolt, who had previously referred to "the morass of errors forming the technical side of the novel ..., " answered this question by asserting that on the subject of the legal profession, "[t]he egregious errors in the book showed that Mr. Trollope had not the vitally necessary knowledge of his subject to be heard at all ..." (*Id.*)

Sir Francis Newbolt's attack on Trollope's condemnation of barristers and the English system of advocacy was, as indicated above, largely premised on Newbolt's assertion that Trollope's descriptions of the legal proceedings in *Orley Farm* were so deeply flawed as to demonstrate that Trollope's criticisms of the legal profession should be given no credence. Interestingly, Newbolt's attack on Trollope prompted a very distinguished American lawyer and avowed Trollopian, Henry S. Drinker, to come to Trollope's defense.⁷ Drinker went so far as to challenge Newbolt to respond to a lengthy memorandum that Drinker sent to Newbolt in 1929 in which he had "endeavored to show that Trollope was not guilty of a number of the most serious inaccuracies of which you [Newbolt] accuse him, and that in your [Newbolt's] zeal to win your case you have unconsciously allowed yourself to indulge in inaccuracies which ... are comparable to those of which you accuse the author ..." ⁸ Mr. Drinker also defended Trollope's legal descriptions in *Orley Farm* in an address he delivered to The Grolier Club in New York in 1949, in which he stated: "[n]umerous strictures on its legal accuracy to the contrary notwithstanding, *Orley Farm* will be found, on careful examination, to be remarkably free from legal mistakes, except for occasional slips in small matters purely technical, such as would naturally be expected and are readily excusable in a novelist ..." ⁹

⁵ See R. D. McMaster, *Trollope And The Law* (St. Martin's Press, 1986), at 121-122.

⁶ See Sir Francis Newbolt, "Anthony Trollope And The Law," a lecture delivered on February 1, 1923, at Gray's Inn Hall in London, and published in *The Law Journal* (London, February 10, 1923) (hereinafter cited as "Newbolt"), at 53-54. Newbolt subsequently wrote a more extensive attack on Trollope's handling of legal issues in *Orley Farm* that was included as a chapter in a book published in 1925. See Sir Francis Newbolt, *Out Of Court* (Philip Allan & Co., 1925), at 1-73.

⁷ See correspondence between Henry S. Drinker, Jr. and Sir Francis Newbolt preserved in the "Henry S. Drinker Papers," MSS.006, Biddle Law Library, University of Pennsylvania Law School (hereinafter cited as "Drinker Papers").

⁸ See letter dated December 5, 1929, from Henry S. Drinker, Jr. to Sir Francis Newbolt, and the first fifty-six pages of a sixty-page memorandum transmitted therewith found in the Drinker Papers, *supra* note 7.

⁹ See "The Lawyers Of Anthony Trollope," an address delivered by Henry S. Drinker to members of The Grolier Club on November 15, 1949, published in *Two Addresses Delivered To Members Of The Grolier Club* (The Grolier Club, 1950), at 33.

Thereafter, in 1952, an American lawyer, Clement Franklin Robinson, published an essay entitled “Trollope’s Jury Trials” in which, among other things, he responded to Sir Francis Newbolt having “slashed” Trollope over 25 years earlier “not only for legal ignorance, but for tactical incompetence” allegedly exhibited in *Orley Farm*.¹⁰ Mr. Robinson made a step-by-step analysis of what Newbolt had characterized as being “the morass of errors forming the technical side of the novel ...” Robinson agreed with some of Newbolt’s criticisms, particularly Newbolt’s assertion that the judge trying the criminal case against Lady Mason would not have allowed Mr. Chaffanbrass to attempt to intimidate Bridget Bolster by threatening her with prosecution for perjury, and would not have allowed Mr. Furnival in his final argument to mention numerous matters that were not the subject of evidence actually introduced at the trial. However, Robinson concluded by stating that: “[l]ooking at the report of Lady Mason’s case as a whole ... I am impressed with the few errors that Trollope seems to have made in English procedure, and am inclined to believe that the trial might have taken place in the United States just as Trollope reports it, except in a few minor respects.” (Robinson at 265). Significantly, Mr. Robinson’s essay also makes it clear that he believed that Newbolt had failed to give proper weight to Trollope’s need as a novelist to tell his story as his fictional narrative required, even if, as Trollope had recognized in Chapter 29 of *Phineas Finn*, the “terrible meshes of the law” might result in legal specialists finding “legal difficulties” in the novelist’s narrative. As Mr. Robinson put it: “What if Trollope was inaccurate ... [h]e had a story to tell, and every Trollopian is glad he told it ...” (Robinson at 257).

I have not undertaken the type of in-depth analyses of Sir Francis Newbolt’s scathing criticisms of *Orley Farm* that Henry S. Drinker described in his memorandum sent to Newbolt in 1929, or that Clement Franklin Robinson described in his 1952 essay. However, I am in complete agreement with the conclusions reached by those lawyers that Newbolt’s criticisms of Trollope’s treatment of legal matters in *Orley Farm* are unduly severe given the facts, and fail to give proper weight to Trollope’s right to exercise dramatic license in crafting his story. I can add that as regards the one charge of Newbolt that I have studied in some depth – his charge that Trollope had allegedly authored “the longest novel ever written about a codicil” without



The Court
by Sir John Everett Millais London, Chapman and Hall; 1862.

¹⁰ See Clement Franklin Robinson, “Trollope’s Jury Trials,” *Nineteenth-Century Fiction*, Vol.6 No. 4, March 1952 (hereinafter cited as “Robinson”), at 247-268.

knowing what a codicil was – I do not believe that the charge is borne out by the text of *Orley Farm* itself.

Newbolt's charge in this regard is based upon Newbolt's thesis that in *Orley Farm* Trollope described a will and a codicil as to which there was "only one execution" with a purported "codicil" that "followed the body of the will, and preceded the one attestation clause." (Newbolt at 54). By way of background, it is important to keep in mind that a codicil, as a testamentary document transferring property at death, must be executed and witnessed with the same legal formalities that are requisite to the validity of a will. In addition, in practice, a codicil would almost always be executed separately and on a subsequent occasion from the execution of the prior will that it purports to supplement or modify. Viewed in this light, the merits of Newbolt's charge that Trollope did not understand the meaning of a codicil boils down to whether in *Orley Farm* Trollope described a single execution of a document combining both a will and a codicil, or, alternatively, whether Trollope described a prior will that was purportedly modified by a subsequently and separately executed codicil. On this point, I find conflicting text in *Orley Farm* that makes the merits of Newbolt's charge minimally plausible, but highly unlikely.

“That Trollope’s descriptions of the lawyers and the legal proceedings involved in Orley Farm would raise the ire of the lawyers of his day is hardly surprising.”

Specifically, Newbolt's contention that the text of *Orley Farm* reveals that Trollope misapprehended the meaning of a codicil presumably rests upon Trollope's unfortunate choice of words in the early part of Chapter 2, when Trollope states: "Sir Joseph was dead, and the will when read *contained a codicil* by which that young brat was made the heir to the Orley Farm estate ..." (emphasis added). This phraseology, if read in isolation, would plausibly support the assertion that Trollope intended to communicate that the disputed document was a single document, *i.e.*, a "will" that, "when read," "*contained a*

codicil" favoring the "young brat." Trollope also makes a confusing reference at the outset of Chapter 64 with his statement that "[i]f on the former trial Lady Mason had sworn falsely, then there could be no doubt that the will, *or the codicil to the will*, was an untrue document ..." (emphasis added).

But Newbolt's reliance on Trollope's use of imprecise terminology in these subsequent references cannot be allowed to trump Trollope's initial description of the codicil in Chapter One, when we can assume that Trollope was entirely focused on giving an accurate introductory description of the nature of the disputed codicil that was to be the focus of his tale about The Great Orley Farm Case. Significantly, in this initial description, Trollope could not have been clearer in identifying Sir Joseph's will and the disputed codicil as being separate documents, separately executed on separate occasions. "When ... Sir Joseph died, *a codicil to his will, executed with due legal formalities*, bequeathed Orley Farm to his youngest son, little Lucius Mason ... This codicil not only left Orley Farm away from ... [Joseph Mason of Groby Park] to baby Lucius, but also interfered in another respect with the *previous will*. It devised a sum of two thousand pounds to a certain Miriam Usbech ... [which sum] was to be produced out of certain personal property which had been left by the *first will* to the widow ..." (emphasis added). Trollope thereafter confirmed his correct understanding of the distinction between a codicil and a prior will it purports to modify in Chapter 68 when he described the opening statement of Sir Richard Leatherham for the prosecution in the criminal trial of Lady Mason. Trollope states that Sir Richard described "with wonderful perspicuity ... all the circumstances of the case, beginning with the undoubted will left by Sir Joseph Mason, *the will independently of the codicil* ..." (emphasis added).

That Trollope's descriptions of the lawyers and the legal proceedings involved in *Orley Farm* would raise the ire of the lawyers of his day is hardly surprising. After all, in the 1860s, Trollope was a popular novelist with a large readership, and in *Orley Farm*, Trollope had harshly condemned the English system of advocacy, and had placed in the worst possible light barristers who were practicing before the courts in those days. However, that in the 1920s, over sixty years after the original publication of *Orley Farm*, a reissuance of the novel could reopen the wounds of the legal profession, and prompt spirited attacks and rejoinders from distinguished lawyers, is surprising, although it undoubtedly serves as evidence of the power

and durability of Trollope's writing. For most current readers of Trollope's fiction, however, the seemingly endless arguments by lawyers about the accuracy of the details of Trollope's descriptions of the trial proceedings in a fictional case that occurred over 150 years ago must seem, at best, of only historical interest to lawyers. But there is one respect in which a wider group of Trollope's readers should be interested in this subject.

Specifically, Trollope is rightly famous for his ability to realistically portray the characters and situations that he deals with in his novels. Trollopians thus have a legitimate interest in knowing whether Trollope's well-known bias against the English system of advocacy and the courtroom lawyers that practiced in that system may have caused him to depict the courtroom scenes in *Orley Farm* and in subsequent novels in a manner that falls far short of his usual high standards of realism. My answer is that any such biases did not have that effect. While there are mistakes in Trollope's legal descriptions in *Orley Farm*, these mistakes are not major enough to render the courtroom scenes unrealistic. More importantly, given the care that Trollope exercised in his later novels to "get his law right," the legal errors in *Orley Farm* do not reflect some pattern of behavior in Trollope reflecting that he was unwilling to depict lawyers and legal proceedings with his usual degree of realism.

A few examples of Trollope's descriptions of the courtroom action in Lady Mason's criminal trial will serve to illustrate the point that in *Orley Farm* Trollope succeeded in creating vivid, dramatic courtroom scenes that are reasonably realistic, even when compared with court proceedings that might occur today. For example, Trollope's description of Sir Richard Leatherham's eloquent opening statement for the prosecution in Chapter 68, and his description of Mr. Furnival's outstanding closing argument for the defense in Chapter 72, will, with certain allowances for the exercise of dramatic license, strike many current trial lawyers as having captured the essence of how experienced, talented courtroom lawyers might have argued an important case before a jury. Could opposing counsel have objected to certain of the content of those arguments as exceeding permissible grounds? Yes, certainly. But trial lawyers often make tactical decisions not to assert objections that would presumably be sustained for fear a jury will feel that the objecting lawyer is trying to keep them from learning information they ought to be allowed to know. And, equally important, trial lawyers know that judges cannot

be counted on to grant every objection, even those that are plausibly meritorious.

The expectation that Trollope will adhere to his generally high standards of realism in dealing with legal matters should not require that Trollope be denied the dramatic license necessary for a novelist to tell a good story. Indeed, a failure to recognize Trollope's right to exercise a reasonable modicum of dramatic license undercuts much of the value of Sir Francis Newbolt's criticisms. For example, Newbolt ridicules Trollope for describing Lady Mason as having been seated in the courtroom at her criminal trial "with her counsel and friends" without having to "even trouble to enter the dock" as would have customarily been required of a defendant in a criminal case. (Newbolt at 53.) But how else could Trollope have placed Lady Mason in a position with Mrs. Orme seated on one side, and her son Lucius seated on the other side? Any other placement of Lady Mason in the courtroom would have made it impossible for Sir Peregrine Orme's daughter-in-law to exhibit to the jury as a strong non-verbal message of support for Lady Mason the "countenance" of the well-respected Orme family. And any other placement would have undercut the dramatic effect of Lucius Mason, sitting next to his mother in the courtroom, loudly slamming his fist on the desk in front of them in angry disgust at hearing Sir Richard Leatherham's opening statement in which he outlined the prosecution's allegations against his mother.

As previously mentioned, *Orley Farm* does contain legal errors, most of which Trollope or his editors could have easily avoided with greater care and attention to detail. But on the whole, these errors do not exceed the permissible bounds of dramatic license. So, my answer to the question that forms a part of the title of this essay is that there is nothing major to forgive Trollope for in his descriptions of the legal proceedings that comprise The Great Orley Farm Case, and certainly nothing that should mar a reader's enjoyment of courtroom scenes that are surely some of the most powerful and dramatic in Victorian literature.



What Muriel Rose Remembered

Part Three

Michael G Williamson

Michael Williamson, Chairman of the Trollope Society, continues the series in which Trollope's grand-daughter recounts her memories of her illustrious family.

Muriel Rose was Anthony's granddaughter and the daughter of his elder son, Henry and his wife, Ada Strickland. This line died out with her death in 1953. In her later years, she set down many of her memories of what she had been told and what she had observed about the more distinguished members of her family and more of these are recorded below. They give a very personal impression of members of the Trollope family and are, therefore, of value to us today.

THOMAS ADOLPHUS TROLLOPE, my great uncle. His first wife, **THEODOSIA GARROW** and their daughter, **Beatrice (BICE)**. His second wife, **FRANCES TERNAN** (sister of Ellen Ternan). The Thomas Trollopes initially lived at the Villino Trollope in Florence during this period and Fanny Trollope spent her last years with them. My dear grandfather, **ANTHONY** and my mother, **ADA TROLLOPE** née Strickland.

Uncle Tom had a fair share of his father's disciplinary methods in him! At Winchester he had not always been gentleness itself to his brother Anthony but they became and ended very good friends. My father told me that when Bice had been naughty (she could be very self-willed) her father would lock her up in an attic and sit outside, watch in hand, till the moment of release had come. He idolised his child but was determined not to spoil her. She grew up a most attractive and wholly uncommon girl. A photograph shows her of

medium height, slender build, and with very sad eyes. The world was kind to her and her admirers were many. Flirtation was not in her. She never took the slightest trouble to attract anyone. She must have known a good many people, for the Prince Imperial sent her a box at the Opera and asked if he might have a seat in it? When she married Mr Charles Stuart-Wortley at the British Embassy Chapel in Paris, the wedding dress sent from London, for some reason, did not please her and she flatly refused to wear it! A fresh white muslin frock took its place, in which she probably looked as enchanting; but how worrying for her stepmother!

“Uncle Tom had a mania for punctuality. I have a photograph of him, standing, watch in hand, looking at the imaginary culprit who has forgotten the time.”

Bice had adored Frances Eleanor Ternan as her governess, but war broke out, at any rate for a time, when she became her stepmother. She was an old friend of the family and had travelled with my grandparents and Uncle Tom. She was truly delightful. I knew her well. She was really intellectual, very bright and amusing and most excellent company. She wrote a beautiful hand and published novels as well as the excellent life of her mother-in-law.

Uncle Tom had a mania for punctuality. I have a photograph of him, standing, watch in hand, looking at the imaginary culprit who has forgotten the time. Aunt Fanny said to me once, ‘My dear, I travelled twenty-five years with your uncle and never kept him waiting once.’ To which I nearly irreverently replied, ‘I wonder you are alive to tell the tale.’ My father said he would walk up and down the pavement in the Piazza outside his house a quarter of an hour before the vetturino was due, even at 6 am.

He became very fond of my mother later on, and said to her one day, ‘My dear Ada, you don't know it but you are a very pretty woman.’ She was one of the prettiest women, and all the more so because she was completely free from vanity.



Henry Merivale Trollope, Anthony's elder son and Muriel Rose's father

As correspondent of the *Standard* and, if I am not mistaken, later on of *The Times*, in Florence and in Rome, Tom Trollope took the greatest interest in European affairs. His knowledge of Florentine and of Italian ecclesiastical history was unrivalled. I have a large packet of letters addressed to my father. In how many of them did he not ask for some book or periodical to be sent to him!

And this brings me to my dear Grandfather Anthony. As I said, he was, above all, a very thorough Englishman. That is why his chief stories of country life seldom go beyond his own county of Barsestshire, 'a little bit of England which I have created myself'. His characters were varied pictures of human nature, and I do not think that many of them were taken from actual life. My father always maintained that Mrs Proudie, that most detestable old lady, was merely a domineering woman such as can be met with in any age, anywhere. She was so skilfully drawn that many originals were found for her. A gentleman wrote to me years ago that his friends had assured him that Mrs Proudie, in sober truth, was the wife of an Essex parson. I did not answer, as I considered it useless. In such manner does rumour distort fact.

Mr Michael Sadleir's *Commentary* and the late Sir High Walpole's *Life* revived Anthony Trollope to a forgetting world. People were so accustomed to the beautiful old cathedrals, cloisters and closes in their midst that they took them all for granted. When I was a girl I met many people abroad who told me they had been brought up on my grandfather's books, but the later generation had not realised how faithful were the pictures that he drew of cathedral and county life.

I was brought up in Switzerland, among the great mountains of the Bernese Oberland and in Florence, the home of beauty. I did not return to England until I was grown up. I do feel that my own dear American friends' love of England opened my eyes to her gentle loveliness. I will not, however, talk about my grandfather's books, for you all know them as well as I do.

All their lives, my grandparents retained their love for Ireland. When, at ninety-five, my grandmother was told that I was going to work in a Red Cross Hospital in the 1st World War, she asked at once: 'Will there be any Irish soldiers there?'

Two of their servants remained with them over thirty years. Barney Fitzpatrick, the Groom put my father and uncle on a horse before they could walk, and he ended by taking my grandfather's hunters from London to the country three days a week. Though he

could neither read nor write, he was never a penny out in his accounts. When my father's Irish mare, 'Miss Vesey', was prancing on her hind legs in the stable yard, Barney would say 'Shure, Master Harry, she's as quiet as a lamb.' I was taken to see Catherine Hill, the cook, when I was seventeen. She thoroughly enjoyed telling me how she had chastised my father, aged seven, for stealing the sugar!

My mother greatly enjoyed her visits to Montagu Square before she married my father. She had been at School at Aix-la-Chapelle (Aachen) in Germany with Florence Bland, my grandmother's niece. My mother and Anthony got on capitally together. He declared that they must be 'first cousins fifty times removed!' With a young girl's audacity she asked him one morning at breakfast whether he would ride in the Park with her. The hour was one of his sacred working hours! 'Do you want to see me begging my bread?' he jested. However, he consented.

'Can you hold a horse?' he asked

'Oh yes, of course' replied mamma gaily. So off they started. Somehow her whip tickled her horse's head, and he suddenly bolted down Rotten Row in Hyde Park, with all the vigour he could muster. Mercifully my grandfather caught her up and stopped the animal. The result might have been very much worse than a lesson – never to dangle a whip near a horse's ears again. I never heard that the ride was repeated!

She was taken to many interesting gatherings, among them a soiree of the Royal Society of Literature, where she beheld Charlotte Bronte being lionised. The old City Companies also entertained sumptuously in those days. Before their marriage, my mother and father attended a ball given by the Fishmongers Company. The flowers which decorated the rooms and the roses for the ladies' dresses cost £1,000. My grandfather was made an honorary member of the Grocer's Company, and either before or after that, he became a Freemason.

To be continued.



Legal London

Old Bailey Insight

Nicky Barnes

A keen Trollopian and member of the Trollope Society Committee, Nicky Barnes attended the "Legal Day" in London and gives her account of the guided tour of London's principle legal sites enjoyed by attendees.

Tim Wood was our excellent Guide for this legal tour. We met outside the Royal Courts of Justice in The Strand which were officially opened in 1882 by Queen Victoria just two days before Anthony Trollope's death. The magnificent building was designed by George Edward Street and built over eight years, mainly by foreign workers (much to the annoyance of English workers who objected so vehemently the immigrants feared to leave the building and ended up having to sleep where they worked). Being a devout Christian, Street always hoped to design a Cathedral and so modelled the Great Hall on his planned design. As an appeasement to God, he deliberately omitted half of one of his pillars so that his "Cathedral" was not "perfect". We did not enter all 78 Court Rooms or walk the three miles of corridors but did sit in the Lord Chief Justice's Court for a brief period to hear an Appeal and made a wish as we rubbed the pineapples carved into the furniture in the Bear Garden which are said to bring good luck.

Leaving the High Court, we walked through Lincolns Inn and noted the smallest Grade I Listed Building in the country. This is a small hut originally built to shelter the stable lad who attended the Lawyers' horses and is now used as a potting shed! We also stopped at the undercroft beneath Lincolns Inn Chapel where unwanted babies were abandoned in the hope they would be found and given a better life.

We then walked down Fleet Street passing one of the pillar boxes singled out during the 2015 bicentenary celebrations to commemorate their introduction by Anthony Trollope in 1852.

The Central Criminal Court (known as the Old Bailey) is topped by Pomeroy's Lady Justice holding a sword in one hand and the scales



The Royal Courts of Justice, The Strand, London

Opened in 1882 by Queen Victoria just two days before Anthony Trollope's death

of justice in the other. Contrary to popular belief, she is not blindfold as her youth and innocence are sufficient to ensure her justice. The Courthouse is built on the site of Newgate Prison where for many years public hangings took place. In 1531 a cook, who allegedly tried to poison the Bishop of Rochester, was boiled alive in the street but protested his innocence by refusing to scream. Assuming the water was not hot enough, the Bishop put his finger in the water which was instantly badly burned. It is alleged this incident was the inspiration for the naming of Bishops Finger beer.

Perhaps a tour around the Inns of Court might be of interest to fellow Trollopian?



Talking Books

Special thanks to Trollope Society members for supporting the production of RNIB's *Talking Books*

Members will be aware that, as a part of our projects commemorating the Bicentenary of Anthony's birth in 1815, the Committee agreed to try to supplement and hopefully to complete the list of Trollope novels available within the Royal National Institute of Blind People's Talking Book Library. Already many titles had been funded but there were several significant gaps and we were aware that the facility was greatly appreciated by both blind Members and those who were partially sighted. We decided to do this by voluntary contribution and were very grateful for the many contributions received.

During the past year and a half we have managed to fund the production of both *The Vicar of Bullhampton* and *The American Senator* and I am pleased to report that, thanks to the individual generous contribution of Member, Mrs Marjorie Butlin, we are now able to proceed with the funding of the production of *Ayala's Angel*.

For more information about this worthwhile service, please contact RNIB, 105 Judd St, London WC1H 9NE tel 020 7388 1266



Your letters

If you have any questions, comments or observations on anything related to Anthony Trollope, *Trollopiana*, or the Trollope Society, please write to us at The Trollope Society, PO Box 505, Tunbridge Wells TN29RW, or email info@trollopesociety.org



Dear Members of the Trollope Society

I hesitantly submit to your society a little snippet of information about a Trollope connection I've found within my extended family in Australia. A few years ago I read in a biography of the great man that he visited Australia and went to see his son who had bought a farm in New South Wales. At the time of the visit the son was about to marry a local girl by the name of Susan Farrand, the daughter of a postmaster in a small town up country. Trollope and his wife had to leave before the marriage took place as he was due to speak, in Sydney I think, as part of a scheduled speaking tour of the country. So Susan Farrand became the daughter-in-law of Anthony Trollope.

In the 1930s my uncle Arthur Platt emigrated to Australia from England, married there, and had a daughter, my cousin Nell, now in her eighties. Nell's daughter Margie married one Bill Farrand who comes from a well established Australian family of Farrands, able to trace their ancestors in an unbroken line back to Victorian times in the North East of England and subsequently to the country districts of New South Wales. We visited my cousin and the Farrands in Sydney a few years ago and spoke to them about the coincidence

of a young woman by the name of Farrand marrying into Trollope's family. They quickly identified the Susan Farrand in question as being shown in their family tree, and could tell me that her father was indeed a postmaster (a professional connection with Anthony Trollope no doubt, although at a rather less exalted level!). I left the Trollope biography with them as a gift - hence the fact that I cannot now recall precise dates and locations. Bill and Margie Farrand's son, Matthew, is visiting us in Lichfield this week, and it just prompted me to pass this information on to the only people who might (just might) find this little snippet interesting.

I must declare an interest: Anthony Trollope is for me the greatest of English novelists, hence my interest in his life and my fascination in finding a connection with him - however slight !

Keep up the good work.

Kind Regards

Peter Jones

Dear Peter,

Thank you for your interesting e-mail. Much of what you have described is already known to the Society so we can certainly help with dates and locations. The basic facts are as follows:

Frederic James Anthony Trollope (27/09/1847 – 31/05/1910) was the novelist's younger son. He decided that he wanted to emigrate to Australia when he was 18 and they reluctantly allowed him to but only on the condition that he returned when he was 21 before he took any final decision. They helped to fund his sheep farming ambitions but this proved challenging and he eventually transferred to the Civil Service. When he briefly returned to England as agreed he had already met the young lady who was to become his wife and he determined to make Australia his home. His father visited him there on two separate occasions.

We know his wife as Susanna (or Susannah) Farrand but it is quite possible that she was known as Susan. The marriage took place on 14th December 1871 and I believe that she also died in 1910. She was the daughter of

William Farrand who was also a local magistrate and, I believe, came from Forbes, New South Wales. They had eight children.

The line of Frederic's older brother, Henry, died out in England in 1953 with the death of his daughter Muriel Rose and there were several other male deaths in the wider Trollope family. This meant that Frederick and Susanna's son, Frederic Farrand Trollope (1875-1957) eventually inherited the Trollope baronetcy of Casewick in Lincolnshire. This was then inherited by his younger brother, Gordon Clavering Trollope (1885-1958) who became the 15th baronet and it is his grandson, who is the current 17th baronet, Sir Anthony Simon Trollope.

The family still live in Australia and Sir Anthony's younger brother, Hugh is currently one of our valued Vice-Presidents. He has now purchased part of the former family home, Casewick Hall as a holiday home.

I hope that this is of some help to you. If you require any more detailed information please do not hesitate to contact us again.

Kind regards

Michael Williamson
Chairman, The Trollope Society

Dear Trollopiana,

I recently joined the Society and thought you might be interested to see the birth announcement that I recently placed for my son Rupert in *The Times*. Sadly, the wife vetoed the name Plantagenet.

Kind Regards,

Sam Gardner

“GARDNER On 29th January 2017 to Charlotte (née Richards) and Sam, a son Rupert John Hugh, brother to Matilda, ‘whose little heart would first love her...whose infant tongue would make its first effort and calling her by the sweetest name a woman can hear’ – Anthony Trollope.”

Dear Sam

Congratulations, on behalf of all your fellow members of the Society, to you and Charlotte on the new addition to your family. I am sure both he and his sister will be sources of joy and pride to you as they grow up over the coming years and, hopefully, will present you with fewer problems than Plantagenet experienced with his own children. I also can't help but think, in spite of a natural bias in favour of names with a suitably Trollopiian flavour, that your wife is perhaps right in exercising her veto in this case.

With very best wishes to you and your family.

Mark Green
Editor



Our condolences

We have received the sad news since the publication of our last issue of the deaths of leading Trollopians Pamela Neville-Sington, Peter Lee and Roger Harvey. Our condolences go to their families.

We hope to include a suitable appreciation of their respective work in promoting the reading and study of Trollope in our next issue.





Pamela Barrell with Michael Williamson at the 30th Anniversary Dinner
Photo by Jamie Basire

Honour for The First Lady

Pamela Barrell is appointed to be the first Bedeswoman of the Trollope Society

As many Members will already be aware, Pamela Barrell has decided to retire from her very active role as Committee Member and Trustee for the Society. Her contribution over the past years has been considerable ranging from ten years as Editor of *Trollopiana* to manning the regular stall at the Kensal Green Open Day. Fortunately she will be continuing as an active Member and will still be acting as organiser and hostess for the Cambridge Seminar Group. We wish her well in her other activities but will still hope to see her at many of our events.

In appreciation of her many years of service, the Committee has appointed Pamela to the newly formed Order of Bedesmen and Bedeswomen and she will have the privilege of being the first Bedeswoman to be created. An honour richly deserved.



Omnium Gatherum

A collection of all sorts of things of interest to Trollopians

Nina Balatka play reading

We are very privileged to offer the opportunity for members to meet US playwright Henry Ong, a keen Trolloperian, who has adapted Trollope's novel *Nina Balatka* for the stage.

Henry will be flying in from his home in California to talk about the play and dramatising Trollope before we conduct a reading of the play in an all day event at St Columba's Church of Scotland, Pont Street, London SW1X 0BD. The event starts at 2pm and is scheduled to end at about 8pm. The cost is £12 including afternoon tea and refreshments.

For information contact Michael Williamson at: wmichaelg50@gmail.com

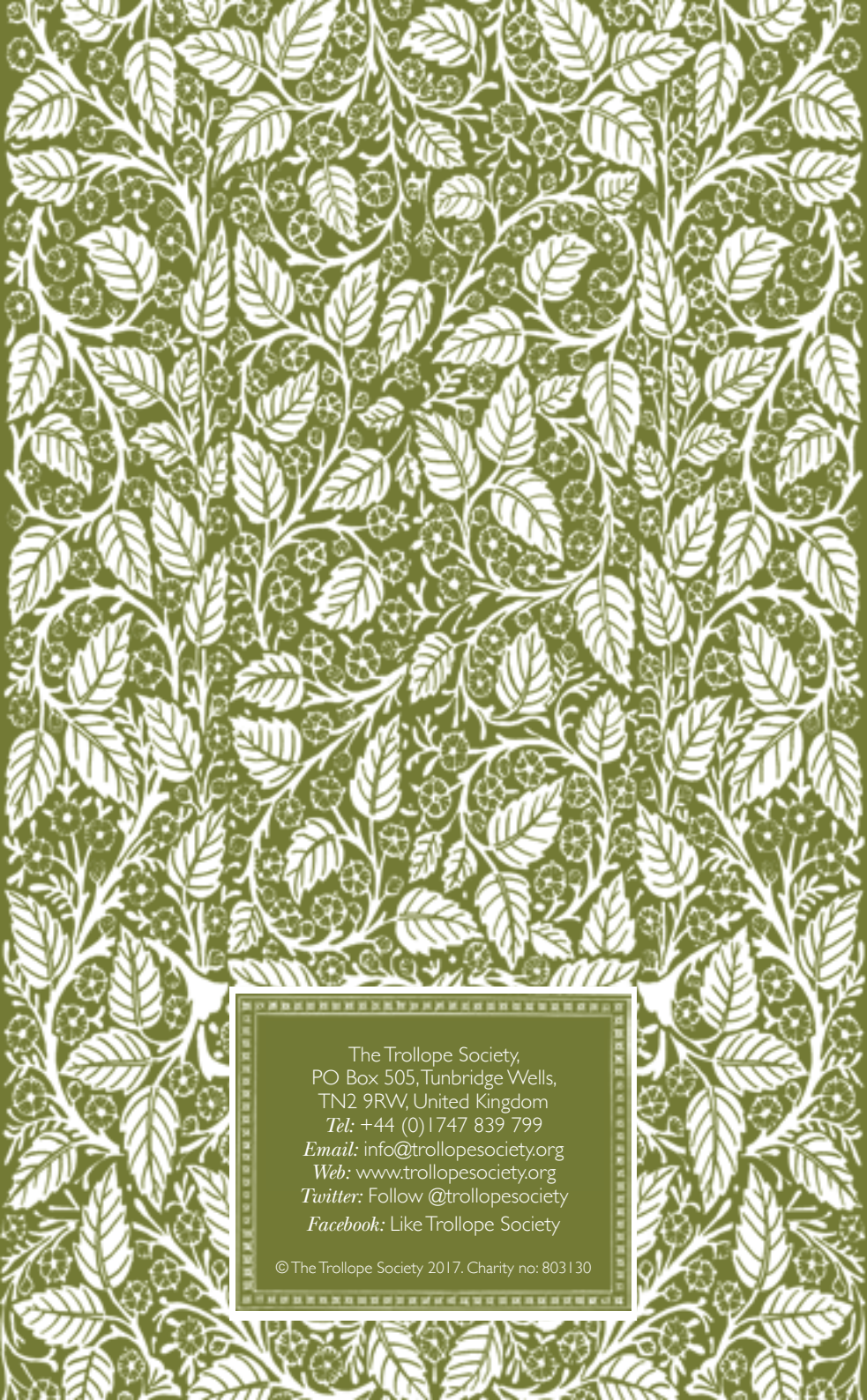
Notes on full-length version of The Duke's Children

The new Everyman Library edition of *The Duke's Children* features some 65,000 of restored text – increasing the length of the book by about a quarter.

To discover more about the work of Professor Steven Amarnick and his team in carrying out the restoration and for insights into the effect of these changes on the depth of characterisation and development of the storylines within the novel you can go to new pages of notes made available on the Society's website at: www.trollopesociety.org/works/dukes-children

We are always pleased to hear of any news, events, exhibitions, publications or other items of interest to Trollope Society members.

For inclusion in *Trollopiana*, please email the editor, Mark Green at markr_green@msn.com



The Trollope Society,
PO Box 505, Tunbridge Wells,
TN2 9RW, United Kingdom
Tel: +44 (0)1747 839 799

Email: info@trollopesociety.org

Web: www.trollopesociety.org

Twitter: Follow [@trollopesociety](https://twitter.com/trollopesociety)

Facebook: Like Trollope Society

© The Trollope Society 2017. Charity no: 803130