

tion, embarrassment and reproach attending such a separation from her husband, and her only child, counteracting her maternal feelings, the most invincible of human passions; this fact itself affords a strong presumption, that she was driven to such sacrifices by treatment which could not be born. On that supposition alone her conduct can be accounted for. This presumptive evidence is now confirmed by the occurrences of the last year. Her offer, after such a length of time, to forgive and forget all that was past, and to live together again; and the manner in which she was, on that occasion, trifled with and repulsed, leave no doubt that the fault of their separation is his, and not hers, whatever reasons he may choose to assign for it.

'You and your family wished to rule me.' This, I believe, is the only time he ever made that excuse for his violent treatment of his wife. Such various and frivolous pretexts prove that he had no real justification.

'But, says the letter, 'in soft words,' I must inform you, that you, nor your wife, nor my wife, nor any of your family is ever going to rule me.' No, indeed, he would not be ruled by his wife, not he. Gentlemen of the Jury, I wish you were as well acquainted, as I am, with the mild, delicate, unassuming woman, of whose domination the Defendant, hardy and robust as he appears to be, was in such dread. I wish you could see them together, that you might judge for yourselves, by the comparison, whether the husband or the wife was in the greatest danger of being ruled with a rod of iron, or a horse-whip, if that should be the chosen instrument of family government.

'I let her return for the present, until the 24th of next month.' Here is the Defendant's express consent to his wife's residence at her father's one month, that is from the 26th of September to the 24th of October. For that month, at least, then, the Plaintiff has an undoubted right to recover for her board and maintenance. Even if he should unexpectedly fail of proving his right to be paid for the whole term, nothing can disprove his claim for this month's support; for it is founded upon the Defendant's deliberate consent, expressed under his own hand, and addressed to the Plaintiff.

Let me request you to take notice why he let her return to her father's house.

He wished, it appears, for a whole month to consider whether he should receive or reject his wife, or, perhaps, invent some form of nominal reception, which might be a real exclusion of her from his house. He probably thought that would save his purse from the legal consequences of a refusal; but, I trust, Gentlemen, your verdict will teach him the futility of such a subterfuge.

'I wish to spend the remainder of my days, as I have for the ten years past, in peace and quietness.' Here is an acknowledgment, and even an explicit avowal of the fact, that he preferred to live, as he had done for ten happy years, in a state of separation from his wife, which he declares to be a state of peace and quietness. This shuts his mouth forever against any pretence of injury from the Plaintiff's entertaining his wife during that period. By his own shewing it was a benefit to him.

Yet he adds, 'if I can possibly make myself think that you and your family will let her remain quietly, and that I can also think that she will behave herself like a virtuous and pious woman from this time forward, I will then take her.' He here insinuates a doubt of her virtue. It is a base insinuation. Whether his jealousy is real, or only pretended by way of excuse for his own conduct, I am satisfied it is without any just cause. Placed as his wife has been, in an unprotected, isolated and most trying situation, exposed to temptation, and still more to suspicion and calumny, her behavior has been irreproachable and exemplary. For the truth of this assertion we appeal to the whole circle of her acquaintance, and defy him to come forward manfully, and attempt to substantiate his slanderous insinuation by proof. He dare not make the attempt.

I cannot dismiss this precious letter without pointing out one more inconsistency. 'It weighs heavy on my mind, says the moralizing Defendant, to think that she has been gone ten years.' When he wrote that sentence, he must have forgotten that he had just before expressed his wish to spend the remainder of his days as he had those very ten years of his wife's absence.

It is for you, Gentlemen, to decide whether these self contradictions do not indicate that the writer was framing artificial excuses for conduct, which he was