

A Point of Law.

BY WILLIAM SOMERSET MAUGHAM.



WHEN I feel more than usually poor (on a rainy day, for instance, when opulent stock-brokers roll swiftly in electric broughams, or when some friend in bleak March weather tells me he is starting that very night for Monte Carlo) I make my will ; it gives me a peculiar satisfaction to leave my worldly goods, such as they are, to persons who will not in the least care to receive them, and I like the obsequious air of the clerk who blows my name up a tube to the family solicitor. It is an amusement which costs me nothing, for Mr. Addishaw, the senior partner in the eminently respectable firm of Addishaw, Jones, and Braham, knows my foible ; he is aware also that a solicitor's bill is the last I should ever pay, and I have warned him that if ever he sends it I will write a satiric story which shall hold him up to the ridicule of all his neighbours on Brixton Hill. What accounts he prepares after my demise do not in the smallest degree perturb me ; my executors and he may fight it out between them.

One day, then, I walked down the Strand, feeling very wretched after a cheap luncheon in a crowded Italian restaurant (a crust of bread and a glass of water may be rendered appetizing by hunger and a keen sense of the romantic, but who can survey without despondency a cut off the joint, half cold and ill-cooked, and boiled potatoes?), and, jostled by hurrying persons, I meditated on the hollowness and the folly of the world. I felt certain that Mr. Addishaw at this hour would be disengaged, and it seemed an occasion

upon which his services were eminently desirable ; it would comfort me just then to prepare for the inevitable dissolution. I turned the corner and soon found myself at the handsome edifice, with its array of polished brass-plates and its general look of prosperity, wherein the firm for many years had rented offices.

"Can I see Mr. Addishaw?" I inquired.

And in a moment I was shown upstairs into the sumptuous apartment which the good gentleman inhabited. He had evidently just lunched, and with him the meal had without doubt been satisfactory ; for he sat in the arm-chair generally reserved for clients, toasting his toes at the cheerful fire, and with great content smoked his cigar. There was so much self-satisfaction about his red face that the mere sight of him cheered me ; and the benevolence of his snowy whiskers



impressed me more than ever before with a sense of his extreme worth.

"You look as if you read the Lessons in church every Sunday morning, Mr. Addishaw," I said, when I shook hands with him. "I've come to make my will."

"Ah, well," he answered, "I have nothing to do for ten minutes. I don't mind wasting a little time."

"You must sit at your desk," I insisted, "or I sha'n't feel that I'm getting my money's worth."

Patiently he changed his seat, and with some elaboration I gave a list of all the bequests I wished to make.

"And now," said I, "we come to my wines, spirits, and liqueurs."

"Good gracious me!" he cried; "I didn't know that you had started a cellar. You are becoming a man of substance. I will tell my wife to ask for your new book at Mudie's."

"Your generosity overwhelms me," I retorted. "Some day, I venture to hope, you will go so far as to buy a second-hand copy of one of my works. But I have no cellar. The wine in my flat is kept in a cupboard along with the coats and hats, the electric meter, my priceless manuscripts, and several pairs of old boots. I have no wines, spirits, and liqueurs, but I wish to leave them to somebody, so that future generations may imagine that writers in the twentieth century lived as luxuriously as butchers and peers of the realm and mountebanks."

Somewhat astonished at this harangue Mr. Addishaw wrote as I desired; then a pale young clerk was sent for and together the legal gentlemen witnessed my signature.

"And now," said I, "I will light a cigar to complete the illusion that I am a man of means, and bid you good afternoon."

Mr. Addishaw returned to his arm-chair by the fire and, feeling apparently very good-humoured, asked me to remain for a few minutes; he had taken the only comfortable seat in the room, but I drew up the writing-chair and sat down.

"Wills are odd things," said Mr. Addishaw, in a meditative manner. "Only the other day I had to deal with the testament of the late Lord Justice Dryden; and it was so ill-composed that no one could make head or tail of it. But his eldest son happened to be a solicitor, and he said to the rest of the family: 'I'm going to arrange this matter as I consider right, and if you don't agree I'll throw the whole thing into Chancery and you'll none of you get a penny!' The family

were not too pleased, for their brother thought fit to order the affair in a manner not altogether disadvantageous to himself; but I advised them to submit. My father and my grandfather were solicitors before me, so I think I have law more or less in the blood; and I've always taught my children two things. I think if they know them they can't come to much harm in the world."

"And what are they?" I asked.

"Never tell a lie and never go to law."

Mr. Addishaw rose slowly from his chair and went to the door.

"If anyone wishes to see me, Drayton, say that I shall be disengaged in a quarter of an hour," he called to his clerk.

Then, with a little smile which sent his honest red face into a number of puckers, he took from a cupboard a bottle, well coated with dust, and two wine-glasses.

"What is this?" I asked.

"Well, I'm an old man," he answered, "and I keep to some customs of the profession which these young sparks of to-day have given up. I always have a bottle of port in my room, and sometimes when I don't feel very well I drink a glass or two."

He poured out the wine and looked at it with a smile of infinite content. He lifted it to his nose and closed his eyes as though he were contemplating some pious mystery. He sipped it and then nodded to me three times with a look full of meaning.

"And yet there are total abstainers in the world!" he exclaimed.

He emptied the glass, sighed, refilled it, and sat down.

"Talking of wills, I said the last word in a matter this morning which has interested me a good deal; and, if you like, I will tell you the story, because it shows how sometimes by pure chance that ass, the law, may work so as to protect the innocent and punish the contriving.

"One of the oldest clients of my firm is the family of Daubernoon, north-country squires, who have held immense estates in Westmorland since the good old days of King Henry VIII. They were not a saving race, so that in personalty they never left anything worth speaking of, but they always took care to keep the property unencumbered; and even now, when land is worth so little and the landlord finds it as difficult as the farmer to make both ends meet, their estates bring in the goodly income of six thousand a year.

"Roger Daubernoon, the late squire, injured his spine in a hunting accident,

and it would have been a mercy if he had killed himself outright, since he lingered for twenty years, a cripple and an invalid who required incessant care. His wife died shortly afterwards and he was left with an only daughter, in whose charge he placed himself. A man used to an active, busy life, in illness he grew querulous and selfish, and it seemed to him quite natural that Kate Daubernoon, then a girl of twenty, should devote her life to his comfort. A skilful nurse, she became so necessary to him that he could not face the thought that one day she might leave him; he was devoured by the fear that she would marry, and he refused, pretexting his ill-health, to have visitors at the Manor. He grew petulant and angry if to go to some party she abandoned him for a couple of hours, and finally Miss Daubernoon resigned herself to a cloistral life. Year in, year out, she remained in close attendance on her father, partly from affection, but more for duty's sake; she looked after the house, walked by the squire's bath-chair, read to him, and never once left home. She saw no one but the villagers, by whom for her charitable kindness she was adored, the parson and his wife, the doctor, and twice a year myself.

"And she grew old. Miss Daubernoon had never been beautiful, she had never been even pretty; and the stealthy years, the monotonous life, robbed her of the country freshness which in early youth had made up for other deficiencies. As year by year I went up to Westmorland to see Mr. Daubernoon, I was distressed to note the difference in his daughter; and before her time she grew prim and old-maidish. She ceased to regret the joyous life of the world, growing so accustomed to the narrow circle wherein vegetably she existed that I think nothing at last would have induced her to withdraw from it. Finally, when I was staying in the

house at Christmas, two years ago, the village doctor came privately to see me. He told me that Miss Daubernoon had been ill through the autumn and now, to his dismay, he had discovered that she was phthisical.

"'You know what our winters are here,' he said to me; 'if she does not go away it will probably kill her.'

"I went to her at the doctor's request, and used the persuasions which with him had been quite useless. But she would listen to nothing.

"'I know that I am ill,' she answered, 'but I cannot leave my father. Do you see no change in him since you were last here?'

"I was obliged to confess that I did; the long years of suffering had broken down at last that iron frame, and even the most inexperienced could see that now the end could not be far off.

"'It would kill my father at once to move him. It would kill him also if I went away.'

"'But do you think you have a right to place your own life in such danger?'

"'I am willing to take the risk.'

"I knew her obstinate character, and I felt I could never induce her to change her mind, so I went straight to Mr. Daubernoon himself.

"'I think you should know that Kate is dangerously ill,' I said. 'She has consumption, and the only thing that can save her is to winter abroad.'



"'I THINK YOU SHOULD KNOW THAT KATE IS DANGEROUSLY ILL,' I SAID."

"Who says so?" he asked.

"There was no astonishment in his manner, so that I wondered whether he had divined the illness of Miss Daubernoon, or whether in his utter selfishness he was indifferent to it. I mentioned Dr. Hobley's name.

"Twenty years ago he said I couldn't live six months," answered Mr. Daubernoon. "He's a nervous old woman. Kate's as strong and well as you are."

"Would you like a specialist to come from Liverpool to see her?"

"Oh, those doctors always back one another up. A specialist would only frighten Kate."

"I saw that he would never allow himself to be persuaded that his daughter needed attention, and I spoke more sternly to him.

"Mr. Daubernoon," I said, "if your daughter dies the responsibility will be yours."

"Then a cruel look came into his worn, thin face—a look I had never seen before, and a hardness filled his eyes that was horrible.

"After all, I can only last six months. When I'm dead she can do what she likes. *Après moi le déluge.*"

"I did not answer, appalled by the sick man's cruel selfishness; the poor girl had sacrificed her youth to him, her hopes of being wife and mother; and now he wanted her very life. And she was ready to give it.

"Mr. Daubernoon lived four months longer than he said, for the autumn had arrived when a telegram came saying that he was dead. It was sent by Dr. Hobley, who bade me come to Westmorland at once.

"But when I arrived it was the change in Miss Daubernoon that shocked me most. Those final months had worked havoc with her, so that it was impossible not to see that she was very ill. She was thin and haggard, her hair was streaked with grey, and she coughed constantly. She seemed ten years older than when I had last seen her, and, though she was no more than forty, looked almost an elderly woman.

"I'm very much alarmed at the change in Miss Daubernoon," I told the doctor. "What do you think?"

"She's dying, Mr. Addishaw," he answered; "she can't live another year."

"Fortunately, now she can go away."

"She can do that, but it won't save her. It's too late."

"After the funeral Miss Daubernoon came to me and said she wished to have a talk on business matters.

"Never mind about business," I said; "I

can arrange all that. What you must do is to get down to Italy before the cold weather comes."

"That is what I mean to do," she answered. "I think I should tell you"—she hesitated and looked down, a faint blush colouring her pallid cheeks—"I think I should tell you that I am going to be married at once."

"What!" I cried. "But you're not fit to marry; you're as ill as you can be."

"I think I have six months to live. I want to be happy. It's only because I'm so ill that I cannot wait. We are to be married in London in a week."

"For a moment I was silent, not knowing what to say. Then I asked to whom she was engaged.

"Mr. Ralph Mason," she answered, shortly. "You met him last time you were here. We have been devoted to one another for the last two years."

"I could not remember anyone of that name, and I inquired, somewhat curtly, when I should have the pleasure of renewing my acquaintance with this gentleman.

"He's now coming towards us," she said, and a look of radiant happiness came into her face.

"I saw walking along the garden path through which we sauntered a tall young man in a frock-coat, a tall hat, and patent leather boots. In a moment I recognised him.

"But that is the land-agent's clerk?"

"Yes," she said.

"He was certainly a very handsome man, with a beautiful moustache and the dashing air of a counter-jumper trying to ape the gentleman. I should think he was fifteen years younger than Miss Daubernoon, and this was enough to surprise me; but the most amazing part of it all was that her pride—you know what the pride is of people in that particular class of life—should have allowed her to think of marriage with such a person. And when I knew him better I found to my dismay that there was in him no redeeming trait; he was merely a very ordinary, common, provincial tradesman, with nothing but his rather vulgar good looks to recommend him. And when I compared his strapping vigour with Miss Daubernoon's old, sickly weakness, I could not doubt that he was merely an adventurer of the very worst class. I said nothing at the time, but later, finding myself alone with her, I did not hesitate to speak plainly.

"Why do you suppose Mr. Mason wishes to marry you?" I asked.

"A painful, timid look came into her eyes, so that I almost repented my words, but it seemed a duty to be outspoken at all costs to save her much future pain.

"I think he loves me," she answered.

"My dear, I don't want to hurt you, but I must tell you the truth. You can't believe that this young man really cares for you. You're very ill."

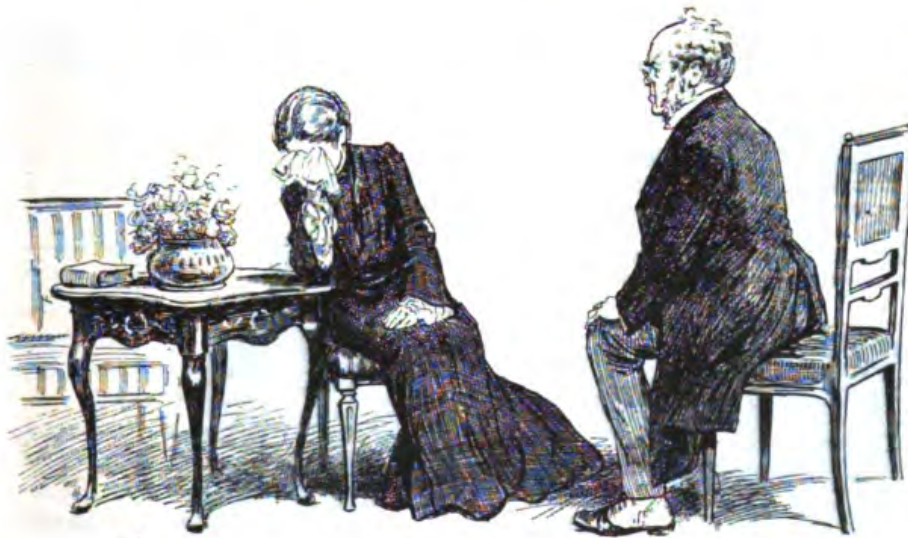
"I'm dying," she interrupted.

"You're ever so much older than he is. Good heavens! look at yourself in the glass. Ask yourself if he can possibly have fallen in love with you. And there's one palpable reason why he wishes to marry you. Can't you see that it's your money he wants, and

trouble to pretend he loves you? You must be mad."

"She began to cry, silently, so that for the life of me I could not go on, and I resolved instead to speak with Ralph Mason himself. I made inquiries in the neighbouring market-town, and I was scarcely surprised to discover that his character was thoroughly bad. He was known to be a hard drinker, violent in temper, unscrupulous; his friends said he was a good sportsman, which meant, apparently, that he attended all the race-meetings he could and betted more heavily than his means allowed. A sort of provincial Lothario, various tales were brought me of his exploits; and his good looks, his

supercilious charm of manner, appeared to make women an easy conquest. I cannot tell you how alarmed I was when I learnt for what sort of a man it was that Miss Daubernoon had conceived such a passionate infatuation; but his very depravity made it just possible that he would accept certain proposals that I had in mind. I telegraphed to Robert Daubern-



"SHE BEGAN TO CRY, SILENTLY."

for your money's sake he's willing to—to put up with you?"

"Hot tears ran down her cheeks, so that I felt hatefully cruel, but something had to be done to stop such an insane marriage.

"Don't remind me that I'm old and plain," she said. "Do you think I can't feel it? But I know he loves me for myself, and even if he doesn't I will marry him. The only thing that has kept me alive is my love for him, and, after all, I have such a little while to live that you might let me spend it as happily as I can."

"And do you think you can be happy with him? Do you think he'll have the patience to wait for your death? My poor lady, you don't know what may be in store for you. At present he's nice enough to you, and apparently you don't mind if he's common and vulgar; but when you're once safely married do you think he'll take the

noon, an officer on half-pay with a large family, a cousin of the late squire's and Kate's only relative and natural heir; and on receiving his answer invited Ralph Mason to call on me.

"I want to talk to you as a business man," I said. "When Miss Daubernoon told me she wished to marry you, I ventured to make certain inquiries; and I have heard a good deal about you."

"He was going to speak, but I begged him to listen quietly till I had finished. With scoundrels I have always found it best to speak to the point; a certain cynical frankness often puts them at their ease, so that much time and verbiage are spared.

"You know as well as I do that Miss Daubernoon is dying, and I dare say you will not think it necessary to pretend to me that you are in love with her. You cannot seriously wish to marry her, and I am

authorized to offer you an annuity of two thousand a year if you will put off your marriage indefinitely.'

"He looked at me and stroked his handsome moustache, and presently he gave a mocking smile.

"'You are a solicitor, Mr. Addishaw?' he asked.

"'Yes.'

"'And presumably a man of business?'

"I was inclined to call him an impertinent jackanapes, but refrained.

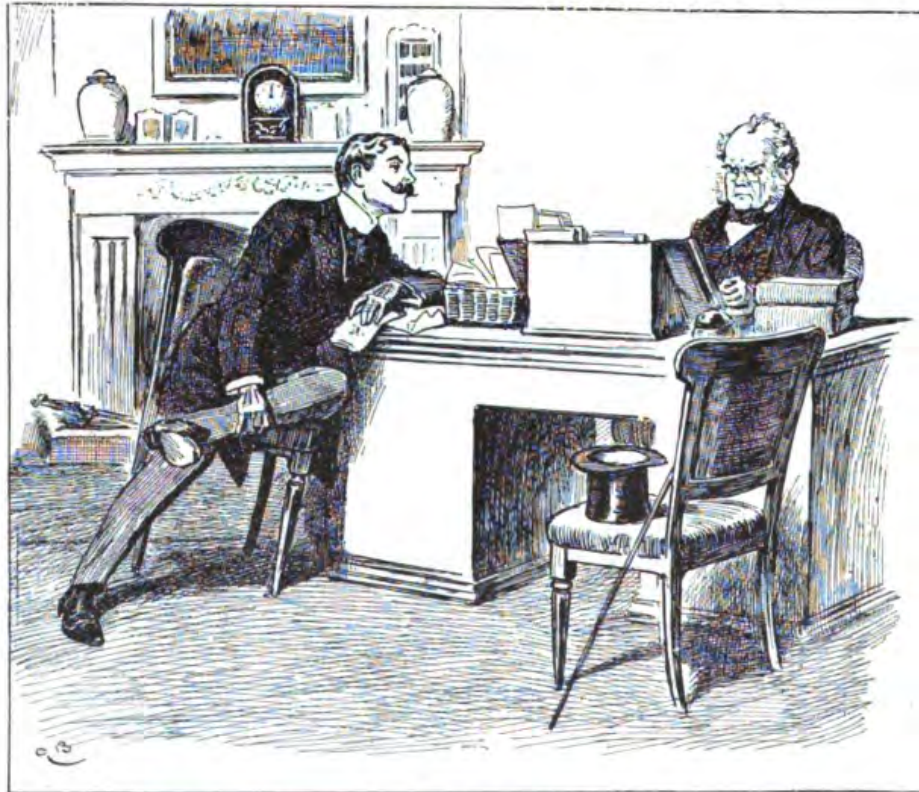
"'And granting that all you say is true, and I don't love Kate Daubernoon, and wish to marry her solely because I think she can only live a few months, at the end of which I shall find myself a rich man—do you think I should be such a fool as to accept your offer?'

"'I thought it possible, when you con-

"'I'm a business man, too, Mr. Addishaw,' he answered.

"He broke off the conversation abruptly, and I felt I had done harm rather than good, for soon I found that Miss Daubernoon knew what I had said. I do not know what account of the affair Ralph Mason gave her, but I can imagine that my behaviour was painted in the darkest colours, while his own shone with all the heroic virtues. Miss Daubernoon, harassed by her father's death and funeral, for two or three days was too ill to leave her room, and only Ralph Mason was allowed to see her. She wrote me a note.

"'I did not mind what you said to me,' she wrote, 'but I am indignant and deeply distressed that you should have attempted to turn Ralph from me. I think your interference impertinent. I address you now no



"DO YOU THINK I SHOULD BE SUCH A FOOL AS TO ACCEPT YOUR OFFER?"

sidered that the money was as safe as the Bank of England, while otherwise you are dependent on your wife's will, which may be altered.'

"'I'm not afraid of that.'

"'And also that you would be behaving more or less like a gentleman. Her own doctor has told me that marriage is bound to kill her almost at once. Don't you think what you're doing is very cruel?'

longer as a friend, but merely as my solicitor, and I beg you to prepare at once, for my signature, a will leaving absolutely everything of which I die possessed to Ralph Mason.'

"I dare say I am not a man of very easy temper, and with some heat I replied that she might get another solicitor to prepare this will for her; I would have nothing to do with it. And that evening, without seeing her again, I started for London.

"Three days later I heard from Dr. Holey that they had left Daubernoon, though Kate was much too ill to travel; they were married at a registry office in Marylebone, and next day crossed the Channel on their way to Italy.

"There was a good deal of work connected with the estate of the late Roger Daubernoon. He had left rather a large legacy to his cousin Robert and smaller sums to various servants and dependents, so that practically all his personalty was absorbed. Stocks and shares had to be sold, consequently I was in somewhat frequent correspondence with Mrs. Mason, but her letters were always very short, referring merely to the business on hand, so that I could not tell whether she was ill or well, happy or wretched. I hoped with all my heart that these last months of her life went smoothly, I hoped the man was kind to her, and at least took the trouble to conceal from his wife that he waited impatiently for her death. Poor thing, I trust she preserved to the last the illusion which had given her the only joy her life had known; I was no longer angry with her, but very, very sorry.

"Then one day, in the spring, my clerk whistled up that Mr. Ralph Mason wished to see me. I knew at once that the poor woman was dead. He came in; and though in the country he had dressed himself preposterously in a frock-coat and a tall hat, now he wore a rather loud check suit and a bowler; a black tie was his only sign of mourning. And I had never felt such an antipathy for this swell-mobsman. I hated his handsome military bearing, his smart counter-jumper looks, and the scent on his handkerchief. There was a superciliousness in his manner which told me I should have to pay for all I had said of him; he, of course, was now the squire, and I was a humble solicitor. I knew I should not long keep the business of the house of Daubernoon, and upon my word I was not sorry. I had no wish to deal with a man of that stamp.

"I did not rise from my chair as he came in.

"'Good morning,' I said. 'Pray be seated.'

"'I have come to see you on business,' he answered, insolently. 'My wife died in Rome on the 24th of last March, and you are executor of her will.'

"I felt expressions of regret would be out of place, and I could imagine the satisfaction the man took in his freedom.

"'I hope you were not unkind to her,' I said.

"'I told you I'd come solely on business. I have brought the will in my pocket. It was by my wish that you were appointed executor.'

"I understood what a revengeful pleasure he took in the thought that I must deliver over to him the vast estates of the Daubernoons. Silently I took the will, which was very short, written on a sheet of note-paper.

"'I, Kate Daubernoon, of the Manor, Daubernoon, hereby revoke all former wills and testamentary dispositions made by me, and declare this to be my last will and testament. I appoint James Addishaw, of 103, Lancaster Place, London, to be the executor of this my will. I give all my real and personal property whatsoever to Ralph Mason. In witness whereof I have set my hand to this my will the 10th day of September, 1902.

'KATE DAUBERNOON.'

"It was written in her own hand and duly witnessed by two servants at the Manor. I could hardly believe my eyes.

"'How did you get the form?' I asked.

"'I have some knowledge of law,' he answered.

"'That I can scarcely believe.' My heart beat with excitement, but I did not wish to let him see my triumph too quickly. 'Is this the only will your wife made?'

"'Yes.'

"'Are you sure there is no later one?'

"'Absolutely positive.'

"'Have you observed the date? Three days before your marriage.'

"'The will was made on the very day that you sent for me and offered me two thousand a year to give her up.'

"There was a ring of exultation in his voice, but I answered very quietly, 'You would have been wise to accept it.'

"'Do you think so?' he laughed.

"'Because this will is invalid. Marriage annuls all testamentary dispositions previously made, and this piece of paper is absolutely worthless.'

"I shall never forget the look that came into his face, the green pallor that spread across his cheeks, discolouring his very lips; at first he could not understand, the blow was too unexpected.

"'What do you mean?' he cried. 'It's not true.'

"'You may take the will to any solicitor you choose.'

"'You old wretch!' he hissed.

"'If you're not civil I shall send for my clerks to kick you downstairs.'

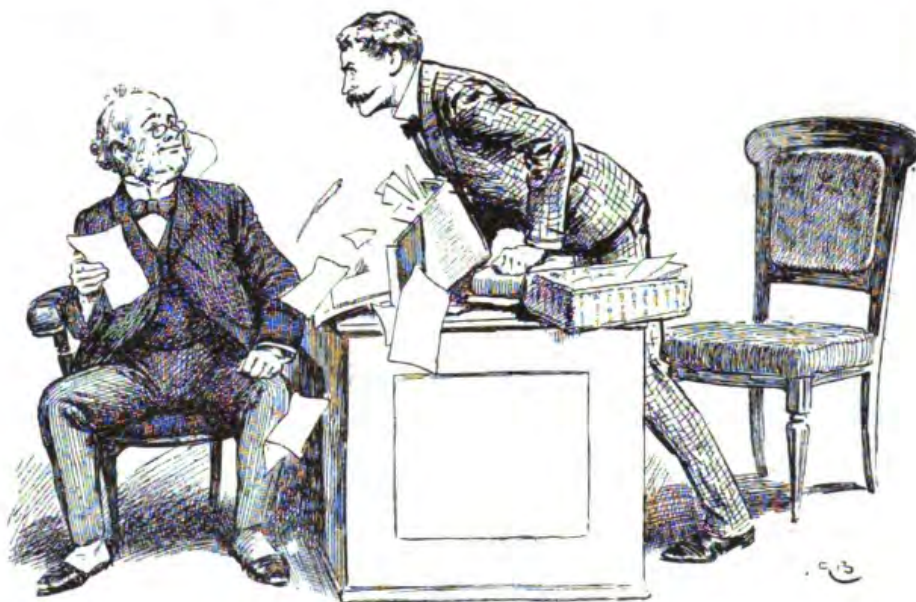
"He reached out his hand for the will and I handed it to him; he read it through once more.

"Do you mean to say I get nothing?"

"Not exactly. Your wife died intestate;

great deal. There can be very little left. You may feel sure that what there is shall be duly handed to you.'

"I stood up and opened the door for him to go out. He looked up defiantly.



"WHAT DO YOU MEAN?" HE CRIED. 'IT'S NOT TRUE.'"

her real property goes to Robert Daubernoon, the heir-at-law. You, as her husband, get the personalty.'

"But she meant to leave me everything.'

"I dare say. But the fact remains that she left you nothing at all.'

"I get the money and the furniture of the Manor. I shall go there at once.'

"Pardon me; I shall telegraph to the servants not to admit you. The house has no longer anything to do with you. And as for the furniture, I should remind you that there your wife had only a life interest; her father never expected her to marry, and, anxious that it should not be disturbed, left it to Robert Daubernoon.'

"As I spoke I thought how Ralph Mason must have looked at the old pictures and seen them going one by one under the hammer at Christie's; they would have fetched a goodly sum. I think this last shock broke him, for he asked me in quite another tone how much money there was.

"You know that as well as I do,' was my reply. 'Mr. Daubernoon's legacies took a

'Well, I'll fight you,' he said.

"You'll find no one fool enough to take up the case,' I answered, scornfully.

"He looked at me as though gladly he would have seized me by the throat; he glanced round the room for something on which to wreak his passion, but apparently nothing offered, and with a kind of stifled groan he went out. And he departed to think over the utter frustration of all his schemes, a bad man and a clever man, and that ass, the law, had beaten him.

"I settled up everything as quickly as I could. I found a good many bills owing, and these I paid; the journey to Italy had cost a great deal, and my own account was not a small one. There was even less money due to the estate than I expected, for Mrs. Mason had died immediately before quarter-day. This morning I was able to write to her husband, sending him a cheque for the amount, less legacy duty, to which he was entitled. I can imagine his feelings when he looked at it, for the exact sum was forty-three pounds seven shillings and threepence halfpenny."