

Miss C.M. Sedgwick

“Might versus Right”

Sartain's Union Magazine of Literature and Art. V.6 Jan.–Jun. 1850, Philadelphia: John Sartain & Co., pp. 75-80.

"There is no wealth but the labour of man" -- or woman.

ANNE CLEVELAND was the daughter of a wealthy farmer. She had a good New England school education, and was well bred and well taught at home in the virtues and manners that constitute domestic social life. Her father died a year before her marriage. He left a will dividing his property equally between his son and daughter, giving to the son the homestead with all its accumulated rural riches and to the daughter the largest share of the personal property, amounting to six or seven thousand dollars. This little fortune, the earnings of a life of labour and frugality, became at Anne's marriage the property of her husband. She had no longer any right to control it; to keep, or expend it. It would seem, to the perceptions of common sense and common justice, that the property of a woman received from her father should be hers, and should be so appropriated as to secure her independence, and to maintain and educate her children. But the laws of a barbarous age decided otherwise, and it is found very hard to right a wrong deeply fixed in the usages of society, and long-transmitted habit.* [i] Anne Cleveland married John Warren. He was the youngest child, daintily bred by his parents, and let off from all heavy work and difficult tasks, by his good-natured elder brothers. Anne's judgment was perhaps warped by his agreeableness, and an exterior with a little less of the rustic, and a little more of the gentleman than belonged to her other admirers; for many admirers had Anne Cleveland attracted by her charming countenance, her virtues, her sweet manners, to say nothing of the "plenty that feeds the lover's fire."

This plenty, obtained with Anne's hand, was soon vested in a stock of goods, and Warren opened a dry-goods shop in a small town in the vicinity of Boston. He had not thought of his qualifications for merchandise, but only of escaping from distasteful farming, and frugal life. He went on tolerably for five or six years, living *genteelly* and recklessly; expecting that next year's gains would bring round the excess of this year's expenses.

When sixteen years of their married life had passed, they were living in a single room in the most crowded street of Roxbury, Massachusetts. Mrs. Warren's inheritance had long been gone from them, every penny of it. The lives of three children had been sacrificed to unhealthy locations, and to the overtaxed and wasted strength of their mother. Three survived—a girl fifteen years old, whom the mother by incredible exertions was educating to be a teacher, a boy of twelve, who was still living at home, and a delicate, pale, little struggler for life, Jessie, a girl of three years. Mrs. Warren was much changed in these sixteen years. Her round, blooming cheek was pale and sunken. Her dark, abundant chestnut hair had become thin and gray. Her sweet, dovelike eye, overtaxed by use and watching, was faded, and her whole person shrunken. Yet she had gained the great victory. The buoyancy of youth had given place to a most gentle submission and resignation, and the light of hope to a most sweet patience.

This blessed patience, and even a certain degree of cheerfulness was visible, as she sat one July evening, sewing by the light of a single lamp, while her boy was getting his Latin lesson beside her, and at intervals threading her needle.

"Dear mother," he said, "I will always thread your needles if you will not wear those horrid spectacles; they make you look a hundred years old, besides hiding your sweet eyes."

"Ah, George, all children hate their mother's spectacles, I believe. They do not like to see those they love getting old; but you must make up your mind to it. I cannot leave off work, and I cannot see in the evening without them."

George picked up the lamp-wick and then said, "There is no use—the oil is bad. I wish we had some of the lights that are burning away for nothing in rich men's houses."

"Covet not your neighbour's goods, my son."

"Covet! I don't covet, mother, I only wish. It makes me feel so, mother, to see you working your eyes out. Why do you work so late, mother? You work later and later, and that shoe-binding, you say, is so trying to your eyes."

"I have good reason for doing extra work now, George; I have kept up without debt, and

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have now fifty-five dollars due to me at Mr. Doyle's."

"Then you have a good right to stop your work, mother," said George, affectionately, taking the shoe from her, "and if you won't, I shall make you."

"No; give it to me, George. I must have sixty dollars, and then I shall treat myself to rest and recreation too. Anne must have some new clothes, or she cannot remain in the Rev. Mr. Howe's family, and you know what privileges she has there, and what a struggle I had to get the place for her. In one year more, Mr. Howe says she will be qualified to be head teacher in a school, or governess in a private family. By-and-by, George, my children will take off my spectacles indeed, and give my eyes and heart too rest."

"I hope so, mother, I hope so," and resolves and joyous visions for a moment checked George's utterance. But he returned to the subject. "Sixty dollars, mother! Anne surely can't want sixty dollars!"

"Oh no, I can make her quite comfortable with fifteen, or twenty at the utmost, and the rest I want to take poor little Jessie to the shore; the doctor has advised me to make some change for her. Last week he said if anything would do her good it was sea-bathing."

"If anything, mother!—Is Jessie so ill?"

"She is very ill, George. She seems to be going just in the way my other little girls went. Have you not observed that every day she gets weaker and paler?"

"No, mother, but now I remember that she fell down twice to-day, when I was walking up the street just a little way with her, and I brought her home in my arms." George went to the crib where the child was sleeping unquietly, kissed her, stroked her attenuated arms, and kissed over and over again her almost transparent little hands, and bending over her, whispered, "Pettest of pets!"—then returning to his mother's side, his eyes brimming with tears, he said, "Oh, mother,

Jessie must not die!—Do not wait to make up the sixty dollars. I will give up my school, and go into the cord and tassel factory. They give boys high wages there."

"No, my son, we must pursue a steady plan. All that is gained will be lost if you are interrupted now; no, at the end of the week I shall have made up the sum, and then, without the fear of running in debt, I shall set out with my light little burden, and return with it heavier I trust,—but much less a burden."

"Oh! dear mother, if you only had some of that money that father says he lost in business." George paused thoughtfully for a few moments, and then added, "How did my father ever get any money, mother?—Was his father rich?"

"No, my son, but my father was—at least what is called very rich,—for a farmer."

"Then it was yours after all. Surely my father would not take it from you; he is not such a man—at least he was not always," added the boy, blushing with a painful consciousness.

"Your father took it, used it, and lost it, my son; but you must not blame him,—the money was his according to law."

"What! your money his?—I don't understand that, mother. I don't see how money can belong to a person that does not earn it, nor inherit it, nor have it given to him. Oh, I suppose you did give it to him, mother?"

"No; the law gave it to him."

"It's a mean, dishonest law, then,—a law fit to have been made by pickpockets. Who made such a law?—when was it made, mother?"

"Oh! a long while ago."

"Why don't they alter it, now they know better?"

"They probably think it is better as it is. Men are bound to support their families, and they are supposed to be more capable of earning property than women, and of taking care of it."

"Well, I suppose some men are much more capable of earning and keeping property than some other men, but for that, all the property is not given to them. And certainly some women are every way more capable than some men. What would we have done, mother, but for what you have earned and saved? And if you had kept your own property how comfortable and happy you might have been, instead of having half your heart in the grave of my poor little sister, and the other half contriving how to take care of the rest of us."

"I have but done my duty, dear, and you must look on the best side, George;" and the mother was proceeding to show that best side, when she was interrupted by the entrance of her husband, whose loud voice and thickened utterance indicated that he was in his usual state of partial inebriation. He was accompanied by a Mr. Hutton, one of his early friends, who, for the sake of Mrs. Warren, still endured her husband's society. George's colour rose at the sight of his father, and a mist came before his eyes. His mother perceived this, and saying "Good-night, my son," she pushed an unlighted lamp towards him. He lighted it, and after pausing a moment at Jessie's crib, and drawing a deep sigh, he withdrew to an adjoining closet bed-room.

"Well, Madam Warren," said her husband, in a loud, husky voice, "have not you a bit of pie, or crumb of cake to give us?—Hutton and

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I have walked out from Boston, and are sharp set."

"I am sorry then I have nothing to offer you."

"Oh! women always say there is nothing; I guess I can find something!" said Warren, setting open her cupboard-doors, but discovering nothing but very clean shelves, and a few cups, plates, etc.

After muttering his disappointment, he perceived in a corner a black bottle, and taking out the cork, "By Jove!" he said, "here's a bottle of wine!—this is luck!— We've no wine-glasses, but we'll drink Mrs. Warren's health in the tumblers!—they'll do! —Pleasant provisions you keep, Mrs. Warren! A virtuous woman is a crown to her husband —hey, Hutton?"

"Oh, put up the wine, Warren," said Hutton, "I shan't taste a drop of it!"

"I shall, then. Here's a health to you, wife and friend!" and he tossed off a glass of it.

Mrs. Warren rose, and putting her hand on the bottle, said mildly, "You must not drink this, John. The doctor ordered wine-whey for Jessie, and I have bought it for that."

"Never mind;" and wresting the bottle from her hand, Warren set it down violently on the table, and lighting a cigar sat down beside it. Mrs. Warren was so accustomed to his coarseness and selfish indulgence, that this caused little sensation, and she returned quietly to her sewing.

Hutton did not so easily digest the matter. He sat down by the table, and after biting his nails for a few moments, he said, "Warren, why do you go to that Roger Smith's? —If you must haunt a grocery, go elsewhere;—he is a rascal!"

"A rascal!—I find him a very liberal fellow."

"Liberal! yes,—running up accounts with the husband for the wife to pay. Did you hear how he served poor Mrs. Farren, the best wife —always excepting yours—in Roxbury?"

"No:—you know I hate gossip."

"Well, this is too true and too sad a story to be called gossip. That poor woman had laid up a pretty little sum of money. She was obliged to hide it to keep it from her good-for-nothing husband. He got wind of it some way or other, and turned over her trunks and drawers till he found it. He then carried it to Roger Smith and paid his drinking account with it, and then, boasting how he got the money, began a new score! Hear me out. The next day poor Mrs. Farren went penniless to Smith's to buy a loaf of bread for her children's breakfast. The scoundrel refused it!"*[i]

"That was rather tough, I own,—but then what business had she to hide the money? She knew it was his, not hers, by the law of the land."

"By the law of the land it may be, but not by the law of God; and there is neither truth, honour, nor manhood in a husband who will avail himself of such a law, to take away the rightful property of his wife."

"Tut-tut! what nonsense you talk, Hutton! A married woman can't have any rightful property. Her husband is bound to protect and support her, and that is quite enough for her."

"And if he does not?"

"Why he is compelled to—the law compels him." At this moment the door of the little bed-room to which George had gone was set ajar.

"The law abounds in fictions," rejoined Hutton. "Does the law compel him?—You and I know some wives who have supported their families—including their lordly husbands—for years"—Warren filled another bumper of wine and drank it off—"and yet the money they earn is not their own, and is at all times subject to the husband's rapacity. There is no end to the wrong done by men who fancy that old and barbarous laws give them rights that no human authority can give. I knew a gentleman, so called, who married a charming woman; she had a fortune of forty thousand dollars; he, not a penny. He was rather a good fellow, but idle. He lived on his wife's fortune, never earned or acquired in any way a shilling, and when he died he bequeathed his wife's property to her while she remained unmarried, but he made some other disposition of it if she married again!* [iii] This was strictly legal, Warren,—good old Norman law for it, no doubt; but I call it as impudent a piece of projected robbery as ever was done on a highway."

"Nonsense! when he married, the property, if it was personal, and passed into his hands, became his of course. There may be a hard case now and then, but women don't know how to take care of property, and it's best they shouldn't have it."

"I deny that. They take better care of property than men. They do not expose it to so many hazards. They rarely jeopard their children's happiness by a foolish second marriage, as men continually do. I have heard a man, older and wiser than either you or I, say that he has never known a woman left a widow who, if she had but a roof over her head, did not support her children. No, Warren, it does not become us to talk about women not being trusted with property because they don't know how to take care of it. At any rate, it is rather an Irish way of teaching them to deprive them of it. 'My girls are all boys,' as they say, Warren. When they marry, if their wives have property, it shall be secured to them, or I'll no longer own them for sons of mine."

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"But, Hutton, would you have a division of interests in a family?—You must, if you have a division of property."

"I know no division so bad as that which gives all the rights to one side, and all the wrongs to the other. This argument of yours, that women are not qualified to take care of property, is a very common and a specious one. But cannot women with large fortunes pay for wise counsel and faithful agency? It is that large class of poor women who work for small wages, whose wants demand the rectification of the laws. When they are permitted to control their earnings, their management is, for the most part, discreet and efficient. If common justice should be done to women, and the laws be repealed that annul their right to their own property, it would soon become a part of their education to learn to take care of it. Why, in France, where married women possess and control their own property, they conduct a vast amount of mercantile business. They are principals and book-keepers in large commercial establishments. In Germany,

a woman is regarded as an equal partner with her husband, it being there admitted that she does half the business of the partnership in performing those duties that naturally fall to her sex. She is the possessor of half the property he acquires; that half he cannot dispose of, nor can he apply it to the payment of his debts: it is absolutely hers. And it is acknowledged, that in no country are there more domestic, devoted, and care-taking wives, than in Germany."

"Fol-de-rol, Hutton! don't talk to me of German wives and French women. I should like to know where there are finer women, and better wives than here in our own Yankee-land, where, according to your doctrine, they are so oppressed and defrauded—Mrs. Warren for example."

"And it is because we have such women as Mrs. Warren, that I think it fitting we should prove our appreciation of them by restoring to them their rights; making them as independent as we ourselves are."

"Not quite, Hutton, not quite: it does not do to have two commanders to the ship."

"No, but I have heard seamen say, that if the mate is the better man the command is very apt, when a storm rises, to fall into his hands; and in the storms of life women show how capable they are. When I see how strong they are in their calmness and patience, my blood boils that they should be so shackled and made the victims of the vices, the follies, or the misfortunes of their husbands."

Hutton paused. Warren was becoming sobered under the influence of arguments that came home to him. He made no reply, but thrummed vehemently with his fingers on the table. "Matters, however," resumed Hutton, "are righting. Little Rhode Island was, I believe, the first champion among the states against this Goliath of old abuses.* [iv] I read the debates of their legislature at the time; they were full of sense and wit, with some touches of the pathetic," he added, turning to Mrs. Warren; who ever and anon, by a smile, or a nod, or a gentle "I think you are right, Mr. Hutton," had manifested her attention to the conversation. "I remember," continued Mr. Hutton, "a lawyer describing the ruthless seizure, for the husband's debts, of silver teaspoons cherished as a wedding-gift, and the gold beads transmitted through a long maternal line. And there was a funny story told of an Irish woman, to illustrate a wife's voluntary devotion: a woman who turned out a pig to save her husband from jail, saying, 'A poor husband is better than none; he's a hand, if no head; he can draw the water and lug the wood!' Indeed, some of us, Warren, are only fit to be hewers of wood and drawers of water to our good wives."

"Speak for yourself, Hutton, speak for yourself."

"I have *acted* for myself," replied Hutton, with perfect good temper. "I secured before my marriage, to my wife's separate use, her own property, and I have since made over to her half of what I have acquired. I do not say this boastfully; the first act was simply honest, and if some-grains of generosity entered into the second, it was but a small testimony to the excellent woman who has made my home happy; a wife and mother, Mrs. Warren, can make a home a sort of Paradise regained."

The sense of what, in spite of his excellent wife, he had made his home, stung Warren through all the indurations of long years of wrong-doing. He arose, thrust back his chair, clasped his hands over his bald head, and groaned aloud.

"His conscience is awakened," thought Hutton; "now is the time;" and rising, he laid his hand gently on Warren's shoulder. "My friend," he said, "look at your wife. See how, without

intermission, she toils for you. For years, Warren, she has earned the bread for your family—she educates your children. You see what can be done even by a woman's unproductive labour. Doyle told me yesterday, he owed your wife more than fifty dollars on account; and all for this stitching early and late. Be a man, Warren,—put your shoulder to the wheel. Her strength is failing. For-

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swear drinking—take the pledge. In God's name do anything that will help you in the course of duty to your family. Life is short, my friend.—God help you, good night!"

Warren felt humbled by his friend's admonition. But it takes far more virtue than he possessed to endure humiliation, and turn it to account; so instead of cherishing the holy monitor that had entered his bosom, he rushed out of the house, and did not return to it till he could scarcely find his way to the bed he dishonoured by his brutal intoxication.

During the rest of the week he was more surly and more uncomfortable than usual. He, two or three times, hinted to his wife that he was in pressing need of a small sum of money—that forty or fifty dollars would relieve him—that he could do nothing till he was relieved—that if he were, and his mind at ease, he would turn over a new leaf. On Friday morning he suddenly came into the house, and said that he had an employment he liked offered to him, that if he could have his mind at ease he would accept it. But he owed one fifty dollars, for which he was dunned every time he went up the street. His wife understood perfectly in what direction this discourse pointed. She had understood his hints before as an indirect demand for the fifty dollars due from Mr. Doyle. But she had devoted this fifty dollars to the prosperity of one child, and the life of another. "I am perfectly sure that if I could get rid of this one little debt I should be a new man," he continued. "But I can't undertake any business with this constant torment hanging over me. Hutton told me I must decide to-day. He got the offer of the place for me."

"Then, John, ask the loan of fifty dollars from him. I know he will lend it to you."

"Ah! you hear me, do you? I thought you were deaf. No, I can't demean myself to Hutton. I won't—that's flat. If my wife can't lend me—yes, I say lend—I give in to Hutton's notions, though I don't believe a word in them, so far as to say lend—if you can't lend me, madam, your fifty dollars, I won't humble myself to strangers for it."

"John," said his wife calmly, "I have fifty dollars and more; to-morrow it will be sixty dollars, due to me. I have, as you know, worked early and late to earn it—I have, in my mind, devoted it to the good of our children. Hear now poor little Jessie moaning. See, she can hardly sit in her chair. Her life—the doctor says so—depends upon a change of air, and this money from Mr. Doyle is to pay the expense of our journey to my brother's. You have the right to it—but I am sure, John, you will not take it—and I cannot give it to you."

Warren said nothing, and his wife ventured to ask "Who is this hard creditor?"

"Roger Smith—curse him!"

"I thought so—he cares not how many families he ruins, how many hearts he breaks, if he can make a little money by it! As fast as I can earn the money I will pay it, John, if you will have no more accounts with this man. Go and tell him so—and oh, John—for your own salvation, for my sake, for your children's, for God's sake, go no more near that bad man. Enter on this new path that is open to you."

"I will, Anne—I will, if I can get the fifty dollars—I can do nothing without it." And without waiting for further expostulation, or answer of any kind, Warren rushed out of the house.

His wife was left in perplexity—in the saddest of all perplexities,—uncertainty as to her duty. If her husband had told the truth, this might be a turning point in his life. Mr. Hutton had offered him a place on certain conditions, which he professed himself ready to accept. Warren might be restored to temperance and industry—*if he had told the truth!*

"But my child! my child!" cried the poor mother, taking little Jessie into her lap and giving way to an unwonted burst of tears. "And yet have I a right to put her life against *his* salvation? possible salvation? Oh heavenly Father enlighten—direct me!"

After awhile she became quite calm, the little girl fell asleep stroking away her mother's tears, and Mrs. Warren laid her in her crib, and then bent over and kissed her, saying, "It will be all gain and not loss to you, Jessie—it's a hard life—very hard!" Mrs. Warren had come to the conclusion to give the money to her husband, helped to this, as good people often are, by the very difficulty and bitterness of the duty turning the scale.

One thing remained to be done. Mortifying as it was to impart to any one her distrust of her husband, she determined to ascertain the truth of his statement before she voluntarily parted with her precious little sum of money. She accordingly went herself to Mr. Hutton's.

"My good friend," he said, "your husband has deceived you. I did tell him, last week, that if he would remain sober for one month, I would find a place for him. You know what a beginning he has made this week. Not a day of it but I have seen him at Roger Smith's. But, take courage, my friend—you have good children. God spare them to reward you for your devotion to them." Mrs. Warren turned away, I believe, with a lightened heart, for her husband had worn out her affection for him, and she now saw her way clear to pursue her project for little Jessie.

She did not see her husband till late

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that night, and then he was in his customary condition.

The next morning, at breakfast, he launched forth in invectives against Hutton, and his newfangled notions, on which he freely bestowed his favourite epithets. When he went out, banging the door after him, "It is too bad!" said George. "If I get into the legislature when I am a man, I'll do what I can to give these old laws a smoking."

"Oh hush, my son," said his mother; "I trust they will be righted long before that time; till they are, we must suffer and do as best we can. I feel as if I could bear anything just now,—I am all ready for our start; we are to be at the boat at one, and I am going now to settle accounts with Mr. Doyle. Write a letter to Anne while I am gone to the shop, and tell her I enclose twenty dollars in it. The doctor says Jessie is a little better to-day. Providence smiles on us, my son,—the weather is lovely."

The world without and within was all smiling to the happy mother. She went with a light step and light heart to Mr. Doyle's. He was alone in his counting-room, where he received her kindly, for Mr. Doyle is one of the few men who put a heart of humanity into all his business relations.

"You are always punctual, Mrs. Warren," he said; "you have finished your last lot of shoes."

"Yes, sir, and if convenient, I should like to settle my account with you."

"Certainly, there is a small balance due to you."

"Small, Mr. Doyle! to me it seems very large. You who have to do with hundreds and thousands can scarcely conceive what fifty is to me, nor what good I expect it to do me." Mr. Doyle's countenance clouded, but Mrs. Warren not perceiving this went on. "My youngest child has been sick all summer, and nothing, the doctor says so, and I am sure of it, could do her any good while she is in the bad air in ____ Street. But I shall have her on the sea-shore by Tuesday morning; and owing to the captain's goodness, who gives George a free passage, he is going down to his uncle's with me. But excuse me, Mr. Doyle; I am so happy, I know you will feel with me."

"I do with you, and for you, Mrs. Warren, and it grieves me to tell you that your husband came here last night and asked for your dues, and I not suspecting that he came unknown to you, paid him fifty-five dollars, so that there is but five dollars coming to you."

The sudden change from light to darkness was too much for poor Mrs. Warren. The flush of sweet hopes vanished from her face. She became fearfully pale, and sank back into a chair. She did not faint, she did not weep, she did not speak.

Tears gushed from Mr. Doyle's eyes. He thrust his hand into his money-drawer, and eagerly counting out sixty dollars, he put the money into Mrs. Warren's hand. She looked up, scarcely comprehending what he was doing. "It is yours, ma'am," he said; "accept it—no, take it as your due. It is your due. I could not swallow down the kind words you spoke, when you said you knew I would feel for you, if I did not do this. A plague on the laws that give a husband the right to take his wife's earnings, I say. No, no! don't thank me— don't say a word—you have no time to lose; get to the boat with your children as quick as you can, and I will take your thanks out in pleasant thoughts of all you are enjoying."

Mrs. Warren did not speak—she could not; but the tears now flowed plentifully, and they were like the rain in sunshine, when every drop is bright as a jewel.

N. B. We have simply recorded a recent fact in the life of a tradesman. Whether his name be Doyle, or whether he is a shoemaker, does not matter. If in the odd chances of life this page should meet his eye, his modesty will pardon the publicity given to his beneficence, in consideration of the value of so rare an example.

While human nature is vilified in such fictions as *Vanity Fair*, we are anxious to present the antidote of real goodness which comes within our knowledge by personal observation, or unquestionable report.

Sedgwick's notes:

* [i] Much has been said and is saying about the rights of women. If the right to their own property, by inheritance, or by their own labour (the first of social rights), and the right of the mother to the custody of her children (the first of nature's rights), were secured to them, the rest might be left to the accidents of character and conduct.

* [ii] Fact

* [iii] Fact

* [iv] Missouri, Louisiana, Tennessee, and now New York, have repaired the law in relation to the property of married women. We devoutly hope that Massachusetts will not much longer suffer the blot of this old abuse to remain on her escutcheon.

Sedgwick, Catharine M. Miss C. M. Sedgwick , "'Might Versus Right'," Sedgwick Stories: The Periodical Writings of Catharine Maria Sedgwick, accessed March 5, 2017, <http://sedgwickstories.omeka.net/items/show/8>.