



LINDA L. STURTZ

WITHIN
HER
Power

PROPERTIED WOMEN IN COLONIAL VIRGINIA

WITHIN
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Power

The New World in the Atlantic World
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by Linda L. Sturtz

WITHIN HER *Power*

PROPERTIED WOMEN IN COLONIAL VIRGINIA

LINDA L. STURTZ

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In the preface to the 1931 *Festschrift* honoring Charles McLean Andrews, J. Franklin Jameson described the ideal historian of the presumably British North American colonies. Jameson believed that “he . . . had better be an American, and born and brought up in the Atlantic states. The outsider perceives some things which the native does not perceive, sees some matters in a juster perspective, but on the whole these advantages are overbalanced by the superior familiarity imbibed from the atmosphere, from old scenes, from continuing folkways, by him who is to the manner born, and which is hardly to be acquired otherwise.”¹ Jameson narrowed his definition of that ideal historian of the colonies further, pointing out the advantages if “he” were from New England and descended from English forebears of the “standing order,” for only thus would he be likely to obtain sympathetic insights into the ways and thoughts of colonial society, and “it is sounder practice to set out from the point of view of the majority than from that of any minority.”² Jameson’s account suggests that identity politics have had a long and relatively distinguished career. Despite that fact, I must admit I may hope at best to perceive some things the natives do not and “see some matters in a juster perspective,” for despite four years’ residence in the humid Williamsburg atmosphere I was born in the Midwest and spent my formative years in the Far West and Midwest. I may, at least, claim to be part of the modern gender majority, and I write this book about women, who were a minority in colonial Virginia, from that vantage point. I leave it to readers, whether or not to the manner born, to determine the persistence and significance of continuing folkways in the region.

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INTRODUCTION

“AS IF I HAD BEEN IN A NEW WORLD”

In his 1722 novel *Moll Flanders*, Daniel Defoe created an archetypal colonial woman's success story. Contrasting her life in Virginia with her experience in England, the character Moll declared, it was “as if I had been in a new world.”¹ The original novel and popularized versions tantalized readers with the opportunities for upward social mobility in colonial Virginia. In England, Moll turned to a life of crime and suffered transportation to Virginia as punishment. In Virginia, however, life improved. Upon settling in the “wilderness” of her “new world,” Moll repented of her life of sin and crime. Ultimately, she became the mistress of a plantation and owner of a white servant and a black slave.

Like actual settlers, Moll Flanders became a powerful woman who acknowledged the class and gender restrictions imposed on her yet still sought to improve her condition. Although *Moll Flanders* does not describe the actual experience of a woman in colonial Virginia, the story does demonstrate a popular English view of what emigrant women could achieve in the colony. Readers and illiterate listeners could hear of the adventures of this New World woman and look at illustrations in abridged, “chapbook” versions of the story (see fig. I.1).

Defoe's popular fictional account portrayed women in Virginia as directing their own lives. Moving from fiction to lived experience, this book evaluates the nature of propertied women's power and analyzes the situations in which colonists allowed, or even expected, women to administer their affairs. Many colonial white women exercised control over their own resources and the lives of others despite expectations of female submissiveness in Anglo-American law and culture. Women who owned property, even if only a small amount, could and often did learn to negotiate economic, cultural, and legal structures to benefit themselves and their families. While some aspects of women's power in Virginia clearly emerged from the seventeenth-century colony's particular environmental and demographic situation, others paralleled wider developments elsewhere in Britain's expanding empire.



FIGURE I.1 A Chapbook Illustration of *Moll Flanders* in Virginia. Note the hills across the bay, quite out of keeping with the flat, swampy terrain of the tidewater region. Anonymous, much abridged chapbook version of *The Fortunes and Misfortunes of Moll Flanders... At Last Grew Rich, Lived Honest, and Died Penitent*. London, [c. 1750], 23. British Library #1079.i.i.13(21). Reproduced by permission of the British Library Picture Library.

The Chesapeake Bay region's geography and climate differed from any that the colonists had experienced previously. The summers were hotter and the winters colder than anything the emigrants had known in England, and the high humidity of this swampy terrain made the summers almost unbearable and the winter's chill more biting. On oppressively hot, damp summer evenings, the high buzz of cicadas, the chirp of crickets, and the attacks of biting insects reminded settlers they weren't in Kent anymore. Cockroaches, having arrived with the settlers, flourished in the humid climate, and often skittered across the open barrels of cornmeal, the colonists' staple and sometimes only food. Hungry hornworms, also known as tobacco worms, chomped on the cash crop in the field; one of the nastiest tasks of tobacco growing was picking worms off and crushing them between one's fingernails.² In the seventeenth century, the region epitomized an "unsettled" first stage of the model of colonial development formulated by Jack Greene. Undoubtedly colonists believed that they, like Moll Flanders, lived in a "new world," though not necessarily in the best sense of the term.³

The coastal plain of Virginia, still popularly known as the "tidewater," extends from the fall line west of the Chesapeake Bay to the Atlantic Ocean. The term *tidewater* comes from the large tidal rivers that cross the plain, flowing southeastward into the Chesapeake Bay, which itself opens into the Atlantic. Moving from east to west, the plain rises in stairsteps slowly in elevation until reaching the fall line, exposed rocky areas that mark the westernmost point on the rivers open to navigation. West of the fall line ships found navigation up river more difficult because exposed rocky river beds created treacherous rapids.⁴ This upland region, called the Piedmont, ends at the foot of the Appalachian Mountains. Cities eventually developed along the fall line because boats unloaded wares from England and took on cargoes of crops and commodities from the west for export. The banks of rivers at the fall line provided ideal locations for transshipment points and merchants' stores. Towns and cities later developed from these settlements; for example, present-day Richmond has its roots in Henrico, a trading post at the fall line on the James River. The distance from there to the capital at Jamestown was about sixty miles. Both broad leaf trees and stands of fragrant pines grew in this well-watered soil. This Coastal Plain became prime tobacco-growing land early in the seventeenth century, supporting the planters' export-driven economy through the 1740s, when, as a result of soil exhaustion, tobacco planting moved further west (see fig. I.2).

South of the Potomac and roughly parallel to it, three major, navigable rivers—the Rappahannock, the York, and the James—divided the tidewater region into three peninsulas (the Northern Neck, the Middle Peninsula and, simply, the Peninsula, along with a fourth "southside" area below the James). Numerous smaller rivers and creeks, some pooling in stagnant swamps, divided the landscape even further. Rivers simultaneously became water



FIGURE 1.2 *A Map of Tidewater Virginia.* Counties of Tidewater Virginia in 1774. Drawn by Richard Stinley.

highways for goods and people and barriers to travelers on land. In the seventeenth century, moving along the banks of a peninsula by boat was fairly simple, and settlements tended to move up rivers and creeks, leaving lands away from waterways sparsely settled for several generations.⁵

The landscape of the tidewater is remarkably flat, causing the salinity of the water supply to rise and fall with the ocean tides. Not understanding the nature of local geography, colonists inadvertently located their settlements in unhealthy spots adjacent to the malarial swamps along the rivers that bisected the region. Early colonists succumbed in great numbers to salt poisoning, malaria, and dysentery. In addition to the unhealthy environment, colonists' failure to plant enough food crops, and Indian attacks, further reduced the population of English settlers.⁶ As a result of these various causes, life expectancy was low: in one county a woman who reached the age of twenty could expect to die by her thirty-ninth birthday while men who reached the age of twenty-four lived to a median age of forty-eight. Because 73.2 percent of children lost one or both parents before reaching adulthood, step-families predominated in the region. Family formation was further complicated by the nature of migration. Chesapeake settlers arrived as individuals, in contrast to New England's family-based emigration. An exploitative labor system in Virginia, based initially on indentured servitude, kept most English settlers in submission to masters for several years during which they could not marry. Eighty percent of emigrant women from England who came to Virginia arrived as indentured servants, and they faced the possibility of physical and sexual abuse. Only after completing their terms of servitude could surviving colonists start farms and begin families of their own.⁷

Virginia's earliest gender composition made family life difficult if not impossible for many male colonists. A disproportionate number of men were recruited to the colony as servant laborers. In contrast to their Spanish and French frontier counterparts, English men eschewed marriage to indigenous women and, consequently, faced a shortage of available marriage partners.⁸ To remedy this situation, the Virginia Company recruited English girls and women to the colony, hoping that family life would make Virginia men more settled. Still, English women remained "rare," and those who have found marriage difficult at home encountered no shortage of potential mates in Virginia.⁹ Over the course of the seventeenth century, three to four English men immigrated for every woman. The meager birthrate evened the sex balance gradually, but in 1698 men still outnumbered women in York County 487 to 309.¹⁰ Women operated from a strong negotiating position when seeking upward mobility through marriage. Rather than requiring a dowry, desperate planters could "buy a deserving wife" by paying for her passage in return for marriage.¹¹ Respectable women could expect to marry soon after disembarking, and sometimes even a felon

like Moll Flanders, sentenced as an indentured servant, might marry her way out of servitude.¹² Widows continued to be attractive as potential wives and found themselves with multiple offers of marriage, leading the General Assembly to pass a law in 1624 prohibiting individuals (effectively women) from contracting betrothals to more than one person at the same time. The legislation followed a January 1624 case in which Mrs. Cicely Jordan, a pregnant widow, contracted a secret betrothal with Rev. Greville Pooley days after her husband died, only to betroth herself a second time to another man.¹³ Even pregnant, newly widowed women faced multiple opportunities for remarriage.

After marriage, women gained autonomy because high mortality rates left many widowed and in control of family assets at a relatively young age. Young and middle-aged fathers, facing their own mortality and concerned for the well-being of their underage children, wrote wills allocating much of the control over family property to mothers of their underage children, apparently believing them the most trustworthy individuals to watch over the children's assets. As a result, women gained at least temporary control of family property. Virginia women experienced more autonomy and power over family property than did those in England and New England, where women became widows later in life, after their children had reached maturity. Edmund Morgan goes so far as to refer to seventeenth-century Virginia as a "widowarchy." This is an overstatement, but at the same time it is a reminder of the great negotiating power of widows in the earlier period of settlement.¹⁴ Virginia women generally obtained control over land and slaves through widowhood and not, in Moll Flanders-like fashion, through their own efforts.

While historical scholarship in the last twenty-five years emphasizes the role of the Chesapeake region's peculiar demography in providing women with opportunities to exercise greater control over their families' economic resources, these were not the only sources of such opportunities. Within Anglo-American culture wives routinely took responsibility for their families' economic interactions in the wider world during their husbands' temporary absences. This wider cultural phenomenon, while exacerbated in Virginia by the Chesapeake's demography, also occurred elsewhere.¹⁵ Of course, no matter how capable women became, they were still expected to be submissive wives and dutiful daughters to the permanently acknowledged heads of their families—husbands and fathers.

As mortality rates became more stable in the early eighteenth century, the demographic rationale for women's agency declined. Accompanying this transformation, women experienced less opportunity for legal agency, partly because they did not become widowed mothers of young children as frequently. Nevertheless, the need for families with imperial trading interests to manage their businesses in the absence of men allowed women to

continue to play an active role in these circumstances. One could hardly justify calling the earlier period of women's greater agency "golden," but the mid-eighteenth-century decline makes sense only if we understand the relative heights from which women's position of economic authority fell.

Refining the economic, legal, and social history of the long colonial period reveals the full extent of women's agency in Virginia. The women who are the focus of this book ran businesses, owned property (including slaves) and participated in the Atlantic colonial economy. They had an impact on both local and imperial structures through their ability to control aspects of their own lives, to influence the lives of others, and to manage wealth.

The theory that provides the foundation for this analysis comes from cultural anthropology, with its focus on ways to conceptualize negotiation among groups in hierarchies. Its focus on individual agency within hierarchical structures proves useful in the analysis of propertied women's power in colonial Virginia. Anthropologist James C. Scott points out that there can be "hidden transcripts" of resistance even within a framework of domination, and that powerful persons "have a vital interest in keeping up the appearances appropriate to their form of domination"; however, "subordinates, for their part, ordinarily have good reasons to help sustain those appearances, or at least, not openly to contradict them." The "mask of compliance and deference," however, conceals subordinate groups's covert actions.¹⁶

Women's resistances often reveal paradoxes that result from the imbalance in power between women and men. Even a woman who could be a strong, resourceful, competent individual might at other times behave in a weak, deferential, petty, or incompetent manner if acting in such a fashion served her best interests. Drawing on her analysis of oral histories, Bettina Aptheker concluded that even in the most repressive contexts, "while women were deeply oppressed, they were not passive, compliant, victims. Women acted." Women's resistance often occurred within the "dailiness" of their lives, through "accumulated effects of daily, arduous, creative, sometimes ingenious labors, performed over time. . . ." Their efforts remain unacknowledged because women if they have been seen at all, generally have been considered as objects of oppression: either as the victims of circumstances. . . . or as . . . backward and misguided pawns. . . . Aptheker quotes a social theorist in reminding her audience that "The fact that their resistance is not generally recognized is itself a feature of the oppression."¹⁷ Declaring women passive and victimized in the histories perpetuates the oppression of women whose activities are made invisible by the historians.

In early North America, women and other subordinate groups negotiated their positions within hierarchies. Here, the work of Ira Berlin, in his history of slavery, is particularly useful for establishing the multiple ways that power relationships occurred. Berlin argues that the masters' vision of hegemonic power was only one of the "many dances of domination and sub-

ordination, resistance and accommodation” that shaped the lives of slaves. Relationships between masters and enslaved people included circumstances where white and black people “met as equals,” occasions when “slaves enjoyed the upper hand,” and times when slaves created their own world beyond the masters’ eyes as well as the common and familiar situations where masters dominated. Although “binary opposites fit nicely the formulation of history as written” they “do little to capture the messy, inchoate reality of history as lived.”¹⁸

Recognizing the role of women’s commercial undertakings and identifying women’s legal options as existing on a spectrum ranging from severe constraint to relative autonomy allows us to reconsider the nuances of coverture in one setting within the Anglo-American world. This should allow us to begin to explain the complexity of gender roles in Virginia in ways similar to those pioneered by historians of slavery who have stressed the problematic nature of seeing “slavery” and “freedom” as absolute opposites.¹⁹ Increasingly, historians are beginning to understand both that Virginia women inhabited a culturally restricted position, and that some women resisted constraints, carving out spaces in which they exercised agency. Identifying complexity in gender relationships and the negotiations embedded in them, likewise, reveals the “messiness” of history as women lived it.

This history of how Virginia’s propertied women carved out space for themselves within an oppressive social and legal system cuts across and modifies our understanding of several strands of historical scholarship. Most notable are the classic economic histories of colonial women, geographically situated transatlantic and Chesapeake studies, works on women in early modern England, women’s studies scholarship, and legal and social approaches to colonial history. Women’s experience was more complex than any single thread in historical scholarship could encompass.

Historians have long argued over the extent of colonial women’s trading activities and the significance of their pursuits. In 1924 Elisabeth Anthony Dexter, in her classic work *Colonial Women of Affairs*, pointed out the many ways that women, primarily widows, actively participated in businesses. She immediately faced criticism, but was most “disturbed” by some readers of the volume who “welcomed it as in some sense an attack on the modern women’s rights movement.” Dexter admitted she was unsure of why her work had been labeled this way. According to Dexter, women’s economic activities in the seventeenth and eighteenth centuries provided them with “considerable independence” without any injury to “their family life”; she felt that modern women could learn from the quiet balancing act of earlier generations.²⁰ Dexter emphasized the New England and Middle Colonies in her work, leaving Julia Cherry Spruill to provide a thoroughgoing analysis of

southern women in her 1938 book, *Women's Life and Work in the Southern Colonies*.²¹ Spruill covered a wider range of women's experiences reaching beyond their public lives to present both restrictions and opportunities Southern colonial women encountered.²²

Later historians criticized these early-twentieth-century scholars for suggesting that a "golden age" for women existed in the colonial past. Contrasting her own findings with Dexter's, Mary Beth Norton concluded that women remained sheltered from and ignorant of the commercial world of exchange and credit. Analyzing the rhetoric of the economic claims presented by loyalist women after the American War of Independence, Norton determined that eighteenth-century women "lacked specific knowledge of their families' finances."²³ A further critique of the golden age theory was advanced by Carole Shammas and Alice Hanson Jones, who emphasized that the collective family economic identity mattered more than the individualistic one for this period. Both men and women relied on family capital and connections to get ahead, but women's agency was diminished by being subsumed under the heading of "the family."²⁴

Not surprisingly, many scholars critical of the golden age conceptualization of the colonial period have stressed instead the rise of patriarchy. This view emphasizes the emergence of an increasingly rigid race and class system, founded on white male domination of Africans of both sexes and of all women. According to proponents of this view, white masculinity coalesced around a "new constellation of honor and manhood—rooted in property and patriarchy" that defined gender and race.²⁵ The process of restricting subordinates begun in earnest in the aftermath of Bacon's Rebellion in 1676, and was more or less complete by 1705, when slavery became codified by Virginia law. Guns provided the key symbolic component for white men's display of their power and position in society. Even when sentimental notions of marriage emerged in the middle of the eighteenth century, men continued to draw on the courts to preserve power over women in their families.²⁶ In current historical scholarship, the patriarchal model has replaced the "golden age for women" framework for understanding the colonial period.²⁷

The history of gender in colonial Virginia, as elsewhere, is a history of power. Joan Scott, in her advancement of gender as a category of historical analysis, points out that power emerges from "dispersed constellations of unequal relationships." To understand gender fully, Scott encouraged study of the nature of human agency within social "fields of force"; She identifies human agency as "the attempt (at least partially rational) to construct an identity, a life, a set of relationships, a society within certain limits and with language—conceptual language that at once sets boundaries and contains the possibility for negation, resistance [and] reinterpretation...."²⁸

Awareness of propertied women's power forces a reconsideration of the notion of "patriarchy" in colonial Virginia. Women's studies scholar bell hooks specifically addresses the failure of academics to recognize power relationships in which women dominated; she writes, "Narrowly focused feminist ideology tends to equate male development and perpetuation of oppressive policy with maleness; the two things are not synonymous. By making them synonymous, women do not have to face the drive for power in women."²⁹ hooks describes power as "the right to dominate and control others." She seeks to overcome the "sentimental" treatments of women's power in which the "image of woman as life-affirming nurturer is extolled." Instead, hooks urges us to see that "women, even the most oppressed among us, do exercise some power" and some women gain "material privilege, control over their destiny, and the destiny of others." The privilege of whiteness factors into these power relations.³⁰

Seventeenth-century Virginia culture made space for self-willed women.³¹ They managed plantations, ran businesses, and saw to legal affairs. They were, according to historian Suzanne Lebsock, "strong willed or rowdy or powerful, women who made their influence felt not only in families but in local communities and in the colony." To illustrate her point, Lebsock invokes the story of Sarah Harrison's creative wedding vows. In 1687, when the minister who read the service asked if she would obey her husband, Harrison responded, "No Obey."³² An unbalanced sex ratio in this period accounts for only some of the authority accruing to certain women of the supposed "widowarchy."³³

Through the middle of the eighteenth century, Virginia women still carried cultural baggage from seventeenth-century England that included expectations that men "had the larger share of reason bestow'd upon them" and women were "better prepar'd for . . . Compliance."³⁴ Faced with this set of stereotypes and limited opportunities to express wishes openly, women needed to negotiate creatively in phrasing requests. When expressing desires or seeking favors, seventeenth- and early-eighteenth-century English women consciously modeled their behavior on the image of the weak woman and spoke in a self-deprecating manner. This approach worked particularly well when women expressed political views.³⁵ Furthermore, encountering a dualistic set of ideal behaviors, women could select "when to display their feminine or masculine parts," deploying either when necessary or useful. To accomplish this balance, women, at least in the upper classes, learned both male and female skills, which they drew upon as needed, but they also learned to grant "the preeminent place to their feminine characteristics" and to conceal their own efforts to achieve their goals behind a mask of helplessness.³⁶ By the middle of the eighteenth century, English prescriptive literature persisted in portraying the ideal woman as passive even as women seized more agency.³⁷

By focusing on women's power in the colony's history, this book moves historical scholarship from structures to practices. Law and prescriptive literature advising colonial women constricted their opportunities, but women who enjoyed the privilege of property ownership also gained competence and agency despite these cultural and legal restrictions. The propertied women who are the subject of this book are not necessarily "typical." However, we cannot understand gender—defined as socially constructed appropriate roles for each sex—unless we understand the extent of women's agency, as well as their clearly documented oppression.³⁸

The hierarchy of colonial Virginia accorded propertied white women a degree of power despite cultural ideals that demanded subordination to men of their own race and class. One clear example of white women's power is revealed when we acknowledge that slave-owning women's economic power came at the expense of slaves' own autonomy.³⁹ Women who owned slaves did dominate and control them. The need to refine patriarchy in terms not only of structures but also practices is apparent when considering more theoretical definitions. For example, in concentrating on legal structures, one historian has suggested, "If one defines patriarchy in its purest form as the reduction of women to the status of property owned and controlled by men, then one can find many of its components in Anglo-American domestic relations law."⁴⁰ Pitfalls in applying such a definition of patriarchy to colonial Virginia are obvious: How do we conceptualize the power of white women who owned slaves while simultaneously considering these very same individuals as the "the status of property owned and controlled by men" within patriarchy? The relationship of the owners—often female—to the owned, the enslaved, existed within a layered hierarchy. While the hierarchy of colonial Virginia prevented even the wealthiest women from reaching the apogee of the most public of the power structures, it did grant wealthy women great power under certain conditions.⁴¹ In practice, changes in the slave law during the eighteenth century which affected women's claims to slaves made them a particularly secure form of property for women to own, more protected in many circumstances from the grasp of husbands than was land.⁴²

Legal histories make clear that concurrent with the rise of a patriarchal race and class system in Virginia was an overall decline in women's power under the law. Legal constraints on women grew in Virginia and throughout the British mainland colonies during the 1740s and afterward as anglicization brought the colonies culturally and legally closer to English patterns.⁴³ Despite propertied white women's continuing agency within mid-eighteenth century trading families, their actual roles increasingly conflicted with an idealized status that anglicized law and popular literature prescribed. By mid-century propertied women faced conflicting expectations, yet figured out ways to navigate them.

This book examines the restrictions that women with power endured, but also, the ways they exercised control over people and property. Legal records, letters, and economic papers reveal the range and limits of possibility for propertied women. These records demonstrate that there was much overlap in the activities that were deemed appropriate for women and men.⁴⁴

Although Anglo-Virginia women lived within a hierarchical society, many enjoyed benefits of freedom and even property ownership generally unavailable to women in the nineteenth- and twentieth-century British Empire who found themselves “caught between two forms of domination, imperialism and patriarchy.”⁴⁵ Before the American War of Independence, white women, especially those with property, could take advantage of the machinery of imperial power, right down to the level of the local county court.⁴⁶ Even when Anglo-American women experienced a subordinate position imposed on them because of their gender, they nevertheless benefited from their privileged access to bureaucratic power and state-supported personal authority.

Comparing the gender subordination faced by propertied women in Virginia with that endured by women elsewhere in England’s empire reveals the relative privileges enjoyed by the former, who successfully acted using the institutions available to them. Recently historians of plantation societies in the Caribbean and elsewhere within European empires have focused on the privileges of propertied white women. Historians of women in the mainland North American colonies have been slow to follow their lead, however, preferring to emphasize the restrictions these women faced.⁴⁷

The English background of the settlers provided the tradition upon which women acted in the colonies. In seventeenth- and eighteenth-century England and Anglo-America, women faced legal and social restrictions not imposed on men in their own class. Even so, scholars of early modern England have revealed gendered “resistances and subversions” within British culture and law during this period and also found inconsistencies in demands for women’s subordination. As Sara Mendelson and Patricia Crawford point out, “Patriarchy’s very resilience created contradictions which made resistances and subversions more possible. Contradictions inherent in the ‘system’ (more a ramshackle assembly of prejudices) were exploited by subordinate groups.” Women were among those who exploited these contradictions for their own advantage.⁴⁸

Previous analyses of American women’s experience focused more on the structures that constricted women and less on the practical resistance individual women offered. Both elements factored into shaping women’s lives, and this book shifts the emphasis back onto the ways women negotiated within local tidewater networks and as part of a transatlantic British world.

Clearly, submission and agency were intertwined for women, as they were for other groups of people in early America, but only occasionally do we catch glimpses of any awareness on their part of the double bind within which they acted. These women had to tread carefully between asserting their wills and stating their submission. They faced a tension between what they believed they should do and what they actually did, between normative and behavioral patterns.

The first half of this book examines how propertied women negotiated their roles within the legal system and economic networks of colonial Virginia, covering the legal constraints they faced along with the ways they used local courts to achieve their goals. Chapter 1 analyzes how women, particularly those contemplating a second marriage, sought control over property and drew on various legal means to retain it. Local courts and families supported these women's efforts because they wanted to make sure property descended according to their own wishes. Because young widows with children remarried, courts and women united in protecting the property of the "ghost family" they founded with their first husbands. The legal maneuvering these women initiated provided them authority over their property even when they married again.

The focus of chapter 2 considers how English common law protection of married women's right to dower, a limited share of family property, carried over to tidewater Virginia, and when English tradition and colonial innovation worked in opposition. With the anglicization of the law at the end of the seventeenth and the beginning of the eighteenth centuries, county courts stopped accepting less formally correct transfers of land that failed to protect women's interests and instead increasingly demanded full protection of women's dower rights in land sales. Thus, although demographic stability reduced widows' control over property at the turn of the century, propertied married women saw protection of their rights better supported in the courts during that same time.

This chapter also considers how eighteenth-century anglicization could work against colonial women's property rights under the law. In two test cases, Virginia authorities broke with English tradition to enact bills that granted women individual property rights. Metropolitan authorities vetoed both of the legislature's actions, illustrating the divergence in expectations on each side of the Atlantic. The Virginians found their efforts to adapt to their own demographic situation under review by an imperial legal structure hostile to such changes.

Although widowhood provided the most common means for women to gain control over family property, women in other circumstances had authority to manage affairs during marriage. The economic conditions and Virginia's distance from England left married women with authority nor-