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Women, slavery compensation and gender relations in the 1830s

On 28th August 1833 the Abolition Bill received the royal assent: from 1st August 1834 slavery was to be slowly abrogated in the British colonies. As a result of the ‘Act for the abolition of slavery throughout the British colonies, for promoting the industry of manumitted slaves, and for compensating the persons hitherto entitled to the services of such slaves,’ to give its full appellation, twenty million pounds were awarded to owners of ‘slave property’ to compensate for their loss.¹ The Slavery Compensation Commission was established in late 1833 to facilitate the arduous process of awarding this compensation: over the next decade it administered over 36,000 claims concerning the West Indian enslaved. Kamau Brathwaite may have argued that Caribbean slavery was fundamentally “a male enterprise”² but the records of the Slavery Compensation Commission tell a rather different story. Between 40 and 45% of these claims were actually filed by women. Female slave-ownership was thus more ubiquitous than one might assume, although, with some notable exceptions,³ these women have received little attention in the historiography of slavery and abolition. Yet a gendered dimension of power absolutely infuses the records of the Slavery Compensation Commission and they thus provide the perfect prism through which to scrutinise gender relations in the 1830s. In examining the attitudes, behaviour and treatment of individual female absentee slave-owners I will investigate how they reflected the social mores and gendered assumptions of early nineteenth century Britain. Despite the prominence of a domestic ideology in 1830s Britain, the records of the Slavery Compensation Commission demonstrate that the ideological underpinnings of gender relations were, in practice, constantly contested. The perception of women as moral, domestic creatures who should be restricted to the private sphere was simultaneously reinforced, subverted and challenged by female slave-owners in a myriad number of ways.

The records of the Slavery Compensation Commission are an invaluable historical source, providing us with unparalleled access to over 45,000 claims. Although the details of over 40,000 awards are listed in the Parliamentary Return of 1838 which provided details of all the

¹ Draper, Nicholas. ““Possessing Slaves”: Ownership, Compensation and Metropolitan Society in Britain at the time of Emancipation 1834-40”, *History Workshop Journal*, 64 (Autumn 2007), p. 78.

² Beckles, Hilary McD. *Centring Woman*. Oxford: James Currey, 1999. p. xvi.

³ In particular Hilary Beckles and Kathleen Mary Butler’s examinations of female slave-ownership in the Caribbean and Nicholas Draper’s study of male and female absentees living in the metropole.

awards made by that date- by this stage just 7% had still yet to be settled –the information provided by the Return is superficial and consequently cannot be taken as an accurate record of the beneficiaries of compensation. In providing just the name of the awardee along with the claim number, the number of slaves owned and total compensation awarded the Return can obscure the extent to which the awardee was not necessarily the beneficiary of compensation.⁴ Although the Slavery Compensation Commission records are similarly fallible in this respect, they provide a more comprehensive and detailed account of the claims and the claimants. Together with the claims and the counter-claims there are many letters sent both by and to the Commissioners, which together provide a more detailed picture of the slave-owners. Richard Lobdell may suggest that “a thorough examination of th[e]...individual records would be both expensive and dispiriting”⁵ but such a task is necessary in order to establish a full understanding of British slave-ownership at the time of Emancipation. Indeed, such a project is currently being undertaken by the Legacies of British Slave-Ownership Project, whose permission in allowing me to use their database has been invaluable in enabling me to attempt some general statistical analysis, although any conclusions are extremely tentative. The focus of my research, however, will centre on three individual claimants, whose experiences and behaviour form the heart of my study. It is, however, important to recognise that these women were selected because their experiences highlight particular issues and thus cannot be seen as representative of female slave-owners as whole. Nevertheless, in examining conduct books, anti-slavery tracts and legal treatise alongside the experiences of these three very different women I will investigate the extent to which female slave-ownership variously both conformed to and challenged prescriptive ideas about personhood, property and gender in 1830s Britain.

This study is thus fundamentally rooted in the wider historiography of women’s and gender history. Originally receiving prominence in the 1960s when feminist historians began to expose the experiences of women who had hitherto been “hidden from history”⁶ by the male-dominated ‘general’ narratives which permeated the academic discipline, an acknowledgement of the experience of women has now become an accepted part of the historical consciousness. Yet the political origins of women’s history meant that in its early

⁴ Draper, Nicholas. *The Price of Emancipation*. Cambridge: Cambridge University Press, 2010. pp. 4-5.

⁵ Lobdell, Richard A., ‘The Price of Freedom: Financial Aspects of British Slave Emancipation.’ unpublished paper delivered at the Annual Meeting of the Social Sciences History Association, Pittsburgh (October 2000) p. 9.

⁶ Tosh, John. *The Pursuit of History*. Harlow: Longman, 2006. p. 191.

incarnations it was necessarily polemical and the occasionally ahistorical emphasis on the permanence of a patriarchal system risked presenting women as a homogenous group. It was only in the 1980s that a more sophisticated analysis of the historical role of women and gender began to emerge. In particular Joan Wallach Scott's seminal 1986 article, with its post-structuralist influences, was critical in the development of gender history. In arguing that gender is a social and cultural construct and that all "relationships of power" are inherently gendered Scott revolutionised the way gender was conceived by historians.⁷ It became clear that it is impossible to understand historical action without also examining the socially and culturally constructed gendered components inherent within. However, this theoretical perspective has not remained unchallenged. Whilst Joan Hoff's assertion that gender has become a "postmodern category of paralysis" is largely an unsubstantiated polemic,⁸ Alice's Kessler-Harris's fear that placing such an overarching emphasis on gender can obscure the role of women as actors in history is more persuasive.⁹ However, whilst it is important to recognise that a historian's subjects are not simply nameless faces, unable to move beyond the abstract forces which control them, histories of 'gender' and 'women' are far from mutually exclusive. Gendered power is not an intangible, theoretical concept but, as I demonstrate in my examination of three very different slave-owning women, it is actualised, lived and constantly contested.¹⁰

A domestic ideal certainly dominated discourse on the role of women in the 1830s: indeed, it was during this period that the domestic ideal was crystallised as a benchmark of middle-class culture.¹¹ At a time when it was believed that the distinct characteristics possessed by men and women were based on natural differences between the sexes, fixed conceptions of masculinity and femininity permeated the prescriptive literature: ¹²"softness, delicacy, benevolence, piety and..timidity... are the natural characteristics of women" wrote the aptly titled *Gentleman's Magazine*.¹³ The conduct books of Mrs Sarah Stickney Ellis were the most popular of an emerging literary field which promoted an Evangelical domesticity among the women of the middle-class. In her series of popular and celebrated books she argued that "As

⁷Scott, Joan Wallach. 'Gender: A Useful Category of Analysis' *The American Historical Review*. 91:5 (December 1986) p. 1067.

⁸ Hoff, Joan. 'Gender as a Postmodern Category of Paralysis.' *Women's History Review*. 3:2. (1994) p. 155.

⁹ Kessler-Harris, Alice. 'Do We Still Need Women's History?' *The Chronicle Review*. (December 7, 2007) p. 5.

¹⁰ Jones, Martha S., *All Bound Up Together*. Chapel Hill: University of North Carolina Press, 2001 p. 6.

¹¹ Tosh, John. *A Man's Place*. New Haven: Yale University Press, 1999. p. 30.

¹² Shoemaker, Robert. *Gender in English Society*. Harlow: Longman, 1998. p. 15.

¹³ *The Gentleman's Magazine*. LXV, February 1795. p. 102.

a woman...the first thing of importance is to be content to be inferior to men- inferior in mental power, in the same proportion that you are inferior in bodily strength”,¹⁴ a declaration which was “strongly propitiated” by her male reviewers.¹⁵ However, although Ellis was unequivocal in stating that women should always “evinced this proper deference and regard”¹⁶ to their husbands, she envisaged the domestic sphere as an area in which women could exert their influence. By imbuing even the simplest of domestic actions with “a vigour of intellect, a freshness of feeling...a liveliness of fancy” and most importantly “with strong moral feeling” women would be forming the bedrock of a stable, peaceful and moral social order “which constitute[s] the foundation of all that is most valuable in the society of our native land.”¹⁷ By moving in what fellow advice writer Sarah Lewis termed “the sphere which God and nature have appointed”¹⁸ women could exercise their influence both directly on their family and indirectly on the wider society as a whole. Undoubtedly, in this prescriptive literature the private, domestic realm was a woman’s “proper sphere of action.”¹⁹ by the 1830s the domestic ideal had become the cornerstone of middle-class ideas about women and gender.

The male/female and public/private binaries which characterised this prescriptive literature have as a consequence come to dominate much analysis of women and gender in the early-nineteenth century period. That Mrs Ellis gave no room for female manoeuvre within the public spheres of politics or economics, warning that “if a lady does but touch any article, no matter how delicate, in the way of trade, she loses caste, and ceases to be a lady”²⁰ seems to confirm that middle class women remained constricted to a private sphere. Indeed, another anonymous authoress was so concerned not to be perceived as entering public affairs that she reinforced the fact that her concerns were “wholly feminine” and “purely domestic.”²¹ However, although the prescriptive literature demonstrates the ‘ideal’ behaviour of respectable women, this does not necessarily correspond with the reality. As the numbers of women who claimed slave compensation show there was no rigid distinction between a highly restrained life of domesticity enjoyed by women and the bustling world of work and

¹⁴ Ellis, Mrs. *The Daughters of England*. London, 1842. pp. 11-12.

¹⁵ Kingslake, A.W. ‘The Rights of Women.’ *The Quarterly Review*, 75 (1984-5) p. 112.

¹⁶ Ellis, Mrs. *The Wives of England*. London, 1843. p. 91.

¹⁷ Ellis, Mrs. *The Women of England*. London, 1839. pp. 31-5.

¹⁸ Lewis, Sarah. *Woman’s Mission*. 2nd ed. London, 1839. p. 12.

¹⁹ Hodge, May Ann. *Affection’s Gift to a Beloved God-Child*. 2nd ed. London, 1821. p. 58.

²⁰ Ellis, *The Women of England*. p. 330.

²¹ A Country Lady. *Females of the Present Day Considered as to their Influence on Society*. London, 1831. p. 2.

politics experienced by men.²² Indeed, Sarah Stickney Ellis, whilst espousing a domestic ideal, hardly conformed to her own precepts: she married late, never had children, was publicly acclaimed for her writing, and, through her earnings from her books, contributed significantly to the household finances.²³ In reality any stark delineation between the apparent binaries of the public and the private was essentially an artificial one: to talk only of separate spheres neglects the complexity of lived experience.²⁴ Women were certainly marginalised, discriminated against and treated differently because of their sex and a domestic ideology shaped the ways they lived their lives, but that does not mean they were permanently confined to a private sphere.²⁵ Kathryn Gleadle uses the term “borderline citizens” to describe women’s political status during this period, but it is also an apt description of the more general position of women in the 1830s.²⁶ Ordinary women negotiated with, utilised, modified and defied domestic gender ideologies on a daily basis.

Ironically, in relation to slavery the inconstancy of the separate spheres binary is most evident in the campaigns of the female abolitionists. Although these women campaigned publicly, that they couched their arguments in moral and religious terms meant that pressing for abolition could be promoted as a protraction of their domestic duties.²⁷ By appealing to the “hearts and consciences of our enlightened countrywomen” and emphasising the “moral and physical wretchedness²⁸ of the slave system the abolitionists presented anti-slavery as a philanthropic and altruistic mission which conformed with traditional ideas about femininity and the role of women. In maintaining that “pity for suffering, and a desire to relieve misery, are the natural and allowed feelings of women”²⁹ paradoxically, female anti-slavery campaigners were able to achieve some independence, autonomy and political influence. Whilst continuing to support boycotts and consumer protest, the activities of the female abolitionists expanded to include fundraising, publishing polemical pamphlets and petitioning. Indeed, despite the fact that parliamentary petitions had traditionally been an exclusively male preserve, the largest petition received by parliament was actually sent by

²² Kingsley Kent, Susan. *Gender and Power in Britain*. London: Routledge, 1999. p. 70.

²³ Davidoff, Leonore and Catherine Hall. *Family Fortunes*. Routledge, 2002. p. 182.

²⁴ Klein, Lawrence E., ‘Gender and the Public/Private Distinction in the Eighteenth Century.’ *Eighteenth-Century Studies*. 29:1. (1995) p. 98.

²⁵ Flather, Amanda. *Gender and Space in Early Modern England*. Suffolk: Boydell, 2007. p. 7.

²⁶ Gleadle, Kathryn. *Borderline Citizens*. . Oxford: Oxford University Press, 2009. p. 2.

²⁷ Midgley, Clare. *Women Against Slavery*. London: Routledge, 1992. p. 94.

²⁸ Heyrik, Elizabeth. *Appeal to the Hearts and Consciences of British Women*. Leicester, 1828. p. 12.

²⁹ *A Vindication of Female Anti-Slavery Associations*. London: Female Ant-Slavery Society, date unknown. p. 3.

women. The boundaries between the spheres were thus very much blurred.³⁰ Yet this glorification of white womanhood and idealised presentation of female abolitionists as redeemers of this “highly-favoured Christian nation”³¹ stands in stark contrast to the reality of slave-ownership in Britain in the 1830s. After all, significant numbers of white, middle-class women owned slaves themselves. The actions of the female abolitionists may have obscured the delineation between the public and the private but their less exalted sisters have remained completely absent from the discussion. The moral and religious justifications of abolitionism were rooted in early-nineteenth century conceptions of British femininity but that many women unashamedly claimed slave compensation suggests that this was not as ideologically pervasive as has often been assumed.

Slave-owning was defined, almost exclusively, as a masculine prerogative. From the proclamation that the slave system “perverts *his* understanding, sears *his* conscience, and hardens *his* heart” [own emphasis]³² to the MP who pitied “that injured and unfortunate body of men”³³ there was little acknowledgement among abolitionists of women as slave-owners. When the American radical Augustus Hardin Beaumont accepted of the slave-owner that “he is entitled to compensation”³⁴ he was not suggesting that that the female slave-holder somehow was not: that such a person might exist had simply not crossed his mind. Neither was this peculiar to the abolitionists. Even Mrs Carmichael, probably the only woman to publicly profess her pro-slavery position, spoke of the slave-owner as exclusively male. “There is no class of men on earth more calumniated than the West Indian planter”³⁵ she admonished, and in her detailed description of “the duties of a planter’s wife”³⁶ she reinforced the perception that women’s only association with slavery was as wives and mothers. If women were mentioned it was only as poor “dependent widows,”³⁷ unaware of the source of the money on which they were reliant. This presentation of women as defined only in relation to men, combined with the almost universal use of masculine pronouns to describe slave-holders highlights the extent to which slave-owning was simply not conceived

³⁰ Billington, Louis and Rosamund Billington. ‘A Burning Zeal for Righteousness’: Women in the British Anti-Slavery Movement’ In Jane Rendall ed. *Equal or Different*. Oxford: Blackwells, 1987. p. 111.

³¹ Heyrik, *Appeal to the Hearts*. p. 14.

³² *Ibid.* p. 7.

³³ *Hansard*. 3rd ser., vol. XV, col. 1182, February 27th 1833.

³⁴ Beaumont, Augustus Hardin, *Compensation to Slave Owners Fairly Considered*. London, 1826. p. 7.

³⁵ Carmichael, Mrs. *Domestic Manners and Social Condition of the White, Coloured, and Negro Population of the West Indies*. Vol. I. London, 1833. p. 16

³⁶ *Ibid.* p. 21.

³⁷ Sainsbury, George. *East India Slavery*. London, 1829. p. 4.

of by contemporaries as a female activity. Significantly, within the historiography of slavery very little seems to have changed. Women, for example, make no appearance in James Walvin's 2007 examination of *The Trader, The Owner, The Slave*³⁸ and although Rhoda E. Reddock may profess that she is "reinterpret[ing] the history of slavery from a woman's perspective"³⁹ her analysis is centred solely on the slaves, and the latent assumption is very much of an aggressive, male slave-holder. These are far from unique examples. This indicates the extent to which the separate spheres ideology, which presented an idealised picture of women as confined to the domestic realm, infused gendered perceptions of slavery in the 1830s, and has continued to do so. The records of the Slave Compensation Commission may unequivocally demonstrate that women owned slaves, but there remains still a virtually unchallenged conception of the slave-owner as male.

This is surely inextricably linked to wider conceptions of gender and property: the gendered nature of property controls and restrictions was absolutely intrinsic to the process of owning slaves and claiming compensation.⁴⁰ Slave-owners were, after all, property-holders. Property laws regarding women were fundamentally linked to marital status: although single and widowed women could own property the persistence of the traditional common law principle of coverture severely inhibited a married women's ability to own property and also helped to perpetuate the notion of female inferiority within the British legal system. As legal writer William Blackstone famously asserted:

By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended...or at least is incorporated and consolidated into that of the husband: under whose wing, protection and cove, she performs every thing.⁴¹

Thus, it was logically and legally impossible, under common law, for a married woman to own her own property: "by marriage those chattels which belonged to the woman before marriage, are by act of law vested in her husband"⁴² and under the axiom of marital 'unity' a woman had no access to her husband's property during his lifetime, and only limited access

³⁸ Walvin, James. *The Trader, The Owner, The Slave*. London: Jonathon Cape, 2007

³⁹ Reddock, Rhoda E. 'Women and Slavery in the Caribbean: A Feminist Perspective.' *Latin American Perspectives*. 12:1 (1985) p. 63.

⁴⁰ Draper. *Price of Emancipation*. p. 183.

⁴¹ Blackstone, William. *Commentaries on the Laws of England. Vol I*. 17th ed. London, 1830. p. 441.

⁴² Johnson, J. *The Laws Respecting Women*. London, 1777. p. 149.

to it after his death. Dorothea Casaubon, for example, the intelligent, pious and strong-willed principle character in George Eliot's *Middlemarch* is warned that if she marries her late husband's cousin she will have to forfeit the property she has inherited, a sacrifice she was ultimately willing to make. In closing the novel with the admonishment "we insignificant people with our daily words and acts are preparing the lives of many Dorotheas" George Eliot hints that she believed the constraints of marriage continued inhibit women.⁴³ While a man did not have the power to sell his wife's real property, any rents or other income pertained entirely to him.⁴⁴ These "deplorable"⁴⁵ restrictions married women faced meant that legally they were classified in the same category as children, lunatics, 'idiots' and criminals.⁴⁶ Indeed, the implication of the principle of *coverture* was not just that women could not own property, but that they were themselves the property of their husbands. In common law a married women, as an independent entity, simply did not exist.⁴⁷

Yet the inhibitions married women faced under *coverture* do not tell the whole story: distinctions need to be made between the theoretical legal ideal and the actual practice of property-owning women.⁴⁸ As one barrister recognised in the 1840s "modern times have introduced exceptions to this doctrine:"⁴⁹ the Courts of Equity "modified some of the hardships under which married women laboured"⁵⁰ by permitting a married women to own her own 'sole and separate estate' in the form of a trust. This gave wives limited property rights, protected her independent interest in particular property during her marriage and, depending on the terms of the trust, sometimes even gave her the power to bequeath the property as she so desired after her death. Whilst the extent to which marriage settlements actually gave any real power to women has been hotly debated by historians,⁵¹ it is important to recognise that *coverture* was not an all-encompassing and uncontested concept. Ultimately, the trust could simultaneously be both controlling and liberating: whilst it certainly imposed the wishes and controls of deceased husbands, fathers, brothers - although also mothers and

⁴³ Eliot, George. *Middlemarch*. Oxford: Oxford University Press, 1986. p. 825.

⁴⁴ Shanley, Mary Lyndon. *Feminism, Marriage and the Law in Victorian England*. Princeton: Princeton University Press, 1989. p. 8.

⁴⁵ Anon. *The Hardships of the English Laws*. London, 1735. p. 4.

⁴⁶ Holcombe, Lee. *Wives and Property*. Oxford: Martin Robertson, 1983. p. 35.

⁴⁷ Blum, Carol. 'Of Women and the land: legitimising husbandry.' In Brewer and Staves. *Early Modern Conceptions of Property*. p. 161.

⁴⁸ Erickson, Amy Louise. *Women and Property in Early Modern England*. London: Routledge, 1993. p. 4.

⁴⁹ Bright, John Edward. *A Treatise on the Law of Husband and Wife. Vol. I*. London, 1849. p. 2.

⁵⁰ Barrett-Lenard, Thomas. *The Position in Law of Women*. London, 1888. p. xxviii.

⁵¹ Including Davidoff and Hall (2002) Erickson (1993) Finn (1996) Berg (1993) Owens (2001) and Morris (2005).

aunts – it nevertheless still provided women some economic independence and proprietorship.⁵² The emphasis on married women within the historiography also neglects the fact that as single women, and particularly as spinsters and widows, women could wield significant property-owning power. However, most of the property owned by women, unlike that possessed by their male counterparts, was ‘passive,’ that is they produced income only, and often not beyond the capacity for self-support.⁵³ Trusts came under this category, as did annuities, subscriptions and insurance. There is therefore no doubt that property-ownership was inherently gendered and that women faced severe restrictions: indeed, these restrictions had actually increased since the early modern period. Yet women in the 1830s were not on the complete ‘margins of ownership’: their experiences of property-ownership may have been fragmentary but they were complex and contested, not monolithic.⁵⁴

The enslaved were a significant form of property in the 1830s⁵⁵ and through claiming slave-compensation both men and women crystallised their position as colonial property-owners. The Legacies of Slave-Ownership Project have classified each of the 36,678 claims in their database as submitted by either a first, second, or third claimant. The first claimant is the primary individual to whom the compensation was awarded. Usually this was the person who owned the enslaved although sometimes, if the land and slaves were mortgaged, or if the slave-owner had other debts, then creditors were awarded the compensation. However, in many instances the slaves were owned jointly- this was particularly common when ownership was shared amongst the legatees of a deceased owner- or part of the compensation was awarded to creditors. In these instances the co-claimants have been termed either second or third claimants.⁵⁶ Interesting, the proportion of female and male first claimants are actually remarkably similar. Of the claims by female absentees 59.52% came from first claimants, a slightly higher proportion than the 54.48% that were submitted by male absentee first claimants, demonstrating that women who claimed for compensation regularly assumed an independent responsibility: they were not simply secondary claimants on claims submitted by their husbands, brothers and fathers.⁵⁷ That first claimants tended to take a more active role in the compensation process partly explains why the focus of my study will remain on them. There were many instances of claims containing multiple claimants and by focussing solely

⁵² Morris, R.J. *Men, Women and Property in England*. Cambridge: Cambridge University Press, 2005. p. 263.

⁵³ Davidoff and Hall. *Family Fortunes*. p. 277.

⁵⁴ Finn, Margot. ‘Women, Consumption and Coverture in England’ *The Historical Journal*. 39:3 (1996) p.703.

⁵⁵ Brewer, John and Susan Staves eds. *Early Modern Conceptions of Property*. London: Routledge, 1996. p. 12.

⁵⁶ Legacies of Slave-Ownership Project, ‘Glossary’

⁵⁷ Derived from the Legacies of British Slave-ownership Project database

on the first claimant I thus hope to be able to achieve a more reliable indication of the number of individual claims submitted.

Since I am interested in exploring the implications female slave-ownership had regarding gender relations in Britain I am also going to focus on absentee claimants, those who lived in Britain rather than the West Indies. Whilst it is important to recognise that absentee slave – owners were a heterogeneous group with a variety of different motivations and interests, they were nevertheless an important presence in nineteenth century Britain, personifying the links between empire and metropole. Numerically, absenteeism in Britain was certainly nowhere near as common as the accounts of West Indian contemporaries would suggest- there are just over 5,000 absentee claims listed in the Legacies of British Slave-Ownership database. However, there is little doubt that the impact the absentee-owners had on British society was more significant than their numbers would initially suggest. Nick Draper has demonstrated that financial exposure to slavery pervaded many sections of elite society⁵⁸and absentees were crucial in creating trans-national and trans-continental connections to slavery which permeated the heights of Britain’s elites. Yet the records of the Slavery Compensation Commission show that female claimants were much less likely to be absentees than their male counterparts. Of the 2848 claims by absentee first claimants, just 397, or 13.34%, were submitted by women. Considering that women appear to have submitted between 40 and 45% of the total claims this number seems disproportionately small. Indeed, whereas claims submitted by absentees comprised 13.65% of the total submitted by male first claimants the corresponding figure for first claims submitted by female absentees is just 3.66%.⁵⁹The proportion of female absentee claimants was thus considerably smaller than the proportion of women claiming as a whole. This-along with the evidence that women tended to claim substantially smaller amounts than men- seems to confirm Hilary Beckles’ argument that although women certainly owed slaves, slave-owning was nevertheless inherently gendered. He suggests that whilst men predominated amongst the owners of plantations-and far more likely to be absentees -women tended to be small-scale slave-holders, living with mostly female slaves, in urban areas.⁶⁰Although these women are not the object of my study it does raise interesting questions as to whether women were disproportionately disadvantaged when it came to receiving compensation, a situation exacerbated by the fact that the awards were

⁵⁸ Draper, *The Price of Emancipation*. p. 2.

⁵⁹ Derived from the Legacies of British Slave-ownership Project database

⁶⁰ Beckles. *Centring Woman*. p. 63.

paid out in England.

There are also clear gendered differences in the amounts of compensation that claimants demanded. Whereas 61.6 % of the claims submitted by female absentee first claimants were for amounts under £1000 the corresponding figure for claims submitted by male absentee first claimants was just 35%. Indeed, more than a quarter of the female claims are classified in the lowest compensation band-between £1 and £100- whereas just 11.1% of those presented by male claimants fell into this category. On the other hand, just 8.5% of the claims submitted by female absentee first claimants were for amounts of more than £5000, in contrast to 14.6% of those submitted by their male equivalents. Indeed, whilst the proportion of those claiming such considerable amounts was relatively small amongst both sexes, the gendered differences are particularly stark amongst the middling bands: 46.1% of the claims submitted by male absentee first claimants concerned amounts between £2000 and £10,000, virtually double the proportion of claims from females of similar amounts which was just 23.8%.⁶¹ It is important to recognise that this is a list of the compensation claimed, not awarded, so it does not necessarily correspond to the amounts ultimately received by slave-owning women. Indeed, where complex counter-claims have been made the details of settlements are not even always known. Also, these statistics concern the individual claims not the individual claimants and thus should not be read as a reliable indication of amounts individual women- or men- claimed. Amongst the female absentee first claimants, for example, there were 323 unique individuals who made 397 claims – one of which is not recorded in the list of claims by band because no compensation amount has been recorded - so 74 women submitted multiple claims and thus, if the compensation was subsequently awarded, will have received a larger cumulative total. Nevertheless, there is no doubt that whereas female first claimants tend to cluster around the lower bands the proportion of claims associated with male first claimants outstrips those from women considerably in the higher compensation bands. The records of the Slavery Compensation Commission demonstrate that even the amount claimed was inherently gendered: women absentee first claimants were likely to be considerably smaller-scale claimants than their male counterparts.

Case Studies

⁶¹ See appendices 1 and 2.

The first claimant I shall examine was, like the majority of women, a small-scale claimant. Dorothy Little was a seventy year old widow who claimed £297 13s 6d for 13 slaves in the Jamaican parish of St James.⁶² Yet her visibility in the Slavery Compensation Commission records is a consequence of her almost incessant letter-writing as much as her actual claims: between mid-1833 and March 1835 she wrote at least five separate letters to the Commission asking for information and advice. She was not simply passively waiting for an award but taking an active involvement in the compensation process. From inquiring whether the “gentleman” who looks after her slaves will be able to “have any influence over the valuation of my Negroes”⁶³ to confirming the possibility of her receiving the compensation money “in this country instead of Jamaica”⁶⁴ Dorothy Little’s interest in fully understanding the modus operandi of the compensation process is axiomatic. Despite politics supposedly being a masculine domain she unashamedly reveals that she has “with the greatest attention read every debate in the House of Commons on the West India question”, seeming far more perturbed that the concerns she had previously voiced had not been raised.⁶⁵ Indeed, the letters of reply from the Commissioners, which answer her questions fully and comprehensively, paid little heed to the fact that they are writing to a seventy-year old widow: the language, tone and style of the letters is little different to those sent to male inquirers.⁶⁶ Perhaps the fact that she was a resident of Clifton, near Bristol, an area with extensive links to the West Indies may explain why Dorothy Little’s knowledge of the compensation process was so remarkable.⁶⁷ Dorothy Little was clearly an intelligent, informed and forthright woman: her cognisant letters to the Slave Compensation Commission highlight the extent to which, in reality, women were not completely restricted by domestic ideology.

Indeed, Dorothy Little felt so passionately about the subject of compensation, and the fact that she felt it disproportionately punished those who owned slaves but no land, that she even sent a petition to Lord Stanley, the colonial secretary, voicing her concerns. The petition was originally submitted to the House of Lords by her son, no doubt a consequence of the fact that petitions had traditionally been seen as the preserve of men: it was only the contemporaneous

⁶² *Legacies of British Slave-Ownership Project Database*. Dorothy Little. Claim no. 539., T71/1329, T71/1402.

⁶³ T71/1608, letter from Dorothy Little, May 12th 1834.

⁶⁴ T71/1608, letter from Dorothy Little, March 5th 1835.

⁶⁵ T71/1608, letter from Dorothy Little, September 27th 1833.

⁶⁶ T71/1592. letters to Dorothy Little from the Commissioners, 26th December 1833, May 14th 1834, March 6th 1835, April 1st 1835.

⁶⁷ Dresser, Madge. *Slavery Obscured*. London: Continuum, 2001. p. 109.

anti-slavery petitions which began to challenge this notion. However, Dorothy Little's influence absolutely infuses the petition- it is even written from the perspective of the female singular nominative (she) - and upon realising that the Lord Chancellor "took no notice" of the original petition she sent it directly to Lord Stanley herself.⁶⁸ This was accompanied by a warning that if politicians continued to ignore what she believed to be the injustice of the current system she would ensure that "the matters...be brought before the public in the next sitting of Parliament."⁶⁹Threatening, of all people, the colonial secretary in this manner is hardly the action of someone restricted to the private domestic sphere. Dorothy Little may have sent her first letter anonymously for fear of "seeing my name in the newspapers" but her determination to right the wrongs that she believed lay at the heart of the plans for compensation ensured a dramatic change of heart.⁷⁰ Indeed, that she questions why she cannot be given "£100 a piece for [her slaves]...which is the sum the French received for theirs in America"⁷¹ demonstrates that Dorothy Little had an interest in global as well as domestic politics, and was willing to use this information to achieve her own ends. Similarly, in voicing her fears that an annuity she received from the Clergy Fund was potentially at risk should emancipation "produce anarchy and revolution in the island"⁷²she is highlighting her knowledge of the recent slave insurrections in Jamaica and again, using this knowledge to strengthen her argument. The detail and knowledge invoked in Dorothy Little's letters and petition highlights that politics was hardly exclusively the preserve of men.

Dorothy Little's letters also highlight an acute awareness of the situation she found herself in. "There is a wide difference between the situations of those who, like your Petitioner, are Owners of Slaves only and those who are owners of Estates and also of the Slaves" she perceptively noted. As a slave-holder who owned no land she was in a particularly vulnerable position. Whereas at the end of the seven proposed years of apprenticeship those who owned land would probably "find their properties equally valuable as at present" the property of those who owned slaves alone would be "completely annihilated."⁷³Yet they received no greater proportion of the compensation fund, and it was this which Dorothy Little took issue with. An intimate knowledge of her own finances is clear: she explains that she has been receiving £80 sterling a year for "eight working negroes" for the last twenty years, although

⁶⁸ T71/1608, letter from Dorothy Little, September 27th 1833.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² T71/1608, petition, September 27th 1833.

⁷³ Ibid.

“in consequence of a change in the ownership of the Estate [to which they were hired] and the late rebellion” the rental was reduced to £57 sterling. Yet she calculated that at £26 per slave she would receive a sum of £364 sterling “which will produce an [annual] income not exceeding £12 14s 9d.”⁷⁴ Indeed, she ultimately received £310 18s 11d, including interest, which a W.P. Kerridge picked up on her behalf in February 1836.⁷⁵ Thus, far from being an “unconscious stipendiary of a wicked system”⁷⁶ as abolitionists tended to argue widows were, Dorothy Little was aware that emancipation would have severe personal financial implications. Indeed, since women made up a considerable proportion of non-land-holding slave-owners they were, on the whole, disproportionately affected by the privileging of land in the compensation process. Dorothy Little clearly recognised this: “Your Petitioner...believes that there are many in her situation, but they are principally Widows and Orphans and she is sorry to perceive that the large Proprietors have not had the generosity to put forward their peculiar situation.” In lamenting the lack of help she, and others, had received from the large, usually male, landowners Dorothy Little is certainly reinforcing the belief that women are dependent on men’s help. Yet she is simultaneously, by writing letters and petitions herself, challenging this very notion.

That Dorothy Little’s did not always conform with early-nineteenth century notions of femininity is evidenced strongly in one particular letter. As earlier demonstrated, by couching their arguments in religious and moral terms female abolitionists employed traditional notions of femininity in their campaigns. Of particular significance in this respect was the emphasis placed on abolishing slavery in order to cease “the cause of such Human Misery and Female Degredation”⁷⁷: there was a sense that the female abolitionists needed to protect their West Indian ‘sisters’ from the morally depraved male slave-owners who did not hesitate to physically and sexually abuse their female slaves. Yet this excerpt from a letter dated May 12th 1834 suggests that a strict distinction between ‘moral’ women and ‘depraved’ men simply cannot be made:

I am anxious to ascertain if there is a prospect of my getting a full and fair compensation for my unattached field labourers. They will I fear be put down

⁷⁴ Ibid.

⁷⁵ NDO 4/5. Jamaica St James, no. 539.

⁷⁶ Anon. *Letters on the necessity of a prompt extinction of British colonial slavery*. London, 1826. p. 214.

⁷⁷ ‘Petitions for the Abolition of Slavery-Females of Portsmouth and Portsea.’ *Lords Journals*. Vol LXIII, 1830-1831. 18th April 1831.

as inferior labourers, for out of the whole number (14) 10 of them are females, but from that very circumstance they have been more valuable to me than if they had been strong men, for they have more than doubled their original number, and of course doubled my income.⁷⁸

This demonstrates that far from only ‘slave-masters’ manipulating the fertility of the female slaves for their own economic advantage, the imperatives of their female counter-parts were hardly rooted in any greater sense of morality. The callous manner in which Dorothy Little proudly talks of how the reproductive capacities of the female slaves have enabled her to “double my income” may initially seem shocking but it suggests that female slave-owners were no less inclined to prioritise their own economic needs over the well-being of slaves. The behaviour of absentee slave-owners was undoubtedly affected by their geographical and psychological distance from the realities of slavery and despite previously having lived in the West Indies herself it seemingly contributed to Dorothy Little’s reduction of the generative capacity of her female slaves to nothing more than an economic boon. Ultimately, there is no doubt that she did not share the abolitionists’ concerns for her own sex.

Initially, then, Dorothy Little’s letters suggest a woman completely unlike a domesticated widow, restricted completely to the private sphere. She clearly had an avid interest in politics, took control of her own finances and, through claiming and letter-writing, had an active involvement in the compensation process. Yet the language she employed was inherently gendered, and the ideological foundations of early-nineteenth century gender relations infused her letters. She deliberately and persistently used her position as an old woman, a widow nonetheless, to present herself as vulnerable and in need of protection. In asserting that “it is quite inconsistent with the character of the noble Englishman to reduce aged widows to beggary by forcibly taking their property from them”⁷⁹ Dorothy Little is fundamentally grounding her argument in early-nineteenth century conceptions of masculinity and femininity: the proper role of the “noble Englishman” was to provide for any dependents- primarily women and children- who were wholly reliant on him for financial support. And in invoking “not only...the wisdom and justice of your Right Honourable House,

⁷⁸T71/1608, letter from Dorothy Little, May 12th 1834.

⁷⁹T71/1608, petition, September 27th 1833.

but...its protecting care”⁸⁰ she is both gendering and almost anthropomorphising the House of Lords: she sees the institution itself as embodying the qualities of the “noble Englishman” and thus believes it is duty-bound to help her. In claiming that “my son has only sufficient to support himself”⁸¹ she is emasculating him and by presenting evidence of her anticipated destitution believes the government should be an alternative source of assistance: her fears of being reduced to beggary or starvation are repeatedly evoked. Neither is Dorothy Little unique in presenting herself as in need of protection. Mary M. Sutherland was even more exaggerated in her letter enquiring whether she would be able to claim as an Annuitant to an estate in St Vincent: “this Annuity is all I have to look forward to in life; failing of it, I have no other prospect than positive starvation!”⁸² Whilst no doubt these were genuine concerns, demonstrating that slave-ownership was far from the preserve of only the rich, that these women placed the emphasis on their vulnerability and helplessness, unlike men who were generally more forcible, seeing compensation as an undisputed right⁸³ illustrates that the process of claiming compensation was inherently gendered. The case of Dorothy Little thus demonstrates that there is no strict delineation between ‘ideal’ prescription and ‘real’ practice⁸⁴: she was certainly an intelligent, informed and strong-willed woman whose interest included politics and economics but nevertheless, early-nineteenth century conceptions of masculinity, femininity and the appropriate role of women, infused her claims.

The second claimant examined is Maria Hawes Ware. She claimed the considerably larger sum of £7473 10s. 9d. as the “owner in fee,”⁸⁵ the unqualified beneficial owner, of 148 slaves on two estates in the parish of St John in British Guiana.⁸⁶ Like Dorothy Little, it was the death of her husband which had occasioned Maria Hawes Ware’s slave ownership: she was the thirty-four year old widow of Robert Ware, a successful West India merchant who died in July 1824 aged thirty.⁸⁷ Yet her claim was more complex than that of Dorothy Little: Maria Hawes Ware was one of around 3,500 claimants whose claim was formally contested.⁸⁸ The counter-claim of James Brown, a West India merchant based in the City of London, filed on 30th October 1835 states that as a “mortgagee...of the indentured slaves” he had a right to the

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² T71/1610, letter from Mary M. Sutherland

⁸³ Draper. *Price of Emancipation*. p. 225.

⁸⁴ Flather, *Gender and Space*. p. 7.

⁸⁵ T71/1057. No. 2560, Maria Hawes Ware.

⁸⁶ *Legacies of British Slave-Ownership Project Database*. Maria Hawes Ware. Claim no. 2560.

⁸⁷ *The Times*. July 9th 1824. p. 4.

⁸⁸ Draper. *Price of Emancipation*. p. 132.

compensation money from the 148 slaves on the Union and Alliance estates nominally owned by Maria Hawes Ware.⁸⁹ The claim of Maria Hawes Ware demonstrates that although women do not directly appear in the Slave Compensation Commission Records as merchants, they were certainly the beneficiaries of mercantile capital.⁹⁰ Indeed, the counter-claim by James Brown, and Maria Hawes Ware's replication show that widows often had an active involvement in reaping the rewards of their husband's mercantile legacies. Maria Hawes Ware's intimate knowledge of her husband's business matters and subsequent involvement herself in the West Indies may have been antithetical to prescriptive ideas about gender but ultimately it was profitable: James Brown eventually withdrew his counter-claim and Maria Hawes Ware was awarded the compensation.

The replication of Maria Hawes Ware was long and detailed: the situation she found herself in was complicated but it was one that she remained completely abreast of. She maintained that she was the "sole and absolute owner"⁹¹ of the two estates in British Guiana and of the slaves on them and that James Brown had no right to any of the compensation. Interestingly, although she had "incumbrances" on the property inherited from her husband, she asserted that she spent £8000 and purchased the estates outright when they "were duly put up for sale by public vendors on the 25th July 1834" and as such that "the claims of the creditors [James Brown on behalf of himself and his deceased partner]...are effectively extinguished." This demonstrates that Maria Hawes Ware did not simply passively inherit the Union and Alliance estates from her husband but bought them herself, although interestingly she is careful to specify that this was "to the satisfaction of the covert." This recognition of the inhibiting nature of coverture suggests that married women did indeed face severe restrictions when it came to buying their own property but it also suggests that widowed women often took full advantage of their new found economic freedom. Whilst acknowledging that "at the time the said plantations Union and Alliance...were so sold...there were [other] Mortgages and incumbrances" on them, including that specified by James Brown, she went into great detail in demonstrating that they had already been paid off and did not give James Brown "any rights, title or interest..in...any part" of the compensation.⁹² That Maria Hawes Ware's seemingly successful replication had a male witness does hint at the extent to which women could never achieve true economic independence. The fact that the witness was her brother,

⁸⁹ T71/1260. No. 2560, Counter-claim of James Brown.

⁹⁰ Draper. *Price of Emancipation*. p. 241.

⁹¹ T71/1260. No. 2560, Replication of Maria Hawes Ware.

⁹² Ibid.

the prominent Q.C Russell Gurney, may suggest that it was her family who were in control. However, more than thirty years later the same Russell Gurney would, as an M.P., sponsor the Married Women's Property Bill, showing support for female property-ownership and suggesting that the legal support given to Maria Hawes Ware was simply his way of assisting his sister. She may have had familial support but there is no doubt that Maria Hawes Ware was an astute, informed and powerful individual.

On first glance the evidence suggests that Maria Hawes Ware was the sole recipient and beneficiary of the £7473 10s. 9d. she claimed. On 6th March 1837 James Brown withdrew his counter-claim and the lists of the Claims and Certificates and the Parliamentary Return of Awards both indicate that Maria Hawes Ware was subsequently awarded the full amount of compensation.⁹³ However, there appears to be no record of who collected the money for this particular claim and it is possible that here was a case of 'mercantile interception,' of a merchant appropriating money which appears to have been awarded to the property-holder following a private settlement between the two.⁹⁴ James Brown does not explain why he withdrew his claim. It is perfectly possible that he did so because the detailed and complete replication of Maria Hawes Ware highlighted the weaknesses and contradictions in his counter-claim. However, it is also possible that the case was settled between the two privately in what Mary Butler interestingly, but at times factually inaccurately, terms a 'gentlemen's agreement'⁹⁵- as happened between Louisa Maltby and Edward and Peter Gibbs, for example, when a private agreement was reached that the compensation money she received would be split between the two parties.⁹⁶ This might suggest that Maria Hawes Ware's involvement in the compensation process was less substantial than initially appears but this is not necessarily the case: in such an instance she might not have benefited as much economically- if at all- but a private settlement would nevertheless suggest an active and important involvement in the claim. However, it is important to emphasise that this is simply speculation. All that is known is that no documents were submitted to the Slavery Compensation Commission "subsequent to Mrs Ware's Replication"⁹⁷ before James Brown withdrew his counter-claim. Whilst this far from indicates that there was any private settlement between the two, it is important that the possibility is recognised. Indeed, it reinforces the fact that the records held by the Slavery

⁹³ T71/1057, T71/1411. No. 2560, Maria Hawes Ware.

⁹⁴ Draper. 'Possessing Slaves.' p. 84.

⁹⁵ Butler, Mary. 'Fair and Equitable Consideration': the Distribution of Slave Compensation in Jamaica and Barbados.' *Journal of Caribbean History*. 22:1-2. (1988) p. 149.

⁹⁶ Draper. *Price of Emancipation*. pp. 133-4.

⁹⁷ T71/1610. No. 2560, letter to the lawyers of Maria Hawes Ware.

Compensation Commission do not tell the full story: a full and exhaustive account of the recipients and beneficiaries of compensation it simply impossible to know.

The replication also makes clear that Maria Hawes Ware was claiming not simply as a beneficiary of her husband's will but also as "executrix of Robert Ware deceased,"⁹⁸ a position of considerable responsibility. As an executrix Maria Hawes Ware had almost total control over the estate of her husband, although there may also have been other male executors. Indeed, it was the responsibility given to her as executrix, as well as beneficiary of her husband's legacy, that accorded her the power to purchase the Union and Alliance estates outright.⁹⁹ Neither was Maria Hawes Ware unique in this respect: it was not uncommon for a widow to be designated her husband's executrix and the records of the Slavery Compensation Commission illustrate that women also acted as executrices for their deceased brothers and sons, demonstrating that although women faced severe legal impediments, at certain points in their life-cycle, they could wield considerable power.¹⁰⁰ Kathleen Mary Butler has shown that as executrices women exerted substantial control over West Indian real estate: a considerable proportion of men had faith in their wives' administrative aptitude and trusted them to become actively involved in the management of their colonial estates.¹⁰¹ Neither was this a peculiarly West Indian phenomenon: Maxine Berg suggests that in Birmingham and Sheffield, between 1700 and 1800, widows were made executrices of their husband's wills on over 30% of occasions.¹⁰² It is important, however, not to overstate the influence executrices' had: it was trustees who were given the right to act on a property as they saw fit in co-operation with the wishes of the deceased- and they often limited the power of the executor/trix. And women, even widows, were very rarely made trustees. Similarly, historians are in almost universal agreement that the use of women as executrices was in decline from around the seventeenth century, reaching a nadir at in the middle of the nineteenth.¹⁰³ Thus, although women like Maria Hawes Ware had considerable influence, this should not necessarily be seen as representative of economic agency of women, or even widows, as a whole in 1830s Britain.

⁹⁸ T71/1260. No. 2560, Replication of Maria Hawes Ware.

⁹⁹ Ibid.

¹⁰⁰ Elizabeth Brooke, spinster, for example, was an executrix for her brother Charles. T71/1264.

¹⁰¹ Butler, Kathleen Mary. *The Economics of Emancipation*. Chapel Hill: University of North Carolina Press, 1995. p. 94.

¹⁰² Berg, Maxine. 'Women's Property and the Industrial Revolution.' *Journal of Interdisciplinary History*. 24:2. (Autumn, 1993) p. 238.

¹⁰³ Morris. *Men, Women and Property*. p. 378.

The third and final claimant to be examined is Caroline Robley, a widow who claimed a total of over £34,000 for 1652 slaves on ten different estates in Tobago and St Vincent, a colossal amount of money.¹⁰⁴ Indeed, if we take a cumulative total of the amount of compensation claimed Caroline Robley is one of the single largest female first claimants. Although one of the claims was formally contested and ultimately went to Chancery, the remaining claims were all awarded to her and in several visits between late February and early May 1836 she signed for and collected almost £35,000.¹⁰⁵ Caroline Robley was the 56 year old widow of John Robley, a prosperous planter on the island of Tobago, who had inherited three estates from his uncle, Joseph Robley, former governor of the colony, and added considerably to this portfolio, acquiring a further four estates and enjoying a two-thirds interest in three others.¹⁰⁶ Living in a large townhouse in Russell Square, Bloomsbury, also inherited from her husband, Caroline Robley lived a life entirely unrecognisable from that of the “depraved”¹⁰⁷ Dorothy Little or even the affluent Maria Hawes Ware. It is important to emphasise that John Robley’s West Indian estates were not directly bequeathed to his wife: Caroline Robley instead received two annuities totalling £1700 and the house in Russell Square.¹⁰⁸ However, upon her husband’s death in Tobago in 1821¹⁰⁹ she, in correspondence with his wishes, had been given full economic responsibility for their four children whilst they remained under twenty-five – John Robley’s estates were ultimately to pass to his eldest son- and she thus came to have an important role in the compensation process as a claimant. The large majority of female claimants may have only sought relatively small amounts of money, but, as Caroline Robley’s multiple claims show, large-scale claiming was not an entirely masculine domain.

However, although classified as a first claimant by the Legacies of British Slave-Ownership project Caroline Robley was not the sole claimant in any of her ten claims. Listed on every claim as co-claimants were the fellow “Devisees in Trust”¹¹⁰ William Blake, Caroline Robley’s father, and James Cunningham, a business associate of John Robley. Similarly, on the three claims concerning the estates which John Robley had only partially owned the heirs of

¹⁰⁴ *Legacies of British Slave-Ownership Project Database*. T71/1415, T71/1416, Caroline Robley. Claim nos. Tobago, 3,4,5,52,53,54,64,325 St Vincent, 559, 577.

¹⁰⁵ NDO4/10. Caroline Robley Tobago, 3,4,5,52,53,54, 325 St Vincent, 559, 577.

¹⁰⁶ Smith, S.D., *Slavery, Family and Gentry Capitalism*. Cambridge: Cambridge University Press, 2006. pp. 270, 342-3.

¹⁰⁷ T71/1608, petition, September 27th 1833.

¹⁰⁸ PROB11/1671. Will of John Robley.

¹⁰⁹ *The Times*, January 3rd 1822. p. 3.

¹¹⁰ T71/1264, Claim of Caroline Robley.

Charles Brooke, John Robley's business partner also appear. Interestingly, Charles Brooke had taken a case to Chancery against the heirs of John Robley, demanding an equal interest in Betsey's Hope Estate in Tobago but ultimately, in an appeal in the House of Lords, he lost the ruling which maintained that "he was entitled only to a fourth" of the estate, a decision which "prayed on his mind" to such an extent that just two months later he shot himself, "terminat[ing] his existence before he had dressed himself in the morning."¹¹¹ Whether the suicide of Charles Brooke troubled Caroline Robley, William Blake and James Cunningham is impossible to know- perhaps the final court ruling simply cleared up any previous issues- but "the heirs of John Robley and Charles Brooke" appear as claimants together, not as rivals, in the records of the Slavery Compensation Commission.¹¹² Thus, it is clear to see that Caroline Robley did not herself receive all of the compensation money she claimed. Rather, it was privately split with numerous others and we therefore cannot know how much money she individually received on behalf of her children. Regardless, she would certainly not have been able to yield the economic power that initially appears. However, it is notable that wherever the claimants are mentioned Caroline Robley, without exception, is always listed first (explaining why she was classified as a first claimant).¹¹³ It does not appear to have been standard practice to obligatorily list widows first when they were one of multiple claimants, suggesting this was not simply an act of courtesy. Indeed, in the counter-claim submitted by John and Alexander Gordon concerning Betsey's Hope Estate in St Vincent, the slaves are described as being in the "possession of Caroline Robley and other Devisees in trust."¹¹⁴ That Caroline Robley is the only claimant listed here suggests that her influence was significant. The existence of other claimants demonstrates that we cannot simplistically assume that the first claimants yielded all the power, but there is no doubt that Caroline Robley was regarded highly by both her co-claimants and her rivals.

Interestingly, hidden entirely from the Slavery Compensation Commission records are several other of John Robley's children. For Caroline Robley and her children were not John Robley's only family. In 1808 John Robley had moved permanently to Tobago, leaving a pregnant Caroline Robley and her three children well-provided for in London. In Tobago he formed a relationship with Eliza Mackenize, "a free Mulatto woman residing as my

¹¹¹ *The Times*, March 7 1833 p. 2, *The Times*, March 22 1833 p. 6., *The Times*, May 23 1833. p. 3.

¹¹² T71/1067. Claim no. 559.

¹¹³ T71/1415, T71/1416, T71/1264, T71/1064, T71/1315, ADO4/10.

¹¹⁴ T71/1264 Claim no. 64.

housekeeper”¹¹⁵ and with her had six children, two of whom-Phillis Aida and Sybil Robley-survived into adulthood.¹¹⁶ John Robley openly acknowledged his West Indian family in his will: “I give unto Eliza Mackenzie...the sum of two hundred pounds sterling for and during her natural life,” he promised, although this is a noticeably smaller sum than the annuities of £1200 and £200 that Caroline Robley received. This was also providing she did not “live and cohabit with another person:”¹¹⁷ Although they were not married this did not prevent John Robley seeking to control Eliza Mackenzie and in his last codicil he even refers to her as Eliza Robley, indicating how he viewed her. He was also careful to provide for his West Indian children, at no stage questioning their paternity and bequeathing his “natural children” five thousand pounds sterling each. Nevertheless, despite this, they do not appear in the records of the Slave Compensation Commission. Caroline Robley may not have seen her husband in the thirteen years preceding his death but she still received a far more considerable legacy – the house in Russell Square – along with the ability to control the finances of her children-who themselves received far greater legacies than his West Indian children– and, along with William Blake and James Cunningham, the ability to represent John Robley legally. John Robley may have provided for his West Indian family but ultimately whiteness and legitimacy were privileged over his current relationships. However, although John Robley’s West Indian family do not directly appear in the Slavery Compensation Commission records they may still have profited from the compensation awarded to Caroline Robley, William Blake and James Cunningham. This is because James Cunningham had been appointed not only executor and trustee of John Robley’s West Indian estates but also “guardian and trustee of [his] natural daughter Phillis Aida and any other natural child [he] may have.”¹¹⁸

The relationship between John Robley’s two families was a complicated and terse one, the ramifications of which were still being felt almost twenty years after his death. In July 1839 John Horatio Robley, John Robley’s “eldest son and heir-at law,” simultaneously testified against both “the executors and trustees of his father’s will”- including Caroline Robley, William Blake and James Cunningham- and “several legatees and claimants under it,” or more specifically, Phillis Aida and Sybil Robley.¹¹⁹ He was hoping

¹¹⁵ PROB11/1671. Will of John Robley.

¹¹⁶ Smith, *Slavery, Family and Gentry Capitalism*. p. 343.

¹¹⁷ PROB11/1671. Will of John Robley.

¹¹⁸ *Ibid.*

¹¹⁹ *The Times*, July 4th 1839. p. 7.

“for an injunction to restrain the executors and trustees from selling more of the testator’s estates than would be sufficient for satisfying the debt’s of the testator’s uncle, Joseph Robley, and the debts, annuities and legacies of the testator, without including certain annuities and legacies claimed by Phillis Aida Robley and Sybil Robley, except the legacies of £5,000 each admitted to be due to them.”¹²⁰

There is thus no doubt that Phillis Aida and Sybil Robley were recognised by John Robley’s metropolitan family as his ‘natural’ children and thus deserved the money that had been bequeathed to them. However, John Horatio Robley was eager to ensure that they received nothing more than stipulated in John Robley’s will and successfully testified against his own mother and grandfather in order to ensure that this was the case. Lord Langdale ruled that Phillis Aida and Sybil Robley were due “no other legacy” than the £5,000 already accepted to be due to them¹²¹ Thus, it seems unlikely that Phillis Aida and Sybil Robley received any slave compensation: they may have argued that they were entitled to the proceeds of the plantations of Goldsborough and Goodward in Tobago, the last two estates John Robley purchased, but John Horatio Robley argued otherwise, and Lord Langdale agreed.¹²² Indeed, that John Horatio was the principal legatee of John Robley’s West Indian estates suggests that, ultimately, he was probably the beneficiary of the majority of the slave compensation. Caroline Robley may have claimed over £34,000 in compensation but it was her eldest son, rather than herself, who reaped the rewards. This highlights the extent to which women’s control of property was often centred on benefits to the family rather than the individual. Caroline Robley may have played an important, influential and active role in the slave compensation process but it appears that it was her eldest son who ultimately benefitted.

A close examination of these three female slave-owners thus highlights the diversity of their participation in the compensation process: there was certainly no homogenous absentee slave-owning experience, even amongst the relatively small numbers of metropolitan slave-owning women. Dorothy Little, Maria Hawes Ware and Caroline Robley were three very different women: they claimed widely differing amounts; moved in different social circles and interacted with the Slave Compensation Commission in a multiplicity of different ways.

¹²⁰ Ibid.

¹²¹ *The Times*, July 11th 1839. p. 6.

¹²² *The Times*, July 4th 1839. p. 7, *The Times*, July 11th 1839. p. 6.

They certainly did not share a visible and unifying slave-owning identity. Slave-owning women thus variously inherited slaves, bought plantations in their own right and temporarily acquired ownership in preparation for others to ultimately assume control. Women may have been more likely to be smaller scale slave-owners than their male counterparts, but it is abundantly obvious that it is impossible to simplistically categorise the overall female slave-owning experience. Nevertheless, these absentee slave-owning women were, almost exclusively, rentier owners: their property was a source of income but there was no active participation in the trade of goods or financial services with the West Indies.¹²³ It was, in many respects, ‘passive’ property-ownership. However, what makes the compensation process so interesting was that the act of claiming compensation was very much an active one. Women in 1830s Britain may have been encouraged to restrict themselves to a private, domestic sphere but claiming slave compensation was in itself an active avowal of property-ownership. In the records of the Slave Compensation Commission these women, although certainly restricted by social and legal constraints, are visible as independent and autonomous individuals. On the level of lived experience the ramifications of gender ideologies were thus complex and multifaceted.

Concepts of property are inextricably linked with concepts of the person: patterns of property-ownership cannot be separated from methods of control.¹²⁴ Control of female property-ownership in the early-nineteenth century thus formed an important dimension of the maintenance of the traditional gender relations. Indeed, it is immediately obvious that each of the three women I have studied share one extremely important characteristic, they are all widows. Thus, although married women could have some access to property under laws of equity, it is clear that the principle of coverture continued to underpin female property-ownership: the tripartite categorisation of women as single, married or widowed formed the absolute heart of the relationship between women and property.¹²⁵ Indeed, a William Sterling was awarded £122 15s. 6d for four slaves in Jamaica “in right of wife”: his unnamed wife appears to have owned these slaves in her own name, but she had no independent legal right to claim compensation for them.¹²⁶ Yet I have demonstrated that when not constrained by marriage, female property-owners could certainly wield considerable influence, and, like their male counterparts, they were financially rewarded for their loss of ‘slave-property.’ This

¹²³ Draper. *The Price of Emancipation*. p. 143.

¹²⁴ Moore, Henrietta L., *Feminism and Anthropology*. Cambridge: Polity Press, 1988. p. 71.

¹²⁵ Erickson. *Women and Property*. p. 4.

¹²⁶ Draper. *The Price of Emancipation*. p. 192.

is not to say they did not face inherently gendered social, legal and familial restrictions. When John Robley asserted that “a landed estate in Europe...is the grand object of every West India planter”¹²⁷ he was not picturing his wife as the head of this great dynasty but his eldest son: John Robley’s desire to follow primogenitic practices meant that although Caroline Robley appears to be claiming vast amounts of compensation, in practice she was merely claiming it on behalf of the ultimate benefactor, her eldest son. And there is no doubt that many slave-owning women were the beneficiaries of ‘passive property’, which produced just an income. Dorothy Little was an example of such a woman: her ‘slave-property’ produced nothing more than a means of self-sustenance. Yet this was not exclusively the case: Maria Hawes Ware seems to have taken full advantage of the death of her husband to increase his property portfolio by her own means. It is impossible, therefore, to use overarching generalisations to categorise female slave-ownership in the 1830s: the position of women in relation to property was more heterogeneous than statute books would suggest.¹²⁸ The records of the Slave Compensation Commission show the bedrock of the relationship between gender and property, the notion of the male provider and the female dependent, was variously complied with, manipulated, and completely disregarded.

Ultimately, therefore, the diversity of experience enjoyed by slave-owning women demonstrates that it is simply erroneous to speak of gender relations in the 1830s as being characterised by a fixed separation between the private and public spheres, with the former occupied exclusively by women and the latter by men.¹²⁹ The reality was far more complex: actively claiming compensation could in itself be seen as transgressing the boundaries between the supposedly ‘separate spheres’ let alone the submission of astute, politically and economically informed letters, petitions and replications. The two worlds overlapped to such an extent that it is impossible to characterise gender relations in the early-nineteenth century as determined solely by a rigidly-defined separate spheres paradigm. Nevertheless, the significance of the domestic ideology of separate spheres should not be underestimated. As earlier demonstrated, it permeated the prescriptive literature of the time and although this may generally have been didactic as opposed to descriptive¹³⁰ it would be facile to suggest that this had no impact on the perspectives and experiences of ordinary women. There is no

¹²⁷ Robley, John. *A Permanent and Effectual Remedy Suggested For The Evils Under Which The British West Indies Now Labour*: London, 1807. p. 4.

¹²⁸ Colley, Linda. *Britons*. London: Pimlico, 1992. p. 239

¹²⁹ Davidoff, Leonore. ‘The Separation of Home and Work? Landladies and Lodgers in Nineteenth and Twentieth-Century England?’ In Sandra Burman ed. *Fit Work For Women*. London: Croom Helm, 1979. P.93.

¹³⁰ Colley. *Britons*. p. 81.

doubt that slave-owning women were inhibited by the social and legal restrictions placed on them: not only did their marital status fundamentally affect their status as owners of 'slave-property' but be it even the remarkably economically powerful Maria Hawes Ware's reliance on a male witness or Caroline Robley's reliance on male co-claimants, the process of claiming for compensation was inherently gendered. This is equally evident in the way these female slave-owners perceived themselves: the letters of Dorothy Little, for example, illustrate how perceptions of fixed definitions of masculinity and femininity could even be utilised to the slave-owners advantage. Thus, in differing ways Dorothy Little, Maria Hawes and Caroline Robley simultaneously challenged, reinforced and manipulated a domestic ideology of separate spheres in their aim of making good their claims for compensation. It is, of course, important to recognise that these three women are not representative of female slave-owners as a whole: further research into the 397 female absentee first claimants would be necessary in order to reach firmer conclusions. However, my initial research into the complex lives of three very different slave-owning women suggests that in nineteenth century British society gender relations were more complex and unstable than is often appreciated: through the prism of slave compensation it is clear to see that, far from being fixed and immutable, gender relations in the 1830s were being constantly contested.

Appendices

All derived from the Legacies of British Slave-ownership project database. Many thanks to Keith McClelland for providing the data and tables.

Appendix 1

Compensation paid: grouping by claim range: women absentee 1st claimants

Band	No. of claims	% of total claims
A: between £1 and <=£100	101	25.5%
B: between £100 and <=£500	103	26.0%
C: between £500 and <=£1,000	40	10.1%
D: between £1,000 and <=£2,000	51	12.9%
E: between £2,000 and <=£3,000	36	9.1%
F: between £3,000 and <=£4,000	23	5.8%
G: between £4,000 and <=£5,000	9	2.3%
H: between £5,000 and <=£10,000	26	6.6%
I: between £10,000 and <=£15,000	3	0.8%
J: between £15,000 and <=£20,000	3	0.8%
K: >=£20,000	1	0.3%
Total number of claims, all bands:	396	

The total number of claims here is 396; the total number of claims listed in the report showing women 1st claimants is 397. The discrepancy is because 1 claim (British Guiana 6A-K) has no compensation amount in the record.

Appendix 2

Compensation paid: grouping by claim range: men absentee 1st claimants

Band	No. of claims	% of total claims
A: between £1 and <=£100	271	11.1%
B: between £100 and <=£500	395	16.1%
C: between £500 and <=£1,000	190	7.8%
D: between £1,000 and <=£2,000	365	14.9%
E: between £2,000 and <=£3,000	365	14.9%
F: between £3,000 and <=£4,000	286	11.7%
G: between £4,000 and <=£5,000	219	8.9%
H: between £5,000 and <=£10,000	260	10.6%
I: between £10,000 and <=£15,000	57	2.3%
J: between £15,000 and <=£20,000	20	0.8%
K: >=£20,000	21	0.9%
Total number of claims, all bands:	2449	

The total number of claims here is 2,449; the total number of claims listed in the report showing men 1st claimants is 2,453. The discrepancy is because 4 claims had no compensation amount in the record: Barbados 3568A and 3569A; Jamaica Westmoreland 30 and 31.

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T71/1064 Claims and Certificates, Original: Tobago, 1-100.

T71/1067 Claims and Certificates, Original: St. Vincent, 401-600

T71/1260 Counter-Claims: British Guiana, 2383-2655

T71/1264 Counter-Claims: Tobago, 45-274

T71/1304 Adjudications in Contested Cases: Tobago

T71/1329 Certificates for Compensation and Lists of Awards: Jamaica St. James

T71/1351 Certificates for Compensation and Lists of Awards: Tobago and St. Vincent

T71/1402 Parliamentary Return of Awards: Jamaica (Cornwall)

T71/1411 Parliamentary Return of Awards: British Guiana

T71/1415 Parliamentary Return of Awards: Tobago

T71/1416 Parliamentary Return of Awards: St. Vincent

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T71/1607 In-letters, original: Jamaica (Surrey)

T71/1608 In-letters, original: Jamaica (Cornwall and various)

T71/1610 In-letters, original: Guiana, Montserrat, Bermuda, Bahamas, Tobago, St. Vincent

T71/1611 In-letters, original: Trinidad, Barbadoes, Cape of Good Hope.

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