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New Jersey women and their strategies for exerting power in marriage, 1770-1800

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NEW JERSEY WOMEN AND THEIR STRATEGIES FOR EXERTING POWER IN MARRIAGE, 1770-1800

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In recent years, women's history has attempted to document and explore the lives of early American women beyond the traditional role of obedient, passive, and dutiful wife and mother. Historians investigated women's roles in supporting the Revolution, in the political system of the new republic, and in their own "female subculture" where they had power in the home or church. This paper describes individual cases of late eighteenth-century New Jersey women who also do not fit into the established woman's role. I discovered and investigated strategies women used to exert power within their marriages and relationships. The result is a fresh image of early American women that highlights their clever resourcefulness, surprising abilities, and strong personalities.

Most of my sources were prominent newspapers from New Jersey, Pennsylvania, and New York published from 1770 to 1800. I also used popular magazines published in New Jersey to develop an overall sense of the male opinion of a woman's role by reading essays, poems, stories, and other prose written by contemporary men about women and marriage. I relied on secondary sources by historians of early American women, especially Mary Beth Norton, Linda Kerber, and Joan Gunderson for their insight into what marriage meant to women and what it required of them.

> I Sarah Smith, School mistress, the wife of William Smith, take this method to inform the public not to trust or credit the said Smith on my account, for I shall never pay any of his contractions; my living shall go no more after that rate as it did last March to uphold his whores, he abused me, and turned me out of doors; his credit and his living came by me, but he forgot that and lives in adultery; now to get more I will if I can, but I will not trust it to that false man; I nine years have been his wife, tho'he for a widower doth pass, when he meets a suitable lass; for his wicked doings I never more can him abide, nor he never more shall lie by my side.
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> SARAH SMITH.[1]
> Salem County, December 18, 1775.

Sarah Smith was a smart, assertive, witty, colorful woman; she was even an amateur poet. She held a job as a schoolmistress and supported her husband with her earnings. Her husband cheated on her and abused her and she responded by telling the public about his disgraceful actions, she refused to continue in a state of marriage with him, and she denied him financial support. Sarah Smith was not a typical eighteenth-century woman. Most eighteenth-century women in New Jersey lived within a narrow sphere defined by their passive subordination to men, especially their husbands, which was embedded in the framework of early American society.

If a woman was not bound to indentured servitude or slavery then she likely married. A long standing tradition along with the current desires of her husband dictated a woman's role within the household. For most wives, activities centered on household duties, bearing and raising children, cooking, cleaning, spinning, gardening, and tending to the needs of their husband. A woman's duty was to comply with this lifestyle while she upheld a virtuous reputation and the esteem of the men in her life. Yet, an examination of eighteenth-century

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[1] *Pennsylvania Gazette,* December 27, 1775.

newspapers reveals women, such as Sarah Smith, who did not submit to this standard. Discontent with their domestic situation and the desire for a better life led a small group of women to act outside a woman's defined sphere. When faced with a domestic problem, such as an unhappy marriage or a lover who refused to marry them, some resourceful women developed strategies to exert power over their husbands or lovers in order to change their situation. They were unwilling to sacrifice their personal happiness to uphold the ideals of society. This paper presents many new cases of assertive and confident women, uncharacteristic according to most accounts of early New Jersey women.

A large body of scholarship exists that concentrates on women in late eighteenth-century America. Elizabeth Ellet, as early as 1850, wrote on the relationship between women and the American Revolution. She recognized the insufficient documentation on early American females but was able to tell the stories of numerous notable women. Although she concentrated on the elite mothers and wives of generals and statesmen her work is important because it showed how these women understood their experiences as women.[2] Elisabeth Dexter's *Colonial Women of Affairs,* published in 1924, is representative of the "golden age" thesis that dominated historiography of early American women until the late 1970s.[3] The historians that embraced this thesis claimed that a scarcity of women in colonial America created a relatively unrestricted legal and social environment for women. They could enter almost any occupation and enjoyed much more freedom than possible after the Revolution. Thus, historians of the Revolutionary period

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[2] Elizabeth Fries Ellet, *The Women of the American Revolution* (Williamstown, MA: Corner House, 1980).

[3] Elisabeth Anthony Dexter, *Career Women of America: 1776-1840* (Clifton, NJ: Augustus M. Kelley Publishers, 1972).

concluded that the War brought increased societal patriarchy and narrowed women's roles exclusively to the home.[4] Joan Hoff Wilson found that the Revolution denied women of much of the economic authority and professional opportunity present in the colonial period. She recognized that the emergence of the model of Republican Mothers dedicated to raising virtuous citizen-sons, further confined women to the domestic sphere.[5]

Mary Beth Norton and Linda Kerber each wrote influential books in 1980 challenging the idea that a "golden age" of equality existed in pre-Revolutionary America. In *Liberty's Daughters,* Norton concluded that the Revolution provided only a temporary disruption that allowed women to run businesses and farms on their own. In the late eighteenth century, women gained increased autonomy when choosing a mate or leaving a mate, a growing use of contraception, and better educational opportunities. Yet women's work and influence remained strictly in the feminine sphere. Norton found, however, that society for the first time defined what a woman's role was and in turn recognized it as valuable.[6]

In her book, *Women of the Republic,* Kerber concluded that women did gain some status and a broader base of citizenship after the Revolution but only in the patriarchal family structure. In this sense she saw the Revolution as conservative; it failed to provide women with a complete political role that extended outside the home.[7] Joan Gundersen's more recent book pursued a similar theme. She found that women acquired both gains and losses after the Revolution;

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[4] Mary Beth Norton, "The Evolution of White Women's Experience in Early America," *American Historical Review* 89 (1984): 593-594.

[5] Joan Hoff Wilson, "The Illusion of Change: Women and the American Revolution," in *The American Revolution: Explorations in the History of American Radicalism,* ed. Alfred Young (DeKalb: Northern Illinois University Press, 1976), 431.

[6] Mary Beth Norton, *Liberty's Daughters: The Revolutionary Experience of American Women, 1750-1800* (Boston: Little Brown, 1980).

[7] Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980).

women lost any benefits of the political revolution but found improvement from a very real "domestic revolution."[8] Norton and Kerber both discussed the emergence of women in a political context during the Revolution. Women were on the battlefields and in the meeting halls; they boycotted British goods, policed local merchants and raised money for the troops. Many had to choose sides and many expressed political opinions. Norton and Kerber also traced the development of the paradox of Republican Mother, which defined the political role of women in the new Republic, but confined women to the context of the domestic sphere.

Other important theories emerged in the scholarship on American women that relate to the subject of this paper. Nancy Cott described late eighteenth-century women as the first to protest against the male monopoly on power. Christine Stansell concluded that conservatism in the 1790s, due to a worldwide reaction against Jacobinism, crushed the advances initiated for women during the Revolution. She also emphasized the need for more research on the lower classes, slave women, and immigrants. Carroll Smith-Rosenberg's post-structuralist work, which focused on how the language of the late eighteenth century, associated feminine words with negative political and social connotations.[9] Smith-Rosenberg also defined the idea of a woman's sphere in her 1975 analysis of letters written by middle and lower class women. The women's sphere, separate from men's, resembled a female subculture where women had power whether in the home, church, or in rare circumstances at work.[10]

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[8] Joan R. Gundersen, *To Be Useful to the World: Women in Revolutionary America, 1740-1790* (New York: Twayne Publishers, 1996).

[9] Linda Kerber, Nancy Cott, Lynn Hunt, and Carroll Smith-Rosenberg, "Beyond Roles, Beyond Spheres: Thinking About Gender in the Early Republic," *William and Mary Quarterly* Third Series, 46, no. 3 (1989): 567, 569, 570-573, 578.

[10] Manuela Thurner, "Subject to Change: Theories and Paradigms of U.S. Feminist History," *Journal of Women's History* 9, no. 2 (1997): 124.

Recent historians have found complexity and distinction in the lives of different types of eighteenth-century women. In the past, women's history acknowledged the differences among individual women, but relied on similarity among the female gender as a group in order to compare and contrast women and men. In recent years some historians instead have begun to search for irregularity and dissension. I attempted to base my research on what Kathleen Brown calls "new cultural history," one that focuses on minute areas of interaction but is balanced by a larger focus on the big picture.[11] My research also follows what Manuela Thurner defines as the "difference paradigm;" an idea that emphasizes the invalidity of a universal woman and the importance of the many differences among females and their relationships to each other in any historical context.[12] This paper follows the trend by presenting cases where women do not fit into the established idea of proper behavior. I also tried to present my research similar to Elsa Barkley Brown's concept of history. She asserts that history is not clear, isolated, structured, or a simple monologue. She compares defined and ordered history to classical music but feels that history should be more like jazz. Historical study reveals many kinds of "rhythms and voices" and when heard all together and allowed to interact with each other the result is a more complete and complex image of the past. To Brown, history is gumbo ya ya, the simultaneous talking of various people.[13] In this paper I tried to give a voice to individual women with stories that did not fit into the normal description of most eighteenth-century women from New Jersey. To understand what it meant to be a New Jersey woman one must explore their diverse experiences, which include women with marital experiences beyond the norm. My intentions, however, are

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[11] Kathleen M. Brown, "Brave New Worlds: Women's and Gender History," *William and Mary Quarterly* 50, no. 2 (1993): 312-313.

[12] Thurner, 135-137.

[13] Elsa Barkley Brown, "What Has Happened Here: The Politics of Difference in Women's History and Feminist Politics," *Feminist Studies* 18 (1992): 295-302.

not to isolate these women but to allow them to coexist with other early American women in order to provide a more comprehensive image of eighteenth-century New Jersey.

I discovered these women by examining regional newspapers published from 1770 to 1800. In comparison to its neighboring colonies, New Jersey did not publish its own papers until relatively late. Prior to 1777, when *The New Jersey Gazette* first appeared, Jersey residents relied on papers from New York or Philadelphia, which frequently printed news and advertisements from New Jersey. New Jersey's best newspapers of the late eighteenth century consisted of Shepard Kollock's *New Jersey Journal* published from 1779 to 1793 and Isaac Collins' *New Jersey Gazette,* which ran from 1777 to 1786. The principal Jersey magazines included *The New Jersey Magazine* from 1786 to 1787 and *The Christian's Scholar's and Farmer's Magazine* from 1798 to 1791, both published by Shepard Kollock. Printers obtained much of their magazine's content from British books, magazines, pamphlets, and newspapers. Occasionally they borrowed from other American sources.

Early American newspapers enjoyed immense popularity and were of great importance to the populace. Not only did they provide news, they also served as vehicles for debating government issues and for shaping the public and private character. The basic content of eighteenth-century papers included foreign and domestic intelligence, which was mostly political or war-related, as well as short works discussing social, moral, economic, or religious concerns. Printers also published various advertisements, marriage and death notices, and letters from public figures. New Jersey papers offered little local news because such information often spread by word of mouth. Information about individuals outside the public sphere rarely appeared in the text. Women did not make news unless they had a notable husband, died in a curious manner, committed a crime, or performed some extraordinary feat such as giving birth to

triplets. I could scan months of papers without finding anything about an individual woman other than the occasional marriage announcement or obituary. What I did find, back in the sections where subscribers placed notices of runaway slaves, servants, or horses, ran announcements about a deceased person's estate filed by executors and executrixes, or advertised their shops or property for sale, were brief stories about actual women as well as advertisements that women wrote themselves. Those advertisements are the data I used to draw my conclusions.

Many problems and difficulties arise while analyzing newspaper contents. Articles and advertisements were not meant to provide all the information regarding events or lives. Most of the people included in this paper are not documented outside of a short advertisement or quick announcement. One wrote for an audience of close neighbors who knew the names of the people involved and probably had heard gossip surrounding the situation. The researcher usually only gets one side of the story and that must be taken into account while interpreting the advertisements. Few common women could write and one wonders if it was because of the woman's initiative or that of a male friend or relative that women placed advertisements. An illiterate woman could, of course, easily dictate her announcement to an editor or printer.

Women's studies of the eighteenth century tend to focus predominantly on New England, Pennsylvania, New York and to a lesser extent the South. Yet, I found New Jersey to be an ideal colony and state to focus my research on due to both distinct and homogeneous aspects of its eighteenth-century composition. New Jersey did not possess any grand and encompassing themes or patterns to dominate research conclusions. The South had its aristocracy and slavery and New England had Puritanism, with such characteristics making a deep impression on the

history of each region. New Jersey's history is sprinkled with smaller, more limited religious, political, and cultural themes or institutions.[14]

Colonial New Jersey was split into Dutch-influenced East Jersey with strong ties to New York and Quaker-dominated West Jersey, closely tied to Philadelphia. Although legally unified in 1702, the colony's *de facto* divisions endured throughout the eighteenth century.[15] Strong Quaker traditions and ideology remained prevalent among many residents and found thier way into certain laws and practices. The Quakers imposed their strict and conservative view of marriage on many New Jersey residents. Yet Quakers also granted more freedom and independence to women by giving them power and autonomy within the church. This liberal perception of women can be seen in some eighteenth-century New Jersey laws, such as suffrage for female property owners.[16]

The population's cultural backgrounds were not limited to the Dutch of East Jersey and the British Quakers in the West. Puritans, Baptists, Anglicans, Congregationalists, Scotch-Irish Presbyterians, German Lutherans, and a few Irish and German Catholics all inhabited the region.[17] New Jersey was not a melting pot by today's standards. Some intermixing of various nationalities occurred but ethnocentricity was prevalent and homogeneous groups often lived in separate communities where an entire national culture was preserved.

New Jersey's population experienced much unrest and social disturbance. Sectional, religious, ethnic, and economic divisions all led to intense disunity among the population.

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[14] Douglas Greenburg, "The Middle Colonies in Recent American Historiography," *William and Mary Quarterly* 36 no. 3 (1979): 396-397.

[15] Larry R Gerlach, "New Jersey and the Coming of the American Revolution," in *New Jersey in the American Revolution: Political and Social Conflict* (Trenton: New Jersey Historical Commission, 1970), 9.

[16] Carmela Ascolese Karnoutsos, *New Jersey Women: A History of Their Status, Roles, and Images* (Trenton: New Jersey Historical Commission, 1997), 14-15.

[17] Shirley Horner, Sally Minshall, and Jeanne H. Watson, eds., *Ladies at the Crossroads: Eighteenth-Century Women of New Jersey* (Morristown, NJ: Compton Press Inc., 1978), 3-4.

Brendan McConville argues that there was a chronic state of instability throughout the eighteenth century. Long before citizens fought for either the crown or for independence, they violently fought each other in property disputes.[18] Residents also argued over political interests. Politics in early New Jersey was unorganized, decentralized, and driven by both personal ambitions and ethno-religious tensions. Localized New Jersey citizens rarely focused on imperial or inter-colonial affairs.[19] Although there was no strong tradition of rebellious outcry against the British Parliament, residents could not ignore the tempestuous political situation once the Revolutionary War ignited.

For the women of this region, fighting to defend yourself or your property was a part of life. New Jersey felt the horrors of the War particularly vividly. A location between New York and Philadelphia placed New Jersey frequently on the path of both armies. Washington's army wintered in the state three times; each time he sent foraging parties into the surrounding countryside. The British destroyed land and property and abused New Jersey residents to such an extent as to turn the once overwhelmingly neutral population into mostly patriots.[20]

New Jersey had a comparatively homogenous class and demographic composition. Unlike New York, Pennsylvania, or Massachusetts, the population did not grow outward from one city serving as the center of economic, political, and social action. There was no defined urban population. The most densely populated area was along the road between New York and Philadelphia. The majority of families were spread out over fertile farmlands that surrounded

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[18] Brendan McConville, *These Daring Disturbers of the Public Peace: The Struggle for Property and Power in Early New Jersey* (Ithaca: Cornell University Press, 1999).

[19] Gerlach, 12-13.

[20] Robert Hoffman, *The Revolutionary Scene in New Jersey* (New York: The American Historical Company, Inc., 1942).

small but blossoming towns such as Princeton, Elizabeth Town, and Burlington.[21] Around 1770 the entire population was only about 130,000.[22]

New Jersey remained mostly rural throughout the eighteenth century. At least ninety percent of the population was involved with agriculture.[23] The colony had very few urban laborers, merchants, artisans, and professionals because an urban or mercantile population could not compete with Philadelphia and New York. The majority of citizens belonged to a large middle to lower class of yeoman farmers. At the top of the social ladder resided a very small and affluent upper class. The poorer whites consisted of mostly farm laborers and servants. African-American slaves occupied a lower social position above only the marginal runaway slaves and criminals.

With a similar demographic makeup throughout the state, free women of New Jersey shared a similar lifestyle dictated by the duties of wife and mother on a middle class farm. Marriage represented the central aspect of a woman's life; her marital position defined her role in the community. Depending on her marital situation a daughter became a wife, mother, widow, spinster, or maid. Most eighteenth-century women sought to become a wife. Society dictated that women, in general, remain dependent on men. Little economic opportunity existed for single women, who usually had to remain dependent on relatives for support. Marriage brought stability and a more certain future.

The colonies were once a place where women of all classes and social situations, even indentured servants and transported convicts, found husbands due to the desperate shortage of

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[21] Gerlach, 9-10.

[22] Richard P. McCormick, *New Jersey from Colony to State 1609-1789* (Newark: New Jersey Historical Society, 1981), 12.

[23] Ibid., 21.

females in the New World. By the eighteenth century, however, American women no longer benefited from an unbalanced sex ratio. In the 1770s, the female population of most New Jersey counties exceeded that of males in all age groups.[24] Although there was more competition for husbands at the end of the eighteenth century, the majority of women married and remained married for most of their lives.

The major factors contributing to finding a partner, especially among the middle and upper classes, included family income, social status, and connections. Romantic love and affection played an increasing role as the period progressed and the influence of European standards diminished.[25] Throughout the eighteenth century families did play some role in selecting the best match for their offspring but by the end of the century the family's influence was usually limited to approval or disapproval. The Society of Friends required the women's meeting's approval before matrimony. Quakers disowned members who married out of the religion. Unlike the general trend towards increased individual authority in the second half of the century, Quakers stiffened the enforcement of their rules concerning marriage.[26]

Choosing a mate was perhaps a woman's most important decision. The quality of a woman's life depended on her judgment. If her husband turned out to be violent, he threatened her safety. If he was unfaithful, he humiliated her. A poor or lazy husband brought a hard life. Court records and newspapers document adultery, physical abuse, and desertion. Yet, there are diaries, letters, and poems that speak of blissful and loving marriages based on mutual respect.[27] Happily married New Jersey resident, Esther Burr, described the ideal marriage as "a silken cord

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[24] "Message from the Governor to the House of Representatives," *The Pennsylvania Gazette,* November 4, 1772.

[25] Gundersen, 41.

[26] Ibid.

[27] For one such poem see Annis Stockton's ode to her deceased husband in *New Jersey Gazette*, November 21, 1781.

of Mutual Love and Tender sympathy and Affection."[28] Some historians believe that the definition of a wife changed by the turn of the nineteenth century, no longer solely characterized by duty and domestic housewifery but with a new focus on virtue, compassion, and friendship.[29] The ideas and theories surrounding the role of a good wife did turn more emotional and personal but the realities of a patriarchal society remained. Many women still feared marriage in a time when, in theory, they should have been happily anticipating romantic love.

A definite marriage model stood out in the eighteenth-century mindset. A marriage was to be formed through mutual consent. It should be lifelong, monogamous, and society expected the husband to be the head of the family and economic provider and the wife to be the dependent companion.[30] Matrimony operated as a way of governance, because the man supported his wife, he and society as a whole expected her to be fully obedient to him. The title of wife was a public role as much as private one, marriage designated how a woman acted in the community.

A new wife obtained a new legal status as well as a new status in the community. A married woman became a *feme covert*. Her husband literally "covered" her economic and legal identity and she turned all her property over to him. Any wages she earned were his by law. The husband also retained the right to any children. Through marriage a woman lost her legal and public status as an individual, she and her husband became one identity, only he had complete control. As the colony became a state, new laws emerged to give the husband even greater control over his wife's property. This pattern suited the general tendency in the new Republic towards a greater concern with control over assets. Historians have argued that husbands shared

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[28] Carol F. Karlsen and Laurie Crumpacker, eds., *The Journal of Esther Edwards Burr, 1854-1857* (New Haven: Yale University Press, 1984), 265.

[29] Gundersen, 52.

[30] Nancy F. Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge: Harvard University Press, 2000), 3.

financial responsibilities with their wives, but in fact, the man made all the decisions. Unless they were very active in the family tavern or inn or were experienced, widowed executrixes, women remained ignorant of money matters, legal processes, and real estate transactions.[31] New Jersey law, however, required husbands to get their wives' permission before selling property, a law on the books that was seldom practiced. A woman had the possibility of contracting a marriage settlement, which provided some control over the property she brought to the marriage. Widows usually used such a contract to ensure control of their children's inheritance from a prior marriage. Husbands often ignored such contracts and women faced great difficulty getting the them honored.

Once married, a husband and wife obtained a new legal and a new public role, and society meant for the role to be taken seriously. Thus, neither could break the terms of their new status without disrupting the community and its laws.[32] Their role as wife placed women in a limited sphere restricted to the home. Some women disliked this place in society. A feeling of drudgery and boredom frequents the journals and diaries of farmwives. Women felt unhappy not because their work was demanding or difficult, which it often was, but because it was too unvaried. Women spent the day repeating the same labors that occupied their previous days. Men benefited from more varied work in the seasonal tasks of farming. Men also routinely took breaks for business errands or for social activities. The male standard expected women to achieve happiness and pleasure by accomplishing the duties of a "notable wife."[33] In everyday communication women assessed their domestic work with terms like "my humble duties" and

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[31] Norton, *Liberty's Daughters*, 6.
[32] Cott, 11.
[33] Norton, *Liberty's Daughters,* 34.

"my Narrow sphere."[34] They tended not to give their labor much value or significance. Wives prepared meals; produced soap, candles, butter, and cheese; grew herb and vegetable gardens; and did laundry. One of the most time-consuming, exhausting, and dull occupations was spinning wool and flax to make all the clothing for the family. Husbands declared, at least in print, that they wanted their wives to carry out these tasks as well as behaving in a proper manner.

An analysis of men's discourse in contemporary newspapers and magazines reveals an ideological lecturing to women on the importance of duty and submission. Men who publicly lectured on the ideal woman repeatedly used the words reason, virtue, innocence, charm, and prudence when describing their ideal woman. Her duty, another overused word, was to the welfare of her family, the education of her children, and the maintenance of her house. It was the wife's duty to keep her husband content and to avoid unnecessarily upsetting him. As William Livingston suggested, women's homes were to be "the source of their pleasure; and the foundation of their glory."[35]

Essays, poems and anecdotes, especially those aimed at women, frequently centered on marriage. Almanacs almost always included discussions and advice on marriage and etiquette books and marriage manuals imported from England instructed ladies in the duties and obligations of a wife. At church, the minister regularly preached of a wife's duty to obey her husband and to submit to his will and judgement. An overall assessment of the writings in newspapers and magazines reveals that men held a high standard for a wife to live up to. Marriage announcements often described the new bride as having the characteristics of a model

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[34] Quoted in Norton, *Liberty's Daughters,* 38.
[35] Quoted in Karnoutsos, 12.

wife. A typical announcement, like the one for an elite Stockton girl, described Miss Cynthia Stockton as "a young Lady possessed of the Qualifications *essential* to render the Connubial State Happy."[36] Whether the description was true to the woman or not, the ideal wife was a topic of considerable discourse.

Newspaper discussions advised bachelors to seek prudence and well-mannered behavior over physical attraction and even romance when choosing a bride. A sketch titled "The Mental and personal Qualifications of a Wife" declared that a spouse should be "A good person but not perfectly beautiful."[37] Benjamin Franklin warned bachelors against marrying a young woman in his "Letter on Marriage," written in 1745. He argued that a young bride was harder to control. Like many of his contemporaries, Franklin stressed intellect, economic prudence, and obedience over beauty, sexuality, and vitality. An older and thus wiser woman offered superior conversation skills, she was prone to monogamy and higher morals, felt more grateful, and she was more considerate to her husband. To a young bachelor worrying about the effects of gravity and age on an older bride's appearance, Franklin advised, "as in the dark all cats are grey, the Pleasure of corporal Enjoyment with an old Woman is at least equal, and frequently superior; every knack being, by Practice, capable of Improvement."[38]

Men in general did not want women highly educated, worldly, or very attractive. They did not like qualities that gave women a sense of superiority. Females should not exist outside of their private lives at home or the occasional dinner party or spinning circle. This survey of mid-Atlantic publications discovered no published opinion that women should exercise more

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[36] *The Pennsylvania Packet,* January 6, 1772.

[37] *The Burlington Advertiser*, February 22, 1791.

[38] Benjamin Franklin, "A Letter on Marriage," in W. Elliot Brownlee and Mary M. Brownlee, eds., *Women in the American Economy: A Documentary History, 1675 to 1929* (New Haven: Yale University Press, 1976), 88-90.

assertiveness or autonomy. In a time of an American obsession with independence, defending natural rights, and standing up to oppression, writers, poets, ministers, fathers, mothers, husbands, and sons all dictated that a woman cheerfully submit to her marital partner. Society certainly did not encourage women to find methods of actively taking control of their domestic situation. One article on the rules for marital happiness even told wives to not make their husbands uneasy or angry and to accept their faults with a smile.[39] Many historians indicated that the Revolution brought women power in the form of the "Republican Mother" by using her influence over her sons to create virtuous citizens. This "power" biologically belonged to a mother and it existed only through this domestic role. Her new duty conveniently did not upset the established social order in the new land of equality. William Livingston, once governor of New Jersey, dictated that a notable wife found her glory and "happiness in chimney corners." [40]

Outside of the domestic sphere, society did not recognize a woman's ability or authority. Men believed that finding a husband was a woman's only ambition, that in the state of matrimony she found more happiness than was possible in any other state.[41] A fictitious look at what women would do if put in a political sphere and given a female representative legislature determined that the first order of business would be to consider the ways and means to raise the necessary supplies of husbands. The parody imagined a tax for men who remained bachelors too long, allocated funds to relieve distressed maids, and even held lotteries to raise 600,000 husbands. It was commonly assumed that freedom was granted to women through matrimony. [42] Only a few liberal male thinkers disagreed with the standard views on women and marriage.

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[39] *Burlington Advertiser,* June 15, 1790.
[40] Quoted in Norton, *Liberty's Daughters,* 4.
[41] *Christian's Scholar's, and Farmer's Magazine,* June and July 1770, 510.
[42] *Political Intelligencer, and New Jersey Advertiser,* June 15, 1785.

Thomas Paine believed laws stripped women of freedom and independence and they were thus slaves to the judgement of those "who are at once tyrants and their seducers."[43]

Most women tried to uphold the role of the obedient wife and, in general, the roles and experiences did not vary much among women. Housekeeping and childcare dominated the lives of most eighteenth-century New Jersey women. The majority of women maintained existences in local isolation, with limited literacy abilities and political indifference. Both men and women strictly defined and acknowledged gender roles. Both sexes recognized women as inferior. But were women capable of rising out of the sheltered domestic sphere if they had to? Upper class women with substantial education joined men in intellectual and political discussions. Often a woman would run her husband's tavern or inn after he died. Quaker philosophy allowed women to serve as ministers of sorts, traveling to teach and speak across the region.

But in each of these examples of feminine presence in a usually male realm, the women still existed in a domestic framework acceptable to traditional standards. Ladies sat in the parlor and sought to please the men. Widows extended their household duties as a wife to strangers. Ministers exercised a female's duty to set a virtuous example. In each of these examples the woman's chance to rise above the norm came with the help of a source other than her own will. They were indebted to the fathers that provided tutors, to the husbands that willed them the inn, and to the Quaker ideology that allowed them to preach. In the newspapers, one finds a few women put themselves into a position of power and authority and moved outside the domestic sphere. I found three basic contexts through which women were able to assert power. By pressuring a man into marriage, through their actions once they were married, and by using newspapers to manipulate public sympathy. These women did not fit into the traditional model

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[43] Norton, *Liberty's Daughters*, 10.

of a submissive, cheerfully obedient housewife. They were often uneducated, they did not have political motives, and some acted with immoral and vicious intentions, but they had strength and employed creative methods to exert power over their husbands or lovers.

Some women found ways to exert power over male partners before they were actually married in order to force men to marry them. One option, although rare, was to use the legal system. In August of 1770, the *Pennsylvania Gazette* reported on what the printer dubbed "a Cause of a very singular Nature." A young woman, her name was omitted, brought to the Supreme Court of New Jersey a case against a suitor for breach of a promise of marriage. This woman had received a written agreement from a wealthy and married gentleman that after the death of his wife, as long as the young woman remained single, the couple would marry. She declared that she had remained faithful to her married fiancé but when his first wife died she still "lost her marriage."[44] She sued him for 3000 pounds Proclamation money. The article offered no names and it is impossible to determine the winning party or if the couple ever married. This woman, despite the result, was impressive. By waiting for her man, she risked the dreaded life of a spinster. When he did not legitimize their relationship with marriage and he put her virtue in question, she asserted her wants in court. It was a bold move to get her marriage or at least some money to make up for it.

Peter Henry placed an advertisement in *The New Jersey Gazette* announcing that "Catherine Shapher by force obliged me to contract matrimony with her against my will."[45] Clearly, Shapher had enough influence over this man to get him to marry her despite the fact that he considered the union "unlawful." Peter Henry made his objection even more vivid by

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[44] *New Jersey Gazette*, August 2, 1770.
[45] Ibid., February 20, 1782.

announcing that he refused to pay for her expenses and that he never planned to live or bed with her. Although it is impossible to know Shaper's intentions for the marriage, this situation was probably not what she had wanted. Her ability to obtain the legal marriage, however, made her powerful for a woman in the eighteenth century. Catherine Brant experienced similar troubles when she, with the help of her father, forced John Camp into marriage. Camp did not contest the union, but he certainly was not a supportive husband. He announced in the *New York Gazette,* on the same day that she "compel'd him to marry her," that he refused to pay any debts she might contract in his name and forewarned the public not to credit her on his account.[46] Unlike Catherine Shapher's husband, John Camp did provide his bride with a separate maintenance allowance.

Although the newspapers do not say it, Brant and Shapher very possibly used pregnancy as a strategy to get their husbands to marry them. The most successful way for a woman to force a man into marriage was to use pregnancy. It was a powerful weapon that unwed women employed either in the courts or to simply persuade the community, which usually upheld strong Christian values, to force the father into marriage. Popular songs like "Indeed Young Man I Must Deny" implied that sex frequently preceded marriage in the eighteenth century, although it was usually socially acceptable only after a man pledged his intentions to marry a woman. In the song, a young woman described how she resisted her boyfriend's advances until he promised to make her his wife. She then "...thought twas folly to be shy, / And own's I could no more deny."[47] Society and the law, however, did not tolerate bastardy. The fatherless infant was a financial burden as well as a moral burden on the Christian community. It was in the public's

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[46] *The New York Gazette,* July 1, 1771.

[47] Quoted in Carol Berkin and Leslie Horowitz, eds., *Women's Voices, Women's Lives: Documents In Early American History* (Boston: Northeastern University Press, 1998), 17.

best interest to force the couple to marry. Many pregnant women were apprehensive or afraid to blame the father. It was common for committees of respectable women to interrogate the mother and persuade her to reveal the father's name.[48]

Poems and anecdotes printed in the pages of magazines warned bachelors about the consequences of premarital sex. One epigram describes a young man who does not want to marry but if he must then his wife will be "lively and quick." Only a fortnight later the man married a woman who was neither pretty nor well tempered. She was, however, quick because "in six weeks – she brought forth a child." [49] Often the father only resentfully entered the required marriage. One New Jersey man secretly left town to avoid a court appearance to answer a charge of bastardy.[50] Another man, William Smith of Middlesex County, conducted a thorough investigation into the premarital chastity of Elizabeth Stone before consenting to marriage forced upon him as a result of her pregnancy. After his efforts to find another man who had also had "carnal Knowledge of the Body of the said Elizabeth Stone" revealed nothing, Smith resorted to bribery. He approached Reuben Randolph with a proposition: "that if you swear, or fetch any Man that will swear, that they ever had to do with the said Elizabeth Stone...[he] would give the said Randolph one of the best Cows in his Yard."[51] William Smith did not want to get married. One can appreciate just how powerful the threat of pregnancy was to an unmarried man.

An unmarried woman who engaged in sexual activities without marrying her partner significantly reduced her chances for a good marriage or any marriage. For a single, pregnant

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[48] Ibid., 51.
[49] *Political Intelligencier and New Jersey Advertiser,* June 22, 1785.
[50] *Pennsylvania Gazette,* May 30, 1771.
[51] *The New York Journal,* April 30, 1772.

woman, marriage was especially pertinent. Because the charge of bastary was so serious women could manipulate it into power over single men. Some women used the social penalties against premarital sex to obtain a marriage to a man more desirable that the actual father of her child. I found two examples of women who trapped a man who was not the actual father into marriage. Their stories are documented because these two women were caught. One example is found in a newspaper notice placed by Cornelius VanHorn in 1785. A woman had sworn under oath that she was pregnant and that the father was VanHorn. He was arrested and married her "to avoid further costs." His advertisement announced that his wife had lied in her testimony. He claimed that he was not the father of his new bride's baby and he thus refuses to live with her or pay her debts.

The other case of a woman manipulating marriage is also the only example I found, which illustrates the difficulties of obtaining a colonial divorce in New Jersey. In 1771, the New Jersey Legislature passed a private divorce act that provides a summary of the case's details. To obtain a marriage to David Baxter, Margaret MacMurtry swore in an affidavit that she was carrying Baxter's child. The affidavit along with Margaret's continued harassment compelled Baxter to agree to marriage. Six days after the wedding Margaret gave birth to a mulatto child and Baxter used the child's race as evidence to secure a divorce. A public hearing determined that because both Baxter and Margaret were white and the child was a mulatto; Baxter therefore could not have been the father and the legislature dissolved the marriage.[52] Unfortunately for David Baxter, in 1773, King George III disallowed his divorce act and the couple remained legally married. Although it is impossible to find evidence, custom dictates that Baxter probably

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[52] William Nelson, ed., *The New Jersey Archives,* vol. V, *Laws of the Royal Colony* (Paterson, NJ: The Press Printing and Publishing Co., 1900), 168.

abandoned his wife.

Even if both partners mutually consented to a marriage, the life of a dutiful wife did not ensure happiness. Elizabeth Graeme Ferguson consoled a friend whose daughter had died by reminding her that death spared the child from having to marry. She said marriage was "hard and painful even with a kind and tender partner; but if it is our fate to be connected with A Tyrant, it is then a temporary Hell."[53] If a woman was unhappy she could exert power over her husband through her actions. Her strategy could be to simply annoy her husband with aggravating behavior. The wife of a subscriber, with the initials A.P.P, took up snuff. He complained in a letter to the editor how after over a decade of marriage his wife just recently took up the habit and although he found it "disgustful," she refused "to deny herself and please her husband."[54]

Some women took more serious actions by not fulfilling their wifely obligations or by spending excess amounts of their husband's money. These women appear in newspapers because their husbands were frustrated enough to deny any financial obligation to their wives through advertisements. The familiar phrase, "this is therefore to forewarn any person or persons from trusting her on my account, as I will not pay debts of her contracting from this date," denies the wife any financial liberty.[55] The newspapers I analyzed contain eight examples of men in New Jersey publicly expressing that their wives misbehaved from 1770 to 1779. In four cases, the subscriber gave no specific reason for punishing his wife other than "misbehavior." Two cases cite her spending having run him into debt and one man declared that his wife has "not

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[53] Norton, *Liberty's Daughters,* 44.
[54] *Christian's, Scholar's, and Farmers Magazine,* April and May, 1790.
[55] *Pennsylvania Gazette,* November 3, 1784.

acted the part of a dutiful wife."[56] Another man complained that his wife went out at night with another man. He went to find her at nine o'clock but when he demanded that she come home, she refused to return until she was ready.[57] In the years following 1779, no examples of men relieving themselves of any obligation to their wives' spending were found. This consequence probably resulted from the interruptions of war, along with stricter regulations of a man's responsibility to his wife. Husbands found it more difficult to punish their wives for the vague misdemeanors such as behaving "in a very disorderly and unbecoming manner."[58]

A discontented wife could neglect her wifely duties or she might find a means to separate from her husband. Unhappy marriages were common but divorce and even separation were uncommon. Thomas Paine estimated that only one in a hundred marriages "bore any relation to freedom or common sense." He believed that couples resorted to using revenge to double each other's misery because they did not possess the ability to end their relationships.[59] Divorce in the colonial and the early republic periods in New Jersey, as well as all the other colonies, was almost impossible to achieve. In colonial New Jersey, a couple needed a private bill passed by the state legislature granting them an absolute divorce. Both the governor and the Crown then had to approve the bill. Only those with wealth and political finesse could even attempt the endeavor. Residents throughout the colonies collectively filed a very small number of divorce bills and the British Privy Council abruptly rejected almost all.[60] Increased pressure for divorce proceedings occurred in the 1770s.[61] In 1772, George III responded by ordering governors not

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[56] *Pennsylvania Packet,* December 21, 1774.
[57] *New Jersey Journal,* June 8, 1779.
[58] *New Jersey Gazette*, February 18, 1771.
[59] Norma Basch, *Framing the American Divorce From the Revolutionary Generation to the Victorians* (Berkeley: University of California Press, 1999), 32.
[60] Ibid., 22.
[61] Gundersen, 49.

to approve private divorce bills. A proclamation from the New Jersey governor William Franklin appeared in the *Pennsylvania Packet* in 1773, which stated that the King declared a royal disallowance of certain acts passed by the New Jersey Legislature. One was an act to dissolve the marriage of David Baxter and his wife Margaret although they had succeeded in getting their bill passed by the New Jersey Legislature.[62]

After the Revolution, the new state created new divorce laws. Demand for divorce increased throughout the nation, especially from women.[63] Kerber attributes this rise to women's growing expectations for marriages involving affection and companionship as well as society's increasing intolerance of adultery and bigamy caused by the new republican virtue.[64] It is impossible to determine a divorce rate for New Jersey before 1840 and newspapers do not provide a large enough sample of legislative or court derived divorces to estimate an increase. A list of acts passed by the New Jersey Legislature in 1779 revealed two successful private divorce acts.[65] The war had not yet ended and the New Jersey Legislature had passed divorce bills in the past so this sample is not especially revealing. In the end, divorce remained as difficult to attain in the new nation as in the colonial period, despite a greater desire to attain it.

An unhappy couple also could seek a legal separation or a separate maintenance and property settlement through equity courts. No recognized common law divorce existed as with common law marriage. Some discontented spouses resorted to other extralegal alternatives. Often couples skipped expensive legal procedures and negotiated their own separation. Husbands provided the wife with support if she was blameless. In 1770, Benjamin and Ann

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[62] *Pennsylvania Packet,* January 3, 1774.
[63] Basch, 30.
[64] Kerber, *Women of the Republic,* 50-51.
[65] *New Jersey Gazette,* December 29, 1779.

Hetfield of Elizabeth Town publicly announced that they "mutually consented" to live separately. He provided Ann and their two children with a maintenance fee but renounced any responsibility for her debts.[66] Eleanor Miller also received a separate maintenance when she separated from her husband.[67] When Margaret Hand and her husband Ovid separated, she received "an equal division of their property."[68] Men placed all the advertisements I found announcing mutual separation. The main reason husbands printed these notices was to protect themselves from the responsibility of their wives' spending. In over half of the examples, men placed the advertisements a significant time after the actual separation. Ovid and Margaret Hand separated two years prior to his ad's publication. Husbands determined not to let their wives live beyond the allowance provided.

These women were lucky because they received financial support. Men had absolute control over their families's finances and a better ability to earn income. Women who eloped from their husbands legally did not have a right to his property. In eighteenth-century terminology, elopement often meant simply abandoning one's spouse. If a woman did not have a separation agreement, any income she earned could be claimed later by her husband. She lived with an uncertain social status somewhere in-between married and single. Not all women, however, became entirely independent. Notices of a wife's desertion often state that she left with a man other than her husband or that she returned to her father's house. Many women also took money or valuables from their husbands. Yet women who abandoned their husbands likely faced hard work, difficult situations, and financial instability. Women relied so heavily on their

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[66] *New York Gazette,* April 30, 1770.
[67] *New Jersey Gazette,* March 13, 1782.
[68] Ibid., December 26, 1781.

husbands for even the basic needs of food and shelter that a miserable marriage was usually more appealing than the difficult life of an independent woman having to provide for her children

The eighteenth century was a time when separation, especially initiated by a woman, was a last alternative and generally a social taboo. The lower classes more commonly used elopement as a solution for marital dissatisfaction. The upper classes required legality to achieve respectability but very few respectable citizens sought the option of a legal divorce.[69] Reverend John Witherspoon, President of Princeton Collage, in effect refused to acknowledge the existence of elopement because he felt that unhappy marriages should be endured. In a series of three letters on marriage to the *Pennsylvania Magazine,* Witherspoon refers to elopement in only one sentence: "the truth is, elopements in general are things of an eccentric nature; and when I hear of one, I seldom make any further inquiry after the felicity of the parties."[70]

Witherspoon and other New Jersey residents often learned about an elopement in the newspaper. Husbands, and in rare instances wives, often announced their spouses' desertion in elopement advertisements. Elopement advertisements appeared rather infrequently in late eighteenth-century New Jersey newspapers. Rarely more than one instance of elopement appears per issue, even when the publication circulated through two states. Runaway slave and indentured servant notices ran more regularly. A typical elopement announcement read: "WHEREAS my wife Hannah hath eloped from my bed and board; these are therefore to forewarn all persons from trusting her on my account, as I am determined to pay no debts of her contracting after this date."[71] The authors of these advertisements typically announced desertion

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[69] Gundersen, 120.

[70] Edward S. Fody, "John Witherspoon, Advisor to the Lovelorn," *Proceedings of the New Jersey Historical Society* 84 (1966): 247.

[71] *New Jersey Gazette,* April 13, 1795.

of a wife, refused responsibility for her debts, accused her of adultery, or threatened to prosecute any persons who harbored her. New Jersey advertisements did not indicate specific reasons why a woman absconded except in rare cases that provided the details of an extramarital affair or the name of a lover harboring her.

Herman Lantz and his associates projected a rise in early America's marital incompatibility based on an analysis of newspaper ads and divorce petitions, and by taking into account urbanization and industrialization. In New Jersey, he found a marital incompatibility rate of .00 per thousand persons for the years 1770 to 1779. The rate increased to .03 in the next decade and jumped to .07 from 1790-1799.[72] I found contrasting data in the 59 instances of men from New Jersey announcing the elopement of their wives, which I gathered from newspapers dating from 1770 to 1800. My research showed that men placed 38 advertisements in the 1770s, 14 in the 1780s, and 7 in the 1790s. A clear decrease occurred in the public announcement of marital conflict towards the end of the century. When I divided the sample into three periods dividing the Revolutionary War, the data revealed that the number of elopements declined significantly during the war and dropped ever further after the war. The period before the Revolutionary War, 1770 to 1775, contained 25 advertisements: the main war period, 1776 to 1783, 21 notices: and from the post-war period, 1784 to 1800, 13 advertisements. These figures average out to a rate of 4.167 advertisements per year in the pre-war period, 2.625 per year during the war, and .765 per year after the war through 1800. Perhaps the distractions of war added to the general tendency towards a decreasing amount of elopement advertisements placed in New Jersey. The advertisements, however, measure only those elopements that men chose to

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[72] Herman Lantz, Raymond Schmitt, Margaret Bruttons, and Eloise C. Snyder, "Pre-Industrial Patterns in the Colonial Family in America: A Content Analysis of Colonial Magazines," *American Sociological Review* 33 (1968): 21.

publicize and one must also consider the disruptions of war and the seriousness of printing an advertisement.

Men placed most elopement advertisements. I discovered only three women who independently placed an advertisement without the husband advertising one first. Both Lantz and I found that women placed less than 5% of elopement notices.[73] One should not assume that New Jersey women abandoned their husbands more often than men left their wives; men actually eloped more frequently. Women usually did not have the need or desire to place an elopement notice. For an analysis of elopement notices placed by men, I divided the contents of the advertisements into three categories regarding the husband's reasons for placing the announcement: advertisements in which the author alluded to economic intentions, advertisements that blamed the spouse for the failed marriage or argue the author's innocence, and advertisements that included an effort to get the wife back.

A man's foremost objective for placing an advertisement was to protect himself from debts his wife might charge to his name. He used the advertisements as a financial tool. I determined an advertisement to have economic connotations if it contained a statement that the subscriber refused to pay his wife's debts, that he believed she intended to purposely run him into debt, or that she unlawfully left with his property. A husband referred to economics or property in 90% of advertisements from the entire period. All of the pre-war ads, 67% of the advertisements during the war, and 77% of the post-war advertisements had economic intentions. Financial matters remained an important concern among men who publicly announced their wives' abandonment and one can not assume any real change in the importance men attached to it during the entire period. It is interesting to note, however, that the number of advertisements

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[73] Ibid., 16.

that mentioned the woman dishonestly taking her husband's property jumped to 43% during the war as compared to 16% before the war and only 7% afterwards. Perhaps this circumstance can be attributed to the women's financial desperation during a period of high inflation as well as losses suffered from looting and stealing.

The proportion of advertisements which stated that the woman was at fault for the failed marriage remained consistently slightly above 50% throughout each period. Advertisements fell into this category if they contained a general statement that the woman left without just cause or a statement that said she misbehaved. I also included notices in which a man accused his wife of drunkenness, adultery, neglecting domestic duties, or refusing to come home. One could claim, however, that all the advertisements allude to blaming the woman by simply announcing her elopement. Yet the fact that only 50% exploited the publicity of a newspaper advertisement to acquire community support suggests that not all women were at fault. These advertisements are limited in what they can reveal about marital relations. It is impossible to determine if a woman was truly guilty of the offenses that her husband charged. One also must take into account possible abuses that her husband chose not to include in the advertisement.

Men did effectively use the public arena to defend their innocence. David Sturge, of Morristown, declared that his wife eloped for no other reason than "my verbally reproving her for whoring with one David Parker, a very vicious fellow."[74] In many of the cases, advertisements also served as a channel for the subscriber to vent his anger, elicit public sympathy and vengefully damage his wife's reputation. William Willis poetically asked in the first of two advertisements he placed, "So basely from me she has fled, / Who then can blame me

[74] *New Jersey Journal,* May 4, 1779.

now?"[75] In his second advertisement two weeks later, Willis published an affidavit from a witness who saw Willis's wife Betsey leave with a man, James Shotwell, in order to prove that Shotwell lied when he denied aiding Betsey's elopement. Willis's intention was for "the public to...judge with what propriety [Shotwell] denies the fact, and whether I published a falsehood in my former advertisement."[76]

I concluded that the husband made an effort to induce or force his wife to return to the marriage if the advertisement stated a desire for her to come back, an apology, a reward for her discovery, or a physical description of her. Before the war, 16% of the advertisements and after the war, 15% of the advertisements, made an attempt to bring the wife back. During the war, the advertisements showed only one effort to reunite. From 1770 to 1775, the vast majority of these advertisements expressed a desire to force a return and only one apology occurred. In the post-war period, no men made an effort to obtain a wife against her will; husbands only offered apologies. One might deduce that the republican ideology extended to prevent a husband from keeping his wife in an undesirable relationship against her will. Both Locke's and Montesquieu's ideas often paralleled marital separation with the right to break an unjust "contract" between a ruler and his people. Thus republicans could not justify a marriage held together by force.[77]

Whether made for immoral reasons or out of desperation, leaving their husbands gave women power by actively changing their situation. The women whose husbands printed public apologies derived even more power when she and the public knew he admitted fault and wanted her back. She had a choice of either remaining independent of her husband or to return to him with the prospect of an improved situation. A month after placing an elopement notice, James

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[75] Ibid., June 8, 1779.
[76] Ibid., June 22, 1779.
[77] Gundersen, 173.

Elwell stated that he was "very sorry for advertising my wife, it being done through the Heat of Passion and Inconsideration, which I now retract."[78] In a notice of his wife's elopement, Davis Carslack of Burlington pleaded, "if she returns to me she shall have the best of usage, and all former differences shall be buried in utter oblivion."[79]

Analyzing some of the more revealing elopement advertisements provides an insight into the risks that some women took. It is important not to judge the morality of their actions but rather to perceive the example they provide of courageous determination that is contrary to the role traditionally assigned to women. When a woman left her husband she abandoned all her resources. She faced an uncertain existence and considerable risk. Abandoning her family likely meant public ostracism and embarrassment, especially if the husband publicized an attack against her in an elopement advertisement. Most women did not perceive elopement as a welcome option but rather as a desperate one. Many of these women jumped at the opportunity to receive help and support from family, friends, and lovers. Some felt it was a life or death situation.

In a series of ads, Thomas Elton from Burlington County, New Jersey, described the injustices that his wife and John Alcott committed against him. Thomas Elton's brother Ruel originally placed a notice offering a forty-shilling reward for Alcott, a flatman, who took loads of wood to Philadelphia to sell for the Eltons, but ran off with the profits. The report also stated that Margaret Elton, wife of Thomas Elton, went with Alcott. Ruel described both runaways and hypothesized that they headed towards Baltimore.[80] About one week later Thomas Elton placed his own advertisement in a different newspaper announcing Margaret's desertion and that she

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[78] *Pennsylvania Gazette,* November 18, 1773.
[79] Ibid., November 20, 1776.
[80] *Pennsylvania Chronicle,* April 29, 1771.

took some of his money and property with her. He offered a five-pound reward to anyone who secured both Margaret and Alcott in a jail. The tone and content of Elton's advertisement suggest that he was more concerned about recovering his money from Alcott and household goods from his wife than he was upset about her abandoning him. He provided a vivid description of Margaret including details such as a small cross-shaped scar under her right nostril, that she wore large silver buckles on her shoes, and that she was very fond of singing.[81]

A third advertisement appeared four months later. Margaret had since returned to Burlington, although she did not arrive with the goods or clothes she stole. Elton placed this advertisement to deny responsibility for her debts, alleging that she displayed "extreme ill behaviour" because she continued "in a state of not being reconciled to her husband," and abandoned their one-year-old child. Again, the advertisement serves a primarily economic purpose, although he appeared more angered by Margaret's actions and perhaps wanted to elicit public sympathy. He offered a reward to anyone who returned the goods or clothes belonging to him and a reward for apprehending John Alcott.[82]

Margaret Elton ran away from life with a man wealthy enough to buy her nice clothes, a large pair of silver buckles for her shoes, and to offer various rewards in his advertisements. Her husband could afford to hire a flatman to transport and sell his products. She left the financially stable father of her child for the dishonest man working for him. She must have been considerably unhappy in her marriage. When Margaret separated from Alcott and returned empty-handed to Burlington she did not crawl back to her husband. In a world where wealth and status were highly important and virtue in a woman meant even more, Margaret's bold move

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[81] *Pennsylvania Gazette,* May 9, 1771.
[82] Ibid., September 12, 1771.

showed her determination to remove herself from an undesirable situation.

Eleanor Butler also left her respectable husband and ran away with an indentured servant boy seventeen years younger than her.[83] It is impossible to know if she simply used the boy as a traveling partner or if they planned to live together. Sarah Huggans of Salem County ran away with a man that her husband claimed was a known "villain" who "has ruined several families before." Not only did she leave her husband but she also left seven small children and what her husband described as "a good living."[84] The women who left their communities clearly sought new lives and were able to break from their husbands. Although she initially left town with Alcott, Margaret Elton returned and lived independently in the same community as her husband. A woman who remained within the same community and circles as her husband faced a public that knew she eloped, heard gossip regarding the situation, and read her husband's accusations and insults in the newspaper. Thomas Elton probably successfully swayed the public to sympathize with him by placing numerous advertisements that described the situation of his wife's elopement. Many women chose to fight back and defend themselves to the members of their community.

Eighteenth-century newspapers provide interesting examples of women who used the publicity of newspapers to elicit sympathy and to evoke power. They defended their honor, their financial security, and their basic rights in a world where they had very little legal power and received little attention. Men, undeniably, dominated the print medium and vocalized their power over women much more frequently than women in essays, poems, and advertisements.[85]

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[83] *Pennsylvania Gazette,* August 8, 1771.

[84] Ibid., August 10, 1785.

[85] For a general study on references to power exerted by men and women in their relationships see Lantz, 413-426.

For a woman to exert power through print was much less acceptable. Women who took the initiative to present their situations or their opinions to the public knew that they would be critically judged, so they developed strategies that hid their intentions and presented their case in a framework acceptable for women. One strategy was to claim their husbands committed offences, sometimes criminal, against them and that they were innocent victims. Another method was to beg for sympathy rather than assertively demand their rights. A third strategy was to frame their argument around concerns that especially appeal to men. Some women employed a fourth strategy, to publicize their financial control over their husbands and thus imply that they have the authority to leave. By using these methods, some women transformed a situation where one woman would be hopelessly powerless into one where she derived power from presenting her story to the public in a context where she could not be denied her sought-after authority.

Newspapers were definitely male dominated, therefore, some women chose to get men to run notices for them. When John Wilmut attempted to deny the widow Margaret Tree of her right to remarry, she fought back by allying herself with the printer of *The New Jersey Gazette* in order to defend her virtue to the community. On February 14, 1781 John Wilmut placed an interesting announcement warning all persons not to marry the widow Tall until she fulfilled chapter 16 of Ezekiel verses 35 to 41 in penance for "breaking the covenant of grace."[86] Incidentally, either the printer or Wilmut misspelled Mrs. Tree's name. Practically everyone at his time knew the content of Ezekiel either by memory or they had easy access to the family Bible. The verses that Wilmut mentions repeatedly refer to prostitution, promiscuity, and adultery. Clearly this statement was a serious attack on the widow's virtue.

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[86] *New Jersey Gazette,* February 14, 1781.

Wilmut used the Bible as his weapon to sway the public and Mrs. Tree responded by eliciting a respected citizen's testimony to her honorable and untarnished reputation. A week after the publication of Wilmut's announcement the printer of the *Gazette* included an apology to both Mrs. Tree and his readership for printing the offensive material. He alluded to "incontestable evidence" proving her to be "a gentlewoman of unblemished character, and whose life and conversation have always been exemplary and amiable." He claimed that he would not have printed the advertisement if he had known of Wilmut's intentions to harm the widow's good name.[87] The printer's apology was convincing and in hindsight Wilmut appears foolish. Through the newspaper, Tree managed to salvage her reputation and the chance to remarry despite living in a time when a woman's virtue was easily damaged.

Another woman elicited the help of her male neighbors to present her side of a property dispute with her husband. This letter to the publisher of *Rivington's New York Gazetteer* also displays how much one spouse's story can differ from the other spouse's version. The paper published Paul Vandervoort's elopement advertisement two weeks earlier, warning all persons not to credit his wife Anna. Some of the Vandervoorts's male neighbors in Matewan, New Jersey responded to the advertisement in a long letter to Mr. Rivington describing the actual situation surrounding the elopement. They highlighted all the injustices Anna suffered, including how Paul and his father had tricked her into the marriage. They described Anna's unblemished character and her sizeable wealth as executrix to her former husband's large estate.

The letter described the abuses Paul Vandervoort exerted on Anna's family. Paul abused his right to her property, he refused to let her sons, the true heirs, take over the family business, and he failed to provide Anna and her children enough money for basic necessities. When the

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[87],Ibid., February 28, 1781.

eldest son came of age to inherit the farm, his stepfather fought the inheritance in court. As a result of the case Anna received her dower payment from her first marriage. A dower was the inheritance a widow receives at her husband's death. She understandably refused to hand it over to Paul when he demanded it. Paul responded by taking all the goods and property from the farm to his father's home and left the mother and children without even a bite to eat.[88]

The letter shows how the public could easily have been misinformed about Anna's behavior. The authors believed the public would assume Anna was in the wrong so they felt impelled to "inform the public of his proceedings." They did not ask that action be taken to resolve the situation only that the truth be printed. This example also reveals the kinds of circumstances in which the public tolerated elopement. Although they wrote in defense of Anna, the authors emphasized that the economic injustices hurt her sons. The male public sympathized more with sons denied their rightful inheritance than with a woman who kept her dower from her current husband.

The Vandervoorts' example show elopement advertisements and notices placed by men that questioning a woman's character could considerably sway public opinion in favor of the husband. Women attempting to defend their reputations and appeal to the judgement of the public without the aid of influential men had a more difficult time presenting their stories to the male readership. Most women would not have been able to acquire so much space in a newspaper as the long letter to the printer that the Vandervoorts' neighbors had published. Women had to settle with placing their own advertisements. Women presented their cases by placing advertisements in three basic forms: advertisements announcing their husband's elopement, advertisements announcing that they intentioned to leave their husbands and

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[88] *Rivington's Yew York Gazetteer,* December 2, 1773.

justifying why, and retaliation advertisements that responded to an notce placed by their husbands. I found only one example in which a woman announced the elopement of her husband and two cases of women who notified the public of their intentions to elope. The most common form used by women seeking public sympathy was the retaliation advertisement.

I discovered six cases of female retaliation to their husband's advertisements spanning the years 1775 to 1784. Most men placed elopement notices for economic purposes, but the women retaliated to defend their public reputation. Once a man published an elopement notice, the community, as Mary Decamps acknowledged in her retaliation, would "naturally be led to conclude that she had in some respect or other misbehaved to her said husband."[89] Yet, if the public knew her husband wronged her, that she did not "behave in a very unbecoming manner" they were more likely to accept her as an independent member of the community or approve of a remarriage. These women exerted power over their husbands in both their private domestic sphere when they eloped and in the public sphere through persuasive and often stinging newspaper notices.

Those who took the initiative to present their situations to the public knew that they would be critically judged so they developed strategies that hid their intentions and presented their case in a framework acceptable of women. The community, especially outspoken male community leaders, did not generally tolerate women who left their husbands. These methods serve to justify the women's actions as well as sway public opinion. Women placing advertisements sometimes used the strategy of alleging that they were ideal wives and that their husbands were actually in the wrong. Sarah Smith placed a notice in 1775, warning the public that she would no longer pay her husband William's debts. She said that she worked as a

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[89] *New Jersey Journal,* March 2, 1775.

schoolmistress and earned the family's income, which her husband used to pay for his expenses as well as to "uphold his whores." Like many of the men documented earlier, Sarah Smith used her economic domination within the relationship to punish her husband by denying him funds. She alleged that, " I nine years have been his wife, tho' he for a widower doth pass, when he meets a suitable lass." Along with adultery she accused him of abuse and "kicking her out of doors."[90] Sarah Smith presented herself as the dutiful wife who even went the extra step to financially support her husband. She portrayed William as completely in the wrong.

Sarah Smith had an advantage over most women in unsound marriages; she was employed as a schoolmistress. She not only earned an income, but unlike most women, also knew how to manage her money. The advertisement expressed her intelligence because the prose cleverly turned into rhyming verse. Smith was a motivated and competent woman. She used a witty and memorable advertisement to persuade the public that she deserved control of her income and the right to leave her husband. Colonial law dictated that without a legal divorce a husband retained the right to his wife's wages. Smith may have been able to convince her community that William was such a wretched husband that she should keep her money and independence.

Hannah Gardner wrote a retaliation advertisement to her husband's elopement notice. She used tactics similar to Sarah Smith by presenting her husband as having been at fault. In his advertisement, Gardner's husband accused her of "lewd practices" and "bedding with another woman's husband."[91] She responded with a matter-of-fact statement recounting her side of the story. She claimed he had left her and their five children, that he committed adultery, and that he

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[90] *Pennsylvania Gazette*, December 27, 1775.
[91] *New Jersey Journal*, April 13, 1779.

was "addicted to vice." At this point the public would probably not be able to determine who was in the wrong; it was his word against her word. But Hannah also offers a thirty-dollar reward to anyone who put him in jail so that she could demand a separation compensation from him. Such a powerful statement revealed her sincerity to the community. This example is the only case I found in which a woman asserted herself so fervently with the audacity to offer a reward for securing her husband. By doing so, Gardner established that she was willing to defend the validity of her version of the elopement.

Hannah Gardner brought the authority of the law and severity of its implications to the mind of the reader when she asked the community to help her secure her husband in jail. Using a legal framework, by claiming that their husbands broke the law or acted in a criminal manner, was another strategy women used to evoke power in print. When Elizabeth Elliot's husband abandoned her she also used references to the law to obtain public support and charged her husband with an even more serious offence than failing to support her family. Elliot placed an advertisement publicizing her situation a year after her husband Joseph eloped from her and their five young children. In 1783, she told the readers of *The Pennsylvania Gazette* that since his elopement, creditors had seized their property and she and the children were left to suffer. She described how a month ago, she took her suckling baby from their home in Cumberland County, New Jersey to her husband in Philadelphia. "But alas! he being lost to every sentiment of honour, discretion and human feelings, beat me unmercifully, telling me he intended immediate marriage to the widow of Peter Hanbest," with whom he lived at the time.[92] Not only did Elliot publicize a story of abuse and adultery that put her husband solely in the wrong, she went on in the advertisement to inform the entire readership, as well as making a point to tell "all ministers,

[92] *Pennsylvania Gazette,* July 30, 1783.

magistrates, &c.," that by marrying the widow Joseph would commit bigamy and should be prosecuted. [93]

There is no way to know if she exaggerated the story and her husband did not openly defend his case. Who was in the wrong is not significant. What is important is that Elliot derived authority over her husband. As an individual woman she had little power to force her husband to return, but she transformed the private struggle between a husband and wife into a situation where she gained power through the sympathy and support of the public and the pressure of a rigid law. Unable to prosecute her husband herself, she used the existing and unquestionable legal framework against bigamy and placed it in the pubic arena. Instead of a judge, she let the community pass judgement.

Another strategy that women used was to beg for sympathy instead of demanding public support in order to appear more passive and feminine. If a woman portrayed herself as desperate and victimized then she did not appear to be aggressively exerting power through public statements. Ann Hudson of Cumberland County used this strategy in her retaliation advertisement. Ann Hudson eloped from her husband Obed. He placed a short notice to alert the public that he would not pay her debts since she "refused to return to her duty, though often solicited."[94] Hudson responded with a well-written, calm, and collected advertisement that portrayed her as the innocent victim. Her announcement states that she did not want to, but civic duty required her to print this notice, "however disagreeably, in order that an impartial public may be acquainted with the grounds of that separation, ...and thereby be induced, not to entertain any unfavourable impressions of a truly unfortunate woman."[95]

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[93] Ibid.
[94] *Pennsylvania Gazette,* November 3, 1784.
[95] Ibid., November 17, 1784.

The advertisement described how her husband physically abused her, locked her and her children in a room, and threatened to set fire to the house. Society usually did not tolerate severe domestic violence and wife abuse, although some abuse was usually acceptable. In extreme instances of mistreatment abusive husbands were brought to trial.[96] Rare instances of extralegal, community involvement also helped to deter abuse. Some men in New Brunswick formed a group known as the Regulators. The Regulators dressed in women's clothes and broke into the houses of known wife abusers to beat the guilty husband.[97]

By highlighting abuse, Hudson certainly appeared to be the victim but she also implied that she was a dutiful wife, who left and then returned to her husband on another occasion, but was "obliged" to leave him again when her life was in danger. She, however, indicated a willingness go back to him again as soon as he proved he genuinely changed his ways. This advertisement ingeniously depicted Ann Hudson as absolutely compliant to quiet subservience. She masked the fact that she was powerfully commanding public sympathy.

Eighteenth century men did not tolerate women who ran away from their husbands. Women, such as Ann Hudson, sometimes portrayed themselves as the victim so that the community would more readily accept their elopements. Some women went a step further and employed a third strategy. They framed their arguments around concerns that would especially appeal to men and would thus be more likely to sway the male readership to side with a woman rather than her husband. Women accused their husbands of offenses such as evading their debts, having loyalist tendencies, behaving in a tyrannical or unrepublican manner, and spending a son's inheritance.

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[96] Sylvia Frey and Marian J. Morton, *New World, New Roles: A Documentary History of Women in Pre-Industrial America* (New York: Greenwood Press, 1986), 207.

[97] *New York Gazette,* February 5, 1770.

Mary Decamps of Elizabeth Town employed many strategies in her retaliation advertisement. She began by stating that she felt obligated to publish the advertisement because her husband had lied in his notice to the public. She approached the community as its servant and not as an assertive female demanding justice. Decamps claimed that she always "behaved as a faithful and dutiful wife" but her husband, Morris, nevertheless treated her cruelly with "continual ill-usage of the worst kind." She also described her husband as a shady character. A "criminal attempt upon a young woman" forced Morris to leave town and Decamps in turn moved in with her mother. When he returned she did not want to move back.[98] Who could blame her for remaining with her mother upon his return when, as she said, she did not feel safe at her home? Towards the end of her advertisement, Decamps appeals to honest men by warning that Morris had recently left town to avoid paying his debts. Although failure to pay debts was a common misdemeanor, many men, especially the wealthier and more powerful community leaders, would be particularly critical of a man absconding from his debts. Perhaps he owed money to them.

Some women cleverly politicized their advertisements, taking advantage of the excitement of creating a new, republican government to elicit public sympathy. From Montesquieu's *Spirit of the Laws* American republicans learned to see marriage and republican government as paralleling each other.[99] Both were based on mutual consent and prospered through virtuous behavior. In 1779, Jacob Willis, from Morris Town placed an advertisement announcing his wife's elopement and refusing to pay her debts. Several references equated her actions with criminal behavior using language like "felonious manner" and taking his property

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[98] Ibid.
[99] Cott, 10.

"like a thief, under the cover of night."[100] Alice Willis published her own warning three weeks later, in which she used different rhetoric to depict him as not possessing the upright and virtuous qualities of a republican citizen.

Alice first argued her innocence by asserting that she did not leave in the cover of night but, in fact, left at ten o'clock in the morning. And she did not sneak away but directly told her husband of her intentions to leave, which the reader might have associated with a declaration of independence. Alice claimed that Jacob had agreed and told her to go. She also recounted how her husband often told her that he never would have married her if he could have bought a "negro wench" instead. This statement made several points. It showed that her husband did not believe in the virtuous state of matrimony. A "negro wench" was not a republican mother who could raise children to be moral and politically conscious citizens. Alice explains how Jacob consistently bullied her: "It was for his barbarous usage to me that made me leave him; for he threatened me so often, that I was weary of his domineering." [101] With such terminology she might have sought to compare her marriage to the "marriage" between the colonies and tyrannical England. If one applied her situation to republican ideology then, because he had abused and bullied her, she had a right, perhaps an obligation, to terminate the marriage contract.

The remainder of Alice's advertisement forewarned all persons from purchasing any of his lands because she intended to get her rightful dower and thirds. She may have gone too far with this demand considering she did leave her husband without a legal divorce and did not possess a marriage contract. But by depicting her husband as beneath republican citizenship and alluding to herself as the victim she certainly provided herself with a decent chance to keep her

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[100] *New Jersey Journal*, September 28, 1779.
[101] Ibid., October 19, 1779.

property, a chance that the "criminal" her husband described never would have had.

Women also appealed to the sensitive area of a son's inheritance in their retaliation advertisements. Fathers were concerned about their son's receiving their rightful inheritance. When a widow remarried, as Anna Vandervoort did, her new husband often threatened to spend all of the inheritance of the dead husband leaving nothing for the sons. Eunice Scott employed the same kind of argument as Vandervoort's neighbors, which stressed that the new husband was spending her son's inheritance.

In a series of advertisements in March and April 1779, John and Eunice Scott of Morris County argue in a fierce battle over money, inheritance, and disputed prenuptial contracts. In *The New Jersey Journal*, John Scott placed the first advertisement in which he publicly refuse to pay Eunice's debts. We later learn from Eunice's advertisement that even while "he was in his full glory" people never trusted her on his account so there was no need for him to forbid her to use his credit.[102] His primary intention for placing the initial advertisement must not have been to protect himself from debt but to elicit public sympathy in order to get back what he said she took from him. He vividly described how she robbed him and he included the exact amounts she took. He even added a poem titled, "The Injured Husband," which described an adulterous wife and an innocent and heartbroken husband. John also announced that he intended to prosecute Eunice for robbery and already had a lawyer working on the case.[103]

Eunice initially placed an advertisement in a different newspaper, *The New Jersey Gazette*, warning the public not to purchase land from Mr. John Scott because she intended to claim her dower parts of the property. Since she never refers to his advertisement it is likely she

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[102] Ibid., April 27, 1779.
[103] *New Jersey Journal*, March 30, 1779.

was responding to John's attempt to sell some land and was unaware of his advertisement. This advertisement is found a day after her husband's and in a different paper. Interestingly, she ends the advertisement with a prediction that John will soon join the "enemy." [104] She either included the statement because she believed she would be entitled to her lands if the patriots confiscated them or she simply wanted to damage his reputation. In Morris County the vast majority of residents were patriot supports and would be particularly sensitive to loyalist enemies.

Eunice Scott placed another notice almost a month later, this time it was a direct response to John's vicious advertisement. She presented her case in the form of a deposition witnessed by Stephan Day to be the truth. Eunice described a familiar story of the wealthy widow whose new husband took advantage of her money and eventually threatened the inheritance of her children. She announced her refusal to pay his debts and she professed that it was her duty to her family and herself to present the truth. Eunice also claimed that John lied in his advertisement; she did not elope but came home to locked doors. It was when she forced the door open that he accused her of breaking into his house. She did not take as much money as he stated, only items belonging to her and her children. Their household lived off the children's estate and because she refused to give him the inheritance, he made her leave; she did not abandon him. Soon after they separated, she made a proposal to drop the whole matter if he gave her two hundred pounds. He refused and seized most of her clothes and the deeds of her children's estate. [105] The advertisement appears to have no other purpose but to refuse responsibility for his debts and state her defense.

Eunice Scott found herself dealing with a husband spending her inheritance and even worse, her children's inheritance. Legal protection was either too difficult or too risky for a

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[104] *New Jersey Gazette,* March 31, 1779.

woman, so instead she presented her case outside the courtroom. She gave legitimacy to her truth by framing her story as an oath taken before God and validated by Stephan Day. She used common sympathy rhetoric of the poor widow. She also appealed to any men with sons by stressing the loss of her own sons' inheritance to a deceitful second husband. Eunice pleaded that she had to recover the money her husband stole because she would "rather suffer abuse myself than wrong my children."[106]

Some woman had financial resources independent of their husbands and thus had some power to act independently. If a woman could prove that she was not dependent on her husband then the public might not think that she was obligated to take care of him and his household. As a schoolmistress Sarah Smith provided her family's income. She was not dependent on her husband, in fact, he was dependent on her. Although under the law Smith and her resources belonged to her husband, in practice he "belonged" to her. Because she had financial power she also had the right to leave. Just as men did in most of their elopement notices, some women publicized their financial authority over their husbands in order to justify their authority to leave their husbands. The result was a reversal of gender roles. The women earned the income and could refuse to pay their husbands debts. Their husbands were the dependents and thus were expected to behave properly and submissively.

Jemima Wilson's short advertisement in *The Pennsylvania Gazette* reads very similarly to a typical elopement notice placed by a man. She first forewarned all persons not to trust her husband on her account. She also accused him of selling all of her effects. After establishing her financial dominance over him, she then informed the public of her intentions to no longer live

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[105] *New Jersey Journal,* April 27, 1779.
[106] Ibid.

with her husband nor "have any concern with him." She justified abandoning her husband; he was lame and contributed nothing to the marriage, although she took the "best care I could of him."[107] It is clear that the gender roles are reversed. Due to her husband's handicap, Jemima Wilson appears to have assumed the male duty of financial responsibility. Custom dictates that as a wife she must "take care" of him at home but did not require her to financially support him. When the burdens of her marriage pushed her to take action, she then justified her abandonment of wifely duties by publicly asserting his failure as a husband and her role as the economic provider.

Ruth Searls also used her financial independence to indicate her power over her husband and to defend herself in the public arena. Searls' husband Ebenezer placed an advertisement accusing her of ruining his interest and "behaving in a very unbecoming manner."[108] When she responded to his advertisement two weeks later, she first stated that she would no longer pay his debts, as Jemima Wilson had done. Searls claimed that she could not have destroyed his interest because he did not have any interest, unless he claimed to own her estate. She added that he had no right to her estate because she has a contract that strictly separated their property.[109] Ruth Searls appears to be the wealthier and more powerful partner in the marriage.

These advertisements placed by women in newspapers present an image of marital discontent much at odds with the models of marriage depicted in contemporary print and in many recent histories. Perhaps we have underestimated the assertiveness and the nerve of early New Jersey and American women. These women did not accept a negative public opinion of them. With very little court or legislative options they manipulated the media and public opinion

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[107] *Pennsylvania Gazette*, March 26, 1777.
[108] *New Jersey Journal* October 11, 1780.
[109] *New Jersey Journal* October 25, 1780.

to evoke strength against their husbands. Public support could be transferred into power and thus made their marital and economic goals more attainable.

The women in this paper are not the "great women" of the upper class nor were they necessarily famous or infamous in their time or now. These examples, however, show that common, low or middle class women were not powerless in marriage and they did not succumb to total dependence on their husbands. Women had definite strategies they could use, if they were brave enough, to transform their lives and their marital situation.

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