Primary and Secondary Sources on Women in Maryland in the Seventeenth Century

Among the recommended reading for this week is Ch. 1 of First Generations, by Carole Berkin (your term paper book). The information in that chapter will help you to better understand these primary and secondary sources.

Questions to think about:
1. What was life like for an indentured servant in the Chesapeake in the seventeenth century? George Alsop, the former indentured servant, gives a much more positive view of indentured servitude than do the authors of Through Women's Eyes (pp. 61–62) or historians Lois Green Carr and Lorena Walsh in the article at the end of this handout. How can one explain this difference?
2. Using these sources, explain the terms feme sole and feme covert. What challenges or benefits did women in seventeenth-century Maryland derive from being either a feme sole or feme covert?
3. According to Green Carr and Walsh, what were the four characteristics of the population of Maryland in the seventeenth century? What were the causes of these characteristics?

The Primary Sources
George Alsop was a former indentured servant in the Chesapeake colony of Maryland. In this document he describes the kind of life that men and women who came to Maryland as indentured servants could expect to live, and their prospects once their term of service was over. Note especially his discussion of liberty and sex/marriage.

George Alsop on the Lives of Servants in Maryland, 1666

They whose abilities cannot extend to purchase their own transportation over into Mary-Land, (and surely he that cannot command so small a sum for so great a matter, his life must needs be mighty low and dejected) I say they may for the debarment of a four years sordid liberty, go over into this Province and there live plenteously well. And what’s a four years Servitude to advantage a man all the remainder of his dayes, making his predecessors happy in his sufficient abilities, which he attained to partly by the restraint of so small a time?

Now those that commit themselves unto the care of the Merchant to carry them over, they need not trouble themselves with any inquisitive search touching their Voyage; for there is such an honest care and provision made for them all the time they remain aboard the Ship, and are sailing over, that they want for nothing that is necessary and convenient.

The Merchant commonly before they go aboard the Ship, or set them-
selves in any forwardness for their Voyage, has Conditions of Agreements
drawn between him and those that by a voluntary consent become his Ser-
nants, to serve him, his Heirs or Assigns, according as they in their primitive
acquaintance have made their bargain, some two, some three, some four
years; and whatever the Master or Servant tyes himself up to here in En-
gland by Condition, the Laws of the Province will force a performance of
when they come there: Yet here is this Privilidge in it when they arrive, If
they dwell not with the Merchant they made their first agreement withall,
they may choose whom they will serve their prefixed time with; and after
their curiosity has pitcht on one whom they think fit for their turn, and that
they may live well withall, the Merchant makes an Assignment of the In-
denture over to him whom they of their free will have chosen to be their
Master, in the same nature as we here in England (and no otherwise) turn
over Covenant Servants or Apprentices from one Master to another.

The Servants here in Mary-Land of all Colonies, distant or remote Plan-
tations, have the least cause to complain, either for strictness of Servitude,
want of Provisions, or need of Apparel: Five dayes and a half in the Summer
weeks is the allotted time that they work in; and for two months, when the
Sun predominates in the highest pitch of his heat, they claim an antient and
customary Privilidge, to repose themselves three hours in the day within the
house, and this is undeniably granted to them that work in the Fields.

In the Winter time, which lasteth three months (viz.) December, January,
and February, they do little or no work or employment, save cutting of
wood to make good fires to sit by, unless their Ingenuity will prompt them to
hunt the Deer, or Bear, or recreate themselves in Fowling, to slaughter the
Swans, Geese, and Turkeys (which this Country affords in a most plentiful
manner): For every Servant has a Gun, Powder and Shot allowed him, to
sport him withall on all Holidayes and lesasurable times, if he be capable of
using it, or be willing to learn.

Now those Servants which come over into this Province, being Arti-
ficers, they never (during their Servitude) work in the Fields, or do any other
employment save that which their Handicraft and Mechanick endeavours are
capable of putting them upon, and are esteem'd as well by their Masters, as
those that imploy them, above measure. He that's a Tradesman here in
Mary-Land (though a Servant), lives as well as most common Handicrafts
do in London, though they may want something of that Liberty which
Freemen have, to go and come at their pleasure; yet if it were rightly under-
stood and considered, what most of the Liberties of the several poor Trades-
men are taken up about, and what a care and trouble attends that thing they
call Liberty, which according to the common translation is but Idleness, and
(if weighed in the Ballance of a just Reason) will be found to be much heavier
and cloggy then the four years restraintment of a Mary-Land Servitude. He
that lives in the nature of a Servant in this Province, must serve but four
years by the Custom of the Country; and when the expiration of his time
speaks him a Freeman, there's a Law in the Province, that enjoyns his
Master whom he hath served to give him Fifty Acres of Land, Corn to serve
him a whole year, three Sutes of Apparel, with things necessary to them, and
Tools to work with all; so that they are no sooner free, but they are ready to set up for themselves, and when once entred, they live passing well.

The Women that go over into this Province as Servants, have the best luck here as in any place of the world besides; for they are no sooner on shoar, but they are courted into a Copulative Matrimony, which some of them (for aught I know) had they not come to such a Market with their Virginity, might have kept it by them untill it had been mouldy, unless they had let it out by a yearly rent to some of the Inhabitants of Lewknors-lane, or made a Deed of Gift of it to Mother Coney, having only a poor stipend out of it, untill the Gallows or Hospital called them away. Men have not altogether so good luck as Women in this kind, or natural preferment, without they be good Rhetoricians, and well vers’d in the Art of perswasion, then (probably) they may ryvet themselves in the time of their Servitude into the private and reserved favour of their Mistress, if Age speak their Master deficient.

In short, touching the Servants of this Province, they live well in the time of their Service, and by their restraint in that time, they are made capable of living much better when they come to be free.

The remaining primary sources all come from court records of the colony of Maryland. A bit of background on marriage and the status of women in English common law is useful for understanding these sources. According to English common law a woman was either a feme sole or a feme covert. A feme sole (literally, “woman alone” in French) was a single woman or a widow. She could own property (and will it to her heirs), make contracts, sue, be sued, and keep wages that she earned. A feme covert (literally, “covered woman” in French) was a married woman. Her property legally belonged to her husband. She could not will property to her heirs, she could not sue or be sued, and she had no right to any wages that she earned. She was covered by her husband's identity. If a widowed woman (feme sole) who owned property remarried, she became a feme covert and ownership of her property passed to her new husband.

To ensure that widows did not become destitute (and thereby become a burden on the community), English common law mandated that they be given a dower right: if a man died, his widow got the use of one-third of his property until she died or remarried. Some men, especially in the Chesapeake (for reasons that are explained in the article by Lois Green Carr and Lorena Walsh, below), gave their wives more than the dower right.
The woman in this prenuptial agreement, Jane Moore, was the widow of a man named Richard Moore. She was therefore a feme sole. Upon marrying Peter Godson she would become a feme covert.

Prenuptial Agreement of Jane Moore and Peter Godson, 1654

Know all men by these presents that Whereas my Husband Richard Moore being Sick and weake upon his death bed did Call to his wife Jane Moore and desired her to bring him the will which he had formerly made and he perused it, and after that he Cancelled it and Caused it to be burnt and made his wife whole and Sole Executor to Sett and dispose of amongst her Children as She will, Richard Manship and Elizabeth Manship his wife being present at the Same time

Know all men by these presents that I Jane Moore the wife of Richard Moore deceased doe bind over the four hundred Acres of Land which we now live upon to be Equally Divided betwixt my three Sons, Viz. Richard Moore Roger Moore and Timothy Moore, and they to be of age when they are Come to Eighteen, and the Maids at fifteen, and fourteen head of female Cattell for Seven Children for their use with all the Increase, the Males being taken out of them and as they Come to age or Marry their Shares to be taken out proportionably, and if any of these Children Should dye the Cattell to goe amongst the rest, and for the Land She is to Enjoy it So Long as She the Said Jane doth Live, and then to Come to the Children

Teste Richard Recklesse

the marke of Jane O Moore

the marke of George W White

Know all men by these presents That Whereas I Peter Godson Chirurgeon intending to Intermarry with Jane Moore of Calvert County in the Province of Maryland widdow, have agreed and doe hereby Consent and agree (in Case the Said Marriage take Effect) not to lay any Clayme to or

Intermeddle with all or any part of the Estate late of Richard Moore deceased late husband of the Said Jane Moore mentioned in the within written Deed or Conveyance to be by the Said Jane disposed of to her Childrens use, but will Leave the Same to the Said Children accordingly Witness my hand this Sixth day of July 1654

Test Tho: Hatton the Marke of Peter G Godson
Ann Pinner was married to Richard Pinner, with whom she had several children. He died and Ann married a man named George Atkins.
This source is an especially tricky one. Elizabeth Lockett was a servant in the house of Thomas Bright. She may well have been an indentured servant, although that is not clear from the excerpt. While a servant in Bright’s household, she became pregnant and gave birth to a child. The purpose of this court case was to determine who the father was and whether the father had promised to marry Lockett. That is, the trial sought to determine whether Lockett’s child was a bastard.

In colonial America in the 1600s it was rare for birth to be doctor-assisted. Rather, midwives or women with some knowledge of childbirth helped a woman give birth. If the paternity of a pregnant woman’s child was in doubt, the women who attended the birth had the important role of getting the pregnant woman to name the father at the moment of birth. Such birth-bed confessions were given heavy weight in court-cases involving paternity suits.

The Trial of Elsesabeth Lockett and Thomas Bright, 1661

Robert Martine Junior sworne in the behalfe of Elsesabeth Lockett

Saith that he Cannot Remmember that thare wase any Munye broken betxewt thomas Bright and the said Elsesabeth to the best of his knowledge and farther saith not

Teste Me Tobye wells Clk the marke of Robert Martine

The Examination of Fransis Nash sworne and examined in Court

Saith that about the midell of summer thers deponant wase goinging with Robert martine and Thomas Bright towards goodman Martins house thes deponant heard the said Bright say th’ theare wase a peace of Munye Broke betxewt hime and Elsesabeth lockett and further saith not

Jurat quorum Me the mark of Fransis Nash

Will: Coursey

Ann Doob Ann Hill & Catheren Gammer sworne in Court saith

That Elsesabeth Lockett begun hur Laboure on teusday night and so Remained tell wensday night and about Cooke Crowing she wase Delivered

and all that ever she Confest wase that it wase thomas Brights Child and you’ Deponants asked hur w’ hur master Dide to hure in the husks in the tobaco house and she answered so well as she could that hur master Did butt tickell hur and we Cauld hur into the sheed wheare Mistres blunt and Ann Doob Examiened hure agayne and bade hure speake the Trewth and kathern Gammer heard us and all that Ever she Confest wase that she never knew any other mane in three quarters of a yeare and that she never knew hur Master but by his face and Hands and that the Child wase goote when hur Master wase att Severen wheare that night thomas Bright would not goe to beed butt lay upon the forme and when the servants wase aslepe he came to the beed to hur and that night the Child wase goote and when the Childs heed wase in the Birth M’ Blunt tooke the booke and swore hure & all that she said it wase thomas Brights Child and further saith not

Signum Ann Doobe
Catheren Gammer
Ann Hill

Sarah Toursew sworn in Court
Saith That she cann Remmember nothing but that she still cried oute on thomas Bright and further saith not

the marke of Sarah SED Toursew

Elesabeth Lockett sworne in Court saith that Thomas Bright wase the father of hure Child and no other mane but himself and that theare wase a peace of Munye broken betxewt theme and that he promised hur Marige before the Child wase gott and further saith not

the marke of Elesabeth Lockett

Whearas Elesabeth Lookett and thomas Bright hath binn plainly Convicted for basterdy the Court passinge Judgment that the said Elesabeth should have twenty lasses on hur backe well layd on she hath Craved the bennefett of the Act of Indemnity which the Court doth grant and doth order that Thomas Bright shall pay the Charges that did Inshue by thayre unlawfull doinge and Cost of seut only the charge that Mrs. Conner hath benn at for keepinge of the child that the said Elesabeth shall pay or make satisfaction for
Secondary Source
The trends and statistics that historians Lois Green Carr and Lorena Walsh describe will help to make sense of the seventeenth-century documents, above. This article compliments Ch. 1 of First Generations: where Carol Berkin has used the example of specific women to highlight trends, Green Carr and Walsh focus on using statistics to highlight trends.

In the following article the word “seasoning” is used to mean a person’s period of indentured servitude.

The Advantageous Position of White Women in Maryland
LOIS GREEN CARR AND LORENA S. WALSH

Four facts were basic to all human experience in seventeenth-century Maryland. First, for most of the period the great majority of inhabitants had been born in what we now call Britain. Population increase in Maryland did not result primarily from births in the colony before the late 1680s and did not produce a predominantly native population of adults before the first decade of the eighteenth century. Second, immigrant men could not expect to live beyond age forty-three, and 70 percent would die before age fifty. Women may have had even shorter lives. Third, perhaps 85 percent of the immigrants, and practically all the unmarried immigrant women, arrived as indentured servants and consequently married late. Family groups were never predominant in the immigration to Maryland and were a significant part for only a brief time at mid-century. Fourth, many more men than women immigrated during the whole period. These facts—immigrant predominance, early death, late marriage, and sexual imbalance—created circumstances of social and demographic disruption that deeply affected family and community life.

We need to assess the effects of this disruption on the experience of women in seventeenth-century Maryland. Were women degraded by the hazards of servitude in a society in which everyone had left community and kin behind and in which women were in short supply? Were traditional restraints on social conduct weakened? If so, were women more exploited or more independent and powerful than women who remained in England? Did any differences from English experience which we can observe in the experience of Maryland women survive the transformation from an immigrant to a predominantly native-born society with its own kinship networks and community traditions? The tentative argument put forward here is that the answer to all these questions is Yes. There were degrading aspects of servitude, although these probably did not characterize the lot of most women; there were fewer restraints on social conduct, especially in courtship, than in England; women were less protected but also more powerful than those who remained at home; and at least some of these changes survived the appearance in Maryland of New World creole communities. However, these issues are far from settled, and we shall allow some suggestions as to how they might be further pursued... Whatever their status, one fact about immigrant women is certain: many fewer came than men. Immigrant lists, headright lists, and itemizations of servants in inventories show severe imbalance. On a London immigrant list of 1634–1635 men outnumbered women six to one. From the 1650s at least until the 1680s most sources show a ratio of three to one. From then on, all sources show some, but not great, improvement. Among immigrants from Liverpool over the years 1697–1707 the ratio was just under two and one half to one.

Why did not more women come? Presumably, fewer wished to leave family and community to venture into a wilderness. But perhaps more important, women were not as desirable as men to merchants and planters who were making fortunes raising and marketing tobacco, a crop that requires large amounts of labor. The gradual improvement in the sex ratio among servants toward the end of the century may have been the result of a change in recruiting the needed labor. In the late 1660s the supply of young men willing to emigrate stopped increasing sufficiently to meet the labor demands of a growing Chesapeake population. Merchants who recruited servants for planters turned to other sources, and among these sources were women. They did not crowd the ships arriving in the Chesapeake, but their numbers did increase.

To ask the question another way, why did women come? Doubtless, most came to get a husband, an objective virtually certain of success in a land where women were so far outnumbered. The promotional literature, furthermore, painted bright pictures of the life that awaited men and women once out of their time; and various studies suggest that for a while, at least, the promoters were not being entirely fanciful. Until the 1660s, and to a less degree the 1680s, the expanding economy of Maryland and Virginia offered opportunities well beyond those available in England to men without capital and to the women who became their wives.

Nevertheless, the hazards were also great, and the greatest was untimely death. Newcomers promptly became ill, probably with malaria, and...
many died. What proportion survived is unclear; so far no one has devised a way of measuring it. Recurrent malaria made the woman who survived seasoning less able to withstand other diseases, especially dysentery and influenza. She was especially vulnerable when pregnant. Expectation of life for everyone was low in the Chesapeake, but especially so for women. A woman who had immigrated to Maryland took an extra risk, though perhaps a risk not greater than she might have suffered by moving from her village to London instead.

The majority of women who survived seasoning paid their transportation costs by working for a four- or five-year term of service. The kind of work depended on the status of the family they served. A female servant of a small planter—who through about the 1670s might have had a servant—probably worked at the hoe. Such a man could not afford to buy labor that would not help with the cash crop. In wealthy families women probably were household servants, although some are occasionally listed in inventories of well-to-do planters as living on the quarters—that is, on plantations other than the dwelling plantation. Such women saved men the jobs of preparing food and washing linen but doubtless also worked in the fields. In middling households experience must have varied. Where the number of people to feed and wash for was large, female servants would have had little time to tend the crops.

Tracts that promoted immigration to the Chesapeake region asserted that female servants did not labor in the fields, except "nasty" wenches not fit for other tasks. This implies that most immigrant women expected, or at least hoped, to avoid heavy field work, which English women—at least those above the cottager's status—did not do. What proportion of female servants in Maryland found themselves demeaned by this unaccustomed labor is impossible to say, but this must have been the fate of some. A study of the distribution of female servants among wealth groups in Maryland might shed some light on this question. Nevertheless, we still would not know whether those purchased by the poor or sent to work on a quarter were women whose previous experience suited them for field labor.

An additional risk for the woman who came as a servant was the possibility of bearing a bastard. At least 20 percent of the female servants who came to Charles County between 1658 and 1705 were presented to the county court for this cause. A servant woman could not marry unless someone was willing to pay her master for the term she had left to serve. If a man made her pregnant, she could not marry him unless he could buy her time. Once a woman became free, however, marriage was clearly the usual solution. Only a handful of free women were presented in Charles County for bastardy between 1658 and 1705. Since few free women remained either single or widowed for long, not many were subject to the risk. The hazard of bearing a bastard was a hazard of being a servant.

This high rate of illegitimate pregnancies among servants raises lurid questions. Did men import women for sexual exploitation? Does John Barth's Whore of Dorset have a basis outside his fertile imagination? In our opinion, the answers are clearly No. Servants were economic investments on the part of planters who needed labor. A female servant in a household where there were unmarried men must have both provided and faced temptation, for the pressures were great in a society in which men outnumbered women by three to one. Nevertheless, the servant woman was in the household to work—to help feed and clothe the family and make tobacco. She was not primarily a concubine.

This point could be established more firmly if we knew more about the fathers of the bastards. Often the culprits were fellow servants or men recently freed but too poor to purchase the woman's remaining time. Sometimes the master was clearly at fault. But often the father is not identified. Some masters surely did exploit their female servants sexually. Nevertheless, masters were infrequently accused of fathering their servants' bastards, and those found guilty were punished as severely as were other men. Community mores did not sanction their misconduct.

A female servant paid dearly for the fault of unmarried pregnancy. She was heavily fined, and if no one would pay her fine, she was whipped. Furthermore, she served an extra twelve to twenty-four months to repay her master for the "trouble of his house" and labor lost, and the fathers often did not share in this payment of damages. On top of all, she might lose the child after weaning unless by then she had become free, for the courts bound out bastard children at very early ages.

English life probably did not offer a comparable hazard to young unmarried female servants. No figures are available to show rates of illegitimacy among those who were subject to the risk, but the female servant was less restricted in England than in the Chesapeake. She did not owe anyone for passage across the Atlantic; hence it was easier for her to marry, supposing she happened to become pregnant while in service. Perhaps, furthermore, her temptations were fewer. She was not 3,000 miles from home and friends, and she lived in a society in which there was no shortage of women. Bastards were born in England in the seventeenth century, but surely not to as many as one-fifth of the female servants.

Some women escaped all or part of their servitude because prospective husbands purchased the remainder of their time. At least one promotional pamphlet published in the 1660s described such purchases as likely, but how often they actually occurred is difficult to determine. Suggestive is a 20 percent difference between the sex ratios found in a Maryland headright sample, 1658–1681, and among servants listed in lower Western Shore inventories for 1658–1679. Some of the discrepancy must reflect the fact that male servants were younger than female servants and therefore served longer terms; hence they had a greater chance of appearing in an inventory. But part of the discrepancy doubtless follows from the purchase of women for wives. Before 1660, when sex ratios were even more unbalanced and the expanding economy enabled men to establish themselves more quickly, even more women may have married before their terms were finished.

Were women sold for wives against their wills? No record says so, but nothing restricted a man from selling his servant to whomever he wished. Perhaps some women were forced into such marriages or accepted them as
the least evil. But the man who could afford to purchase a wife—especially a new arrival—was usually already an established landowner. Probably most servant women saw an opportunity in such a marriage. In addition, the shortage of labor gave women some bargaining power. Many masters must have been ready to refuse to sell a woman who was unwilling to marry a would-be purchaser.

If a woman's time was not purchased by a prospective husband, she was virtually certain to find a husband once she was free. Those famous spinster, Margaret and Mary Brent, were probably almost unique in seventeenth-century Maryland. In the four counties of the lower Western Shore only two of the women who left a probate inventory before the eighteenth century are known to have died single. Comely or homely, strong or weak, any young woman was too valuable to be overlooked, and most could find a man with prospects.

The woman who immigrated to Maryland, survived seasoning and service, and gained her freedom became a planter's wife. She had considerable liberty in making her choice. There were men aplenty, and no fathers or brothers were hovering to monitor her behavior or disapprove her preference. This is the modern way of looking at her situation, of course. Perhaps she missed the protection of a father, a guardian, or kinfolk, and the participation in her decision of a community to which she felt tied. There is some evidence that the absence of kin and the pressures of the sex ratio created conditions of sexual freedom in courtship that were not customary in England. A register of marriages and births for seventeenth-century Somerset County shows that about one-third of the immigrant women whose marriages are recorded were pregnant at the time of the ceremony—nearly twice the rate in English parishes. There is no indication of community objection to this freedom so long as marriage took place. No presentments for bridal pregnancy were made in any of the Maryland courts.

The planter's wife was likely to be in her mid-twenties at marriage. . . . Because of the age at which an immigrant woman married, the number of children she would bear her husband was small. She had lost up to ten years of her childbearing life—the possibility of perhaps four or five children, given the usual rhythm of childbearing. At the same time, high mortality would reduce both the number of children she would bear over the rest of her life and the number who would live. One partner in a marriage was likely to die within seven years, and the chances were only one in three that a marriage would last ten years. In these circumstances, most women would not bear more than three or four children—not counting those stillborn—to any one husband, plus a posthumous child were she the survivor. The best estimates suggest that nearly a quarter, perhaps more, of the children born alive died during their first year and that 40 to 55 percent would not live to see age twenty. Consequently, one of her children would probably die in infancy, and another one or two would fail to reach adulthood. Wills left in St. Mary's County during the seventeenth century show the results. In 105 families over the years 1660 to 1680 only twelve parents left more than three

children behind them, including those conceived but not yet born. The average number was 2.3, nearly always minors, some of whom might die before reaching adulthood.

For the immigrant woman, then, one of the major facts of life was that although she might bear a child about every two years, nearly half would not reach maturity. The social implications of this fact are far-reaching. Because she married late in her childbearing years and because so many of her children would die young, the number who would reach marriageable age might not replace, or might only barely replace, her and her husband or husbands as child-producing members of the society. Consequently, so long as immigrants were heavily predominant in the adult female population, Maryland could not grow much by natural increase. It remained a land of newcomers...

However long they lived, immigrant women in Maryland tended to outlive their husbands—in Charles County, for example, by a ratio of two to one. This was possible, despite the fact that women were younger than men at death, because women were also younger than men at marriage. Some women were widowed with no living children, but most were left responsible for two or three. These were often tiny, and nearly always not yet sixteen.

This fact had drastic consequences, given the physical circumstances of life. People lived at a distance from one another, not even in villages, much less towns. The widow had left her kin 3,000 miles across an ocean, and her husband's family was also there. She would have to feed her children and make her own tobacco crop. Though neighbors might help, heavy labor would be required of her if she had no servants, until—what admittedly was usually not difficult—she acquired a new husband.

In this situation dying husbands were understandably anxious about the welfare of their families. Their wills reflected their feelings and tell something of how they regarded their wives. In St. Mary's and Charles counties during the seventeenth century, little more than one-quarter of the men left their widows with no more than the dower the law required—one-third of his land for her life, plus outright ownership of one-third of his personal property. If there were no children, a man almost always left his widow his whole estate. Otherwise there were a variety of arrangements.

During the 1660s, when testators begin to appear in quantity, nearly a fifth of the men who had children left all to their wives, trusting them to see that the children received fair portions. Thus in 1663 John Shircliff willed his whole estate to his wife “towards the maintenance of herself and my children into whose tender care I do Command them Desiringe to see them brought up in the fear of God and the Catholick Religion and Chaigng them to be Dutiful and obedient to her.” As the century progressed, husbands tended instead to give the wife all or a major part of the estate for her life, and to designate how it should be distributed after her death. Either way, the husband put great trust in his widow, considering that he knew she was bound to remarry. Only a handful of men left estates to their wives only for their term of widowhood or until the children came of age. When a man did not leave his wife a life estate, he often gave her land outright or more than
her dower third of his movable property. Such bequests were at the expense of his children and showed his concern that his widow should have a maintenance which young children could not supply.

A husband usually made his wife his executor and thus responsible for paying his debts and preserving the estate. Only 11 percent deprived their wives of such powers. In many instances, however, men also appointed overseers to assist their wives and to see that their children were not abused or their property embezzled. Danger lay in the fact that a second husband acquired control of all his wife’s property, including her life estate in the property of his predecessor. Over half of the husbands who died in the 1650s and 1660s appointed overseers to ensure that their wills were followed. Some trusted to the overseers’ “Care and good Conscience for the good of my widow and fatherless children.” Others more explicitly made overseers responsible for seeing that “my said child . . . and the other [expected child] (when pleases God to send it) may have their right Proportion of my Said Estate and that the said Children may be bre’d up Chiefly in the fear of God.”

A few men— but remarkably few—authorized overseers to remove children from households of stepfathers who abused them or wasted their property. On the whole, the absence of such provisions for the protection of the children points to the husband’s overriding concern for the welfare of his widow and to his confidence in her management, regardless of the certainty of her remarriage. Evidently, in the politics of family life women enjoyed great respect. . . .

Remarriage was the usual and often the immediate solution for a woman who had lost her husband. The shortage of women made any woman eligible to marry again, and the difficulties of raising a family while running a plantation must have made remarriage necessary for widows who had no son old enough to make tobacco. One indication of the high incidence of remarriage is the fact that there were only sixty women, almost all of them widows, among the 1,735 people who left probate inventories in four southern Maryland counties over the second half of the century. Most other women must have died while married and therefore legally without property to put through probate.

One result of remarriage was the development of complex family structures. Men found themselves responsible for stepchildren as well as their own offspring, and children acquired half-sisters and half-brothers. Sometimes a woman married a second husband who himself had been previously married, and both brought children of former spouses to the new marriage. They then produced children of their own. The possibilities for conflict over the upbringing of children are evident, and crowded living conditions, found even in the households of the wealthy, must have added to family tensions. Luckily, the children of the family very often had the same mother. In Charles County, at least, widows took new husbands three times more often than widowers took new wives. The role of the mother in managing the relationships of half-brothers and half-sisters or stepfathers and stepchildren must have been critical to family harmony.

Early death in this immigrant population thus had broad effects on Maryland society in the seventeenth century. It produced what we might call a pattern of serial polyandry, which enabled more men to marry and to father families than the sex ratios otherwise would have permitted. It produced thousands of orphaned children who had no kin to maintain them or preserve their property, and thus gave rise to an institution almost unknown in England, the orphans’ court, which was charged with their protection. And early death, by creating families in which the mother was the unifying element, may have increased her authority within the household.

When the immigrant woman married her first husband, there was usually no property settlement involved, since she was unlikely to have any dowry. But her remarriage was another matter. At the very least, she owned or had a life interest in a third of her former husband’s estate. She needed also to think of her children’s interests. If she remarried, she would lose control of the property. Consequently, property settlements occasionally appear in the seventeenth-century court records between widows and their future husbands. Sometimes she and her intended signed an agreement whereby he relinquished his rights to the use of her children’s portions. Sometimes he deeded to her property which she could dispose of at her pleasure. Whether any of these agreements or gifts would have survived a test in court is unknown. We have not yet found any challenged. Generally speaking, the formal marriage settlements of English law, which bypassed the legal difficulties of the married woman’s inability to make a contract with her husband, were not adopted by immigrants, most of whom probably came from levels of English society that did not use these legal formalities.

The wife’s dower rights in her husband’s estate were a recognition of her role in contributing to his prosperity, whether by the property she had brought to the marriage or by the labor she performed in his household. A woman newly freed from servitude would not bring property, but the benefits of her labor would be great. A man not yet prosperous enough to own a servant might need his wife’s help in the fields as well as in the house, especially if he were paying rent or still paying for land. Moreover, food preparation was so time-consuming that even if she worked only at household duties, she saved him time he needed for making tobacco and corn. The corn, for example, had to be pounded in the mortar or ground in a handmill before it could be used to make bread, for there were very few water mills in seventeenth-century Maryland. The wife probably raised vegetables in a kitchen garden; she also milked the cows and made butter and cheese, which might produce a salable surplus. She washed the clothes, and made them if she had the skill. When there were servants to do field work, the wife undoubtedly spent her time entirely in such household tasks. A contract of 1681 expressed such a division of labor. Nicholas Maniere agreed to live on a plantation with his wife and child and a servant. Nicholas and the servant were to work the land; his wife was to “Dresse the Victuals milk the Cows wash for the servants and Doe allthings necessary, for a woman to doe upon the said plantation.” . . .

If the demography of Maryland produced the effects here described, such effects should also be evident elsewhere in the Chesapeake. The four
characteristics of the seventeenth-century Maryland population—immigrant predominance, early death, late marriage, and sexual imbalance—are to be found everywhere in the region, at least at first. The timing of the disappearance of these peculiarities may have varied from place to place, depending on date of settlement or rapidity of development, but the effect of their existence upon the experience of women should be clear. Should research in other areas of the Chesapeake fail to find women enjoying the status they achieved on the lower Western Shore of Maryland, then our arguments would have to be revised.

Work is also needed that will enable historians to compare conditions in Maryland with those in other colonies. Richard S. Dunn’s study of the British West Indies also shows demographic disruption. When the status of wives is studied, it should prove similar to that of Maryland women. In contrast were demographic conditions in New England, where immigrants came in family groups, major immigration had ceased by the mid-seventeenth century, sex ratios balanced early, and mortality was low. Under these conditions, demographic disruption must have been both less severe and less prolonged. If New England women achieved status similar to that suggested for women in the Chesapeake, that fact will have to be explained. The dynamics might prove to have been different; or a dynamic we have not identified, common to both areas, might turn out to have been the primary engine of change. And, if women in England shared the status—which we doubt—conditions in the New World may have had secondary importance. The Maryland data establish persuasive grounds for a hypothesis, but the evidence is not all in.