

**In Defense of Normalcy:  
The Financial and Legal Statuses of Widows in Antebellum Fayette County, Tennessee**

**Allison E. Brown**

*This paper would not have been possible without the help and guidance of Jamie Evans of the Ames Plantation, Alida Gover of the Somerville-Fayette County Library, Bernice T. Cargill, and Dr. Milton Moreland. Many thanks.*

**Introduction**

Conventional wisdom of the antebellum South characterized white widows as despondent women beset with hardship and defeat. These women were, and often still are, seen as incapable of managing their finances or functioning in their new social role due to either the perceived incompetence of women at financial or managerial matters, or to the assumption that widowed women would be so bowed with grief that they would become mentally and emotionally paralyzed, rendering them unable to perform the tasks necessary to manage an estate. As was often the case for white widows of the antebellum South, running an estate could mean much more than simply examining a husband's will and distributing his assets accordingly. After a husband's death, a woman could suddenly find herself as the head of a household, a family farm, or a large planting operation. In some cases, a widowed woman could even find herself petitioning the courts to be granted guardianship of her own children or could face vying with adult sons for rights to her deceased husband's money and property.

Becoming a widow in the antebellum South encompassed more than the fact of losing one's husband and changing one's martial status; it also meant a complete change in a woman's social situation, especially within the traditional parameters of marriage in the nineteenth

century. These 'traditional parameters' were such that women were not only groomed for marriage from a young age, they were also defined by their status within the institution. In addition to marriage's more obvious benefits to a patriarchal society, such as providing a way for that society to control and benefit from woman's reproductive facilities and to provide a vehicle for socializing children, marriage also served as a way to legally and publicly categorize a woman, despite her being denied participation in the public sphere. Even in the twenty-first century, woman's status can be defined within the context of the marriage institution, a fact made evident by the prevalence of women who still adopt their husband's surname upon marriage and by the immediate categorization of women as either married or not married through the prefixes of 'Miss' or 'Mrs.,' both of which are still in use despite the advent of the 'Ms.' prefix.

However influential the marriage institution still is to the social categorization of women in the twenty-first century, it was considerably more influential in the antebellum South. While prefixes and surnames may help to signify the various categories of marital status for contemporary women, they usually give few clues about anything *other* than marital status. In other words, regardless of whether a woman's marital status is known or not, little can be deduced about her social role, financial situation, reproductive status, or occupation. It is (arguably) generally assumed that a woman's marital status impacts her ability to perform certain social or occupational activities as little as a man's marital status affects his abilities to perform in said areas. Because of these social and legal mores, I expected to find that widows who lived in antebellum Fayette County, Tennessee would have been suffering either financially or socially as a direct result of their status as widows. However, an examination of the financial interactions of six antebellum widows from Fayette County who lived on lands which are now part of the

Ames Plantation in Fayette County indicates that widowhood did not necessarily denote financial hardship for women. These six women, Elizabeth Dyer, Mary Wilkes, Mary Worsham, Martha Winfield, Mary Cotton, and Fanny Dickens, all lived in Fayette County at varying times during the four decades preceding the Civil War and all began their financial careers from different economic backgrounds. Two of these women, Fanny Dickens and Mary Worsham, moved to Fayette County after they had already become widows. Still, others lost their husbands after they had established households in Fayette County. All of these women had varying numbers of children ranging from Mary Cotton's eight children, only five of whom lived to adulthood, to Fanny Dickens, who did not have any children. In addition to their different social situations, these women's financial backgrounds also varied, as some of them were quite wealthy, notably Fanny Dickens and Mary Cotton, and some had more modest economic statuses.

While much of my research did not support the hypothesis that widowhood as detrimental to women's economic wellbeing in west Tennessee, I did find that marital status for white women in the antebellum South was far from irrelevant; in fact, it could signify a woman's success at attaining the primary social role available to women. As John Stuart Mill notes in his 1870 essay *The Subjection of Women*, marriage was "the destination appointed by society for women, the prospect they are brought up to, and the object which it is intended should be sought by all of them"(in Kolmar and Bartowski 80). While Mill is referring specifically to the women of England in the nineteenth century, his assessment of marriage and the socialization of English women for participation in it can also be applied to their American counterparts. Under these guidelines, the traditional parameters of marriage entailed more strictures and more risks for women than for men. While it would be incorrect to argue that men in the antebellum South were not socialized to participate in marriage, it is understood that men were socialized to

participate in other aspects of life to far greater degrees than they were socialized to participate in marriage. As Catherine Clinton notes in her book *The Plantation Mistress: Woman's World in the Old South*, "Males were prepared from childhood for the public sphere, females for the private household,"(38). Whereas men were expected to participate in gainful occupational roles outside of the domestic sphere, these roles often could, but did not have to, exist in conjunction with the marriage institution. Women, on the other hand, were only offered a role within the marriage institution, and thus, their status within this institution became the defining feature of their social role.

### **Marriage and Antebellum Widowhood**

The importance of the marriage institution to the social definition of a woman reached even women who were not married, as their status as spinsters or widows was still defined by their proximity to the institution. Regardless of a woman's adult marital status, she was most likely socialized in her youth to desire marriage in much the same ways as a married woman had been socialized to desire it. Thus, women who had never been married and had no families of their own were also subject to the mores expected of women of marriageable age. That is, this spinster was also socialized to adopt domesticity and was "a potential source of labor that the family circle often could, without hesitation, exploit 'for the family's sake'" (Clinton 39). In this way, even unmarried women were categorized within the marriage institution as a source of domestic labor which was similar to that of a wife. This categorization of women by their closeness to or attainment of the status of wife is emblematic of the marriage institution's effect on the definition of women. Whereas married men could be defined by their vocations and activities outside of marriage, married women were defined as wives. Thus, when a married

woman's husband died, it was not simply her personal and/or financial situation that changed, it was her entire social definition; her proximity to the marriage goal toward which women were taught to strive was markedly transformed and she, through no action of her own, passed from one social station to the next.

This change in a woman's social definition is evident in antebellum court records. While discussing proposed work on a public road, the Fayette County Court Minute Book B,<sup>1</sup> which details the legal actions of 1840 through 1844, even lists several women as "Widow Cotton" "Widow Dyer" and "Widow Wortham" (171). Incidentally, all other people mentioned in the entry are listed with their first name or first initial in addition to their surname, and none of them are listed with prefixes to their names. This seemingly small detail is an immensely telling clue into the categorization of widows: while other people, possibly women among them, are listed by their names only, these women are plainly categorized as 'widow,' identifiable in this entry only by their surname (i.e. their deceased husband's surname) and their marital status.

The mythologized state of white southern womanhood in the nineteenth century added to the sense that marital status could define a woman. In addition to being defined in reference to their marital status, women in the antebellum South could also be defined by the popular notion of white womanhood as a fragile and vulnerable state in need of patriarchal protection, usually in the form of a male relative or a husband. Since mythologized notions of woman as needing protection required a husband for women of marriageable age, the death of such a protector would theoretically leave a widow open to social and financial hardships. In her book *Masterful Women: Slaveholding Widows from the American Revolution through the Civil War*, Kristen E. Wood explores this image of the antebellum widow by examining a letter written in 1812 by a Virginia man describing a recently widowed cousin as a "broken reed" who is eventually "

“reduced ‘to the very dust’” by the trials of widowhood (15). While this image is in some ways specific to widows, Wood also opens it further, applying the image to popular notions of woman’s general vulnerability and ineptitude by calling the scenario presented in the letter an image of “womanly weakness” (15). In expanding the significance of the image of the vulnerable widow to include all women, Wood conjures up notions of the mythology surrounding white Southern womanhood, a mythology of vulnerability which could weigh very heavily on a newly widowed woman. This mythology is examined further by Marli F. Weiner in her book *Mistresses and Slaves: Plantation Women in South Carolina, 1830-80*. Weiner explains that the very mythology that characterized women as weak, delicate, and vulnerable did so through an “elaborated . . . ideology of domesticity” which elevated itself to the level of a mythology by maintaining “that women were morally superior to men” and that it was their moral duty to behave in a genteel and pious manner (Weiner 54). This essentialized belief in moral superiority translates into the mythology of the vulnerable woman, whose moral constitution is too delicate to cope with many of the trials of the public sphere, and whose state as a new widow could easily cause her to become the “broken reed” Wood discusses. However, Wood notes that belief in this “womanly weakness” did not do justice to the duties and responsibilities many wives and widows undertook. Wood explains that as slaveholding widows’ authority over their late husbands’ estates declined from the colonial period to the nineteenth century, slaveholding widows’ responsibilities “remained substantial” and that husband’s “continued to give widows access to and authority over property” in their wills and that many even relied on their wives to “act as seconds-in-command, giving women experience with managing property in the process” (Wood 15-16). Similarly, Clinton notes that antebellum

wives “managed the household budget, dealt with local merchants, and handled all internal matters of finance” (21).

This experience at managing property despite social conventions proclaiming women’s inability to do so could be a contributing factor in understanding the financial behaviors of antebellum white widows at the Ames Plantation in Fayette and Hardeman Counties in west Tennessee. When the financial and real estate decisions of six widows of varying socio-economic statuses were examined, few traces of “womanly weakness” seemed evident. In fact, these widows seemed to be maintaining financial situations similar to those they were accustomed to during their husbands’ lifetimes. In some cases, these widows even appeared to be prospering after their husbands’ deaths.

At the beginning of the research for this project, I set out to explore how widowhood affected the social status of Fanny H. Dickens, including her finances and her interactions with slaves. Fanny Dickens was a widow, landowner, and slaveholder at what is now the Ames Plantation, located in Fayette and Hardeman Counties in west Tennessee, from 1841 to 1853. While all of the land at the Ames Plantation once belonged to individual landowners such as Fanny Dickens, the various plots of land were later purchased by Hobart Ames as his personal hunting grounds. Since Ames’ death and the death of his widow in the early twentieth century, the plantation had been operated by the Hobart Ames Foundation. Presently, the plantation functions as both a planting and livestock operation, and a valuable source of historical research. In addition to the historical records that exist in area libraries and in private collections, the Ames Plantation has a sizeable amount of research materials such as land deeds, census information, maps, and wills that were compiled by Jamie Evans, the operator of the Ames Plantation.

My original research intent was to focus my research on Dickens' interactions with slaves and to explore the modes of slave resistance under a widowed woman owner. While attempting to locate primary sources dealing with Fanny Dickens, it soon became apparent that there was little information available regarding Dickens' treatment of slaves. There was, however, much information available about her financial and legal transactions. Thus, the focus of my research shifted from the topic of slavery under a widow to the topic of antebellum widowhood itself, especially the financial matters surrounding antebellum widowhood. In order to fully explore this new topic, I expanded my focus from one widow at the Ames landholding, Fanny Dickens, to six widows, all with varying amounts of wealth and land ownership.

Given the known gender inequality of the antebellum South and the myths surrounding white womanhood, a facet of which characterized women as having a lack of business or managerial savvy, I initially expected to find that these women were suffering either financially, socially, or both as a direct result of their widowhood. Further research into marriage, dower, and inheritance laws of the time supported my original hypothesis. The information I found on antebellum dower laws and practices emphasized woman's second-class legal status and illuminated customs requiring widows to petition for legal guardianship of their minor children if guardianship had not already been conferred to a male caretaker by these widows' late husbands. This frustrating legal status served to solidify my hypothesis that the life of an antebellum southern widow was fraught with burdens resulting directly from her widowhood.

However, upon examining the finances of six widows at the Ames Plantation, I found evidence to suggest that my initial speculation may not have been the case in western Tennessee. An examination of these six widows' financial data including agricultural census, slave census, land deeds, and their late husbands' wills (when such documents could be found) indicates that

these widows did not seem to be suffering as a result of their status as widows. In fact, not only were traces of “womanly weakness” largely absent from the data set, the data set itself seemed strikingly similar to information gathered regarding the male landowners and slaveholders who were contemporaries of these women. In other words, despite the legal and social hardships imposed on antebellum widows in Tennessee, these widows appeared to make financial and managerial decisions in much the same ways as men of similar economic means. In general, the women whose husbands owned larger landholdings and planting operations tended to retain similarly large landholdings during their widowhood. Likewise, it appears that those women who lived within more modest means during their husbands’ lives tended to remain at similar economic levels. The data collected also suggests that widows at the Ames Plantation could even prosper during their widowhood, as was the case with Martha Winfield who not only entered into trusts as a sort of one-woman antebellum mortgage company, she also purchased a mill with all of its various tools and accoutrements, thus making here a small-business owner in addition to a farmer.

In this way, the data set collected from the Ames archives and the Fayette County library suggests that widows made land deals, managed their landholdings and finances, and made financial decisions aimed at increasing their wealth and prestige in much the same ways as men did in antebellum west Tennessee. Without a doubt, social and legal strictures did place burdens on widows, but the six women at the Ames Plantation did not seem to be suffering unduly because of them. Thus, the data set leads to the conclusions that a woman’s socio-economic status before her husband’s death had much more influence over her finances as a widow than did the state of widowhood, and that antebellum widows in Tennessee maintained households and even prospered in much the same ways as male landowners. In effect, the data set regarding

the widows at Ames suggest that they functioned with relative financial normalcy similar to that of male landowners despite their roles as widows.

### **The Legal Strictures for Wives and Widows**

Regardless of how well these particular widows seemed to fare financially, there can be little doubt that the nineteenth-century legal system was less than cordial to widows regarding their financial matters and guardianship of their children. The legal term for a married woman whose husband was still living was “feme covert” and the legal term for a woman’s legal condition during marriage was “coverture” (<<http://www.tngenweb.org/law/dower.html>>). These terms were applied to married women because they were considered to be “under the cover, influence, power, and protection of her husband” (<<http://www.tngenweb.org/law/dower.html>>). This legal ‘power and protection’ not only lends itself to the patriarchal state of gender roles in marriage prevalent in the nineteenth-century South, it also clarifies the social relevance of dower laws and estate laws that guaranteed widows at least some portion of their deceased husband’s assets.

Dower laws, which state that a widow is automatically entitled to at least one-third of her husband’s estate, even if he died intestate, originated from English common law, were incorporated into the law systems of American colonies, and later became law in many early states (<<http://www.tngenweb.org/law/dower.html>>). Evidence that dower was used in custom if not in law in Tennessee during the decades immediately prior to the Civil War is found both in Fayette County court records involving residents of the county in general and in the county court records specifically involving landholders at what is now the Ames Plantation. Regarding the residents of what would become the Ames land base, the word “dower” itself is used in a land

transaction dated as late as 1899. This land deed describes the transferring of land which belonged to the deceased Nelson Jones before his death. The land deed states that all land is to be deeded “except that portion has been set apart to Mary Jones widow [sic] of the said Nelson Jones [sic] as her Homestead and Dower” (Id.280.ahp).<sup>2</sup> While Mary Jones is not one of the six widows studied in this project because she was not an antebellum widow, this land deed is extremely relevant to a discussion of widowhood before the Civil War because a document recorded as late as 1899 indicates that dower customs were still in use in Fayette County even at the eve of the twentieth century. The word “dower” is also listed in 1859 in the Fayette County Circuit Court Minutes under the heading “Petition to Allot Dower and Sell Land” (<http://ftp.rootsweb.com/pub/usgenweb/tn/fayette/court/averet03.txt>).

As evidenced by these two documents, a sizeable amount of legal wrangling could go into adequately processing the dower laws, which could in turn create both a financial and a mental burden on new widows. In addition to this initial hassle, dealing with dower customs could be, and frequently was, a recurring instance; Fayette County court records depict numerous entries wherein residents and executors of husband’s estates are ordered to “lay off and set apart one year’s allowance for [a] widow” (Tennessee Records of Fayette County, Minute Book A, 1824-1829<sup>3</sup> 133). This and numerous other petitions to allot an allowance to a widow in Fayette County demonstrate another peculiar legal state in which a new widow might find herself. The idea that minor children need court appointed guardians is not foreign to twenty-first century thinkers, yet the idea that an adult woman might need that same protection and guidance is somewhat removed from more contemporary notions of adulthood. However, this appears to be quite prevalent in antebellum Fayette County. In fact, Fayette County records show three separate instances of men being appointed and ordered by the court to pay one year’s allowance

to a widow during the period of 1824 to 1829 alone. Not only were these men ordered to distribute money for widows' upkeep once (presumably from the estates of their deceased husbands), they were also ordered by the court to "make report thereof to the next term" of court (Minute Book A 105). This order to "make report" of the allowance payment in the following term indicates that these allowance payments were not solitary occurrences and suggests that a widow's reliance on a man to manage her finances could have lasted well into her widowhood.

Another legal hurdle faced by widows in antebellum Fayette County was attaining legal custody of their children after their husbands' deaths. Court records from the antebellum decades in Fayette County demonstrate the precarious legal condition of mothers in the nineteenth century South. Mothers, it seems, were often not considered guardians of their children as children were considered legal heirs to their fathers and not their mothers. Thus, a widow could find herself legally petitioning for the right to be her own children's guardian. Such is the case with Elizabeth Dyer, one of the widows examined in this project. Elizabeth Dyer is listed in Fayette County court records as having reached a settlement to be the legal guardian of her children after her husband's death. The court record lists Elizabeth Dyer as the guardian of the "minor heirs (of) Matthew B. Dyer, dec'd" (Minute Book B 308). The choice of wording in this settlement is particularly telling in that the children are even expressly listed as Matthew's heirs rather than as the children of both Matthew and Elizabeth Dyer.

This legal status of mothers can be imagined more clearly when examined in light of the ideal of coverture, which characterized married women as sustained by the power, influence, and protection of their husbands. This understanding of a wife's stature under coverture can shed light on possible reasons why women had to legally petition for rights to their own children; as a new widow, a woman was only recently a ward of her husband. Thus, it follows that legal

action needed to be taken to allow a woman who was recently a ward herself to take on her own children as wards. The reality of this legal practice is made very explicit in another case involving a new widow in Fayette County in 1859. In this case, the woman is only signified as “Widow” while her late husband is identified by his first initial and surname and the children are listed by their full names. This entry (found in the Fayette County Circuit Court Minutes Volume 1),<sup>4</sup> titled “Petition to Allot Dower and Sell Land,” states plainly that the five named children “are minors under the age of 21 years and have no regular guardian” (<<http://ftp.rootsweb.com/pub/usgenweb/tn/fayette/court/averet03.txt>>). While this widow was not appointed to be the guardian of her husband’s minor heirs, the wording of the court entry which states that the children have ‘no regular guardian’ despite the aforementioned presence of a widow underscores Elizabeth Dyer’s predicament as a new widow in antebellum Fayette County.

In these instances, women are not only defined by their proximity to the marriage institution; they are also defined as less than adult. These court records illustrate some of the ways in which women, and especially widows, were considered unfit or incapable enough need court-ordered maintenance and allowance payments from men acting in their late husbands’ steads, and were seen as less capable than a man to be a legal guardian to their own children. The perceived incapability of women in general and widows in particular to manage affairs in their personal lives could easily translate into a lack of faith in a widow’s ability to manage her finances. However, the sampling of widows at what is now the Ames land base demonstrates quite the opposite.

**Elizabeth Dyer**

In the case of Elizabeth Dyer, she managed her finances during the time of her widowhood well enough that she was able to purchase more slaves than the number her late husband had owned. While tallying wealth and prosperity in terms of human chattel may seem abhorrent to twenty-first century thinkers, examining the number of slaves an antebellum slaveholder owned is a remarkably apt way to ascertain the slaveholder's economic growth and financial success. According to the 1836 Fayette County Tax List,<sup>5</sup> Elizabeth Dyer's husband Matthew Dyer owned 115 acres and 5 slaves in 1836 for a combined value of \$3,440. Of this total monetary value, the value of Matthew Dyer's five slaves amounted to \$2,750, which comprised the vast majority of Matthew Dyer's listed taxable assets in 1836 (1836 Fayette County tax list). However, the 1860 Slave Schedule indicates that Elizabeth Dyer owned nine slaves, almost double the number owned by Matthew.

Since Matthew Dyer's death in 1837 followed the 1836 tax list by only one year, it is possible that the information documented in the tax list can be taken as representative of the amount of property and wealth Dyer enjoyed at the time of his death (Cargill and Rosser 1830 Census Index 12).<sup>6</sup> In other words, it can be reasonably inferred that this amount documented in 1836 is similar to the amount of wealth possessed by Elizabeth Dyer upon her husband's death, *if* she inherited all of her husband's estate. However, because Elizabeth and Matthew Dyer had children, it is unlikely she inherited all of his estate. (Matthew Dyer's will was not found and therefore the amount of Elizabeth's and the children's inheritances is not known.) If Elizabeth inherited only a portion of the estate, or if she was merely acting as caretaker of the estate in the interests of Matthew's heirs, her managerial feats are even more impressive. It could be argued that acquiring four slaves over a matter of years is not in itself remarkable. However, the fact that a widow managed to effectively double the income her husband had managed to generate

serves to debunk the myth that women were naturally inept as business. Because antebellum agricultural slaveholders incurred some initial expenses in housing and feeding slaves, however minimal the amenities provided for slaves were, the addition of more slaves to a slave force indicates not only that a slaveholder could afford to house additional slaves, but also that the scale of his/her operation merited adding more workers. In other words, the fact that Elizabeth Dyer prospered at all, regardless of how much or over what amount of time implies that widowhood did not deter her in any noticeable degree from prospering, despite legal and social conventions to the contrary.

In addition to suggesting that Elizabeth Dyer managed to prosper somewhat during her widowhood, this data also suggests that Dyer's prosperity was relative to the amount of wealth her husband had prior to his death. That is, while she undoubtedly prospered and was able to own more slaves, her socio-economic level did not ascend overly much. For instance, the 1836 tax lists and later the slave schedule of the 1850 federal census indicates that people with fewer than twenty slaves were listed as farmers, including two of the widows examined in this project, Martha Winfield and Mary Worsham. People with more than twenty slaves were listed as planters, such as Fanny H. Dickens, who owned thirty-nine slaves at the time of the 1850 census (Slave schedule, 1850 Federal Census).<sup>7</sup> In the 1836 tax list, Matthew Dyer is listed as a farmer. Thus, even though Elizabeth Dyer owned almost double the number of slaves as her late husband, she did not own enough to be categorized as a planter. This data can lead to the conclusion that a widow's owning twice as many slaves as her husband was not as economically significant as the number he owned during his lifetime. The realization that Elizabeth Dyer did not move to a higher economic tier slightly negates the importance of Elizabeth's ability to own

several more slaves than her husband, for even though she owned more than Matthew, she still did not own as many as her planter neighbors in Fayette County.

This data set has the curious quality of indicating two seemingly exclusive hypotheses about Elizabeth Dyer's finances during her widowhood. The data indicates that Elizabeth managed to defy sexist social and legal attitudes by prospering during her widowhood, and the sheer fact that she almost doubled the number of slaves she owned seems to suggest that she prospered quite considerably. However, when this is taken into account in light of the fact that Elizabeth stayed in the same economic class during her widowhood as she had been in during her husband's life, despite her seeming prosperity, it becomes evident that Elizabeth's finances had a great deal to do with the amount of assets she acquired upon her husband's death and little to do with her status as a widow. In effect, money and socio-economic status seem to be far more important in categorizing Elizabeth Dyer than her status as a widow.

### **Mary Wilkes**

Another instance wherein a widow's socio-economic level prior to her husband's death influenced her finances and social situation more than the fact of her widowhood is the case of Mary G. Wilkes. The 1840 Census Index<sup>8</sup> mentions that Mary Wilkes was both the head of her household and as a pioneer of sorts who moved to west Tennessee as a widow in approximately 1831, about nine years after her husband Joseph Wilkes' death (1840 Census Index 58). Mary Wilkes is also listed as the head of her household in the 1850 census, which also indicates that two women in their early twenties were living with her at that time (1850 Census Index 121). In addition to listing Mary Wilkes as the head of her household, the 1840 census index also states that Mary Wilkes moved to Tennessee from Brunswick County, Virginia along with her daughter

and son-in-law, Thomas Brown Firth, information the census index attributes to a Confederate States of America Questionnaire answered by a Thomas Julian Firth (58). It is not made clear in the census index whether Thomas Julian Firth was an alternate name for Thomas Brown Firth or was another of Mary Wilkes' family members.

As the nineteenth century saw many people move west towards the American frontier, it is not altogether remarkable that Mary Wilkes did so. The noteworthy aspects of her westward movement are, rather, that she was able to do so late enough in her life that she already had adult children and that she was able to do so as a widow, despite the mythos of widows as being 'broken reeds' who may not have been able to manage the daily tasks of financial housekeeping let alone venture into a relatively unsettled frontier area such as west Tennessee in the early eighteen-thirties. The fact that Mary Wilkes was listed as the head of her household despite her having moved to west Tennessee with her adult daughter and son-in law is also important in understanding how her social situation contradicted the typical image of an antebellum widow. This fact indicates that Wilkes either lived alone, or, if she resided in a home with her daughter and son-in-law, that she gained and kept her status as head of the household even while living with an adult male relative. If Wilkes lived alone, albeit possibly with servants or slaves (though neither censuses nor the 1836 tax list mentions her as a slaveholder) her independent living arrangement belies the image of the destitute, dependant widow who must rely on family members for survival. If she lived in the same home as her son-in-law, her living arrangements would have been similarly notable, as a woman holding a dominant social position over an adult male of the same class would have directly challenged the patriarchal ideals of the antebellum South.

Prior to the 1840 Census, the first mention of Mary Wilkes in Fayette County records dates from an 1837 land deed stating that she purchased 6 acres from a Daniel Johnson (Id.524.ahp). A section of the land deed also mentions that these six acres were adjacent to land which Mary Wilkes already owned. Yet how Wilkes came to possess this land is unclear. The deed states that the land being purchased bordered “274 acres in the name of Ralph Graves (now owned by the said Mary G. Wilkes)” (Id .524.ahp). However Mary Wilkes came to own land that was registered under someone else’s name, the fact that she did own it is immensely important to any evaluation of the significance of her new six-acre purchase. Without the information that Wilkes already owned these 274 acres as the time this land deed was drafted, her purchase of six acres would seem curiously small. It would appear as if Mary Wilkes were entering into the Fayette County records for the first time as the owner of a tract of land which would seem almost too small to produce any economic advantages, especially when compared to the land holdings of other small farms in the area, such as Matthew and Elizabeth Dyer’s 115 acres. This assumption could lead contemporary thinkers to believe that Mary Wilkes was either purchasing the land for some purpose other than farming, an anomaly in rural and agricultural Fayette County, or that she was planning on using the land purely for sustenance farming. However, when her six-acre purchase is examined in conjunction with the adjacent 270 acres already in her possession, it becomes evident that Mary Wilkes owned a substantial amount of land and could have begun a fairly prominent farming or planting operation.

Another land deed dated to 1838 indicates that Mary Wilkes purchased 40 more acres from a William A. Gates less than eighteen months after she purchased the 6-acre tract from Daniel Johnson (Id.530.ahp). Her ability to purchase a larger tract of land only shortly after she augmented her 274-acre land base suggests that her financial situation benefited from the

previous venture. In effect, this second land transaction could imply that her purchase of the 6-acre tract had proved profitable enough that she could not only afford to buy more land, but could also economically justify the initial expense of purchasing the additional 40 acres.

Mary Wilkes' name appears again several decades later in an 1873 land deed (Id.562.ahp). While this deed does not involve Mary Wilkes personally, it involves her son-in-law, Thomas B. Firth. With this land transaction, Firth was selling a 241-acre tract which the land deed states was bounded "on the South and West by the lands of the estate of Dr. Richard Ewell. ... [sic] being the same owned by Mary G. Wilkes in her lifetime" (Id.562.ahp). At first glance, the only information dealing with Mary Wilkes in this land deed is the implication that she was no longer living when the deed was drafted; the phrase "owned by Mary G. Wilkes in her lifetime" leaves little question that she had died by 1873. However, another look at the deed reveals that the grantor, Thomas Firth, is listed as the "Extr. of Mary G. Wilkes" (Id.562.ahp). While I was unable to locate a will for Mary G. Wilkes, the presence of an executor indicates that Wilkes left an estate of at least some economic significance upon her death.

During her time in Fayette County, records demonstrate that Wilkes was able to accomplish several things that the gender mythology of the antebellum South would label difficult for women in general and extremely difficult for marginalized widows characterized as emotionally broken. These feats include moving to a frontier while not under the coverture of a husband, remaining the head of her household during her widowhood, and apparently profiting from economically sound real estate practices. These accomplishments imply that Mary Wilkes' status as a widow had little to do with her financial practices, and that she behaved in much the same way as any sound financial manager, regardless of gender or marital status. While her widowhood may have meant a great deal to her personally, and while the marginal social status

reserved for widowed women may have affected her social interactions with others in ways official records cannot document, it is clear that widowhood had little to do with her financial wellbeing. In Mary Wilkes' case, like the case of Elizabeth Dyer, widowhood played much less of a part in financial land management decisions than the amount of land and other forms of capital these women had available to them at the outset of their widowhood. Fayette County records indicate Elizabeth Dyer's socio-economic status at the beginning of her time as a widow by enumerating the monetary values of her husband's primary assets; while Fayette County has no such records for Mary Wilkes because she was widowed prior to her arrival in west Tennessee, the fact remains that whatever her financial situation at the onset of her widowhood, she had enough resources to both travel to Fayette County and to purchase a fairly substantial amount of land after her arrival. Thus, the most important factor in these women's finances appears to be their sage management of capital during their widowhood, not their widowhood itself. By using the monetary assets available to them to prosper despite their status as women and widows, Dyer and Wilkes acted not like the archetypal broken widow, but rather like enterprising male landowners of the time.

### **Mary Worsham**

Elizabeth Dyer's and Mary Wilkes' financial achievements could be dismissed as anomalies were it not for the prevalence of similar achievements by other widows in antebellum Fayette County. Mary Worsham is one such widow. Perhaps because she was the mother of Elizabeth Dyer, her experiences and achievements are remarkably similar to Dyer's (1840 Census Index 163). Mary Worsham's husband, Edward Worsham, is listed in the 1836 Fayette County tax list as the owner of 107 acres and 5 slaves worth a combined monetary value of

\$3156 (1836 Fayette County tax list). This combined value is very close to the values given in the 1836 tax list for Elizabeth Dyer's husband Matthew's assets. (Matthew owned 5 slaves and 115 acres worth a total of \$3440.) Also like her daughter Elizabeth, by the time of the 1850 slave census, Mary had acquired more slaves than her late husband had owned during his life (1850 slave census). Whereas Elizabeth Dyer owned *almost* double the number of slaves as her late husband by the time of the 1850 slave census, the census indicates that Mary Worsham owned 12 slaves, which *more* than doubled the number her husband had owned in 1836. However, this increase in the number of slaves may not indicate a similar economic achievement for Mary Worsham as it did for her daughter. While it is likely that Elizabeth Dyer somehow earned the money to purchase more slaves by efficiently managing her farm, it is likely that Mary Worsham inherited some and possibly all of her new slaves from her father's estate.

The will of William Lewis,<sup>9</sup> Mary Worsham's father, was recorded in 1809 and includes provisions for the wellbeing of Mary and her children (W.37.ahp). The early date of Lewis' will indicates both that Mary Worsham was already married in 1809 (the will refers to her by the name of Worsham, not by her maiden name) and that the will was drafted early in Worsham's marriage, as Worsham's children are repeatedly mentioned, but are never mentioned by name. This particular aspect of the will's wording suggests that the will was drafted so early in Worsham's married life that she had not yet had children in 1809, or that she had children but that they were very young.

One of the provisions in the will ensured that Mary Worsham inherit a share of Lewis' slaves upon his death. Mary's other siblings were also guaranteed a portion of their father's estate; Lewis' male children were guaranteed to inherit land while he willed slaves to his daughters. Whereas inheritances for all of Lewis' children are addressed in the will, Mary

appears to be the only one of Lewis' children to have had children herself at the time of the will, as the will specifically addresses Mary's children by stating that, in the event of Mary's death, the slaves she inherited from Lewis should "be equally divided between (Mary's) surviving children" (W.37.ahp). Because of this provision, Elizabeth was not eligible to inherit any slaves from William Lewis until after Mary Worsham's death. While William Lewis's will implies that Mary Worsham was already married to Edward Worsham in 1809 by using her married surname and by specifically mentioning her children as if she already had them, Lewis' will never mentions Edward Worsham by name, though he is listed in the 1836 tax list, so he had not yet died at the time Lewis drafted his will. By 1840, however, records imply that Edward Worsham had died, as the 1840 census index lists Mary Worsham as the head of her household (1840 census index 163).

Compared to the other widows studied in this project, Mary Worsham was rather financially inactive; the lack of existing land deeds and other real estate documents involving Worsham is a marked contrast to the frequent real estate ventures of other widows such as Fanny Dickens, Martha Winfield, and Mary Wilkes. However, to conclude that Mary Worsham's financial inactiveness is representative of the mythologized image of an antebellum widow who undertook little entrepreneurial work as a result of her gender and widowhood would be to overlook Worsham's history as an early resident of Fayette County. In an interview with Mrs. Bernice T. Cargill,<sup>10</sup> co-author of the 1830 census index for Fayette County and author of the 1840 census index, Mrs. Cargill clarified that Elizabeth Dyer and Mary Worsham were "both pioneers" when they came to Fayette County (Personal interview, July 18, 2006). Mrs. Cargill also noted that Mary Worsham encountered "some tough going" financially after she arrived in west Tennessee, citing information she has found indicating that Worsham frequently moved to

different homes, including one hotel, within Fayette County and that she lived for some time on a pension resulting from her late husband's military service in the War of 1812 (Personal interview, July 18, 2006). This information from Mrs. Cargill that Mary Worsham changed residences frequently could account for the lack of real estate transactions in Worsham's name and could indicate that she did not own the various properties on which she lived.

Even Mary Worsham's financial history, though clearly less illustrious than that of other antebellum widows in Fayette County, Tennessee, can serve as a defense of these women's social and financial normalcy. Just as it was not uncommon or unexpected for male landowners to attempt to profit from sound business dealings, it was also not unheard of for men to fail at such business ventures and to suffer "some tough going" especially if they were early settlers to a frontier area like west Tennessee. In other words, Worsham's financial failings, like the financial successes of Dyer and Wilkes, were nothing out of the ordinary for anyone of any marital status and imply relative socio-economic normalcy. More importantly, her failings appear to have had little to do with the fact of Worsham's widowhood.

If her widowhood, which in Worsham's case encompasses not only her marital status but also her status as a solitary woman without minor children, had been the cause of her financial problems, it would be reasonable to conclude that she would not have continued to live alone. Living with friends or relatives appears to have been an extremely viable option for Worsham since her daughter, Elizabeth Dyer, also lived in Fayette County and enjoyed a degree of financial success. However, both 1840 and 1850 census records list Worsham as the head of her own household, and the 1840 census even records that she lived alone. The 1850 census signifies that a 36 year-old man named William Coleman was living with Worsham, 68. However, the census still lists her as the head of the household which implies that he was not

living with her to ensure her financial wellbeing (1850 census index 122). In effect, her financial failings appear to have been purely matters of finances and not consequences of her status as a widow.

### **Mary Cotton**

The availability of William Lewis' will is a valuable tool in understanding Mary Worsham's finances and inheritance. Likewise, a will relating to another Ames Plantation widow, Mary Cotton, also gives important insights into the state of widowhood in west Tennessee prior to the Civil War. However, unlike William Lewis' will, this will belongs to the husband of the widow in question, not to her father. Robert Cotton was the husband of Mary Cotton and records available from the Ames Plantation indicate that he moved to Fayette County in "about 1823 from Halifax County, North Carolina"

(<http://www.amesplantation.org/history/family-histories/cotton%20family%20history.asp>).

Several land deeds indicate that Robert Cotton began purchasing various large tracts of land from 1826 to 1832. By the time the 1836 Fayette County tax list was compiled, Robert Cotton had amassed a total of 1,324 acres over three tracts of land and 41 slaves, all of which was valued at the combined total of \$40,350 (1836 Fayette County tax list). Having achieved this massive estate, Robert Cotton died on November 12, 1836 "between the age of 37 and 47 years" leaving Mary Cotton as his widow along with their "five sons, [sic] and two daughters ranging in age from five to 20 years" (<http://www.amesplantation.org/history/family-histories/cotton%20family%20history.asp>).

Just as Elizabeth Dyer's financial achievements could have hinted at the possibility of two exclusive interpretations of her financial decisions, the fact that Mary Cotton is named as on

of the executors of her late husband's will could imply two seemingly contradictory conclusions. A passage in Robert Cotton's will states that Mary Cotton and her adult son Leonidas Cotton were named as Robert Cotton's "legal representatives" (W.2.ahp). Naming Mary as the co-executor of his will could indicate that Robert Cotton did not subscribe to the antebellum ideal of the broken widow beset with the 'womanly weakness' addressed by Kristen E. Wood, or at least the Robert Cotton did not believe that his wife would be incapable of acting as his legal representative. However, the naming of his son Leonidas as co-executor with Mary could denote that he did not trust Mary entirely and believed she would need a partner in acting as his representative.

Whatever the reason for naming Mary as a legal representative with Leonidas, it is evident that Mary found few deterrents to acting in her late husband's legal stead. Robert Cotton's will, drafted only two months before his death and recognized by the Fayette County court on January 15, 1837,<sup>11</sup> states that Cotton wished that all of his property be kept together "until the children respectively become of age or get married in either of which events they may have his or her equal proportion or let it remain as common stock" (W.2.ahp). It appears that the children did not wish to let their inherited land remain as common stock, as Fayette County land deeds demonstrate that Mary deeded her daughters' inherited land to them in a transaction dating to 1894<sup>12</sup> and sold her son Edwin another portion of the estate in 1855 (Deed book O, 390; ld.123.ahp).

Mary Cotton had to take legal action in 1849 to secure the inheritances of her daughters Mary E. Wright and Sally Smith, who would have been ages 24 and 21, respectively (<<http://www.amesplantation.org/history/family-histories/cotton%20family%20history.asp>>). In a land decree dating to May of 1849, the Chancery Court at Somerville, Tennessee finds that land

which was apparently under dispute prior to this legal settlement was actually part of Robert Cotton's estate and that it should be legally deeded to Wright and Smith as their inheritances (Deed Book O, 390). As Elizabeth Dyer's legal struggle to become the guardian of her children demonstrates, it was not unprecedented for a widowed mother to go to court on behalf of her children. However, this particular instance is noteworthy because the land decree lists the grantees as "Mary Cotton and others" even though Wright and Smith were both adults and even though Leonidas Cotton was also a legal representative of Robert Cotton's estate.

Mary's appearance alone as the representative of her husband's estate certainly does not fit the image of the weak and incapable widow. Likewise, her widowhood itself does not appear to have anything in common with the legal issues being addressed in this land decree. Rather, this land decree deals with disputed ownership of land, an issue which has little to do with gender norms and the marginalized social space allotted to widows.

Mary Cotton's adamant protection of her portion of her late husband's estate also seems to have little in common with the mythologized image of the southern widow. In his will, Robert Cotton stated that it was his desire that Mary "remain in full possession and enjoyment of all (his) property during her natural life" except for the portions of the estate that their children inherited (W.2.ahp). While the will also states that Robert Cotton wanted "all proceeds owing from (his) farm" to be "appropriated and applied to its [sic] best interest and benefit of (his) children," it does not mention that Robert Cotton's lands should be used to the best benefit of Mary Cotton in any capacity (W.2.ahp). However, in both land deeds in which Mary Cotton conveyed land to her children, Mary mentions and secures her claim to a certain tract of land which was originally a portion of Robert Cotton's estate. In the 1849 land decree which granted Mary Cotton's daughters the rights to their inherited land, a 640 acre tract "valued at \$4.00 per

acre amounting to \$2560.00” is allotted to remain in Robert Cotton’s estate, to which Robert Cotton’s will gave Mary full privileges for the length of her natural life (Deed Book O, 390). This 640-acre tract is also mentioned as one of Cotton’s three tracts listed in the 1836 Fayette County tax list, which intimates that this tract of land was perhaps the portion of Robert Cotton’s estate which Mary Cotton was claiming as her dower (1836 Fayette County tax list). The 1855 land deed in which Mary Cotton sells her son Edwin a portion of his father’s estate and an 1850 trust deed between Mary Cotton and another Fayette County resident, John W. Jones, debunk the hypothesis that Mary Cotton was using the *entire* 640 plot as her dower, but imply that Mary may have been using *a portion* of it as her dower.

The trust deed to John W. Jones dates to August 10, 1850 and states that it was drafted because Mary Cotton “was indebted to the said John W. Jones” to the amount of \$4,353 plus interest incurred from October 13, 1846 (ld.87.ahp). In the deed, Mary Cotton mortgages “an undivided third of a tract of six hundred and forty acres” to Jones along with the certain “personal property,” which is later specified to mean three of Mary Cotton’s slaves, and agrees to a payment schedule which allowed Mary Cotton to pay one tenth of the total amount owed every November from 1850 to 1859 (ld.87.ahp). Also contained in the deed was a provision declaring the trust deed void if Mary managed to fully repay Jones. The trust deed also states that the tract of land was “the home of Robert Cotton in his lifetime and of his widow and family since his death” and that Mary was “entitled to” one-third of the tract while the other two thirds were “held and claimed by her children Edwin Cotton and Norfleet Cotton (ld.87.ahp).

Despite the fact that the deed never mentions the word ‘dower,’ the particular wording of this trust deed could convey that Mary was using a portion of the 640-acre tract as her dower without ever explicitly stating so. For example, the assurance that Mary was mortgaging only

her portion and not the portions belonging to her sons would be insignificant if not for the usage of the phrase “entitled to one-third.” Since traditional dower laws provided one-third of a husband’s assets to his widow, Mary’s claim to one third of this particular tract could constitute that the idea of dower was in practice here even though Robert Cotton’s will made no mention of dower. Perhaps Robert Cotton’s will does not mention dower because one third of this individual tract was not one third of his entire estate, and therefore would not legally constitute dower. However, this trust deed between Jones and Mary Cotton mentions that this particular 640-acre tract had been the residence of Robert Cotton during his life and was still used by his family as their residence (Id.87.ahp). Thus, Mary’s possible use of a third of this tract as her dower (of sorts) would constitute the most economically sound application of the idea of dower. In other words, Mary’s choice to claim a portion of the residential property instead of one of Robert Cotton’s properties which was not used as a residence would have guaranteed that Mary remained in possession of her home, provided that she paid her debts to John W. Jones. Mary Cotton later sold all of the “undivided interest” of this 640-acre plot to her son, Edwin Cotton, indicating that she was somehow able to repay Jones (Id.123.ahp).

While available records relating to Mary Cotton’s financial and legal interests all deal with inherited assets from her late husband’s estate, thus making her widowhood a substantial facet of her finances, she too exhibited signs of managerial prowess when dealing with her husband’s estate. Mary Cotton was especially effective when preserving that estate for her children, whether by arguing for a court decree guaranteeing her daughters their inheritance or by somehow repaying John Jones by 1855 instead of by 1859 as expected by the trust deed drafted between them. Her mortgaging of a portion of her husband’s estate to repay a debt is undoubtedly not a profitable maneuver, yet her apparent quick repayment of her debt enabled her

son Edwin to purchase all of the 640-acre residential tract, thus keeping the Cotton residence in the Cotton family. In Mary Cotton's case, widowhood played a substantial role in her financial situation. However, it did not hinder her from engaging in successful (or semi-successful) legal and financial endeavors.

Another interpretation of the available data on Mary Cotton could lead to the conclusion that widowhood actually was placing an undue burden on her and that it was likely her wifely inexperience at large-scale land management combined with the strain of being a co-executor for an estate as large as Robert Cotton's that led to her indebtedness to John. W. Jones. The data set available on Mary Cotton does not indicate the reason for her indebtedness to Jones nor does it indicate whether or not she had experience managing land prior to her husband's death. However, the data set at the Ames Plantation does illustrate that widowhood alone did not necessarily lead to victimhood when dealing with trust deeds such as the one made between Jones and Cotton, as evidenced by the fact that Cotton's debts were paid and her family was allowed to keep their residential land. In fact, one particular widow in antebellum Fayette County, Martha Winfield, benefited from entering into trust deeds with other landowners.

### **Martha Winfield**

The 1836 Fayette County tax list shows Martha Winfield with a small amount of taxable assets, noting that she owned no land and only 8 slaves (1836 Fayette County tax list). However, she appears two years later in Fayette County records in a very meticulous land deed involving a Lewis Conner, whom the land deed states is from Giles county in central Tennessee while Martha Winfield was still a resident of Fayette County (Id .62ahp). The deed explains that Conner was "held and firmly bound unto Martha Winfield" in the amount of \$8,580, which he

promises to repay. To repay half of this amount, Conner mortgaged a 429-acre tract of land in Fayette County (though not in an area of the county which would eventually become the Ames Plantation) for which the deed provides a payment schedule wherein the entire property would be purchased in full by 1842 (Id. 62ahp). The deed also states that if Conner either completely deeded the property to Winfield or paid his debt in full by the time of the final payment that the mortgage outlined in this land deed would be nullified and this half of his debt would be considered paid (Id. 62.ahp). The deed fails to mention either how Lewis Conner came to be indebted to Martha Winfield or how the remaining half of his debt would be paid. A later deed dated to 1852 was drafted between Winfield and a William W. Patter, whom the deed states was the “guardian for the minor heirs of Lewis Conner, decd.” (Id. 109.ahp). In this transaction, Winfield forecloses on the property Lewis Conner mortgaged to her during his lifetime while paying Patter \$2700, presumably a refund of any payments Lewis Conner had made to Winfield on the mortgaged property before his death (Id. 109.ahp).

These instances of a widow entering into a trust deed as the grantee instead of the indebted party, and later foreclosing on this property, serve to nullify somewhat any notion that Mary Cotton’s state of widowhood itself was to blame for her indebtedness to John. W. Jones. Clearly, becoming indebted had little to do with gender or marital status and very much to do with money management. If widowhood itself combined with woman’s social expectation to exhibit a lack of aptitude in dealing with financial matters were the root causes of this mismanaging money, the land deed made between Conner and Winfield would be an anomaly as it demonstrates the presence of a widowed female grantee and a male debtor.

However, more land deeds involving Martha Winfield indicate that this trust deed was by no means an anomaly, and that Martha Winfield entered into several similar trust deeds, one

of which even naming her own children as those indebted to her. After her initial fore into trust deeds with Lewis Conner in 1838, Martha Winfield entered into a trust deed in 1839 with an Israel Mars in which he sold to her in trust a 10-acre tract of land containing also “a saw and grist mill known as Brown Mills” (ld.532.ahp). The deed also mentions “2 beds, and furniture, 9 chairs, 2 tables, 3 head of cattle and 1 mare and colt” (ld.532). This land deed not only indicates that Martha Winfield had become comfortable with trust deeds, but it also signifies Martha’s entrance into the landholding classes, as the purchase of this mill marks the first time Winfield enters Fayette County records as owning any land. In addition to entering into the ranks of the landowning residents of Fayette County, Winfield also became a business owner, thus generating a source of personal profit for herself in the public sphere despite the fact of her widowhood.

An undated land deed notes that Winfield was “indebted to her son William Edward Winfield” for “his share in the distribution of the Estate [sic] of his grandfather” and also for his “share of the proceeds of the sale of the lands descended to him from his father” to the amount of \$636 and was indebted to her daughter, Margaret E. Rawlings, for “the same sum” (ld.432.ahp). In order to allow Martha Winfield to pay these debts on their inheritances, William Winfield and Margaret Rawlings allowed their mother to mortgage a 140-acre tract of land and various household properties including livestock, furniture, and slaves on the condition that she would have paid all of her debts to them in one year (ld.432.ahp). Thus, in a slightly comical turn of events, the same Martha Winfield who had foreclosed on Lewis Conner’s property after his death was now in danger of losing some of her property to her own children! Another land deed involving Winfield and her children dates to 1846. In this transaction, Martha Winfield acquired all of the interests belonging to her son, William Winfield, her daughter Margaret Rawlings, and William D. Johnson on some property she had sold to them in trust four years

earlier in 1842 (ld.132.ahp). In effect, Martha Winfield foreclosed on property she had deeded in trust to her very own children when they failed to pay their debts for the land. However precarious the position of selling land in a trust deed may seem, it must have been at least a slight source of profit to Martha Winfield, as the 1860 slave census lists her as the owner of 16 slaves,<sup>12</sup> a number which exactly doubled the number of slaves she owned in 1836 according to the Fayette County tax list (1860 slave census; 1836 Fayette County tax list).

### **Fanny Dickens**

Winfield's financial success, though it enabled her to double her slave force, was far eclipsed by Fanny H. Dickens. Though Fanny Dickens did not live in Fayette County until she purchased land there in 1841, her late husband, Samuel Dickens, was a land agent for the University of North Carolina and a fixture in Fayette County records from the 1820s and 1830s. Land deeds naming Samuel Dickens as the grantor often list him as "Samuel Dickens for UNC" (ld.163.ahp). After his death, Fanny Dickens moved to Fayette County alone and eventually purchased enough land and slaves that the 1850 slave census documented that she owned 39 slaves and listed her as a planter instead of a farmer. Fanny's initial purchase of 200 acres from an Ed Davis in February of 1841 cost her \$1600 (ld.412.ahp). However, Dickens must have had money available to her prior to this land purchase or she must have utilized the purchase very profitably because she was able to buy 202 more acres, adjacent to land she already owned, from a Binberg Walton in September of 1841 (Deed Book J, p.296).<sup>14</sup> Records indicate that she co-purchased with John W. Burton at least one more tract of land from an Elizabeth W. Anderson on February 6, 1852 (ld.424.ahp). At 320 acres, this tract was larger than her previous two purchases, indicating again that Dickens must have been utilizing the resources of her lands quite

efficiently and generating enough of a profit to continue purchasing new land. Fanny Dickens' final entry into the Fayette County land deed books appears less than two months after her purchase from Elizabeth Anderson. In this entry, dated March 25, 1852, Dickens sold 155 acres of her land to a Zelia Hartsfield (Id.348.ahp).

Throughout her time in Fayette County, Fanny Dickens engaged in several land deals, all of which appear to have been economically sound investments, and none of which indicate that she was indebted to anyone during her residence in Fayette County. In fact, if Dickens' land transactions are so uncomplicated that the casual observer could overlook their social implications. Rather than interpreting Fanny Dickens' transactions as boring or uneventful, they could be viewed as incredibly efficient and economically savvy. While Dickens' widowhood may or may not have prompted her to relocate to Fayette County, it certainly did not seem to enter into her financial ventures. Dickens obviously had enough start-up capital of some kind to be able to afford to move to Fayette County alone with no apparent family in the area, and at least a portion of this start up capital was likely inherited from her late husband's estate. Likewise, some of Fanny's real estate prowess may also be attributed to her land-agent husband as it is possible that she learned a great deal about real estate from him. However, even these aspects of her widowhood have less to do with the social state of being a widow than they do with the money Fanny possessed at the outset of her widowhood. In other words, like male landowners of the time, her smooth financial dealings were probably not the result of her marital status; they were likely the result of her access to funds and excess income.

This access to disposable funds, which Fanny's solitary movement to Fayette County strongly suggests, combined with Fanny's demonstrable understanding of real estate matters, also lends itself to the hypothesis that Fanny Dickens might have managed her human property

as profitably as she did her real estate. The 1850 slave census indicates that Fanny Dickens owned 39 slaves, 20 of whom were children under the age of 12. Eleven of these 20 children were under 5 years old. Consequently, the females in Dickens' slave force ranged in age from 2 years to 77 years. Her male slaves, however, only ranged in age from infancy to 42 years. Other than one 42 year old man, the oldest male was a mere 33 years of age. This strange grouping of ages could be a coincidence, especially if there had been a recent 'baby boom' among Dickens' slave population. A far more likely interpretation of this data set is that Fanny Dickens was profiting off of her slaves by either encouraging them to have children, whom she could later sell, or by contracting their labor to other landowners in the area. Given the many adolescent girls and older women in Fanny's slave force, it may have proved profitable for her to send them to work as domestic laborers in nearby white households. While these theories as to the labor activities of Dickens' slaves cannot be proven based on the compiled data set relating to Fanny Dickens, I was unable to find any information implying that she sold any of her slaves after she sold portions of her land base. If, in fact, Fanny did not sell any of her slaves after downsizing her real estate holdings, this fact would support the hypothesis that she was renting their labor to other households.

## **Conclusion**

Fanny Dickens could be considered a social anomaly, especially in light of her establishment of a new homestead in Fayette County later in her life and after she was already a widow. However, she could also be viewed as emblematic of the differences between the legal and social mythology surrounding southern antebellum widows and the realities of their lived experiences. Nothing about Fanny Dickens' finances seems to point to the image of the "broken

reed.” In fact, very few aspects about the other five women examined seem to conjure that image. This is not to suggest that the image of the mentally weak woman and the emotionally weak widow did not exist in the South before the Civil War; the image is discussed in numerous books and articles which explore the lives of antebellum widows. However, much of the previous research conducted on women, wives, and widows in the South has focused on states such as Virginia, Georgia, and the Carolinas, much like some of the secondary sources listed here. Very little inquiry seems to have been made into the financial and legal lives of antebellum widows on frontier areas like early Fayette County. Perhaps the need to survive in a relatively uncultivated area pushed norms about women and their marital statuses to the periphery of social thought and replaced them with more immediately pressing concerns about land, inheritances, estates, and money management. Legal norms about woman’s mental usefulness to the antebellum home still existed, as Elizabeth Dyer no doubt encountered while petitioning to be her children’s legal guardian. Prejudicial social practices also still existed, as evidenced in Fayette County court records by the repeated references to widowed women only as ‘widow’ and not by their full names. However, despite these legal and social strictures, these six widows managed to survive and more by entering into financial ventures in much the same ways as a typical male landowner of similar economic means may have done.

A peculiar aspect of my research into these financial ventures, especially when they involved the buying or selling of slaves, is that the normalcy of these widows’ finances was, like the finances of most antebellum white men, built upon the institution of slavery. Because a slaveholder had to have enough funds to house newly acquired slaves (regardless of how meager the housing was) and a profitable enough operation to merit the addition of new slaves, the fact that several of the women studied managed to increase the number of slaves they owned, either

through commerce or through births within their existing slave forces, indicates a substantial financial increase. Thus, the acquisition of more slaves cannot be ignored in any discussion of an antebellum slaveholder's finances. However, since these financial increases indicate that these widows had some financial agency that is seldom associated with nineteenth century women, it appears that much of their agency is a direct result of slavery and of their profiting from the forced labor of slaves. In effect, the very data which debunks the idea that financial prowess was a strictly male domain and that women in the antebellum South, especially widowed women, were financially incapable, does so by benefiting from the institution of slavery. In effect, as these women were, knowingly or not, debunking a binary that characterized women as inferior to men, they were simultaneously enforcing a binary that characterized African Americans as inferior. In this way, their agency, like the agency of white male slaveholders, was built on the backs of slaves.

The fact that none of these women remarried is also a peculiar aspect of my research. While age may have been a factor in this decision for some of the six women examined, financial independence may have been a much more prominent factor in deterring them from remarriage. Given the legal strictures placed on a wife, especially the custom of coverture, a financially successful widow could lose all of her earnings if she entered into a marriage contract, so marriage was quite a financial risk for wealthy widows. Marriage was also a personal risk for widows, as there was a chance that any new marriage could be unsuccessful on emotional as well as financial fronts. Therefore, it appears that remaining widowed was the most sensible course of action for a financially successful widow, as it provided her a social and economic stability that a new marriage had the potential to undermine.

Whether or not these women's financial successes caused them to forego remarriage, it is clear that their finances played a substantial role throughout the course of their widowhood. In fact, finances seem to play such a significant role that none of these women represent the image of the broken reed. Their knowledge and prowess at navigating their financial and legal situations is comparable, in both their successes and their failures, to the abilities of antebellum men of any marital status. Thus, the financial actions of these antebellum widows lead to a defense of their normalcy as landowners despite their marginal and mythologized social status.

#### Notes

<sup>1</sup> Fayette County, Tennessee County Court Minute Book B, 1840-1844. 171. This book is a bound index and typed copy of original handwritten court records from Fayette County, Tennessee between the years of 1840 and 1844. It was compiled and abstracted by Jean Alexander West and is available as part of the archival collection at Ames Plantation in Fayette County, Tennessee. The book was compiled from the original handwritten court records and is paginated at the top of each page. However, the page numbers where each entry could be found in the original handwritten court records are indicated by parenthetical notation before each set of entries which appeared on that page. I have chosen to cite page numbers according to their original page numbers. For instance, the entry cited here appears on page 58 of Minute Book B, but is listed as follows: "(p.171) E. LEWIS, overseer on new road heretofore marked out in direction of LaGrange. Hands of: Widow COTTON, L. COTTON, Sandy McNeal, M. McNeal, D. Jernigan, Widow DYER, Widow WORTHAM, A. Goode, W.A. GATES, B. HOLCOMB, Enoch STWEART & Wm. BAW." Since the entry appeared on page 171 of the original court

documents, I have cited it as such. Therefore, the entry can be found in either the bound publication of Minute Book B, or in the original handwritten records, if such records can be located.

<sup>2</sup> This is a land deed copied from the collection at the Ames Plantation. All land deed documents consulted for this project were found at the Ames Plantation and had been transcribed from microfilm and/or Fayette County Deed Books into individual documents and archived at Ames. Under the Ames Plantation archival organization land deeds are catalogued with an individual number code. This land deed's number code is "ld.280.ahp." The "ld." indicates that this document is a land deed which can be found archived under the number 280. From this point forward, all land deeds will be cited in the text by their numerical code. However, they will be fully cited in the Works Cited section. This particular deed indicates that it was transcribed from the Fayette County, TN Deed Book 24, page 238 and from the Fayette County, TN Library, Microfilm Roll 60. This deed is dated from 1899.

<sup>3</sup> See this book for more references to maintaining allowances for widows. This book is similar to Minute Book B. However, it was compiled and published by different people and its title page states that it was part of the "Historical Records Project Official Project No. 165-44-5999." The book's title page also states that it was "copied under Work's Progress Administration" on February 16, 1938 by Mrs. John Trotwood Moore, state librarian, archivist, and sponsor, by Mrs. Elizabeth D. Coppedge, who is listed as the director of Women's and Professional projects, by Mrs. Penelope Johnson Allen, listed as the "state supervisor," and by Mrs. Kathleen W. Caradine, listed as "Supervisor Third District." The title page also notes that the book was

copied by Mrs. Maggie Young and typed by Miss Allyne Roemer. While the WPA is no longer in operation and consequently these positions likely no longer exist, I have included them to make clear that Minute Book A is a viable source of information. Photocopies of Minute Book A are available at the Ames Plantation and a stamped marking on the title page indicates that it is also available at the Tennessee State Library in Nashville, Tennessee. Like Minute Book B, Minute Book A is paginated on each typed page and contains each entry's original page number in parenthesis. Again, I have chosen to cite by the page-numbers on the original document.

<sup>4</sup> Online source. "Fayette County, TN - Court - W.T. Averette, Deceased, Court Orders." rootsweb.com. 26 July 2006.

<http://ftp.rootsweb.com/pub/usgenweb/tn/fayette/court/averet03.txt>. The heading of this entry states that it is part of Tennessee State Archives, Roll #2, Fayette County Circuit Court Minutes, Vol. 1, June1859-June1866, p. 77; October Term, 1859.

<sup>5</sup> 1836 Fayette County Tax List is a county listing of all the residents of Fayette County who had taxable assets such as land and slaves in 1836. The tax list gives both the amounts of land and slaves and their monetary value. The 1836 Fayette County Tax list is available on microfilm in the Fayette County-Somerville library in Somerville, Tennessee. Since it is a county record and has no author or publisher, it is cited in the text as "1836 Fayette County Tax list."

<sup>6</sup>The 1830 Census Index was compiled by Bernice T. Cargill and Joy G. Rosser in July 2002. It lists all of the names of people appearing in the 1830 federal census and the pages on which they appear. It is officially titled "1830 Census, Fayette County, Tennessee Index" and was given as

a gift by Bernice G. Cargill and Joy G. Rosser to the Fayette County-Somerville Library.

Occasionally, the census index will list additional historical information next to an entry, though this information does not appear in the actual 1830 federal census.

<sup>7</sup> Information in the 1850 Slave Census was included in the slave schedule of the 1850 federal census. It can be found on microfilm at the Tennessee State Archives in Nashville, TN. Entries pertaining to residents of the Ames land base are archived at the Ames Plantation. All slave census information used here was taken from the archives at the Ames Plantation.

<sup>8</sup> The 1840 Census Index was prepared in the same way as the 1830 census index by Bernice T. Cargill in September 2000. It is officially listed as “Index, 1840 Census Fayette County, TN,” and is available at the Fayette County-Somerville Library in Somerville, Tennessee. The 1850 Census index, mentioned in the same paragraph as the 1840 Census index, was also prepared by Bernice T. Cargill.

<sup>9</sup> Like land deeds, all wills cited are taken from the archives at the Ames Plantation. Before being transcribed and archived at Ames, wills were found in Fayette County deed books. Wills are cited in text by their Ames Plantation archival code. This will is cited as ‘W.37.ahp,’ the ‘W’ indicating that it is a will.

<sup>10</sup> This is a personal interview with Bernice T. Cargill, an unofficial Fayette County historian. Bernice Cargill is the co-author of the 1830 Fayette County census index and the author of the 1840 census index.

<sup>11</sup> An addendum to Robert Cotton's will states the date the will was officially recognized.

<sup>12</sup> This land decree, though taken from the archives at the Ames Plantation, is missing an archival number. Therefore, I have cited it using its location in the Fayette County archives.

<sup>13</sup> Like the 1850 slave census, this information is from the slave schedule of the 1860 federal census.

<sup>14</sup> This land deed is also missing its archival number. Thus, I have also cited it using its location in the Fayette County archives.

### Works Cited

Cargill, Bernice T. Personal interview, July 18, 2006.

Clinton, Catherine. The Plantation Mistress: Woman's World in the Old South USA: The Board of Trustees of the University of Illinois, 1998.

"Cotton Family History." amesplantation.org. 27 July 2006.  
<<http://www.amesplantation.org/history/family-histories/cotton%20family%20history.asp>>.

"Fayette County, TN - Court - W.T. Averette, Deceased, Court Orders," rootsweb.com. 26 July 2006. <<http://ftp.rootsweb.com/pub/usgenweb/tn/fayette/court/averet03.txt>>.

Mill; John Stuart. "The Subjection of Women." in Feminist Theory: a reader. Eds. Wendy K. Kolmar, Frances Bartowski 2<sup>nd</sup> ed. New York: McGraw-Hill, 2005. 80-85.

Wood, Kristen E. Masterful Women: Slaveholding Widows from the American Revolution through the Civil War. Chapel Hill, NC: The University of North Carolina Press, 2004.

### Archival Sources

1830 Census, Fayette County, Tennessee Index. Compiled by Bernice T. Cargill and Joy G. Rosser. July 2002.

Fayette County, Tennessee County Court Minute Book B, 1840-1844. Abstracted by Jean Alexander West, 1983.

Fayette County, Tennessee tax list, 1838. Microfilm roll#3, Fayette County-Somerville library in Somerville, TN.

Tennessee, Records of Fayette County, Minute Book A, 1824-1829. Copied under Works Progress Administration, 1938.

Index, 1840 Census Fayette County, TN. Compiled by Bernice T. Cargill.

Index, 1850 Census Fayette County, TN. Compiled by Bernice T. Cargill.

United States Government, *Seventh Census of the United States: 1850.* Slave population, in Vol.2, Fayette and Hardeman Counties, TN

### **Land Deeds**

Fayette County, TN Deed Book 4, p. 592. Grantor: Thomas B. Firth, Extr. Of Mary G. Wilkes, Grantee: Walter C. Rhea, April 23, 1873. (Cited in text as ld.562.ahp).

Fayette County Deed Book 24, p. 238. Grantor: W. G. Walker et al, Grantee: Emma Greenlow, October 5, 1899. (Cited in text as ld.280.ahp).

Fayette County Deed Book D, p.211. Grantor: Samuel Dickens for UNC; Grantee: Willis Person, June 7, 1834. (Cited in text as ld.163.ahp).

Fayette County, TN Deed Book F, p. 527. Grantor: Daniel Johnson, Grantee: Mary G. Wilkes, April 10, 1837. (Cited in text as ld.524.ahp).

Fayette County, TN Deed Book H, pg. 331-332. Grantor: William A. Gates, Grantee: Mary G. Wilkes, September 26, 1838. (Cited in text as ld.530.ahp).

Fayette County, TN Deed Book H, p. 356-357. Grantor: Israel Mars, Grantee: Martha Winfield, February 11, 1839. (Cited in text as ld.532.ahp).

Fayette County, TN Deed Book J, p. 103. Grantor: Lewis Connor, Grantee: Martha Winfield, December 15, 1838. (Cited in text as ld.62.ahp).

Fayette County, TN Deed Book J, p. 524. Grantor Martha Winfield, not grantee listed; deed of trust. No date listed. (Cited in text as ld.432.ahp).

Fayette County, TN Deed Book J, p.296. Grantor: Binberg Walton, Grantee: Fanny H. Dickens, September 22, 1841. (Cited in text as Deed Book J, p.296 because archival number is missing).

Fayette County Deed Book L, p.61. Grantor: Fanny H. Dickens, Grantee: Zelia Hartsfield, March 25, 1852. (Cited in text as ld.348.ahp).

Fayette County Deed Book M, p. 171. Grantor: Ed Davis, Grantee: Frances (Fanny) Dickens, Feb 16, 1841. (Cited in text as ld.412.ahp).

Fayette County, TN Deed Book N, p. 243. Grantors: William D. Johnson, William E. Winfield, M.E. Rawlings, Grantee: Martha Winfield. May, 1842. (Cited in text as ld. 132.ahp).

Fayette County, TN Deed Book O, p. 390. Grantor: Michie Cobb, Grantee: Mary N. Cotton and others. (Cited in text as 'Deed Book O, 390' because Ames Plantation archival number is missing).

Fayette County, TN Deed Book P, p. 153. Grantor: Mary N. Cotton, grantee: John W. Jones, August 10, 1850. (Cited in text as ld.87.ahp).

Fayette County, TN Deed Book Q, p. 248. Grantor: E.W. Anderson, Grantees: John. W. Burton and F. H. Dickens, February 6, 1852. (Cited in text as ld.424.ahp).

Fayette County, TN Deed Book R, p. 186. Grantor: William W. Patter, Grantee: Martha Winfield, January 1, 1852. (Cited in text as ld.109.ahp)

Fayette County, TN Deed Book V, p. 252. Grantor: Mary N. Cotton, Grantee: Edwin H. Cotton, July 30, 1855. (Cited in text as ld.123.ahp)

### **Wills**

Will of Robert Cotton, Fayette County Will Book A, p. 215 (cited in text as W.2.ahp). Also available at the Fayette County-Somerville Library, microfilm roll #34.

Will of William Lewis, Fayette County Deed Book C, p. 320. (cited in text as W.37.ahp).