

**HUMOUR, HALTERS AND HUMILITATION: WIFE-
SALE AS THEATRE AND SELF-DIVORCE**

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ABSTRACT

During the eighteenth and nineteenth centuries a number of England's regional newspapers published descriptions of a popular rural custom known as wife-sale. This event incorporated the symbolism of a livestock auction with a public declaration by a husband and wife to part ways. While previous studies have focused on wife-sale as a mode of self-divorce, the present work explores the meaning behind the symbols and rituals of wife-sale within the context of English popular culture. The existence of the newspaper accounts of wife-sale is largely due to the curiosity of middle-class commentators who expressed disgust (sometimes feigned) at the humiliation inherent in wife-sale. Consequently, this investigation into the meanings attached to wife-sale goes beyond the context of the rural plebeian community to include middle-class representations of wife-sale and their influence upon English culture and gender relations.

Key Terms:

English popular culture; shaming rituals; self-divorce; wife-sale

*To the memories of Gladys Monroe and June Mander,
I admire the lives you lived and think you would have recognized the humour and
strength shown by the women who took part in wife-sale.*

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Prologue

Who'd be plagued with a wife
That could set himself free
With a rope or a knife,
Or a good stick like me.¹

In her essay on the “gendering” of popular culture Susan Dwyer Amussen criticized cultural historians for focusing on the exceptional aspects of life instead of attending to the values and norms expressed in the course of daily life.² There is some validity to Amussen’s critique as the majority of books and journals written about the history of popular culture concentrate on carnival, charivari, and similar festive occasions. Her point is not that these topics lack value but that they have overshadowed other important areas of research, thereby leading historians away from a comprehensive approach to popular culture. Although I identify with Amussen’s desire to expose the meaning ordinary people attached to the activities and interactions that comprised their daily lives I do not think there is much use in viewing popular culture through a dichotomy of the ordinary and the extraordinary. Carnival festivals, May celebrations, and parish wakes were deviations from ordinary life but one of the recurrent arguments about studying ‘the world turned upside down’ is that it affords an opportunity to explore the norms and hierarchical relationships that governed daily life.

Whimsical and grotesque elements are found in the ways that people met the practical needs of life, notably in the English custom of wife-sale. There was a fascinating mixture of pragmatism and spectacle in this custom as it was essentially a

¹ Sung by Punch in John Payne Collier, *Punch and Judy, with Twenty-four Illustrations Designed and Engraved by George Cruikshank; and Other Plates; Accompanied by the Dialogue of the Puppet-show, an Account of its Origin, and of Puppet Plays in England* (London: Bell and Daldy, 1870), 76.

² Susan Dwyer Amussen, “The Gendering of Popular Culture in Early Modern England,” in *Popular Culture in England 1500-1850* ed. Tim Harris, 48 (New York: St. Martin’s Press, 1995).

ritualized sale of a wife by her husband to another man who then became her husband in the eyes of the rural plebeian community. These mock sales typically took the form of a livestock auction with the woman being led to the marketplace in a halter. Wife-sale was practiced throughout England from the middle of the eighteenth to the late nineteenth century. Despite the curious character of the divorces there has been little attention paid to wife-sale beyond the small number of accounts that pepper the contemporary press and folklore collections. Recently, wife-sale has emerged as a topic of academic history with the publication of “The Sale of Wives” in *Customs in Common: Studies in Traditional Popular Culture* by E.P. Thompson and *Wives for Sale: An Ethnographic Study of British Popular Divorce* by Samuel Menefee. These two texts moved away from assertions that wife-sale was a reprehensible peculiarity of rural plebeians and established a more neutral and empirical approach to the subject.

E.P. Thompson and Samuel Menefee looked to the inaccessibility of legal divorce in England to understand the development of this extraordinary ritual. From the Reformation to the Divorce Reform Act in 1857, the two legal methods for dissolving a marriage in England were *divortium a mensa et thoro* and *divortium a vinculo*.³ *Divortium a mensa et thoro* was granted by an ecclesiastical court and was in essence a separation from bed and board, while *divortium a vinculo* was a full legal severance granted by a judicial body. Since a couple seeking a *divortium a vinculo* was required to petition Parliament and convince the Members of Parliament that their case warranted an individual exception to the rule prohibiting all divorce, this was unattainable for all but an exceedingly wealthy minority. The Divorce Reform Act of 1857 removed divorce from Parliament but this did not benefit the working-classes who continued to be excluded

³ Lawrence Stone, *Road to Divorce: England 1530-1987* (Oxford: Oxford University Press, 1990), 46-7.

from legal divorce for fear of bringing about the worst social curses.⁴ Consequently, wife-sale has come to be understood as a custom of self-divorce that was designed to gain recognition of a divorce and subsequent remarriage from the members of a rural working-class community.

E.P. Thompson and Samuel Menefee's contributions to our understanding of wife-sale cannot be denied, however their analyses of the wife-sale ritual do not satisfactorily explain the purposes it served, its rich symbolism or even the extent of its social impact. Wife-sale was undeniably used as a method of self-divorce and remarriage but it was more than this, for the social relationships that it affected extended beyond that of the husband and wife. Connecting wife-sale too closely to self-divorce essentially underestimates working-class individuals and the popular culture in which they participated. By extending research of wife-sale beyond self-divorce to include its relationship to contemporary popular culture and expanded roles of participation and representation we can better understand the purpose of wife-sale and the meanings attached to its symbolism.

⁴ Stone, *Road to Divorce*, 371-2.

Chapter One: Mr. and Mrs. Prinny Meet *Punch and Judy*

In 1939 George Baldry published his memoir *The Rabbit Skin Cap: A Tale of a Norfolk Countryman's Youth* in which he described a remarkable auction at a small fair.

According to Baldry there were all sorts of how-de-row going on when a man by the name of Mr. Prinny loudly asked the auctioneer if he could put his wife in as a lot. In Mr. Prinny's words there were "plenty of folks about - chance of a lifetime to git[sic] shot on her".⁵ A roar of laughter and curiosity followed this strange proposal yet Mr. Prinny did not shy away from telling his potential buyers why he wanted to sell her. It seems that when he married her she was straight as a lath and he could get his arm around her nice little waist and give her a kiss but things had changed – by the time he decided to sell her he could not get any closer to her than a yard. The assembled crowd freely discussed the merits and hazards of such a purchase. When the auctioneer called for bids one of the potential buyers asked if he could have a guarantee that she would not roll over on him in the middle of the night and leave him flat as a pancake in the morning. Even though Mrs. Prinny was a first rate cook, her girth was an insurmountable obstacle for her husband and purchasers alike. Finally, with no serious offers at hand the auctioneer informed Mr. Prinny that old hinds do not often sell, bringing yet another roar of laughter from the gathered crowd and when all the mirth died down the auctioneer got on with his 'real' business.⁶

⁵ George Baldry, *The Rabbit Skin Cap: A Tale of a Norfolk Countryman's Youth* (Woodbridge: Boydell Press, 1974), 146.

⁶ Baldry, *Rabbit Skin Cap*, 146-8.

If the remainder of *The Rabbit Skin Cap* is any indication of George Baldry's motivations for including this short narrative, then it is likely that he hoped this tale of a wife-sale would shine a spotlight on the simplicity of folkways and highlight the amusement to be found in simpler days. Yet what is to be made of this curious anecdote when we stop picturing a man squished as flat as a pancake? The humorous description of Mr. Prinny's outlandish request does not conceal the fact that Mrs. Prinny was almost sold to another man with the intention that he would then become her new husband. Had Mr. Prinny been successful he would have been defying British marital law, which opens up the prospect that Mr. Prinny was asserting working-class rights in the face of dominant social standards. But with Mrs. Prinny's physical bulk as his stated motivation it would seem that Mr. Prinny's concerns were of a somewhat cruder character. Perhaps the bawdy nature of Mr. Prinny's actions arise out of the "ignorance" of rural labourers who equated a desire for separation with legal divorce. However, neither Mr. Prinny nor the assembled crowd mentioned or even seem concerned with any legal ramifications of such a sale. Could this mean that he was simply turning to a traditional method to change the fabric of his sexual relationship with minimal strain on the communal status quo?⁷

The shocking image of a man trying to sell his wife because he no longer wants to live with her cannot easily be ignored, particularly since it seems to fly in the face of rational behaviour. George Baldry does not explain the puzzling incident and leaves it to his

⁷ Each of these perspectives has been championed by individuals attempting to decipher such a seemingly inconceivable practice as wife-sale. The first suggestion is a reference to the explanation of wife-sale that appears in the chapter entitled "The Sale of Wives" in E.P. Thompson, *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993). Subsequent descriptions correspond to the viewpoints espoused in many contemporary accounts, particularly *The Laws Respecting Women as They Regard Their Natural Rights* reprinted from the J. Johnson edition 1777, (New York: Oceana Publications Inc, 1974), 55 and to Samuel Menefee, *Wives for Sale: An Ethnographic Study of British Popular Divorce* (New York: St. Martin's Press, 1981).

readers to discover that Mr. and Mrs. Prinny were one of many couples connected to the fascinating English custom of wife-sale.

Much of the strangeness in Baldry's reminiscence of a wife-sale comes from the fact that wife-sale is not a familiar topic within the historiography of English popular culture. Wife-sale is lost among a plethora of books and articles about alehouses, rough music, parish wakes, football or witchcraft. Although it is unlikely that historians have failed to notice wife-sale, it seems less likely that wife-sale has not been interesting enough to pique their curiosity. The relative absence of wife-sale from histories of popular culture must be connected to the inherent difficulties of researching popular culture. Generally speaking, popular culture historians are most intrigued by performance but must investigate their meanings and functions through indirect means. Often, the most intriguing features of popular culture are the most difficult to retrieve because it is only textual material that has survived.⁸ Historians face further challenges with wife-sale because unlike festivals and rituals with civic or religious connections, wife-sale records were created unintentionally. Fortunately, in the eighteenth and nineteenth centuries wife-sale was a spectacle whose objectionable details made it especially newsworthy, with the result that provincial periodicals and newspapers began publishing accounts of local wife-sales or the occasional advertisement of an upcoming sale. Studies of these papers have yielded approximately four hundred cases of individual wife-sales.⁹ There are also references to wife-sale that appear in folklore collections, broadsides, and quarter session records but the bulk of wife-sale materials lie

⁸ Peter Burke, *Popular Culture in Early Modern Europe* (Aldershot: Solar Press, 1994), 65.

⁹ This calculation comes from E.P. Thompson's own consideration of the materials he and Menefee had separately collected. It is possible that not all sales aroused enough interest to be written about and some historians have presumed that the actual number of sales is greater than the recorded total. Thompson, *Customs in Common*, 404-462.

in the pages of contemporary regional newspapers. As lucky as historians are to have these valuable sources the nature of such materials raises significant methodological problems for wife-sale historians.

The first issue that historians must contend with comes from the socio-economic distance between those who documented wife-sale in periodicals and folklore collections and those who supported and performed wife-sales. It becomes the task of wife-sale historians to discover wife-sale participants' motivations and intentions through the eyes of individuals that were not directly connected to that event. This in itself should not make historians wary of wife-sale since it is common for historians to reconstruct the culture of the non-elite from elite sources. However, it is daunting that wife-sale historians are dependant upon the whims and curiosities of contemporary journalists. The newspaper is by nature a selective medium with limited space that is published as a vehicle for procuring a profit and disseminating information, not for searching out and cataloging popular culture practices. It is discouraging to think that any attempt to determine how many couples resorted to wife-sale, how far it spread and how long it existed might be thwarted by the details of undocumented wife-sales. The earliest documented sales were published in regional newspapers in the middle of the eighteenth century but it is still unclear when wife-sale developed because it is possible that the earliest sales that historians are aware of were the first sales to be published but not the first wife-sales performed.

The resulting confusion regarding wife-sale's origins can be seen in the competing claims that wife-sale was a vestigial custom that survived into the eighteenth and nineteenth centuries because of the simplicity of rural labourers and that it was a

product of socio-cultural changes in the eighteenth century. Explanations of wife-sale as an ancient practice were popular in the nineteenth century and were the result of class prejudice. Without any evidence it was claimed that wife-sale grew out of Anglo-Saxon laws regarding seduction of freemen's wives or savage times when marriage was based on purchase.¹⁰ The ambiguity of wife-sale's origins was problematic for E. P. Thompson and Samuel Menefee but these authors chose to face the methodological challenges of wife-sale materials through an empirical approach to wife-sale. Thompson and Menefee accepted the notion that wife-sale was designed as a form of self-divorce because of the impossibility of rural workers securing a *divortium a vinculo*. They then used their respective collections of wife-sale sources to define the typical structure and purpose of wife-sale.

Current scholarship suggests that six components were required for a wife-sale and "re-marriage" to be deemed legitimate by the village community. Each wife-sale had to be public, had to have the semblance of an open auction and had to take place at the market or fair with some sort of payment given for the wife. There were specific roles for participants with women having to give their consent to be sold and wear a halter. It has been argued that a well-attended sale was a necessity not only because any auction needs bidders but because it facilitated community recognition. According to Thompson and Menefee, this public display demonstrated the couples' willingness to part and ensured that it was a permanent separation. Not surprisingly, a perceived need for

¹⁰ William Bates, *Notes & Queries: A Medium of Intercommunication for Literary Men, Artists, Antiquaries, Genealogists, etc.*, fourth series, no. 10 (1872), 467-8 and Sabine Baring-Gould, *Devonshire Characters and Strange Events* (London: Bodley Head, 1926), 69.

maximum exposure has emerged as the primary explanation for why wife-sales were performed in busy public spaces such as agricultural markets and fairs.¹¹

A mock sale appears to be a natural choice because it would convey an impression of permanence. The finality of the self-divorce achieved by a wife-sale came from it being a metaphorical transfer of property, for when the deal is struck and payment exchanged, all ties between the seller and product are severed.¹² The exchange between husbands and purchasers was important because by reproducing this exchange the wife-sale ritual breaks the ties between the husband and his former wife and secures the rights and obligations of a husband for the purchaser.¹³ The most frequently documented form of compensation was cash in hand, or the promise of a future payment, however a significant proportion of wife-sales were also concluded through a partial or full payment often involving alcohol.¹⁴

The empirical approach towards wife-sale had substantial benefits for Thompson and Menefee because it released them from pressures of investigating a custom that too easily could be construed as another form of women's victimization at the hands of men. By focusing on the details of wife-sale reports an image of strong women began to emerge, prompting Thompson to conclude that female wife-sale participants had agency within the performance. This was based on the behaviour of a significant proportion of

¹¹ Stone, *Road to Divorce*, 144. Also Menefee, *Wives for Sale*, 35-6.

¹² Stone, *Road to Divorce*, 145.

¹³ A number of contemporaries, and a few present day authors, have interpreted wife-sale literally but both E.P. Thompson and Samuel Menefee have offered strong arguments against this notion. Some evidence that these women were only symbolically treated like chattel comes from inconsistent prices and the various forms of payment accepted.

¹⁴ There are twenty-five out of 120 newspaper reports from 1767-1840 that explicitly mention alcohol use. Exchange of the wife for alcohol reduces the appearance of women as chattel since it had celebratory functions and corresponds to other instances where the payments were returned to the purchaser in the form of luck money

women who demonstrated active participation in the performance.¹⁵ Support for this position came from the necessity for women to give their consent to the sale and the evidence that at least a few women had some measure of control over the outcome of the wife-sale: one woman exercised a veto when an undesirable purchaser won the bidding and a few exceptional women were reported to have bought their own way out of marriage.¹⁶

The halter was the most potent symbol associated with wife-sale. Regardless of where it was worn on the wife's body, or what material it was made from, no wife-sale was successfully completed in its absence. Current investigations into wife-sale have viewed the halter as the symbolic counterpoint to the relationship between the husband and wife because possession of the halter was the equivalent of owning the part of the husband. The halter consistently inspired a great deal of indignation within contemporary commentary but Thompson, and to a lesser extent Menefee, have optimistically interpreted the halter as a symbol for delivery.¹⁷ With the halter constructed as a tool used to deliver men and women from unhappy marriages the focus is not on how humiliating the halter would have been for women but how it symbolized the freeing of the husband and wife from each other.

Working-class men and women being denied access to legal divorce is a seductive explanation for wife-sale because it provides a convenient solution to the custom's ambiguous origins. Yet defining wife-sale as a reaction on the part of unhappy working-

¹⁵ Some examples are: *Jackson's Oxford Journal*, 28 April 1810; *The Times*, 18 July 1834; *The Times*, 4 April 1836; *Jackson's Oxford Journal*, 4 May 1839; *The Times*, 15 December 1849.

¹⁶ Women who bought their way out of marriage bid on themselves through a hired agent or supplied the money for their own purchase. See for example: *Lincoln, Rutland & Stamford*, 7 November 1817; *Birmingham Chronicle*, 7 August 1823; *Yorkshire Gazette*, 3 August 1833.

¹⁷ Thompson, *Customs in Common*, 419-20.

class couples hardly explains wife-sale's characteristic form. Indeed, why would a custom that embodies both a desire to shame and an acceptance of such mortification develop from a lack of legal divorce? The current model of wife-sale based on Thompson and Menefee's empirical approach has erred in downplaying the humiliation in favour of an image of wife-sale as a pragmatic expediency. Certainly there were individuals with masochistic tendencies in the eighteenth and nineteenth centuries but this is an unlikely explanation of the humiliation as wife-sale genuinely dealt with marital discord. Avoidance of direct discussion of overt humiliation, however, was of no benefit to either author because it caused them to miss out on a deeper reading of wife-sale's symbolic elements. Wife-sale's importance comes from the style of self-divorce, not the fact that some couples chose to undo their marriages.

The ultimate significance of wife-sale lies in the role of the marketplace, the auction and the halter -- all central to the intentional humiliation. It is difficult for wife-sale historians to examine the nuances of the overt humiliation of wife-sale because the spectre of women's victimization has long plagued interpretations of the custom. The security of academic detachment frees historians from the pressures of controversy but adds little to their understanding of wife-sale. The solution may lie in a new theoretical approach towards wife-sale, one that examines the ritual through the perspective of popular culture. The context of popular culture offers historians a valid means for confronting methodological challenges while making it easier to retrieve impressions of people's experiences. Examination of songs, jokes, and images that mix observation with imagination has great potential to reach participants' views of wife-sale's symbols while forcing historians to recognize wife-sale as a cultural phenomenon rather than a

collection of isolated events that shared a common appearance.¹⁸ Unfortunately, many depictions of subtleties within wife-sale not found in newspaper articles are critically underused because they do not fit with an empirical approach.

Since much of the meaning that wife-sale held for its participants was contained in its visual display it is worthwhile examining its imagery. The wife-sale in *Selling a Wife* (Figure 1) by Thomas Rowlandson is clearly a public event with spectators surrounding a well-displayed woman wearing a halter. The people's simple dress, the notable absence of buildings, and the presence of fence rails all combine to imbue a sense of being in a country market.



Figure 1: Thomas Rowlandson. *Selling a Wife*. Pen and Indian ink, brown wash and watercolour over pencil sketch. 12.2x20.4 cm. Inv. no. GR-151-21646. ©The State Hermitage Museum, St. Petersburg.

¹⁸ Both E.P. Thompson and Samuel Menefee presented their investigations of wife-sale as studies of a form of popular culture but their preoccupations prevented them from considering wife-sale within the context of English popular culture. Much of Thompson's energy was spent demonstrating wife-sale as mutual divorce in order to help expose custom as a positive example of working-class resistance. Menefee on the other hand, rushed to mark the existence of wife-sale as an informal institution in British society and missed an opportunity to plumb the depths of the cultural mindset that would give rise to such a custom.

For historians researching wife-sale from an empirical perspective, *Selling a Wife* is valuable because it is evidence that corroborates the structure of a typical wife-sale as set out in E.P. Thompson's model. Yet *Selling a Wife* offers far more than confirmation as it captures less tangible features of wife-sale. An early commentator on wife-sale noted with incredulity that it was difficult to think that these women would willingly submit to such a situation¹⁹ but the festive atmosphere and vivacious wife make women's participation less peculiar. In fact, Rowlandson's depiction of a wife-sale demonstrates the value and necessity for approaching wife-sale through the perspective of popular culture. Rowlandson's construction of the scene, including the body language of the husband, wife, and purchaser reveals much more about the nature of their interaction with each other, and with their spectators, than do textual accounts.

The sense of intimacy produced through the proximity of the spectators and principal players is deceptive, for what appears to be a public declaration is actually a dramatic performance. There are four 'characters' in this scene: the zealous husband, the brazen wife, the eager purchaser and the interested crowd. The three main players are separated from the crowd by the fence, much in the same way that actors are separated from their audiences by the stage and proscenium arch. The event is partially scripted with each character accorded specific roles and props. The wife attracts the attention of onlookers by exhibiting some of her good features while her husband works to entice the audience and potential purchasers. This gives the impression that the wife-sale was a genial affair, and with the halter barely noticeable, it leads one to join Thompson in discounting the role of humiliation. However, what Rowlandson gives us is an image of

¹⁹ *The Laws Respecting Women*, 55. Women's participation and consent to being sold was explained through the assumed brutality of their husbands who may have bullied and beaten their wives into submission.

vibrant sexuality, a touch of revelry with hints of discipline and subordination, for the thin halter is tied securely around the woman's waist and accompanied by a sizeable stick.

The beauty of *Selling a Wife* for historians is that it shows the wife-sale ritual to be a spectacle where life meets theatre. Awareness of the theatricality of wife-sale performances gives a new opportunity for researching the meaning of wife-sale. As previously noted, the earliest documented instances of wife-sale appeared in the mid-eighteenth century but wife-sale happened in a particular context and shares a number of themes with older cultural traditions. Specific characters in *Selling a Wife* stand out because of a fundamental sense of earthiness about their bodies. In the centre of the image is a hale and hearty wife whose ruddy complexion, sturdy body, and firm bosom is a vision of sensuality. Close to her is a portly man whose pint glass and prominent belly suggest a hearty appetite. These lusty characters contrast with the bent and aged man whose gaunt face and ragged clothes invite visions of decay. Healthy or haggard, the prominence of the body in this image evokes feelings of carnival and Lent, usually symbolized by old frail women as opposed to the portly male who symbolized Carnival.²⁰

It was common for early nineteenth-century writers to refer to wife-sale as a degrading custom, or as an example of women's degradation. They were correct but not in the way they meant. Degradation in the context of carnival is coming down to earth, to the body, to death and birth.²¹ Carnival was meat, abundance, sex, violence and laughter -- it was a time when the world was turned upside down, when people indulged and roles

²⁰ Carnival was a moveable festival between the fixed dates of Christmas celebrations and the start of Lent. Michael D. Bristol, *Carnival and Theatre: Plebeian Culture and the Structure of Authority in Renaissance England* (New York: Methuen, 1985), 41.

²¹ Mikhail Bakhtin, *Rabelais and His World* trans. Helene Iswolsky (Bloomington: Indiana University Press, 1984), 21.

were reversed. During carnival, individuals openly flouted restrictions on social behaviour and stepped outside of the traditional hierarchies of power that shaped their lives through the liberation of their tensions and appetites.²² Carnavalesque customs were ambivalent; they were gay and triumphant but double-edged with mockery and complaint.²³ Ritual provided a medium for this energy and allowed one to mock authority and the conduct of one's neighbours. At its heart was a public improvisational theatre in which everyone participated whether the festivities attacked political and ecclesiastical authorities or publicly shamed men for being cuckolds or for being beaten by their wives.²⁴

England was not a carnival country like Italy or France but the influence of carnival can be seen in the aggression, sexuality and the inversion of normal rules of behaviour shared by other English customs.²⁵ Wife-sale performances were frequently marked by a tone of aggressive humour that ridiculed the wife by equating her with livestock. Indeed, in an early rendition of *Selling a Wife* the soldier was not a potential purchaser offering money but a bystander who points and laughs at the wife. Even the banter at Mr. Prinny's attempted sale gives historians a sense of the mockery because Mrs. Prinny was repeatedly rebuked for being too fat. She is called Mr. Prinny's biggest half, accused of getting wedged in doorways and the like.²⁶ The mockery extended to the sexual appetites and capabilities of husbands, wives and purchasers as the man who held the halter had possession of the wife and therefore all the rights and obligations of being a

²² Burke, *Popular Culture*, 185-204.

²³ Bakhtin, *Rabelais and His World*, 11-12.

²⁴ Burke, *Popular Culture*, 187.

²⁵ Douglas A. Reid, "Interpreting the Festival Calendar: Wakes and Fairs as Carnivals" in *Popular Culture and Custom in Nineteenth Century England*, ed. Robert Storch, 125 (New York: St. Martin's Press, 1982). The discussion of English carnivalesque customs often revolves around Shrove Tuesday, May celebrations, and parish wakes but it is possible to put wife-sale on this list.

²⁶ Baldry, *Rabbit Skin Cap*, 146-7.

husband. Not even the unmarketable Mrs. Prinny was protected from sexual innuendo as one man remarked that she would do well to 'wax his thread'.²⁷ The structure of wife-sale is degrading in the carnivalesque sense because it effectively reduced self-divorce to a display and evaluation of a haltered body.

Since husbands often acted as auctioneers a large part of the husband's role was to construct the public image of the exposed wife and often instigated the mockery themselves. The fact that wife-sales took the form of an auction is significant because with the bidding process the price is always a reflection of the value attached to the article being sold, while also ensuring that wife-sale audiences were active participants. It has been suggested that husbands used high prices to exact retribution from men who had caused the alienation of a wife's affections. However, since bidding provided the spectators with an avenue for establishing the value of the woman exposed for sale there is also the possibility that low bids were meant to insult the wife and imply that she had little worth.

Investigating the connections between wife-sale and contemporary forms of popular culture helps place wife-sale in an appropriate cultural context. Wife-sale's connections to carnival releases historians from explaining why publicity, the market, or the halter were necessary for self-divorce and pushes them to explore the functions of wife-sale through the meaning of its symbols. This allows historians to engage with the overt humiliation of wife-sale without sacrificing the possibility that women were active participants since it makes the humiliation purposeful but not inherently victimizing. Admittedly, it is difficult to reconcile the image of a haltered and auctioned woman with the notion of agency but it is similarly difficult to reconcile how easily people condemned

²⁷ Baldry, *Rabbit Skin Cap*, 147.

wife-sale for its rough treatment of women when the overtly violent *Punch and Judy* puppet shows were not only acceptable but became cultural icons. Despite their contradicting receptions couples like Mr. and Mrs. Prinny had many parallels with *Punch and Judy*.

Improvisation was a significant part of *Punch and Judy* but surviving transcripts show that there were established characters and basic plot structures that were universal, most notably Punch's beating and killing of his wife and baby and his subsequent escape from the gallows.²⁸ Although the escapades of the cantankerous and murderous Punch intrigued and attracted all classes,²⁹ the character of Punch has been considered a representative of working-class life who treats marriage, authority, death, and the fear of eternity with the same disrespect.³⁰ The relevance of *Punch and Judy* to the history of wife-sale is not simply that their relationship was violent, for nearly all of Punch's encounters with other characters were marked by violence, rather it is the particular dynamics of their relationship that matter.

Judy is an interesting character because she is not deserving of her violent death, yet neither can she be called a passive victim. Described both as a 'shrew' and a 'nag',³¹ some surviving texts portray Judy as a spirited personality who does not shy away from her husband. In the 1828 text by John Payne Collier, the relationship between Punch and Judy is blatantly antagonistic yet it would be a mistake to construe Judy's death as punishment for being a virago.³² After Judy discovers that Punch has thrown the baby out

²⁸ Scott Cutler Shershow, *Puppets and "Popular" Culture* (Ithaca: Cornell University Press, 1995), 168.

²⁹ Shershow, *Puppets and "Popular" Culture*, 163-4.

³⁰ Peter Fraser, *Punch and Judy: Accompanied by the Dialogue of the Puppet Show* (New York: Van Nostrand Reinhold Company, 1970), 8.

³¹ D.H. Myers, *The Last Days of Mr. Punch* (New York: The McCall Publishing Company, 1971), 24.

³² Collier, *Punch and Judy*, 69-76.

the window she responds by bringing a stick onto the stage and proceeding to bludgeon her husband. Even though it is Punch who emerges triumphant from the violent scuffle, it is Judy who initiates the violence. This is also true of their relationship as portrayed in the ballad *Punch's Pranks*. When she discovers Punch's philandering an enraged and jealous Judy pulled her husband by the snout, as well as that of his paramour Pretty Polly, thus beginning her violent row with her husband.³³

It has been suggested that in the comic nonchalance with which Punch kills his wife and baby, it is possible to see an element of wish fulfillment that might appeal to men whose class status meant that divorce was virtually impossible.³⁴ It is worthwhile to speculate on the idea of wish fulfillment, for what would it mean if this idea were extended to women? Using the same logic, some of the comic appeal for female spectators may have laid in Judy's bludgeoning of Punch. Although Punch and Judy were caricatures with Punch's demeanor towards Judy constructed to entertain an audience the themes of gender antagonism had a true-life basis. This interplay of fantasy, entertainment and daily life may similarly apply to wife-sale. If we consider the violence in *Punch and Judy* to be an example of wish fulfillment rather than an exact replication of the relationships between working-class husbands and wives, then it is also possible to see the brutality of wife-sale as a pretense. Since wife-sale was as much a theatrical performance as it was a practicality, and as the husbands and wives who participated in wife-sale were assigned specific roles and props, the humiliation becomes a necessary part of the plot. Unlike Punch and Judy who endlessly repeated their quarrel for the

³³ *Punch's Pranks* as quoted in Collier, *Punch and Judy*, 41.

³⁴ Shershow, *Puppets and "Popular" Culture*, 167.

amusement of a paying audience, each wife-sale performance was the reflection of participants' real experiences.

We can only reap the benefits of exploring the continuities that wife-sale shares with *Punch and Judy* and carnival if we remember that wife-sale was an event where the expectations of the community penetrated into the family home. One of the biggest contributions of E.P. Thompson's research into wife-sale was his argument that wife-sale was a form of moral self-regulation by rural workers. With the spectacular nature of wife-sale we readily assume the husband, wife and purchaser to be operating on individual agendas but this gives too much credence to individuality and ignores the considerable influence that a community had upon people's lives. This is evident in a range of English ritual forms used to enforce social standards that are encompassed by the term "rough music".

Among the variety of offenses that gave rise to a performance of rough music were the remarriage of widows or widowers, women wearing the breeches in their household and cuckoldry. These rituals were essentially the exercise of social justice through the presence of loud cacophonous music and public mockery that acted as an announcement of the offenders' disgrace as judged by the community.³⁵ The connection between rough music and wife-sale is not restricted to the fact that the community interfered in the lives of its members, since the list of transgressions demonstrates that rural working-class communities were concerned with maintaining appropriate gender roles and curtailing sexual impropriety among its members. Rough music's strongest ties

³⁵ The severity of the punishment varied but there was a frequent tendency for skimmingtons to be brutal and the harassment was not always restricted to a symbolic representation. Thompson, *Customs in Common*, 467-531.

to wife-sale lie in the use of potent symbolism as part of an effort to publicly shame individuals.

One form of rough music, known as a skimmington, inflicted particularly lasting psychological effects and often attached an enduring stigma to the offenders. Skimmingtons were often visited upon women who had usurped their husband's dominant position in the home and involved a raucous procession where the victim or proxy performers were paraded through town simulating the offense. In addition to re-enactments, the procession often included emblems that evoked shame and publicized the offense. A man's failure to maintain control over his household was represented by his riding a donkey backwards, while cuckolds were represented through participants carrying women's shifts or the ubiquitous horn.³⁶ The exercise of rough music upon individuals and couples who flouted norms of sexual propriety has distinct implications for understanding the motivations of wife-selling couples. The type of transgression and the identity of the offenders often influenced the level of severity meted out to them but in general the mockery and cacophonous din of rough music resulted in the offenders being drummed out of their community. The strongest influence of rough music on community harmony lay not in the event itself but in the possibility that it might be performed. The prevalence of skimmingtons, and other forms of rough music that used shame as a vehicle for social regulation, adds complexity to the role of the wife-sale audience. Wife-selling couples relinquished a certain amount of control to their own community by subjecting themselves to public scrutiny. In the performance of a wife-sale participants sought recognition and courted community acceptance.

³⁶ Thompson, *Customs in Common*, 477.

If we accept wife-sale's relationship to carnivalesque traditions, as well as its affiliation with rough music and *Punch and Judy*, it is evident that defining the structure of wife-sale as an abhorrent oddity is in error. The violence in *Punch and Judy*, and the hostility towards individuals that displayed a blatant disregard for community-defined morals, provide a valuable context for investigating the underlying motivations for using the halter and portraying self-divorce as a livestock auction. In isolation the halter and auction assume atrocious form but when considered in relation to popular customs like rough music we begin to discern the internal coherence of this practise.³⁷ Indeed, approaching wife-sale from the perspective of popular culture solves particularly frustrating methodological issues because it makes the mentality of wife-sale participants more accessible to historians. The similarities wife-sale shares with rough music and other carnivalesque customs provide indirect evidence that wife-sale was not a vestige of England's 'pre-Christian days of savagery'³⁸ but was a vibrant custom with roots in the early modern period. The ritual's origins will always be shrouded in ambiguity but the possibility that it developed in relation to the popular traditions of England shifts the emphasis away from justifying the form that the self-divorce took to exploring other factors for its distinctive structure.

Inaccessibility of legal routes to divorce cannot account for wife-sale's distinct form. There are many ways to symbolize the permanent separation of husbands and wives, many of which do not involve such overt demonstrations of authority. The embarrassment these people experienced occurred within an atmosphere of mirthfulness

³⁷ As Robert Muchembled points out it is the internal coherence of systems of organizing the world that popular culture historians must investigate with popular culture understood on its own terms. Robert Muchembled, *Popular Culture and Elite Culture in France, 1400-1750*, trans. Lydia Cochrane (Baton Rouge: Louisiana State University Press, 1985), 1-13.

³⁸ Baring-Gould, *Devonshire Characters*, 69.

marked by shades of violence and cruelty but to assume that the wife-sale was pointless humiliation denies the agency of rural working-class individuals. Wife-sale was performed in the rural working-class community, a context where marriages faced regulation from more immediate influence than British marital law. Historians need an alternative approach to investigating wife-sale that explores the ritual within the context of the social relationships and culture of the rural working-class community. Wife-sale was not an example of the supposed ignorance and brutality of the labouring poor but a creative and complex custom that was consistent with established cultural traditions.

Wife-sale was one of the most inventive means of dealing with the end of a marriage because it mixed punitive ritual and social regulation with amusement. In fact, Mr. Prinny's attempted sale has as much to do with the inaccessibility of legal divorce as it does with a desire to joke around. This is precisely what makes George Baldry's reminiscence of wife-sale valuable for historians because it shows that wife-sale cannot be understood without engaging with the subjective elements of the ritual. It does not matter that Baldry does not catalogue wife-sale's structure as fully as other sources because his account retains an appreciation of the humour in the situation. Ultimately, it is as unsatisfactory to describe wife-sale solely as self-divorce as it is to attribute Mr. Prinny's request to his displaying rural ignorance, attempts to maintain the communal status quo, or assertion of working-class rights because none of these explanations account for the unique structure of wife-sale.

Chapter Two: Searching for Meaning in Auctions and Halts

E.P. Thompson ended his discussion of wife-sale in *Customs in Common* with an explanation for the long delay between the time when his interest in wife-sale was first sparked and when he published the results of his research. It seems that throughout the 1960s and 1970s Thompson periodically delivered a lecture entitled “The Sale of Wives” but he eventually stopped after he met with a great deal of hostility for delivering an ‘anti-feminist’ lecture.³⁹ Thompson presented audiences with a different picture than they expected; instead of a scathing portrayal of wife-sale as one more example of the miserable oppression of women he talked about their agency in the ritual. Thompson did not elaborate much beyond saying that he did not treat wife-sale as an outrage because the evidence simply did not ‘feel’ like that.⁴⁰ Unfortunately, the memories of aggressive question periods may have kept him tied to a conceptualization of wife-sale as pragmatic self-divorce when he finally did publish his findings about wife-sale.⁴¹ It is difficult to argue that women were active participants when wife-sale is considered only in terms of self-divorce because wife-sale can still be interpreted as an unhappy husband ridding himself of his wife. However, studying the structure of wife-sale in relation to other popular traditions gives the support needed to corroborate Thompson’s sense of the evidence.

The irony of attributing wife-sale’s form to practical needs is that it does not account for wife-sale as an emotionally charged event even though it acknowledges this

³⁹ Thompson, *Customs in Common*, 458.

⁴⁰ Thompson, *Customs in Common*, 457.

⁴¹ Thompson flirted with the notion that wife-sale could also have functioned as a shaming ritual but did not pursue the idea nor did he push his analysis of wife-sale to include possible connections with other working-class customs.

ritual as a method of dissolving intimate relationships. Historians have justified the halter, auction, and marketplace by claiming that since wife-sale was a custom based in rural communities, it was natural for people to use familiar items and symbols. It is hard to account for the notion that people chose these symbols simply because of proximity to an agricultural lifestyle, especially when we consider the degree of antagonism in a number of wife-sale accounts. I believe that is condescending to label wife-sale as an amicable demonstration where women were inadvertently humiliated. This position assumes that the symbols used in this process were not consciously chosen for the shame that they would inflict and largely ignores the fact that wife-sale performers were cognizant of their own behaviour. Wife-sale had elements of pragmatism but it was also laced with animosity, humour, and resentment.

Why did this custom of self-divorce and remarriage revolve around the metaphorical sale of a wife? This was not an easy method for getting out of marriage, particularly because it entailed some degree of physical and psychological discomfort for participants, therefore performance of a wife-sale must have provided some couples with an intangible benefit they could not otherwise obtain. Recovering the state of mind of wife-sale participants is not an easy task but is one that historians must attempt because ignoring the emotional context or disconnecting the ritual's structure from its emotional content leaves us with a distorted impression of wife-sale. Although wife-sale was premeditated and semi-scripted it was an expression of the domestic conflict that plagued each wife-selling couple -- and needless to say, few people react without emotion when confronted with a disintegrating marriage. In order to fully comprehend the incentives

for men and women to perform a wife-sale historians must allow for the possibility that wife-sale mimicked livestock auctions because it gave emotional satisfaction.

Wife-sale participants were familiar with the materials and routines of an agrarian life but these performers did not use symbols borrowed from the beast market because they were simple-minded or because their closeness with animals made them unmindful of the impression left by such symbols. This was a context where the majority of the populace was fluent in a language of visual representations and it is difficult to see wife-sale performers and their audiences as anything but purposely treating women like livestock. Consider the following example of a wife-sale that reportedly occurred in Altrincham in 1832. An eyewitness had

met a man leading a woman by a rope. 'Come up,' he said, and the lady, like Borkis's horse, came up accordingly. She was encouraged to this promptly by the presence of a man behind her, armed with a stick, and prepared to support her husband's action by appropriate arguments. The husband it appears, was not unmindful of the well known precept that wives were more easily led than driven; but in case the one method failed he had provided for the enforcement of the other.'⁴²

Even within the context of the wife-sale ritual, the presence of a man armed with a stick in order to physically support the authority of the wife-selling husband cannot be explained by pragmatism or logic. There is a perverse humour to the treatment of this wife primarily because the husband was more than willing to accept the premise of wife-sale that women were to be treated like livestock. He embraced his role as cattle driver so fully that he acquired the help of another man to offer the same type of encouragement that one would give to stubborn cattle. Each wife-sale was an episode of non-fictional community theatre and it is likely that the threat and demonstration of physical force in this sale was intended to contribute to the overall message of the performance.

⁴² Chas. Nickson, *Bygone Altrincham: Traditions and History* (Yorkshire: Scolar Press, 1971), 64-5 reprinted from (Didsbury: Mackie & Co. 1935).

Entries in the periodical press are akin to cross-sections of relationships, where the dynamics of the domestic sphere were dramatized and put on display for others. One wife-sale advertisement is particularly helpful in illustrating the nature of relationships that concluded in wife-sale.

To be sold for *Five Shillings*, my Wife, Jane Hebbard. She is stoutly built, stands firm on her posterns, and is sound wind and limb. She can sow and reap, hold a plough, and drive a team, and would answer any stout able man that can hold a *tight rein*, for she is damned *hard mouthed* and headstrong; but if properly managed, would either lead or drive as tame as a rabbit. She now and then makes a *false* step. Her husband parts with her because she is too much for him. - Enquire of the Printer. - N.B. All her body clothes will be given with her.⁴³

Regardless of how the Hebbards' marriage began, it is clear that by the time the wife-sale was set in motion, this relationship had disintegrated into a struggle of wills. There is a prevailing atmosphere of spiteful humour throughout the advertisement because the way that Jane is described parallels the method used in livestock discussions. This is effective for not only is the image of Jane's firm rear-end amusing in itself but it puts Mr. Hebbard in a position of authority. The advertisement's condescending tone can be considered an intentional insult against a woman who had apparently shown blatant disregard for her husband's authority and for marital fidelity. However, one must be careful when considering how successful Mr. Hebbard was in the battle against his wife, for not only does he decide to abdicate his husbandly authority but he does so because his wife proved to be too much for him to handle.

Mr. Hebbard was not the only wife-selling husband who was unable to rein in the behaviour of a wife or receive the respect he felt due, leading one to suspect that the performance of a wife-sale correlates to the dangers that arose from relationships that inverted standard conceptions of domestic authority. This is why wife-selling couples'

⁴³ *Jackson's Oxford Journal*, 13 August 1796 emphasis in the original.

participation needs to be considered from the way that their performance influenced, and was a product of, their membership in a rural working-class community. Except for a few notable sales performed at Smithfield market in London, wife-sale was a predominantly rural custom. The majority of documented wife-sales occurred from the mid-eighteenth to the mid-nineteenth century, corresponding to a period when the traditions of working-class rural communities continued to hold a strong influence over the lives of working-class individuals.⁴⁴ Rural working-class communities were characterized by inter-dependent relationships and a notable lack of privacy, which resulted in constant negotiation of one's reputation and standing with family and community. There was danger in not conforming to community-defined standards of propriety because it would jeopardize the support that a larger social network could provide.⁴⁵ Neighbours were well acquainted with each other's domestic concerns and were often active in patrolling the boundaries of morality. Censure was meted out to those individuals that transgressed community norms of gender and sexuality.

Women who beat their husbands, were exceedingly quarrelsome or nagging, usurped their husband's authority, or had cuckolded them potentially faced retribution in the form of a skimmington. Yet not all shaming customs were as severe as rough music. The evening before the first of May, known as Mischief-neet, was an annual opportunity to expose the sins of one's neighbours but it did not result in offenders being cast out of their community. Mischief-neet expressed a castigatory message in symbolic terms that

⁴⁴ John Belchem, *Industrialization and the Working Class* (Aldershot: Scolar Press, 1990), 48-9. Despite the rise of industrialization the majority of England's population lived predominantly rural lives long into the nineteenth century.

⁴⁵ Steven King, "Chance Encounters: Paths to Household Formation in Early Modern England" *International Review of Social History*, 44 (1999), 23-46. Courtship, for example, often involved friends, family and neighbours who could put a stop to a match if there were concerns about the potential marriage partner. Once a marriage had taken place the support that kinship networks potentially provided was often vital to the success of a marriage.

primarily focused on household cleanliness, family harmony and sexuality. Under the cover of darkness specific objects were placed outside the homes of those who had violated community norms and in the morning the clandestinely placed items presented an iconography of public morality.⁴⁶ In addition to the ubiquitous cuckold's horns, mops were used to indict wives as incompetent housekeepers, gorse to accuse young women of immodesty and a rag with salt to identify young women of 'gross inclinations.'⁴⁷ From documented cases of wife-sale where the causes of the sale were given we find evidence of women's infidelity, bad temper and inclination to wear the breeches. In fact, one husband initiated a wife-sale because his wife had beaten him about the face until he bled.⁴⁸ Given the overlap between the behaviours involved in wife-sale and shaming customs like rough music and Mischief-neet there is the possibility that they shared certain functions. Since the ritual was structured to bring participants into a kind of dialogue with community members, the humiliation that defined this self-divorce and remarriage may have been intended to punish those that had flouted community norms.

This may be why wife-sale's symbolism was based on an overt treatment of women as chattel, effectively distancing a husband from his wife and clarifying his position. The marketplace has often been considered the natural site for wife-sale because of its potential for publicity and because the commercial atmosphere lent an air of legality to the event.⁴⁹ If these features were the primary factors in determining an appropriate location for wife-sale then it is strange that there was little competition from other public locations as wife-sale venues. There were some wife-sales that were

⁴⁶ Barry Reay, *Popular Cultures in England, 1550-1750* (New York: Longman, 1998), 135.

⁴⁷ Reay, *Popular Cultures in England*, 135.

⁴⁸ *The Times*, 4 April 1836. Unfortunately for the husband this sale was not completed and his wife retaliated with further physical violence.

⁴⁹ Stone, *Road to Divorce*, 144 and Menefee, *Wives for Sale*, 35.

performed at fairs or in front of pubs but these cases occurred so infrequently that they can be considered the exceptions that prove the rule.⁵⁰ In fact, the relationship between markets and wife-sale was made explicit in the following account,

Another Bargain and Sale of a Wife. – A Man in the Neighbourhood of Thames, in Oxfordshire two or three Years ago, sold his wife for *Half a Guinea*; and his Neighbours telling him that the Bargain would not stand good, as she was not Sold in public Market, he last Tuesday, led her seven Miles in a String to Thames Market, and there sold her for Two shillings and Sixpence, and paid *Four-pence toll*.⁵¹

The need for this Oxfordshire man to repeat the public performance three years after the original wife-sale illustrates the significance of the marketplace as a wife-sale location.

The public exposure offered in the marketplace accounts for the applicability of this location but the current explanation for the marketplace as a wife-sale site fails to address why the marketplace was the predominant location.

The locations chosen for wife-sale performances had distinct implications for the meaning of the performance. Pubs, fairs, and markets are all places that combined sociability with commercial activity but an ideal wife-sale venue would establish an atmosphere that would correspond, if not contribute, to the overall message of the ritual. No theatrical production can have its full impact without a proper setting and the marketplace best represented the spirit of the custom. Commercial and social themes permeated all the symbolic elements in wife-sale, making fairs and pubs reasonable alternatives to the market but these locations added other nuances to the general interpretation of wife-sale. Fairs were a great source of entertainment for both women

⁵⁰ Even some of the sales that reportedly took place at or in front of pubs were connected to the marketplace since a number of these establishments were adjacent to or located within close vicinity to a market. The Ram Inn in Smithfield market is one such example.

⁵¹ *Northampton Mercury*, 2 January 1790.

and men and it was a savory, sensual and energetic experience.⁵² Sexuality was a common theme of wife-sale and a pervasive feature of fairs but wife-sale was a divorce and remarriage not the selling of short-term sexual gratification. The association of wife-sale with fairs would likely evoke a sense of the latter since fairs were closely tied to prostitution and licentious behaviour.⁵³ The sex associated with wife-sale may have occurred outside of the bonds of marriage but was still contained within a lasting relationship, whereas the illicit sexuality associated with fairs tended towards single encounters based purely on amusement.

Even if fairs shared the same sexual atmosphere as wife-sale, markets would still emerge as the better location for creating the appropriate setting. Wife-sales were rarely spur of the moment events and there would still have been some time that spouses remained married once the decision to end the marriage was made. Continuing to live together while waiting for the relationship to formally end would likely have allowed bitterness to fester, influencing the way that these soon to be estranged spouses interacted with each other. The fair had a festive atmosphere that centered around food, drink and other pleasures that contrasted starkly with the constraints of daily life.⁵⁴ This would seem an ideal fit for wife-sale, and fairs indeed have been called carnivalesque, yet they lacked the aggressiveness and propensity for ridicule that was an integral part of carnival. The marketplace, on the other hand, had these qualities. Thus, while the boundaries of

⁵² Catriona M. Parratt, *More Than Mere Amusement: Working Class Women's Leisure in England 1750-1914* (Boston: North Eastern University Press, 2001), 17-54.

⁵³ Joan Perkin, *Women and Marriage in Nineteenth Century England* (London: Routledge, 1989), 157.

⁵⁴ Reid, "Investigating the Festival Calendar," 138.

behaviour tolerated during fairs could be wonderfully elastic it was the marketplace that provided the best fitting environment.⁵⁵

Performing wife-sale in the marketplace established the roles of the participants and structured the interaction between them. In fact, the economic argument for wife-sale's connection to the marketplace is not wholly without merit, provided we expand upon the idea that the association lies in the common notion that a purchase made in the open market constituted proof of title. The market setting intrinsically equated the wife with the livestock that was being sold nearby and cast her husband as the owner. However, the shame and insult imparted by the marketplace cannot compare to the impact of wearing the halter.

On a fundamental level, the halter can conceivably be interpreted as the means for representing both the nature and the state of relationships between husbands, wives, and purchasers. There may have been some who viewed the halter as a symbol for deliverance but it is likely there were more ignoble meanings in its use. It cannot be denied as a tangible symbol of authority permeated with themes of dominance, submission and sex. In a situation where a husband felt the purchaser was a skulking dog and his wife a "cheating, skulking bitch"⁵⁶ it is hard to ignore the halter's inherent hostility. Men were given control through their relationship to the halter because it gave them custody over the wife. Decisions of where the woman walked and whether she stood next to her husband or was tied to a fence post, literally lay in the hands of her husband. Wife-sale ended with the transfer of the halter and it was the husband who held the halter and determined at which point the bidding had reached its limit. In this drama

⁵⁵ Parratt, *More Than Mere Amusement*, 29.

⁵⁶ Worcestershire Record Office: Quarter Sessions Rolls, Sessions 1816 Epiphany, 1/1/622/95.

women were at centre stage but it was their husbands who were the dominant characters. Indeed, women may have paraded themselves around the scene but with the halter in the husband's hand, it was his privilege to expose her habits, flaws and body.

This sense of women's powerlessness was compounded in the atmosphere created through the selling process since the auction format reinforced the roles outlined for all wife-sale participants. Wives spent the duration of the wife-sale with an encumbrance around their necks, which not only limited their freedom of movement but also represented a surrender of their control over their bodies to their husbands. In the demonstration of control over a wife's body there was by extension a symbolic display of control over her behaviour and the household. Since wife-sales were not considered complete without a halter, it appears that the validity of a wife-sale depended on the husband's capability of fulfilling a dominant role.⁵⁷

With the debate over women's victimization it is easy to overlook the full implications of the role of a halter and auction in facilitating self-divorce. Even if we were to ignore carnivalesque notions of degradation, we would still need to confront the fact that the body is an effective vehicle for cultural expression, as it is on our bodies that we often display cultural rules and hierarchies.⁵⁸ The suitability of Jane Hebbard and Mrs. Prinny as wives was reduced to the fitness of their bodies, their humiliation was based on the fact that each woman was assessed according to the quality and appeal of her body. The absence of Jane Hebbard and Mrs. Prinny's voices reinforces the idea that

⁵⁷ Sales were not complete without halters and in those instances where husbands failed to supply a halter the sale was put on hold until one was procured. One man that had failed to provide a halter was even accompanied by a young mob to ensure proper completion of the sale. Nickson, *Bygone Altrincham*, 64-5.

⁵⁸ Susan Bordo, "The Body and the Reproduction of Femininity: A Feminist Appropriation of Foucault" in *Gender/Body/Knowledge: Feminist Reconstructions of Being and Knowing*, ed. Alison M. Jaggar and Susan R. Bordo, 13-33 (New Brunswick: Rutgers University Press, 1989).

women's primary role was to submit to the restrictions of the halter. Fundamentally, the wife-sale format contained women and celebrated the power of husbands since the halter was the extension of a man's authority. In this way, a woman's participation in wife-sale becomes a demonstration of her submission to her husband. Yet there is a danger in accepting the face value in displays of control. Although shaming rituals like rough music reinforce patriarchal power and a particular set of power relations these customs would not exist without breaches of authority.⁵⁹ Reading wife-sale as an expression of men's authority through the disciplining of the wife's body delves into meanings of the symbolism but not why it was necessary. Quite possibly, the manifestation of husbandly authority in holding the halter and arranging an auction has been interpreted too literally and husbands did not have the amount of control that has been attributed to them.

One indication that wife-sale performances could actually represent struggle for power lies in the music hall song "John Hobbs, John Hobbs".⁶⁰ Although it changes the typical storyline of a wife-sale, John Hobbs' humorous predicament brilliantly captures the emotional dynamics between wife-selling husbands and wives. Throughout the song John Hobbs is a victimized and pitiable man who is unfortunate in both his marriage and in his attempts to undo it.

A jolly shoemaker, John Hobbs, John Hobbs,
A jolly shoemaker, John Hobbs!
He married Jane Carter,
No damsel was smarter;
But she was a tartar,
John Hobbs, John Hobbs;
Yes, she was a tartar, John Hobbs.

⁵⁹ Reay, *Popular Cultures in England*, 22.

⁶⁰ This is a tongue in cheek description of wife-sale and was fully intended as entertainment but its fictional status does not make the themes it represents any less true. A broadside that paired this song with a humorous image was reprinted in *Customs in Common* but E.P. Thompson called it standard ballad vendor's stock, intended to amuse but lacking any evidential value. Thompson, *Customs in Common*, 273. The song and accompanying image are undated yet the song was listed in *The London Singer's Magazine*, 1838-9 placing it within the main period of wife-selling activity.

He tied a rope to her, John Hobbs, John Hobbs,
 He tied a rope to her, John Hobbs;
 To 'scape from hot water
 To Smithfield he brought her,
 But nobody bought her,
 Jane Hobbs, Jane Hobbs,
 They were all afraid of Jane Hobbs.⁶¹

Like Mr. Hebbard, John Hobbs resorts to wife-sale because he can no longer cope with having a tartar for a wife. "John Hobbs, John Hobbs" makes it explicitly clear that a bad wife is a troublesome burden but this point is countered by the implicit accusation that John Hobbs was the powerless partner. Hobbs is so desperate to escape his violent tempered wife, that when he is faced with the real prospect that she will not be sold takes the halter off of her and tries to hang himself. Even this does not work and the comically miserable affair only ends when Jane cuts down her dangling husband and they settle their marital troubles with a few 'hubble bubbles.'⁶² The impotence of John Hobbs sends an intriguing message about wife-sale and the ways that the custom ought to be interpreted, since it points to the power struggles between husband and wife as the basis of wife-sale.

Fear of controversy has perhaps prevented historians from considering the negative implications of wife-sale for reputations of the men involved yet public punishment was a complicated affair and certain breaches of propriety on the part of a wife reflected poorly on both the woman and her husband. If a wife was targeted for rough music because she beat her husband, nagged excessively, or was extremely quarrelsome then any resulting rough music was performed against both spouses. In these situations it would seem that the wife was the sole transgressor but the husbands

⁶¹ As printed in C.C., "Wife-selling," *Notes & Queries* fourth series, x, no. 251 (1872), 311.

⁶² Thompson, *Customs in Common*, 273.

were blamed for not asserting their authority. When women's transgressions were of a gendered or sexual nature there was the potential to ruin the reputation of the husband because it demonstrated their submission to the wife's rule. Indeed, would there have been the need for such an extreme display of authority if the husband had indisputable control? The following early nineteenth century caricature ridiculing a wife-selling husband (Figure 2) suggests that the position of these men was not as secure as we have assumed.



Figure 2: A Contemporary French Print on the English Custom of Wife-selling published in A.H. Phillips, *Georgian Scrapbook* (London: T. Werner Laurie Ltd., 1949), 123.

The wife in this image has neither the energy nor the brazenness of the wife in Thomas Rowlandson's *Selling a Wife* but she is not pathetic like her husband. His physical appearance makes it immediately clear that even though he holds onto the halter and is not the one being sold, he is in the inferior position. His face is grotesque, his body is short and squat, and his body language makes him look uncomfortable -- altogether he implies that wife-selling husbands were imbeciles. This portrayal of wife-sale is just as important for studying wife-sale as *Selling a Wife* because it supports the idea that husbands as well as wives faced their community and may have shared in the humiliation of wife-sale.

It is not coincidental that this sale is set in a horn market or that a pair of horns appears to grow out of the husband's head. Many of the wife-sale jokes that appeared on the pages of newspapers in the late eighteenth century highlighted the contrast between unhappy husbands and happy wives. According to *The Times*, the state of Smithfield Market was that "horned cattle *looked downwards*, and that wives looked upwards".⁶³ At first glance, this joke seems innocuous and even a little strange but on close examination it becomes clear that it identifies cuckolded husbands as the miserable partners in a wife-sale performance. This was a persistent image and a number of other jokes played with the subtle metaphor of downward-looking cattle. One such joke expanded on the idea of emasculation by suggesting that women's infidelity gave them the upper hand, "The sale of wives in *Smithfield* is not exactly suited to the *nature* of the *market*. It would be equally just, and certainly more *a-propos*, were the wives to dispose of their husbands in that place. The shew of *horned* cattle would of course be more plentiful".⁶⁴ Here, wife-

⁶³ *The Times*, 10 August 1797 emphasis in the original

⁶⁴ *The Times*, 17 August 1797 emphasis in the original

selling husbands are targeted as the brunt of the joke because they were undone by their wife's infidelity.

Many factors were undoubtedly involved in instigating wife-sales but there are too many examples consistent across time and geography to ignore women's infidelity or to consider it coincidental.⁶⁵ Wife-sales often had only the semblance of an open auction with the identity of the purchaser being well known prior to the performance. A few contemporary writers attributed this to the unlikelihood that a delicate wife should submit to such public indignity unless she was sure of being purchased at market⁶⁶ but the details of written accounts point in another direction. A substantial number of purchasers were accused of having prior knowledge of the wife or had openly held liaisons with the women. Since a married man's public standing and the integrity of his sense of self were constantly at risk from his relationship with his wife, the implications that wife-selling husbands were cuckolds cannot be ignored.⁶⁷

In early modern England there was a shared culture of insults, jokes, ballads and plays that poked fun at deceived husbands and faithless wives.⁶⁸ Being labeled a cuckold or adulteress held substantial cultural and social implications. To attribute a wife's infidelity to adultery focuses blame on her sinfulness and immorality while the context of cuckoldry lays fault at the feet of the husband. The reputations of men labeled as cuckolds were permanently damaged because their limitations and failings as a man were publicly exposed.⁶⁹ Popular literature pointed to a man's inability to satisfy his wife as

⁶⁵ In a sample of 120 cases of wife-sale reported in the contemporary press, there were more than 25 cases with explicit connections to women's extramarital affairs.

⁶⁶ *The Laws Respecting Women*, 55.

⁶⁷ David Turner, *Fashioning Adultery: Gender, Sex and Civility in England, 1660-1740* (Cambridge: Cambridge University Press, 2002), 85.

⁶⁸ Turner, *Fashioning Adultery*, 84.

⁶⁹ Turner, *Fashioning Adultery*, 85.

the cause of cuckoldry and the wife in search of sexual satisfaction outside of marriage only served to exacerbate the husband's failure to live up to the expectations of manhood.⁷⁰ A husband had an active role in wife-sale but women's infidelity could destroy a man's claim to household authority as well as his standing in the community.⁷¹ Since the cuckold's disgrace came from his inadequacy as a sexual partner and as a man, wife-sale's connections to cuckoldry imply that some husbands also suffered humiliation during the wife-sale.

Within popular tradition, widows and unfaithful wives were dangerous to men, for with different partners comes the prospect of comparison.⁷² These women had the means to test men's sexual potency and were aware of men's sensitivity regarding their performance. Not all women involved in wife-sale committed infidelity but with their re-marriage to the purchaser, each wife would be guaranteed the experience necessary to compare her two husbands. The focus on haltered women diverts attention to the potential anxieties that faced wife-selling husbands. Men in similar situations to Mr. Hebbard or John Hobbs participated in wife-sale because they failed to enforce authority and instead chose to relinquish their wives to men who would supposedly keep the wife in line. Not only were wife-selling husbands unable to maintain their authority over their wives but with the re-marriage of the wife to another husband, there was an implicit suggestion that he was a lesser man than that of the purchaser.

One folklore account captured the bluster of some purchasers particularly well. When some squabbling broke out regarding a fair price, one husband claimed that his

⁷⁰ Elizabeth Foyster, *Manhood in Early Modern England: Honor Sex, and Marriage* (New York: Longman, 1999), 68-9.

⁷¹ Foyster, *Manhood in Early Modern England*, 66-7

⁷² Foyster, *Manhood in Early Modern England*, 70-4.

wife's good looks ought to be worth more than he was offered. He was laughingly told to keep her for her good looks, to which he replied that without willing hands, good looks won't put the victuals on the table.⁷³ At this point the purchaser, said "here's the shilling and I warn't I'll make her put the victuals on the table for me, and help to get it first".⁷⁴ Although the dialogue bears the mark of a folklorist's imagination, what man would entangle himself in a relationship if he did not think he could be the one in charge. If the purchaser did not expect this marriage to be different than the one that ended so publicly then he likely would not get married. The following excerpt taken from a broadside about wife-sale addresses the difference between husbands and purchasers:

Now the cobbler and the lady
Are both happy in a stall
While the cobbler works his bristle
Why the lady works the awl
And they upon the lapstone
So merry play together
Singing heel and toe gee up gee wo
Big balls of wax and leather.
And day & night in sweet delight they banish care and strife
The merry little cobbler and his thirteen shilling wife.⁷⁵

The cobbler is virile and energetic enough to satisfy the thirteen-shilling wife, which keeps this marriage happy and out of danger of collapse.

When we consider what it was that wife-sale performers achieved through their participation in the custom, we need to account for less tangible results than divorce and remarriage. Why was it that wife-selling husbands whose wives had committed infidelity were not reported as wearing horns or other paraphernalia of the cuckold? It would seem natural given the strong association of women's infidelity and performance of a wife-sale

⁷³ Ella Mary Leather, *The Folklore of Herefordshire Collected From Oral and Printed Sources* (Hereford: Jakeman & Carver; London: Sidgwick & Jackson, 1912), 118.

⁷⁴ Leather, *Folklore of Herefordshire*, 118.

⁷⁵ *Sale of a Wife* printed in Menefee, *Wives for Sale*, 186 reproduced with permission of Palgrave Macmillan.

for some husbands to wear horns or other symbols of cuckoldry. There is some evidence from contemporary fiction that a husband who took swift action upon the discovery of his wife's infidelity faced less disgrace than a wittol cuckold who accepted the situation.⁷⁶ In light of the antagonism and power struggles that accompanied many wife-sales, the absence of horns and presence of the halter suggests that wife-sale was a ritual that mediated shame through placing an emphasis on women's public deference to authority. Instead of horns to mark the husband's weakness he is given a halter to encourage his wife's submission. There are further parallels to be drawn from sensational early modern ballads that promoted violent treatment of scolds and other dangerous women.⁷⁷ These blatantly misogynistic ballads were a means of recovering lost manhood through the fantasy of violent imagery. The role of imaginary brutality in negotiating reputation makes it possible to see the enthusiasm of the Altrincham husband, whose wife was as compliant as Borkis's horse, as retaliation fueled by a desire to define himself as the dominant person.

The complicated relationship between wife-sale performance and shame sheds new light on the debates surrounding women's agency/victimization. In the course of listing various cases of wife-sale that took place in Staffordshire, F.W. Hackwood remarked that, "Surely human nature, especially of the womankind, is unfathomable!"⁷⁸ Interestingly, it was not the distasteful scene of a haltered woman sold by auction to another man by her husband that he found unfathomable. Rather, it was the apparent indifference and easy acquiescence of the women who performed wife-sales to an

⁷⁶ Turner, *Fashioning Adultery*, 93. A 'wittol' cuckold was a man who took no action even though he knew his wife had been unfaithful. Foyster, *Manhood in Early Modern England*, 109.

⁷⁷ Foyster, *Manhood in Early Modern England*, 194.

⁷⁸ F.W. Hackwood, *Staffordshire Customs, Superstitions and Folklore* (Wakefield: E. P. Publishing Ltd. Press, 1974), 70.

arrangement that personally and most intimately concerned them.⁷⁹ He was not alone in being perplexed by the women's participation in such an unpleasant custom. The necessity of the wife's consent did not remove the notion that wife-sale was inherently detrimental to the position of women and that the chief problem lay in women's acceptance of the situation. One nineteenth-century moral reformer was outraged by wife-sale and claimed that as long as women consent to be treated as inferior they can expect men to be brutes.⁸⁰ Careful scrutiny of the indignation that typified nineteenth-century wife-sale accounts shows that the problem lay not with the circumstances these women had to endure but the sense that it was imposed upon docile wives. It did not occur to many contemporary writers that either partner could be humiliated, or that either partner could benefit.

A truly unflattering image began to emerge where husbands were depicted as unfeeling and cruel brutes and wives as gentle and pretty creatures. This dichotomy was played out in a variety of ways but was made succinctly in the assertion by some newspapers that the degradation of so many poor young women was enough to disgrace even Smithfield Market.⁸¹ Yet through the auctioneer's patter outlining the wife's virtues and vices it becomes clear that like their husbands many of these women were less than ideal partners. The 'impudent hussies', 'modern Delilahs' and 'troublesome noisy women' give an image of brash and domineering wives -- not docile creatures.⁸² The

⁷⁹ F.W. Hackwood, *Staffordshire Customs*, 70.

⁸⁰ Eliza Sharples as quoted in E.P. Thompson, *Customs in Common*, 454. This negative appraisal of the balance of power between wife-selling husbands and wives was predicated on particular views of marriage likely influenced by this moral reformer's middle-class origins rather than actual experience of working-class marriage.

⁸¹ *Jackson's Oxford Journal*, 22 July 1815.

⁸² Some evidence of the aggressive behaviour or contentious nature of women involved in wife-sale can be found in following wife-sale accounts: *Jackson's Oxford Journal*, 13 August 1796; *Jackson's Oxford*

most common issues plaguing these relationships appear to have been the excessive drinking, incessant nagging, impudence and infidelity on the part of wives. Women certainly had to endure humiliation but the contests for authority and conflicts that inevitably resulted from such behaviour, do not support the assumption that women involved in wife-sale did not have any agency. Indeed, participation in wife-sale may not have made women more amenable to a husband's authority, for as one purchaser discovered, he was witness to the same poor qualities that had reportedly led to the wife-sale in the first place.⁸³

The overt vilification of men who participated in wife-sale was tied to class prejudice and unfamiliarity with the experience of working-class marriage where issues such as shared responsibilities, sexual need or religious interests had the potential to moderate subjection within marriage.⁸⁴ Indeed, working-class women were neither ladylike nor deferential to their husbands; the economic constraints of working-class life meant that husbands and wives, despite the influence of gender roles, had to function as economic partners.⁸⁵ Many sources list the occupation of the husbands and purchasers, yet none ever indicated the wife's occupation or even that she had duties beyond the care of her household. Contemporary newspaper reports failed to recognize women's occupations, with women's economic and social functions being confined to their responsibilities as a wife. These descriptions mask the reality that these women's

Journal, 28 April 1810; *Lincoln, Rutland, and Stamford Mercury*, 26 June 1829; *The Times* 4 April, 1836; *The Times*, 18 July 1834.

⁸³ Henry Burstow, *Reminiscences of Horsham: Being Recollections of Henry Burstow, the Celebrated Bell Ringer and Song Singer* (Horsham: Free Christian Church Book Society, 1911), 73.

⁸⁴ Women's inferior treatment could be met head on or could be dealt with through sneaky manipulation as some women nurtured their husband's false beliefs that they were the sole decision makers. Natalie Zemon Davis, *Society and Culture in Early Modern France: Eight Essays* (Stanford: Stanford University Press, 1975), 145.

⁸⁵ Perkin, *Women and Marriage*, 157

financial contributions were vital to the continuation and proper functioning of their homes.

Since skillful management of income and household necessities was the mediating factor between a comfortable marriage and a poverty-stricken home, the responsibilities of daily life and the realities of marriage bring into question the validity of the nineteenth-century assumptions that female wife-sale performers were passive creatures.⁸⁶ The importance of women's wages to the survival of working-class families meant that antagonism featured prominently in many domestic relationships where men struggled to exert authority over their wives.⁸⁷ This tension was fertile subject matter giving rise to many popular works that used the 'struggle for the breeches' as the operative premise. Even the assertion that the humour of *Punch and Judy* was predicated on wish fulfillment is evidence of the domestic tension produced by the economic collaboration essential in maintaining working-class families. Female wife-sale participants may have received the brunt of the humiliation and rough treatment, but like Judy, they may have been equal partners in the antagonism.

Most descriptions of wife-sale, whether favourable or unfavourable, take for granted a dominant husband and submissive wife. Instead of consigning female wife-sale participants to passive roles we ought to consider their actions, and those of their husbands, as a continuation of domestic antagonism. The intensity of these conflicts and struggles for control would have varied according to the individual characteristics of couples and communities but it is important to explore the emotions and motivations underneath the humiliating ritual. There was a deep level of communal and familial

⁸⁶ Perkin, *Women and Marriage*, 120.

⁸⁷ Perkin, *Women and Marriage*, 122.

involvement in the lives of rural working-class people in the eighteenth and nineteenth centuries.⁸⁸ Infidelity and bitter quarrels are juicy bits of gossip that undoubtedly traveled well in closely connected communities. The distinction between the private and the public spheres has little relevance in communities where Mischief-neet and rough music were practised. The first morning of May did not publicize a person's secrets to the wider community; rather it informed the transgressors that their indiscretions were widely known. Wife-sale may have been uncomfortable but it was a custom that re-defined marital status and possibly social reputation.

The motivation for wife-selling husbands to perform a wife-sale may have been the prospect of humiliating one's wife or reclaiming some lost social standing through a symbolic display of authority. What women achieved is less clear and their participation is therefore attributed to a desire to escape a hostile marriage or to legitimize an extra-marital relationship. Both of these explanations portray a woman suffering through the sale for a practical outcome, but what if the wife-sale itself offered women some level of personal satisfaction? Natalie Zemon Davis's research into early modern French popular culture revealed that the mockery of charivaris simultaneously exhorted hen-pecked husbands to take command while inviting the unruly women to keep up the fight.⁸⁹ Perhaps women's involvement in wife-sale gratified them by exposing their ability to dominate their husbands. Women could gain a certain amount of power over their husbands through their sexuality because through actions and words they could identify "inadequate" men.

⁸⁸ Barry Reay, "Kinship and the Neighbourhood in Nineteenth Century Rural England: The Myth of the Autonomous Nuclear Family" *Journal of Family History* 21, 1 (1996): 87-103.

⁸⁹ Davis, *Society and Culture*, 140.

Wife-sale was a crisis point in a human relationship, and it may have been the most humiliating point in one's life but this does not negate the events which took place before and after. The structure of wife-sale revolved around symbolic and physical demonstrations of authority and control through the treatment of the body. The focus on a haltered wife is important because the way we see and treat bodies reflects the personal issues with which we are grappling. The ways we modify the appearance and state of our bodies can help us achieve a sense of relief from pain or to express anger. The unique style of self-divorce in the wife-sale ritual may have developed in order to divert bitter feelings, whether from a broken marriage or charges of cuckoldry, towards retaliation or the repair of a damaged reputation. The complexities of social status, economic need, and gender antagonism make it difficult to see wife-sale as a straightforward representation of women's victimization.

Chapter 3: Imagination in Wife-Sale Representations

Not all present day historians consider it appropriate to treat wife-sale as a legitimate topic within English historiography. Methodological issues and perceptions that women bore the brunt of the shame have kept wife-sale on the fringes of scholarship. Anna Clark seemed to take offence at E.P. Thompson's published work on wife-sale, referring to it as another form of popular justice romanticized by historians who have ignored the victimization of women.⁹⁰ Her statement implies that historians who research wife-sale are no better than the men who sold their wives because their studies continue to exploit the humiliation these women suffered. It was clear in Lawrence Stone's brief mention of wife-sale in *Road to Divorce* that he was not troubled about the implications of wife-sale for women's oppression -- indeed he was more concerned that historians were wasting scholarly energy on an unimportant topic that garnered attention as a result of its news value rather than any genuine significance.⁹¹ Even E.P. Thompson introduced wife-sale by saying that while it may have only little general relevance to sexual behaviour or marital norms, it was a window onto the interior crises of the poor and perhaps an opportunity to tease out the sensibility of a lost culture.⁹²

This is an unfair and inaccurate assessment of wife-sale as a historical phenomenon. A more comprehensive view of wife-sale's shaming elements and its connections to early modern cultural traditions demonstrates that not only does wife-sale deserve greater critical attention but that we have much to gain from such pursuits.

⁹⁰ Anna Clark, *The Struggle for Breeches: Gender and the Making of the British Working Class* (Berkeley: University of California Press, 1995), 86.

⁹¹ Stone, *Road to Divorce*, 148.

⁹² Thompson, *Customs in Common*, 407.

Although it is legitimate to identify wife-sale performances as a rural plebeian event it is important to remember how we know about the custom. When we critically assess the nature of wife-sale materials and our methodological approach to wife-sale, it becomes clear that we must expand our notion of participation in wife-sale to include those who observed and commented upon the practise. The emergence of wife-sale in the periodical press, in various entertainments and in folklore collections indicates that wife-sale's impact was not limited to the confines of individual couples and communities. It is true that wife-sale is a custom that provides insight into the ways that social relationships were constructed and managed in rural working-class communities but it also provides an opportunity to explore boundaries of class and popular culture. Historians have done themselves an injustice by reading wife-sale sources solely with the intention to gather details about the ritual's format. Newspaper accounts and wife-sale broadsides are more than a record of a ritual; they are representations of wife-sale that impart a specific image of the custom.

Wife-sale as an exclusively plebeian phenomenon resonates among contemporary writers and present day historians alike. Discussions about those who participated in wife-sale and those who condemned it are based on social and economic categories. In broad terms, rural workers supported the ritual while middle and upper-class individuals disparaged it and called for its abolition. This divide was at the foundation of many descriptions of wife-sale, including a colourful letter sent to Lord Melbourne in 1832 by a person who had recently witnessed a wife-sale in Smithfield market. The writer, identified only by the initials G.F., wrote the letter with the exclusive purpose of recommending the justice of putting an immediate and effectual stop to every proceeding

so disgraceful to England, and human nature, as wife-sale.⁹³ The letter's author was outraged and felt that in

no savage country in the globe is such a transaction ever witnessed. It is left to the most civilized people to give examples of an exhibition so highly iniquitous & disgraceful so unchristian and so inhuman, an act which must be offensive to the awful creator of human creatures.⁹⁴

The author was so concerned with the wife-sale he had witnessed that he called for immediate measures to be adopted in order to prevent these disgraceful proceedings from recurring. He also urged that the police be ordered to seek out the evil husband in order that he could be punished for his wickedness and brutality even though it was ten days after the completed sale.⁹⁵ The sense of outrage evident in this letter, as well as in other entries in the contemporary press, has been construed as representative of the middle-class reaction to wife-sale but if this were the case then how did wife-sale survive in such an unreceptive environment?

It is strange that wife-sale would have spread throughout England for such an extended length of time if it radically diverged from mainstream culture and was disconnected from larger social forces. The image of wife-sale existing independently of any influence other than the rural working-class community emphasizes the apparent simplicity and purity of the custom. However, it is misguided to view wife-sale as a practice contained within a rural working-class community, surviving against the odds despite breaching religious and legal codes of conduct. Flaws in this assessment begin with the idea that wife-sale was influenced by policies of non-working-class individuals implicating the indirect involvement of the upper-classes. Wife-sale was not fully

⁹³ The National Archives of the UK (TNA): Public Record Office (PRO), HO 44/25, ff 59-60, 'GF', concerning disgraceful incident in which a man sold his wife at Smithfield.

⁹⁴ TNA: PRO, HO 44/25, 'GF', concerning disgraceful incident in which a man sold his wife at Smithfield.

⁹⁵ TNA: PRO, HO 44/25, 'GF', concerning disgraceful incident in which a man sold his wife at Smithfield.

separated from mainstream values or middle and upper-class involvement in the manner that current models claim.

When E.P. Thompson and Samuel Menefee were researching wife-sale, its status as an indigenous custom of the labouring poor did not face any criticism because the prevailing cultural model held that popular culture developed and existed independently of official or elite culture, although there was a small amount of cultural overlap. This theory was premised on a belief that popular culture encompassed the symbolic forms of expression, as well as the shared meanings, attitudes and values of the non-elite.⁹⁶ Peter Burke's model of popular culture has proven problematic and cultural historians have criticized it for treating complex social organization too simplistically. *Punch and Judy* both highlights the artificial nature of the separate cultural traditions of elite and non-elites and illustrates the level of interaction and collaboration involved in the creation of culture. *Punch and Judy*'s street performances would necessarily place it within the non-elite tradition but throughout the course of his existence Punch has appealed to people across the social spectrum. The designation of *Punch and Judy* as non-elite disregards the appropriation of Punch by all classes as an authentic voice of English mass culture.⁹⁷

Cultural historians need a model that recognizes the amount of cultural influence between classes as well as the substantial amount of diversity within the singular categories of popular and elite.⁹⁸ As a result, some historians have turned towards inclusive models of popular culture that can reflect the complexities of interaction,

⁹⁶ Burke, *Popular Culture*, xi. Although this model appears in Burke's work on the popular culture of Early Modern Europe the origins of this model was styled after that of anthropologist Robert Redfield.

⁹⁷ It is also fruitful to acknowledge that the character of Punch both descended from the theatre to the street and ascended into drawing rooms where the apparent themes of working-class rebellion became an amusement of middle-class children. Shershow, *Puppets and "Popular" Culture*, 165-175.

⁹⁸ Chandra Mukerji and Michael Schudson, "Introduction: Rethinking Popular Culture" in *Rethinking Popular Culture: Contemporary Perspectives in Cultural Studies* ed. Chandra Mukerji and Michael Schudson, 3 (Berkeley: University of California Press, 1991).

referring to popular culture as those practices, objects and beliefs shared among a wide population rooted in local traditions or found in large commercial centres.⁹⁹ Even a definition as inclusive as this does not adequately deal with the complexities of wife-sale. We owe our knowledge of wife-sale to middle-class and aristocratic curiosity with the ritual, much of it voyeuristic. It would be possible to perceive bourgeois contact with wife-sale as an example of the elite crossing into the boundaries of the non-elite tradition but this makes it seem that these non-working-class individuals were merely observers and had no contribution to wife-sale. Wife-sale performers may have been members of the working classes but wife-sale as a form of popular culture was a product of class interaction.¹⁰⁰

Rather than viewing culture in terms of shared values and perceptions, we can regard it as a series of arguments among people about the common things in their daily lives. In this way, people do not need to share the same attitude in order to participate in culture, for what people essentially share are the material and symbolic things that connect them.¹⁰¹ A difference of opinion does not preclude contribution to popular culture and it is possible to see culture as a medium through which conflicts are worked out. This model of popular culture enables historians to investigate the dynamics of power, the nature of hierarchy and struggles over meaning because it focuses on interaction and its consequences. The relevance of thinking about popular culture and conflict is immediately apparent given the capacity of wife-sale to resolve conflict

⁹⁹ Mukerji and Schudson, "Rethinking Popular Culture", 3.

¹⁰⁰ Although E.P. Thompson gives evidence that at least three purchasers were gentlemen, these appear to be aberrations. See E.P. Thompson, *Customs in Common*, 413-4.

¹⁰¹ David Sabean, *Power in the Blood: Popular Culture and Village Discourse in Early Modern Germany*, (New York: Cambridge University Press, 1984) 95.

between husbands and wives, as well as individuals and their community. It is also important for analyzing the interaction of non-working-class individuals with wife-sale.

A major element in the perception that wife-sale was self-contained within the rural working-class community is the impression that wife-sale occurred under the noses of parish authorities. At times, magistrates were described as ignorant or negligent of their duty because wife-sales continued to be performed.¹⁰² The attractiveness of this explanation is that it allows wife-sale to exist without tainting magistrates and other officials with incompetence and inaction. One of the first hints that this was not the case, however, came from claims that these acts of barbarism and immorality were suffered with impunity.¹⁰³ The language that these individuals chose to use is important because instead of accusing the magistrates of being ignorant of wife-sale, the call for authorities to take action implies the complicity of magistrates and other authorities in the continuance of wife-sale. It is difficult to reconcile the notion that parish ministers and constables were unaware of wife-sale given the propensity for wife-sales to be announced beforehand, as well as the number of reports that appeared on the pages of regional and national newspapers. It is doubtful that wife-sale could have existed for over a century or have the geographic range that it did if parish officials were truly opposed to the custom. Indeed, the pages of contemporary periodicals and folklore accounts provide evidence that many parish authorities were not only aware of wife-sales but that the participation of legal and moral authorities was instrumental in the success of wife-sales.

There is evidence among the documented cases that some parish authorities tried to discourage wife-sales. It is also clear that the majority of moral and legal authorities

¹⁰² *The Times*, 25 February 1832.

¹⁰³ *Hull Advertiser*, 27 October 1838

did not take an active stand against wife-sale, as it was only a marginal number of participants that faced any form of punishment.¹⁰⁴ In the few cases where purchasers, wives or husbands came before magistrates many were committed to houses of correction until the next quarter sessions but some were sent away with a suitable admonition.¹⁰⁵ It is specifically in cases where wife-sale participants came in contact with authorities that we can begin to understand the connection between authorities and wife-sale.

The task of maintaining law and order in eighteenth-century England was largely a local operation where law enforcement duties were tied up in maintaining the overall well being of the community.¹⁰⁶ The decentralized state of law enforcement, which continued early into the nineteenth century, meant that there was little the government could do to discipline regional community leaders. As a consequence, magistrates had the freedom to use their discretion in the application of law. This ensured that paternalism was a strong component in law enforcement, as some magistrates neglected the formal structure of the courts in order to promote community harmony.¹⁰⁷ Wife-sale performers seem to have benefited from this paternalistic approach. There was a prevailing assumption that wife-sale performers believed wife-sale to be legal because

¹⁰⁴ For example, in 1819 a Clipsham minister reportedly indicted a parishioner for purchasing his wife. The minister's intention was that the punishment would be a lesson that wife-sale was not only wrong but illegal *Jackson's Oxford Journal*, 6 February 1819. Other cases where the law interfered are: *Liverpool Mercury*, 3 March 1813; *Jackson's Oxford Journal*, 12 August 1815; *Jackson's Oxford Journal*, 19 April 1817; *Lincoln Rutland Stamford Mercury*, 7 November 1817; *The Times*, 2 February 1819; *The Times*, 28 September 1819; *The Times*, 23 December 1822; *The Times*, 18 March 1833.

¹⁰⁵ *Jackson's Oxford Journal*, 12 August 1815; *Jackson's Oxford Journal*, 19 April 1817; *The Times*, 2 February 1819; *The Times*, 29 June 1824.

¹⁰⁶ Law enforcement was combined with responsibility for maintaining infrastructure such as roads, bridges, prisons, asylums, and distributing poor relief. David Philips, "A Weak State? The English State, the Magistracy, and the Reform of Policing in the 1830s" *English Historical Review* 119, no. 483 (2004): 878.

¹⁰⁷ Morgan, G. and P. Rushton. "The Magistrate, the Community and the Maintenance of an Orderly Society in Eighteenth-century England" *Historical Research* 76, no. 191 (2003): 54-77.

they were inherently simple and ignorant which led some magistrates to release participants without punishment.

The pragmatic features of wife-sale may have similarly appealed to those with a paternalistic view of law enforcement. Wife-sale provided social regulation of the rural working-class community, perhaps making it possible to recognize it as a way of soothing conflicts between individuals. Indeed, one dissatisfied wife-selling husband demanded his wife back and took an action against the purchaser but in the end the jury sided with the purchaser, leaving the husband responsible for the costs of the suit.¹⁰⁸ A good demonstration of broad acceptance of wife-sale by parish authorities comes from two documented cases where authorities directly participated in the sales. In one case, the parish officers in Swadlincote sold off a woman whose husband had absconded and left her chargeable on the parish, while the other woman was an inmate of a parochial workhouse.¹⁰⁹ The officials in each case were likely attracted to the pragmatic solution that wife-sale offered, since by ‘marrying’ these women off to new husbands, the parish officials were able to relieve the financial burden on the parish.

Paternalism helps make the lack of action against wife-sale logical but it does not explain why *The Plymouth Journal* once reported that several “respectable persons, who ought to have known better, were supporting and inciting the principals in this degrading transaction”.¹¹⁰ This is an intriguing sale because not only were there respectable persons present but they apparently embraced the performance and encouraged the proceedings at a time when wife-sales were widely criticized in the press. The audience that Thomas Rowlandson depicted in *Selling a Wife* is what we usually picture when we think about

¹⁰⁸ *Lincoln, Rutland, and Stamford Mercury*, 17 March 1786.

¹⁰⁹ *Northampton Mercury*, 13 February 1790 and *The Times*, 18 March 1833 respectively.

¹¹⁰ *The Times*, 10 November 1838.

wife-sale audiences, yet the sale reported in *The Plymouth Journal* suggests that wife-sale spectatorship was not necessarily limited to the working classes. The presence of these respectable persons cannot be explained by paternalism or by a desire to enforce working-class sexual or social standards -- so why would they be present and goad the participants?¹¹¹ The fact that they did not remain apart but were helping to stir up the crowd might contain the answer. Although the haltered auction of a woman seemed to be in conflict with broader English culture, it is quite possible that these spectators approached wife-sale with the same humour that we see in the cuckoldry ballads and jokes.

Wife-sale's appeal beyond the confines of each rural community where it was practiced can be attributed to the fact that its humorous features drew from mainstream culture. During the mid-eighteenth century there was a prevalent sense among the English elite, and even in some official quarters, that illicit sex was not inevitably sinful and shameful and was treated as an interesting and amusing aspect of life.¹¹² The burgeoning trade in pamphlets and periodicals filled with lurid details about criminal doings and gallows confessions can be related to the popular preoccupation with cuckoldry. Gender antagonism and concern regarding the woman on top was similarly a fertile source of amusement and anxiety in English culture.¹¹³ Wife-sale was more than a custom performed in rural parishes by discontented spouses. Artistic interpretations and publication in periodicals transformed its displays of mockery, humiliation, antagonism,

¹¹¹ These respectable spectators are unlikely to be tolerant officials since there had reportedly been some ineffectual attempts taken towards preventing the sale. *The Times*, 10 Nov 1838.

¹¹² Stone, *Road to Divorce*, 248. *The History of Tom Jones, A Foundling* by Henry fielding is a fine example of the appetite for tales of illicit sexuality.

¹¹³ Thompson, *Customs in Common*, 460. See also Dror Wharman, *The Making of the Modern Self: Identity and Culture in Eighteenth-Century England* (London: Yale University Press, 2004) and John Tosh, *Manliness and Masculinity in Nineteenth Century Britain: Essays on Gender, Family, and Empire* (Harlow: Pearson Education Limited, 2005), 61-82.

and power into a spectacle that transcended the individuals directly involved.

Representations of wife-sale entered popular consciousness and allowed upper and middle-class individuals to treat it as a comical event. Evidence of the ritual's entertainment value is found even in disparaging accounts of this practice where it was an outrage that was nonetheless looked on as an eccentricity and often remarked upon with a smile.¹¹⁴

In the late eighteenth century wife-sale had reportedly become a chief topic of conversation and there was a new spectacle devised from the practice of divorce by wife-sale.¹¹⁵ The play entitled *No Sales at Smithfield; or, The Reasonable Wife* was mounted at Astley's Amphitheatre in the summer of 1797.¹¹⁶ If wife-sale was truly seen as an abhorrent outrage upon morals and decency then Astley would not have been motivated to produce a musical comedy that takes wife-sale as its main subject because he would not have had an audience. The newspapers would similarly not have been so ready to describe Astley's production as exceedingly whimsical and well calculated to create laughter.¹¹⁷ Yet the humour was not frivolous as the newspaper advertisements and reviews hint that the play invoked wife-sale as a vehicle for discussing appropriate gender roles.

The title, *No Sales at Smithfield; or, The Reasonable Wife*, gives reason to suspect that the play centred on difficult marriages but ended with antagonism being resolved and appropriate behaviour prevailing. It should not be overlooked that the play was

¹¹⁴ Robert Chambers, ed., *The Book of Days: A Miscellany of Popular Antiquities in Connection with the Calendar, Including Anecdote, Biography & History, Curiosities of Literature and Oddities of human Life and Character* (London: W. & R. Chambers, 1869), 487.

¹¹⁵ *The Times*, 31 July 1797.

¹¹⁶ *The Times*, 31 July 1797 and *The Morning Chronicle*, 31 July 1797. *The Morning Chronicle* gave the title of the play as *The Wives Triumph; or No Sales at Smithfield* and unfortunately there is no way to know which title was correct.

¹¹⁷ *The Times*, 2 August 1797.

conceived and produced precisely to capitalize upon a scandalous topic making the rounds of conversation. Astley's decision to produce the play, and its support from both *The Times* and *The Morning Chronicle*, can be seen as appropriation of the image of wife-sale for the purpose of entertainment. The only surviving text of the play are two stanzas of the song at the end of the second act which expressly tells potential wife-sellers to "act like women, as in truth ye can...Act too like men, nor think of selling wives". Such 'spirited' and 'moral' songs implied that wife-sale was unmanly and that women ought not to wear the breeches. The play retained a sense of wife-sale's playfulness but absent from it was any show of respect for the halter, auction and humiliation as its intention was to ridicule the custom.

No Sales at Smithfield; or, The Reasonable Wife was one of many examples of wife-sale being used as a vehicle for humour or to comment on other matters. The humour in many wife-sale jokes extended to politics as *The Morning Chronicle* noted that despite the rise in the price of wives in Smithfield, *Westminster* was the better market.¹¹⁸ Wife-sale jokes in the contemporary press relied on the shameful overtones of wife-sale to provide the punch line and criticism.

The encreasing[sic] value of the *fair sex* is esteemed by several eminent writers as the certain criterion of encreasing[sic] *civilization*. SMITHFIELD has, on this ground, strong pretensions to refined improvement, as the price of Wives has risen in that market from half a guinea, to three guineas and a half.¹¹⁹

This particular joke is important because it uses wife-sale to discuss Smithfield market but Smithfield's shadowy character and connections to illicit behaviour conversely reflect upon wife-sale.

¹¹⁸ *The Morning Chronicle*, 20 July 1797.

¹¹⁹ *The Times*, 22 July 1797.

It seems that wife-sale was firmly associated with Smithfield market in the mind of middle-class contemporaries despite the low number of sales performed there compared to the total number of recorded sales. One reason for this connection between Smithfield market and wife-sale was the huge volume of livestock slaughtered and sold in the market. It may be that the mixture of commodification, a sinister past and debauchery was reflected in the term 'a Smithfield bargain' becoming short hand for wife-sale.¹²⁰ Smithfield was a daily testament to the commodification of living creatures and became increasingly controversial with reports of filth, vice, animal cruelty and overcrowded and unhygienic conditions -- all prompting calls for its closure.¹²¹ Wife-sale's relationship to Smithfield market therefore confused the ritual humiliation of women (even if for specific social purposes) with the cruel treatment of beasts of the field.

Negative portrayals of wife-sale deserve further scrutiny because even though wife-sales were printed alongside stories of suicides, accidents and thefts they represented more than a bit of scandal. The fact that wife-sale appeared on the pages of a major newspaper like *The Times* is significant for this was a newspaper that was primarily concerned with the political and economic issues of England and the world at large, not with cataloguing rural customs. It was during the early nineteenth century that wife-sale ceased to be written about as a custom used by individual couples and began to be discussed as a representation of the 'lower orders' as a whole. E.P. Thompson felt that

¹²⁰ Reference to a 'Smithfield bargain' is even found in *The Rivals* by Richard Sheridan. Finding herself in love with a wealthy aristocrat and with her romantic plans for elopement thwarted Lydia bemoans being made a Smithfield bargain at last.

¹²¹ James Bentley, "Smithfield Market" *British Heritage* 3, no. 5 (1984): 22-31. Smithfield had long been used as a site of public executions and as the location of the riotous St. Bartholomew Fair which often brought pick-pocketing, prostitution, drunkenness, and gambling. Debates about the viability and necessity of the market went on for decades as economic interests held reformers prevailed in 1855 and the original Smithfield market was closed.

the moral criticism present in nineteenth century reports obliterated evidence that only objectivity could have brought but this commentary actually has benefits since each entry not only offers historians information about the custom but also how some people perceived wife-sale.¹²² As the number of entries in the contemporary press grew, details regarding the participants' names and ages were increasingly absent while description of the participants' physical and moral characteristics became more prominent.

By the 1820s and 30s newspaper depictions gave wife-sale an image of being representative of a general working-class character and the sense of it as an individual transaction declined. At the same time, the paternalistic tone was replaced by a tendency towards detachment. Prejudices guided reports while writers relied on the performer's appearance rather than intent or disposition:

An ill-looking diminutive fellow, of apparently low and profligate habits, entered the market, leading, by a halter round her neck, his wife...The poor female, who evinced some shame at this vile exposure, was muscular, as compared to her husband, and possessing an advantage of nearly two feet in height beyond her dwarfish companion, her countenance and manner betrayed evident signs of better sense and decency.¹²³

The sale ended not long after the onset of bidding because some of the city officers speedily terminated the barbarous scene by "seizing the wife, untwisting the halter from about her neck, and conveying her away to a place of safety".¹²⁴ In this representation of wife-sale the physical difference between the husband and wife, along with their roles within the ritual, is clearly projected onto their moral characters. There is a palpable difference between the two main characters as the female participant had enough virtue to feel shame at her participation while her husband never shied away from exposing or auctioning his wife. The way this description was composed transforms the people into

¹²² Thompson, *Customs in Common*, 410.

¹²³ *The Times*, 28 September 1819.

¹²⁴ *The Times*, 28 September 1819.

stock characters: the husband as villain, the wife as innocent victim and the city officers as heroes. It is hard to ignore the significance of the officers' first act being the confiscation of the halter since this was such a potent symbol of control within wife-sale. Removing the halter was how they chose to assert their moral authority, something that was more important than apprehending the so-called monster who was able to escape.

Representation of wife-sale in this dramatic way may help frame our understanding of moral outrage. The periodical press was not a passive record of events but identified itself and its readership as sources of moral and cultural authority in the city. In other words, the contemporary press positioned itself against those forces which appeared to be hostile or indifferent to the cultivated and civic-minded classes.¹²⁵ Yet the dramatic nature of the article suggests that there may have been parallels to audiences' interpretations of *Punch and Judy*. Punch fulfilled desires that spectators could not enact and it has been suggested that within Punch's violent interactions with Judy there was also a bourgeois displacement of wife-beating onto the working-classes.¹²⁶ In the eighteenth and nineteenth centuries wife-beating was hypocritically identified as a plebian problem which allowed middle-class individuals to define their virtue against working-class vice.¹²⁷ Within popular culture it was possible for respectable audiences to maintain a positive identity while continuing to enjoy the violence. The dramatic portrayal of wife-sale complete with villain and heroes is reminiscent of this because it similarly encourages respectable individuals to define their own merit against the

¹²⁵ Simon Gunn, *The Public Culture of the Victorian Middle Class: Ritual and Authority and the English Industrial City, 1840-1914* (New York: Manchester University Press, 2000), 6.

¹²⁶ Shershow, *Puppets and "Popular" Culture*, 168.

¹²⁷ Margaret Hunt suggested that wife-beating was a particular mark of inferiority and animality of the poor in Margaret Hunt, "Wife Beating, Domesticity, and Women's Independence in Eighteenth Century London" *Gender and History* 4, no. 1 (1992): 10-33.

deplorable conduct of a rough working-class husband. Since respectable readers would have been secure in the knowledge that they themselves would never have considered performing a wife-sale they could feel distanced from such unacceptable behaviour while continuing to appreciate the scene. In this way we can interpret the outrage that accompanied many accounts of wife-sale to be an example of the English habit of pretending to be scandalized, shocked and repulsed by immoral behaviour but privately intrigued by it, even ingratiated.¹²⁸

Wife-sale appeared in many different folklore collections throughout the nineteenth and into the twentieth century. The portrayal of wife-sale within folklore representations was consistent in description and emphasis, particularly because of a tendency towards an imaginative view of the custom. When thinking about class-based antipathy to wife-sale, historians have accepted the allegations that wife-sale offered England's middle and upper classes proof of the besotted ignorance and brutal feelings of England's rural folk.¹²⁹ However, this does not fit with the folklore representations of wife-sale participants as simple, amiable and rustic men and women who used the ritual to end relationships and celebrate new lives. The inclusion of things like improvised wedding vows or lyrical descriptions of a wife served to reinforce the image of wife-sale as a genial act that developed out of innocence and ignorance.

This is an important consideration because constructing wife-sale as a folk custom had particular connotations. The Brothers Grimm are famous for their efforts to collect

¹²⁸ The commotion created by the publication of "The Maiden Tribute of Modern Babylon" by W.T. Stead in *The Pall Mall Gazette* is a testament to the propensity newspapers had for sensationalizing the lives of the lower orders for the satisfaction of the middle-classes. Stead was jailed for two years for commissioning a child prostitute, when his purpose was to tell her story. Wife-sale newspaper accounts pre-date the scandal surrounding W.T. Stead's "The Maiden Tribute of Modern Babylon" but share enough characteristics to make a comparison. Matthew Sweet, *Inventing the Victorians* (London: Faber and Faber Limited, 2001), 93.

¹²⁹ Chambers, *Book of Days*, 487.

folk tales from German peasants but their purposes for doing so are less well known. Contrary to the familiar image of Jacob and Wilhelm Grimm devoted to amassing a treasure trove of fairy-tales for love of folk culture, the Grimms were not merely satisfying an appetite for tales of fantasy. Both brothers longed for a unified Germany and gathering folktales was a cultural route for pursuing their political agenda.¹³⁰ The imaginative turn towards nature, characteristic of Romanticism in the eighteenth and nineteenth centuries, merged with nationalism within the folklore movement.¹³¹ Many middle-class intellectuals throughout Europe traveled to the countryside to catalogue their nation's folk songs, stories and traditions before their distinctive customs were lost forever. The prevailing wisdom was that the rural folk were believed to be the carriers of a cultural heritage that the middle and upper classes had lost long ago; fundamentally they thought the authentic character of the nation was preserved in local folk traditions. Although these intellectuals looked down upon the peasantry for their ignorance, it was the folk's simplicity that made them custodians of the nation's heritage. This duality explains why a seemingly reprehensible custom was considered worthy of preservation in folklore accounts. Wife-sale was assumed to be a remnant of a forgotten culture and folklore descriptions of wife-sale focus on listing all the 'rules' of performing the wife-sale ritual. In these representations of wife-sale, practitioners' ignorance of legal regulations against the custom was construed as innocence. As 'folk', wife-sale participants were misguided, merely reacting from need for divorce and oblivious to the fact that their behaviour was wrong.

¹³⁰ Jack Zipes, "Introduction" *The Complete Fairy Tales of the Brothers Grimm* (New York: Bantam Books, 1992), xxii-xxiii. The Brothers Grimm worked with folk tales because they were interested in uncovering etymological and linguistic truths that bound Germans together.

¹³¹ John Storey, *Inventing Popular Culture: From Globalization to Industrialization* (Malden: Blackwell Publishing, 2003), 6-15.

Within this context it is not surprising to find that the outrage against wife-sale in contemporary sources was often founded not in sympathy for the women but in anxiety for the way this lack of civilization reflected on English men. It seems implausible that a custom like wife-sale would have connections to politics and identity but entries in the contemporary press and periodicals like *Notes & Queries: A Medium of Intercommunication for Literary Men, Artists, Antiquaries, Genealogists, etc.* reveal that some who were acquainted with wife-sale as a folk custom felt it was a liability. This arose from folklore's relationship to national identity and perceptions of wife-sale as a folk custom. The letter G.F. sent to Lord Melbourne is emblematic of this unease in the explicit reference to the irony of finding a savage and unchristian custom like wife-sale in England, the most civilized nation.¹³² Some respectable English men recognized it as an eccentricity but this did not prevent wife-sale from making "a deep impression on our continental neighbours, who seriously believe that it is a habit of all classes of our people, and constantly cite it as an evidence of our low civilization".¹³³ Wife-sale appeared in *Notes & Queries* early in its first year of publication with the first note on the topic observing that the French persisted in their belief that wife-sale was perfectly legal and common in England at that time.¹³⁴ Contributions to *Notes & Queries* were often marked by this surprising connection with one person questioning whether the French could be blamed for their ignorance of English manners given the bitter feelings from a long war while another called the French "blockheads" for their ignorance of English manners.¹³⁵

¹³² TNA: PRO, HO 44/25, 'GF', concerning disgraceful incident in which a man sold his wife at Smithfield.

¹³³ Chambers, *Book of Days*, 487.

¹³⁴ G.L.B., "Wives, Custom of Selling," *Notes & Queries* series 1, ii no. 44, (1850), 217.

¹³⁵ Juridicus, "Notes On Wife-Selling," *Notes & Queries* series 2, i, no. 21, (1856), 420 and K.P.D.E. "Wife-Selling" *Notes & Queries* series 2, vi, no. 154, (1858), 490.

More astounding than the fact that some middle-class individuals worried about the way that wife-sale reflected on their own character was that these fears were not completely unfounded. At least two French books included some discussion of the English custom of wife-sale.¹³⁶ Wife-sale was excellent fodder for R. Pillet's *Views of England During a Residence of Ten Years; Six of Them as a Prisoner of War* since it was written in order to acquaint Frenchmen with the laws, manners, and political conduct of a nation that had little to excite their envy, indeed this would make wife-sale proof that the French character was noble, generous, and infinitely superior to the English position on humanity.¹³⁷ For different reasons, and with different intentions, English folklorists and French critics both identified wife-sale as an English custom. By the mid-nineteenth century, no matter how detached some respectable Englishmen felt from wife-sale performances, they could not escape the ramifications of wife-sale representations.

Wife-sale's relevance to English cultural historiography arises from its meaning for rural workers but also the impact of its representation on middle-class amusement and identity. To consider wife-sale as relevant only to the study of rural marital conflict is to miss the diversity of wife-sale participation and to misrepresent wife-sale's place within English culture in the eighteenth and nineteenth centuries. Recognition of a fluid boundary between cultures and classes makes it possible to examine representations of wife-sale, which in turn offers historians an opportunity to explore participation in new ways. Extensive representations of wife-sale enabled individuals who were far removed from actual performances to appropriate the image of wife-sale and to interpret it

¹³⁶ A.J.B. Defauconpret, *Six Mois a Londres en 1816: Suite de l'Ouvrage Ayant Pour Titre Quinze Jours Londres a la Fin de 1815* (Paris: A. Eymery et Delaunay, 1817) and R. Pillet *Views of England During a Residence of Ten Years; Six of Them as a Prisoner of War*. Translated from the French. (Boston: Parmenter and Norton, 1818).

¹³⁷ Pillet, *Views of England*, 1.

according to their own perceptions and beliefs. Wife-sale was transformed into an amusement, a validation of negative prejudices, a folk custom and a stain on English identity. When historians consider wife-sale materials as a whole, it not only becomes possible but inevitable to see wife-sale as a vibrant form of popular culture that influenced and was affected by a wide array of social forces. When we acknowledge the nuances in the relationship between wife-sale and class, we begin to see wife-sale as more than a marginal custom and see it as emblematic of changing social relationships in England.

Chapter 4: The Halter's Hold: Complicating Participation

Thus far we have explored the symbolism and representations of wife-sale on the basis of eighteenth and nineteenth century sources. The present chapter departs from this chronology and method by bringing the discussion of wife-sale to the present through an examination of literary sources, pulp fiction and Internet postings. The motivation for this approach comes from the fact that history is more than the study of past people, places and events -- indeed one of the purposes of history is to understand the reasons and implications of changes in human beliefs and social conventions.¹³⁸

There is more than theoretical justification for bringing wife-sale into the present as the practice continues to exist within fiction and Internet postings. It might even be argued that a failure to extend the discussion of wife-sale beyond the eighteenth and nineteenth centuries would give an incomplete history of the subject. Too often Popular Culture is viewed as the passive victim of historical process where customs are impoverished or extinguished by reformers or by the effects of social, economic and intellectual changes.¹³⁹ Since this thesis has argued that wife-sale was a form of popular culture rather than just a pragmatic means of getting out of a bad marriage it would be unwise to ignore these mock sales and fictional depictions. Examining wife-sale in the present through novels and Internet postings is important not only because it provides

¹³⁸ Joan Scott and Robert Muchembled have argued that history is a means for discovering the nature of the impression of permanence surrounding gender representations or for discovering the internal coherence of beliefs that may seem irrational or disconcerting ((Joan Scott, *Gender and the Writing of History* (New York: Columbia University Press, 1988), p. 66; Muchembled, *Popular and Elite Culture in France*, 11)).

¹³⁹ Tim Harris, "Problematising Popular Culture" in *Popular Culture in England, c. 1500-1800*, ed. Tim Harris, p.23 (New York: St. Martin's Press, 1995).

evidence that wife-sale was more than a practical custom but because it is part of the history of wife-sale representations.

Yet with this new approach come additional methodological problems. Literary material and pulp fiction might seem to compromise or even un-do the historical dimension of wife-sale. Setting a classic novel alongside pulp fiction can also create methodological concerns because the differences in literary quality and historical context can be enormous (and readily overlooked). Yet there is something to be gained by studying these works because they represent ahistorical views of wife-sale and because each novel can be approached as an individual representation of wife-sale based on an author's imagination and the expectations of a reader's reaction. The advantage of using these sources is that they were written with the intention of instructing readers on popular culture practices whilst engaging wife-sale for emotional effect. Moreover, the use of different genres clarifies which aspects may be due to demands of the genre and which are part of a common interpretation of wife-sale. It is in this way that postings on the Internet offer the most benefit for they are the products of individuals who show little interest in the history of wife-sale yet capture, if inadvertently, some historical elements of wife-sale. Ultimately, the use of these sources is justified by the fact that the markedly different tone, context, and cultural scope of these materials have not prevented these disparate authors from contributing to popular culture or having a collective understanding of wife-sale.

* * * *

The previous chapters of this thesis have explored wife-sale in the context of contemporary popular culture because this perspective has the most to offer historians

seeking a comprehensive analysis of the custom. To this end, much of the focus has been placed on interpreting the ritual's format, investigating the various forms of participation and exploring the meaning of wife-sale for its participants. At the core of each chapter has been a rejection of the view that wife-sale is trivial or insignificant. I have argued that continuities with carnivalesque customs, together with evidence that wife-sale reached beyond rural working-class communities, demonstrates the value of wife-sale as a historical topic. This is in part a reaction to the propensity among even the most sophisticated analyses of wife-sale to view it as a dead curiosity.

In his opening statement about wife-sale E.P. Thompson claimed that until a few years ago the historical memory of the sale of wives in England could best be described as suffering from amnesia, presumably because no one would care to remember such barbarity.¹⁴⁰ The problem with constructing wife-sale as a strange custom that has fallen out of cultural memory is that it artificially separates wife-sale participants from larger cultural practices. This was the effect when Samuel Menefee opened his first chapter by quoting Michael Henchard's offer to sell his wife. Menefee informed his readers that the wife-sale in *The Mayor of Casterbridge* caused disbelief in shocked contemporaries when it was first published. This description of nineteenth-century readers seems to parallel the potential incredulity of individuals reading *Wives for Sale: An Ethnographic Study of British Popular Divorce*. This is a perspective that marginalizes wife-sale because it reinforces the notion that it is a dead custom, creating a conceptual barrier between wife-sale performers and ourselves. This ultimately contributes to the perception that wife-sale has little relevance to English popular culture or present cultural trends.

¹⁴⁰ Thompson, *Customs in Common*, 404.

It could be argued that these introductions to wife-sale merely reflect the fact that wife-sale is unheard of in the twentieth century but the popularity and cultural prominence of *The Mayor of Casterbridge* makes it questionable that wife-sale has been forgotten. I believe that the inclination to distinguish wife-sale performers as qualitatively different among non-wife-selling contemporaries and present day individuals is connected to assumptions about wife-sale as a degradation of women. Wife-sale's continued presence in popular culture has been overlooked because historians have been burdened with the task of justifying wife-sale's format in their histories of the ritual. As a consequence, historians have failed to account for the fluidity of culture and focus on the mechanics of practice without exploring the multiple levels of interaction and meaning of wife-sale for spectators and performers. Wife-sale continues today under altered circumstances, and though it does not serve the same social functions, much of its spirit survives.

Even when wife-sales were primarily rural performances dealing with the reputations of specific individuals, it also existed as a representation of working-class men and women's relationships. It is true that the image of the haltered wife enduring a public auction to a new husband never reached the level of notoriety that the Amazon or prostitute achieved but the interest in wife-sale found among various folklore collections, newspaper reports and entertainments are evidence that it had entered the collective imagination. Long after wife-sale performances began to decline, representations of wife-sale continued to provoke curiosity and indignation. Indeed, wife-sale eventually changed from being a custom used by individuals familiar with each other in a rural

working-class community to a symbol of working-class attitudes and values for middle and upper-class individuals.

An example of the vitality of wife-sale comes from the re-opening celebrations of the Oxfordshire Record Office in September 2003. The office chose to attract visitors to the opening day through unusual exhibitions, including re-enactments of dubious episodes of Oxfordshire's history.¹⁴¹ Anna Clark would likely extend her claim that historians romanticize wife-sale and gloss over women's victimization to include events like the re-enactment of the seventeenth century sale of Mrs. Fuller by her husband to a neighbour named Thomas Heath.¹⁴² In Clark's criticism of historians of wife-sale there are shades of some of the nineteenth-century moral outrage against the custom as an example of the degradation of a wife at the hands of her husband. However, much of this rejection of wife-sale is based on a particular notion of what is appropriate treatment of women by men and what behaviours are suitable for women. We should not outrightly dismiss the outrage as the result of misunderstanding wife-sale because the disgust and sympathy for the suffering of the haltered and auctioned wives is far more complex than it appears.

Conventional wisdom among wife-sale historians is that the shame of wearing the halter and being exposed in the auction has served to outrage some observers and prevent them from accepting wife-sale as a legitimate custom. Yet it is important to ask: why did this outrage develop? Not until the early part of the nineteenth century did newspaper accounts of wife-sale conform to a general view that women were being unreasonably

¹⁴¹ The attractions included an exhibition of the sinners and villains in Oxfordshire's history, freshly cooked gruel and the performance of a historical wife-sale by local dramatists. BBC Online, "Wife-sale at Oxfordshire Records Office" BBC Online http://www0.bbc.co.uk/oxford/stage/2003/09/wife_sale.shtml (accessed 25 June 2006).

¹⁴² Clark, *Struggle for Breeches*, 86.

treated. This occurred in the background of dramatic economic and social changes, which saw the emergence of new class and gender identities. Thus, the tendency for middle and upper-class individuals to construct wife-sale participants as simple and ignorant folk, in contrast with their own civilized sensibilities, makes a critical reading of wife-sale essential. Wife-sale has been romanticized but not in order to justify historical study of an abuse of patriarchal authority. Not only was the display of authority and submission far more complicated than Clark realizes but Thompson and Menefee evaded the issue of women's humiliation by taking 'objective' approaches towards wife-sale. The main perpetrators of the romanticizing of wife-sale are those who have asserted their imagination over the custom and women's victimization.

The role of imagination may seem trivial but it is a major component involved in constructing the image of wife-sale in the past and present. Hence the important role of novels such as *The Mayor of Casterbridge* in histories of wife-sale. When *The Mayor of Casterbridge* was published in 1886, Thomas Hardy introduced the unforgettable character of Michael Henchard, a determined man who was given to violent passions. The tragic tale begins with the poor, weary Henchard family stopping in at the furnity tent at the Weydon Priors fair. In this atmosphere it was not long before Henchard voiced his dissatisfaction with married life, and fueled by alcohol and various grunts of agreement, his complaints evolved into a half-serious offer to sell his wife. The proposal swiftly gathered momentum and ended with Susan Henchard and her daughter being purchased for five guineas and leaving in the company of an unknown sailor. The proceedings recorded in a few short pages cast their shadow over the rest of the novel.

Many are familiar with Hardy's portrayal of the sale of Susan Henchard and its fateful consequences. Rather less well known is that Thomas Hardy was not the only author to use wife-sale in a novel. Two recent romance novelists have been sufficiently interested in wife-sale to use it to define characters and establish the central conflict in a few Regency romance novels.¹⁴³ Contrary to the image presented in *The Mayor of Casterbridge*, and in documented wife-sales, the wife-sale in *The Bride Sale* by Candice Hern was not precipitated by antagonism but by a pressing need for ready money combined with a total absence of emotional and physical intimacy. The aristocratic heroine, Verity Osborne, is taken from Lincolnshire to Cornwall by her pathetic and insolvent husband and sold for £200 to the brooding and mysterious Lord Harkness. At first, Verity is overwhelmed by the disgrace of the sale while her purchaser fervently tries to hide the transaction that brought her into his household. The story ends with Verity and Lord Harkness finding solace from their personal demons in each other's company -- a positive new relationship emerges but only after dispelling the gloomy shadow wife-sale cast throughout the novel.

Two novels published around the same time as *The Bride Sale* take a decidedly more playful approach to the subject. *Sixpence Bride* and *Spenceworth Bride* by Virginia Farmer traces the adventures of two women who find themselves cast unexpectedly into different bodies, and in a foreign century. In *Sixpence Bride*, Jocelyn Tanner is traveling throughout England after being left behind at the altar by her fiancé but unexpectedly winds up in the eighteenth century and 'married' to the proud and distant Earl of

¹⁴³ Candice Hern, *The Bride Sale* (New York: Avon Books, 2002); Virginia Farmer *Sixpence Bride* (New York: Dorchester Publishing Co. Inc., 2000); Virginia Farmer *Spenceworth Bride* (New York: Dorset Publishing Co. Inc., 2003). Regency romance novels are a subgenre of romance fiction and are set during the period of the English Regency or the early nineteenth-century using particular stylistic and plot conventions.

Spenceworth. The fanciful tale began with Jocelyn as a reluctant participant in a mock wife-sale as part of her travel package but through unknown magic she switched places with Nelwina Honeycutt, a woman who was haltered and sold by her abusive husband after he discovered that she had kept an extra sixpence from the sale of a pig. In *Spenceworth Bride* Virginia Farmer recounts Nelwina's adventures, her confusion of being thrust into the twentieth century, and the curious life she leads while in the care of the man she believes purchased her as his new wife.

It is no surprise that there are a number of literary pieces concerning the origins, meaning, and significance of Thomas Hardy's use of wife-sale in *The Mayor of Casterbridge* but only a few press pieces on the Internet about these romance novels. The disparities in literary standing and in the amount of scholarly attention each has received makes it strange to place *The Mayor of Casterbridge* along side *The Bride Sale*, *Sixpence Bride* and *Spenceworth Bride* but even if these later novels were of the same calibre as *The Mayor of Casterbridge* it is unlikely that historians would recognize their potential. E.P. Thompson did not ignore Hardy's portrayal of wife-sale in *The Mayor of Casterbridge* but proclaimed Hardy's reconstruction of wife-sale to be careful and credible in a human context.¹⁴⁴ This was a limited compliment as Thompson ultimately felt the episode in the novel deviated too far from the standard form to be of much historical value. It would seem that Candice Hern, Virginia Farmer, and Thomas Hardy have little besides entertainment for historians driven by hard, empirical evidence. When released from restrictions of such data these novels reveal themselves to be invaluable sources for exploring the nature of wife-sale as a form of popular culture.

¹⁴⁴ Thompson, *Customs in Common*, 405.

Fictitious wife-sales, such as the one produced in *The Bride Sale*, deserve critical attention precisely because they are products of the author's imaginations. Despite the historical and literary differences between Thomas Hardy, Virginia Farmer, and Candice Hern each of these stories communicates a particular impression of wife-sale. In each case the typical causes of wife-sale performances, such as women's infidelity and nagging, were reduced or entirely absent and the wife-sale is the crystallization of a passive woman's rejection by a degenerate partner. Furthermore, these sales take place in the midst of a group of strangers in order for the husband to rid himself of his troublesome burden. The women are not even acquainted with their purchasers until these men take control of the halter and claim their new wives. The nature of the sale is complicated by the fact that none of these purchasers buy the women because they want a relationship with them, indeed they are not fully aware of their motivations but feel strangely compelled to bid.¹⁴⁵

It is not surprising that the wife-sales in these novels radically diverge with documented sales because wife-sale is used to propel a larger story. Still, these divergences are significant because the absence of infidelity, mockery, and community sensibility is consistent across these four novels. The discrepancies between historical performances of wife-sale and fictional sales do not undermine their historical usefulness because they illustrate how we understand what wife-sale meant and why we continue to be captivated. These four novels are fundamentally connected to each other because each uses wife-sale to set the emotional tone of the characters' experiences and exemplify the

¹⁴⁵ Richard Newson, the sailor who bought Susan Henchard, referred to the sale as a curious business in times of being young and thoughtless. Thomas Hardy, *The Life and Death of the Mayor of Casterbridge: A Story of a Man of Character* (New York: St. Martin's Press, 1966), 291. In *The Bride Sale*, Lord Harkness bid without thinking of the resulting scandal or responsibilities.

nature of the primary relationships. The strength of this relationship is illustrated by the fact that despite the vast differences in plausibility, literary quality and level of research, they share a common interpretation of wife-sale.

It is clear that each of the authors were aware of the structure of the ritual, however their depictions of the social relationships typically involved in wife-sale bear little resemblance to recorded sales. Within these separate representations is a pattern of constructing wife-sale as an act of an individual husband against his wife. The auction of the haltered wife becomes more than a husband's refusal to continue living with his wife as the public exposure is his revenge for having had to live with her and suffer her company. The roles accorded to performers in the fictional wife-sales were somewhat altered from historical sales because authors were in a position to decide the balance of power and extent of the humiliation for these men and women. It is impossible to escape the fascination with the inherent humiliation and domination of women in each of these imagined sales. There is uniformity in the roles of these men and women despite the vagaries of agriculture, homosexuality and time travel. Nelwina, Jocelyn, Verity and Susan are invariably presented as the innocent victims of thoughtlessness and cruelty. These women can be thought of as members of an unfortunate sisterhood because their identities are defined by their numerous humiliations. With the exception of Michael Henchard, wife-selling husbands are generally presented as uncomplicated, one-dimensional characters. These ignoble men form a collection of broken souls that are altogether selfish, fuelled by alcohol and ruled by rough tempers. At the point of wife-sale, the relationships between the original spouses are marked by a lack of an emotional connection or positive affection, features that were often never present in the relationship.

There is no sense from *The Mayor of Casterbridge*, *Bride Sale*, *Sixpence Bride*, and *Spenceworth Bride* that the humiliation of the wife-sale has multiple layers, or extended to others beyond the haltered woman. Although each heroine bristles at the brutal treatment she receives, she fully submits to the will of her husband and the wife-sale becomes the pinnacle of their submission to the whims of an obnoxious mate. In *Sixpence Bride*, the extent of Nelwina's resistance is pleading with her husband Haslett to just let her be, and when this did nothing, to wish that she was anywhere but there and with anyone but Haslett.¹⁴⁶ It is swiftly apparent that the largest point of divergence between these fictional sales and documented sales is that Nelwina and her compatriots are victims of their own simple-mindedness and lack of agency.¹⁴⁷ The spirited and unruly women that wore the halter in documented wife-sales are conspicuously absent. Indeed, there is no resemblance to the formidable tartar, Jane Hobbs. Poor Susan was most afflicted with simple-mindedness and caused the most damage because of her foolishness.¹⁴⁸ The whole wife-sale is blamed on Susan for when Michael Henchard awoke the morning after the sale he cursed Susan's idiotic simplicity and meekness because she knew that when he drank he was not in his senses.¹⁴⁹ More importantly, it was when Susan learned that that the wife-sale was not legitimate and that she was not legally bound as a wife to her purchaser that the events of Michael Henchard's downfall were set in motion.

¹⁴⁶ Farmer, *Spenceworth Bride*, 4-6.

¹⁴⁷ Verity Osborne was persistently demoralized by her husband's inability to consummate their marriage. From his sexual rejection she inferred that she was physically deformed and could not be desirable to any man. It was primarily this feeling as a non-woman that underlay Verity's mute suffering of the exposure.

¹⁴⁸ Susan should not be seen as totally weak. After one of Henchard's queries if anyone would buy her, Susan retorted that she wished someone would because her present husband was not to her liking. Hardy, *Mayor of Casterbridge*, 14.

¹⁴⁹ Hardy, *Mayor of Casterbridge*, 21. Even Newson described her as warm-hearted but not shrewd or sharp in anyway. Hardy, *Mayor of Casterbridge*, 291.

Another interesting feature in the fictional wife-sales is that wife-sale is treated as a crisis point in individuals' lives and the authors are free to imagine the long-term ramifications of the wife-sale performances. Not all the wife-selling husbands were ruined to the same extent as Michael Henchard, but each of the men met with some sort of punishment that originated in their mistreatment of their wives. The misery these men eventually experienced might suggest that these novelists were intrigued by wife-sale but fundamentally disapproved of the humiliation women experienced. But this is a superficial reading of the novels as the wife-selling men do not atone for their sins but set in motion their own eventual humiliation and degradation. The husbands are flawed prior to the wife-sale -- the sale is simply symptomatic of their degeneracy. Thus the lure of wife-sale in these novels lies not in their capacity for moral instruction but in their voyeuristic appeal.

Women's victimization is tantalizing and compels readers in unexpected ways. My initial reaction to the advertisement that Haslett distributes for Nelwina's sale is that it is reminiscent of the one by Jane Hebbard's husband. On further consideration, Farmer's reference to firm posterns and a stout body highlights the special role given to women's bodies in fictional wife-sales.¹⁵⁰ Women's bodies had a prominent place in historical wife-sales but this is taken to new heights in fictional wife-sales. The observation that Susan Henchard's physical appearance demonstrated her true cultivation is quite telling in that it was the only comment made about her by the men in the furnity tent.¹⁵¹ The more imaginative a sale the more sensual the treatment of the women's body

¹⁵⁰ Farmer, *Spenceworth Bride*, 4.

¹⁵¹ Hardy, *Mayor of Casterbridge*, 13.

and her victimization became. In the midst of a crowd of aggressive strangers Verity Osborne

could not stop the trembling...She tried to stop it, to hold herself still, but it only seemed to get worse. Every muscle was held so taut she began to feel the sticky dampness of perspiration from the effort. Her petticoat clung to her legs and a trickle of moisture inched down the back of her neck.¹⁵²

With this description of Verity's physical experience of shame, it is clear that portraying the victimization of women was not a part of the sale that authors had to wade through in order to achieve higher ends; Hern lingers over the humiliation and brutality. The difference between this description and documented wife-sales is not simply that authors of fiction have greater freedom to explore emotions but that since the body is often an expression of cultural anxieties and desires, differing representations of the body tell different stories.

All of these authors revisit victimization throughout the novels. Three of the four books are romance novels, which would suggest that the sexuality has more to do with the genre than a fixed perception of wife-sale. The fascinating aspect of these books is that it is not just the sensuality of the purchaser's dominance and the wife's submission that captivates readers. *The Mayor of Casterbridge* is far more chaste than any of the romance novels, and there is no doubt that Michael Henchard's actions were presented as an inexcusable moral offense, but the readers are kept fixated upon his shameful deed. The plot and characters seem to be forever tied to the events of that fateful night in Mrs. Goodenough's furmity tent, revealing that underneath the condemnation is a sense of fascination.

¹⁵² Hern, *Bride Sale*, 18.

The compulsion to revisit the shame of the wife-sale is as strong in *The Mayor of Casterbridge* as in *The Bride Sale*. Novels which imagine wife-sale have much in common with *Punch and Judy* theatre. Here readers are like audience members who watch violence that is socially unacceptable but comical on a visceral level. In the fascination with women wearing the halter and submitting to a public auction, there is a tendency to fetishize women's victimization. When Verity Osborne felt the weight of thousands of sneering eyes raking her from head to toe it was an opportunity for the reader to identify with her but also position themselves among the crowd which intimidated the vulnerable woman.¹⁵³ Readers may sympathize with these characters but they are ultimately part of the audience that observes their humiliation and suffering.

These dynamics are not restricted to a handful of novels but can be found in some of the most unlikely places. The Pirates of the Caribbean ride debuted in Disneyland in 1967 and offered passengers a larger-than-life spectacle of pirate adventures complete with scenes of drunken revelry, burning buildings, pillaging, and a bride auction (Figure 3).¹⁵⁴ It is quite obviously further removed from historical wife-sales than any of these four novels but this vignette embodies many of the same dynamics.¹⁵⁵ For example, the six 'wenches' are to be sold by auction to a new husband and are even tied together.

¹⁵³ Hern, *Bride Sale*, 15.

¹⁵⁴ For those who have not had the opportunity to visit the Pirates of the Caribbean there is an old video clip "Pirates Official Souvenir Film from Disneyland Circa 1960's -Entire Ride-No Sound" that can be viewed. DisneyDreamer.com, "Spotlight on Attraction: Pirates of the Caribbean," DisneyDreamer.com <http://www.disneydreamer.com/POC.htm> (accessed 10 September 2006).

¹⁵⁵ There is little reason to suspect that these women were being sold as prostitutes rather than as wives since there is another scene that depicts the redheaded woman after settling in to pirate life with her husband.



Figure 3: *Pirates. Wench. Sale* by Tyrven. Photograph using available lighting.
<http://tyrven.livejournal.com/211608.html> ©This photo is public (accessed 24 September 2006)

The uncertainty of their futures has a few of the women visibly distressed but the red-headed woman, in particular, embraces this situation and unabashedly sells her wares. At first it seems that the red-headed woman's welcoming body language is wasted and that she is needlessly primping because the only characters present in the scene are the women and the pirates who are selling them. The absence of spectators or purchasers would seem to negate the idea that this ride has any connections to wife-sale until it becomes evident that it is in fact the patrons of the ride who are the intended purchasers. The pirates are selling the wenches to the passengers that have chosen to be entertained by vicariously experiencing the rough and rowdy life of a pirate.

Why is there a wench sale in Disneyland? What explains *The Bride Sale* or *Sixpence Bride*? One possible reason is that since antagonism in marital relationships and imbalances of power between spouses have not disappeared its themes and motifs continue to resonate in the twentieth century. Although this may be part of the

explanation, I think this answer relies too heavily on an understanding of wife-sale strictly as a form of self-divorce. Wife-sale historians should not overlook the fact that the wench sale in the *Pirates of the Caribbean* treats the sale of wives as an inoffensive amusement, and that the tourists who fill the boats on this exotic voyage find themselves participants in this spectacle in a similar way that readers of *Sixpence Bride* are audience members of the wife-sale.

It is telling that when 'wife-sale' is entered into an Internet search engine instead of *Customs in Common* or *Wives for Sale* topping the listings, it is often a site related to joke sales, the history of marriage or one of the four novels that use wife-sale for plot structure.¹⁵⁶ Popular culture is not static and customs like wife-sale eventually lose their prominence and cease to be practised. Yet this does not mean that such customs and rituals lose their hold within popular culture or that elements will not be resurrected in a new context or format. One of the technological advancements that seem to separate us from those that attended and performed wife-sales, ironically, serves to rekindle the spirit of the custom. With the Internet and on-line chat forums it has become possible for individuals to fill similar roles to wife-sale participants in the eighteenth and nineteenth centuries. There are men that try to 'sell' their wives, women that consent to being 'sold' and potential bidders who speculate about the worth of the offered goods.

In 2001, Grant Hensley posted an advertisement for his wife on the Texas Outlaw Pro Mod Association forum where he described her as

¹⁵⁶ For example: BBC News "Wife for Sale on Net" BBC News <http://news.bbc.co.uk/1/hi/wales/3109533.stm> (accessed 11 June 2006); Demian "Marriage Traditions in Various Times and Cultures" Partners Task Force for Gay and Lesbian Couples, <http://buddybuddy.com/mar-trad.html> (accessed 10 August 2005); Phillip V. Allingham, "The Wife Sale in The Mayor of Casterbridge" *The Victorian Web* <http://www.victorianweb.org/authors/hardy/pva283.html> (accessed 15 September 2006) or Romantic Times Book Reviews Research Topics "Wife for Sale: Divorce in 18th Century England" http://www.romantictimes.com/resources_research.php?article=27 (accessed 11 June 2006).

Just freshen[sic] by Massengale! Low milage[sic]. Zero runs since freshening. Accessories included knowledge of drag racing, ability to pack parachutes and ability to properly line up a drag car. Purchaser must be willing to take "as is" at a low initial cost knowing that there is no warrantee[sic] and there will be major up keep and maintenance costs. Any reasonable offer won't be refused.¹⁵⁷

The sexual innuendo, light mockery, and reference to Mrs. Hensley's capability for hard work are continuous with the documented wife-sales of the eighteenth and nineteenth centuries. The main differences between this advertisement and contemporary sales are that Hensley did not actually intend to sell his wife and used drag racing references rather than agricultural terms to extol her virtues. Most members of this forum found the post amusing, except for one man who asked why Hensley would get rid of a wife who not only did not hate racing but was not afraid to get her hands dirty and help her husband.¹⁵⁸ This man need not have worried for not only was this post fully intended as a joke but Hensley had received permission from the BOSS prior to making the posting.¹⁵⁹

Another comical husband, J. Joosten created a whole website devoted to the selling of his wife Petra. Joosten posted a picture of his wife and proceeded to lament that their relationship was not what it had once been and that Petra recently began complaining when he would come home drunk or look at younger women.¹⁶⁰ It is a clever website with every appearance that this is a genuine attempt to sell a wife. Indeed, despite his claim that the idea for the sale came from his recent mastery of the Internet, the style of the advertisement suggests that this joke was inspired by E.P. Thompson and Samuel Menefee's work on wife-sale. Joosten's site has drawn a great deal of attention and has been featured on the Museum of Hoaxes' website. The wife-selling husband

¹⁵⁷ Grant Hensley, "Wife for Sale," Texas Outlaw Pro Mod Association, <http://www.voy.com/16448/517.html> (accessed 25 June 2006)

¹⁵⁸ William Brenner, "Wife," Texas Outlaw Pro Mod Association, <http://www.voy.com/16448/517.html> (accessed 25 June 2006)

¹⁵⁹ Grant Hensley, "Hey WILD Bill lighten up!!!!!" Texas Outlaw Pro Mod Association, <http://www.voy.com/16448/517.html> (accessed 25 June 2006)

¹⁶⁰ J. Joosten, "My Wife Petra," <http://www.wifeforsale.tk/> (accessed 16 June 2006)

who has gone the furthest is Andy Hoyle of north Wales. In 2003 Mel Hoyle was entered for auction on the British eBay website.¹⁶¹ The astounding sale attracted just over 3800 hits before Mel was removed and bidding stopped. This auction was similar to Grant Hensley's offer as Mel was described as having a chassis in excellent order for the mileage (a warranty was offered at extra cost).¹⁶² The bidding was started at £1 but quickly escalated, with one person offering a motorcycle worth £8000. As anyone with an Internet connection can participate in on-line wife-sales it is unlikely that the bidders would resemble the audiences of wife-sales in the eighteenth and nineteenth centuries. Yet Grant Hensley's offer occurred in the context of an on-line forum. Thus even though the auction was open to anyone it existed within a community setting and in each case small audiences developed. The on-line discussion stimulated by the picture and description of Petra that was posted on the Museum of Hoaxes' website was as mocking and entertaining as George Baldry's reminiscence of a wife-sale. Just as Mrs. Prinny was too fat to entice buyers, Petra was too old to be wanted. Since there was no price listed one man asked his fellow contributors what they thought was the going price on raisins.¹⁶³ This was followed by, "Price hell...more like 'How much is he willing to pay to get someone to take her?'"¹⁶⁴ The last post in the thread was made by a man who wanted to know how to get his wife on Joosten's web page as he wanted to sell his own wife who would not get much with her pungent feet and flat posterior.¹⁶⁵

¹⁶¹ BBC News, "Wife for Sale on Net," <http://news.bbc.co.uk/1/hi/wales/3109533.stm>

¹⁶² *Evening Standard*, "Man Puts Wife up for Sale on Web," ThisisLondon.co.uk News and Current Affairs, <http://www.thisislondon.com/news/articles/5993093> (accessed 25 June 2006).

¹⁶³ Rod in the land of smarties, "Wife for Sale – Comments," Museum of Hoaxes, <http://www.museumofhoaxes.com/hoax/weblog/comments/2905/> (accessed 11 June 2006).

¹⁶⁴ Mark-N-Jen in Midwest USA, "Wife for Sale – Comments," Museum of Hoaxes, <http://www.museumofhoaxes.com/hoax/weblog/comments/2905/> (accessed 11 June 2006).

¹⁶⁵ Junior in California, "Wife for Sale – Comments," Museum of Hoaxes, <http://www.museumofhoaxes.com/hoax/weblog/comments/2905/> (accessed 11 June 2006).

A comprehensive history of wife-sale should not only explore the significance of wife-sale for performers and spectators but also for those who have interacted with wife-sale through representations. To date, none of the published histories of wife-sale have approached *The Mayor of Casterbridge*, or any other novel, as an important facet of the history of wife-sale. Thompson's critique that Hardy perpetuated the stereotype that wife-sale was a melancholy example of feminine oppression and reinforced the notion that wife-sale displayed a casual attitude towards marriage among the poor is the most attention paid to wife-sale novels. Yet Thompson's views about wife-sale in *The Mayor of Casterbridge* were recently criticized for neglecting the social construction of knowledge and texts.¹⁶⁶ The crux of the argument was that Thompson ought to have recognized *The Mayor of Casterbridge* as having an equivalent historical value to his own work because it offered an additional perspective. Although I agree that Thompson did not use his sources as fully as he could have because he was preoccupied with empirical data, I find it unreasonable to position Hardy's portrayal of wife-sale as the equivalent of Thompson's explanation of wife-sale.

Ultimately, the fact that E. P. Thompson and Thomas Hardy did not have the same purposes or depth of analysis in writing about wife-sale does not excuse historians from investigating novels that incorporate wife-sale into the plot. The role of imagination and representation may seem trivial but these fictitious sales offer new perspectives on wife-sale by revealing the reasons for our own fascination with the custom. If one of the reasons to study history is that it gives us the ability to recognize our own society as

¹⁶⁶ Peter Claus, "Popular History: Heritage and Academic Study," *Things We Forgot to Remember*, <http://www.open2.net/thingsweforgot/pophistory.html> (accessed 5 June 2006). Open2.net is the online learning portal from the Open University and the BBC. This article was not specifically written to address wife-sale but instead used E.P. Thompson's analysis of the custom in order to explore issues of historical methodology and cultural memory.

strange and discover that those pieces of current culture which seem eternal and fundamental are in fact transient, then it is necessary to explore our own fascination with wife-sale.¹⁶⁷ When a local country fair prompted thoughts of Michael Henchard's sale of his wife Susan at the Weydon Priors fair, one writer remarked that he could not imagine that a wife-sale would go over well in America in 2004, yet this tendency to consider ourselves superior to wife-sale performers has clearly not prevented our participation in altered forms of wife-sale.¹⁶⁸

Throughout the past two centuries folklorists, journalists and historians have explained the wife-sale custom in terms of its position outside of legitimate or dominant culture but in order to produce thorough and well-developed histories we must engage with historical subjects without dismissing them as aberrations. Much of my interest in wife-sale lies in how the custom has fit within individual social relationships and popular culture. Wife-sale was a complex performance that used demonstrations of submission and authority to mediate social and sexual relationships. Wife-sale represents contested sexuality, particularly when a wife's infidelity caused the sale. The ritualization of rejecting a sexual partner deserves critical attention because it is difficult to understand the past, or the present, if we do not acknowledge the place of sexuality in moral, social, and political discourse.¹⁶⁹

It is important to understand why it was so immoral in *The Mayor of Casterbridge* for Michael Henchard to sell his wife when she consented to the sale. Literary wife-sales

¹⁶⁷ Kim Phillips and Barry Reay, "Introduction" in *Sexualities in History: A Reader*, ed. Kim Phillips and Barry Reay, 3 (New York: Routledge, 2002).

¹⁶⁸ John Derbyshire, "Fall Festival," *National Review* <http://olimu.com/journalism/Texts/Commentary/Straggler24-FallFestival.htm> (accessed 11 June 2006).

¹⁶⁹ Jeffrey Weeks, "Sexuality and History Revisited" in *Sexualities in History: A Reader*, ed. Kim Phillips and Barry Reay, 28 (New York: Routledge, 2002).

reveal the continuities and discontinuities of culture because these wife-sales carry the anxieties, beliefs and desires of the cultural context in which they were written. There are many possible reasons why we relish the image of a haltered and publicly exposed woman but at the heart of our enjoyment of these representations is our desire to see these women as victims. In the process of constructing the image of wife-sale in these four novels, female characters are created who suffer at the rough hands of their husbands and need to be rescued by their purchasers in order for their lives to improve. In the on-line wife-sales the humour comes from the fact that this type of sale could not really be allowed, it is a fantasy, a way of imagining oneself to be in a relationship where a husband has the authority to treat his wife in any way that he desires.

One of the unfortunate effects of not having a clear comprehension of how wife-sale developed or the main factors involved in its decline is that the custom acquires a certain mystique. This has proven detrimental since in its position as a forgotten oddity, wife-sale does not have to be taken seriously. Wife-sale consistently appeared in folklore collections and academic works alike as an interesting but irrelevant custom that accidentally developed from need for divorce. In this way wife-sale has been conceptually linked to an atmosphere of ignorance and inappropriate behaviour, a ritual with a shady reputation. Among the contemporary and present day individuals who are aware of wife-sale there are those that consider it to be a spectacle that existed solely on the fringes of society. However, wife-sale was not and is not a radical departure from dominant attitudes. Wife-sale's strangeness is part of our fascination with it, but its continued existence can be attributed to the fact that we identify with the themes of this spectacle.

Epilogue

The first academic article about wife-sale was Courtney Kenny's "Wife-selling in England", published in the *Law Quarterly Review* in 1929. The article provided the same information found in many of the accounts printed in regional periodicals and folklore collections of the eighteenth and nineteenth centuries but was not concerned with wife-sale's social functions. The author focused instead on wife-sale as a by-product of legal errors that had attained popular currency.¹⁷⁰ According to Courtney Kenny wife-sale participants had been far from realizing that these transactions were absolutely invalid or that wife-sale was an actual crime.¹⁷¹ As a variation on the familiar refrain of treating wife-sale participants as ignorant folk this analysis of wife-sale provided little additional information to the collection of wife-sale materials but the publication of "Wife-selling in England" is important because it represents the first attempt at empirical analysis of wife-sale.

"Wives for Sale" by E.P. Thompson and *The Sale of Wives* by Samuel Menefee did not share Kenny's fixation with performers' rural simplicity or wife-sale's illegality but did investigate wife-sale from an empirical perspective. These two men looked to the wife-sale ritual as evidence of the ingenuity and resilience of England's rural plebeian communities. Despite their efforts wife-sale has yet to become a popular topic among historians and has not become established within the historiography of English popular culture. Unfortunately, even the most compelling explanations of wife-sale were founded on a notion of wife-sale as an exotic custom, existing outside of mainstream or

¹⁷⁰ Courtney Kenny, "Wife-selling in England" *Law Quarterly Review* 45, no. 180 (1929): 494-7.

¹⁷¹ Kenny, "Wife-Selling in England," 494.

'legitimate' culture. Yet far from being a simple demonstration that reversed a marriage, wife-sale was an example of individuals negotiating the boundaries of relationships and identity as it was part of an ongoing process of gaining and losing social status in a wider community. What makes wife-sale such a fascinating and valuable topic of historical study is that for all of its extraordinary characteristics it was a product of individual tensions, social conventions and cultural traditions that were also part of mainstream culture. It is hard not to see the parallels between John Hobbs's desperate attempts to escape his marriage and the violent imagery of *Punch and Judy* where the humour comes from the triumph of a belligerent and domineering spouse.

It is my view that if self-divorce was the only function of wife-sale then it would have failed to capture the attention and imagination of a wider non-wife-selling public. There are a number of self-separation rituals that folklorists catalogued in various parts of Britain in the eighteenth and nineteenth centuries that failed to inspire any measure of the curiosity or outrage provoked by wife-sale. The fact that wife-sale continued to captivate observers in the two and a half centuries since wife-sale reports first began to appear on the pages of regional newspapers in the 1750s and 60s illustrates wife-sale's cultural relevance. Wife-sale has an important place in English cultural historiography because it originated as a ritual that was performed by individuals hoping to change their lives, and from there it developed into a phenomenon that involved the participation of individuals from a variety of social and economic circumstances.

The low number of recorded wife-sales have misled historians like Lawrence Stone into presenting wife-sale as insignificant but novels like *The Mayor of Casterbridge* and *The Bride Sale* testify to the cultural and historical significance of wife-

sale. Historians must not overlook wife-sale's enduring existence as a form of entertainment and must question why it is that wife-sale continues to fascinate us. If Jeffrey Weeks is correct and we often seek the truth of our natures in our sexual desires then it is possible that at the heart of contemporary and current fascination with wife-sale is curiosity with the shadowy side of human relationships.¹⁷² Wife-sale mingled displays of dominance and submission with the practical realities of validating a new sexual relationship. There is little that is straightforward in wife-sale; the outraged and indignant observers were still very much voyeurs. The absence of wife-sale performers' voices from documented wife-sales will always mean that there are unanswered questions yet by engaging with wife-sale on its own terms, and in the context of popular culture, we will find opportunities to probe the depths of this enigmatic spectacle.

¹⁷² Weeks, "Sexualities in History," 33.

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