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## A revisionist perspective of aristocratic divorce in Georgian England

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A REVISIONIST PERSPECTIVE OF  
ARISTOCRATIC DIVORCE IN  
GEORGIAN ENGLAND

by

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A thesis submitted in partial fulfillment  
of the requirements for the

**Master of Arts in History  
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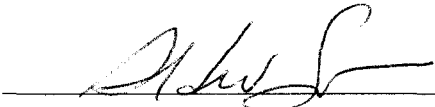
"A Revisionist Perspective of

18th Century Aristocratic Divorce in England"

is approved in partial fulfillment of the requirements for the degree of


Master of Arts in History

  
Examination Committee Chair

  
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## ABSTRACT

### **A Revisionist Perspective of Aristocratic Divorce in Georgian England**

by

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This thesis is about the developments in aristocratic divorce in Georgian England.

I specify aristocratic, because at this time they were the only individuals who had the financial means to obtain a divorce by Act of Parliament. Officially, no divorce law existed in England until 1857. I have analyzed three divorce cases for adultery from the 1770's and researched how aspects of gender and class impacted the development of the process of divorce. I look at issues of power, shame, and the distinctions between the public and private spheres for men and women. I also investigate the impact of the title, "cuckold" and what it meant for men who were thus labeled in Georgian society. Lastly, I look at the role of the duel and how it served to reestablish a sense of control for cuckolded husbands who were increasingly turning to the law for recourse through the filing of suits for Criminal Conversation.

Lawrence Stone and Amanda Vickery both argue that this period was one which experienced an increase in egalitarianism. The sources which I analyzed did not support this position. My findings reflect a conservative, traditional Georgian society.

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## CHAPTER 1

### INTRODUCTION

Modern scholarship on eighteenth century English culture paints a portrait of Georgian aristocracy poised on the brink of social change. Historians such as Lawrence Stone and Amanda Vickery both suggest that the study of marital relationships reveals a shift towards increasing egalitarianism and greater freedoms for women than previously thought. Stone began his inquiry into English familial relationships in 1977, with the publication of his first book on the subject, *The Family, Sex and Marriage in England 1500-1800*<sup>1</sup> Nearly fifteen years later he turned to the topic of divorce specifically in his seminal work, *Road to Divorce*<sup>2</sup> and *Broken Lives*<sup>3</sup> followed three years later, providing case studies from the Georgian Aristocracy. In *The Gentleman's Daughter*, Vickery probes the archives and personal diaries of women from the “genteel” class. She writes, “This book does not present a history of Everywoman; it offers a study of genteel women

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<sup>1</sup>Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (New York: Harper and Row, 1977).

<sup>2</sup>Lawrence Stone, *Road to Divorce: Separation and Divorce in England 1660-1857* (Oxford: Oxford University Press, 1993).

<sup>3</sup>Lawrence Stone, *Broken Lives: Separation and Divorce in England 1660-1857* (Oxford: Oxford University Press, 1993).

anchored in the hills of the north of England.”<sup>4</sup> In regards to both class and gender, Vickery and Stone see Georgian divorce and social practices relating to marriage, separation, and divorce as reflecting changing mentalities and increasing liberty and equality. In reality, aristocratic divorce in Georgian England did not reflect changing attitudes; rather it served to reaffirm and strengthen social structures that had been firmly established for centuries.

Roderick Phillips describes parliament’s position towards divorce from the seventeenth century: “It is arguably an indication of the reluctance of parliamentary propagandists to be compelled, by the logic of political analogy, to adopt a position in favor of divorce that they had not taken when considering divorce in its own terms. This political debate demonstrates the essentially conservative approach to divorce across the spectrum of seventeenth-century English intellectuals.”<sup>5</sup> The only individual who was willing to take on the subject of divorce in the Civil War period was John Milton. From 1643 through 1645, Milton wrote no less than four tracts on divorce. These were *The Doctrine and Discipline of Divorce*; *The Judgment of Martin Bucer, concerning Divorce*; *Tetrachordon*; and *Colasterion*. Phillips believes that Milton’s unhappy personal experiences in marriage must have inspired him to write. He was abandoned by his first wife. Realizing he was tied to her until her death....one can hear the tone of desperation as he describes the plight of those in unhappy marriages:

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<sup>4</sup> Amanda Vickery, *The Gentleman’s Daughter: Women’s Lives in Georgian England* (New Haven: Yale University Press, 1998), 11.

<sup>5</sup> Roderick Phillips, *Putting Assunder: A History of Divorce in Western Society* (Cambridge: Cambridge University Press, 1988), 119.

Yet now, let them find themselves never so mistak'n in their disposition through any error, concealment, or misadventure, that through their different tempers, thoughts, and constitutions, they can neither be to another a remedy against loneliness, nor live in any union or contentment all their dayes, yet they shall...be made, spight of antipathy to fadge together, and combine as they may to their unspeakable wearisomness and despaire of all sociable delight in the ordinance which God establisht to that very end.<sup>6</sup>

Milton also argued against allowing divorce only in a specific set of circumstances. As visionary as Milton's doctrines may have been, they gave what Phillips calls "primacy of action" in divorce to the husband. Phillips writes, "Milton never tired of repeating that woman was made for man and it was this principle that gave the husband jurisdiction over the marriage."<sup>7</sup>

In fact, there were no laws regarding divorce in England until the mid-nineteenth century. The only divorces obtained in Georgian England were granted by an Act of Parliament and were intended to benefit wealthy aristocratic men. This was just another privilege granted to a class that nearly always operated above of the law. Kirstin Olsen explains the relationship between social class and the law this way: "English law, though much celebrated, showed more favor to the duke with a hundred thousand acres than to the vagrant passing through his lands."<sup>8</sup>

Even at the height of the Enlightenment, the English were not applying egalitarian principles to their laws regarding marriage, divorce, and inheritance. Careful study of these laws and their application in three aristocratic divorce cases from the 1770's, the first decade to experience a significant increase in the number of divorces, has enabled

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<sup>6</sup> Ibid., 121.

<sup>7</sup> Ibid., 122.

<sup>8</sup> Kirstin Olsen, *Daily Life in Eighteenth Century England* (Westport and London: Greenwood Press, 1999).

me to demonstrate the ways in which English laws and social practices served to preserve the status quo rather than to challenge it. The case studies come from Bladon's *Trials for Adultery; or the History of Divorce*, a collection of court proceedings, anonymously transcribed by a "Civilian."<sup>9</sup> S. Bladon was a London publisher, one of many who catered to the baser curiosities of the Georgian public. I have chosen three highly publicized trials from the period to make my point: first, *The Duke of Grafton vs. The Duchess of Grafton*; second, *Lord Grosvenor vs. Lady Grosvenor*; and third, *Viscount Ligonier vs. Viscountess Ligonier*. Although each case is unique, they all reveal the typical behaviors of the upper classes and the ways in which they manipulated laws and social practices to preserve their wealth and influence.

The Grafton case study provides a brief history of the institution of marriage in England and the development of divorce throughout the eighteenth century. The roles of gender and class in aristocratic society are also explored. The Duchess of Grafton was a seemingly independent woman for her period. Her unhappy marriage to a notoriously unfaithful husband is fully exposed in the court record, private correspondence and media of the day. Due to his wealth and social rank, he had the ability to be openly adulterous. He installed his mistress in his London home where she served as hostess, while the Duchess Grafton, although legally separated from her husband, faced the necessity of concealing her extramarital relationship and the birth of a bastard child. The situation

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<sup>9</sup> *Trials for Adultery: Or, the History of Divorces. Being Select Trials at Doctors Commons, for Adultery, Fornication, Cruelty, Impotence, &c. From the Year 1760, to the Present Time. Including the whole of the Evidence on Each Cause. Together With the Letters, &c. That Have Been Intercepted Between the Amorous Parties. The Whole Forming a Complete History of the Private Life, Intrigues, and Amours of Many Characters in the Most Elevated Sphere: Every Scene and Transaction, However Ridiculous, Whimsical, or Extraordinary, Being Fairly Represented, as Becomes a Faithful Historian, Who is Fully Determined Not to Sacrifice Truth at the Shrine of Guilt and Folly. Taken in Short Hand, by a Civilian* (London: Printed for S. Bladon, 1779-1780).

reflects the fact that Georgian society was still dominated by the existence of two gender-specific standards which reflected traditional social rules. The divorce ultimately meant the loss of her social status and title, access to her three children, and financial distress.

The Grosvenor case study also emphasizes the importance of female discretion and the “double standard.” It reveals the way the emerging middle classes used the Press in an attempt to control the behavior of the aristocracy. Middle class families feared that the behavior of the aristocracy was a threat to the social structure; they very social structure which they depended on for their own relevance. The morals of the aristocrats, it was feared, would lead the poor into debauchery.

The role of class is crucial to the Grosvenor case. Lord Grosvenor’s exploits with the lowest members of Georgian society were openly disparaged, yet accepted as his right. This contrasts sharply with his wife’s affair with the Duke of Cumberland, brother of George III. The support of Lady Grosvenor’s family, particularly the support of her father, prevented the dissolution of her marriage and enabled her to obtain a handsome private maintenance. Without their intervention she would have lost all contact with her children, been stripped of all of her money and belongings, and been a social outcast. But it is important to understand the motivations of her father’s support. If her divorce had been granted, her father and her family would have suffered socially and economically. Lady Grosvenor’s personal care would have reverted to her family and it is highly unlikely that she would have returned to the bosom of her family with her dowry intact. A husband was not compelled by the law to return any of a divorced wife’s property. It is known that when Henreitta Grosvenor died, that she left a fortune of over

£35,000 pounds for the rehabilitation of Hilton Hall, her family home. It is fair to assume that it was financial expediencies that inspired her family's ardent support.

The divorce of Lord and Lady Ligonier also illuminates the role of class as it applied to adulterous partners and those who served as witnesses in trials for divorce. Again, the husband is the petitioner of the divorce. He files for divorce on the grounds of adultery by his wife. The "facts" which emerge in this case and the social status of the various participants are revelatory of the paramount role which class played in society, showing the parallelism of how Georgian conceptions of class were reflected in the law. Finally, the duel fought between Lord Ligonier and his romantic rival, Count Alfieri, provides further evidence that Georgian society was controlled and dominated by wealthy male aristocrats who, although increasingly criticized by the middle classes, were overwhelmingly successful in forcing their will by clinging to a traditionally conservative social structure.

England in the eighteenth century was a nation proud of its defense of human liberty, yet its laws regarding marriage and divorce provided little to no protection for one half of its population. Trapped between an Enlightenment-inspired philosophy of equality and democracy and its deeply held traditional views of social order, patriarchy and monarchy, England was unable to implement in theory and practice, the principles to which it aspired. This contradiction between thought and action was most evident in the laws and customs controlling marriage and divorce amongst the Georgian aristocracy.

Eighteenth century Englishmen had purposely labored to make a break with the coarseness of the previous century and had made great advancements in manners and taste. Writings on the subject of politeness by men such as Lord Chesterfield fed

society's desire to establish new standards of behavior intended to help maintain an ordered society. But increasingly it was felt that good manners were not enough to preserve the social order. The end of the century brought an increased focus on morality and God. Roy Porter writes, "Alongside manners and taste, morals needed attention. Georgian essayists, tutors, and parents were long-winded on the need to cultivate virtue precisely because the old sheet anchors of morality-- the Christian commandments and the absolute authority of the of tradition-- had had their cables cut."<sup>10</sup> As Porter explains, virtue came to be expressed in two different, yet specific ways: "First, a disposition of *benevolence* towards self and others, leading to actions productive of happiness....Second, there was a growing emphasis on the culture of the heart, on sensibility, and on private moral judgment."<sup>11</sup> A reformation of manners was called for from the middle class, which had come to represent a significantly influential section of the populace. Envious of the wealth and power of what they believed was a morally undeserving aristocracy, the middle classes launched an attack against their extravagance and sinful excesses. They believed the immorality of the aristocracy was breaking down the values of society. Divorce, a conspicuously "aristocratic" privilege, became a favorite target of the press as it threatened social structure and stability. The press reported the lurid details of every aristocratic divorce trial. Adulterous women were shamed by the press, as were cuckolded husbands. This seems very unfair to modern sensibilities, as cuckolded husbands were generally the innocent party. But conceptions

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<sup>10</sup> Roy Porter, *English Society in the Eighteenth Century* (London: Penguin Books, 1982), 305.

<sup>11</sup> *Ibid.*, 305.

of masculinity were much different in Georgian England, and a man unable to control his wife was considered to be deficient as a man.

Marriage laws reflected strong support for patriarchy and primogeniture. According to Blackstone's *Commentaries*, marriage meant that, "husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during her marriage, or at least is incorporated or consolidated into that of her husband, under whose wing, protection and cover, she performs everything."<sup>12</sup> This was known as the law of coverture. The only marriage law passed in the Georgian era was Hardwicke's Marriage Act of 1753. It invalidated all marriages contracted without parental consent by those under the age of twenty-one and marriages without the reading of banns or a bishop's license. Vivien Jones writes, "The aim was to put an end to 'clandestine' marriages which, since they were more often the result of financial opportunism than of thwarted love, were generally agreed among the propertied classes to be a threat to social and economic stability."<sup>13</sup> The middle classes, though lacking the same financial concerns of the aristocracy also held strong views about marriage. The anonymous author of the *Matrimonial Preceptor* (1755) stressed the importance of marriage: "This state is the foundation of community, and the chief band of society."<sup>14</sup> He continues, "Marriage enlarges the scene of our happiness and miseries. A marriage of love is pleasant; a marriage of interest, easy; and a marriage where both meet, happy....nothing

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<sup>12</sup> Blackstone, *Commentaries*, vol. 1(Oxford, 1765-69),

<sup>13</sup> Vivien Jones, "The Seductions of Conduct: Pleasure and Conduct Literature", in *Pleasure in the Eighteenth Century*, ed. Roy Porter and Marie Mulvey Roberts (New York: New York University Press, 1996), 113.

<sup>14</sup> Anonymous, *The Matrimonial Preceptor: A Collection of Examples and Essays Relating to the Married State, from the Most Celebrated Writers Ancient and Modern* (London: Printed for J. Payne, 1755), 42.

is a greater mark of a degenerate and vicious age, than the common ridicule which passes on this state of life.”<sup>15</sup> Evidence from nearly every level of the Georgian world reflects the importance of marriage within society.

Marriage was considered the most important event in a person’s life, and much was written to help guide people in choosing the proper partner for life. Georgians were very concerned about the state of marriage. And they had good cause to be concerned. In his famous *Letters to His Son*, Lord Chesterfield wrote, “Another common topic for false wit and cold raillery is Matrimony. Everyman and his wife hate each other cordially, whatever they many pretend in public, to the contrary, the husband certainly wishes his wife at the devil, and the wife certainly cuckolds her husband.”<sup>16</sup> For those who did not choose their partners wisely or were forced into arranged marriages, England had no official law regarding divorce. Officially, divorce was not recognized by the Church of England. Unlike other confessional states in Europe, England’s views on marriage and divorce were more closely aligned with those of the Catholic countries of the period. The only legal divorce available in England was by Act of Parliament. The process was prohibitively expensive and so in reality was only available to the very wealthiest members of society.

Cultural historians of the past three decades, most notably Lawrence Stone, have presented the eighteenth century as “an age torn between the attitudes to life of Defoe and Fielding, and those of Richardson and Rousseau; teetering between the libertinism of the

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<sup>15</sup> Ibid., 56.

<sup>16</sup> Philip Dormer Stanhope, *Letters Written by the Late Honourable Philip Dormer Stanhope, Earl of Chesterfield, To His Son, Philip Stanhope, Esq., Late Envoy Extraordinary at the Court of Dresden: Together With Several Other Pieces on Various Subjects* (London: Printed for J. Dodsley, 1774), 285.

previous generation and the romanticism of the next; caught between the patriarchalism of the late seventeenth century and the greater egalitarianism of the late eighteenth.”<sup>17</sup> Stone views this period as one in flux, as old attitudes were challenged by new ideas and perspectives. Amanda Vickery, author of *The Gentleman's Daughter*, shares Stone's teleological vision of the century as one which provided more opportunities for female agency under the protection of the rules of propriety. She sees women moving beyond old boundaries and taking a more active role within the public sphere. Vickery denies that the Georgian period was the beginning of the exile of women to the domestic sphere. Through excerpts from a collection of women's diaries from the period, she asserts women's presence within the public sphere to bolster her argument, and yet she admits that, “most [women] were consciously resigned to the most enduring features of an elite woman's lot,” which necessarily included the aspect of domesticity. She concludes, “Masculine authority was formally honoured, but practically managed.”<sup>18</sup>

Revisionist arguments as presented by historian J.C.D. Clark in *English Society 1660-1832*, instead suggest that the Georgian state was deeply traditional and conservative, not only in its laws, but in its social practices as well. Clark writes, “England, in this period (like its European neighbors) did not see itself as a ‘traditional’ society in our sense: it thought of itself as firmly located in the present and as developing, not as anachronistic and static.”<sup>19</sup> He suggests that what he calls “the hegemonic value systems” of other eighteenth-century reformed societies praised England for their values,

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<sup>17</sup> Stone, *Broken Lives*, 161.

<sup>18</sup> Vickery, *Gentleman's Daughter*, 285.

<sup>19</sup> J.C.D. Clark, *English Society 1660-1832* (Cambridge: Cambridge University Press, 2000), 16.

not because England had refused to adapt to it's own time. "Tradition was a route to clarity, not to obscurantism."<sup>20</sup> England's strength was found in its ability to incorporate new ideas within their traditional system. Clark shows how England drew strength from its contradictions, "...monarchy *and* liberty, religion *and* science, trade *and* landed wealth, were balanced with a minimum of friction, and [England] did so in order to keep the lid on the primitive, atavistic and destructive forces of religious war and popular resistance seen so dramatically in the 1640's and 50's."<sup>21</sup>

Whilst conducting research for this project some primary themes became evident. I had no preconceived notion about the state of Georgian society, I merely wished to let the evidence I found reveal it to me. This began as an initial interest in a painting. When I was sixteen, I became enamored of a man in a portrait by Thomas Gainsborough. The only information which was readily available to me, as a view of the work, was a name plate which was affixed to the frame. His name is Viscount Edward Ligonier. My visits to the Huntington Library continued over the years and my curiosity about this man increased. Finally, at the age of 29, and in my second year of college, I determined to learn the details of his life. At first the only information I could find regaled the story of his wife's infidelity in a peculiarly feministic sympathetic voice. (Her painting hangs beside his in the museum). I was touched by the sad irony of his fate. It appeared to me that his entire life story had been lost to history, except for the moment of his greatest humiliation and here it hung on the wall for the benefit of

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<sup>20</sup> Ibid., 15.

<sup>21</sup> Ibid., 15.

posterity. I began to wonder about the cost of cuckoldry. I mean to say, the personal affects it had on a man and a woman in their own time; in the Georgian period. I determined to study divorce amongst the aristocracy, not only to gain insight into their culture, but in an attempt to understand how our own ideas about marriage and faithfulness had developed.

Georgian England was a conservative, traditional, patriarchal society. Particularly in the decade following these famous divorce cases, England experienced an evangelical revival and an outpouring of sermons and advice literature expounding the virtues of marital fidelity and the traditional hierarchical roles of husbands over wives, parents over children, the wealthy over the poor. There began in earnest a great social dialogue regarding the duty of the wealthy towards the poor and the responsibility the aristocracy had to provide a proper role model for the rest of society.

By the end of the 1780's the divorce rate had actually begun to decline, only to increase again into the nineteenth century when the Divorce and Matrimonial Causes Act was passed in 1857. The Matrimonial Causes Act allowed divorce through the law courts, instead of the slow and costly process of a Private Act of Parliament. Under the terms of the act, the husband had only to prove his wife's adultery. In an attempt to dissuade women from filing suits, the courts required that the wife meet the double burden of proving not just adultery, but also incest, bigamy, cruelty or desertion

## CHAPTER 2

### THE GRAFTON CASE STUDY

A careful analysis of the divorce case of the Duke and Duchess of Grafton, from the fall of 1769, as it was presented in periodicals, political satire, personal correspondence and advice literature of the period, reveals the underlying conservatism of English society. This position is reflected in the law, social constructs, gender ideologies, class hierarchy, and the division of public and private spheres. I intend to demonstrate how Georgian laws and social practices were more reflective of seventeenth-century practices than they were predictive of the egalitarian changes that occurred between the mid-nineteenth and mid-twentieth centuries. I question the degree of “flux” within Stone’s vision of eighteenth century societal values and Vickery’s insistence that Georgian women, in practice, had greater freedoms in the public sphere because they were protected by the rules of propriety. I see none of this reflected in the laws of the period and very little in Georgian social practices. I see propriety as a masculine construct of social control rather than a liberating, feminist feature of Georgian society, though individuals of both sexes who chose to disregard the rules of propriety suffered the consequences. Marriage had been an integral part of English society for centuries but ever since the Church of England had broken away from Roman Catholicism in 1543, the debates about marriage and divorce had been

on the rise. The anonymous author of the *Matrimonial Preceptor* avowed, "I believe an accurate view of the world will confirm, that marriage is not commonly unhappy, otherwise than life is unhappy; and that most of those who complain of connubial miseries, have as much satisfaction as their nature would have admitted, or their conduct procured in any other condition."<sup>22</sup> Happiness in marriage was therefore seen to be the responsibility of the individual, and when faced with a difficult partner, one was expected to make the most of his or her situation. Marriage was the foundation of aristocratic society, and the financial alliances it created meant that individual desires were a secondary consideration, if that. Historian Michael Brander, author of *The Georgian Gentleman*, relates the story of George Savile, the Marquis of Halifax. In his *Advice to a Daughter*, written in 1688, he addresses the issue of arranged marriage. Arranged marriage was still common in Georgian England, yet young people were allowed to influence the decision. The Marquis' publication went through fifteen editions by 1745 and was still being printed at the close of the eighteenth century. He wrote, "It is one of the disadvantages of your Sex that young Women are seldom permitted to make their own Choice....There is an Inequality in the Sexes, and....for the better Oeconomy of the World, the Men, who were to be the Lawgivers, had the larger share of Reason bestow'd upon them."<sup>23</sup> Because the success of the traditional system relied on the marriages it created, women had to be raised to accept the yoke.

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<sup>22</sup> *The Matrimonial Preceptor*, 31.

<sup>23</sup> Michael Brander, *The Georgian Gentleman* (England: The University Press Glasgow, 1973), 125-126.

had the larger share of Reason bestow'd upon them."<sup>24</sup> Because the success of the traditional system relied on the marriages it created, women had to be raised to accept the yoke. Girls were groomed for their future roles as wives and influenced by statements like this one from the *Matrimonial Preceptor*, "those who wish to be *lovely* must learn early to be good."<sup>25</sup>

Georgian men and women were frequently bombarded with conservative maxims, intended to reinforce traditional gender roles and a presumed set of shared values. Although old institutions like marriage were being challenged by a move towards secularization, the monarchy and the aristocracy were still the leaders of the nation and their agenda was overwhelmingly conservative. Enlightenment ideas were emerging, both domestically and across the Channel. These ideas were being discussed and debated, but they had yet to impact the laws and social practices of the English people.

The primary sources I have researched reflect the patriarchy of previous centuries and gave no indication of a rising egalitarianism. In fact, the story of the Duke and Duchess of Grafton is just one of numerous examples of the ways in which the laws of a conservative Georgian society were utilized by wealthy, powerful men to free themselves from undesirable marriages. There was no struggle for gender equality, no moral struggle of the conscience. Certainly, there were conversations about human liberty during this period, but when men and women committed adultery, the law served exclusively to protect the property rights of the husband.

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<sup>24</sup> Michael Brander, *The Georgian Gentleman* (England: The University Press Glasgow, 1973), 125-126.

<sup>25</sup> *The Matrimonial Preceptor*, 7.

Cases like the Grafton's demonstrate the ways in which the aristocracy attempted to function outside the constraints of society and how the laws of the period struggled to control them. Admired and despised for their wealth and power, the aristocracy was held to a higher moral standard because their actions were believed to influence all of society. But moral leaders or no, aristocrats like the Duke and Duchess of Grafton flaunted behaviors that infuriated the lower classes and further illuminated the gross differences within their class-based society.

Twenty years after the Grafton's divorce, England underwent an Evangelical resurgence. Anxiety over the Revolution in France caused social tensions in England. Society grew increasingly concerned over the abuses and extravagances of the aristocracy. People perceived that their problems were the result of a decline in morality, specifically amongst England's elite. Roy Porter, author of *English Society in the Eighteenth Century*, writes, "Stricter family discipline, paternal authority, and sexual propriety were all urgently needed, 'Do not luxury, corruption, adultery, gaming, pride, vanity, idleness, extravagance, and dissipation prevail too generally?' thumped the outraged Thomas Bowdler."<sup>26</sup> There was a call to conservatism, a need to put everything back in to its proper place. Aristocratic behavior was increasingly debauched. "Evangelicalism won converts, even among old roués such as the Duke of Grafton. 'Vital religion' would spiritualize crumbling social relations."<sup>27</sup> The Duke of Grafton became a Unitarian and a leader for reform amongst the aristocracy and spent his final years writing religious treatises. Grafton's retreat into religion was simply his attempt to

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<sup>26</sup> Roy Porter, *English Society in the Eighteenth Century* (London: Penguin Books, 1982), 357.

<sup>27</sup> *Ibid.*, 357.

maintain control and influence against a rising tide of social paranoia. In much the same way in 1787, the Society for the Reformation of Manners was re-established, and divorces declined throughout the decade.

The laws and customs of the era clearly communicated a set of responsibilities not only for women, but also for the wealthy men who controlled society. Women who chose to break social taboos suffered losses incomparable to men found guilty of the same offenses. Yet, men often suffered social consequences for their behavior, and sometimes, though seemingly unfair to modern sensibilities, innocent cuckolded husbands were ridiculed for the behavior of their adulterous wives. It was a complex system of responsibility. Men were responsible for all members of their families, and the wealthy were morally responsible for the poor. Aristocratic men, therefore, being the guardians of family and society, often felt justified engaging in behaviors which did not conform. But attacks on elite men's immoral activities continued to increase over the course of the century. The aristocrats lived out their lives seemingly above the laws, yet they were under greater scrutiny than any other group. Divorces were granted to protect the settlement of property and inheritance. Men were anxious about their wives' ability to pass-off illegitimate children as the rightful heirs to their husband's estates.

### The History of Divorce in England

The history of divorce in England is a long, protracted affair. From the date of the Norman Conquest in 1066, until the Reformation in the seventeenth century, England was a Catholic nation and therefore did not recognize divorce. Henry VIII broke with the Roman Catholic Church around 1530, but the Anglican Church retained more of the

doctrine and form of the old church than any other Reformed religion, particularly in its views on marriage and divorce. Henry's marriages to Catherine of Aragon and Anne of Cleves were annulled because the new Church still did not recognize divorce.

The Church of England maintained that marriage was a sacrament. Historian Roderick Phillips writes, "The Anglican church resisted divorce and the secular government of the 1640s and 1650s was scarcely more receptive to it, despite innovation in the laws on marriage and adultery."<sup>28</sup> Ecclesiastical courts were eventually established that provided for a separation, *a mensa et thoro*, but only under certain circumstances. This process did not allow either party to remarry.

The first divorce, passed by an Act of Parliament in 1670, in favor of Lord Roos, was requested, not as a divorce per se, but as an Act allowing him to remarry on the grounds of his wife's notorious adultery. "Lord Roos asked Parliament not exactly for a divorce, but for an enabling act to allow him to remarry in spite of having given bond not to do so when he had obtained a separation from bed and board in the ecclesiastical court."<sup>29</sup>

The King had been supportive of the Bill, as Stone explains, "...Charles II strongly supported the bill, since he was contemplating using it as a precedent to divorce his Queen, Catherine Braganza, so as to be free to remarry and beget a legitimate male heir to the throne."<sup>30</sup> Stone argues, though, that the Roos case cannot be "officially" regarded as the first divorce case, because that is not what was requested or granted.

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<sup>28</sup> Phillips, *Putting Asunder*, 131-132.

<sup>29</sup> Stone, *Road to Divorce*, 311.

<sup>30</sup> *Ibid.*, 311.

Bishop Cosin gave a lengthy speech questioning the post-Reformation principle of the indissolubility of marriage but could not sway the Parliament and clergy, many of whom still believed that divorce was against the will of God. The Church of England feared losing its monopoly over marital issues. Many clergy feared they would be forced to perform bigamous second marriage ceremonies.

The only result of Bishop Cosin's speech was to set a precedent, establish a three-step process by which wealthy aristocrats could obtain a Divorce by Act of Parliament. First, the plaintiff had to satisfactorily prosecute his wife's lover for Criminal Conversation. This action awarded the plaintiff with monetary compensation and the costs of the action. This kind of case could only be brought by a husband because the wife was considered his legal property. A wife could not sue because she did not have any property rights in her husband. The amounts of the damages awarded varied, usually based on the rank of the individuals involved, the state of the relationship between husband and wife before the adultery, and the ability of the defendant to pay the award. In some cases the husband's behavior was taken into account, and he was awarded a smaller sum if the court felt he had in any way contributed to the crimes of his wife and her lover through his neglect, cruelty, or even absence. Stone suggests that the resulting publicity of a suit for Criminal Conversation had two results. The first "was to disseminate amongst the public at large knowledge about separation suits, crim. con. actions." Second, the plaintiff had to satisfy canon law and obtain an ecclesiastical separation. Third, with two successful verdicts, the plaintiff could petition Parliament for a full, legal divorce. Ultimately, the Act for Divorce was submitted for the purpose of settling property disputes and issues of succession. "By making such actions better

known and more commonplace, it made them more morally acceptable, and therefore directly stimulated the surge of litigation.”<sup>31</sup> Stone’s use of the word “surge” should be interpreted carefully. When compared with total population numbers, the numbers of divorce litigations was very small.

The second and opposite result of the publicizing of divorce cases was that it acted as a deterrent to potential litigants. Stone writes, “The much greater publicity given to a crim. con. action threatened the reputation of all parties in the suit. The husband was exposed to the world as a cuckold; the wife was branded as a whore, without the chance to defend herself; and the lover was often revealed as a treacherous friend of the husband. The withering blast of publicity engendered by these suits was certainly a major inducement to many unhappy couples to take the path of private separation rather than that of public litigation.”<sup>32</sup>

In a Georgian divorce, husbands retained all rights of rank and control over a wife’s property and their children. Wives of the nobility were stripped of their titles. Unless they remarried another man of rank and fortune, their social status was greatly diminished. *The London Chronicle* of 25-28 March 1769, remarked on the rapid and dramatic shifts in social status, divorce, and re-marriage entailed for the Duchess of Grafton: “28 March: ‘It is remarkable that a lady who was a Duchess on Thursday last, descended to plain Miss on Friday, and rose into a Countess on Sunday.’”<sup>33</sup> She was fortunate that her lover, father of her newborn, the Earl of Upper Ossory, had agreed to

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<sup>31</sup> Stone, *Road to Divorce*, 253.

<sup>32</sup> *Ibid.*, 254.

<sup>33</sup> W.S. Lewis, *Horace Walpole's Correspondence with The Countess of Upper Ossory*, Vol. I (New Haven: Yale University Press, 1965), 34.

married her. Otherwise she would have been without support as her father, Lord Ravensworth, had disowned her. She was fortunate, but only in relative terms.

The expense of petitioning for a divorce by Act of Parliament precluded the majority of the population from taking advantage of this loophole in the law. From 1670 until 1857, only 325 divorces were granted in England. Phillips' data on divorce litigation from the period reveals that only four of these 325 cases were granted to women. He writes, "Not only was the vast majority (99%) of divorces obtained by men, but the earliest examples made divorce seem a positively aristocratic prerogative."<sup>34</sup> Other divorce bills were presented over the century, but all were withdrawn or rejected. Phillips describes the early process of divorce as, "...an unsatisfactory compromise between a rule of marital indissolubility and provision for divorce by judicial process." It would take nearly another two hundred years for the English to pass an official law on Divorce and establish specific courts designed to deal with the cases.

In 1857 Parliament passed the Matrimonial Causes Act. *The Oxford Companion to British History* provides a description of the first English law regarding marriage as one which allowed a husband to divorce his wife for adultery but required "a wife...to prove that her husband had committed adultery aggravated by desertion, cruelty, incest, rape, sodomy, or bestiality before she could divorce."<sup>35</sup> Gender equality in divorce did not exist in any form until the Divorce Act of 1923, which made the grounds for divorce the same for men and women. The cost of the petition was reduced, and alcoholism and

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<sup>34</sup> Ibid., 230-231.

<sup>35</sup> John Cannon, *Oxford Companion to British History* (Oxford: Oxford University Press, 1997), 296.

insanity were added as grounds for divorce in an Act of 1937. After WWII a scheme for financial aid was created to assist those seeking a divorce, causing the numbers of litigants to increase sharply. Finally, in 1971, the courts accepted “irredeemable breakdown” as the cause for divorce. Even after the process was secularized, it took three hundred years for the English to establish a just and equitable system of law for divorce, further illustrating the stranglehold that the male dominated aristocracy and its foundation, had on English society.

### Georgian Society and Gender

The evolution of cultural history over the past three decades has occurred, hand-in-hand with the development of feminist history, ethnic history, gender history, and a proliferation of other sub-disciplines. This movement has endeavored to recover the lost stories of historical participants, who prior to this time, have been unknown. The contribution of these various historical disciplines have added depth and texture to the human narrative. It enables people from diverse backgrounds to relate to, and engage with, the historical narrative in ways that the narratives of the older methodologies did not. One area that still needs research and analysis is the personal stories of Georgian men. The divorce cases included in *Trials for Adultery* present an opportunity to glimpse inside the personal lives of these men. Supported by other eighteenth-century sources, a picture of the life of a Georgian gentleman begins to come into view.

It has long been assumed that there is no need to tell men’s stories because they had been writing history all along. I am referring to the need for understanding the Georgian definition of a man. What was the experience of a man in this period, as

opposed to that of a woman? What did it mean to be a man in eighteenth-century England? Because men were the leaders of civic and private life, how did their gendered experience affect the development of laws and social structures? Addressed specifically within these accounts of divorce, the engendered power structure of Georgian society becomes clearer. But, the social prestige of the eighteenth-century gentleman had more to do with socioeconomic status than mere gender. The author of *Daily Life in the Eighteenth Century England* defines a gentleman of the period as a man with an income of over £200 per year. Men with titles still only accounted for less than .02% of the entire population by the end of the century. She includes the following quote from the Gentleman's Magazine of 1776, which reflects the attitudes of Georgian men regarding the American Declaration of Independence's claims to social equality,

We hold, they say, these truths to be self-evident: That all men are created equal. In what are they equal? Is it in size, strength, understanding, figure, moral or civil accomplishments, to situation of life? Every plough-man knows that they are not created equal in any of these.<sup>36</sup>

There are few records to show what "every plough-man" knew or felt about his station in life, but the idea that he unquestionably bowed to authority and the existing social structure may have some validity. For men of the middle and upper-classes, coffeehouses and Gentlemen's clubs provided arenas for the discussion of politics, philosophy and everyday life. These masculine spaces barred women, and the private clubs were for the minority of wealthy men. Divorce and other privileges of the elite served to increase the differences between the classes. Men from the lower orders were often disenfranchised from government and the politics of the day and had no voice to

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<sup>36</sup> Olsen, *Daily Life*, 13-14.

change or impact the development of the law. In some ways the status of poor men was similar to that of women.

Georgian society is described in often contradictory ways. Most predominantly it has been described as a culture caught between two worlds. Many cultural historians echo Stones teleological version of Georgian history. Interestingly, though, Paul Langford's discussion offers the reader comments about the impact of tradition on English society. In his work *A Polite and Commercial People*, Langford writes, "The traditions inherited from the seventeenth century revealed the vigor on which they prided themselves, but not the discipline and order which they sought to acquire... Popular libertarianism, religious conflict, party strife, dynastic instability, all remained features of the decades which followed the Revolution of 1688."<sup>37</sup> Roy Porter states that English society "marked a distinctive moment in the making of modern England. Its society was capitalist, materialistic, market-oriented; its temper worldly, pragmatic, responsive to economic forces. Yet its political institutions and its distributions of wealth and power were unashamedly inegalitarian, hierarchical, hereditary and privileged."<sup>38</sup> He specifically notes the supreme confidence of the Georgians, bred of their successes in the wars of the Spanish Succession (1702-13), the Seven Years War (1756-1763), and later the Napoleonic Wars. As evidence of that confidence, he quotes Césaire de Saussure, a Swiss visitor to England in 1720: "I do not think there is a people more prejudiced in its

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<sup>37</sup> Paul Langford, *A Polite and Commercial People: England 1727-1783* (Oxford: Oxford University Press, 1989), 5.

<sup>38</sup> Porter, *English Society*, 2.

own favour than the British people, they look on foreigners in general with contempt, and think that nothing is well done elsewhere as in their own country.”<sup>39</sup>

Within Georgian society, there existed a separate reality, the world of the aristocracy. Wealthy and powerful, their lives were vastly different from those of the rest of society, and this was especially true for members of the nobility. Titled peers lived lives of idleness and luxury. They often owned multiple properties and divided up the year traveling between these estates in the country and their cosmopolitan addresses in the West end of London. They spent a great deal of time at Court. They traveled to fashionable spas at home, and abroad they toured the Continent and spent vast sums collecting art. They corresponded with the century’s greatest philosophers and were considered the leaders of taste and refinement.

The lives of the very rich were a continual round of parties, balls, pleasure gardens, operas and theatre. They indulged in drinking, gambling, and every other imaginable vice. Discreet adultery was tolerated (particularly in men), and some married couples lived in what today would be considered alternative life-styles. The Duke and Duchess of Devonshire lived rather openly with his mistress, Elizabeth Foster. Both women had children by the Duke. But not all wives were as complacent as Georgiana Spencer. When the Duchess of Grafton was confronted with her husband’s behavior, she dug in her heels for a futile fight.

Georgian men were well educated. They attended the great universities of Oxford and Cambridge where the curriculum was of little practical use. They learned Latin and

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<sup>39</sup> Ibid., 7.

Greek, some philosophy, and a bit of science. Enrollment was low. At this point says Olsen, "They were, for the most part, comfy clubs based on patronage and privilege....After leaving university, it was customary for a man of wealth to go abroad on a Grand Tour, spending thousands of pounds for up to three years of travel in France, Germany, Italy, and elsewhere."<sup>40</sup> Aristocratic women were far less educated than their male peers, and women from the lower classes typically received no education at all. The aristocratic class enjoyed the highest rate of literacy, which was important in a world dominated by the printed word.

Most men made their fortunes through their land holdings and the rents that they collected. The main purpose of their country estates was income, in both the rents they collected from tenants who would lease the smaller buildings, as well as income from agriculture and husbandry. But the estates were also places for sport and leisure. Peers often held important positions within the military or government, in addition to their duties in the House of Lords, and were very active politically. The Duke of Grafton eventually became Prime Minister of England, yet his greatest priorities were said to be horse-racing and women. The elite seemed to live in a special stratum above the rest of society. The middle and lower classes often resented the privileged position of the aristocracy, yet somehow felt they were a necessary aspect of their culture. The lifestyle of the aristocracy was envied and condemned at the same time. It is nearly impossible to make distinctions between the public and private lives of the aristocracy. They lived out their lives in the public eye. Much as celebrities of today do. It was for this very reason that books like *Trials for Adultery* were written. S. Bladon declares, in the introduction

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<sup>40</sup> Olsen, *Daily Life*, 227-228.

to the work, that the purpose of his book, like those of other authors of the period, was to shame the elites in an effort to change their behavior because he noted that the laws of the land had failed to penalize them and the rest of society looked to them for examples of proper behavior and morality.

### The Grafton Narrative

Augustus Henry Fitzroy was born in 1735. As a young man he inherited the title Earl of Euston from his uncle. The early death of his father made him his grandfather's heir apparent. He, like a typical gentleman of his day, was educated at the public school of Westminster. He received a degree from Peterhouse at Cambridge and subsequently embarked on The Grand Tour. He was married to the Hon. Anne Liddell, the daughter of the 1<sup>st</sup> Baron Ravensworth, on January 29, 1756. He was just twenty-one, and she only eighteen. The marriage was said to be a love match, although it is worth noting the financially beneficial aspects of the arrangement. Anne Liddell was an only child and her dowry was recorded to have been worth over £40,000, with even more to come once she inherited from her parents. Later in 1756 Lord Euston became an MP and the following year his grandfather died and he succeeded to the title, as His Grace, the Duke of Grafton, and he was elevated to the House of Lords. He was never fond of politics and preferred his horse-races and hunting to activities within the government. Shortly after he inherited his title, Anne gave birth to the first of their three children, Lady Georgiana Fitzroy. The Duke's financial situation was greatly improved through his inheritance, and he moved his family to Euston Hall in Suffolk.

The first few years of the marriage seem to have gone well, and the couple had another child, George Henry Fitzroy (4<sup>th</sup> Duke of Grafton), in 1760. Unfortunately, by the time their last child, Charles Fitzroy, was born in 1764, the marriage was in ruins, and the Duke was already planning a formal separation. Much of the breakdown has been attributed to the Duke's philandering and the Duchess' bad temper, party lifestyle, and gambling. But before rushing to place blame, a closer look at their individual temperaments and lifestyle provides clues to the complexities of an aristocratic marriage.

The Duke of Grafton had always been a reluctant politician. He preferred the life of a country gentleman, but his career gained momentum in 1762 when he joined the camp of the Duke of Newcastle. At this time Lord Bute, a great friend of George III, and the Duke of Newcastle were caught up in a bitter rivalry, each hoping to become Prime Minister. When Bute became Prime Minister, leaving Newcastle and his followers out in the cold, Lord Grafton left London and traveled abroad. Bute's term only lasted a year, but it was a busy year for Lord Grafton. The Duke and Duchess of Grafton traveled to the Continent and spent time in Florence and Geneva. Details of the Grafton's personal lives emerge from the personal correspondence between Horace Walpole and his friend, Horace Mann. Mann left England and had been living in Florence for some time when the Graftons came to visit that year. He describes the Duchess' popularity and the numbers of people who sought out her company. By the time the couple returned to England, they had fallen into a pattern of separate social activities. Their differing interests enlarged the gulf forming between them. As his political career became more demanding, Lord Grafton increasingly sought privacy and refuge in his three favorite pastimes: horses, hunting, and women.

For the aristocracy, the division between their public and private lives is less clearly defined than for other classes in Georgian England. In reality there was very little difference between the two. Because, like modern-day celebrities, aristocrats lived the majority of their lives in the public eye, it is often difficult to determine where their public lives ended and their private lives began. Even in their many homes they were surrounded by servants. Historian Lawrence Klein has written an article which explores this very idea. In *Gender and the Public/Private Distinction in the Eighteenth Century: Some Questions about Evidence and Analytic Procedure*, Klein explains why the binary oppositions [of public v. private] do not adequately explain the complexities of human experiences.

The Grafton's story demonstrates this lack of division of public versus private. For example, in the eighteenth century, private did not necessarily refer to the home. Klein explains, "First, privacy was ascribed to forms of life that we would consider public. Second, and more important, people at home, both men and women, were not necessarily in private. Even if, then, women spent more time at home, they were not necessarily spending more time in private."<sup>41</sup> That being understood, we can look at the lives of the Duke and Duchess in a more equitable manner, for they were both public figures. As members of the aristocracy they had duties to perform both at Court and within the community. Additionally, the duties they were assigned were also differentiated by gender.

While the Duke was busy with his political career and leisure pursuits, Anne was doing what aristocratic women did. While the Duchess had no formal role in government

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<sup>41</sup> Ibid., 6.

she, too, was a popular public figure. Her private time was filled with having children and overseeing the household management. Her public activities ranged from social visits, trips to all of the fashionable destinations, and traveling abroad. Like most female aristocrats in eighteenth century England, she was surprisingly mobile. Unfortunately, the friends she chose belonged to the Whig faction of the Duke of Bedford and were not well liked by her husband.

Anne often threw boisterous card parties, night after night, taxing the Duke's patience. Fordyce mentions the destructive nature of card playing in his sixth Sermon on Female Virtue,

Having mentioned Cards, I will use the freedom, unpleasing as it may prove, or ill bred as it may seem, to offer a few plain remarks on the passion for them, which is now become so strangely predominant, as to take leave of everything else in almost every company of every rank. With many indeed it seems to be a calling, and, as a witty author has observed "a laborious one too, such as they toil night and day. ...I know not," Continues he, "how they satisfy themselves in such a habitual waste of their time"....What neglect of business and study, what ruin of credit, of fortune, of families, of connexions....<sup>42</sup>

Stone notes the comments of a footman about the events of a typical evening. The Duke would come home around eleven or twelve o'clock in the evening, "...and seeing a great many servants in the hall, he hath enquired of the porter, and finding a great deal of company, and that they were at card parties...hath turned back and went out of the house..."<sup>43</sup> Scenes like this were apparently played out again and again. The Duke's political career kept him increasingly occupied, and the two began traveling in different social circles. The Duchess' comings and goings fell within the rules of propriety, yet her lifestyle was not compatible with that of her husband. Anne failed to

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<sup>42</sup> Fordyce, *Sermons*, 239-240.

<sup>43</sup> Stone, *Broken Lives*, 141.

fulfill the Duke's expectations of a companionate marriage, and ultimately, that was her undoing.

She was an example of the kind of woman who enjoyed the urban setting that Joyce Ellis describes in her article "On the Town: Women in Augustan England." Ellis describes the urban setting as one which was preferred by women and many men and suggests that women who preferred the diversions of Town to that of life in the Country were not attempting to subvert accepted gender roles, but rather, "because 'correct' female behaviour was all too often dysfunctional in a rural setting."<sup>44</sup> Horace Walpole, reflecting on a portrait of the Duchess in his collection, recalls one of many important social events she had attended. This particular evening was in 1763 at Richmond House. The Duchess was then, just twenty-five years old, and dressed as "Cleopatra, and such a Cleopatra!" Her beauty at the Duke of Richmond's Masquerade was presumably unsurpassed, "...when you looked like the Empress of the Universe, and your Majesty's eyes- but I can draw them no more than if I was a painter."<sup>45</sup> For women there were far fewer amusements like these in the country. The Duke was an avid hunter and horseman, and he preferred to enjoy the freedom of the country life and a respite from daily politics at Euston.

In 1761 Anne established a friendship with Horace Walpole, one of the greatest and most prolific social observers of his time. The two became great friends and carried on a correspondence that lasted the rest of his life. They shared many of the same

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<sup>44</sup> Joyce Ellis, "On the Town: Women in Augustan England," *History Today*, 45:12 (1995): 20.

<sup>45</sup> Morris R. Brownell, *The Prime Minister of Taste: A Portrait of Horace Walpole* (New Haven: Yale University Press, 2001).

interests, including a love of portraiture. Through this friendship she became acquainted with Horace Mann, on her trip to Florence with the Duke in 1762. Mann wrote the following lines to Walpole regarding their visit,

Your charming Duchess of Grafton seems to like Florence very well. Great attentions have been shown her by the Florentine Ladies--by their visits to her house and by crowding to mine to see her; and I am proud that they should see so much dignity and affability; so much sweetness in her countenance and care in her behavior; and, in short, so many amiable qualities assembled in one person<sup>46</sup>

This description, while intended to flatter, stands in stark contrast to later reports in the press of her unreasonable temper. Here Mann reveals eighteenth-century ideals of the feminine qualities of dignity, affability, sweetness and care in one's behavior. Mann made a more candid observation of the Duchess' personality in another note to Walpole, he wrote, that when the Duchess of Grafton left Florence, she "was certainly hurried out of Italy contrary to her inclinations, and would have passed all the time here that she *must* spend out of England. They are, long before this time, seated near Geneva, where she can have few amusements. The Duke does not seek them; or, perhaps to speak more properly, may find them in what others do not. He hates everything of a publick nature."<sup>47</sup> The Duke and Duchess had very different personalities and expectations of marriage which made their lives incompatible. The fact that this was obvious to outsiders must have made it all the more difficult to bear.

Walpole wrote to Mann after the Duchess had returned from abroad. He reported, "Well, I have seen my Duchess- you have not returned her as you received her. I was

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<sup>46</sup> D.R. Doran, F.S.A., *'Mann' and Manners at the Court of Florence 1740-1786* (London: Richard Bentley & Son, 1876).

<sup>47</sup> *Ibid.*, 88.

quite struck at seeing her so much altered.”<sup>48</sup> Walpole believed she had lost a great deal of weight and appeared to be stressed. Walpole felt that years of marital conflict had started to take a toll. It was during this same year that one of Grafton’s mistresses, a Miss Scudamore, had been delivered of a baby boy.

In 1764, the Duke, finding his home life unbearable, and already keeping another mistress, Nancy Parsons, determined to rid himself of his wife. Supposedly, not wishing to add to her distress, he waited until after the birth of their third child; then he orchestrated a formal separation with the assistance of friends and family members. Anne was banished from Euston Hall and sent to live with her father. In *Broken Lives*, Stone includes the following quote from Horace Walpole, who by being a personal friend of the Duchess, may provide great insight to the actual state of affairs,

The Duchess a woman of commanding figure, though no regular beauty, graceful, full of dignity and of art too, passionate for admiration, unheeding of the Duke’s temper, which, had she tried, it had been difficult to please, had yet thought to govern him by spirit, and had lost him before she was aware.<sup>49</sup>

The terms of the separation were considered generous by the standards of the day. When one considers the fact that she had no legal rights, it was no small token that he returned her jewels and allowed her to retain temporary custody of the children. It was agreed that the oldest son would be sent off to school; Anne took Georgiana and the baby with her. During the separation she split her time between her father’s home at Ravensworth Castle and various homes she leased in and outside of London. She shied away from London

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<sup>48</sup> Ibid., 90.

<sup>49</sup> Stone, *Broken Lives*, 143.

society and kept in touch through regular reports from her good friend Horace Walpole, and others.

The Duke settled a large annuity on Anne of nearly £3,000 per annum. Horace Mann made the following comments regarding the separation of the Grafton's in 1765,

I was more concerned than surprised to hear of the separation of the Duke and Duchess of Grafton. I saw such seeds of disagreement when they were here, as too plainly shewed that neither of them meant to contribute to the other's happiness. This point, I am persuaded, is better understood abroad. Less is expected in a conjugal state, consequently, the Duties of it, which naturally produce aversion, are more easily fulfilled; and when there is a real, reciprocal indifference, they don't exact the profession or the appearances of the contrary. However this may clash with our ideas of Matrimony, it is more agreeable to general Society and attended with less inconvenience, for few can afford here to purchase their quiet by a separate maintenance.<sup>50</sup>

Politeness is an essential ingredient of human relationships, a sort of social glue that enables individuals to live in close proximity to one another. The absence of it causes an emotional and functional break down like the one experienced by the Grafton's, as noted in Mann's comment about neither of them meaning to "contribute to the other's happiness." Numerous conduct manuals were written for both sexes. According to Vivien Jones, the ultimate goal of women's books of the period, "is still social stability based on the subjection of women in marriage, but the language of affective individualism masks actual power relations by offering women the promise of romantic attachment and personal choice."<sup>51</sup> Taking into consideration the Duke's temperament and social expectations of wives, the Duchess would have done well to heed the advice laid out in one of Fordyce's *Sermons to Young Women*:

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<sup>50</sup> Doran, John Dr., *Mann and Manners*, 32.

<sup>51</sup> Jones, *Women in the Eighteenth Century: Constructions of Femininity*, 15.

### On Submission to Neglect:

I am astonished at the folly of many women who are still reproaching their husbands for leaving them alone, for preferring this or that company to theirs, when, to speak the truth, they have themselves in great measure to blame had you behaved to them with more respectful observance studying their humours, overlooking their mistakes, submitting to their opinions in matters indifferent, giving soft answers to hasty words, complaining as little as possible your house might be the abode of domestic bliss.<sup>52</sup>

Women were overwhelmingly held responsible for the success of their marriage. Here Fordyce seems to be parroting the words of Milton. Phillips writes, "Milton's emphasis on the subordinate role of women made it the particular duty of the wife to ensure compatibility in marriage by making herself compatible...incompatibility was thus the result of the wife's failure to perform her most important duty: to mold herself to her husband's needs."<sup>53</sup>

The Duchess' pride suffered again and again over the blatant infidelities of her husband. According to Stone's analysis, Anne had attempted through various means of being disagreeable, to bring him to toe. All attempts to assert her will merely sealed the fate of their relationship. This suggestive evidence of female agency is found in various case studies within sources like Bladon, and at first seems to suggest that some women of this period engaged in affairs to humiliate their husbands, either as a way of empowering themselves or gaining revenge, as appears to have been the case with the Duchess of Grafton. But it is doubtful that, knowing the costs, women would have willingly given up children, titles, property, and their homes.

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<sup>52</sup> Fordyce, *Sermons*, 264-265.

<sup>53</sup> Phillips, *Putting Asunder*, 123.

Amanda Vickery argues that women, used as pawns by unscrupulous parents in the marriage market, could find ways within the system of exacting their own retribution and created outlets for manifesting some control over their own lives. The Duchess of Grafton was a strong character and seems to have had little difficulty asserting her will, though I am certain that her ultimate downfall was meant, by Bladon, to serve as an example to other willful women about the futility of obstinacy and the wisdom of submission. Unlike the Duchess, the majority of women in eighteenth-century England submitted.

Once Anne was out of London and out of the way, the Duke proceeded to set up housekeeping with his most infamous mistress, Mrs. Horton, also known as “Nancy Parsons.” She was one of the most famous courtesans of the Georgian era. There is some confusion between this Ann Horton and the Ann Horton who later married the Duke of Cumberland, brother of George III. They were not the same person. Nancy was said to have been the daughter of a Bond Street tailor. In her youth, she eloped to the West Indies with a Captain Horton. It is not known what happened with this marriage. In 1764 she moved into the Duke’s London residence in Grosvenor Square and presided over his table for five years. This caused him a great deal of bad publicity. The public manner of his adultery was attacked by an anonymous author in 1769. There were growing concerns that the Duke’s mistress was exercising undue influence in government issues, *Town and Country Magazine* printed the following:

She presides constantly at his sumptuous table...The voice of calumny, however, is not silent upon her account...The mistress of a Prime Minister must have an interest at Court, and it is natural for every candidate for preferment to make applications where success wears the face of plausibility...A scandal

accumulates as it flows, the cupidity of gain is always considered the first cause of her intercession...<sup>54</sup>

Since 1765, the Duke's political career had become high-profile. Yet his marital problems and subsequent cohabitation with a notorious woman had yet to destroy his political reputation. He was appointed Privy Counselor, then, following discussions with William Pitt the elder, he was appointed Northern Secretary in Lord Rockingham's first government. He retired the following year, and Pitt (who by then had been created Lord Chatham) formed a ministry in which Grafton was First Lord of the Treasury, but not Prime Minister. When Lord Chatham's health failed, Grafton acted as Prime Minister from 1768. He forced his mistress upon all of his acquaintances. He even brought her to the opera in the presence of the Queen.

Throughout his marriage, it had been widely known, at least to the rest of society, that the Duke was a womanizer. However until the late 1760's, this public knowledge had had little impact on his political career. For Georgian men, adulterous behavior was ignored. Many obtained reputations for "gallantry", unless they failed to provide for any children that may result from their illicit liaisons. Grafton was privately mocked and considered immoral, but his behavior did not tarnish his reputation or social status until the attacks by Junius started around 1769.

Junius was the *nom de plume* of an anonymous fellow Whig politician, who used the press to mount political attacks against the Duke of Grafton, a man whom he believed to be, both morally and politically corrupt. The letters were published in one of the leading periodicals of the day, *The Public Advertiser*. He wrote of the Duke, "It is not

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<sup>54</sup> Ibid., 149.

that you do wrong by design, but that you should never do right by mistake." The personal and political attacks lasted for nearly three years. Junius condemned the Duke's adultery and relationship with Nancy Parsons and accused the Duke of allowing her to influence decisions of government. In his most aggressive attack, the accusations and gendered concerns about power and politics are evident:

An Elegy in the Manner of Tibullus

Can Apollo resist, or a poet refuse,  
When Harry and Nancy solicit the Muse;  
A statesman who makes the whole Nation his care,  
And a Nymph, who is almost as chaste as she's fair.

Dear Spousy, had led such a damnable life,  
He determined to keep any whore but his wife.  
So Harry's Affairs, like those of the State,  
Have been pretty well handled and tickled of late.

From fourteen to forty our provident *Nan*  
Had devoted her life to the Study of Man;  
And thought it a natural change of her station,  
From riding St George, to ride over the nation.

Secret service had wasted the national wealth,  
But now-'tis the price of the Minister's health;  
An expense which the Treasury may well afford,  
She who served him in bed should be paid at the board.

So lucky was Harry, that nothing could mend  
His choice of a mistress, but that of a friend;  
A friend so obliging, and yet so sincere,  
With pleasure in one eye, in t'other a tear.

My Friend holds the Candle the Lovers debate,  
And among them, God knows how they settle the State.  
Was there ever a Nation so govern'd before,  
By a jockey and Gambler, a Pimp and a whore!<sup>55</sup>

But *Junius* also attacked the personal integrity of the Duke. In a letter from May 30<sup>th</sup>, 1769, he writes, "There are some hereditary strokes of character, by which a family may

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<sup>55</sup> John Cannon, *The Letters of Junius* (Oxford: The Clarendon Press, 1978), 454.

be clearly distinguished as by the blackest featured of the human face. Charles the First lived and died a hypocrite. Charles the Second was a hypocrite of another sort, and should have died upon the same scaffold. At the distance of a century, we see their different characters happily revived, and blended in your Grace. Sullen and severe without religion, profligate without gaiety, you live like Charles the Second, with being an amiable companion..."<sup>56</sup> In the end, Junius was but one of his many detractors.

The rules of propriety were expected to be followed by all, yet they were far stricter for women. The Duke of Grafton enjoyed far more freedom of movement and action than his wife. He conducted his affairs openly while she was forced to hide her digressions even after she had been discarded by her husband. Vickery relates the following passage about how women handled the inequity of the female role, "Propriety was the watchword of genteel women in Georgian England, and thus the majority were consciously resigned to the most enduring features of an elite woman's lot: the symbolic authority of fathers and husbands, the self-sacrifices of motherhood and the burdensome responsibility for domestic servants, housekeeping, and family consumption....rebellling against roles that seemed both prehistoric and preordained would profit nothing. Resignation and accommodation were seen as the most sensible courses."<sup>57</sup> Vickery admits that, far from being a time of great change, filled with challenges against the established order of the gender hierarchy, aristocratic Georgians, particularly women, understood their respective roles and prided themselves on their rational approach towards life.

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<sup>56</sup> Ibid., 69.

<sup>57</sup> Vickery, *Gentleman's Daughter*, 285.

The image of the “sexual double standard” was not created by the Grafton marriage, but rather is one which has persisted over the centuries and most likely originated in biblical texts. In numerous cultures men were permitted to have sexual relations outside of marriage and women were not. Society was expected to accept this behavior in a man because it was deemed “natural” for men to sow their seeds with multiple partners. Theoretically, society accepted this, but there is also ample evidence that not everyone agreed with this way of life, as the criticisms of the Duke of Grafton demonstrate. What seems more likely is that men were able to behave this way because of the system of primogeniture; they held all of the legal and financial power. The Duchess of Grafton did not approve of her husband’s affairs and defiantly countered his behavior by being disagreeable. When her husband sued her for a legal separation, she was stunned.

For modern minds the sexual ‘double standard’ is difficult to accept, particularly as it relates to ideas of politeness and male honour in the eighteenth century. Loyalty and faithfulness, key components of honour in the twenty-first century, were understood differently by some, particularly wealthy men. Not only is this a gendered argument, but also one deeply rooted in issues of class. Everyone understood that adultery was a sin, whether committed by a man or a woman, but rarely was punishment equally distributed, as the Grafton case illustrates. In her article “Women, Status and the Popular Culture of Dishonour,” Laura Gowing explains,

The ways in which women and men were defamed, shamed and dishonoured have seemed to offer a vivid insight into how what we call “honour” worked in early modern society. And yet honour and dishonour were not exactly correspondent points on the same axis of values: what was dishonouring was not necessarily the opposite of what constituted honour. This was especially true where sex was concerned; sexual conduct could be dishonouring in all sorts of

ways, but rarely if ever did it confer honour. Sexual dishonour was a concept and a process with a disrupting power of its own, applied most powerfully to women.<sup>58</sup>

It was generally understood that a woman's infidelity put at risk the system of primogeniture around which English society was based. On the one hand, the wealthy aristocracy was held to a higher moral standard, and many, particularly religious dissenters and social reformers, held them in contempt for their lasciviousness, and feared that they would lead the lower classes astray.

There had been a great concern over the decline of social morality at the end of the seventeenth century. Much of this was blamed on the debauchery of the court of James II. Moral crisis led to the development of the Society for the Reformation of Manners. Several failed attempts to legislate controls on behavior led these groups to develop ways of applying public pressure to wayward individuals. They attempted to shame the accused. Their main target was the aristocracy, but the aristocrats and nobility were sheltered by their wealth; consequently most of the victims of their measures were members of the poorer classes. The Duke of Grafton could afford to flout the rules of society because he was wealthy and influential; in fact, during much of this time he was serving as Prime Minister.

It is unclear how much information about the Duke's situation was available to Lady Grafton, but her reactions to the circumstances seemed to indicate that, if she knew, she had ignored all warnings about her husband's behavior. Whether this denial was due to her pride or a simple ignorance of the facts, as Walpole stated, by the time she realized

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<sup>58</sup> Laura Gowing, "Women, Status and the Popular Culture of Dishonor," *Transactions of the Royal Historical Society*, March (1995), 225.

what had happened, it was too late. Her own father stormed at her for driving the Duke's away and causing him to be unfaithful by her unreasonable behavior. When finally confronted with irrefutable evidence of his affair, Lady Grafton became enraged. She wrote to her husband complaining of the humiliation he had caused her. Stone records her angry words in his Grafton case study in *Broken Lives*:

Can it be that I have been thus deceived; that Lord Villiers's business and yours what I ever feared; that you have for a year and a half (the very time the Duke of York first told me was at Ranelagh and which you solemnly denied) had this person as mistress in constant keeping; that Lord Villiers introduced you to her, she having formerly lived with him...that your whispers with Mr. Jeffries was known to the whole Club at Arthur's; that you have fitted up your house in the richest way; that her extravagance is without end...that this person vulgar in her manner has acquired such an ascendancy as to try to make you break with all your family, and prevailed?<sup>59</sup>

In the midst of her tirade, Lady Grafton mentioned Arthur's, a social club to which her husband belonged. It is possible that she knew about the 'divorce betting' to which the following article refers, and this could only have added insult to injury. In 1770, the *Virginia Gazette* ran the following lines, "Divorces are become so common among the great that it is very customary at Arthur's to pit one married couple against another for a thousand. Lady P was pitted on Monday night against Lady D, fifteen hundred to ten, that she was divorced first."<sup>60</sup> Yet, throughout the separation, the Duchess made continual attempts to reconcile with her husband. She wrote letters full of remorse and dutiful submission. When these attempts failed, she tried emotional

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<sup>59</sup> Stone, *Broken Lives*, 146.

<sup>60</sup> *Virginia Gazette*, 8 March 1770, col. 2, p. 2.

blackmail and argued for reconciliation for the sake of the children. Her mother even attempted to intercede. All of their efforts were fruitless.

Little is revealed about the Duchess of Grafton's activities during the first year of the separation. At one point, Walpole mentions that Lady Anne had shown a preference for the Duke of Portland and became very upset when he married. Whether or not there was an affair between them is unclear. After nearly a year of living apart from her husband, the Duchess embarked on an affair with John Fitzpatrick, Earl of Upper Ossory. He was seven years her junior. But as I have previously shown, what the Duke did publicly, the Duchess dared only to do in private. While he lived with his mistress and enjoyed the company of various other women, the Duchess desperately attempted to conceal any relationship she had. In February of 1768 she discovered she was pregnant. She took a house in Coombe away from town, and towards the end of her confinement restricted herself to her private apartments. Friends came to visit, but were turned away. She delivered a son on August 23<sup>rd</sup>, 1768. The child was smuggled out of the house and sent to wet-nurse in London. The futility of her attempts to conceal her condition becomes clear through the witness testimonies at the trial.

Nancy Parsons enlisted the aid of spies, hoping to discover damaging information that would convince the Duke to divorce Anne so that he could marry Parsons. It is highly unlikely the Duke ever planned to marry Parsons. But the spies were useful. When the Duke learned of the Duchess' pregnancy, he bribed her servants to spy on her activities and to provide future testimony against her. Even those servants closest to her betrayed her trust. The bribe of a year's wages for a maid (a small sum for a Duke to pay) purchased every desired detail.

Aristocrats had less privacy than members of the lower classes because their houses were full of servants. This made their privileged leisure a double-edged sword. It was their dependence upon servants that Stone suggests was the downfall of many great ladies: "Apart from the failure to cultivate the loyalty of the domestic servants, the other cause why so many adulterous wives were found out in the eighteenth century was the lack of care they exercised to obliterate traces of sexual intercourse. Unaccustomed to lifting a finger to help themselves, they could not be bothered to plump up and remake or turn over the feather beds..."<sup>61</sup> Vickery echoes this aristocratic dependence upon servants when relating excerpts from the diary of a Mrs. Shackelton in September of 1780: "I am now in a pretty plight. Not one woman in this House. God grant I may be so fortunate as to live and go on better if it be his Blessed Will."<sup>62</sup> There is no denying the important role of servants, particularly to the lady of the house, yet Vickery finds the extreme dependence that Stone posits dubious. What is certain is that the "private sphere" of the aristocrat was far from private.

Once the Duke received the news of the Duchess' delivery, he set his plans for divorce into action. Not surprisingly, he sued her on the grounds of adultery. She understood that her situation was untenable and that she had no choice but to collude with him in obtaining the divorce. Stone makes the following comment about their collusion *in the case*: "*Collusion in crim. con. cases in King's Bench certainly existed in 1768, when the Duke of Grafton and the Viscount Bolingbroke both entered into agreements with their wives and the latters' lovers not to collect the damages, in order to obtain*

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<sup>61</sup> Stone, *Broken Lives*, 27.

<sup>62</sup> Vickery, *Gentleman's Daughter*, 143.

agreement to conceal their own adulteries and so procure Parliamentary divorces.”<sup>63</sup> The account of the divorce from the Consistory Court records makes no mention of the Duke’s infidelity. This was necessary because if his adultery had been declared in the court, both crimes would have cancelled one another out.

### The Aftermath

The Duchess alone was labeled an adulteress and publicly humiliated. The Duke was anonymously attacked in the press and laughed at behind his back. She forfeited her title and all rights to her children. Lady Grafton wrote remorseful letters of farewell to her husband and children. All requests to see her children were denied. After the discovery of her adultery, her father, Lord Ravensworth, permanently cut off all contact with her. She continued to have a relationship with her mother through correspondence. Lady Ravensworth tried in vain to repair the relationship between father and daughter. The Duchess was his only child. In an effort to better understand the Baron’s position I searched for information about him and came across an excerpt about him on the website of the Sunnyside Local Historical Society. They write that Lord Ravensworth was “A man with a broad outlook on life” and that he was “a foe to jobbery and corruption, the steady friend of political honesty and religious tolerance, and an earnest advocate of progress in agriculture, and protection to the coal trade.” His efforts on behalf of his fellow men were sincere, and upon his death in 1784 his loss was generally lamented.”<sup>64</sup>

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<sup>63</sup> Stone, *Road to Divorce*, 283.

<sup>64</sup> *Ravensworth Castle and the Liddells*, n.d. The Sunnyside Local Historical Society, <http://www.sunnysidelocalhistoricalsociety.co.uk/ravensworth.html> (01 April 2008).

The description of his outlook as, “broad” is interesting, given his reaction to his daughter, as he remained un-reconciled to his daughter when he died.

Lady Anne married the Earl of Upper Ossory just days after her divorce was finalized. Her correspondence with Horace Walpole suggests that she eventually came to accept her great reversal of fortune. She was no longer addressed as “your Grace” and came to adopt a far more retiring lifestyle. In his edition of *Walpole’s Correspondence with the Countess of Upper Ossory*, W. S. Lewis provides the following footnote from the *London Chronicle*, March 26, 1769, “Yesterday was married at Kingston Church in Surrey, the late Duchess of Grafton, to the Earl of Upper Ossory. John Fitzpatrick, Esq., his Lordship’s brother, stood father; and as soon as the ceremony was performed, they all set out for his Lordship’s seat in Bedfordshire.”<sup>65</sup> Stone records that at Amptill Countess Ossory retired from London society and suffered multiple miscarriages, having only the one child by the Earl of Ossory. But genealogical records at the University College of Dublin’s Cartlaan archives contain no mention of the son born in 1768, only a set of twin daughters, born in 1774.<sup>66</sup> The irony of the act that Henry VIII’s first queen, Catherine of Aragon, was imprisoned at Amptill while the King was divorcing her, would not have escaped Anne’s notice.

Sadly, the Duke kept their children, and she was separated from them for the rest of her life. Only on her death-bed was she permitted to see them one last time. A final visit from her son, Lord Euston, seemed to have eased her suffering. In the end, the Duke

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<sup>65</sup> W.S. Lewis, ed., *The Correspondence of Horace Walpole with the Countess of Upper Ossory*, I (New Haven: Yale University Press, 1965), 34.

<sup>66</sup> *Cartlaan Archives*, n.d., University College Dublin, <http://www.ucd.ie/archives/html/collections/fitzpatrick-family.htm>, (May 2007).

of Grafton said that he had intended to write to Lady Ossory when he learned that she lay dying. He told his son that he had wanted her to know that "Much lay on me to answer as on herself, and that I wished to hear that she forgave my wrongs in me as frankly as I did any received from her."<sup>67</sup>

By the conclusion of the divorce the Duke had pensioned Nancy Parsons off with a £300 annual annuity. On April 24, 1769, *Junius* wrote Grafton a letter in which he said, "RETURN, my Lord, before it be too late, that easy insipid system, which you first set out with. Take back your mistress;\_\_\_ the name of friend may be fatal to her, for it leads to treachery and persecution." John Cannon argues, "The Duke about this time, had separated himself from Ann Parsons, but proposed to continue united with her, on some platonic terms of friendship, which she rejected with contempt. His baseness to this woman is beyond description or belief."<sup>68</sup> Reportedly, he had grown tired of her numerous infidelities. She was continually passed around until, at the age of forty-two, Nancy convinced Charles, 2nd Viscount Maynard, to marry her. Their marriage is listed in the parish registers of Marylebone in London as occurring on September 24, 1776. She was fifteen years his senior. They later separated, and in her last years, she became "a religious penitent," much like the Duke of Grafton. She died at the age of eighty in the countryside outside of Paris.

The Duke of Grafton's second bride was another young, wealthy heiress, Lady Wrottesley. They were married on June 24, 1769. She was not known for her beauty,

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<sup>67</sup> Stone, *Broken Lives*, 157.

<sup>68</sup> Cannon, *Junius*, 67.

but instead possessed a quiet and amiable character. His wedding was lampooned in a satirical cartoon entitled "The Political Wedding", and published in the *Oxford Magazine*. But this marriage, by all appearances, was successful, and it produced at least ten children. The Duke himself praised his wife's "tenderness and affection as mother of a numerous family." The Duke was privately and publicly mocked for his philandering nature the rest of his life. But he never suffered the loss of social status that his first wife experienced. Political differences and the attacks of *Junius* led to his resignation as Prime Minister in January, 1770, but he most assuredly welcomed the break from responsibility and busied himself with his horses and estates. It is doubtful that the Duke was faithful to his second wife, as he maintained his reputation for gallantry for years. However, in his old age he turned to the study of theology, becoming a Unitarian and writing religious treatises. The "penitential" parallel of the final years of Nancy Parsons and the Duke are reflective of an introspective spirituality that became increasingly fashionable towards the end of the long eighteenth century. Previously impious persons could, through an embracing of morality and tradition, along with a strong dose of religious fervor, gain salvation for their reputations. Lady Ossory never tried this method of reinventing herself. Duke of Grafton died in 1811, a seemingly reformed man.

### Conclusion

The Duchess of Grafton was wealthy, influential and privileged, but only as the wife of the Duke of Grafton. She had no legal status as an individual. Therefore, as a woman, she had no real power, authority, or control. Yet some cultural historians seem

to suggest that by analyzing women's social activities and their daily freedom of movement, we can infer that they created agency for themselves that simply did not exist. It is impossible to attempt to determine the true nature of the aristocratic woman's status and experience by simply focusing on the social and cultural spheres. I argue that within the world of Georgian England, it was the law, indeed one's legal status, which conferred power.

My argument for the importance of legal status and the law also breaks down the notion that one can use categories such as "public and private" to define a woman's relationship to power. The Duchess of Grafton's status did not change as she moved between the private sphere and the public one. Any power a woman felt that she had in the private sphere was undermined by her legal status as the property of her husband. It would seem, however, that the illusion of women's power could be very convincing. The Duchess was in a genuine state of shock when she learned that her husband was filing a petition for divorce. In that moment, she was reminded of her real status under the law and realized that she had no hope.

Porter writes, "Many men judged women to be simply inferior, the weaker vessel. 'There is inequality in the sexes,' judged Lord Halifax. For Lord Chesterfield, 'women are children of larger growth- a man of sense only trifles with them'."<sup>69</sup> Georgian attitudes towards women reveal no enlightened sense of equality, nor do they hint at changes that would slowly take shape over the next two centuries. Georgian England was a traditionally conservative world whose laws and traditions were tested by the immoral behaviors of aristocratic men and women. Stories of infidelity, like the Grafton

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<sup>69</sup> Porter, *English Society*, 24.

case, challenged social values and the patriarchal order. Women like the Duchess of Grafton could not be permitted to live independently and take lovers, as their husbands often did. The Divorce by Act of Parliament was the Georgian's legal response to ensure the protection of aristocratic titles and wealth.

The Georgians also responded with social sanctions against immorality. Both men and women could find themselves socially "cut" and lampooned in the press. For men, military and political careers were affected, but this rarely impacted them financially. Paying for a Divorce Act was ruinously expensive, unless one had successfully sued his wife's lover for monetary damages, and collected on that judgment. Men had the legal right to retain a divorced wife's money and property. Women, as you can see, suffered the greater injury when put through the process of divorce in the eighteenth-century.

Assertions like those made by Stone and Vickery that this period was a time of transition, or that Georgians stood on the brink of great social changes and advancements in egalitarianism, cannot be completely dismissed. But the evidence I have found suggests that the Georgians, during this time, although interested in new philosophical ideas, had not been able to effectively implement them in their lives, nor did they show an interest in doing so. The philosophy was abstract to them. On the other hand, there is abundant evidence of a strong Georgian commitment to the *status quo*, particularly among the elites. Just as Clark's work revealed strong ties to tradition, the sources I have researched revealed an overwhelmingly conservative voice. The political and financial interests of the aristocrats were best protected by resisting change, and that is what their laws regarding marriage and divorce did.

Men and women of all classes were expected to follow the rules of propriety and fulfill the duties of their roles in life. It is worth noting that the rules of propriety had all been defined by men, although not to the advantage of all men. Poor men were just as disenfranchised from power as women, at times even more so. Social mobility was nearly unheard of for men, and women, only traveled up the social ladder through the means of an advantageous marriage. Etiquette manuals offering “instruction” supported the notion of embracing one’s lot in life and learning to be content.

Men like the Duke of Grafton, suffered consequences for their undesirable behavior. Their careers and reputations were damaged, and they were sometimes financially affected by the cost of litigation. Unlike the women, however, they did not suffer loss of rank, property, or custody of children. The costs to a man, were more private in nature, and therefore have been less studied and hardly analyzed.

Attacks on the immoral activities of the elite continued to increase over the course of the century. During the Evangelical revival, many turned away from their sinful habits and embraced a more religious manner of living, as the Duke of Grafton did. It is difficult to tell whether this was reflective of the times, or had more to do with a tendency in old age, to reflect upon the errors of one’s life and attempt amends. It is impossible to know his true motivation, but interesting to note that his, one-time mistress, followed the same path of penitence. The marriage and divorce of the Duke and Duchess of Graton brings to light all the issues of privilege, gender, and power. The first-hand observations of their contemporaries reveal intimate insights that not only inform us about the nature of the individuals, but also the values of the society in which they lived.



## CHAPTER 3

### THE GROSVENOR CASE STUDY

#### Introduction

Lord and Lady Grosvenor are remembered more for their tumultuous marital relationship, mutual infidelities and general unhappiness, than for anything else. Why is this so? They were members of the aristocracy, welcomed at the Courts of King's George II and George III, and two of the wealthiest people in England. They had a palatial home in Grosvenor Square and numerous country estates. They had a son, Robert, who would go on to inherit his father's title, and despite his parent's transgressions, the Grosvenor family would continue to advance in social status and wealth, eventually earning itself the Dukedom of Westminster. Lord Grosvenor caroused with the lowest of common prostitutes and fathered at least one illegitimate child; Lady Grosvenor had an affair with the brother of the King. Perhaps one of the most striking aspects of their story is Lady Grosvenor's suit against Lord Grosvenor for Recrimination. Moralists of the day were outraged that a woman should degrade herself by challenging her husband in such a public manner. The anonymous author of *Free Thoughts on Seduction, Adultery, and Divorce*, wrote, "It would better become these learned divines, instead of declaiming against a husband's obtaining a divorce from an adulterous wife, to

shew on what good grounds either of scripture or reason, a wife is permitted to sue out a divorce from her husband for any cause at all for this was neither enjoined by Moses, nor dictated by Jesus Christ, nor practiced among the Jews.”<sup>70</sup> This view was held by the majority of Georgians, who were a very traditional and conservative society. Legally outmaneuvered by his wife and her clan, Lord Grosvenor prudently agreed on a private settlement. Lawrence Stone might have suggested that this was a reflection of the beginning of an alteration in attitudes about marriage and divorce. Clark offers the inquisitive seeker another view of this period and one whose hypothesis is far more conservative and traditional, like the people themselves. The laws and social customs of the Georgians were not influenced by the ideals that the Enlightenment was introducing. In a sense, to talk about liberty and equality was one thing, but the Georgians just weren’t ready to practice what they preached, particularly in regarding the rights of women. They understood that granting women legal equality would pose a direct threat to their male dominated society and their system of primogeniture which preserved the way of life enjoyed by members of the aristocracy, nobility, and monarchy.

So, what does the story of Richard and Henrietta mean for posterity? Is it merely a human tragedy played out on a Georgian stage to serve as a cautionary tale of immorality and vice? What can they tell us about the time in which they lived and the world of which they were a part? Was Georgian England the beginning of the Modern age like cultural historians would have us believe, or were the traditions of society still holding firm? Did their social customs and laws regarding marriage reflect great social

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<sup>70</sup> *Free thoughts on seduction, adultery, and divorce. With reflections on the gallantry of princes, particularly those of the blood-royal of England. Occasioned by the late intrigue between the Duke of Cumberland, and Henrietta, wife of Richard Grosvenor* (London: Printed for J. Bell, 1771), 287.

change and advances in human equality? What significance did gender have? How were the nobility and aristocracy different from the rest of society and do those differences nullify the validity of analyzing their experiences for a greater understanding of the period as a comprehensive whole?

Understanding the characters of the Grosvenor story would be impossible without an appreciation of what their individual roles were regarding gender and class. Also key, are the issues of “public” and “private” within society. When Lawrence Klein challenged Vivien Jones’ “domestic thesis” in, “Gender and the Public/Private Distinction in the Eighteenth Century”, he questioned her assertion of a “dominant eighteenth-century ideology of femininity” which he wrote, “included among other things, ‘the natural association between women and the private sphere, domesticity, and leisure’”.<sup>71</sup> He explains how the binary opposites of masculine/feminine and public/private were related in the eighteenth century and how, in fact, they held very different meanings than the one’s which modern individuals have given them. Thanks to the very subjective nature of terms and their meanings, Klein articulates the importance of understanding the Georgian definitions of male/female and public/private. In fact, he shows that “home” did not equate with “private” and “public” was not the same as anywhere outside of the home. The reality of the extent to which men and women inhabited both spheres, enables one to perceive events and characters within their proper context. Additionally, the

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<sup>71</sup> Klein, Lawrence. “Gender and the Public/Private Distinction in the Eighteenth Century: Some Questions about Evidence and Analytic Procedure,” *Eighteenth-Century Studies*, 29 (1995): 97-109.

impact of personal observations, rumors and gossip are all extremely important aspects of this story. The letters and journals of Lady Mary Coke and Horace Walpole illuminate aspects of this story and provide contemporary impressions of the characters of Lord and Lady Grosvenor and the Duke of Cumberland.

At the end of the eighteenth century in England, there occurred, an evangelical resurgence. Anxiety over the Revolution in France caused social tensions in England. As in most periods of financial, political, or social hardship, a reformation of manners was called for from a significant section of the populace. They targeted the aristocracy and attacked their system of vices which they believed were leading the lower classes astray and causing the breakdown of social controls within soc. Divorce threatened the structure and stability of their society and culture which was based on the laws of primogeniture. They believed that because of their advantages and influence, members of the aristocracy should be the leaders of morality for the people of England. But, the aristocracy never accepted this responsibility. The press, run by the middle-classes, used its influence to execute attacks on the wealthy elites by exploiting and publicizing the negative aspects of their lives. The reputations of plaintiffs and defendants in cases for criminal conversation and divorce were sacrificed by publishers as cannon fodder in the battle for morality and the mighty pound. Women were overwhelmingly found guilty, and very few ever surmounted a counter-attack, as Henrietta Grosvenor did. Women often found themselves completely disenfranchised from friends and family. If deserted by their lover, they had no hope of a future. Lady Grosvenor was fortunate on this account, as she had a very supportive family who went to extraordinary lengths to defend her, even at the peril of their own reputations. Husbands guilty of adultery were seldom

sued and their personal conduct rarely came to the Courts attention. If found to be innocent, cuckolded husbands were still found guilty of either not being able to satisfy the physical needs of their wives, or their inability to control her sexuality. Most often they were accused of both. The social ramifications for Georgian men and women were far more extreme than in today's seemingly consequence-free culture. In divorce cases the guilty party was not always granted permission to remarry and often had to wait until the death of their former spouse. Friends and family often cut ties with women; however men appeared to have suffered less in this regard. Both parties could find themselves the butt of jokes for years to come and quite often the main character of unflattering prose or verse.

Lady Grosvenor's affair with Henry Frederick, Duke of Cumberland made her one of England's most infamous adulteresses. That he was a Prince of the Blood Royal made his bizarre habits of following her about in disguise and sleeping in fields, seem all the more mystifying. All of these elements simply served to fuel the public's interest. His status added heightened publicity to the case and the love-letters, which the two exchanged, were a hot commodity for exploitation in the press. They were published and re-published in several editions and circulated throughout the Empire. Dr. Doran, a Victorian scholar and biographer of the royal family, places the blame for the affair squarely on the Duke's shoulders, reflecting yet another shift in perspective regarding gender bias over the centuries. He wrote of the Duke's intentions towards her, "He speedily contrived to seduce Lady Grosvenor from her duty."<sup>72</sup> When Lord Grosvenor

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<sup>72</sup> Dr. John Doran, *Lives of the Queens of England of the House of Hanover* (London: Richard Bentley, 1855), 65.

sued him for criminal conversation he sought £100,000, the highest request for damages, ever seen by the Court. Although he only received £10,000, it is important to remember that to most it was a fortune. Once the Duke's conquest was complete, he moved on to greener pastures and left Henrietta to her fate. In the following year he caused more trouble for the Crown when he secretly married Lady Ann Luttrell, the daughter of Lord Carhampton. It was this action and the clandestine marriage of The Duke of Gloucester which prompted George III to pass the Royal Marriages Act.

Marriage laws reflected strong support for English values of patriarchy and primogeniture. Hardwicke's Marriage Act was passed in 1753, which made invalid marriages without parental consent for those under the age of twenty-one and marriages without the reading of banns or a bishop's license. Vivien Jones writes, "The aim was to put an end to 'clandestine' marriages which, since they were more often the result of financial opportunism than of thwarted love, were generally agreed among the propertied classes to be a threat to social and economic stability."<sup>73</sup> The anonymous author of the *Matrimonial Preceptor*, wrote the following words regarding the importance of marriage, "This state is the foundation of community, and the chief band of society."<sup>74</sup> He continues his point, "Marriage enlarges the scene of our happiness and miseries. A marriage of love is pleasant; a marriage of interest, easy; and a marriage where both meet, happy....nothing is a greater mark of a degenerate and vicious age, than the

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<sup>73</sup> Vivien Jones, "The Seductions of Conduct: Pleasure and Conduct Literature", *Pleasure in the Eighteenth Century*, ed. Roy Porter and Marie Mulvey Roberts (New York: New York University Press, 1996), 113.

<sup>74</sup> *The Matrimonial Preceptor: A Collection of Examples and Essays Relating to the Married State, from the Most Celebrated Writers Ancient and Modern* (London: Printed for J. Payne, 1755), 42.

common ridicule which passes on this state of life.”<sup>75</sup> Marriage was considered the most important event in a person’s life and much was written to help guide people in choosing the proper life partner. Georgians were concerned about the state of marriage, and they had good cause to be. For those who did not choose wisely or were forced into arranged marriages, in theory, there were no official laws regarding divorce. Unlike other Protestant countries, England’s views on marriage and divorce were more closely aligned with those of the Catholic kingdoms of eighteenth century Europe. The only legal divorce available in England was by Act of Parliament. The process was prohibitively expensive and in reality, was only available to the very wealthiest members of society.

This second case study provides further evidence in support of my argument that an analysis of eighteenth century English marriage and divorce provides clear evidence which refutes the notion that England was struggling with its ties to patriarchalism and egalitarianism. Stone and Vickery, through their separate analyses of cultural and social spheres make a strong argument for progress, but Georgian law and the ways in which it was often dramatically applied proves a stronger point. Women began the eighteenth century as the property of their husbands and as the long century drew to a close, they remained property, under the law.

The primary sources consulted for this paper, reflect the patriarchy of the previous era, but gave no indication of a rising egalitarianism. In fact, the story of Lord and Lady Grosvenor is just one of many examples of the ways in which the laws of a conservative Georgian society were manipulated by wealthy, powerful men to free themselves from

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<sup>75</sup> Ibid., 56.

undesirable marriages. There was no struggle for egalitarianism, no moral struggle of the conscience. There were conversations about human liberty and equality during this period, but when men and women committed adultery, the laws served to protect the property rights of the husband. Lady Grosvenor was only able to pressure Lord Grosvenor into a settlement through her charge of Recrimination because her family and friends supported her and were willing to come forward as witnesses on her behalf. Cases like the Grosvenor's demonstrate the essence of England's conservative traditional social practices. While Henrietta's actions do reveal some elements of female agency, it is important to remember that her success relied on the support of her family, principally, the male members of that family. They worked within the system of the laws that were still based on protecting the rights of men, particularly wealthy men, and personal property.

The case study of the Grosvenor divorce proceedings provides insight to Georgian culture and social customs. One sees that although Enlightenment England bore witness to revolutionary discussions on human liberty and equality, that the people themselves were either unable or unwilling to apply those ideals within their own lives by altering their laws and customs to accommodate them. Georgian society was predominantly traditional and conservative. Individual roles were still clearly defined. There existed a sense of acceptance of one's lot in life, particularly regarding one's gender and class. In order to appreciate the impact of the public/private distinction within this society one must understand the ways in which the Georgians defined these terms and how threats to these definitions seemed to destabilize the structure of their society. Women's presence in public did not equate with greater female agency in this period. Vickery has suggested

that women of the upper gentry learned to practically manage their husbands. I found no evidence of this amongst the aristocracy. What I did find, were couples who often led very separate lives. Far from being liberating for women, this scenario created greater opportunities for danger and seduction and led to a general instability within marriage. Porter writes of the Georgian response to growing marital instability, "In the latter part of the century virtues of a more private and domestic nature were championed, especially among the middling people, spurred by the example of the faithful, frugal, home-loving George III, who reputedly made toast by the fire while Queen Charlotte fried the sprats."<sup>76</sup> George III was a notoriously faithful husband and one of the great ironies of his reign was the number of immoral incidents amongst his family members. The antics of his younger brother led to the Royal Marriages Act through which he hoped to exert a greater influence on members of his immediate family, including the Prince of Wales. The middle-classes launched a systematic attack against the aristocracy who was perceived to be responsible for the moral decay of society. By using the press to publish all of the cases details, the middle classes hoped to shame the aristocrats into more proper behavior. Many aristocratic couples did stay together when considering the damage that the negative press would do to them. There is however, no evidence which suggests that shame tactics or an increased emphasis on proper conduct and politeness, put an end to adultery and divorce altogether.

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<sup>76</sup> Porter, *English Society*, 306.

## Female Discretion, Public Observations, and Private Conversations

Female discretion was a popular theme in conduct manuals and sermons in Georgian England. Intended to communicate the ideal of honour and the values of society and to instruct women, it also provides a glimpse of what honourable male behavior was supposed to be. Laura Gowing writes, "...in public discussions of female honour, chastity essentially meant passivity, and the avoidance of sin. It was the absolute opposite of the activity, work and consequence that constituted male honour."<sup>77</sup> Donna Andrew notes that in the late 1770's, the term 'gallantry' began to be used to describe the sexual escapades and code of conduct of the aristocracy. It particularly referred to adultery. Although appearing late in the century, around 1796, the Reverend John Trusler's sermon entitled, *On Female Discretion*, echoed long-standing beliefs about the importance of female chastity to the welfare of the family and community.

Georgian theological standards of sexual morality were egalitarian, but in practice, they varied by gender and class. Although aristocratic men had seemingly greater sexual freedoms, it is important understand that under ecclesiastical laws, married individuals of both sexes were held to the same standards of fidelity. Even though men's sexuality did not threaten the basic structure of primogeniture, their behaviors could affect relationships within the marital home. Phillips writes, "In theoretical terms Christian theologians required sexual fidelity of both spouses, but in practice the church courts prosecuted women more diligently."<sup>78</sup> Any person, male or female, wealthy or

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<sup>77</sup> Laura Gowing. 'Gender and the Language of Insult in Early Modern London', *History Workshop Journal*, 35 (1993), 1-21.

<sup>78</sup> Roderick Phillips. *Putting Assunder: A History of Divorce in Western Society* (Cambridge: Cambridge University Press, 1988), 348.

poor, who failed to control their own sexual passions, was viewed with disdain. In addition, men who failed to control their wives sexuality were viewed to be weak and ineffective as men. Male infidelity may have been more tolerated, but society, particularly the middle classes, took notice of all of these issues and did not hesitate to comment on them. Once someone had been labeled a sexual deviant or a cuckold, that label often followed individuals for the rest of their lives. Small communities can have long memories. Just as celebrities of the present day are watched and criticized, eighteenth century aristocrats were constantly closely observed by one another and by their social inferiors. The importance of one's personal conduct during this period, cannot be overstated. It was the very "public" nature of the Georgian aristocrats life that made it all the more morally precarious.

Georgian society was replete with places to see and be seen. The details of the aristocratic woman's life were observed and commented on. Much like modern fascination with celebrity, the Georgians spent a great deal of time observing and commenting on the activities of the wealthy. This meant that the illusory image of women's social freedom led critics to suggest that their greater public participation created too many perilous situations. Joyce Ellis discusses the negative connotations between women and cities, "Indeed, the verbal connections between women and towns are almost exclusively derogatory: Basically a 'woman of the town' is defined as a prostitute."<sup>79</sup> It was at these "public" places within town that Lady Grosvenor came to the attention of her seducer, the Duke of Cumberland. Ellis states that Georgian women had an "enthusiasm" for urban life and explains why, in this period, women were drawn to

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<sup>79</sup> Joyce Ellis. "'On the Town': Women in Augustan England', *History Today*, December (1995), 20-27.

the big cities in ever increasing numbers, and the anxiety that aroused in society. She attributes this feminine migration on the nature of female education. Women were brought up to function more efficiently in an urban setting, while a man's education prepared him to live the life of a country gentleman. She states, "If men of the upper classes were trained to be country gentlemen, their womenfolk had been trained in the essentially urban arts of social display."<sup>80</sup> Women from the aristocracy were only supposed to socialize with women from their own class. The country setting made this challenging and women often found themselves socially isolated in the country. There are many examples in letters and journals, of aristocratic women's efforts to avoid trips to their country homes. Lady Grosvenor however, turned the travel between her country and city homes into an opportunity for her clandestine meetings with her lover. But resourcefulness could not spare her from the curious and prying eyes of others. Lady Grosvenor would come to know the difference between the illusion of her social freedoms and her reality as the legal property of her Lord and husband.

Many times the curious and prying eyes belonged to one's servants, but the aristocracy had keen observers among its own ranks. Horace Walpole and Mary Campbell Coke were social commentators of the Georgian period. They were prolific writers and enthusiastic journal keepers. Their membership within the English aristocracy and their connections to the Royal Court present a unique perspective of their era. Their writings provide a wealth of information on the cultural climate of the period and give unique insights to the social attitudes and lives of aristocratic individuals. Particularly revealing are the once, private letters written to friends and relatives.

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<sup>80</sup> Ibid., 20-27.

Although initially intended to be private correspondence, it is often clear that writers like Horace Walpole understood the significance of his observations and took great pains to create interesting, well-written essays of social commentary for posterity.

### Exposing Aristocratic Adultery in Georgian England

The Georgian period, particularly after the 1780's, during the period of the Evangelical resurgence, the aristocracy, as an institution, came under attack by social reformers. The power and privilege of the group made it a target in a century that was only beginning to question the validity of the inequality on which English society was based. These attacks on morality had little, if any effect on the social power structure of society. Donna T. Andrew explains the unique quality of these attacks on aristocratic adultery, "...it was an attack on its part in a *system* of vices, an attack whose ultimate aim was an assault on aristocratic privilege."<sup>81</sup> In other periods such attacks on immoral behaviors had always been gender-based. Although the majority of attacks were backed by supposed biblical authority and tended to hold the women responsible, considerations of human equality were starting to reveal themselves. Typical of the traditional perspective is this example from 1782, in which an anonymous author dedicated a fictional tale of aristocratic adultery to Lady Grosvenor. The Dedication page included the following lines:

It is become a maxim in these refined times to consider female prostitution as a political good. In that light we may look up to your ladyship, as the most distinguished character among the political conveniences of the present age. It

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<sup>81</sup> Donna T. Andrew. "' Adultery à-la- Mode'": Privilege, the Law and Attitudes to Adultery 1770-1809," *History*, 82 (1997), 5-23.

may be argued that no man's wife, sister or daughter would be in a state of security, if women of your ladyship's spirit did not stand forth the guardians of female chastity, and by preventing the evil, secure us from a rehearsal of the Sabine rape. Even that sagacious people the Athenians were of opinion that *spirited* ladies had their *excellencies*, and it may perhaps gratify your ladyship's curiosity to enquire.....This sketch of the customs of the ancients will we hope apologize to you r ladyship, for the liberty we have taken, in celebrating the history of the moderns; for the time may yet arrive when a Grosvenor, a Ligonier, or a Worsely, may cut a figure in history that will outlive the Messalina's of the ancients, and bring the people of this country into that *respectable situation* , that the Romans aspired to under the auspices of that *virtuous lady*.<sup>82</sup>

Representative of a more balanced view of personal responsibility, are the few authors who chose to hold unfaithful husbands accountable for their marital problems. In an anonymous essay entitled, *Observations on Mundane Affairs*, the writer takes husbands to task. He writes, "If a person goes amongst robbers, he will undoubtedly learn the art of stealing; so a woman living with a vicious husband, will of course learn his licentious customs, like Lady Grosvenor, who was generally esteemed by and amongst her neighbors, friends, acquaintances and others. The said Lady Grosvenor was a person of a sober, chaste, and virtuous life and conversation; and one who would not have broken her marriage vow, if her husband had behaved towards her with true love and affection, and had not held criminal intercourse with divers strange women."<sup>83</sup> This same sentiment is echoed by Professor Caesar Mussolini in his treatise, *The School for Marriage*, published in 1795. He writes, "...if some vice is to be found in a wife, the husband must endeavour to extricate her from it, by correcting her faults by the example of his good behaviour. If a man is head of a family, he must likewise conduct himself so well, that she might be able to learn from him to live prudently. It is a great folly for a

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<sup>82</sup> *Memoirs of Sir Finical Whimsy and his lady. Interspersed with a variety of authentic anecdotes and characters.* (London: Printed for M. Smith, 1782) , i, iv.

<sup>83</sup> *Observations on Mundane Affairs* (London: Printed for B. Tiffin, 1795), 39.

person to expect faithfulness and chastity from another, when he is at the same time unfaithful and unchaste himself.”<sup>84</sup> But this advice came too late for the Grosvenor’s benefit, and it is doubtful that they would have seen it in any event, as most of these sermons and treatises were directed at the middle classes.

The divorce case studies from this period clearly illustrate the traditional beliefs of the Georgian people, even as they reveal the outrageous behaviors of the elites. It was hoped that by reforming the lives of the dissipated aristocracy that the masses would follow their better example and preserve the traditional structure of English society. Lord and Lady Grosvenor’s crimes of adultery were therefore, not a private issue because their exalted ranks made them accountable to the rest of their community.

### The Narrative

The Grosvenor family is descended from Gilbert Le Grosvenor, the *Huntsman*, who was related to William the Conqueror and came to England with him in 1066.<sup>85</sup> Over the years the family maintained a close relationship with the ruling monarchs. They were staunch Royalists during the Civil War. Although the family always enjoyed the benefits of royal favor, it was not until 1677, that their financial status was greatly enhanced. During this year, Sir Thomas Grosvenor married the young (twelve year-old) Lady Mary Davies. As her father’s sole heir, her dowry included 500 acres of rural land on what was then, the outskirts of London. The couple had three sons, all of whom

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<sup>84</sup> Caesar Mussolini, *The School for Marriage* (London: Printed for B. Tiffin, 1795).

<sup>85</sup> Barlow, Frederic, Rev. *The Complete English Peerage: or a Genealogical and Historical Account of the Peers and Peeresses of This Realm, to the Year 1775, inclusive* (London: Printed for the author by S. Bladon, 1775), 376.

followed in their father's baronetcy. Sir Thomas died in 1700 and by 1705, Dame Mary was declared insane and committed. Her share of the inheritance was overseen by the Court of Chancery until her death in 1730. During the ensuing years, her sons all took their turn at managing the estate. Robert, the youngest, was the only one to have children. As the city grew, so did the Grosvenor fortune. Their land became immensely desirable, eventually becoming the most valuable and fashionable areas in the city. This land continues to be the basis of the family's wealth, making the present Duke of Westminster, the third wealthiest man in England. Today the family's assets are managed by a company called, the Grosvenor Group.

Richard was born to Sir Robert Grosvenor and Jane Warre on January 11, 1731. In 1754 he was elected representative of the city of Chester. He succeeded his father as seventh baronet in 1755 and was created Baron Grosvenor in 1761, Viscount Belgrave and Earl Grosvenor in 1784. At the Coronation of George III he officiated as the great cupbearer of England, just as his uncle had done in the reign of George II. He served as the mayor of Chester in 1759. The family's main country seat was Eaton Hall, outside of the city of Chester in Cheshire. The Grosvenor's also had a home in Northern Ireland called *Ely Lodge* in County Fermanagh. Although Richard held minor political positions, he did not need an income and was rather indifferent when it came to his political responsibilities. He was a vastly different type of person from his grandfather, father and uncles. His marital troubles were notorious and his fondness for horse racing and gambling nearly decimated the family fortune.

He spent vast sums on horse racing, his favorite hobby. He established a stud at Eaton Hall and went on to win several Derby and Oaks races. Like the Duke of Grafton

and many aristocratic men of the Georgian period, his priorities were skewed. He consistently put racing, gambling, and women, before, home and family. By April 1779, his financial situation was in near ruin, his debts were then over £150,000 and he was forced to mortgage all of his estates to his bankers and trustees for the creditors with the understanding that they would advance him enough money to pay off his accounts in London, Newmarket, and elsewhere. In return Lord Grosvenor promised to give up his expensive horse racing habit,

Lord Grosvenor undertook 'to give up his racing System by Selling and disposing of his Horses as soon as the then next meeting should be over', and to order all his rents (except £1,000 per annum for the support of Eaton Hall, Chester, and Halkyn Hall, Flintshire) to be remitted to the trustees for the payment of family jointures and of the interest on his debts. Lord Grosvenor was to be allowed £4,000 per annum, and the residue was to provide a sinking fund for the discharge of the principal sums— 'which Fund was to be assisted by Fines to be now received for renewing Leases in Middlesex'.<sup>86</sup>

Urged by his friends and advisors, Grosvenor refused to live within his means, although there were few in the kingdom that could rival his wealth and resources. The following excerpts from the Grosvenor Estate Papers details the ultimate solution his trustees arranged to save the family from financial ruin,

But this arrangement was not strict enough to salvage Lord Grosvenor (who did not in fact sell his horses until 1796), and in 1781 Partington was exhorting him to 'turn your thoughts to what passed in April 1779, when your Friends stepped forward to save your Lordship from impending disgrace — pardon the word, but I call it so, because you had numerous creditors who would have brought disgrace upon you, had you

not satisfied them by the Assistance of such Friends as I believe no Nobleman in such a situation ever met with; by their means every Debt was paid, and a Plan laid down to retrieve your affairs—Think my Lord how these Friends must feel at the present situation of your Affairs, and how hurt they must be to find their most

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<sup>86</sup> *The Grosvenor Estate in Mayfair, Part 1 (General History) The Administration of the Estate 1785-1899: The Estate in Trust, 1785-1808*, Survey of London, vol. 39, pp. 36-43. <http://www.british-history.ac.uk/report.asp?compid=41836>. Date accessed: 03 July 2007.

friendly efforts ineffectual, and that instead of securing your Lordship they are likely to suffer great inconvenience themselves.'

Even this and other 'fruitless representations' from Partington proved ineffective, however and in 1785 Lord Grosvenor was finally compelled to convey virtually all his estates to the same trustees as in 1779 plus his brother Thomas Grosvenor, upon trust to sell several properties, but excluding those in Mayfair. The revenue shortly to arise from the renewal of the Mayfair leases was again thought of as an important factor in 'reducing the enormous Debt', and when these new dispositions were still in course of discussion, Partington urged Lord Grosvenor that 'in my humble opinion the sooner your Lordship appoints your Surveyor the better'.<sup>87</sup>

These stark differences between the generations illustrate the dramatic change of the Grosvenor family from its early beginnings as retiring, conservative, country gentlemen, to sophisticated aristocratic members of London society in the late-eighteenth, nineteenth and twentieth centuries.

On July 19, 1764, Richard married Henrietta Vernon. He was thirty-three and she was probably no more than 16. Henrietta's exact date of birth is not known, but most sources record it as having occurred not long before 1749. She was the daughter of Henry Vernon and Henrietta Wentworth of Hilton Hall in Staffordshire. Her father was a well-to-do country gentleman and her mother was the daughter of the Earl Wentworth. Little is known about Henrietta's early life, particularly before her marriage. Her physical beauty was immortalized in the portrait by Thomas Gainsborough, painted in 1766-67, when she was probably not more than seventeen years old. Today this painting remains within the collection of His Grace, the Duke of Westminster. Later developments in her life attest to the strong supportive nature of her family, a strength on which she would come to depend. Her devotion to her family is reflected in her Will.

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<sup>87</sup> Ibid., 36-43.

She left her family a small fortune of £35,000 for the care and restoration of Hilton Hall. She had an older sister, Ann, who married Lord Berwick, a brother, Henry Vernon, who later testified on her behalf at her divorce proceedings, and another brother, William Vernon, Esq. Lastly, her younger sister, Lady Caroline, served as a Lady in Waiting to Queen Charlotte. Henrietta and her mother often came to Kensington Palace to visit her.

In his book, *Lives of the Queen of England*, Dr. John Doran describes the first meeting between Richard Grosvenor and Henrietta, "The lady, then a Miss Vernon, had been first seen by Lord Grosvenor, as she and a companion were leaving Kensington Gardens, flying under sudden and heavy rain. He looked at and pitied the shower-bearing nymphs, as Aristophanes styles maidens so molested, and he offered them an asylum in his carriage. Soon after, Miss Vernon was the married mistress of his house..."<sup>88</sup> Aside from this initial romantic meeting and Lord Grosvenor's gallant gesture, there is little evidence that their marriage was ever been a happy one. He was nearly twenty years her senior and she could not have been much more than seventeen at the time they were married. Undoubtedly, the marriage was most likely considered an advantageous one by her family, particularly if they had little knowledge of Lord Grosvenor's personal character and dissipated habits. To her credit, Henrietta did what was expected of her as a wife and gave him three sons. The knowledge of how disagreeable this may have been for her, given the fact that she most likely was aware of his habitual visits to filthy women of streets, makes her conduct seem all the more commendable or crazy. Their first son, Richard, was born June 6, 1765 but sadly, he died less than a year later. The

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<sup>88</sup> Dr. John Doran, *Lives of the Queens of England of the House of Hanover* (London: Richard Bentley New Burlington Street, 1855), 65.

birth of Robert followed on March 22, 1767. Thomas was born on May 13, 1768, but sadly, died within a month. Lastly, another son, again, named Richard, was born on June 7, 1769.

The joy of this birth may have been overshadowed by the birth of Lord Grosvenor's illegitimate son by a Mrs. Boisgermain, to whom he paid a £20 bank note for her trouble. That son survived for only a month. But the incident was well-known to Lady Grosvenor. It was also during this time that Lady Grosvenor was having an affair with the Duke of Cumberland. He hints at her "condition" in the following lines of a love letter,

How sorry I am that I am deprived the pleasure of seeing this Evening but especially as you are in pain God grant it over upon my knees I beg it altho' it may go of for a few days it must return and then you will be easy my only Joy will be happy, how shall I thank for your very kind Note your tender Manner of expressing yourself calling me your dear friend and at this time that you should recollect me. I wish I dare lye all the while by your Bed and Nurse you---- for you will have nobody near you that loves you as I do thou dearest Angel of my Soul O' that I could but bare your pain for you I should be happy what grieves me most that they who *ought to feel* don't know the inestimable Prize the treasure they have in you....Adieu God bless you and I hope before morning your dear little one.<sup>89</sup>

It could be surmised that Lord Grosvenor's infidelities and ill temper drove his wife to succumb to the attentions of a man like the Duke of Cumberland. Court documents record Henrietta's assertion that her marriage was bad from the very beginning. Soon after they were married, she had become aware of his infidelities. Like many aristocratic, wealthy men, Richard Grosvenor lived a life of privilege and ease. He possessed an innate sense of entitlement and this manifested itself in his dealings with

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<sup>89</sup>*The Genuine Copies of letters which passed between His Royal Highness the Duke of Cumberland and Lady Grosvenor* (London: Printed for J. Wheble, 1770). 1.

people, particularly people he felt to be inferior. He went so far as to solicit a girl in front of Henry Vernon, his own brother-in-law, expecting him to remain silent on the issue. Vernon's deposition of December 13, 1770 details an occasion when he found his sister was being treated poorly by her husband,

The deponent further saith, that, between three and four years ago Lord Grosvenor told the deponent and his brother William Vernon, Esq. that he was shortly to made a minister of the state....the deponent went to the house of Lord Grosvenor to congratulate his sister....that upon going into the room where Lady Grosvenor was, he found her in tears, and Lord Grosvenor was in the same room, close by her; and the said Lady Grosvenor accused the said Lord Grosvenor of having used her extremely ill on that and many occasions...<sup>90</sup>

Mr. Vernon also recalled a meeting between Lord Grosvenor and Charlotte Gwynne on a road coming from Flint. Lord Grosvenor left his coach and stayed with Miss Gwynne for some time. Upon his return he asked Mr. Vernon not to mention the incident to his wife. Perhaps most compelling is the testimony of Lady Caroline Vernon which includes an incident of a physical attack towards Lady Grosvenor and herself, as well. In her deposition she recalled the events of an evening when she had delivered a package of sewing patterns to her sister. Henrietta had only recently given birth and was still too weak to go out in public. Lord Grosvenor, suspecting a hidden correspondence in the package, attempted to wrest the parcel from her. Miss Vernon stated, "...she could not bear the force that my Lord was using, by pinching her hand to wrest the papers from her, this deponent went to the assistance of her said sister, and took Lord Grosvenor by

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<sup>90</sup> *Trials for Adultery*, vol. 4 (London,: Printed for S. Bladon, 1779), 133.

the coat, in order to pull him away; and Lord Grosvenor turned round to this deponent and pushed her away..."<sup>91</sup> This statement further illuminates the situation within the Grosvenor marriage and not only bears witness to the character of the husband, but the courage of a loving sister. Most of the comments which survive regarding Lord Grosvenor are not complimentary. He was selfish, reckless, and untrustworthy.

Lord Richard contributed little to the Grosvenor legacy. The memoirs of an infamous Georgian courtesan, Ann Sheldon, published by her in the 1780s, offer this same view of Lord Grosvenor. Her version can be assumed to be reliable as the legal case was long over and she no longer had any connection with him. She gives details of her life as an innocent girl corrupted by a female procuress at a young age. Her tale is meant as a cautionary one for both sexes and no doubt, she hoped to profit from the telling. Sheldon details her relationship with him, but provides no dates. She discussed how she was set up in a business by Lord Grosvenor, in order to act as a procuress for him.

Sheldon writes, "...he proposed to set me up in some way of business, which would give me a general communication with women, and by that mean enable me to furnish his passion with occasional novelty", she continues with a description of his taste in women, "Their dress,--- if dress is could be called,---was a glaring display of patchwork; and, in the true spirit of coquetry, as they had handsome legs and pretty feet, they did not chuse to hide them with shoes and stockings."<sup>92</sup> Lord Grosvenor

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<sup>91</sup> Ibid., 11.

<sup>92</sup> Sheldon, Ann, *Authentic and Interesting Memoirs of Miss Ann Sheldon, written by herself*, vols. 1-4 (London: 1787-88), 202, 207.

purportedly liked to get his women from the filthiest parts of London. Sheldon suggests that the two of them had gotten lice on one of their expeditions. He also had a particular attraction to black and mulatto women as well. She writes, "...he seemed horribly ashamed of his assignation with people, as he said, whose manners were as black as themselves," she continues, "How this momentary delicacy came across his Lordship, I cannot tell; for he certainly was not in the habit of feeling compunction at the very low career of his amours."<sup>93</sup> In the end he tossed Miss Sheldon aside too. She writes these details about the end of their relationship, "...after this period, I received very few visits from his Lordship---nor did he ever fulfill any of his promises to me. After all the trouble he had given, his memory failed him in the rewards that he had declared should follow it..."<sup>94</sup> A certain Mr. Bateman advised he to have nothing to do with Grosvenor. He told her, "Nobody will tempt you, said he, with such fine promises, and no one will be so backward in performing them."<sup>95</sup>

Whatever Henrietta's motivation, her indiscretion with the Duke of Cumberland was infamous and foolish. HRH Prince Henry Frederick was born on November 7, 1745 to HRH Frederick Prince of Wales and Augusta of Saxe-Gotha, at Leicester House in London. He was their sixth child and when his father predeceased his grandfather, King George II, his elder brother became King George III. Henry became the Duke of Cumberland upon the death of his uncle in October of 1766, just shy of his twenty-first birthday. The Duke of Cumberland was a younger brother of King George III. He was

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<sup>93</sup> Ibid., 210.

<sup>94</sup> Ibid., 213.

<sup>95</sup> Ibid., 214.

diminutive in stature and apparently compensated for this with a colorful personality. He was known to have dissipated habits and was generally considered a rake; although not an overly bright man, he was thought by some, particularly women, to be quite charming.

The relationship began innocently enough at Court where the two were introduced. Her sister's position as a Lady-in-Waiting to Queen Charlotte presented her with numerous opportunities to be in attendance. She visited Kensington Palace frequently and reportedly spent a great deal of time in the gardens there. These visits would later become controversial as accusations of clandestine meetings in parks and other places, with the Duke of Cumberland, were revealed. Pursued by the ridiculous Duke and no doubt, flattered by his gallantry and the attentions of a member of the Blood Royal, she played into his manipulations.

As an aristocratic Georgian woman, Lady Grosvenor spent a good portion of her life in public places. Her life, like everyone else's, was restricted by the rules of propriety; however she found plenty of opportunity to move about London quite freely. There are records of her having attended parties and dances at the public venues of Almack's, Ranelagh, Vauxhall, and the theatre. There were also the private functions, restricted to members of the upper-classes. One's social status, in part, depended upon attending the best of these functions. Letters and diaries of that period are full of personal observations about this world. Two of the most famous commentators were Horace Walpole and Lady Mary Coke. After attending a party in 1765, Walpole related an amusing anecdote about Lady Grosvenor and her mother, to his friend, the Earl of Hertford. He wrote, "...my Lady Hertford's friend, Lady Harriot Vernon, has quarrelled with me for smiling at the enormous head-gear of her daughter, Lady Grosvenor. She

came one night to Northumberland House with such display of friz, that it literally spread beyond her shoulders. I happened to say it looked as if her parents had stinted her in hair before marriage, and that she was determined to indulge her fancy now. This, among ten thousand things said by all the world, was reported to Lady Harriot, and has occasioned my disgrace. As she never found fault with anybody herself, I excuse her.”<sup>96</sup> This, the only surviving comment by Horace Walpole in reference to Lady Grosvenor, but it presents us with the view of a young woman who made lavish displays of her newly acquired wealth...sometimes to the point of appearing ridiculous. Joyce Ellis explains the significance of such displays, “Women from wealthy families were seen as the embodiments of their husbands’ and fathers’ status. It was therefore vital that they conformed to contemporary norms which had shifted decisively in the seventeenth century towards an ideal of delicate, innocent and essentially decorative womanhood.”<sup>97</sup>

Lady Mark Coke made many references to the activities of Lady Grosvenor, most likely for the benefit of her correspondent, Lady Strafford, Henrietta’s aunt.

Unfortunately for Henrietta, Lady Coke later developed an unfavorable opinion of her over issues surrounding the rental of a house. So, the comments regarding her behavior may be somewhat tainted. Still they are informative and shed light on the development of her relationship with the Duke of Cumberland. Lady Coke mentions Henrietta Grosvenor for the first time in 1766. She apprehended a flirtation between the Duke and Lady Grosvenor in August. She wrote that while attending the royal Drawing Room,

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<sup>96</sup> Horace Walpole, *The Letters of Horace Walpole*, vol. II . The Project Gutenberg EBook of Letters of Horace Walpole, (Spring) <http://www.infomotions.com/etexts/gutenberg/dirs/1/2/0/7/12074/12074.html>.

<sup>97</sup> Joyce Ellis, “On the Town”: Women in Augustan England’, *History Today*, December (1995), 23.

with five other ladies, three of those being, Lady Grosvenor, Lady Harriet Vernon, & Miss Vernon, she reports, "Lady Grosvenor was in the most joyous spirits I ever saw. She twice burst out into such violent fits of Laughter that She was obliged to hide her face behind her fan. I heard her say She had been at Tunbridge & was now going in to Cheshire. It was something Prince Henry said to her that made her so merry."<sup>98</sup> In September of the same year, Lady Coke mentioned that Lady Grosvenor was three months pregnant and that she was coming to Town at the end of the month to go to New Market, most likely accompanying her husband to the races.

Often Lady Coke's journal entries were inspired by nothing more than sordid gossip. Lady Coke alluded to the fact that she believed Lady Grosvenor, when last in London, had formed a romantic attachment to the Duke of York. When it became apparent that he had a new "flirt," she stated, "Don't you think Ly Grosvenor will put her eyes out? For tis my opinion her ladyship is come to Town with the same dispositions She left it."<sup>99</sup> No other references to this relationship have been found, so it is plausible that it was a fabrication of Lady Coke's fertile mind because, the following day, the attentions of the Duke of Cumberland, toward Lady Grosvenor are followed with interest. "The Opera was but just begun when I came in, All the Boxes were full, but the Pitt very empty. Ly Harriot Varnon, Ly Grosvenor, & her Sister made a more considerable figure. Ly Grosvenor looks well, but seems full as gay as ever. The Duke of Cumberland sat by her some time, & the conversation appear'd very lively. The Duke of York was with her

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<sup>98</sup> Lady Mary Campbell Coke. *The letters and Journals of Lady Mary Coke*, vols. 1-5 (Bath: Kingsmead Reprints, 1889-1896), 27.

<sup>99</sup> *Ibid.*, 96.

for about half an hour, & very well received, but he left her, & did not return.”<sup>100</sup> The following evening Lady Coke went to Almack’s for dancing. She mentioned that Lady Grosvenor, five or six months pregnant, was dancing away! There is no mention of Lord Grosvenor being in attendance. This was unusual because English husbands and wives spent much of their time together and typically socialized as a couple. Michael Brander quotes the Frenchman, de la Rochefoucauld, “Husband and wife are always together and share the same society. It is the rarest thing to meet the one without the other...they pay all their visits together...”<sup>101</sup> Much of the evidence in the Grosvenor case suggests that the two spent a great deal of time apart. This evidence would support Lady Grosvenor’s assertion that her husband had been inattentive to her.

The incidence with Lady Grosvenor over the rental of a house occurred in 1768, it was at the end of this same year that she makes a curious report, “Lady Grosvenor is still ill; She lies every night in the Country for the benefit of the air, but a slow fever hangs on her, & her spirits are so low that She crys perpetually.”<sup>102</sup> It is purely a matter of conjecture, but could her illness have been due to her isolation in the country. Joyce Ellis explains that the aristocratic country lifestyle offered far fewer amusements for women and that their decreased mobility, compared with that of their male counterparts, meant that many women found life in the country to be socially isolating. There exists the possibility that Lord Grosvenor had become aware of his wife’s flirtations and took her off to the country for this very purpose. Lady Coke’s journal notes nothing else of

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<sup>100</sup> Ibid., 98.

<sup>101</sup> Michael Brander, *The Georgian Gentleman* (Glasgow: The University Press, 1973), 130.

<sup>102</sup> Ibid., 409.

significance about Lady Grosvenor until the fall of 1769, when news about her affair with the Duke of Cumberland had become public knowledge.

The court records do not indicate a precise time when the affair began, but within the court proceedings, Mr. Wedderbern, counsel for the Plaintiff, Lord Grosvenor, stated,

Gentleman, it is impossible for me to state to you, and I believe it is impossible for the evidence, to trace at what particular period his Royal Highness the Duke of Cumberland's intimacy with Lady Grosvenor commenced; you will find however, in the course of the winters of 1768 and 1769, that his Royal Highness' meetings with Lady Grosvenor were constant, and so public as not to escape the blame of almost every person at every public place; for at every public assembly wherever Lady Grosvenor was the Duke certainly came, and at all the public places where she went the Duke was certainly with her. He followed her from place to place with such incessant perseverance, and was so constant in the time of coming where she was, and going where she was to come, that it became the jest of their footmen before it had even reached to be the scandal of the town.<sup>103</sup>

The letters they exchanged reveal their mutual passion and eagerness to find any opportunity to be alone together. It is nearly impossible to say for certain, but naive to assume, that her close female friends were unaware of her intentions. In the letters to her sister she is quite candid about her activities. Later court testimony by Thomas Dennison, Lady Grosvenor's footman, revealed, "That he had often attended lady Grosvenor to St. James's Palace, about the latter end of Aril, I the beginning of May, 1769, where she was set down at the fore-gate, that he had seen her then go across the court-yard, as St. James's, into the Park, attended by the Countess of Dunhoff, and that upon these occasions, which were generally at about eight or nine o'clock in the evening, it was Lady Grosvenor's custom to discharge the coach, and order it to come again in two hours time." He further testified to attending her at Kensington gardens where he stated

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<sup>103</sup>*The Whole Proceedings At Large, In a Cause on an Action Brought by the Right Honorable Lord Grosvenor Against His Royal Highness Henry Frederick Duke of Cumberland; For Criminal Conversation with Lady Grosvenor* (London: Printed for J. Wheble, in Pater-noster-Row, 1770), 4.

that she frequently met with the Duke of Cumberland. It was on the visits to Kensington that her sister was often implicated as acting as her accomplice. But at the time that all of these activities were taking place, both she and the Duke were blissfully unaware of the dozens of eyes that were watching their every move. Clearly the two felt a level of comfort in the relationship which caused them to disregard public opinion, or perhaps they naively felt that his rank protected their activities, when in fact that merely added to the curiosity and the scandal.

Lord Grosvenor's lawyers suggested to the court that Lady Grosvenor had used her friendship, not only with her sister, but with the Countess Camilla Donhoff. She planned and carried out clandestine visits with the Duke at the Countess's home in Cavendish Square. Lady Grosvenor would call on the Countess knowing she was not at home. Lady Grosvenor insisted upon waiting for her. She further told Elizabeth Sutton that her brother was expected to meet her there. Alone together in the Countess' apartments, the Duke and Lady Grosvenor tested the utilitarian nature of the furnishings, as mentioned by the Duke, "...I then prayed for you *my dearest love kissed your dearest little Hair* and laye down and dreamt of you had you on the dear little *couch* ten thousand times in my arms kissing you and telling you how much I loved and adored you and you seeed pleased but alas when I woke I found it all dillusion..."<sup>104</sup> The Countess testified that she had no knowledge of the events which took place while she was out of town. Lady Grosvenor and the Duke met there on several occasions. These private evenings continued undetected until the servant, Elizabeth Sutton's husband recognized the Duke.

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<sup>104</sup> *The genuine copies of letters which passed between His Royal Highness the Duke of Cumberland and Lady Grosvenor.* 4<sup>th</sup> ed. (London: Printed for J Wheble, 1770), 3.

In his deposition Samuel Sutton was asked whether he knew the Duke of Cumberland, to this he replied in the affirmative and testified that he had once let the Duke out of the door. The testimony of servants played an important role in the Grosvenor case as it did in all adultery and divorce cases of the aristocracy.

The Grosvenor case is typical in that the aristocratic plaintiff and defendant were dependent upon the testimony of their social inferiors. Of the total sixty-seven witnesses, more than twenty were servants. The depositions of these individuals have been suggested by historians, to reflect a challenge to aristocratic authority in the eighteenth century, and therefore indicative of social changes, which they believe were shaping a changing English society. Stone wrote, "But his loyalty to his master should lead him to go into hiding and refuse all financial offers from his master's enemy to appear in court against him. This was a concept of loyalty which was slowly but surely eroded in the course of the eighteenth century."<sup>105</sup> He has suggested that while there certainly existed those servants who saw the opportunity to profit and set about to gain as much information as possible, more often servants were torn between moral and financial obligations. Loyalty and their need to earn a living placed them at odds with either their employers or the truth. Reporting on the wife could lead to monetary rewards, but ultimately the dissolving of the household and the loss of their position. If they concealed the truth, it often preserved the household, but denied them any profit. But whatever course of action a witness chose, it is important to see that they did not provide this testimony in defense of themselves or their class against another. The testimonies

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<sup>105</sup> Stone, *Road to Divorce*, 224.

given by members of the middle and lower classes should not be seen as eroding a social code of loyalty or class hierarchy.

The love letters between the Duke of Cumberland and Lady Grosvenor were written in 1769. They were confiscated from various parties and became the most important and damning evidence in the trial. Lady Grosvenor and the Duke of Cumberland went to great pains to keep their correspondence secret. Her letters note that they often utilized the technique of writing in lemon juice in an attempt to hide their messages., "...pray let me have a few lines from you in Lemon Duce by C\_\_\_\_\_ to tell me...I make out the Lemon Duce very well..."<sup>106</sup> Secrecy was paramount and the risks threatened danger, not only for Prince Henry and Lady Henrietta, but for their family, friends and servants who acted as co-conspirators. At the time of their assignations at the home of the Countess Donhoff, in the summer of 1769, Lady Grosvenor was nine months pregnant with her third child. Shortly thereafter, she was confined for the birth of her son. Love letters written by the Duke and intercepted by Lord Grosvenor leave little doubt as to the nature of their relationship. In a letter, he references her "lying-in" which precluded their usual visit. He wrote, "My ever dearest Love. How sorry I am that I am deprived the pleasure of seeing you this Evening but especially as you are in pain...I wish I dare lye all the while by your Bed and Nurse you-----for you will have nobody near you that loves you as I do thou dearest Angel of my Soul."<sup>107</sup> This letter is just the first of many examples of the Duke's reckless passion for Lady Grosvenor. In letter II, he requests that they direct their messages through Countess Donhoff's servant but insists

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<sup>106</sup> *The genuine copies of letters*, 25.

<sup>107</sup> *Ibid.*, 1.

that she must not let the Countess know. This is the only evidence which supports the testimony given by Countess Donhoff, insisting that she was unaware of their meetings in her home. Complicity in adulterous affairs could have legal and social repercussions. On December 15<sup>th</sup> 1769, Lady Caroline Vernon, under increasing pressure from social gossip and newspaper articles, wrote her sister a letter. In this letter she flatly refuses to continue to deliver messages between the lovers. She implores her sister to consider the danger of her actions and the consequences to both of them. As a lady-in-waiting to the Queen, Caroline's activities were being closely monitored. She wrote, "I am watched every time I stir, and think how necessary it is for me to put a stop to this misery...I *frankly* tell you absolutely let me never hear anything more concerning your Friend, as to my being your *Bearer* any longer I will not."<sup>108</sup> Her words would prove prophetic.

Lady Grosvenor's letters are also an important source because they offer a candid glimpse into her life with her husband and her perceptions of him and their marriage. Clearly, she was aware of his infidelities, but understood that his transgressions would not make society more tolerant of hers. She describes her daily routine to the Duke, "I'll tell you how I pass my time I get up about eight or I'm afraid nine Breakfast at then walk or ride dine at 3...play at stupefied Cards after Tea with any body that drops in (he never plays) this lasts till supper but I now and then steal off we sup soon after nine, and in bed before eleven, where I always dream of you...."<sup>109</sup> This description of her daily routine refers to her activities while at Eaton in Cheshire. London offered far more diversions. It is easy to see how this might have seemed like a

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<sup>108</sup> Ibid., 47.

<sup>109</sup> Ibid., 18.

dull life to a vivacious twenty year old girl. A friend staying with the Grosvenor's described Lord G in what she felt was such a precise manner that she repeated it to the Duke. She wrote,

I'd a very odd intercourse with Mr G \_\_\_\_\_ to day about my Lord he first begun by saying he was very uneasy about his health and did not think he was so well as he used to be & he ought to take great care, he after that said he thought he gave up his whole time attention & fortune to horses and was worse & worse infatuated than ever about them & that he never could talk upon any other subject therefore he could never have any discourse with him and that he would lose all his acquaintance but Jockeys, I could not help laughing at his description of him which was very just for says he he will set for half an hour with his eyes fixed on a Table or a Chair & the apply to Tomm or any body that is by, do you know what Mare such a Filly was out of, or can you tell what Horse such a Colt was got by....then if he or any body that don't understand the subject offers to mention any thing else he is as cross as any thing for half an hour....<sup>110</sup>

This description of Lord Grosvenor's singular passion for horses seems to fall well in line with other descriptions of his behavior. The guest goes on to explain that he always come to visit with a group or party of people due to Lord G's unsociable nature. He wrote, "I always get people to come every day to meet me or else I know my amusement would be to see him snoring in one corner of the room instead of being sociable & like other people."<sup>111</sup> Aside from these personal characterizations, the letters indicate that while in Town and at Eaton, Lord Grosvenor spent a great deal of time away from home and his young wife. She mentions numerous trips to Halkin in Wales where he had another home. His lead mines were located in there and business trips (which undoubtedly included opportunities for pleasure) were frequent and Lady G never mentions travelling there with him. In general, Lord Grosvenor's greater mobility and a

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<sup>110</sup> Ibid., 17.

<sup>111</sup> Ibid., 17.

lack of moral condemnation presented him with innumerable opportunities to carry on his extra-marital affairs.

In December of 1769, shortly after receiving a desperate letter of warning from her sister, Lady Grosvenor packed up her children and left Eaton for London. Heedless of the sisterly advice, lately received from Court, she daringly met with the Duke of Cumberland on her route to Town. Utilizing disguises and registering under farcical pseudonyms, the Duke lodged each night at the very inns taken by Lady Grosvenor and her family. Lord Grosvenor was already in Town awaiting their arrival. During the summer his suspicions had been aroused when he began receiving anonymous tips from an individual calling himself, Jack Sprat. This indeed may have been a servant of Lord Grosvenor who felt the need to disclose the information without becoming directly involved. The anonymous nature of the revelation suggests a level of legitimacy as there was no request for payment in exchange for the information. In his first letter he wrote, "If you have a mind to see your Wife go off with her gallant place yourself at K\_\_\_\_\_Gs garden door at a little before Eight and you will see her and her little Sister go with him to his own back door a little way off and so return the same way at half an hour after nine if you are fool enough to discover this information or not be thankful for it, you shall have no more that's all at present from your humble Servant, Jack Sprat."<sup>112</sup> The second note sent by this person again implicates Lady Caroline Vernon as a co-conspirator. This is most likely the reason that Lord Grosvenor began censoring Lady Grosvenor's mail that summer and why the physical altercation broke out over the letter, as mentioned in Lady Vernon's testimony. The last letter from Sprat sealed the fate of the couple,

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<sup>112</sup> Ibid., 20.

Once more and no more if I have not often enough pointed out ways for you to be convinced of the Truth, I am not your Friend but if you have not a mind you will take no Notice perhaps of a certain person that is gone in disguise and hy's at every Inn where she does examine your servants and they will be more able to tell you if his constant attendance. He is now about your house and gardens in the Country.<sup>113</sup>

On the evening of December 21, 1769, servants of Lord Grosvenor broke open the bedroom door of Lady Grosvenor at the White Hart Inn at St. Alban's. Testimony from John Anderton, Lord Grosvenor's travelling groom illuminates the circumstances of their discovery. Before setting out on the journey to London, Lord Grosvenor had advised Anderton to watch Lady Grosvenor as he believed that she would be secretly meeting with the Duke of Cumberland. Within the chamber witnesses discovered Lady Grosvenor on the ground, "...that Lady Grosvenor, when they first entered in to the room, endeavored to make her escape out of another door, that led to the room in which she was; and in attempting so to do, she fell down two or three steps; and, at such time, the said Lady Grosvenor's hair was much tumbled, and the handkerchief about her neck very much tumbled so that the deponent saw part of her breast naked."<sup>114</sup>

The Duke of Cumberland left the room with several of the witnesses, who by now had come from all parts of the inn upon hearing the commotion. He reluctantly admitted his identity and prayed that no harm was intended to him. Nothing further about the actions of either party, that night, is recorded. A case for Criminal Conversation was

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<sup>113</sup> Ibid., 22.

<sup>114</sup> *Trials for Adultery*, 244-245.

filed by Lord Grosvenor against the Duke of Cumberland and was heard at the Court of King's Bench on July 5, 1770.

There is no evidence extant, which reveals details of the conclusion of the relationship between Lady Grosvenor and the Duke, but it clearly was over. The Duke traveled to the Welsh border to avoid publicity and once there, began an affair with Margaret, the eighteen year old sister of the Earl of Sildenstein. When news of his affair reached the Court, he was recalled to London and King George paid her family for her ruined reputation. The young lady was sent to Delhi to serve as a governess to another family, but instead became the mistress of Shah Alam, the Moghul emperor in Allahabad. She never returned to England.<sup>115</sup> In 1771 the Duke of Cumberland finally married, but his choice enraged the King and was one of the leading causes for the creation of the Royal Marriages Act. He chose for his bride, Mrs. Ann Horton. She was the only daughter of Earl Carhampton, but was the widow of a commoner. The Duke died in 1790.

Abandoned by her lover and faced with divorce, Lady Grosvenor had nothing to lose by challenging the suit. Backed by her family, Henrietta Grosvenor filed charges of recrimination against Lord Grosvenor for his adultery with numerous women. She located several witnesses and certainly Lord Grosvenor's "business" was fairly common knowledge. Her statements refute the assertion that Lord Grosvenor was a good husband. Her testimony stated,

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<sup>115</sup> The History of The Earls of Sildenstein and Sild, [http://www.sildhall.com/history/earls\\_biogs.htm](http://www.sildhall.com/history/earls_biogs.htm).

....that the said Richard Lord Grosvenor, soon after his marriage with the said Henrietta Lady Grosvenor, his wife, behaved to her not with true love and affection, but on the contrary with great neglect, indifference, and disaffection; and that he held a criminal correspondence, and adulterous intercourse, with divers strange women, then unknown to the party proponent, from whom his affections were thereby alienated.....from soon after the time of his marriage with the party proponent, hath led, and doth continue to lead, a vicious, lewd, and debauched life and conversation by visiting, corresponding with, and carnally knowing divers strange women of loose character and prostitutes, at lodging-houses, and at public places of resort...<sup>116</sup>

She also included accusations that women were enjoined to act as procuresses for Lord Grosvenor. She specifically names Charlotte Gwynne as having been an adulterous partner of Lord Grosvenor's. She dates their relationship as early as 1765, a mere year after the Grosvenor's were married. She provides careful details of this woman's activities which had been directed by Lord Grosvenor and notes the amount of five guineas, which he had paid Gwynne for her services. This was supported by the testimony of Lady Grosvenor's brother, Henry Vernon, Esq. Perhaps most damning were the intimate details which she revealed about the birth of Lord Grosvenor's bastard with one, Mrs. Boisgermain. She stated, "...in or about the month of April, 1769, at Mrs. Arnold's, in Storey Street, Tottenham-Court-Road, brought to-bed of a boy, begot on her body by the said Lord Grosvenor." She continues to explain that the child had died within a month of its birth, but that Lord Grosvenor had sent Mrs. Boisgermain a twenty pound bank note. Some of the women whom Lady Grosvenor named appeared to give testimony, but pled their right not to incriminate themselves. These accusations of recrimination were damaging to Lord Grosvenor and it was well known that the Court

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<sup>116</sup> Ibid., 183.

would be unlikely to grant the divorce when both partners were so obviously guilty. In their view, one crime cancelled out the other.

Successful in his suit for criminal conversation against the Duke of Cumberland, Lord Grosvenor was awarded for damages in the sum of £10,000. This is far less than the £100,000 he sought. But, the counter charges against him caused the court to alter lower his reward. The amount was determined by the court based on the loss suffered by the plaintiff. Frustrated in his plans for a divorce by the recrimination of Lady Grosvenor, he began to negotiate a private settlement with his wife. The *Annual Register, or a View of the History and Politics, and Literature for the Year 1772*, records the disposition of the divorce suit. In January of 1772, it records that the Grosvenor's came to a mutual agreement to stop all legal proceedings. The publicity had been bad for both of them. It was mutually agreed upon that Lord Grosvenor would provide the Lady Grosvenor with £ 1,200 per annum and made her an additional gift of £ 1,000 to defray her legal costs. Each side was represented by a friend of the family. Lord Camden participated on behalf of Lord Grosvenor and Lord Apsley, it is written, "...condescended, at the request of the lady's family, to be the wife's."<sup>117</sup> The representatives worked out the negotiations with an eye to the future and although Lady Grosvenor had been granted a temporary alimony of £ 2,000 per annum, during the legal proceedings, she agreed to settle for less realizing that if by chance Lord Grosvenor had won his suit, she would be granted nothing.

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<sup>117</sup>*The Annual Register, or a View of the History, Politics, and Literature, for the Year 1772* (London: Printed for J. Dodsley, in Pall-Mall, 1775) Jan. 1772.

## Conclusions

Lady Grosvenor set up a separate household and she purchased Ember Court in 1787. She retained the privilege of her title and when her husband became an Earl, in 1784, the honor was conferred upon her as his legal wife. Reports of her activities remained in the popular press for years to come. This excerpt is from the *Public Ledger*, July 25, 1772, "Lady Grosvenor now frequents Kensington Gardens in an EVENING. – LOVE and OPPORTUNITY to her *Ladyship*." Little else is mentioned about her and after the accommodation was reached and the world turned to more interesting matters, like the Bank Crash of 1772. One could surmise that she settled into a retiring, comfortable routine, although she often had trouble collecting her support payments from her husband. She retained the support of her family and that would have done much to make her more socially acceptable. Yet she was never free to re-marry and lived out the rest of Lord Grosvenor's life, a long thirty years, in a state of social limbo.

Records from the Grosvenor estate papers survive which indicate that Lord Grosvenor's financial difficulties continued until the time of his death. The *Survey of London* states, "In November 1798 Moore was 'almost destitute of means to support the ordinary expenses of Lord Grosvenor's reduced establishment', and although his successful exploitation of the lead mines in North Wales yielded over £18,000 in 1800, he had to tell Countess Grosvenor, whose allowance was again in arrears, that she would

have to wait 'until I can turn some lead into money'. In July 1801 he even had to borrow 'to prevent an execution going into his Lordship's house.'<sup>118</sup>

Henrietta remained his wife, in name, for another thirty years. He died on August 5, 1802. Within months of the death of Lord Grosvenor, Henrietta married George Porter, 6<sup>th</sup> Baron von Hochepped. He was nearly ten years her junior. Hochepped was a Lieutenant-General in the British Army. Henrietta died on January 2, 1828; he died later that same year.

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<sup>118</sup> "The Administration of the Estate 1785-1899: The Estate in Trust, 1785-180," *Survey of London*, vol. 39: The Grosvenor Estate in Mayfair, Part 1 (General History) (1977), 36-43. Accessed 17 August 2007 <http://www.british-history.ac.uk/report.asp?compid=41836>.

## CHAPTER 4

### THE LIGONIER CASE STUDY

#### Introduction

The third, and final case study for the purposes of this thesis, is based on the story of the marriage and divorce of Edward, Earl Ligonier and Penelope Pitt. The Ligonier study has three major, unique elements which make it an excellent example to contrast with those of the Grosvenor's and Grafton's. First, unlike the Duke of Grafton and Lord Grosvenor, Lord Ligonier was unquestionably faithful to his wife and his character was irreproachable. Second, the particulars of the case provide an intriguing look at the role that class played in Georgian cases for Divorce. And third, following military tradition, Ligonier challenged his wife's lover to a duel. The duel reaffirmed the continued connection between physical combat and masculinity. It also demonstrated the importance of honor in a male dominated society. Finally, I intend to use the Ligonier case to illustrate the ways in which Georgian society utilized the Press in an attempt to impose moral reform on the aristocracy.

The common thread which connects all of the case studies is that regardless of the specific case details, the laws, social customs, and practices reflect a conservative consensus. Georgian aristocrats were primarily concerned with the preservation of their patriarchal society and the laws of primogeniture. The marriage of Penelope Pitt and Edward Ligonier reaffirms this position. From the arrangement of their

marriage, to the dissolution of the relationship, their story illustrates the importance of protecting the title and estates of the husband. Divorce was intended to preserve and protect wealth and the social structure. Wives were still recognized, under the law, as the personal possession of their husband. As Donna T. Andrew argues, "...if the relationship between husband and wife were that of power and possession, even prized possession, this cast doubts on the power of those 'ideologies of affective individualism and legal equality between the sexes' which Lawrence Stone has seen developing 'during the late eighteenth and early nineteenth centuries.'" She also notes the opinion of Susan Staves who has suggested that the late eighteenth century saw, what she refers to as a 'backlash', against female independence. Staves suggests that this was intended to reinforce 'patriarchal property structures.' <sup>119</sup>

Positions like those stated by Andrew and Staves support my argument for a society that was more concerned about preserving the status quo, than making changes. The law reflects the relationship between husband and wife as one of legal and financial domination. The system of patriarchy is best preserved when men alone have legal status and women are held subject to the laws of men. It is of little surprise then, that the aristocracy of the eighteenth century had no intention of altering their laws and customs to empower women. Porter writes, "The basic assumption governing relations between the sexes, underpinning attitudes and institutions, and backed ultimately by law, was that men and women were naturally different in capacity, and ought to play distinct social roles."<sup>120</sup> He continues, "Men were intended (so men claimed) to excel in reason,

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<sup>119</sup> Andrew, *Adultery à-la-Mode*, 5-23.

business, action; women's forte lay in being submissive, modest, docile, virtuous, maternal and domestic..."<sup>121</sup> He states that while many women lamented their situation in life, he believes that many women actually shared men's views about women and their place in society.

Unlike the Duke of Grafton and Lord Grosvenor, who were notorious philanderers, Lord Ligonier's character was irreproachable. He was regarded as sober man, affectionate and indulgent ; a 'generous' husband. He was generous in his treatment of his wife and her lover. The term is used to describe him in the title of the anonymous work, *The Generous Husband; or the History of Lord Lelius and the Fair Emilia, containing likewise the genuine memoirs of Asmodei, the pretended Piedmontese Count, from the time of his birth, to his late ignominious fall in Hyde Park.*<sup>122</sup> This piece was written in 1771 and as was customary, to avoid charges of slander, the author disguises the names of the Ligoniers and Alfieri. However, the identities of the principle players were common knowledge at the time. The author goes to great pains to establish the superiority of Lord Ligonier's character by beginning his tale with an homage to the honorable military service of the family. It opens with the heroic death of Ligonier's father and the famous career of his much-loved uncle, Field Marshal, Jean Louis Ligonier. His good family and impeccable character make Edward Ligonier, perhaps the best example of the "innocent" husband for whom the process of Divorce by Act of

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<sup>120</sup> Porter, *English Society*, 23.

<sup>121</sup> Ibid., 23.

<sup>122</sup> *The Generous Husband: or the History of Lord Lelius and the Fair Emilia, containing likewise the genuine memoirs of Asmodei, the pretended Piedmontese Count, from the time of his birth, to his late ignominious fall in Hyde Park* (London: Printed for W. Wheeble, 1771).

Parliament was originally devised. Lord Ligonier is a near perfect example of English patriarchy and primogeniture. He was a war veteran, a soldier, an aristocrat, a landowner, a husband, an Englishman. His wife's betrayal had denied him the opportunity to have an heir with her, whose paternity would have been certain.

As Lord and Lady Ligonier had no children, her infidelity was a serious threat to his title and estates. Porter explains,

A husband would not contemplate a cuckoo in the nest, nor would he wish to bequeath his property to a son unless he was sure of paternity. Dr. Johnson did not beat around the bush: 'The chastity of women is of importance, as all property depends upon it.' ....A wife's adultery was ground enough for divorce, but not vice versa....<sup>123</sup>

It was for cases like this one, which dealt exclusively with a wife's adultery, that Divorce by Act of Parliament was instituted in 1699. By its very nature, the Act was structured to protect the property and legal rights of aristocratic men. Divorce was never intended to be an instrument of egalitarian justice in which men and women could seek release from unhappy or unsuitable marriages. Although in theory, it allowed petitions from either party, women rarely brought suits for divorce and those who did were seldom successful in their endeavors.

The Ligonier case is an important example for my argument because of the way the role of class is revealed. Lady Ligonier was known to have had at least two lovers, yet Lord Ligonier prosecuted only one of them. The social status of the defendants had a profound impact on the outcome of the Ligonier trial. Wealthy, cuckolded husbands could seek legal recourse through civil, ecclesiastical, and criminal courts. The status of the man whom he filed suit against, had much to do with the outcome. It was

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<sup>123</sup> Porter, *English Society*, 25.

advantageous if his wife's lover had financial assets which he could attach, although an individual who could not pay the damages awarded by the court, could face imprisonment. Stone argues, "The extent to which the rank and wealth of the defendant was to be taken into consideration was more controversial. At the top of the scale there was the general agreement that rich noblemen should be made to pay heavily for their acts of gallantry, especially with married women of genteel birth." Here Stone is suggesting that aristocratic men were held to a higher moral standard because of their social status and that the violation of the rules merited a greater punishment. Because aristocratic, wealthy, individuals were the only people who could afford a divorce, other aristocratic men were the obvious focus of prosecution. It was understood that pursuing a poor man would have no financial benefit. When faced with evidence of his wife's multiple infidelities, this was the primary reason Lord Ligonier's chose to sue the Italian nobleman and not his own groom. The persecution of aristocratic gallants was done less for reasons of morality, as Stone sees it, and more importantly, for their financial ability to pay.<sup>124</sup> But merely collecting a court ordered award could not restore the honor of a wronged husband and many men turned to the tradition of challenging his antagonist to a duel.

A discussion of social class in adultery and divorce trials obliges an analysis of the relationship between class, male honor, and the role of the duel in Georgian England. Jennifer Low's *Manhood and the Duel*, provides a comprehensive background on the history of dueling and its role in English society from the 16<sup>th</sup> century: "Although James I declared dueling illegal in 1613, his edict failed to lessen the popularity of the

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<sup>124</sup> Stone, *Road to Divorce*, 270-271.

custom...A plethora of references in fencing manuals, courtesy books, play scripts, and anti-dueling tracts indicates how deeply embedded the duel was in the culture of the English Renaissance and, more broadly, in that of the early modern period.”<sup>125</sup> By the 1770’s, dueling was still a part of the military masculine identity and Ligonier, as a Lieutenant General, was a member of the only group who still engaged in this practice. Stone claims that this revival of the duel amongst this class went hand-in-hand with the militarization of the landed elites. He suggests that this resulted in a curious combining of criminal conversation lawsuits and a rise in challenges made by army officers, even when they ran the risk being cashiered. Clearly a victorious legal battle did not restore a man’s sense of honor. Military officers gained honor and respect through their victories on the battlefield, so it naturally follows that they believed the duel was the only way to preserve their male honor. The strict observance of etiquette in these matters served to enhance the public opinion of the injured husband, but all of this was no guarantee that he could regain his former reputation. The cultural meaning of the duel had emerged from the aristocratic understanding of the heroic ideal which had derived from jousts, medieval romances and even the Classics. Low suggests, “Many duelists like to believe that they were enacting a heroic role when they undertook to send or accept a challenge, even though the duel had in fact lost any connection with legal justice.”<sup>126</sup>

During this period of what many Georgians perceived to be moral decay, the rising middle classes seized on the power of the Press in an attempt to force the

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<sup>125</sup> Jennifer A. Low, *Manhood and the Duel: Masculinity in Early Modern Culture and Drama* (New York: Palgrave Macmillan, 2003), 1

<sup>126</sup> *Ibid.*, 6.

aristocracy into a moral reformation. The people were inspired by the example of George III and his dedication to home and hearth. Negative articles and cartoons appeared which illustrated the excesses of the aristocratic lifestyle. Stone suggests that a shift in elite thinking had occurred, which saw adultery as being less sinful and shameful. He argues that during the eighteenth century, attitudes towards adultery began to shift and that the public considered it merely interesting and even, amusing. The evidence simply does not bear up and instead reveals a society which used shame in an attempt to control sexual behavior in order to preserve the patriarchal structure of their society. The numerous examples of slanderous publications which followed the Ligonier trial for adultery, clearly demonstrate that a shift in sensibilities, like the one Stone mentions, simply had not taken place. Both Lord and Lady Ligonier were attacked in the press, albeit for vastly different reasons. I believe the evidence reveals the ways which society used the media of the day to punish acts which they still believed were sinful and shameful. Although there is always a human curiosity into the personal misfortune often incites human curiosity, this does not signify that Georgian society was merely amused with the antics of the aristocracy. There was a general concern for the conservative structure of society and how these events could impact that structure.

Lady Ligonier's flagrant behavior is a perfect example of the moral threat that concerned the Georgians. This, coupled with the public's appetite for stories of aristocratic dissipation, made her reputation unsalvageable. She remained a target of the satirists for at least the next 15 years. The fact that she was later able to contract a marriage owed more to the obscurity of her new spouse, than any social advantage she might have had as a result of her family connections. Lord Ligonier, successful in his legal

suits, remarried a few years later. Yet, like Penelope, he remained an object of public scorn, but for vastly different reasons. Ligonier had failed to control his wife. Lack of control, though seemingly tolerated within the Georgian aristocracy, was seen as a serious deficiency in one's character. This weakness was eagerly seized upon by the middle classes and used to attack the aristocratic way of life. Due to their privileged status, the aristocracy was expected to maintain a higher degree of social decorum and moral standards. The middle classes felt that the aristocracy's failure to fulfill their role as leaders of morality, threatened the social hierarchy. Attacks in the press, again reflect the conservative nature of the structure of Georgian society. These attacks and criticisms were not intended to challenge that structure, but rather intended to preserve it.

### The Narrative

Edward Francis Ligonier was born in 1740, the illegitimate son of Colonel Francis Augustus Ligonier and Anne Freeman, a widow.<sup>127</sup> His father and his uncle, Jean Louis, had come to England with the Huguenot Diaspora during the late seventeenth century, leaving their family home in the Languedoc region of France. Through their resources and connections, they had obtained military positions and had distinguished themselves as soldiers and officers.<sup>128</sup> When Francis died, in 1746, from injuries he received at the Battle of Falkirk, he left two children, Edward and Frances, his daughter by Mary Murray, daughter of the Earl of Dunbar. Francis left the care and education of his children, to his elder brother, Jean Louis. Jean Louis had also, never married, but also

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<sup>127</sup> *The Complete Peerage*, London, 1929.

<sup>128</sup> *Oxford Dictionary of National Biography*.

had an illegitimate daughter, Penelope. At the age of twelve, Edward, or 'Ned' as he was called by family and friends, began a military career that was closely guided by his uncle's influence.<sup>129</sup> Frances was provided with a substantial dowry, and later married into the powerful Balfour family in Scotland.

Little is known about Edward's early years, but it is likely that he spent much time at his uncle's London home, 12 North Audley Street and his country estate, Downe Place, in Cobham, Surrey. Although he was technically illegitimate, his father's formal recognition and his uncle's involvement ensured him a place within England's aristocratic society. Edward became a fine horseman and was skilled in the military arts and fencing. His first military post was as a cornet in the 2<sup>nd</sup> dragoon guards, and by the age of seventeen he had his own troop in the 7<sup>th</sup> dragoons.

Through his uncle's influence he served as an Aide-de-Camp to Prince Ferdinand of Brunswick in the Seven Years War. Horace Walpole mentioned of the occasion on which Edward presented King George II with the despatch which announced the British victory at the Battle of Minden to his friend, Horace Mann, "At five this morning came Captain Ligonier, who was dispatched in such a hurry that he had not time to pack up any particulars in his portmanteau: those we are expecting with our own army, who we conclude are now at Paris, and will be tomorrow night at Amiens. All we know is, that not an Englishman is killed, nor one Frenchman left alive."<sup>130</sup> Following the battle,

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<sup>129</sup> *The Generous Husband or The History of Lord Lelius and the Fair Emilia* (London, 1771), 15-16.

<sup>130</sup> *The Letters of Horace Walpole*, Letter 329, to the Earl of Stafford, Thursday, 3 o'clock, August 9, 1759.

Edward was the principal witness against George Sackville at his court-martial for disobeying orders.

He was made Captain of the 1<sup>st</sup> Foot Guards, rising to Lieutenant-Colonel and then in 1763 Colonel of the regiment. That same year he was appointed as aide-de-camp to King George II. He became colonel of the 9<sup>th</sup> Foot Guards in 1771, and remained with the regiment until his death, ultimately rising to the post of Lieutenant General. Besides his military career, he also held governmental positions. He served as a confidential secretary to Lord Rochford at the Embassy in Madrid from 1763-1765. In 1764, he was given the position of a Groom of the Bedchamber to the Duke of Gloucester. He inherited the title of Viscount Ligonier in 1770 but was created Earl Ligonier of Clonmell in 1776 and was appointed a Knight of the Bath in 1781.<sup>131</sup>

Few of Edward's letters and personal papers are extant, however a portion of his correspondence with his friend, Sir Henry Clinton, are deposited at the University of Michigan. These letters provide a glimpse of his character, opinions, and even his sense of humor. The first letter of the collection, dated September 28, 1759, describes an encounter he had with a fellow officer at a Post house in Marburg:

I entered a large hall, which by the assistance of a glimmering lamp, made a kind of darkness visible, a confessed murmuring at the end of this antiquated apartment made the scene very romantic, my curiosity leading me to where the noise directed, Conceive my amazement upon discovering our friend Philips upon his knees vowing an eternal Fidelity (in a comic mixture of French and English,) to the girl of the Post house. Imprudently I interrupted these tender Lovers, and after congratulating my friend on the Delicacy of his Choice, he assured me he had been saying ten thousand handsome things, which the Lady could not

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<sup>131</sup> *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/16651>, (Spring 2007).

possibly contradict as she had not the happiness of understanding one word her Romeo said.<sup>132</sup>

Another, written in 1762, during his stay in Spain, details an evening's entertainment at the Spanish theatre and reflects Edward's perception of what he believed to be, the religious hypocrisy of the Spanish people:

I saw several things represented on the stage, that are shocking, our Saviour, the Virgin Mary and in the last scene, hell, and the devil...such are the amusements of these people who pique themselves upon being the best of Christians, and who will not even allow us ground to bury a servant of Lord Rochford's who died since our arrival here.<sup>133</sup>

Although Ligonier's Huguenot background may have meant that his religious instruction was Calvinist in nature, like most of the aristocracy of the day, he was a member of the Church of England. He was regarded as a sober and competent man, a true gentleman. Politically, like his uncle before him, he was affiliated with the Whig party, although, there is no evidence that he ever sought or held a political office. He was strictly a career military man, often serving as the representative for his unit at the Court, rather than in the field, as during the Colonial War.

Colonel Edward Ligonier was an able soldier and well regarded by his peers, some of whom believed him to be 'the truest Model of a well-bred Man'. He was so described by Dr. John Trusler in his book, *Principles of Politeness and of Knowing the World*.<sup>134</sup> Edward supported several editions of this work, which was an edited collection of the letters of Lord Chesterfield to his son, which provided an etiquette manual,

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<sup>132</sup> Viscount Edward Ligonier, letter to Sir Henry Clinton, September 28, 1759, The Clinton Papers, vol. 1:13, William L. Clements Library, University of Michigan.

<sup>133</sup> Viscount Edward Ligonier, letter to Sir Henry Clinton, January 2, 1764, The Clinton Papers, vol. 2:1, William L. Clements Library, University of Michigan.

<sup>134</sup> John Trusler, ed., *Principles of Politeness and of Knowing the World; By the Late Lord Chesterfield*, 11<sup>th</sup> ed., (London: Printed for J. Bell, near Exeter-Exchange, Strand, 1778), A2.

‘...containing Every Instruction necessary to complete the Gentleman and Man of Fashion, to teach him a knowledge of Life, and make him well received in all Companies. For the Improvement of Youth; Yet not beneath the Attention of any.’<sup>135</sup> A close reading of this work reveals the acceptable values and behavior of the period, and ones to which Edward presumably aspired.

It was through his diplomatic and social connections that Edward Ligonier became acquainted with Penelope, daughter of George Pitt, later, the 1<sup>st</sup> Baron Rivers and Penelope Atkins. *The Generous Husband*, an anonymous account of their marriage and subsequent divorce, initially paints a romantic picture of the young couple.

According to this version Edward had seen her from a distance, while visiting in France and had fallen instantly and hopelessly in love. He determined to marry her,

...Lelius had not leisure to consider his situation, nor the true state of his heart, but when he retired to his chambers, it was then that the fair pensioner returned with redoubled force on his imagination, arrayed in all the bewitching harms of transcendent beauty, the engaging sweetness of native benignity, expressed in the most angelic countenance, the very charm of virgin innocence.<sup>136</sup>

Unbeknownst to the couple, Field Marshall Ligonier and George Pitt had already planned to introduce the two, in the hope of sealing an alliance between their respective families. George Pitt provided a substantial dowry for his daughter, which made the match all the more attractive to Field Marshall Ligonier. Although the laws of primogeniture dictated that only the eldest male heir could inherit, John Ligonier had

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<sup>135</sup> Ibid., title page.

<sup>136</sup> *The Generous Husband*, 25-26.

obtained a special retainer from George II which permitted his Irish title of Viscount and numerous properties to pass to his nephew.

The opportunity to have his young daughter poised to become a Viscountess, and the political connections he would gain, were doubtless, George Pitt's motivations. At the time of their introduction, Penelope Pitt had been living in Lyon, attending a convent school. She had been raised at her father's home, Stratfield-Saye, in Reading. (Figure 9). Raised in a minor aristocratic family, Penelope was groomed for her future role as wife. But, her parents provided a poor example of marital felicity as both, were notorious adulterers.

The *Aris's Birmingham Gazette*, dated June, 3, 1771, offers an alternative version of the first meeting between Edward Ligonier and Penelope Pitt. It contends that Edward learned of Penelope through a miniature self-portrait which she had bestowed as a gift to a close friend. Apparently upon seeing her, he insisted that the friend arrange an introduction for him. Whatever the true circumstances of their initial meeting, it could be considered a love-match, at least from Edward's perspective, for years after the divorce, sources recalled that Edward had greatly esteemed his young wife and was very loving and generous towards her.<sup>137</sup>

Penelope, like many aristocratic Georgian brides, was just sixteen years old when she met her future husband. They were married on December 16, 1766, in the chapel of the British Ambassador in Paris. The Earl of Rochford was, at that time, the Ambassador to France and was a friend of Edward's from the time they spent together in Spain. After

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<sup>137</sup> *The Generous Husband*, 76-77.

the wedding, the couple returned to England to set up house and to complete the signing of the Marriage Settlement papers.

The Pitt-Ligonier Settlement papers are representative of the complex legal and financial arrangements that were the foundation of English aristocratic marriages. Stone describes the marriage arrangements amongst the aristocracy, "So far as the propertied laity was concerned, the ideal marriage began with the selection by the parents of the potential spouse, an agreement among both sets of parents upon the financial arrangements, and the acceptance of this choice by both parties, either voluntarily or under pressure."<sup>138</sup> While it is true that young couples were increasingly consulted regarding their choice of spouse, evidence from the Ligonier Case suggests that the financial and political importance of their marital union still far outweighed the role of personal preference. Stone, in fact, believes that the word, 'Patriarch' may be strong when describing the control parents had over the choice of their child's spouse and suggests the use of the word 'Paternalism' instead. Yet, although parental rights had been somewhat weakened by the legal system, "What parents did have at their disposal was the power of the purse, by which they could exercise considerable economic pressure not to marry without their consent."<sup>139</sup> In fact, Hardwicke's Marriage Act of 1753 served to strengthen parental controls by nullifying marriages contracted by minors, under the age of 21, without parental consent. Curiously, Stone adds, "But, by then the ideology of affective individualism was affecting all but the most authoritarian of parents, persuading

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<sup>138</sup> Stone, *Road to Divorce*, 58.

<sup>139</sup> *Ibid.*, 58.

them that it was appropriate for them to offer advice and prevent grossly unsuitable matches, but improper to dictate the actual individuals their children should marry, or to impose a veto without good reason.”<sup>140</sup> The evidence of the case studies I have reviewed, including the Ligonier case, suggest that parents felt it their duty to guide and arrange their children’s marriages. Because the children were free to choose a person from their own small, close-knit, social class, did not imply that they were given freedom of choice, in general terms. The only concrete change was the Hardwick Act which served to strengthen parental controls, not to diminish them. There still remained few appealing options for women who did not wish to marry.

Two letters within the collection of the Pitt/ Ligonier Marriage Settlement papers, indicate that the union between the families included the customary bargaining and negotiation prior to the wedding. The Settlement was not completed until after the marriage had taken place. The voluminous records from the archives at Stratfield-Saye, include the following letter, the entirety of which reveals the types of concerns and considerations that went into the contract. It also reveals the role and relationship of the family’s attorneys in those negotiations. In this instance, it appears that Edward Ligonier was less concerned about the details than his lawyer felt he should be.

Gerard Street, 10<sup>th</sup> May 1767

On Thursday last an Ingrossment of your Marriage Settlement was left with me When I was repeatedly told that I was to read it Behalf of Lord Ligonier only, that it had been settled by Colonel and agreed to by all Parties and for form Sake only it was sent to me; I take the Liberty of acquainting you of some Particulars which probably you may not be aware of..... there are besides some other Mistakes, some Expressions which to me seem- strange, that Interest monies

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<sup>140</sup> Ibid., 58.

are to be paid by Trustees to an o eldest Son for his Maintenance and Education till he comes of age, And the like to Daughters. If this is thought impertinent I shall be sorry because I held it my Duty.....  
I am Sir your most humble Servant,  
Joshua Cox.<sup>141</sup>

The letter and contract reveal that in Marriage Settlement contracts, both male and female children were to be provided for, although not equally. This was common practice and demonstrates how deeply rooted the practice of primogeniture was in Georgian society, even in the late eighteenth century. Stone writes, "On marriage, the husband gained possession of all the wife's personal property, and control over as much of her real property as had not been previously put in the hands of trustees for her own exclusive use. He could do what he liked with the personal estate, including furniture, jewels, and money, and could enjoy the income of the real estate."<sup>142</sup> The laws regarding personal property would not change in England until the twentieth century.

Edward Ligonier, through his uncle's Will, stood to receive over £20,000 and various properties and annuities. Edward, although illegitimate, being his father's only son, was the recipient of the majority of the family fortune, despite of the existence of a sister, Frances and his uncle's illegitimate daughter. Earl Ligonier provided for this daughter in his Will, but his Irish title, grand homes, furnishings, and other holdings, went to his nephew. To secure the match with Ligonier, George Pitt offered the following: 'The Lady's fortune is to be £8,000- £6,666 secured by the Terms on Mr.

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<sup>141</sup> *Ligonier-Pitt Marriage Settlement*, The Wellington Papers: 334/15, 1-2, University of Reading.

<sup>142</sup> Stone, *Broken Lives*, 25.

Pitt's Estates and payable at –his Death and £1,333 to be secured by Mr. Pitt's Bond to the Colonel.'<sup>143</sup>

Sources suggest that Edward and Penelope had initially enjoyed an uncharacteristically affectionate marriage. In an age accustomed to arranged marriages which were based primarily on financial considerations, Lord Ligonier's behavior towards his wife was considered exceptional. He was reported to have been an indulgent and adoring husband. The anonymous author of *The Generous Husband* reported that,

He now acted as if he thought he could never sufficiently demonstrate o Lady Lelius, the extent of a passion that daily increased, by repeated enjoyment. Some of the outward expressions here adverted to, was in the purchase of the most elegant vis-à-vis, &c. the richest and most splendid liveries, the best chosen jewels, and clothes; and the most magnificent furniture. Not from a desire to make a vain display of his new accession of fortune, but purely with an intention of gratifying his lady, to whom he imagined he could not pay a more acceptable compliment.<sup>144</sup>

Unfortunately, there is no extant evidence that Lady Ligonier ever reciprocated the sentiments of her husband. Although Georgian women did not enjoy the same kind of equality in marriage as modern couples do, it would be a mistake to judge them by our modern standards. However, the precepts of patriarchal society cannot be denied. Lawrence Stone, writes, "The most striking feature of married life in eighteenth century England was the theoretical, legal and practical subordination of wives to their husbands, epitomized in the concept of patriarchy."<sup>145</sup> Yet, the Ligonier marriage appeared to be of a unique quality and the young couple enjoyed a privileged lifestyle and a future of promise.

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<sup>143</sup> *Ligonier-Pitt Marriage Settlement*, 334/7.

<sup>144</sup> *The Generous Husband*, 75.

<sup>145</sup> Stone, *Road to Divorce*, 26.

In the spring of 1770, Earl John Louis Ligonier died at Cobham, just shy of his 90<sup>th</sup> birthday. Edward succeeded to the title of Viscount Ligonier of the Kingdom of Ireland at Clonmell, and inherited his uncle's London residence and his country estate, Downe Place at Cobham, in Surrey. Upon this momentous occasion George Pitt commissioned, from his friend Thomas Gainsborough, a pair of full-length, formal portraits of the couple. Due to the fact that Pitt was on his way to Madrid to serve a term as ambassador, Gainsborough agreed to do the work at Statfield-Saye. This practice of commemorating major life events became increasingly popular throughout the Georgian period. And the careers of men like Gainsborough, Reynolds, West, and others are a testament to the popularity of what the artists referred to as "face-painting" among the upper and middle classes. Gainsborough wrote the following about his work for George Pitt,

My Dear Friend,  
Ever since the receipt of your last undeserv'd favor, I have been tossed about like a ship in a storm; I went by appointment only to spend two or three Days at Mr. George Pitt's country House, by way of taking leave of him, as a staunch Friend, <of mine> before his going to Spain, and behold he had got two whole length Canvasses, & his Son & Daughter Ld. & Lady Ligonier in readiness to take me prisoner for a months work.....<sup>146</sup>

Gainsborough's portrayal of Lord Ligonier is the epitome of masculinity. He wears his military uniform, wearing a red coat, and leaning against a grey charger. Lady Ligonier was presented, as was the fashion, in classical costume. Joshua Reynolds is well-known for developing this use of classical dress and Gainsborough preferred to paint the ladies in their contemporary attire. It is important to understand the ways in which

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<sup>146</sup> *The Letters of Thomas Gainsborough*, ed. John Hayes, (New Haven, Conn.: Yale University Press, 2001), 78.

clients manipulated their images and their reasons for doing so. Artists were more than accommodating as their livelihoods depended upon the satisfaction of their sitters. For example, Lady Ligonier's portrait included items that communicated to the viewer, not only the fact that she was educated and literate, but her artistic aspirations as well. The figure of the nude, dancing Bacchante in the background, has been suggested by modern art historians, to symbolize the Lady's promiscuous nature. Exactly what Gainsborough observed about his sitters, is a matter of conjecture. By the following May, 1771, the paintings were exhibited at the Royal Academy, and Viscountess Ligonier's scandalous behavior brought the marriage to the point of crisis.

Lord Ligonier's military duties often required him to be away, leaving his Lady alone to her own devices. This was not an uncommon situation and as from all indications, it took the young, vivacious Viscountess, very little time to find ways of amusing herself. She, like the Ladies Grosvenor and Grafton, had a very active social life, particularly in London. She attended parties and went to the theatre and the pleasure gardens, often unaccompanied by her husband. In her lover's autobiography, Alfieri explains how her social freedom aided them in their amorous pursuits, "I very frequently found the opportunity of seeing this beautiful English woman, principally at the house of the Prince of Masserano whose wife she used to accompany in her box at the Italian opera....and here was I meeting her every morning sometimes in Hyde Park, sometimes in some other resort. Every evening too I say her at the crowded evening parties or at the theatre and our relations became closer and closer."<sup>147</sup>

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<sup>147</sup> Alfieri, *The Life of Vittorio Alfieri*, 97.

Women often assisted one another in the logistical planning of their extramarital affairs. In the Grosvenor case Lady Grosvenor's sister often provided her with an alibi for her frequent visits to see her lover, the Duke of Cumberland. Likewise, Lady Ligonier developed a very close relationship with her sister-in-law, Frances Ligonier, and Alfieri suggests that Lord Ligonier's own sister had played a part in his wife's adulterous affair by providing them with a place to meet. This is possible but unsubstantiated as Frances Ligonier later provided testimony against her sister-in-law. Likewise, when questioned during the trial, Lady Grosvenor's sister, Caroline, claimed total ignorance of her sister's actions. Ladies could not allow their friendship and affection for their sisters to ruin their own reputations. Women were forced to develop ways of working within the system to satisfy their desires, yet they were consciously aware of the dangers they would face if confronted for their actions. According to Roy Porter, the world of the 18<sup>th</sup> century female aristocrat, 'society ladies- especially in London- were much less submissive than these idealizations suggest, and many happily colluded in men's games of clandestine flirtation and conquest.'<sup>148</sup> It was just this kind of dangerous flirtation which led to her ruination.

In 1770, the Ligoniers had become acquainted with Count Vittorio Alfieri. George Pitt had served as the English Ambassador to Turin, the capital of the Piedmontese region and Lord Ligonier's friend, Lord Rochford had also served at the Turin embassy, so it is most likely that Alfieri came to them with a letter of introduction from one of these two gentlemen. The first, and most probable version of the story

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<sup>148</sup> Porter, R, *English Society in the Eighteenth Century*, (London, 1982), 25.

suggests that he presented himself at the Ligonier's London home with a letter of introduction from George Pitt. He was welcomed and introduced to their friends. Lord Ligonier personally presented him at Court. Curiously, in his autobiography Alfieri never mentions this intimacy with the Ligonier family or his friendship with her father. Perhaps he chose to omit that information as that betrayal of male friendship cast him in an even worse light. However, not long after his arrival, murmurings were heard regarding Lady Ligonier's familiarity with Count Alfieri. Ligonier cautioned his wife privately about her impropriety, but this advice went unheeded. She attempted to excuse their behavior by explaining that she was one of few people with whom Alfieri could speak his native Italian.

Lord Ligonier observing too great an intimacy between the Parties, was the first to speak to his Lady, which he did, not in the style of a suspecting Husband, but one perfectly satisfied with her innocence, and only wanted to save Appearances. She seemingly concurred with his Lordship, and vehemently arraigned the Count's troublesome Assiduities, which became sp particular, that only for the fear of offending her Father she said she would affront him. She, therefore, begged to go down into the Country for a few weeks, in hopes that her Absence might give a different turn to his Sentiments.<sup>149</sup>

Soon after this conversation she and Alfieri were arranging secret meetings in both the Ligonier's London home and at Cobham. Their love letters describe frantic attempts he made to be near her and the desperation he felt when he could not. In one

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<sup>149</sup> *Aris's Birmingham Gazette*, June 3, 1771.

line he states, 'I passed by your window, and fortune, willing to honour me with a smile, procured me the happiness of seeing you.

From the effect, which the fear alone of not seeing you has on me, I well perceive I shall never accustom myself to see you anymore; I have not strength enough to bear up against such a separation.'<sup>150</sup> These letters reveal the intensity of the feelings shared by the couple. In one letter, Alfieri writes to Penelope, 'I fear nothing in this world, and when a man gives up his own life, he is master of the life of the whole world. Nothing but you can attach me to this wretched life.' In another letter, she responds in kind, 'Is it possible to love and adore you, as I do, and live an instant after you? No, I never can.'<sup>151</sup> Clearly these revelatory statements belie the true nature of their relationship. The relationship between Lady Ligonier and Count Alfieri was far more than platonic.

Lord Ligonier's servants reported that when he was away in London, Count Alfieri made clandestine visits to both of his homes. When he confronted his wife with this overwhelming evidence, she readily confessed, not only to her affair with Alfieri, but to having carried on with one of Ligonier's stable grooms, as well. Apparently the Lady and the groom had been having an adulterous relationship for nearly three years and when Alfieri arrived, the groom became jealous and became one of the principle witnesses against her. Two contemporary accounts of the affair offer a glimpse of the Viscount's subsequent treatment of his wife. The first example is from *The Generous Husband*, 'Lord Lelius, it is true, ordered her from his house, but with his usual

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<sup>150</sup> *Trials*, 41.

<sup>151</sup> *Ibid.*, 41.

sensibility, extended his solicitude so far, as to give her up to his sister's protection, whom he earnestly enjoined to administer every comfort and assistance that might be a means of alleviating her present condition.'<sup>152</sup> This version is supported by the testimony of Edward's sister, Frances. Frances' testimony reveals that even in her state of shame, Lady Ligonier had little remorse for her actions, or at least, little understanding of the gravity of her situation. Lady Frances claimed, in her deposition, that while her sister-in-law stayed with her in London, she found her with Alfieri, alone together in a darkened room and that Lady Ligonier had been sitting on his lap.<sup>153</sup> Why Frances permitted visits from Alfieri is another question. It is difficult to believe that she was completely ignorant of everything which had transpired and it is possible that she colluded with Penelope and Alfieri to make those visits happen. There is much evidence to prove that women often assisted one another in their affairs, but I have found no direct evidence regarding Lady Frances' participation.

The author of the *Generous Husband* concludes his piece with the following moral commentary,

"Lady Lelius' father hath since taken her under his protection and, ordered her from her sister-in-law's to the place of her destined retreat in a hackney post-chaise. Think, reader, what a reverse of fortune from a habitation, equal to a palace, magnificent furniture, splendid equipages, and a kind and generous protector, to a hired carriage, and, perhaps, a lonesome, dreary retreat at a farmhouse. Yet this is but a slight punishment for her indiscretions, (to call them no worse) and in no ways proportioned to the ills her imprudence hath been the occasion of, and which might have been productive of the worst consequences, and the most tragical events."<sup>154</sup>

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<sup>152</sup> *The Generous Husband*, 137.

<sup>153</sup> *Trials for Adultery*, 72-73.

## The Role of the Duel in Georgian Cases for Adultery

Viscount Ligonier pursued Count Alfieri in London and called him out of the Haymarket Theatre. The two walked down Pall Mall towards Green Park. Ligonier made accusations which Alfieri, initially denied. Before the duel ensued, Lord Ligonier had noticed that Alfieri had his left arm in a sling and had the generosity to inquire whether this would prevent him from fighting. Alfieri thanked him and said that it would not. The fight went on for seven or eight minutes. Alfieri wrote, 'My view is that he did not kill me because he did not want to and I did not kill him because I did not know how to.' After wounding Alfieri's arm, Ligonier, lowered his weapon and declared that he was, 'satisfied.'<sup>155</sup> Alfieri described Lord Ligonier's actions as prompted by what he referred to as an, "...exceptional English jealousy."<sup>156</sup> Alfieri mentions this "English" jealousy more than once and compares the temperament of the English to his native Italian. He believed that the English were far more circumspect in their passion, while the Italians were prone to more direct acts of vengeance. Although it is well known that Lord Ligonier sued Alfieri for damages, causing the latter to seek refuge on the Continent, he denies this in his memoirs. Alfieri states,

I also have no small cause to praise the action of this injured husband. He declined to kill me, although no doubt he could have done so. Nor would he subject me to a money fine as the laws of that country allow; for every wrong has its tariff and for cuckolding it is highest of all- so high indeed that if, instead of putting me to the ordeal of the sword, he had put me to the ordeal of the purse, he could have reduced me to poverty or seriously embarrassed me financially. For fines being assessed according to the loss, he could have had it assessed high, account being taken of the deeply-rooted love he bore his wife.... That well-born

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<sup>154</sup> *Generous Husband*, 137-138.

<sup>155</sup> Vittorio Alfieri, *The Life of Vittorio Alfieri*, (Lawrence, Kansas: University of Kansas Press, 1953), 102.

<sup>156</sup> *Ibid.*, 104.

and restrained young fellow, you will see, behaved towards me in that unpleasant affair, considerably better than I had deserved.<sup>157</sup>

The practice of dueling had begun in England in the sixteenth century. It had originated on the Continent; the most prestigious schools for fencing had been established in Italy and France. But dueling quickly became a deeply rooted aspect of English masculine identity. By the eighteenth century the practice had been in decline but was still engaged in by aristocracy, particularly amongst members of the Army officer class. Fletcher states that, "The crucial new ingredient in English masculinity between 1660 and 1800 seems to be the notion of civility."<sup>158</sup> Early eighteenth century social reformers hoped that by placing the emphasis on manners and outward appearances the concept of male honor would change and dueling would cease to be seen as acceptable. Obviously these attempts to stop dueling were unsuccessful. For Ligonier this symbolic act of *saving face* was intrinsically tied to his notions of masculinity and class. For although two men had trespassed upon his property, it only benefitted Lord Ligonier to seek revenge against his social equal; the public knowledge of his wife's affair with the stable boy merely exacerbated Ligonier's humiliation. An official account of the affair in *The Public Advertiser* reported on the 11<sup>th</sup> of May 1771, "Last Tuesday night a duel was fought in the Green Park, between Lord Viscount Ligonier and Comte Alfieri, a Piedmonte Nobleman; in which the latter was wounded. The detection of a criminal amour was the unhappy occasion of this affair. Nothing could be more determined, than

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<sup>157</sup> Alfieri, *Life of Alfieri*, 109-110.

<sup>158</sup> Fletcher, *Gender, Sex, and Subordination*, 323.

the cool and resolute conduct of the injured husband on this unfortunate occasion, of such a nature that legal redress must be the consequence.”<sup>159</sup>

The fact that Edward later filed a suit for Criminal Conversation may have been motivated by more than a desire for revenge, as during the 1780s it became the customary way to prepare for a parliamentary divorce.<sup>160</sup> Viscount Ligonier required a divorce, with permission to remarry, in order to produce an heir. He and Lady Ligonier had no children. He also sued for damages and was awarded the considerable sum of £20,000 on 14 June 1771. The failure of Alfieri to appear before the court led to an order for his arrest.<sup>161</sup> Alfieri abandoned Penelope to her fate after discovering her affair with the groom. He writes, “I went with her and we wandered for a time through various provinces of England to spin out our association, with myself cursing and swearing at being with her and unable nevertheless on any account to abandon her. At last, seizing a moment when shame and self-contempt were weighting more with me than passion, I left her at Rochester, from which place she went off with that sister-in-law of hers to Dover and France while I returned to London.”<sup>162</sup> He indignantly stated in his autobiography to have felt deceived by her, but insisted that they remained friends. In a poignant, nostalgic comment, he claimed to have been moved by her unaltered beauty when they happened to meet nearly twenty years later.

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<sup>159</sup> *Public Advertiser*, May 11, 1771.

<sup>160</sup> Stone, *Broken Lives*, 23.

<sup>161</sup> Lindon, John, *The Italianist: Supplement , Ancora su ‘P’ amore londinese di Vittorio Alfieri*, (Surrey: Biddles, Ltd., 2001), 74.

<sup>162</sup> Alfieri, *Life of Alfieri*, 109.

## Shame and the Press

Georgian aristocrats were no more morally corrupt than their predecessors. But, as Paul Langford writes, “Contemporaries thought they had an objective yardstick of the deterioration of moral standards in the growing demand for divorce.”<sup>163</sup> They connected this rise in divorce and immorality with aristocratic women. Langford includes the following excerpt from the *London Magazine*, 1772 in which Lord Pomfret made the following comments in which he blames women for the decline in morality and the increasing divorce rate,

Every wife (sayd he) that can creep in to a back room or a corner is a whore. They are always fresh from this business- morning and evening- noon and night. They go to it with the keenness of the wren, and with the quickness of the sparrow.<sup>164</sup> Attitudes towards women and their sexuality had remained virtually unchanged in England for the centuries. In 1633, Matthew Griffin wrote his popular advice book, *Bethel*. In this he details the reasons why a woman’s adultery is a greater sin than that of a man, because in her sin, ‘she at once injures many.’ He explains,

She injured herself ‘because thereby she defiles her body and damns her soul’; her husband as a married man ‘from whom she steals away his right which is the sole power over her’; her husband as a father ‘upon whom she obtrudes a spurious issue’; er parents who she dishonours by degeneracy and her husband’s brother’s and sisters by imposing a bastardy brood upon their inheritance. Finally, declares Griffith, the woman’s sin us huge ‘because take honesty from a woman and all her other virtues are but (like the apples of Sodom) beautiful rottenness’.<sup>165</sup>

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<sup>163</sup> Langford, *A Polite and Commercial People*, 582.

<sup>164</sup> Ibid., 582.

<sup>165</sup> Fletcher, *Gender*, 109.

It was public interest in the fates of aristocratic men and women that held the Georgian imagination captive and created a market for the flood of materials that inevitably followed the discovery of each case of aristocratic infidelity.

Copies of the trials, love-letters, satirical prints and poems were all offered up to a society with a voracious appetite for the misfortunes of the aristocracy. The testimony of Ligonier's staff in the divorce proceedings, recounts numerous indiscretions committed by Lady Ligonier and Count Alfieri. The statements include "evidence" of windows which had been locked by staff and later found to be left open and the indentations of two persons upon Lord Ligonier's bed. Hair powder residue and missing pillows were also noted. Far from scientifically conclusive evidence required in today's criminal trials, the Georgians based their judgments on the drawing of logical conclusions. Lady Ligonier not only betrayed the trust of her husband, she broke social taboos.

Some would suggest that the violation of these taboos was an indication that perhaps she intended to humiliate her husband. Not only did she take Alfieri into her husband's home, she took him into Viscount Ligonier's state-bed, at Downe Place. Stone remarks that, "Only in a minority of cases were the wife and her lover willing to break the taboo of violating the marriage-bed itself, an act which was regarded as a serious sexual insult to the husband."<sup>166</sup>

Lady Ligonier's transgressions are highlighted in the following lines from *The Electrical Eel: or, Gymnotus Electricus*, a satire which mocked the sexual licentiousness of aristocratic women, which was written in 1777. It reads, "But see the luscious

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<sup>166</sup> Stone, *Road to Divorce*, 269.

Ligonier, Prefers her post-boy to her Peer, His stable ---straw cotillion: What Devil could posses her head, To make her leave his Lordship's bed? ---The Eel of Bob Postillion."

There seems to be a direct inference that wives strayed because their husbands were inadequate in the bedroom. This feeds directly into the notion from the sixteenth century, which held husbands responsible for their wives' adultery. Aristocratic men, particularly cuckolded husbands, were another favorite target of the Press. The origins of the word, cuckold, dates back to the thirteenth century and it may be linked to the cuckoo bird's behavior; it lays its eggs in the nests of other birds, and its chicks are raised by the other birds as their own. This reflects the social fear of a wife passing off an illegitimate child onto her unsuspecting husband and his estate. This theme was repeated again and again in the popular press of the eighteenth century, much as it had been in previous centuries. The cuckold has always been represented as the weak, emasculated, comic figure of a man (often wearing cow horns). There does not appear to be a clear sense of how the idea of horns became associated with the idea of cuckoldry. But it is a long-standing association that appears in several different cultures. When a married woman has sexual relations outside of marriage, her husband is said to sprout horns (figuratively). "The depiction of cuckolded husbands wearing horns was central to the image of cuckoldry as a dehumanizing condition."<sup>167</sup> This representation was based in the belief that the man was ultimately responsible for his wife's sexuality. David Turner explains the importance of cuckoldry in this way, "Cuckoldry exposed the limits of men's control

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<sup>167</sup> David Turner, *Fashioning Adultery: Gender, Sex, and Civility in England, 1660-1740* (Cambridge: Cambridge University Press, 2002), 87.

over their wives' bodies, and with it the fragile basis of their selfhood."<sup>168</sup> His inability to control her revealed his weakness. This theme was repeated again and again in the popular press of the eighteenth century, much as it had been in previous centuries.

Turner states, "A single man might gain respect among his male peers through bragging about his sexual conquests, while it was critically important for married men to control their wives and avoid the stigma of cuckoldry. Sexual honour played a dominant role, alongside independence, courage strength, trustworthiness and economic competence, in the theory and practice of manliness"<sup>169</sup>

Scholars have suggested that in the eighteenth century, the *cuckold* was evolving from a comic, to a more tragic figure, deserving of society's pity. The new and improved version of the "injured" husband purportedly emerged during the second half of the eighteenth century along with the rise of the cult of sensibility. Turner does state that men began to fight back against this image, in the press through the publication of letters in which they attempted to shift the focus by portraying themselves as the victims of both the adulteress and her lover. He writes,

Such letters, tinged with an indignant sense of social injustice, sought to garner sympathy by articulating a different set of anxieties to those customarily linked with cuckoldry- the dangers of men's sexuality to relations of friendship and authority and the abuse of power. In the process, the matter of betrayal shifted from the marital relationship, where the husband was always vulnerable to imputations that his spouse was unfaithful because she was unfulfilled sexually, to the arena of social relations between men where the conduct of the cuckold-maker was more at issue."<sup>170</sup>

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<sup>168</sup> Ibid., 85.

<sup>169</sup> Ibid., 15-16.

<sup>170</sup> Ibid., 111.

Certainly this would apply to the publication of *The Generous Husband*, as it attempted to garner sympathy for Lord Ligonier as the victim, betrayed by Alfieri, a man he had befriended. It however, was not successful in moving the majority of opinion. I think even with these attempts to alter public opinion, the traditional image of the cuckold and the prejudice which existed towards men who had been betrayed was too strong to eradicate. Vestiges of these ideas still persist today.

Although there clearly were innocent husbands, Georgian society did not see them as the *injured* party. Faithful, though a husband may have been, the Press preferred to portray him as her co-conspirator. This example from *The Muse's Mirrour*, reveals the prevalent attitude towards Lord Ligonier's implied lack of virility,

Ah think, 'squire groom, instead of Pembroke's bits,  
An abler rider oft has lost his seat,  
Young should the Jockey be who mounts such tits,  
Or he'll be run away with every heat.

Stick to the Jockey club, attend your bard,  
Nor ever think of dancing love's cotillion;  
For Ligonier, who gallop'd quite as hard  
Was double distanc'd by his own Postillion.<sup>171</sup>

This sexual insult had a profound impact on Lord Ligonier. Lady Ligonier's lack of propriety and loose morals made her an easy target in a society which readily accepted those very same qualities in men; according to Dr. Johnson 'the chastity of women is of importance, as all property depends on it.'<sup>172</sup> The importance placed on woman's fidelity, by Georgian society, makes it reasonable to conclude that the Viscount's treatment of his

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<sup>171</sup> *The Muse's Mirror: Being a Collection of Poems*, 2nd ed. vol. 1 of 2, (London: Sold by J. Debrett, 1783). Eighteenth Century Collections Online. Gale Group: <http://www.galenet.galegroup.com/servlet/ECCO>.

<sup>172</sup> Porter, *English Society*, 25.

wife was generous. *The Aris's Birmingham Gazette* reported on June 3, 1771, 'He has, however, generously remitted her a Bank Note of Five Hundred pounds for present Contingencies.'<sup>173</sup> This is revelatory of the extent to which women were bound to men for their economic survival. Cast off by her husband and abandoned by her lover, she was forced to return to her father. Although she had brought more than £8,000 with her, at the time of her Marriage Settlement, she had no legal right to any monies and was at the mercy of her family. It is reported that Viscountess Ligonier responded to the divorce petition from France and that she declined to contest the proceedings. The Settlement papers indicate that in 1773, two years after her divorce from the Viscount Ligonier, George Pitt established an annuity for his daughter, in the amount of £500, per annum. Still using the name of Lady Ligonier, she later settled in Norfolk, in a place called New House. A Victorian era historian wrote the following about her time there and it is interesting to note how the attitudes of the times changed her reputation from a scheming adulterer to a "frail beauty". The attitude of Victorians strips away any personal responsibility; instead they attribute her actions to physical weakness.

Lady Ligonier was frail and beautiful. Forty years ago fond grandmothers pronounced their grand-children as bonny as Lady *Legoneer*, but who she was few remembered....What brought her ladyship to reside at Newhouse (not the New bouse just mentioned as German House, but the one opposite Lightcliffe New Church), I could never learn, or what became of her eventually, except that the peerages say she married a

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<sup>173</sup> *Aris's Birmingham Gazette*, June 3, 1771.

Captain Smith in 1784. Her paramour at Lightcliffe was a local man named Wright, I believe.

The divorce stripped her of her title and did not allow her the right to remarry, a privilege which, in most cases, was only extended to the husband. Thirteen years later, after the death of Lord Ligonier, she married a man far below her social rank, a 'trooper in the blues' by the name of 'Smith,' with whom, it is believed, she had a family.

Nonetheless her infamous reputation followed her for rest of her life. Lady Ligonier's fate clearly illustrates the inequity of Georgian laws and society particularly in regards to class and gender. The process of divorce was created to serve the purposes of wealthy, aristocratic men and in this case, that is exactly what was done.

The Ligonier's suffering was greatly exacerbated by the candid and often, exaggerated reporting of all of the intimate details of their misfortune. Stone suggests the reasons for the increased publicity of such matters and attributes it to three main factors. The first of these was increasing developments in stenography. The greater ease with which the details of a trial could be transcribed made them that much more accessible. Second, the increase in publications of all kinds, provided places in which to publish the stories. He writes, "Lastly, there occurred a shift of sensibilities among the English elites, and even in some official quarters, away from regarding illicit sex as basically sinful and shameful to treating it as an interesting and amusing aspect of life."<sup>174</sup> He links this "shift" with a change in the language regarding extramarital affairs in the late seventeenth century. He contends, "The collapse of the moral controls of the church

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<sup>174</sup> Stone, *Road to Divorce*, 248.

courts, the decline of Puritanism, the expiration of the licensing laws, and the general secularization of thought in the eighteenth century all facilitated the publication of not only of pure pornography such as *Fanny Hill*, but also of full transcripts of detailed evidence produced in trials for crim. con.”<sup>175</sup> While I agree with Stone’s assessment of the causes for the spread of publication, I disagree with his suggestion of an elite mental “shift” in the attitudes toward adultery. Of all the social groups within Georgian England, it was the elites who were the most affected by and vulnerable to challenges to the system of primogeniture and patriarchy. Simply put, they had the most to lose. Speaking specifically about the reign of George III, the period directly connected with these case studies, it has been shown that George III was a conservative ruler and one who took a dim view of infidelity. Key to understanding this argument is the difference between sin and shame.

Sin is an act which breaks rules whose established authority is based on faith or religion. Shame comes from the violating of rules. It is what society uses to attempt to control the actions of its members. Adultery is considered a sin amongst Christian peoples and it also violates social laws of Western society. The general argument is made that during the eighteenth century, there was shift in mentalities towards a more secular way of thinking. However, a shift from a religious to a more secular mindset does not imply that a secular set of standards would be anything but traditional. While Stone may be correct in his view that adultery came to be seen as less “sinful” it was certainly not less “shameful”. It was the shameful quality which increased the publicity.

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<sup>175</sup> Ibid., 248-249.

Adultery continued to be considered shameful because it was dangerous, particularly women's infidelity. Shame was the means by which Georgian society attempted to control behavior. Secularization of thought did not equal moral or social acceptance.

The *Aris's Birmingham Gazette* reported, 'We hear that Lady Ligonier is still so incorrigible, that a Great Personage has forbid her Appearance in a certain Place.'<sup>176</sup> She was socially ostracized and her salacious behavior was lampooned in the press. Six years after the divorce, she appeared as one of several notorious women vying for the Queenship of Hell, in the 'Diablo-Ladies,' a cartoon published in the *London Magazine*. Another cartoon titled, 'The Stable Adventure, or the Luckey Expedient,' mocked her affair with the groom, Harding.<sup>177</sup> Finally, *The Aris's Birmingham Gazette*, concluded its tell-all article of the Ligonier affair with the following lesson in morality:

If misery be the effect of Virtue, it ought to be revered; if ill Fortune, to be pitied; and if of Vice, not to be insulted; because it is perhaps, itself a Punishment adequate to the Crime by which it was produced; and the Humanity of that Man can deserve no Panegyric who is capable of reproaching a Criminal in the Hands of an Executioner.<sup>178</sup>

Lady Ligonier was not the only one to suffer the consequences of her adultery. Edward was often the target of malicious comments and history has never served to restore his reputation.

Lord Ligonier was maligned and held responsible for his wife's adultery for the rest of his life. Correspondence between two gentlemen, dated March 21, 1775, includes the following line, 'Lady Ligonier has been at York, rather in a low style, with a young

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<sup>176</sup> *Aris's Birmingham Gazette*, June 3, 1771.

<sup>177</sup> Taylor, *Cobham Characters*, 25.

<sup>178</sup> *Aris's Birmingham Gazette*, June 3, 1771.

Cheshire farmer of abilities.’<sup>179</sup> The allusion to the farmer’s ‘abilities’, illustrates cruel assumptions about the sexual inadequacy of Lord Ligonier. A Georgian husband was to command the respect of those in his home, particularly, his wife. ‘Adultery by a wife is usually taken as a reflection upon her husband’s sexual powers, and thus represents a severe blow to his self-esteem.’<sup>180</sup> Viscount Ligonier alludes to his feelings about the incident in a letter to a friend, dated May 21, 1771, ‘Tho in the greatest distress from an unhappy affair that has happened in my family, I cannot delay a moment returning my sincere thanks to your Lordship, for the honour of your recommendation of me to the King for a regiment...’<sup>181</sup> Shortly after the affair he was moved to the 9<sup>th</sup> Regiment of Foote. Although Edward had legal recourse for his insult, the costs of making the particulars of the case public were high ‘in such a society, [where] a man’s honor was defined in terms of sexual potency and bravery, and shame by cuckoldry and cowardice; honor in a woman was defined by sexual purity and shame by adultery.’<sup>182</sup> Although Edward was not lampooned in the press as his wife was, he did not escape the censure of his contemporaries. Another letter, this one authored by the Earl of Carlisle, reveals how fellow Georgians others regarded a cuckolded man, ‘Lord Ligonier, you know is married, he broke off and renew’d the match twenty times in a week, he was on and off much oftener that I believe he has been since his nuptials, as he is esteem’d but a very poor

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<sup>179</sup> *Bedfordshire and Luton Archives*, L30/14/408/30, March 21, 1775.

<sup>180</sup> Stone, *Road to Divorce*, 243.

<sup>181</sup> *Ligonier, May 21, 1771*, Beinecke Rare Book and Manuscript Library, Yale University, Osborn MSS File 9063 and 9064.

<sup>182</sup> *Ibid.*, 26.

performer.’<sup>183</sup> Carlisle was himself, a married man and father to ten children. His words do not suggest that innocent cuckolded husbands could count on the moral support of other aristocratic men. Ligonier had indeed been hesitant to remarry after the debacle of his first experience, but pressure to produce an heir was paramount. He married Lady Mary Henley in December of 1773. Their marriage was reportedly a happy one, but, unfortunately for Ligonier, it produced no children.

Edward Ligonier died on June 14, 1782 at the age of 42. On this date, his title and the English branch of the Ligonier family became extinct. In his Will, dated 1775, he wrote of his desire to be buried at Cobham, “in a very privately manner without any ostentation”.<sup>184</sup> Today he lies beneath the stone floor of St. Andrew’s Church; there is no marker. He made provisions for his widow and his sister, Frances. For his closest friends, Ramsden, Lancelot Baugh, and Barlton, he left each a plain mourning ring, ‘...lamenting that my narrow circumstances do not admit of my presenting them with a more valuable memorial of my esteem and regard.’<sup>185</sup> I was unable to locate the final resting place of Penelope Pitt-Smith is unknown. Today, the Gainsborough portraits of Lord and Lady Ligonier hang side by side in the Eburu Gallery at the Huntington Library, in San Marino, California. A small exhibit card caters to our timeless infatuation with personal tragedy. It condenses the extent of their lives to Lady Ligonier’s scandalous love affairs. Little is said about Lord Ligonier.

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<sup>183</sup> *Letter from Lord Carlisle at Castle Howard*, Bedfordshire and Luton Archives: L30/14/188/7.

<sup>184</sup> *Will of Edward Ligonier, May 11, 1775*, Cobham Park Estate Papers, Property of Dominic Combe. Cobham, Surrey, UK.

<sup>185</sup> *Ibid.*

## Conclusion

England, in the eighteenth century, was a nation proud of its defense of human liberty, yet it was a society whose laws regarding marriage and divorce provided little to no protection for literally more than one half of its population. Trapped between Enlightenment inspired philosophy of equality and democracy and its deeply held traditional views of social order, England was unable to practically implement the principles to which it aspired. The disconnect between thought and action was most evident in the laws and customs controlling marriage and divorce amongst the Georgian aristocracy.

Officially, no divorce law existed in England until 1857. The only option for those wishing to divorce and remarry was the prohibitively expensive Act of Parliament. The only laws passed during the century, which pertained to marriage, served to strengthen male control over the institution of marriage, not to grant greater egalitarian freedoms. Georgian society was traditional and conservative. Georgian England had more in common with the seventeenth century than it did with the century that followed it. Its views of the world order were decidedly chauvinistic and patriarchal. The immoral actions of the few privileged aristocrats were seen as dangerous excesses by the middle classes because of the influence the wealthy had on the rest of society. In an attempt to control the aristocracy, and therefore preserve the traditional nature of society, the middle classes launched a crusade against them in the press, hoping to shame them into "right" behavior. The publication of the divorce trials of the wealthy elite and their treatment in the press, reveal an underlying concern for the preservation of the status quo.

Cultural historians, like Stone and Vickery have suggested over the past thirty years or so, that the Georgians were poised for change, and perhaps they were, but they were not willing to make the necessary sacrifices to ensure individual rights when it came to issues of marriage and divorce.

The roles of class and gender were deeply significant and directly impacted aristocratic marriage and divorce in England. True, as Vickery suggests, Georgian women may have enjoyed greater social freedoms, than those enjoyed by women of previous centuries, but those freedoms fell far short of creating an agency which could ensure them equal protection under the law, in the case of divorce. As Bridenthal and Koonz have demonstrated, during the Renaissance and Reformations, changes in society pushed women back into a “familial, private, and powerless public role.”<sup>186</sup> By the time of the Enlightenment women were enjoying greater social mobility, but this mobility should not be confused with legal authority. English women had gained no more rights than those enjoyed by women of the previous two or three hundred years. In the case of a divorce they could be stripped of all of their possessions, titles, denied the right to remarry until their husband died, and most cruelly, cut off from their children. Without basic equality under the law, I am certain that Vickery’s proposed female agency would have meant very little to someone like the Duchess of Grafton, who lost not only her title, but also her children. Neither were there any great improvements in regards to the issue of class during this period. In fact, it was the preservation of the social hierarchy that

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<sup>186</sup> Susan Grong Bell. “Review of Becoming Visible: Women in European History by Renate Bridenthal and Claudia Koonz.” *Signs*, vol. 5, no. 2, pp. 348-349.

was paramount. Class structure was acknowledged and virtually unchallenged, particularly in Georgian England.

The Grosvenor case, with its element of mutual infidelity, again reflects the inequality of gender in Hanoverian England. Lady Grosvenor's affair with the Duke of Cumberland is highly publicized and she is sued for divorce, on the grounds of adultery by an equally unfaithful husband. His notorious exploits with some of the lowest members of English society were well known, not only by his wife, but the rest of the community. But, while little is mentioned about his philandering, she is the one who is vilified in the press. Although both violated the crossing of class lines, her actions were far more threatening to the social order because she was a woman and her actions could result in the birth of an illegitimate heir. Lady Grosvenor's only salvation came in the form of the support she received from her family. But it would be a mistake to attribute their support as a sign of concern for her personal welfare and happiness. Her family's actions were no doubt motivated by concerns for their own survival. She remained a wife, in name only, for the rest of her husband's life, but was able to establish her own household and have contact with her children. This case lacks any evidence of the presence of increasing egalitarian principles or practices.

The case of Lord and Lady Ligonier is perhaps the most straightforward example of what the Divorce by Act of Parliament was intended to be. It was initially intended that an unfaithful wife was divorced by an innocent husband, so that he could remarry and produce an heir. It was created as a loop-hole, by the wealthy elites, to help them to retain control of their land, titles, and fortunes, through the production of legal heirs. Wives could not be permitted to jeopardize the system of primogeniture. Penelope

Ligonier's reputation was destroyed through her impropriety. She was openly scorned in the press and in the decade that followed the divorce her name was a continued source of derision. Many years later, in the Victorian period, some of these women came to be seen as victims of the system. As sensibilities were increasingly influenced by a Romantic sentimentality, these women's stories began to receive a sympathetic reading.

For Lord Ligonier ironically, it required the passage of two centuries before his reputation as a man began to be repaired. In the case of a cuckolded husband, it had long been the opinion that the man was somehow to blame if his wife strayed. Society expected him to have control over his wife's person. He was shamed. The references to Lord Ligonier's lack of male "prowess" show that this old-fashioned attitude about male honor was still predominant during his lifetime. In fact, it was most likely this attitude towards cuckolded husbands which encouraged the practice of the duel and why it was so difficult to eradicate, particularly among the aristocratic military class.

Lawrence Stone's work on marriage and divorce in Georgian England was a ground-breaking, pioneering effort. Nearly twenty years after it was written, *Road to Divorce* remains the seminal cultural historiography of marital relationships in eighteenth century England. Stone was a trail-blazer and led the way for historians to engage with his conversation in the new millennium. He began a discourse about marital relationships that is as pertinent today as it was when he was writing. I have endeavored to build on his foundation and analyzed common sources, and some unique to my own query. Overwhelmingly, the evidence that I have studied revealed Georgian England to be a traditional, conservative society, yet one in which issues of class and gender were actively creating friction. Social roles were well defined, and for the most part, adhered

to. The scandalous activities amongst the aristocracy were nothing new. The development of Divorce by Act of Parliament, was intended to allow wealthy families to maintain order by legally ousting female members who threatened the legal line of descent. Women had no legal rights under the law. Once they were married they ceased to exist as a separate legal entity. They had no rights to their children, their property, or their money. This situation would not change for another century, and then, only gradually into the twentieth century.

The three case studies I have chosen to analyze have provided me with the best variety of examples of aristocratic divorce in the eighteenth century. Each example fails to support Vickery's assertion of an increasing female agency amongst English females from the gentry and the aristocracy. Limited social mobility meant nothing in the face of the law which did not even recognize them as individual persons. Eighteenth century England was a conservative society with close and abiding ties to the ideals of the Restoration. The rights of the individual were always sacrificed for the greater good of the patriarchal structure of society. What Georgians valued was their chauvinistic social order and they attempted, through their customs and laws, to maintain that order at all costs to the individual.

There is much to be learned from Georgian society. Although we have fought to overcome barriers of racism and sexism, we continue live in a violent, class-based society. We still worship and vilify the wealthy and powerful, while holding them to a higher moral standard. By contrast with the people of eighteenth century England, we have less religion, less politeness, and more laws. The loose weave of our social fabric resembles Burlap and through the holes have fallen the methods of social control, which

the Georgians had used quite effectively. Our multiplicity of laws is a seemingly equitable substitute, but in reality it is an exchange for the loss of social accountability that the Georgians utilized to manage their world.

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