The Widow of Westover and Women's Rights

by Mildred H. Arthur

Treated like a traitor, Mary Willing Byrd declared, “This cannot be called liberty”

EARLY ON the morning of January 1, 1777, Colonel William Byrd III of Westover plantation on the James River, overwhelmed by his hopeless debts and embittered by the colonial resistance to England, which he opposed, put a bullet in his head. His widow, Mary Willing Byrd, was left in time of war with the burden of caring for her eight children ranging in age from two to 16, with another on the way. Her plantation was in chaos. Her circumstances had shifted suddenly from affluence to want.

Mary came from a prominent and well-respected Philadelphia family. Her father, Charles Willing, had at one time been mayor of Philadelphia. Her mother, Ann Shippen, came from an equally prominent local family. A bright, spirited, and articulate girl, Mary had received valuable education, probably more than most young ladies of her class at that time. One of her sponsors, Benjamin Franklin, also her godfather, took particular interest in her and guided her learning. While in Europe he sent over magazines and books he believed would strengthen her mind.

Mary met Byrd, a colonel in command of the Second Virginia Regiment, during the French and Indian War, while he was in winter quarters in Philadelphia. After a swift courtship, and barely six months after the sudden death of his first wife, the couple married. They built a house in Philadelphia and lived there for a time before moving back to Virginia.

Colonel Byrd’s possessive mother, Maria Taylor Byrd, had not been informed beforehand of her son’s second marriage. She was shocked at the revelation. No doubt she was prepared to dislike her new daughter-in-law, until she learned of Mary’s lineage and family connections, not too dissimilar from her own.

At the start of their relationship, Mary found her mother-in-law “a most sensible cheerful woman always gay and amiable.” Mary was also charmed with the two youngest of the Byrd children who had been living at Westover with their grandmother. Nor was Mary less pleased with her surroundings. “This is the most delightful place in the world,” she wrote home. “Col. Byrd has a most noble estate ... a great part of Richmond is his and two other pretty towns entirely his, that are only divided from it by a most beautiful river.”

Once returned from the military to private life, William Byrd resumed his former life-style of free spending and extravagant living. A relative of Mary’s who visited them remarked at the lavish hospitality offered to the numerous guests who came through the open and always welcoming portals of Westover.

Along with receiving and entertaining her many guests, Mary cared for an ever-increasing family. In 16 years of married life she bore 10 children. During those years she was no stranger to adversity. According to an account written sometime in the 1850s by one of her grandchildren, Mary’s life was saddened by the loss of her firstborn, a son, when he was about 18 months of age, through the carelessness of a nurse. Mary “had the horror to see him thrown on the pavement of the piazza, his head so much injured that he died of convulsions.”

She coped with the problems of being wife, mother, stepmother, and daughter-in-law (over time her relations with Maria Byrd cooled). Nor could Mary have been unaware of her husband’s financial difficulties. When the Treasurer of the colony and Speaker of the House of Burgesses, John Robinson, died in 1766, it was discovered that many prominent Virginians owed him large sums of money, none larger than William Byrd, whose debt was close to £15,000.

For Colonel Byrd, the resolution came on that bitter day in January when he let himself out of his difficulties with the gunshot to his head. But for his widow, it was the beginning of a long and difficult road.

While Mary fully intended to make good on her husband’s obligations, her first concern was the welfare of her family. The children needed clothing, and she had no way to provide it. Because cloth was not coming over from England, and whatever silks and cottons that were available were too costly, she cut up the beautiful brocaded Westover curtains to make clothing for the children, using the lining for undergarments.

Because she believed she could handle her affairs better than anyone else, she acted as her husband’s executrix and set about trying to restore order to their lives. The house in Williamsburg that Byrd had built on three
inherited lots was advertised for sale and brought a handsome price. The fine Byrd library, probably the largest in the colony at that time, so carefully collected by William's father, was sold intact to one individual. Slaves not deemed necessary for maintaining the plantation and not already committed according to her husband's will, were also sold, as were western lands that had not been previously assigned. She sold silverplate and whatever else was not essential that would fetch a decent price. Within three years she had gotten her business affairs in hand.

Mary might then have gone on with her life in comparative comfort but for a quirk of fate. Her beautiful young Tory-sympathizer cousin, Peggy Shippen, had in 1779 married the once popular American hero, Benedict Arnold. He was instrumental in forcing the British surrender at Saratoga in 1777 but, with his defection at West Point, was now turned traitor. As a brigadier general in the British army, it was expected that General Arnold would recruit loyalists and deserters from the patriot cause to help quell the rebellious colonists. Because of Arnold's relationship with Mary, suspicions fell on her as well. Giving credence to these suspicions was the general knowledge that Mary's husband had been a royalist sympathizer. All of which placed Mary in a dilemma.

If she did have loyalist leanings,
she was careful not to do or say any-
thing that could be misconstrued as
unpatriotic. With concern for her chil-
dren in mind, she was determined to
maintain an unembarrassed reputation,
so that the family could continue their
lives in comfort at Westover.

It would not be too difficult then
to imagine Mary's state of mind when
she learned on January 3, 1781, that a
large British fleet was sailing up the
James River toward Westover. Mary's
first thought was to protect her older
daughters. She hurried them o\ to a
place of safety, Tuckahoe, higher up in
the country.

Mary had no blood relatives in
Virginia. Cut off from her Philadel-
phia family and friends because of the
British occupation of that city, she
had nowhere to go, especially "with so
many little ones," as the grandchild
stated in her account:

...I owe too much to my honor
to betray my country... When
the officers landed I received
them according to my idea with
propriety... If I have acted
erroneously it was an error in
judgement not of the heart. Every
good man must have been
shocked when they heard of the
savage treatment I have met
with. This cannot be called
liberty...

Mary was summoned to Rich-
mond for trial in the General Court.
She never found out who her enemies
were, but was convinced they were not
her neighbors who knew her best. She
contended that Virginia had treated
her unfairly as a female, as the par-
ent of eight children, as a virtuous citi-
zen, as a friend to my country and as a
person who never violated the laws of
her country... I have paid my taxes
and have not been personally or virtu-
ally represented. My property is taken
from me and I have no remedy..."

In presenting her defense, Mary
was echoing the cause of liberty that
the men of Virginia were espousing for

The second visit the British paid
to Westover was even more costly to
Mary. When they left, they took with
them 49 of her slaves, two ferry boats,
all the grain and other supplies they
could transport, and three fine
horses, among them her daughter
Maria's favorite saddle horse.

WITH CHARACTERISTIC
drive and persistence,
Mary succeeded in get-
ing General Baron von
Steuben to visit Westover and asked
his help in retrieving her property. He
authorized her to send a flag of truce
through the American lines with a let-
ter attempting to persuade the British
to return her property. The letter, un-
fortunately, fell into the hands of a
Major Tuberville, a rabid patriot who
considered any traffic with the enemy
to treason. He forwarded the letter to
Governor Thomas Jefferson. Soon af-
after, some Virginia militiamen raided
Westover. Mary was locked in an up-
stairs room, while her private papers
were searched and many carried off.

Outraged, Mary wrote to Jeffer-
son on February 23, 1781, appealing
for justice:
themselves. To emphasize her point, not only as a woman but as a "virtuous citizen" and patriot, she adopted the language of the revolutionaries.

Mary did have friends. As a Virginian by marriage and a member of the aristocracy, she was accorded certain considerations. Witnesses against her were kept out of the way, so that no decisive action was taken in her case, though she would have preferred that her name be cleared in court.

While she never retrieved her property, she did survive the Revolution. In the fall of 1781, Cornwallis and his army surrendered to Washington's forces at Yorktown. Though the peace was not signed until 1783, Mary's life began to take on the aspects of normalcy soon after the surrender. Opportunities presented themselves, especially in the former capital city.

Mary and her eldest daughters attended parties where French officers—among them the Comte de Rochambeau, who was headquartered in Williamsburg, and the Marquis de Chastellux—were enchanted by her. She later invited the Marquis to visit her at Westover. In his book, Travels in North America in the year 1780, 1781, 1782, he described his hostess and her surroundings in glowing terms:

She is about two and forty, with an agreeable countenance and great sense... Her care and activity have in some measure repaired the effects of her husband's dissipation and her house is still the most celebrated, and the most agreeable of the neighborhood. She takes great care of her negroes, makes them as happy as their situation will admit, and serves them herself as a doctor in time of sickness. She has even made some interesting discoveries on the disorders incident to them, and discovered a very salutary method of treating a sort of putrid fever which carried them off commonly in a few days, and against which the physicians of the country have exerted themselves without success.

Mary continued to live at Westover until her death in 1814 at the age of 74.

In her effort to survive in those tumultuous times, Mary Willing Byrd sounded a prophetic note. Her protest for her rights as a woman was persistent and courageous, her challenge to traditional attitudes compelling. She broke out of the mold that relegated women to an almost totally acquiescent role. Her sober, unrelenting quest for personal justice marks her as one of the women—and there were a number of them in Virginia and the other colonies—whose actions were instrumental in effecting a gradual change in the perception of women as being docile and subordinate.

While the great majority throughout the 18th and into the 19th century continued to accept their secondary role in a male-dominated society, isolated voices took up the call for a more active female presence in the nation's mainstream. The constraints that encircled the woman, not unlike the restricting stays she wore, began ever so slowly to loosen. But it was to be more than a century after Mary Byrd's impassioned letter to Jefferson before these early stirrings would come to any measurable fruition.

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