

Bankrupt women entrepreneurs: Observations on  
women-owned and operated businesses in late nineteenth and  
early twentieth-century England

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One of the major exceptions to the “separate spheres” view of Victorian England is the unmistakable presence in the economy of women entrepreneurs, that is, self-employed women who owned and operated their own businesses. Census figures confirm their presence. Each census reports a category of women “employers” by occupation. “Employer” is defined as “employing persons other than domestic servants.”<sup>1</sup> While relatively small, the numbers are nevertheless interesting. As shown in Table 1, in 1901 women represented more than ten percent of all women employers in twenty-six occupations.

Table 1  
Occupations with more than ten percent women “employers” – 1901 Census<sup>2</sup>

<u>Occupation</u>	<u>Percent women “employers”</u>
Dressmakers	96.3
Milliners	89.9
Lodging, boarding house keepers	68.7
Fishing tackle, toy makers, dealers	57.2
Shirtmakers	53.5
Staymakers	50.9
General shopkeepers, dealers	41.1
Inn, hotel keepers; publicans, beer sellers, cider dealers	26.7
Coffee, eating house keepers	24.6
Tabacconists	24.2
Stationers, law stationers	21.6
Drapers, linen drapers, mercers	20.8
Strawhat, bonnet manufacture	20.5
Boot, shoe, patten, clog dealers	19.6
Newspaper agents, newsroom keepers	17.4
Dealers in instruments, toys	17.4
Brick, cement, pottery, and glass dealers	14.9
Lace manufacture	13.1
Greengrocers, fruiterers	12.8
Clothiers, outfitters (dealers)	11.9
Milksellers, dairymen	11.3
Pawnbrokers	11.2
Hosiers, haberdashers	10.9
Grocers; tea, coffee, chocolate dealers	10.8
Publishers, book sellers	10.7
Farmers, graziers	10.6 (figure not limited to “employers”)

In trades traditionally associated with women, the numbers are not surprising. For example, ninety-six percent of all dressmaker and fifty-three percent of all shirtmaker employers were women. However, in addition to these occupations, six additional occupational categories exist where women represent more than a quarter of all employers: milliners (89.9), lodging and boarding house keepers (68.7), fishing tackle and toy makers and dealers (57.2), staymakers (50.9), general shopkeepers and dealers (41.1), and inn and hotel keepers, publicans, etc. (26.7). Even in some occupations where the number of women employers is relatively small compared to men, the number of women employers in some occupations is rather striking. For example, one might be surprised that the census reports 117 chemists, 113 plumbers, 172 builders, and 113 wine and spirit merchants who were women employers.<sup>3</sup> While women represented in these statistics may not have exercised complete independence in the operation of their businesses, nevertheless, there can be little doubt that the figures demonstrate the existence of a significant number of women entrepreneurs at the turn-of-the-century England.

In recent years historians have focused more thoroughly on women in the Victorian business world. Studies of female employees in a variety of occupations have broadened considerably our view of Victorian working women. Also current studies examine the changing role of women as consumers and as property owners in light of rights established under the various late nineteenth-century Married Women Property Acts.<sup>4</sup> However, contemporary historiography has almost completely overlooked women entrepreneurs. As Kathy Peiss and Windy Gamber note in a 1998 series of articles in the

*Business History Review*, historians have only begun the process of discovering women who were business owners.<sup>5</sup>

The problem for historians interested in Victorian businesswomen is the lack of more specific evidence about their businesses. Most women entrepreneurs operated small enterprises for which few records were kept and even fewer survive. For the most part, the stories of these businesses are beyond recovery. To add to this difficulty, contemporaries saw little need to comment on the relatively small businesses in which most women entrepreneurs were engaged. There is, however, an important exception to the Victorian's oversight of women entrepreneurs. Women, particularly married women, in the late nineteenth and early twentieth centuries who *failed* in businesses and became bankrupts were the subject of contemporary study and debate.

Although single women could be made bankrupt in the early nineteenth century, the practice was rare and largely unreported. As for married women, the traditional principle was that they could not be made bankrupt because they could not contract and, therefore, could not be made personally liable for debts. All this changed in the 1880s with the passage of the Married Women's Property Act (1882) and the Bankruptcy Act (1883).<sup>6</sup> Under these statutes, a married woman "carrying out a trade or business separately from her husband" could be made a bankrupt to the extent of her separate estate.<sup>7</sup> As a result of the operation of these acts, Victorians began to show interest in women who failed in business and were made bankrupt. Statistics were collected by the Board of Trade, and the pros and cons of allowing married women to be bankrupts hotly debated inside and outside of Parliament. This article examines the Board of Trade annual bankruptcy reports, statements in Parliament, and testimony before Parliamentary

committees to discover what this evidence can tell us about women entrepreneurs in late Victorian and Edwardian England.

### Bankrupt women 1895-1921

The Bankruptcy Act of 1883 required the Board of Trade to issue an annual report describing the incidence of bankruptcy. These reports give the total number of bankruptcy receiving orders, orders under section 130 of the bankruptcy act, and deeds of arrangement (collectively referred to in this article as “bankruptcies”) in England and Wales. Further, the reports provide the estimated value of the bankrupt’s assets and liabilities, together with other information including a brief description of the larger bankruptcies.<sup>8</sup> For a number of years, there was no gender distinction made in these reports, however, starting in 1895 the Board of Trade, noting that “the position of women under the laws as to recovery of debts and insolvency has been the subject of such frequent comment,” began to give separate statistics for the women bankruptcies.<sup>9</sup>

From 1895 through 1920, the annual bankruptcy reports give details as to the total number of women bankrupts, further breaking down the number according to marital status (married, widow, and single). Total estimated assets and liabilities are also given for each marital status category. In addition, for each occupation there is a description of the total number women bankrupts with estimated liabilities. Although the series covers only a twenty-six year period (1895-1920), it is one of the rare sources of statistical information available concerning women who owned and operated their own businesses during the period.

Can it be assumed necessarily that the women bankrupts actually owned and operated their own businesses? There are some instances where this was not the case. The 1896 report tells of a “lady of title” with liabilities of over £40,000 being made a bankrupt.<sup>10</sup> However, this type of bankruptcy is the exception rather than the rule; most bankrupt women, unless they were a mere “front” for their previously bankrupt husband, were entrepreneurs. First, in almost all instances, the census lists a specific occupation for each bankrupt woman. Second, for those women who were listed as having an occupation, it would be rare that a mere employee would be made a bankrupt. Bankruptcy was a relatively expensive process and would not be brought by a creditor unless the debtor had some assets and was, if not an employer, at least carrying on a trade or business on her own account. This is not to say, however, that all women bankrupts operated substantial businesses. To the contrary, the asset and liability figures indicate that most women entrepreneurs owned small enterprises. Nevertheless it can be assumed that, for the most part, female bankruptcy figures represent women who owned their own businesses.

The women bankruptcy series shows that a total of almost 9,000 women went into bankruptcy between 1895 and 1920 (Table 2), averaging 440 a year from 1895 through 1913.<sup>11</sup>

Table 2

Numbers of bankrupt women (receiving orders, orders under sec. 130, and deeds of arrangement) 1895-1920

<u>Year</u>	<u>Married</u>	<u>Widows</u>	<u>Single</u>	<u>Unknown</u>	<u>TOTAL</u>	<u>Women as % of all bankrupts</u>
1895	136	126	63	133	458	5.8
1896	174	184	81		439	5.9
1897	157	181	84		422	5.8
1898	175	174	84		433	5.7
1899	158	143	72		373	5.3
1900	158	159	100		417	5.4
1901	183	183	93		459	6.0
1902	181	178	84		443	5.9
1903	206	172	87		465	5.9

1904	200	184	103		487	5.8
1905	221	173	102		496	5.7
1906	216	194	94		504	6.2
1907	152	180	107		439	5.8
1908	208	154	82		444	5.5
1909	191	155	90		436	5.8
1910	214	183	98		495	6.8
1911	161	157	81		399	6.0
1912	151	155	84		390	6.1
1913	125	133	97		355	5.6
1914	96	84	71		251	5.4
1915	NA	NA	NA		NA	NA
1916	NA	NA	NA		NA	NA
1917	NA	NA	NA		NA	NA
1918	28	14	20		62	7.5
1919	21	21	22		64	7.0
1920	33	43	28		104	5.2
TOTAL	3,545	3,330	1,827	133	8,835	

The largest yearly figure was just over 500 in 1906. Year in and year out women represented roughly between 5.5 to 6.5 percent of the total number of bankruptcies.

As for the size of women bankruptcies, liabilities ranged from two to almost four percent of the total liabilities of all bankrupts from 1895 to 1913 (Table 3).

Table 3  
Numbers and liabilities of women bankrupts as a percentage of all bankruptcies, 1895-1920

<u>Year</u>	<u>Women as a % of all bankruptcies</u>	<u>Liabilities of women bankrupts as a % of liabilities of all bankrupts</u>
1895	5.8	2.8
1896	5.9	2.7
1897	5.8	3.2
1898	5.7	2.3
1899	5.3	2.5
1900	5.4	2.3
1901	6.0	3.2
1902	5.9	3.0
1903	5.9	3.4
1904	5.8	2.6
1905	5.7	3.8
1906	6.2	3.4
1907	5.8	2.9
1908	5.5	2.5
1909	5.8	3.6
1910	6.8	2.6
1911	6.0	2.1
1912	6.1	3.1
1913	5.6	3.2
1914	5.4	2.1
1915	NA	NA
1916	NA	NA
1917	NA	NA
1918	7.5	4.1

1919	7.0	5.8
1920	5.2	2.7

Another important fact is that the percentage of liabilities represented by women bankrupts annually runs about half of the percentage of the *number* of women bankrupts (Table 3). This means that the average size of women bankruptcies was considerably smaller than for male bankruptcies. It may also be possible to infer that the size differential between male and female bankruptcies accurately reflects the difference in size generally between male and female businesses.

The breakdown as to marital status over the twenty-six year period shows there were roughly the same number of married women bankrupts (forty-one percent) and widowed bankrupts (thirty-eight percent) with single women representing about one fifth of all women bankruptcies. Who were these failed businesswomen? One bankruptcy report commented that it could be inferred that “a considerable number ... find it necessary to assist their husbands in maintaining the household by engaging in some business or occupation with a view to profit.” However the report also notes that in other cases, “the reason of the wife carrying on business may be found in the fact that her husband is debarred from doing so by physical or mental incapacity, or by being an undischarged bankrupt.”<sup>12</sup>

As for widows, the bankruptcy reports voiced little surprise at the large numbers. “It is often the case,” the 1895 bankruptcy report notes, that “when the husband dies he leaves his business which cannot be or is not immediately wound up or sold, and which is frequently carried on by his widow.” The report did not express great confidence in widow’s ability to run their deceased husband’s businesses. Even though the report admits that some ventures are insolvent when the husband dies, “failure sooner or later is

inevitable,” especially where “the widow, being unacquainted with business matters, either herself mismanages the business or relies entirely upon others who do so for her, which results in ultimate failure.” A final category of widows are those where “in order to maintain herself and her family has to seek some occupation, or to set herself up in business with the money that is left to her or by the help of relatives.”<sup>13</sup>

Another vitally important aspect of the women bankruptcy statistics reported for women is that they are broken down by occupation. For the twenty-six year period, almost seventy separate occupational categories contain women bankrupts. While almost half of these list less than ten bankrupts over the period, the five occupations with the largest number, however, have over 400 for the period: drapers (730), grocers (1,149), lodgers (501), milliners (808), and publicans (491). The 1902 bankruptcy report recognizes this concentration of women in these trades. “The grocery trade has always yielded the largest number of failures since the statistics of women’s failures were first tabulated seven years ago, and the drapery and millinery businesses have been second and third in point of number.” The report added, “Publicans and lodging-housekeepers also form a considerable portion of failures.”<sup>14</sup> Indeed bankruptcies in these five occupations represent about a third of all women bankruptcies from 1895 to 1920 and from between thirty-five and forty-five percent of the liabilities. This concentration of women bankruptcies in these five occupations is not surprising. As Windy Gamber notes, “women were not evenly distributed within the universe of entrepreneurial occupations.” Interestingly, women have been found to be clustered in similar occupations in late nineteenth-century Boston and Illinois.<sup>15</sup>

Viewing those occupations with the most women bankruptcies (drapers, grocers, lodgers, milliners, and publicans), it would be interesting to learn whether or not the rate of women's bankruptcy was greater than that for men. Unfortunately, the occupational descriptions used for the census and the bankruptcy reports are in most cases so dissimilar as to make an accurate determination of relative rates of bankruptcy impossible. An instructional comparison, however, can be made between the average number of women bankrupts in an occupation with the relative size of the bankruptcies.

Table 4

Average percent of women bankrupts and their liabilities in select occupations, 1895-1914

<u>Occupation</u>	<u>Percent of women bankrupts</u>	<u>Percent of liabilities represented by women bankrupts</u>
Drapers	12.01	5.50
Grocery	6.68	4.25
Lodging	56.25	52.18
Milliners	64.16	47.53
Publicans (1898-1914)	7.53	7.34

In some occupations, drapers, grocers, and milliners for example, there is a large disparity between the *number* of women bankrupts and the percentage of *liabilities* those bankruptcies represent. What does this disparity indicate? One indication is that women in these trades tended to operate smaller businesses, at least businesses with fewer liabilities upon bankruptcy, than their male counterparts. However, the opposite might be the case in occupations where the percentage of liabilities more closely approximates the percentage of women in the trade as, for example, with lodgers and publicans (Table 4). In these occupations, the statistics imply that women entrepreneurs averaged about the same liabilities as males.

### The debate over bankrupt women

As the 1896 bankruptcy report (the first to contain statistics on bankrupt women) notes, there was a heightened discussion in the press and otherwise about bankrupt women following the passage of the Married Women's Property Act in 1882 and the Bankruptcy Act a year later. Indeed, one of the reasons the Board of Trade began to keep statistics on bankrupt women was because of increased public concern. In many respects the two acts were an entrée to a full blown debate on issues of when and under what circumstances married women should be made bankrupt. These debates are a window through which one can glimpse attitudes toward women entrepreneurs.

Throughout the nineteenth-century debate over the protection married women's property rights, culminating in the passage of the Married Women's Property Act of 1882, there was virtually no discussion of married women owning their own businesses. There is one instance after the passage of the 1870 Married Women's Property Act, however, when it was discovered that women who owned their own businesses had found a loophole in the act that could be used to avoid creditors. Under the 1870 act, a married woman still lost control of her property upon marriage; however, the husband remained free from liability for his wife's debts before marriage. The anomaly led to great abuse. "There are thousands of unmarried women now carrying on a trade," claimed one member of Parliament after passage of the 1870 act, "who might purchase goods in which they were dealing, and the following week might marry and snap their fingers at their creditors, who would have no remedy against either the husband or the wife."<sup>16</sup> Parliament quickly closed this loophole in an 1874 amendment to the Married Women's

Property Act making a husband liable for his wife's prenuptial debts to the extent of the property he had acquired from his wife. This incident has greater significance than might first appear. It shows clearly that there must have been large numbers of women entrepreneurs in the 1870s or at least a perception of large numbers. If there were enough unmarried women using this unique loophole to avoid creditors so as to cause the business community to go to the substantial trouble of getting the act amended, then the total number of women entrepreneurs must have been larger than has been suspected.

Other than the incident of the 1874 amendment, there is no mention of problems associated with women owning their own businesses in the course of the debates over married women's property. There are only two provisions of the 1882 act dealing with women entrepreneurs. Section 1(5) provides: "Every married woman carrying on a trade separately from her husband shall, in respect to her separate property, be subject to the bankruptcy laws in the same way as if she were a feme sole," and another section protects as separate property a married woman's earnings "acquired by her in any employment, trade or occupation."<sup>17</sup> When bankruptcy law was overhauled a year later, the new bankruptcy act confirmed the situation of married women by providing that "nothing in this Act shall affect the provisions of the Married Women's Property Act, 1882."<sup>18</sup>

The combination of the Married Women's Property Act (1882) and the Bankruptcy Act (1883) placed married women in a unique position. A creditor could only bankrupt a married woman where she carried on a business apart from her husband. Even then, a creditor could only obtain a judgment against her "separate property" and not against her personally. As the 1904 annual bankruptcy report notes, even when a woman is operating her own business apart from her husband, "a creditor who has

obtained a judgment cannot issue a bankruptcy notice against her [personally], and she is immune from imprisonment for disobeying the judgment of the court...the form of judgment in the case of a married woman being directed against her separate estate, and not against her personally.”<sup>19</sup> In short, as Lee Holcombe concludes, at least with regard to the liability of married women carrying on a business part from their husband, the Married Women’s Property Act gave the wife all the rights but not all the responsibilities of a person engaged in a business.<sup>20</sup>

This unique status of married women provided grounds for almost endless debate. Only a decade after the passage of the act, the Board of Trade complained that the special status of married women with regard to bankruptcy was “a prolific source of fraud.” The Board found it “difficult to understand” the immunities a married woman enjoyed and called for an amendment to the act to remove them.<sup>21</sup> Why were these protections considered necessary?

Some answer can be found in testimony before a committee appointed by the Board of Trade in 1908 to review the operation and administration of the bankruptcy law. The committee discussed at length the operation of the Married Women’s Property Act as it related to bankruptcy. Over the years creditors had grown weary of the interests of husbands and their wives being privileged over their own interests.<sup>22</sup> Many, particularly creditors, argued that married women should not receive special privileges. James Todd, a chartered account, put it quite bluntly when he testified before a committee of the Board of Trade, that “[women] accepting trading advantages, ought, in my opinion, to accept the whole of the responsibilities which attach to the stronger sex.”<sup>23</sup> Likewise, Sydney James Ellis, a solicitor active in trade organizations, testified before the same committee

that he failed to see any reason why having been given the privileges of an unmarried woman a married woman should not be given the disabilities.<sup>24</sup> The Chambers of Commerce, the Institute of Chartered Accountants, and numerous other business organizations all favored doing away with a married woman's bankruptcy immunity. Many of the committee members, voiced concern with what was referred to as the "family view" or the "social aspect" of having married women become bankrupts. In most cases, this "family view" or "social aspect" boiled down to a concern for the husband. If a wife could be made a bankrupt, the fear was that this would perhaps mean greater credit would be extended, credit for which a wife could not be trusted. Under such circumstances "an extravagant wife might be able to involve her husband in a very serious position."<sup>25</sup> In contradiction, another committee member, W. M. Richardson, voiced concern that allowing a wife's bankruptcy in all circumstances "would be opening the door in tens of thousands of cases among the lower middle class to husbands encouraging their wives to go and trade in that manner when they know the liability is going to be moved from their shoulders."<sup>26</sup>

The tide grew against special privileges for married women, and in 1908 a Board of Trade Committee appointed to inquire into the Bankruptcy Law and its administration recommended that "a married woman who carries on a trade or business on her own account, whether apart from her husband or not, should be subject to bankruptcy laws."<sup>27</sup> This recommendation was made law in the Bankruptcy Act of 1913.<sup>28</sup>

Contemporary reports on the operation of the Married Women's Property Act with regard to bankrupt women provide additional insights on women entrepreneurs. The first revelation is that some women who we might have assumed were running their own business were in fact merely fronts for their bankrupt husbands. One of the most common abuses under the acts was described by A. O. Jennings, Registrar of the Brighton County Court. According to Jennings, a "matter carried on with comparative regularity" was for an undischarged bankrupt to put his wife into business and to act as her manager. The woman would know absolutely nothing of the business, and it would be completely run by the bankrupt.<sup>29</sup> In this way the bankrupt husband could avoid having to disclose that he was an undischarged bankrupt as required by law if he were operating under his own name. Only a few years after passage of the acts, a bankruptcy receiver reported that "no sooner is a Receiving Order made, than in too many instances it is found that the bankrupt's wife is installed as tenant ... the goodwill of the business passes to her and her husband comes her servant."<sup>30</sup> "All that is required is to obtain a transfer of the premises occupied and to delete the husband's initial from the business records."<sup>31</sup> The 1895 annual bankruptcy report told of an instance where a bankrupt debtor's business was carried on in his wife's name after bankruptcy "without any material change in circumstance." The presiding bankrupt judge observed that the operation of the Married Women's Property Act and the Bankruptcy Act "opened the door to a great deal of deliberate fraud."<sup>32</sup>

The record also shows that there were women who used or abused the acts to their own advantage. For example married women often carried on a trade or business

encouraging the supposition that they were single (and thus subject to personal judgments) when in fact they were married.<sup>33</sup> Married women who operated their own businesses also often did what they could to hide the fact that they were indeed “trading separately and apart” from their husband and thus subject to bankruptcy. E. W. Hansell, principal standing counsel to the Board of Trade on bankruptcy matters, reported in 1908 that “At present a married woman can snap her fingers in almost all cases at the creditors” because it was so difficult to prove separate trading.<sup>34</sup> One of the most egregious cases of abuse appears in the 1899 annual bankruptcy report. The debtor was an unmarried woman operating her own business. A bankruptcy petition was filed against her, but during an adjournment of the proceedings, the woman married and claimed the defense that she was now a married woman who had never carried on a business separate from her husband. The Registrar ignored the defense and entered the Receiving Order; however, he was overruled by the Court of Appeals. The appellate court, while it admitted “the case was peculiar,” nevertheless said it “illustrated the privileges enjoyed by married women . . . it was clear that a married woman could only be made bankrupt when she was trading separately from her husband.”<sup>35</sup>

In conclusion, an examination of the record of women bankrupts in the late nineteenth and early twentieth centuries confirms the census statistics that there were indeed a significant number of women owning, operating, and *failing* in their own businesses. In some occupations such as milliners, grocers, publicans, lodgers, and drapers, there were substantial numbers of women entrepreneurs. When these women-owned businesses failed, although they tended to be smaller business, they nevertheless made up a substantial proportion of total liabilities for all failures in the particular trade.

Married women who operated their own business might in some cases merely be “fronts” for their bankrupt husbands, but in most cases they were indeed running their own business and making use of or, in some cases, abusing privileges under the Married Women’s Property Act and bankruptcy law. All of this confirming that, for a surprising number of women, the “separate sphere” was not the home but the Victorian world of business.

## <sup>1</sup>NOTES

There is also a category “own account” defined as neither employer nor worker but working on own account. Obviously these women might also be included with those owning and operating their own business but have not been included in this study.

<sup>2</sup> Parliamentary Papers (PP) 1903, lxxxiv [cmd. 1,523], 193-207: “Census of England and Wales 1901, Summary Tables,” Table xxv (1903).

<sup>3</sup> Ibid.

<sup>4</sup> Margot Finn, “Women, Consumption, and Coverture in England, ca. 1760-1860,” Historical Journal 39 (Sept. 1996): 703-22; Lee Holcombe, Wives and Property: Reform of the Married Women’s Property Law in Nineteenth Century England (Toronto: U. of Toronto Press, 1983), Lee Holcome, Victorian Ladies at Work: Middle Class Working Women in England and Wales 1850-1914 (Hamden, Conn.: Archon and Newton Abbot, Devon, David and Charles, 1973); Erika Diane Rappaport, Shopping for Pleasure: Women in the Making of London’s West End (Princeton: Princeton UP, 2000); Martha Vicinus, Independent Women: Work and Community for Single Women, 1850-1920 (Chicago: U. of Chicago Press, 1985); Mary Yeager, Women in Business 3 vols. (Cheltenham: E. Elgar, 1999).

<sup>5</sup> Windy Gamber, “A Gendered Enterprise: Placing Nineteenth Century Businesswomen in History,” Business Hist. Rev. 72 (Summer 1998): 188-217; Kathy Peiss, “‘Vital Industry’ and Women’s Ventures: Conceptualizing Gender in Twentieth Century Business History,” Business Hist. Rev. 72 (summer 1998): 219-41.

<sup>6</sup> 45 & 46 Vict., c. 75; 46 & 47 Vict., c. 52.

<sup>7</sup> 45 & 46 Vict., c. 75, s 1(5).

<sup>8</sup> See V. Markham Lester, Victorian Insolvency: Bankruptcy, Imprisonment for Debt and Company Winding-up in Nineteenth-Century England (Oxford: Clarendon, Press, 1995).

<sup>9</sup> PP 1896, lxxvi (267), 13: 13<sup>th</sup> Annual Bankruptcy Report (30 June 1896).

<sup>10</sup> Ibid., 15.

<sup>11</sup> Statistics for 1914-1920 are affected by the war and are in some cases unavailable and, therefore, should not be considered.

<sup>12</sup> 13<sup>th</sup> Annual Bankruptcy Report, 14.

<sup>13</sup> Ibid.

<sup>14</sup> PP 1902 xciii (318), 10: 19<sup>th</sup> Annual Bankruptcy Report (1 August 1902).

<sup>15</sup> Gamber, “A Gendered Enterprise,” 203.

<sup>16</sup> Hansard 3<sup>rd</sup> ser., ccxviii, 607.

<sup>17</sup> 45 & 46 Vict., c. 75, s. 1(5) and 2.

<sup>18</sup> 46 & 47 Vict., c. 52, s. 151.

<sup>19</sup> PP 1905, lxxii (250), 10-11: 22<sup>nd</sup> Annual Bankruptcy Report ( 20 July 1905).

<sup>20</sup> Holcombe, Victorian Ladies at Work, 223. The courts confirmed this interpretation of the statute in Scott v. Morley, 20 Q.B.D. 120 (1887) holding that the Married Women's Property Act (1882) had not made a wife personally liable and, as a result, a creditor could only remedy was against her separate property.

<sup>21</sup> PP 1892, lxxii [cmd. 6825], 16: 9<sup>th</sup> Annual Bankruptcy Report.

<sup>22</sup> Discrimination by courts against retailers attempting to collect debts, especially the debts incurred by wives has been noted in several studies. See Erika Diane Rappaport, Shopping for Pleasure: Women in the Making of London's West End (Princeton: Princeton UP, 2000) and Gerry R. Rubin, "The County Courts and the Tally Trade, 1846-1914" in G. R. Rubbin and David Sugarman, eds., Law, Economy and Society, 1750-1914: Essays in the History of English Law (Abingdon: Professional Books, 1988).

<sup>23</sup> PP 1908, xxxiv [cmd. 4069], 54: "Minutes of the Evidence Taken Before the Committee Appointed by the Board of Trade to Inquire into the Bankruptcy Law and Its Administration" (1908).

<sup>24</sup> *Ibid.*, 91.

<sup>25</sup> *Ibid.*, 206.

<sup>26</sup> *Ibid.*, 277.

<sup>27</sup> PP 1908, xxxiv [cmd. 4068], 27: "Report of the Committee Appointed by the Board of Trade to Inquire into the Bankruptcy Law and Its Administration" (1908).

<sup>28</sup> 3 & 4 Geo. V c. 34, s. 12 (1).

<sup>29</sup> "Minutes of the Evidence," 109.

<sup>30</sup> PP1886, lxx [cmd. 5791], 21: 6<sup>th</sup> Annual Bankruptcy Report (1889).

<sup>31</sup> 9<sup>th</sup> Annual Bankruptcy Report, 16.

<sup>32</sup> PP 1895, lxxxviii (418), 1: "12<sup>th</sup> Annual Bankruptcy Report (16 August 1895).

<sup>33</sup> "Minutes of the Evidence," 160.

<sup>34</sup> *Ibid.*, 244.

<sup>35</sup> PP 1899, lxxxviii (330), 119: 16<sup>th</sup> Annual Bankruptcy Report (4 Aug. 1899).