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Legal Person and Legal Personality: A View from  
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## Legal Person and Legal Personality: A View from English Legal History\*

### 1 Introduction

Barbosa's paper maps out the conception of legal personhood in Brazil as can be traced through the lens of citizenship and subject-hood. Codes, he shows, were used to discipline or create a hierarchy of social groups by making one subordinate to another and thereby perpetuating inequality through legal measures. He identifies the invention of this varied status in the 1824 constitution as well as the lifting of these laws in 1891 and 1988. In doing so, he shows the process of legal change and uses periodization to study the changing nature of the legal status of social groups and movements towards legal equality. In common law jurisdictions, the term of "legal person" has a clear meaning but there are general similarities in approach. Legal personhood was a status granted by the state and enforced through legal mechanisms. The denial of legal personhood created a structure within British society that was intended to ensure that one social group prospered over another. These divisions were not constructed on the basis of nationality or citizenship alone but encompassed a broader set of characteristics, which can be associated with larger class-based issues, such as differing socio-economic relations, identity and masks of conformity. British society was divided through law by religion, gender, race, socio-economic status as well as nationality.

Who could be a legal person in English law? Much has been said in response to this question and it has excited Anglo-American scholars of constitutional and corporate law in recent years. Successive lawsuits in the United States have debated whether corporations would have the same con-

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stitutional rights as a person.<sup>1</sup> It is then to this body of scholarship that we naturally look to for an explanation of the meaning of a legal person. This is the clearest definition as can be found in the English-speaking world. Marsh and Soulbby state that “[a] legal person is anything recognized by law as having legal rights and duties. With one main exception, a legal person in this country [England] is simply a person in the ordinary sense: a human being.”<sup>2</sup> The law will, however, grant a legal personality to an artificial person through incorporation. The central question should then perhaps be re-phrased: who had a legal personality and the legal rights and duties that went with it? How did legal persons, their rights and duties change over time?

This chapter considers this question within the confines of English legal history.<sup>3</sup> As most bodies of English law remain uncodified, the sources of English law were considerable. Lawyers looked to statute law, case law as well as legal books and legal texts for a better understanding of the letter of the law. Rights were enforceable and duties upheld through litigation. Where there was legislation or a set of general principles appeared, case lawyers needed examples in order to understand how the law operated in practice. In absence of a legal precedent, it was not always clear how these rights would manifest until that litigation had taken place or legislation was passed to clarify the legal position. English lawyers could not, as in Barbosa’s example, simply trace law through a code or a single statute with its later express or implied repeals, its amendments and later revised versions.

Blackstone’s guide was first published in 1765 and it was the foremost legal text of its time. It was widely available and therefore relatively well read; it was the starting point for those conducting legal research and seeking to understand the law. Blackstone summarised the problem that most lawyers faced when examining legal personalities, rights and duties in his chapter “Of the Absolute Rights of Individuals”. Here he began by stating that:

1 American case law is persuasive as opposed to binding in the English system. *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) and *Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014).

2 MARSH/SOULSBY (2002) 54.

3 Great Britain, after the Acts of Union in 1707 and 1800, comprised of England, Scotland and Ireland. Scotland had a different legal system and this paper does not intend to deal with it. This paper discusses Ireland only when it pertains to religion and religious dissenters.

The objects of the laws of England are so very numerous and extensive, that, in order to consider them with any tolerable ease and perspicuity, it will be necessary to distribute them methodically, under proper and distinct heads; avoiding as much as possible divisions too large and comprehensive on the one hand, and too trifling and minute on the other; both of which are equally productive of confusion.<sup>4</sup>

He proceeded to list the legal rights that he considered to be important to individuals: (1) the right to personal security, (2) the right to personal liberty, and (3) the right to property. In this chapter, Blackstone spoke little of duties, but as we shall see, duties were often the opposite of a right.

The last of the three essential rights, which Blackstone considered that legal persons should have, was fairly self-explanatory. The first two were a little more obscure. Blackstone defined the right to personal security as “a person’s legal and uninterrupted enjoyment of his life, his limbs, his body, his heath, and his reputation”.<sup>5</sup> Personal liberty involved having the freedom to pursue a course of “changing situation” and “locomotion” and follow “one’s own inclination [...] without imprisonment or restraint”.<sup>6</sup> While in Blackstone’s view he saw three rights as being essential to being a legal person, not all of these three rights were available to all groups or classes of people in England. This chapter examines the position of subjects, women, religious groups, groupings along the lines of race, and corporations in relation to these three rights.

This chapter does not follow the trajectory of Barbosa’s paper in mapping out the history of rights and duties as they evolved over the 19th and 20th century. Indeed, it cannot do so. Neither is this paper intended to document the history of each social group and their contestations for equality in a completist or absolutist fashion. There is too much to be said in this regard. The short length of this chapter and the multiplicitous nature of legal sources in the common law legal system mean that only landmark moments or significant incidents can realistically be discussed. This chapter, therefore, proceeds to trace the historical developments by examining the groups and classes of individuals and the rights they had (or did not hold) as well as the duties that they held to one another (or did not have). It does this to place emphasis on the nature of domination/subordination and to indicate the extent of this

4 BLACKSTONE (1768) 121.

5 BLACKSTONE (1768) 134.

6 BLACKSTONE (1768) 134, 136.

practice as well as to draw out common themes and comparisons between various groups.

## 2 The monarch, subjects and citizenship

Natural born subjects were, for a relatively long period of time, understood to be those born in the dominions of the Crown. In exchange for their allegiance to the monarch, he or she owed them a duty to protect them.<sup>7</sup> Legal persons were mainly categorised as subjects, aliens, and natives. Aliens were usually born outside of the British Empire and they did not have the monarch's protection. As such, this group had fewer rights than subjects; they could purchase land and other estates and inhabit them and also pass them on, however the King was entitled to use the alien's property.<sup>8</sup> The legal term "native" did not develop in English case law as significantly it did in some of the other jurisdictions in the British Empire.

While the naturalisation process was usually a matter for the houses of parliament, these rules were historically determined by the common law courts. The British Nationality and Status of Aliens Act 1914 changed the form in which the law existed. The 1914 Act was consolidating legislation: it codified common law rules and brought them together into one statute. It made minimal changes to the substance of the law, although one notable change was that nationality was not lost through marriage. The British Nationality Act 1948 changed the substance of this body of law significantly as it changed the status of those located in jurisdictions in the common law world. It did so through the introduction of the "Commonwealth citizen". This development occurred during the post-colonial period; as independent countries introduced new citizenships,<sup>9</sup> it meant that individuals were able to retain their association with the monarch and Great Britain, more generally. The Immigration Act 1971 altered this dynamic as it introduced the right to abode. Commonwealth citizens now only had a right to live in the United Kingdom if a husband, parent, grandparent had a connection to the

7 BLACKSTONE (1768) 371.

8 *The Earl of Bedford's Case* (1585) 7 Coke Reports 7b, 77 ER 421.

9 See, for instance, Canadian Citizenship Act 1946, Australian Citizenship Act 1948 and New Zealand Citizenship Act 1948.

United Kingdom. It meant that those who had a long-standing association to Britain lost their right to stay in the country.

### 3 Women, children and other dependents

Family law, and the rights and duties of those who were married, were historically tied to the notions of *baron* and *feme*. When a woman married in the eighteenth and for most of the 19th century, they became a *feme covert* and were subordinate to their husband, the *baron*. Through this legal process, the wife's property became their husband's property and the two were in law inseparable, although represented as one legal person, namely, the husband. An unmarried woman, known as a widow or spinster, was in law a *feme sole*. She could own property and hold debts in her own name. There was ambiguity over the extent to which a husband could exercise his will physically and legally restrain, discipline and correct his wife as well as his children and his servants. Some interpretations of the rules understood that the punishment was acceptable by law provided that it was moderate,<sup>10</sup> although ambiguities persisted.

The husband, parent and master held a reciprocal set of duties to the subordinate. This mirrored the laws regarding the monarch and his subject. It was thought to emerge from the feudal system, where the lord or baron was supposed to be responsible for those beneath him. The master had an obligation to support his servants in times of ill health; he could not terminate their contract for this reason or upon learning of this fact.<sup>11</sup> The husband took on debts incurred by his wife before their marriage and was obliged to repay them.<sup>12</sup> The guardian of children held a fiduciary duty to manage the estate in order to benefit the children rather than himself.<sup>13</sup>

The legal rules acted to uphold patriarchal systems of power until their amendment or repeal (although the extent to which it still envisions women as the second sex remains debated). The Married Women's Property Act of

10 BLACKSTONE (1768) 371.

11 *R v Sutton* (1794) 5 T R 659.

12 *Etherington v Parrot* (1703) 1 Salk 118, 91 ER 110, *War v Huntly* (1703) 1 Salk 118, 91 ER 111, *Obrian v Ram* (1687) 3 Mod 186, 87 ER 119.

13 *Henley v \_\_\_\_\_* (1685) 2 Ch Ca 245, *Anonymous* (1707) 1 Salkeld 155, 91 ER 143.

1882 ended the status of *feme covert*.<sup>14</sup> Married women were then able in law to own property and create debts in their own name.<sup>15</sup> In 1991, marriage was no longer a viable legal defence against accusations of rape. The House of Lords ruled that the law did not permit a husband to have sex with his wife without her consent.<sup>16</sup> The formal legal recognition of women's equal rights to pay and employment came in the form of the Sex Discrimination Act, which was passed in 1975.

#### 4 Religion, denomination and dissenters

From the time of Henry VIII (1491–1547) and the break with Rome, religion (or discrimination based upon denomination in the Christian faith) was used as a way to order society and deny groups from holding equal rights. It prevented rival groups from building up money and power which might lead to successful rebellions against the monarch. Legal sanctions thus gave one group of individuals less rights and duties than others. The Oath of Allegiance and Supremacy was introduced by several Acts of Parliament in 1534.<sup>17</sup> It meant that those who held public office in England must swear allegiance to the King as monarch and the head of the Church of England rather than the Pope. The Treason Act 1534 widened the scope of treason.<sup>18</sup> It was treason to deny the King's supremacy and treason was punishable by death.

This law, together with other efforts, effectively excluded Catholics and other religious non-conformists from holding political and judicial office as well as a number of other professions. It also prohibited these groups from purchasing land and inheriting property. Other public institutions, such as Oxford and Cambridge University, followed the state in excluding these groups from using their facilities. This was one of the reasons why Quakers and Jewish families as well as other religious dissenters entered into other professions, such as those in the finance and banking industry.<sup>19</sup> Given the

14 45 & 46 Vict c 75.

15 Some would argue that in practice married women did own property in their own name. MALTBY/RUTTERFORD (2006), 220; NEWTON/COTTRELL (2006) 315; FREEMAN/PEARSON (2006) 265.

16 *R v R* [1991] UKHL 12.

17 See later editions, 13 Will III c 6. It was to be tendered to those suspected of disaffection by two justices of the peace. 1 Geo I c 13, 6 Geo III c 53.

18 26 Hen VIII c 13.

19 Usury laws do not apply to this group either.

nature of this policy, persecution based upon religious beliefs was a matter of self-identification, i. e. those who did not wish to become a member of the Church of England and identified openly as Catholic or as perceiving the Pope to be the highest authority were persecuted. Lord Chancellor Sir Thomas More, together with a handful of other individuals, were tried for treason and executed in 1535 for this very reason. This was the sum total of individuals who openly refused to swear the Oath and opposed the break with Rome during this period.<sup>20</sup>

Religious practices, habits and gesticulations, on the other hand, could be identified informally or through testing. In close-knit communities, such as those in England, transactions and behaviours could be monitored by local society and prosecuted by local magistrates if not taken more seriously and investigated by the Court of the Star Chamber in London. As this behaviour could be punishable through legal means, it was hidden from view. The political classes, including senior members of the judiciary, were openly vehemently anti-Catholic up until around 1830.<sup>21</sup> Catholic emancipation, often known as the Catholic question (and later, the Irish question given the number of Catholics in Ireland), was debated among politicians and lawyers from around 1760 onwards. These debates culminated in several pieces of legislation, which incrementally acted to repeal some of the legislation that actively prevented Catholics and other religious dissenters from exercising their rights to hold property or the ability to enjoy unrestrained activities. The most significant Act was in this piecemeal process was the Emancipation Act of 1829.<sup>22</sup>

The legal regimes inspired by anti-Catholic views, while now a relic of history,<sup>23</sup> were formative in English society. Britain's traditions, its celebrations and national rituals are a product of historic anti-Catholic sentiment; they remain steeped in a discarded and forgotten discourse about the division between denominations. Guy Fawkes night, also known as Bonfire night, is held each year on November 5th. It involves the burning of hay-

20 Elton has characterised the constitutional revolution as conservative. See ELTON's (1962) seminal text.

21 A notable example is Lord Eldon who was the Lord Chancellor and only judge in the Court of Chancery. See chapter 9 'Upright Intentions' in MELIKAN (1999).

22 10 Geo IV c 7.

23 The British Attitude Survey shows that Britain is becoming increasingly secular and a-religious.



stacks or woodpiles and setting off fireworks; it commemorates the failure of the Gunpowder Plot. The Gunpowder Plot was an attempt led in 1605 by a group of English Catholics to blow up the Houses of Parliament and assassinate the protestant King James I. The plot failed as Guy Fawkes, an English born man who converted to Catholicism when in Spain, was discovered at the Houses of Parliament with gunpowder. Along with his alleged co-conspirators, Fawkes was hung, drawn and quartered. Today, children make effigies of Guy Fawkes as way of raising money and encouraging donations (using the motto “a penny for the guy”). The effigy of Fawkes is later put on top of the bonfire.

After the formation of the Church of England, those associated with the Anglican Church did not share equal rights with ordinary legal persons. They had what was thought to be a preferential status which was encapsulated by a different and often superior set of legal rights. Clergymen were disciplined separately from the rest of society; ecclesiastical courts were thought to have less severe punishments. The benefit of clergy allowed clergymen to escape punishment imposed by the ordinary local courts. To exercise this right, the clergyman read from the Bible.<sup>24</sup> When the population of England became more literate, other tests were implemented to ensure that this power was not being abused by other social groups. While clergymen had a different right to liberty than most, their ability to gain financially through the ownership of property was limited.<sup>25</sup> This, however, did not stop them from conducting business or investing. When share ownership became common in the 1830s, it was not clear how these laws should apply to clergymen who invested in joint-stock companies. Retrospective legislation was passed through hurriedly to prevent contracts given out by these joint-stock companies from being invalid.<sup>26</sup> There were a large number of acts passed in the reign of George III making specific offences felonies without benefit of the clergy and the Criminal Law Act of 1827 abolished it in the case of murder.<sup>27</sup>

24 Benefit of Clergy Act 1351 25 Edw III c 4.

25 21 Hen VIII c 13 restricted clergymen from entering the House of Commons, taking any lands or tenements to farm (or be fined 10 pounds a month), avoiding leases, and not engaging in trade or the sale of merchandise (or be fined treble the value).

26 See RUTTERFORD/MALTYBY (2006) 111.

27 7 & 8 Geo IV c 28.

## 5 Racial minorities

Unlike religious denomination or spiritual persuasion, which could be hidden, tested or probed, race or ethnicity was obvious from the outset. Individuals did not have to belong to a community or know each other or their family for generations to see that they had different racial backgrounds. From a single glance, colour was obvious. Although the enslavement of black individuals was prevalent in the British Empire, relatively few were brought back to England. Their labour was used to produce raw materials in the colonies. The product of their labour was, however, transported back to England and consumed or used in the manufacturing process which took place there.<sup>28</sup> Under the English Navigation Acts,<sup>29</sup> slaves were akin to tobacco, whalebone, cotton, indigo, and ginger. They were categorised as commodities and were not understood to be legal persons with rights, such as to be paid for their labour or to own property in their own name. England did not develop rules or the codes regarding the toleration of ill treatment of this group, which can be seen in some of its former colonies.<sup>30</sup>

One prominent case, which was heard in the English court of the King's Bench was *Somerset v Stewart* (1772) in which a slave with the help of anti-slavery campaigners sued his master and used a writ of habeas corpus to gain access to the court.<sup>31</sup> The slave, Somerset, won the case. Lord Mansfield, the Chief Justice, presided and his judgment in this case has been debated at length. Some understood it to mean that slavery was acceptable in the colonies but not in England. Others saw it to mean that slaves could not be detained and removed from England by force. With the passage of the Slavery Abolition Act in 1833,<sup>32</sup> this debate over the legal position was ended firmly. When analysing the common law position and Mansfield's views, Mansfield's biographers have pointed to his relationship with Dido Elizabeth Belle, who was a family member and lived with him at Kenwood House. Belle was not white: she was the daughter of Mansfield's nephew and an enslaved African woman.

28 HOBBSAWM (1999).

29 The first one was passed in 1651, see 12 Cha II c 18.

30 NICHOLSON (1994) 38; RUGEMER (2013) 429.

31 *Howell's State Trials*, vol. 20, cols 1–6, 79–82 (1816).

32 3 & 4 Will IV c73.

While England did not have anti-miscegenation laws that criminalised the union of those from different racial backgrounds,<sup>33</sup> this should not be taken to mean that there was not racial segregation or discrimination against non-whites. Informal and non-legal barriers rather than formal and legal barriers existed. Discrimination also came from the auspices of the state. British politicians and its society reacted to the influx of non-white migrants from the Commonwealth countries in the 1960s, but in particular those from the British West Indies and Asian countries.<sup>34</sup> The Bristol Bus Boycott of 1963 began as the managers of the Bristol Omnibus Company, a nationalised and publicly owned company, operated a “colour bar” and so refused to employ black or Asian bus drivers. Where it was unclear or there was no statement of law to say such behaviour was illegal, a statement of law was needed to address the silence. In other words, those discriminated against needed to litigate to assert their rights and to test to see if their unequal treatment was illegal. Legislation in the form of the Race Relations Act 1965 clarified that racial discrimination, such as this, was unlawful. The 1965 Act applied only to “places of public resort”;<sup>35</sup> it excluded private areas, such as employment, housing and shops. In 1968, the Race Relations Act was passed to extend the legal protections offered.

## 6 Corporations

Human beings were not the only group to hold the status of a “legal person”. Artificial entities held this status as well. Groups of individuals could join together to form a company. If it were a corporation, the group was a single entity and a legal person or single legal name in its own right. The significance of the word “corporation” was that it had a firm legal definition; a corporation had a legal personality of its own that was not tied to that of its owners.<sup>36</sup> With a separate legal personality, the corporation could enter into contracts in its own name, its debts and liabilities could be separated from

33 In the United States, state law which prohibited interracial marriage was deemed unconstitutional in *Loving v. Virginia*, 388 U.S. 1 (1967).

34 From reading political speeches, such as that Enoch Powell’s ‘Rivers of Blood’, it was clear that the opposition was to immigrants not to those generally but specifically to those with a non-white heritage.

35 Race Relations Act 1965 s 1 (2).

36 *KyD* (1793) 12–19.

that of its owners and they were limited in their liability.<sup>37</sup> If in law it was not a corporation with its separate legal personality, it was a partnership. Partnerships or non-corporate entities were not legal persons but known in law by the names of the individuals and legal persons who came together to form the group. Those using the corporate form were not only businesses, but also civic entities, such as the King as well as cities and universities.

Individuals were not free to join, create or act as corporate entities unless they had a corporate charter, which was usually granted by the parliamentary process and an Act of Parliament. For businesses, the Repeal of the Bubble Act in 1825 lifted some restrictions on share trading but it did not allow all firms to use the limited liability corporate form.<sup>38</sup> Some businesses did not push individually for limited liability but often settled for the right to use a single person as the company's public officer rather than having hundreds of shareholders sign contracts and conduct litigation. Even so, gaining this latter right was not always straightforward. The Bank of England contested the attempts of rival banks to use a public officer.<sup>39</sup> The Bank of England was an established enterprise with strong legal and political connections – its officers were closely linked to the government and its success was tied to public finances.<sup>40</sup> Entrepreneurs were allowed to operate with separate legal personalities and use the limited liability corporate form after 1856 when general incorporation legislation was passed.<sup>41</sup> It was not until *Salomon v Salomon* in 1897 that there was understood to be serious judicial commentary on what the doctrine of a separate legal personality meant.<sup>42</sup>

## 7 Conclusion

This chapter makes three generalisable points about the pattern of law which aimed to give rights to a broader range of groups and classes of people. First, the analysis notes that there were periods and decades of legal developments, which may marry up to reform movements in other jurisdictions. The letter

37 Of course some claimed to have limited liability; see *R v Dodd* (1808) 9 East 516.

38 6 Geo IV c 91.

39 HARRIS (2000) 271–273.

40 DESAN (2014).

41 18 & 19 Vict c 133.

42 [1896] UKHL 1, [1897] AC 22.

of the law may have varied but there were transnational and global dialogues that led to convergences in the timings of reform. In England, the 1830s and the 1960s were moments of change. Where reform embraced diversity or equality, it was often followed a decade or two later by legal responses through which the law was revised, tightened or reversed. As these swings appear also across sub-divisions, the thematic structure of this piece perhaps prevents this point about chronology from being observed as clearly as it might be. When the legal concept of citizenship was broadened in 1948, race became a political and legal issue in the 1960s and 1970s. In other areas, it may appear as if there was a sense of progression – in a somewhat linear manner – towards a state of legal equality. Yet, these incremental changes were highly contested; it was far from a one-sided debate with an obvious clear outcome.

Second, debates over who should be a legal person and denial of rights have often been forgotten in public memory. Remnants of historical maltreatment are still evident in the fibre of social behaviour – even if the historical context is long forgotten and this view no longer endorsed or enforced by the letter of law. One such example is Bonfire night and the burning of Guy Fawkes. This historic practice has survived, but the event no longer holds the same objective nor meaning as a way of constructing a social group. The societal norms or behaviours are figurative and these ceremonial acts have lost their meaning as a ritual. Yet, their existence is illustrative of the way British society behaved in the past and the laws, which governed it and so delineated social groups.

Third, and finally, is the disconnect between the legal regime and social behaviour. Top-down change, such as in the Henrician Reformation, was often ineffective in its attempts to promote hegemony or the movement towards a single religion. This point should not be taken to mean that legal change is unimportant or that it does not matter. Indeed, law can be useful in ushering new ideas and in creating changes to attitudes and beliefs. However, there are few examples of the law pushing society in this chapter. It generally identifies a process that has moved in the opposite direction. This chapter shows common ways of achieving reform across these socially constructed groups in England and the patterns of legal change. Legal reform in England was often caused by the need to clarify the common law position or precipitated by the denial of rights. While the exclusion of classes or groups was generally thought to be legal and well within the remit of what was then

the current law, those in the surrounding community no longer believed that this behaviour was acceptable; they demanded change. In the 1960s and 1970s, in particular, changes in the law reflected changes in society and its attitudes. Lawyers followed rather than led these developments.

## Bibliography

### *Case law*

*The Earl of Bedford's Case* (1585) 7 Coke Reports 7b, 77 ER 421  
*Obrian v Ram* (1687) 3 Mod 186, 87 ER 119  
*Henley v \_\_\_\_\_* (1685) 2 Ch Ca 245  
*Anonymous* (1707) 1 Salkeld 155, 91 ER 143  
*Etherington v Parrot* (1703) 1 Salk 118, 91 ER 110  
*War v Huntly* (1703) 1 Salk 118, 91 ER 111  
*R v Sutton* (1794) 5 T R 659  
*R v Dodd* (1808) 9 East 516  
*Somerset v Stewart* *Howell's State Trials*, vol. 20, cols 1–6, 79–82 (1816)  
*Salomon v Salomon* [1896] UKHL 1, [1897] AC 22  
*Loving v Virginia*, 388 U.S. 1 (1967)  
*R v R* [1991] UKHL 12  
*Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010)  
*Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014)

### *Legislation*

Benefit of Clergy Act 1351 25 Edw III c 4  
An Act that no Spiritual Persons shall take to farm etc 1529 21 Hen VIII c 13  
Treasons Act 1534 26 Hen VIII c 13  
Navigation Act 1660 12 Cha II c 18  
Security of the Succession, etc. Act 1701 13 & 14 Will III c 6  
Security of the Sovereign Act 1714 1 Geo I c 13  
Treason Act 1766 6 Geo III c 53  
Repeal of the Bubble Act 1825 6 Geo IV c 91  
Criminal Law Act of 1827 7 & 8 Geo IV c 28  
Emancipation Act of 1829 10 Geo IV c 7  
An Act for the Abolition of Slavery 1833 3 & 4 Will IV c73  
Limited Liability Act 1855 18 & 19 Vict c 133  
Married Women's Property Act 1882 45 & 46 Vict c 75  
British Nationality and Status of Aliens Act 1914

Canadian Citizenship Act 1946  
Australian Citizenship Act 1948  
British Nationality Act 1948  
New Zealand Citizenship Act 1948  
Race Relations Act 1965  
Race Relations Act 1968  
Immigration Act 1971

*Books and Articles*

- BLACKSTONE, WILLIAM (1768), *Commentaries on the Laws of England*, 3rd ed., Oxford
- DESAN, CHRISTINE (2014), *Making Money: Coin, Currency, and the Coming of Capitalism*, Oxford
- ELTON, GEOFFERY (1962), *England under the Tudors*, London
- FREEMAN, MARK, ROBIN PEARSON, JAMES TAYLOR (2006), "A Doe in the City": Women Shareholders in Eighteenth- and Early Nineteenth-Century Britain, in: *Accounting, Business & Financial History* 16, 265–292
- HARRIS, RON (2000), *Industrializing English Law: Entrepreneurship and Business Organization, 1720–1844*, Cambridge
- HOBBSBAWM, ERIC (1999), *Industry and Empire: From 1750 to the Present Day*, New York
- MALTBY, JOSEPHINE, JANETTE RUTTERFORD (2006), "She Possessed Her Own Fortune": Women Investors from the Late Nineteenth Century to the Early Twentieth Century, in: *Business History* 48, 220–253
- MARSH, STANLEY BRIAN, JOHN SOULSBY (2002), *Business Law*, Cheltenham
- MELIKAN, ROSE (1999), *John Scott, Lord Eldon, 1751–1838: The Duty of Loyalty*, Cambridge
- NEWTON, LUCY, PHILIP COTTRELL (2006), Female Investors in the First English and Welsh Commercial Joint-Stock Banks, in: *Accounting, Business & Financial History* 16, 315–340
- NICHOLSON, BRADLEY (1994), Legal Borrowing and the Origins of Slave Law in the British Colonies, in: *American Journal of Legal History* 38, 38–54
- RUGEMER, EDWARD (2013), The Development of Mastery and Race in the Comprehensive Slave Codes of the Greater Caribbean during the Seventeenth Century, in: *The William and Mary Quarterly* 70, 429–458
- RUTTERFORD, JANETTE, JOSEPHINE MALTBY (2006), "The Widow, the Clergyman and the Reckless": Women Investors in England, 1830–1914, in: *Feminist Economics* 12, 111–138