

Women Against Women: An Endless Battle

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Murderous mothers. To us, these words bring about images of horrible and wicked women who have no place in proper society. These women are seen as the scourge of society, as someone who deserves to be killed. Throughout popular movies and television shows, we see the portrayal of these people as devious and dangerous individuals. However, do these women deserve to be ostracized for their actions? In the seventeenth century, child-murdering mothers were also treated with disdain, not for the murder of their children, but rather for the concealment of bastards. The way women were tried and convicted for concealing the birth of their children brings into question the reasons behind the act and the overall treatment of these women. Local women often brought these women forward, having seen the signs of pregnancy. Together women enforced the moral and social code on one another.

Women in the seventeenth century gathered evidence against child murderers in four critical ways through physical and opinion evidence. The first line of evidence was the signs of pregnancy gathered through observation. The second was the physical evidence found on or in the body of the child. The third, and perhaps the most damning or useful, were the feelings of the community toward the women. The final was the contemporary popular opinion of child murderers. The enforcement of character and moral standing among women resulted in either the conviction or acquittal for the concealment of a bastard child's birth. I aim to look at child murderers not as clear-cut sinners, but as complicated cases of women pitted against women.

In 1624, parliament passed *An Act Against the Destroying and Murdering of Bastard Children* which aimed to punish mothers who concealed the death of their bastards, "to avoid their shame and to escape punishment".<sup>1</sup> This law did not prosecute murder itself, but rather the

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<sup>1</sup> King James I and VI, 1624, *Anno vicesimo primo Jacobi Regis, &c. an act to prevent the destroying and murdering of bastard children*, (Law, The City of London: Crown), 1.

concealment of both birth and death. It is unknown how many women this law affected; however, we can note through trial records it was a regular occurrence. After this law was passed, an assumption of guilt was placed on unwed mothers who gave birth in secret to infants who were later found dead. These women were often maidservants who had little social standing, resources, or assistance from others.<sup>2</sup> Local women played a large role in the conviction or acquittal of accused women. Without knowledge of the law or the support of other women, these maidservants were likely to be prosecuted, found guilty, and put to death. Due to the assumption of guilt, women who had stillborn infants were also likely to be convicted and hung. Communities in England were sensitive to any signs of pregnancy. “Who noticed the sign of pregnancy and who ignored them, and whether they would be confronted, depended on [the woman’s] age, social position, and living situation.”<sup>3</sup> In some cases, local women would testify either for or against the woman in question. One such case is with Elizabeth Francis, nee Elkes, who supposedly bore a child before getting married to a respectable man. However, several women testified for her as a notion to her reputation and character within the community.<sup>4</sup> It was this support and credibility vouching that allowed her to escape the noose.

The signs and symptoms of pregnancy were often ambiguous and could be passed off as something else entirely, like their monthlies or other illness.<sup>5</sup> Women turned to midwifery and household manuals to confirm they were indeed pregnant. Due to the popularity of these manuals, women knew what to look for in themselves and others. Neighborhood women looked upon one another for signs of a bastard pregnancy. It was through this strict surveillance that a

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<sup>2</sup> Eleanor Hubbard, 2012, ‘City Women: Money, Sex, and Social Order in Early Modern London’, (Oxford: Oxford Academic), under The limits of the law.

<sup>3</sup> Laura Gowing, 1997, "Secret Births and Infanticide in Seventeenth-Century England", (Past & Present (156): 87-115).

<sup>4</sup> Eleanor Hubbard, ‘City Women’, under Fallen Women.

<sup>5</sup> Laura Gowing, “Secret Births”.

moral standard was both protected and promoted. Midwifery manuals had a wide range of symptoms, some of which could not be seen; however, they provided the beginnings of an accusation. One midwifery manual tells of coldness in the extremities, cramps above the navel, increased appetite and cravings, stomach weakness and vomiting, swollen and hard breasts, red nipples, discolored eyes, and prominent veins in the event of conception.<sup>6</sup> Neighbors were able to watch for the most prominent signs, or if she was acting odd, and begin to suspect a woman was pregnant. There were also tests a midwife or medical practitioner could perform including, “Again, stop the urine of a woman close in a glass three days, and then strain it through a fine linen cloth; if you find small living creatures in it, she is most assuredly conceived with child”.<sup>7</sup> Although this sign was difficult for local women to utilize, it was still a woman who facilitated the process. Thomas Reynalde's midwifery manual was the most popular and spoke of many issues associated with pregnancy, especially how the belly and womb change when a woman becomes pregnant. “Her belly with begin the swell and will change in feeling.”<sup>8</sup> These symptoms of pregnancy could be covered up with excuses of sickness or menstruation, but they would still be heavily watched. The women who watched for these signs would not ask for permission to check their suspicions. Often women would be confronted, by their mothers or neighbors, and checked without their permission through squeezing of the breast or touching of the stomach. Unless the suspected women could give proof of a lack of pregnancy, they would still be suspected by their community. It was through the watchful eyes of local women that unwanted pregnancies would be exposed.

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<sup>6</sup> Nicholas Culpeper, 1675, *A Directory for Midwives: Or, A Guide for Women: In Their Conception. Bearing; and Suckling of their children*, (London: George Sawbridge), 101.

<sup>7</sup> Aristotle, 1684, *Aristotle's Masterpiece*, (London), 38.

<sup>8</sup> Thomas Reynalde, 1554, *Birth of Mankind*, (London), Book 1.

Local women served as important character witnesses for accused women. Many maidservants who had employers and other members of the community in good standing were less likely to be convicted. The *Concealment Act* also indicated that if a mother could provide one witness who could testify to a stillbirth, they would be acquitted.<sup>9</sup> In such cases, midwives proved an invaluable asset to a case. In one instance a woman was tried for killing her bastard child. When both the midwife and coroner testified that it was a miscarriage due to her being less than sixteen weeks and the infant not longer than eight inches, she was quickly judged not guilty.<sup>10</sup> Midwives had a reputation in the community as truth-tellers because of their standing in English society. Local women played a key role in perpetuating the belief in midwives' testimony. However, women were often unable to produce a character witness who had either attended the birth or could testify to her moral standing. One woman stated that, "certain women" had taken her child from her.<sup>11</sup> This could have occurred for any number of reasons, maybe the father secretly sent the child out to a nurse; maybe the woman thought the child should be killed, or perhaps it was simply taken to a local parish; whatever the reason she could not produce these women at her trial. As such, she was found guilty and sentenced to death.<sup>12</sup> This woman was convicted solely on the lack of testimony from character witnesses who attended her birth. She planned for this childbirth, but due to local women not coming forward to vouch for her moral standing and lack of concealment, she was convicted. Juries occasionally did view these women with sympathy. One young woman who was suspected for some time to have been pregnant delivered her child alone. Her landlady, having seen her ill, brought a midwife and they found the child concealed in a trunk. She claimed that it was stillborn and based on "the

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<sup>9</sup> King James I and VI, *Concealment Act*, 1.

<sup>10</sup> Old Bailey Proceedings Online, 1676, *trial of person*, Dec, Accessed Nov 2022, 1.

<sup>11</sup> Old Bailey Proceedings Online, 1678, *trial of woman*, Jan, Accessed Nov 2022, 1.

<sup>12</sup> Old Bailey Proceedings Online, *trial of woman*, 1.

least mark of wound, bruise, or other violence used: So that thereupon, and her voluntary Confession”, they proclaimed her not guilty.<sup>13</sup> Women could get by without a character witness present at the birth, but the jury needed to view her as a sympathetic character. For the jury to view her as sympathetic, she needed to have a good reputation and that came about through the views of local women.

Mothers who murder their children have long been seen as horrible, devious, and unfit for society. This is even more so when the killing is violent. It is often seen as impossible for a mother to be violent toward her children; however, it is possible. In the cases in which a mother violently killed her newborn child, the punishment was always death, simply because of the association it created. In one trial of a woman, she was to have “most barbarously murdered it by crushing the head, and wounding it both in the skull and eyes (as is supposed) with a pair of Sizzars” This language illustrates a clear disgust for mothers who conducted physical violence toward a newborn child. Again, the women of local society played a large role in the opinion of women who killed their children. In English society, a woman who was violent or physical was not seen as a moral or upstanding woman. The local women would have been less likely to provide testimony for the accused. One trial spoke of a wench, “whom the Devil had seduced to endeavour, to cover the filthy sin of Fornication”<sup>14</sup> and who “in a very barbarous manner cut the Throat of it so violently, that the Head was almost seperated from the body”<sup>15</sup>. To explain the reason behind the violent nature of the crime, it was claimed she was seduced by the devil. Local women would have helped spread such a story to continue strict moral standards within their community and discourage women from conceiving bastards. The case of a young woman,

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<sup>13</sup> Old Bailey Proceedings Online, 1677, *trial of young Woman*, Sep, Accessed Nov 2022, 1.

<sup>14</sup> Old Bailey Proceedings Online, 1679, *trial of Wench*, Oct, Accessed Nov 2022, 1.

<sup>15</sup> Old Bailey Proceedings Online, *trial of Wench*, 1.

Elizabeth Neal, also highlights the distaste for violent women. She murdered her son “by choaking and strangling, and it appearing undeniable” and was found guilty and put to death. This crime was seen as being unable to be denied because it was a violent crime. It begs the question, why would a mother being violent toward her child result in an immediate judgment of guilt? Societal perceptions of women in this era were perpetuated by opinions and stories told by local women to encourage strict morals. To be a woman capable of both murder and violence had to mean that they were immoral and seduced by the devil.

Today child murderers, especially mothers, are seen as the bane of society and underserving of compassion or pity. Even in prisons, people who have committed crimes against children are treated poorly by guards and other prisoners. This opinion has remained largely unchanged since the seventeenth century. Ballets were a form of print culture that circulated broadly among general society. The stories among these ballets were largely influenced by the general opinions of both the *Concealment Act* and stories that circulated among women. The law itself referred to the mother as “Lewd” when justifying the need for the law.<sup>16</sup> Ballets often told the same stories that are heard now on true crime television. They called them “No Natural Mother, but A Monster”<sup>17</sup> and contained images of them with roosters and snakes or hanging in the street. Thus, linking normal women with sinful images from the bible. To murder a child was an act against God himself. Songs also served as a way for local women to enforce morals on all members of the community. One stanza of this song strived to do just that, “Sweet Maidens all take heed”<sup>18</sup> Children also would have sung these songs, like *Lizzie Borden*, in the street and

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<sup>16</sup> King James I and VI, *Concealment Act*, 1.

<sup>17</sup> Parker, Martin, 1634, *No naturall Mother, but a Monster. / Or, the exact relation of one, who for making away her / owne new borne childe, about Brainford neere London, was hang'd at / Teyborne, on Wednesday the 11. of December, 1633*, (London: F. Coule(s)), 1.

<sup>18</sup> Martin Parker, *No natural Mother, but a Monster*, 1.

when playing. In one case a woman was referred to as “an unhappy Wench, whom the Devil had seduced.”<sup>19</sup> Stories were often created to illustrate the danger of compromising one’s morality to explain a mother murdering her child. This woman needed “to cover the filthy sin of Fornication, with the Scarlet Mantle of Murder.”<sup>20</sup> Although it is unlikely that the devil played a role, it served to justify the treatment of these women by popular society and to explain the potential mental illnesses these women had. In modern times, it is recognized many women who kill their newborn children or even their toddlers, do so because of a mental illness or a psychotic break. In the seventeenth century, this would have been seen as a mark of the devil which caused such a break in community morals. In the case of the wench, the woman eventually confessed to the killing and was hanged. Popular opinion of these women may have been negative, but in some cases, there was compassion for the accused. Although it did not save them, it did prompt people to examine the conditions that allowed these women to deliver on their own. This was the case with a “poor young wench” who had sex on the promise of marriage.<sup>21</sup> She was turned out “cruelly” by her “etous” landlady, and by the parish until in utter desperation she delivered in the street.<sup>22</sup> Then she was discovered by the watch and a midwife was called “who found the Child dead, but not separated from her Body”.<sup>23</sup> This woman stated that the child had cried, but she had not done any harm to it. In the end, she was convicted due to “the law making it death in that case for any woman to be delivered alone without calling help”.<sup>24</sup> Juries could have sympathy and understanding for the mothers who found themselves in these circumstances; however, that

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<sup>19</sup> Old Bailey Proceedings Online, 1679, *trial of Wench*, Feb, Accessed Nov 2022, 1.

<sup>20</sup> Old Bailey Proceedings Online, *trial of Wench*, 1.

<sup>21</sup> Old Bailey Proceedings Online, 1679, *trial of Wench*, Oct, Accessed Nov 2022, 1

<sup>22</sup> Old Bailey Proceedings Online, *trial of Wench*, 1.

<sup>23</sup> Old Bailey Proceedings Online, *trial of Wench*, 1.

<sup>24</sup> Old Bailey Proceedings Online, *trial of Wench*, 1.



alone could not overcome the popular opinion perpetuated by local women through stories and ballets that viewed these women as the scourge of society.

I have argued that child murderers in seventeenth-century England were convicted or acquitted according to four pieces of evidence: the expertise of a midwife; character witnesses from the community, views on violent mothers, and popular societal opinion. In examining court records, midwifery manuals, and ballets I have focused on how local women influenced the outcomes of infanticide trials. A full analysis of popular print culture would require a much larger examination to uncover further views on infanticide and when mothers who killed began to be viewed as devious and unfit for society. Within my sources, I can gather that oral stories based on various accounts of child murderers played a large role in advancing the view of these women. In addition, stories were rooted in a fear of morality in the communities these women lived in. These stories also served as a warning to all other women in the community of what could happen to them. Another aspect of this culture manifests itself in views of the physicality of women. This notion alludes to the idea that women, mothers especially, are incapable of doing violence or being physically intimidating. However, we know that this is completely possible and very often a real occurrence. Local women were responsible for the enforcement and upholding of social order and moral codes within their communities. They were able to achieve this by watching their neighbors and checking in on one another. Through these watchful eyes, the *Concealment Act of 1624* was implemented and enforced. Women played a vital role in identifying bastard pregnancies, establishing popular culture surrounding views of these women as a whole and women who were violent, and in serving as character witnesses either for or against women on trial.

In every case examined, there is a layer of judgment and opinion throughout which greatly influenced the outcome of the trials. Only in exceedingly exceptional circumstances, would a woman be acquitted for the death of a bastard child. Most of these cases ended in a death sentence for the mother, even when sympathy was observed. This was due to the nature of the crime itself and the need for upholding Christian morals in communities. If one woman could kill her child- what would happen to the rest of the community? In today's culture, women are still pitted against one another and encouraged to uphold morals within communities. Within workplaces, schools, and even home life women are expected to attack one another to be viewed better by men. What would today look like if the women of that past had supported each other through all accusations? Would women still be complicit in the misogynistic aims of the men of today? In infanticide cases, the mother was just as much a victim as the children they were forced to kill. It's a shame that we are still working through this harmful narrative established so long ago.

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