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Mothers Who Kill: Infanticide in the *Pennsylvania Gazette*, 1728-1800

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Abstract

This essay examines approximately one hundred newspaper articles from the *Pennsylvania Gazette* to analyze the depiction of women in infanticide and neonaticide accounts. This study builds upon previous scholarly work and emphasizes a late-eighteenth-century shift in punishment and assessment of women who killed their illegitimate infants, which pre-figured the abolishment of capital punishment for infanticide. Throughout the eighteenth century, the *Pennsylvania Gazette's* depiction of women accused of killing their illegitimate children consistently depended on their marital status. However, in the late-eighteenth century, the *Gazette* changed the way it described women accused of killing their illegitimate children; instead of focusing on the crime and the deceased infant's location, it emphasized the infant's clothing.

Eighty-six percent of articles that mention infanticide or infant abandonment in the *Pennsylvania Gazette* from 1728 to 1800 contain the word “murder,” at least once. Fifty-seven percent of articles that mention infanticide or infant abandonment in the *Gazette* contain the phrase “bastard child,” at least once.¹ The *Gazette* labeled women accused of infanticide as “barbarous,” “inhuman,” “whores.”² Through descriptions like this, the *Gazette* reflects eighteenth century beliefs that infanticide crimes conflict with morality expectations for women. Thus, women accused of infanticide faced the category of social and sexual deviant. While newspapers consisted of short articles that offered little evidence about the women accused, much can still be understood through the examination of the *Pennsylvania Gazette*.

In the late-eighteenth-century America the public’s depiction of women shifted. A sexual double standard emerged as men ceased to be prosecuted for sexual crimes such as fornication.³ This legal change decriminalized sexual acts such as premarital sex for men but not for woman. Enlightenment thought and discourse played a large role in the public’s perception of white women. The public no longer viewed white women as seductresses, seducing willing men, but as victims seduced and taken advantage of by men.⁴ This created a divide between white and non-white women which is known as racialization of sexual behavior.⁵ Through the examination of

¹ Articles on infanticide were gathered from the Accessible Archives *Pennsylvania Gazette* searchable newspaper database at <http://srch.accessible.com>. The ninety-eight articles on which this is based were found through keyword searches on women, children, infants, and murder. Thirty-two percent of articles are pre-1750, fifty-two percent of articles were published between 1751 and 1775, and sixteen percent of articles were published between 1776 and 1800.

² *Pennsylvania Gazette* (Philadelphia), June 13, 1754; *Pennsylvania Gazette* (Annapolis), September 27, 1753.

³ Dayton, Cornelia Hughes. “Taking the Trade: Abortion and Gender Relations in an Eighteenth-Century New England Village.” *The William and Mary Quarterly*, Third Series, 48, no. 1 (January 1, 1991).

⁴ G. S. Rowe, “Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania,” *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991).

⁵ For further understanding of the racialization of sex crimes in Early American see, Sharon Block, *Rape and Sexual Power in Early America: Easyread Super Large 20pt Edition* (ReadHowYouWant.com, 2009): 70.

colonial criminal court trials, scholars have been able to show a decrease in criminal executions for infanticide.⁶ From 1786 to 1800, in Pennsylvania, twenty-two women faced the charge of infanticide, but no executions occurred.⁷ These changes in public opinion and prosecution suggest not only a public, but also a legal change, that prefigured the late 18th-century abolishment of capital punishment for infanticide.

Throughout most of the eighteenth century, the *Pennsylvania Gazette* described women accused of killing their illegitimate children according to the same criteria. The depiction of women consistently depended on their marital status and the location and brutality of their crime. Moreover, in the late-eighteenth century, newspapers no longer focused as heavily on the location of the crime and the deceased infant, but instead placed emphasis on the deceased infant's clothing as an explanation for how the mother killed and disposed of her child. Infanticide strongly juxtaposed the shifting notions of motherhood after the Revolution; it conflicted with the post-revolutionary notion that mothers were the best guardians of children. To show how infanticide was presented in the mass media from 1728 to 1800 this essay examines approximately one hundred articles from the *Gazette*.

From 1728 to 1800, the *Pennsylvania Gazette* published approximately one hundred accounts of infanticide. Thirty-five percent of the accounts are extremely formulaic, one-line entries, which provide very little information about the women accused. While these articles are important and should not be overlooked, the emphasis of this essay will be on the remaining

⁶ G. S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991): 200–232.

⁷G. S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991): 208.

sixty-five percent of the articles. Not only are these articles much longer and more descriptive, but they also present a clearer picture of the women accused.

While scholarship on infanticide is not as abundant as other colonial historical inquiries dealing with female criminals generally, multiple scholars have analyzed infanticide in the British American colonies. Scholars base their argument on a cultural shift in the perception of female felons prior to the late-eighteenth-century revision of infanticide common law.⁸ They contend that because there was an increase in the number of prosecutions along with a reduction in the number of capital punishments administered against women who killed their illegitimate children, there was also a shift in the public's views of women who kill their illegitimate children. In scholarship, scholars grapple with the importance of the continued popularization of enlightenment thought in the eighteenth century. Some scholars, like Merrill D. Smith, argue that the impact of the enlightenment needs to be the main lens of historical analysis, while others, like G.S. Rowe, argue that criminal prosecution needs to be the main lens of historical analysis.⁹

Scholars show gender-based prejudices in the colonial penal system through the analysis and comparison of female criminals to male criminals. Scholars look at the way that a male-

⁸ Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC: University of North Carolina Press, 1995); Katie M. Hemphill, "Driven to the Commission of This Crime.," *Journal of the Early Republic* 32, no. 3 (Fall 2012); N. E. H Hull, *Female Felons: Women and Serious Crime in Colonial Massachusetts* (Urbana: University of Illinois Press, 1987); Laura T. Keenan, "Reconstructing Rachel: A Case of Infanticide in the Eighteenth-Century Mid-Atlantic and the Vagaries of Historical Research," *Pennsylvania Magazine of History & Biography* 130, no. 4 (October 2006); Paul A. Gilje, "Infant Abandonment in Early Nineteenth-Century New York City: Three Cases," *Signs* 8, no. 3 (April 1, 1983); Peter Charles Hoffer and N. E. H Hull, *Murdering Mothers: Infanticide in England and New England, 1558-1803* (New York: New York University Press, 1981); Sharon Ann Burnston, "Babies in the Well: An Underground Insight into Deviant Behavior in Eighteenth-Century Philadelphia," *The Pennsylvania Magazine of History and Biography* 106, no. 2 (April 1, 1982).
⁹ G. S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991); Merrill D. Smith 9. "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999).

dominated legal and political system structured the criminal prosecutions and outcomes of deviant women. In colonial America the state defined what constituted criminal activity. They based criminal punishment on public morals, property, and public safety. Who created and enforced laws in colonial America is a subject of discontent among scholars of crime. Scholars agree that criminal codes and customary, or common, understandings of criminal behavior changed greatly in the eighteenth and nineteenth centuries. However, they struggle to agree on how the changing perception of white women played out in colonial courtrooms, colonial laws, and colonial newspapers.¹⁰

In post-Revolution America, women's roles drastically changed. The white elite male leaders of the young republic created a system to ensure success through virtue, which could be found within churches, schools, and families.¹¹ Elite white women were seen as the guardians of virtue, and therefore played a critical role within the family. Women were responsible for educating their children to be virtuous patriotic citizens.¹² This new ideology made politics personal by holding mothers accountable for the political wellbeing of their family. At the same time, this allowed women to become politically active because it introduced politics into the domestic sphere in which women were confined too.¹³ Women's private lives were now a public

¹⁰Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC: University of North Carolina Press, 1995); G. S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991); Katie M. Hemphill, "Driven to the Commission of This Crime.," *Journal of the Early Republic* 32, no. 3 (Fall 2012); Christine Daniels and Michael V. Kennedy, eds., *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999); N. E. H Hull, *Female Felons: Women and Serious Crime in Colonial Massachusetts* (Urbana: University of Illinois Press, 1987).

¹¹ Amelia Howe Kritzer, "Playing with Republican Motherhood," *Early American Literature* 31, no. 2 (September 1996): 150.

¹² Paul A. Gilje, "Infant Abandonment in Early Nineteenth-Century New York City: Three Cases," *Signs* 8, no. 3 (April 1, 1983): 581.

¹³ Amelia Howe Kritzer, "Playing with Republican Motherhood," *Early American Literature* 31, no. 2 (September 1996): 150.

concern. Unvirtuous sexually deviant women, such as women who committed infanticide, became a public concern because they threatened the post-revolutionary ideas of motherhood and the new role of women.

Though there is documentation that women from different socioeconomic statuses committed infanticide, women convicted of infanticide were commonly young, unmarried, lower class women who had labor-intensive jobs.¹⁴ These women often did not have the patriarchal protection of their father because they were servants and lived outside of their family home. If a servant woman became pregnant, not only did she work a labor intensive job that did not allow for her to properly care for an infant, but she also faced additional years of servitude as punishment for having a child outside of wedlock.

Nevertheless, if a women chose to raise an illegitimate child on her own she not only faced a difficult life, but also could be charged with fornication.¹⁵ Up until the late-eighteenth-century, women could be charged and punished for premarital sex.¹⁶ When women were convicted of a sexual transgressive crimes, such as fornication or infanticide, their punishment was public, corporal, and used as an example to ensure order within colonial society.¹⁷ Thus, when single women became pregnant they faced both economic and legal repercussions.

Any women that hid their pregnancy and the birth of their illegitimate infant could be accused or convicted of infanticide. Colonies' infanticide laws were derived from a 1623 English

¹⁴Merril D. Smith 9. "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999): 147.

¹⁵ Merrill D. Smith "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999): 176.

¹⁶Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC: University of North Carolina Press, 1995): 161

¹⁷ Merrill D. Smith "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999): 176.

statute, 21 James I, c.27. This statute stated that any woman who gave birth in secret had to prove that her child was born alive. If a woman claimed her child was stillborn there had to be proof that the child had never taken a breath.¹⁸ Unlike murder laws, women charged with the crime of infanticide were guilty until proven innocent.

The *Gazette* did not identify women accused of infanticide as single or unmarried, but it identified their deceased infants as “bastards.” In fact, sixty percent of accounts describe the deceased infant as a “bastard.” Unwed pregnant women had little to gain but much to lose with the birth of their illegitimate child. For this reason, women who committed infanticide did not do so to avoid shame, but because they faced economic hardship and criminal prosecution.

While articles consistently describe the deceased infant as a “bastard,” few articles provide enough information for an in-depth analysis of the single woman’s plight. Amongst the many formulaic accounts of infanticide that offer little to no detail about the unwed mother accused, there are a few accounts that call for close examination. In 1754, a Dutch woman was accused of killing her illegitimate child. The woman delivered her child in secret and then concealed the infant’s body. Upon her return home, she was asked about the well-being of her child.¹⁹ This illustrates the fact that the community not only knew that the woman was pregnant, but also that she was in labor. Throughout the eighteenth century, there was no funding for unwed mothers and wealthy couples did not adopt illegitimate children. Therefore, young unwed pregnant women had few choices if they could not care for their child.²⁰ Infanticide scholars

¹⁸ For full law see Joseph W. Laythe, *Engendered Death: Pennsylvania Women Who Kill* (Lexington Books, 2011): 86.

¹⁹ *Pennsylvania Gazette* (Philadelphia), June 13, 1754.

²⁰ G. S. Rowe, “Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania,” *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991): 220.

argue that newspapers often published articles to alert the public of the plight of these young women. Thus, the *Gazette* was a medium used by the media to alert the public of the problem.²¹

The *Gazette* published articles about unwed mothers to exemplify the lengths women would go to avoid the hard life that accompanied the birth of an illegitimate child. In 1785, Susanna and Sarah Beachman, mother and daughter, were charged with the murder of Sarah's illegitimate son.²² In this account, Sarah's mother helped her murder her illegitimate child. While Susanna's motivation is unknown, Susanna knew that if her daughter Sarah raised an illegitimate child she would have an extremely hard life. Thus, Susanna was willing to risk her life to protect her daughter Sarah from the harsh life of single motherhood. While there is no other evidence in the *Gazette* of a mother helping her daughter kill her illegitimate grandson, this article is useful because it shows the community the lengths a mother would go to, to protect her daughter.

Throughout the eighteenth century, the *Gazette* continued to emphasize a women's marital status in infanticide accounts. The *Gazette* referred to murdered infants as "bastards" for three reasons: to show the lengths women would go to avoid raising an illegitimate child, to discourage young women from having premarital sex, and to make the public aware of unwed mothers' plight. Scholars argue that in the mid-eighteenth century the most effective use of newspapers and the legal system was to make examples out of disorderly and marginalized women; concluding, that poor servant women were most at risk for being accused of both fornication and infanticide.²³

²¹ G. S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (June 1, 1991): 220.

²² *Pennsylvania Gazette* (Virginia), August 17, 1785.

²³ Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill, NC: University of North Carolina Press, 1995): 212.

The *Gazette* describes women accused of infanticide through the portrayal of their deceased infants. Overall, forty-six percent of infanticide accounts contain a description of the deceased infant. However, the number jumps to seventy percent if the thirty-five percent of the articles that are just arraignment, pardon, or execution lists are disregarded. Thus, outside of formulaic reports of criminal actions, descriptions of deceased infants were central to the depiction of women accused of killing their children.

The infant's clothes and location are important in understanding the description both the accused mother and the infant. Not all infants were abandoned and left to die.²⁴ Often, mothers unable to provide economic support for their infants left them in public places like a town square, or a person's door step, to ensure their discovery.²⁵ The clothes of the infant is important for two reasons. First, if the infant were left bundled and protected from the outside environment, the mother may have abandoned her infant with the hopes that it would be discovered.²⁶ Second, if the infant wore fine clothing, scholars argue the infant could have been a stillborn. But, because the pregnancy was hidden and the birth occurred in secret, the mother hid the body to conceal it.²⁷

Up until 1779, the *Gazette* relied on the infant's location to strengthen its argument that the mother killed her child. In 1768, the *Gazette* published an account of infanticide that claimed

²⁴Sharon Ann Burnston, "Babies in the Well: An Underground Insight into Deviant Behavior in Eighteenth-Century Philadelphia," *The Pennsylvania Magazine of History and Biography* 106, no. 2 (April 1, 1982): 151–86.

²⁴Merril D. Smith. "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999).

²⁵ Merrill D. Smith. "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999): 175.

²⁶ Merrill D. Smith. "Unnatural Mothers," in *Over the Threshold: Intimate Violence in Early America*, 1 edition (New York: Routledge, 1999): 175.

²⁷ Roth Randolph, "Child Murder in New England," accessed February 9, 2015.

that an infant was found inside of a bag, at the bottom of a pond.²⁸ In this account, the infant was concealed in a bag and then placed at the bottom of a pond so no one would find it. Even though the article does not directly describe the mother accused, the location of the infant showed that the mother had concealed the child's birth. In 1743, an infant was found wrapped in a "Great Coat and put under the [mother's] Pillow."²⁹ The *Gazette* suggests that the infant's intimate location allowed the mother to escape before the crime could be discovered. In 1733, a woman named Rebecca Chamlit's infant was, "found in the Necessary House, cover'd over with Ordure."³⁰ Even if the child was stillborn, Chamlit birthed her illegitimate alone in secret and concealed her child's birth. Thus, the infant's location showed that Chamlit murdered "her Bastard Male Child."³¹ In 1766, a "barbarous Mother,"³² hid her newborn infant in one of the cellars at the barracks. The infant's location is the only information provided to show that the mother concealed the birth of and then murdered her illegitimate child. In all of these accounts, the *Gazette* depended on the deceased infants' location to prove that mother killed her child.

In the late eighteenth century, the *Gazette* began to emphasize the deceased infants' clothing to show the manner in which the infants died. For example, in 1800, the *Gazette* published an account about a male infant strangled and left in the woods.³³ The infant's outfit consisted of, "four shirts, two flowered caps, a linen bellyband, and two new barrows, and three calico slips, one new."³⁴ By explicitly describing the deceased infant's clothing, the author is suggesting that the mother took the time to not only dress her son, but dress him in fine clothing.

²⁸ *Pennsylvania Gazette*, May 12, 1768.

²⁹ *Pennsylvania Gazette* (Pennsylvania), February 28, 1743.

³⁰ *Pennsylvania Gazette* (Boston), June 7, 1733.

³¹ *Pennsylvania Gazette* (Boston), June 7, 1733.

³² *Pennsylvania Gazette* (Philadelphia), February 6, 1766.

³³ "Murder." *Pennsylvania Gazette* (Pennsylvania), December 21, 1800.

³⁴ "Murder." *Pennsylvania Gazette* (Pennsylvania), December 21, 1800.

Thus, the depiction of the mother is based on the depiction of her deceased son. In contrast, in 1792, a female infant was found inside of a cellar window. While this infant was found alive, the mother is still described as a horrid person who deserted her, “dear innocent,” in nothing “but an old red flannel night shift.”³⁵ While the majority of infanticide accusations in the *Gazette* occurred before 1780, after 1780 forty percent of infanticide accusations contained a description of deceased infant’s clothing.³⁶

While deceased infants’ descriptions changed throughout the eighteenth century, it is still vital to understanding the depiction of women accused of killing or abandoning their illegitimate children. Prior to 1779, the deceased infant’s location was central to the accusation that the mother killed her child. After 1779, the infant’s clothing was crucial to the portrayal of the mother. If the mother had the time to properly dress her infant, was she concealing the crime of infanticide, or was she hiding a stillborn infant that was birthed in secret? Regardless of the aspect being described, through the infant’s description, the author is able to strengthen the claim that the mother killed and concealed her illegitimate child. Therefore, while the description of deceased infant’s may have changed, the importance the deceased infant played in the depiction of the mother accused depiction did not.

Infanticide publications in the *Pennsylvania Gazette* spotlighted poor deviant women. Women accused of killing their illegitimate children were seen as a threat to the community. Due to lack of poor relief and public welfare in the eighteenth century, the burden of unwanted children fell on the local community. While the first almshouse was established in Philadelphia in 1731, it was not until the early nineteenth century that the United States began to establish

³⁵ *Pennsylvania Gazette* (Philadelphia), August 29, 1792

³⁶ Only twelve percent of infanticide accusations in the *Pennsylvania Gazette* occurred after 1780.

orphanages for unwanted children.³⁷ Single poor women who became pregnant outside of wedlock lacked monetary support from both a husband and their community. Therefore, the responsibilities that accompanied raising an illegitimate child fell upon them. Considering these circumstances, if a woman felt she could not care for her child, she had limited options. Thus, infanticide publications throughout the eighteenth century served not only as a warning to young women to not engage in premarital sex, but also to enlighten the community of poor women's plight if they got pregnant.

In modern infanticide cases, sentimentality continues to play a large role in the depiction of the accused mother. While public welfare and accessibility to social services has dramatically increased in modern America, women who commit infanticide today continue to be seen as unnatural murdering mothers. Starting in 1999, states began creating safe-haven laws to protect unwanted children and their mothers. Currently, all states have safe-haven legislation. These laws allow for women to relinquish their newborn infants to the authorities without questions or prosecution.³⁸ They have been successful in saving over 1,000 infants since they were enacted.³⁹ Yet, not all women are aware of "Baby Safe Haven" laws, thus there are still reports of infanticide and infant abandonment.⁴⁰

Despite modern programs designed to protect women and infants, women still commit and are convicted for killing their unwanted children. In February 2015, an Indiana court

³⁷ "From Almshouse to Asylum: A Pathfinder, Pennsylvania Department, Carnegie Library of Pittsburgh," accessed March 4, 2015, <http://www.carnegielibrary.org/research/pittsburgh/history/orphanages/orphan.html>.

³⁸ "National Safe Haven Alliance | Baby Safe Haven Infant Protection Laws," accessed March 4, 2015, <http://www.nationalsafehavenalliance.org/law.php>.

³⁹ "National Safe Haven Alliance | Baby Safe Haven Infant Protection Laws," accessed March 4, 2015, <http://www.nationalsafehavenalliance.org/law.php>.

⁴⁰ "National Safe Haven Alliance | Baby Safe Haven Infant Protection Laws," accessed March 4, 2015, <http://www.nationalsafehavenalliance.org/law.php>.

convicted a woman named Purvi Patel of feticide and child neglect.⁴¹ Even though Patel claimed that she gave birth to a stillborn, authorities required proof that her infant had never taken a breath. The way in which the prosecution determined the fetus' condition at birth is currently being scrutinized. The prosecution used an outdated seventeenth century test, that is "absolutely discredited" by the medical community, to show that the infant's lungs contained air.⁴² The prosecution used a pseudo-scientific test to prove that Patel killed her child. While it is a stretch to draw direct parallels from eighteenth century America to modern America, it is hard to overlook the pseudo forensic science used to prosecute Patel. The Patel case exemplifies the continued belief that women have to prove their innocence in sexually related criminal accusations.

⁴¹ "Purvi Patel Isn't the First Woman of Color to Have Her Pregnancy Put on Trial in Indiana (Updated)," *RH Reality Check*, accessed February 18, 2015, <http://rhrealitycheck.org/article/2015/02/02/purvi-patel-isnt-first-woman-color-pregnancy-put-trial-indiana/>.

⁴² Leon Neyfakh, "False Certainty," *Slate*, February 5, 2015, http://www.slate.com/articles/news_and_politics/crime/2015/02/purvi_patel_feticide_why_did_the_pathologist_use_the_discredited_lung_float.html.

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