WOMEN WHO MURDER

IN EARLY MODERN ENGLAND, 1558-1700

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Contents

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Abstract

This dissertation will discuss the experiences of women who committed murder in the early modern period. These experiences will be discussed within the different forms of murder that these women committed, namely infanticide, child murder, husband murder and the murder of subordinates. Within these sections all aspects of the murder will be considered: the motivations that led to the murder, the methods used to commit it, the portrayals of the women within contemporary pamphlets, the ways in which their crimes were discovered and their treatments within the criminal courts. Quantitative analysis for this research has come from the assize court records from the counties of Kent and Essex and the coroners' court records from Sussex. These have been used alongside contemporary publications, such as pamphlets, broadsheets and conduct books to judge the differences between the two types of sources.

Introduction

In 1688 a French midwife named Mary Hobry was put on trial for the murder of her husband Dennis, whom she had strangled before cutting his body into pieces in order to cover up the murder. The justification that she gave for this act was that he had beaten and abused her for years until she could take no more. She was convicted of petty treason and burned at the stake.[1] This study will concentrate on women who committed murder in the early modern period, and will cover the years 1558 to 1700. It will be structured around three areas of homicide that women committed: Infanticide and child murder, the murder of husbands and finally the murder of subordinates. The main aim of the work is to discover the experiences and motivations of these women. It will be argued that the category of murder greatly affected the women's experiences, not only in the method of killing used but also in their portrayals within pamphlets and their treatment by the courts.

Women held a subordinate position in early modern society. They were considered to be weak and unreasonable, which led to the need for them to be subordinated and controlled by men. Classical ideas about the roles of the sexes formed the basis for the treatment of women in early modern England. Aristotle wrote that 'the male is by nature superior, and the female inferior; and the one rules, and the other is ruled'.[2] A wife must be obedient and have 'their desires ... subject to their husband'.[3] Partly, this view was founded on biological understandings, which were based around the classical theories of Galen and the four humors.

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[1] See Marie Hobry, *A Hellish Murder Committed by a French Midwife on the Body of her Husband, Jan. 27, 1687/8 for Which she was Arraigned at the Old-Baily, Feb. 22, 1687/8, and Pleaded Guilty and the Day Following Received Sentence to be Burnt.* (London, 1688).
[2] Margaret Sommerville, *Sex and Subjection: Attitudes to Women in Early-Modern Society* (London, 1995), p.17.
[3] Pearl Hogrefe, 'Legal Rights of Tudor Women and the Circumvention by Men and Women', *Sixteenth Century Journal*, 3 (1972), pp.97-8.

These were blood, phlegm, melancholy and choler and they were associated with the qualities of the body, which were hot, cold, dry and wet. Men and women had different humoral compositions, which influenced their gendered identities. Heat was the most abundant in the male body. It naturally rose to the brain giving men reason as well as influencing masculine qualities like strength.[4] Women on the other hand, were dry and cold which meant that not only were they physically weaker than men, but also that they did not have the capacity that men had for reason. Levinius Lemnius, author of *The Touchstone of Complextions,* wrote that men's extra heat made them 'quick witted and deeper searchers out of matters and more diligent and ripe of judgment than women'.[5] It was seen as necessary from this understanding that women be controlled and supported by men. Women were also seen as morally weaker than men, due to the teachings of the bible. Many saw the story of the creation and the fall in the garden of Eden as justification for female subjugation. In 1 Timothy 2:14, St Paul states that 'Adam was formed first, then Eve. And Adam was not the one deceived; it was the woman who was deceived and became a sinner.'[6] Genesis also states that women are subject to men. When Eve was punished after the fall God states that 'thy desire shall be to thy husband, and he shall rule over thee'.[7] The understanding of the place of women in early modern society had a huge influence on the ways in which women were treated in the courts and depicted within pamphlet literature when they committed murder.

There are two main sources which will be used for primary research in this project. The first will be used for quantitative analysis. This data comes from court assize records and

[4] Merry Wiesner, *Women and Gender in Early Modern Europe* (New York, 2000), p.27.
[5]Levinius Lemnius, *The Touchstone of Complextions*, cited in Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (London, 1995), p. 69.
[6] *The Holy Bible*(London, 1990), p.1192.
[7] Ibid., p.6.

coroners' court records. The court assize records cover the counties of Kent between 1558 and 1688 and Essex between 1558 and 1625 and were edited and published by J. Cockburn. The coroners' court records are for the county of Sussex and cover the period 1558 to 1688 and were published and edited by R.F Hunnisett. The entries within these collection are basic, covering the main points of the criminal cases, such as who commits the murder, how they did it, who they murdered and the verdict and sentence. This characteristic of the data makes it perfect for quantitative analysis. However, there are also a number of problems with this source material. Firstly, it cannot be known for certain that these records hold all the cases of homicide which were committed throughout the period. In the introduction to his collection of coroners' court records, Hunnisett states that 25 per cent of the assize indictments are missing from the period 1603-1642 with even more from 1642-1688.[8] Many may have been lost or destroyed over time, especially during the upheavals of the civil war period . This source can also be considered incomplete due to the 'dark figure', that there are a number of crimes that go unreported and therefore cannot be accounted for in crime statistics. However, in the case of homicide this number would probably be a lot smaller than for other crimes, as it would be harder to conceal. As Garthine Walker states 'homicides are the least likely of all crimes to remain undetected'.[9] In this way the 'dark figure' may not have as much of an effect as in other crime studies.

The other principal sources that will be used, for qualitative purposes, are contemporary publications concerning the women who committed these murders. These consist principally of pamphlets, although some ballads and broadsheets will also be considered. 28 contemporary

[8] R. F. Hunnisett, (ed.), *Sussex Coroners Inquests, 1603-1688* (Kew, 1998), p.xii.
[9] Garthine Walker, *Crime, Gender and the Social Order in Early Modern England* (Cambridge, 2003), p.149.

sources will be used within the study, to find more detailed and personal accounts of these murderous women than can be found within the court records. Of these pamphlets, 13 deal with husband murder, six with child murder, five with infanticide, two with the murder of a servant and three with other forms of murder. Within this period, there was a bias within publications towards murder committed by women on their husbands or on their children. Publications concerning infanticide and subordinate murder were much less common. Within this work, there has been an attempt to compensate for this , with equal numbers of child murder and infanticide pamphlets used within the relevant section. Since the printing industry was centred in London, it is not surprising that the material used within the pamphlets came from London and the home counties. The stories of the women who murdered within these pamphlets were the more sensational cases which arose within these areas. The results of this for early modern society's understanding of female homicide will be discussed throughout this dissertation.

The issue of literacy is important when considering the reception of these pamphlets. How many people were actually able to read what the pamphlets had to say? One method of discovering literacy rates is through analysis of signatures. Considering those who signed the Protestation Oath of 1642, only about 30 per cent were literate.[10] Barry Reay states that the proportion of people able to read was about one and a half times more than those who were able to sign their names.[11] Reading then, was a much more 'socially diffused skill than writing'.[12] In his work on the speeches of convicted criminals on the gallows, Sharpe states that

[10] Keith Wrightson, *English Society, 1580-1680* (London, 1990), p.190.
[11] Barry Reay, *Popular Cultures in England, 1550-1750* (London, 1998), p.43.
[12] Margaret Spufford, 'Small Books and Pleasant Histories', cited in Reay, *Popular Cultures in England*, p.43.

the readership would have been 'drawn from the social strata below the gentry', which is understandable since they would not only be literate, but also have the 'few coppers needed' to purchase them.[13] Of course, these publications may have been read aloud to a number of people who couldn't afford them themselves or could not read. In this way, it could be suggested that they had a rather larger audience than is implied from literacy rates alone.

Gender and crime have been extensively researched by historians in the past. The consideration of both of these topics is important for this work as it gives the context in which to understand the findings concerning female murderers. One such study is Anthony Fletcher's *Gender, Sex and Subordination*. This considers the relationship between the sexes in a number of areas, such as marital relations, and also in different social spheres, the lower orders as well as the gentry. He also considers the gendered make-up of society, outlining why gender theories worked as they did.[14] James Sharpe has written a number of works within the topic of crime, some concentrating on England as a whole, others local county studies. Throughout these works Sharpe highlights the workings of the criminal justice system in this period, for homicide as well as a number of other crimes.[15] He has also written more specific pieces, like his 'Domestic Homicide in Early Modern England', which considers homicide within the household and outlines interesting ideas concerning murder statistics and motives behind these murders.[16]

[13] J.A. Sharpe, '"Last Dying Speeches": Religion, Ideology and Public Execution in Seventeenth-Century England', *Past & Present*, No. 107 (1985), pp.161-2.
[14] See Fletcher, *Gender, Sex and Subordination.*
[15] See J.A. Sharpe, *Crime in Early Modern England, 1500-1750* (Harlow, 1999); J.A. Sharpe, *Crime in seventeenth century England : a county study* (Cambridge, 1983).
[16] See J.A. Sharpe, 'Domestic Homicide in Early Modern England', *The Historical Journal*, vol.24, no.1 (1981), pp.29-48.

A number of works have already been written considering the role of gender in the study of homicide. Most commonly these have concentrated on two types of female murder, specifically husband murder and infanticide. Frances Dolan's work *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* discusses both of these topics. Dolan considers them from a literary viewpoint and uses contemporary plays and pamphlets to gain an understanding of the historic representations and meanings of the crimes. Most interestingly, within her section on infanticide she argues that the act itself was linked with self-destructive tendencies, like suicide.[17] Laura Gowing's article on infanticide, 'Secret Births and Infanticide in Seventeenth Century England', gives a good view of how unmarried women acted throughout the process of hiding their pregnancy, labour and birth. She argues that due to their inferior position, young single women were the most vulnerable to accusations and assumptions concerning concealed pregnancies. She also outlines the influence of neighbourliness on these accusations.[18] Finally, Garthine Walker's *Crime, Gender and the Social Order in Early Modern England* considers both of these forms of murder within a chapter of her book concerning homicide. She argues that there were two main causes for husband murder, adultery and wife beating, and emphasises the use of poison as a murder weapon. It also has a small section on neo-natal infanticide, outlining the meaning and effect of the 1624 statute.[19]

The issue of female homicide has thus been addressed a number of times in the past. However, there are a number of ways in which this dissertation will add to the field. This work aims to be a comprehensive study of female murder, outlining both the specific traits inherent

[17] See Frances Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550-1700* (London, 1994).
[18] See Laura Gowing, 'Secret Births and Infanticide in Seventeenth Century England', *Past and Present* 156 (1997), pp.87-115.
[19] See Garthine Walker, *Crime, Gender and the social order in early modern England* (Cambridge, 2003).

in each form that murder took, as well as the general conclusions that can be found over the entire field. Another way in which this work will differ will be its concentration singularly on women. Other works have used female homicide in a comparative form between the genders, whereas this work will not consider homicidal males to any real extent, as it is not necessary in order to understand the women's experiences of the crime. This work will also discuss the gulf between the statistics outlined in the quantitative data, collected from the Cockburn and Hunnisett collections, and the contemporary pamphlets' perceptions of murder. In this respect, the quantitative data will be used to test whether actual murders matched the representations in print, for example whether female murderers were more likely to use poison as their favoured weapon, as contemporaries believed. The main aim of this work is to cover the entire experience of homicide for women, irrespective of what form this murder took.

The first chapter of this dissertation will outline quantitative statistics concerning female murder as a whole. It will discuss which forms of murder were most prevalent, methods of murder, and conviction rates. The last section of this chapter will consider those types of murder in which the victims were not husbands, servants, children or newborn babies. The aim of this section is to identify the difficulties inherent in generalisations about female murder. The next three chapters will concentrate on infanticide and child murder, husband murder and the murder of subordinates respectively. Each will follow the same structure, discussing first the motivations and methods of the murder, then the discovery of the murder and the representations of these women, and finally conviction rates and executions. Chapter two will concern infanticide and child murder. One of the main focuses of this section will be the effect of the 1624 statute on the ways in which women committed infanticide as well as their

treatment by the courts. The acts of infanticidal mothers and those who murder their older children will be compared within this section to find to what extent these crimes, which appear very similar, differed. Chapter three will discuss husband murder. The main focus of this chapter will be a comparison between the perceptions of society, as seen through conduct books and pamphlet literature, and the criminal court records. The principal feature of the final chapter, concerning the murder of subordinates, will be the contradiction between the perception of society that murder was a heinous crime and the desire of the courts not to undermine the family hierarchy, by punishing murderous mistresses when beating of subordinates had led to death. The last section will consider those servants who murder their masters. It will discuss the rarity of the crime, not only in the pamphlet literature but within the criminal courts and why this might be the case.

Chapter One: Quantitative Analysis

One of the key findings of criminal studies is that men were more likely to be accused of committing most forms of crime (excepting infanticide) than women. For example, 85 per cent of those accused of theft in the Elizabethan quarter sessions for Hertfordshire were men, whilst only 8 per cent of those accused of assault at the Essex quarter sessions and assizes between 1620 and 1680 were women.[20] This pattern continues in homicide cases from the assize court records from the counties of Essex, Sussex and Kent. Women represent about 1/3 of accused homicides in each of these counties. 33 per cent of homicides in Kent, 32 per cent in Essex and 29 per cent in Sussex were committed by women, with 31 per cent of homicides carried out by women overall. Garthine Walker's statistics on homicides in Cheshire are similar to those in this study, with women comprising about 1/5 of those suspected of murder.[21] These statistics show that throughout England in this period, female homicide was not as common as male and that men were more likely to commit crime more generally. This chapter deals with the general statistics surrounding murderous women. Those that relate specifically to each type of murder will be discussed more fully within the relevant chapter.

There are a number of reasons why women were less likely to commit homicide than men. Firstly, most homicides committed by men were in fights with other men in public places, like the ale house. As women spent more time within the domestic sphere of the household they would be less likely to be in these situations. The fights between men were also mostly over issues of honour, with the swapping of insults before a fight broke out. Alexandra Shepard

[20] Sharpe, *Crime in Early Modern England*, pp. 154-5.
[21] Walker, *Crime, Gender and the Social Order*, p.135.

found that 1/3 of assault cases in the Cambridge University courts 'cited insults as provocation, and defendants frequently justified violent responses as understandable if not appropriate reactions'.[22] Since this response appears to have been accepted within society, it is not surprising that occasionally they got out of control and resulted in homicide. The conception of honour was different for each sex, and the ways in which it was dealt with differed as well. Women's honesty and reputation were based around their sexuality. In cases where others claimed that a woman had been sleeping with men or that she was a whore, the woman in question would bring a defamation case in order to restore her reputation. Gowing has found that in rural parishes women comprised 65 per cent of the plaintiffs in these defamation cases, with this increasing to 80 per cent in the city.[23] In this way, women reaffirmed their honour within the courts, whereas men did so through physical blows. These differing concepts of honour could explain why men were more likely to appear in homicide cases than women. J.M. Beattie has offered a similar explanation as to why women committed less crime, stating that 'it must have resulted from contrasts in training and expected behaviour and in general from the place of women in society.'[24]

When women did commit murder it was much more common for it to occur within the domestic sphere. Out of the 372 women accused of murder in this study, 90 per cent were for murders committed within the household. These numbers appear to support theories concerning the place of women in early modern society: within the private sphere of the household. Amanda Vickery has stated that 'the separate spheres framework has come to

[22] Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2008), p.143.
[23] Laura Gowing, 'Gender and the Language of Insult in Early modern London', *History Workshop Journal,* 35 (1993), p.3.
[24] J.M. Beattie, 'The Criminality of Women in Eighteenth Century England', *Journal of Social History,* Vol.8 , No.4 (1975), p.96.

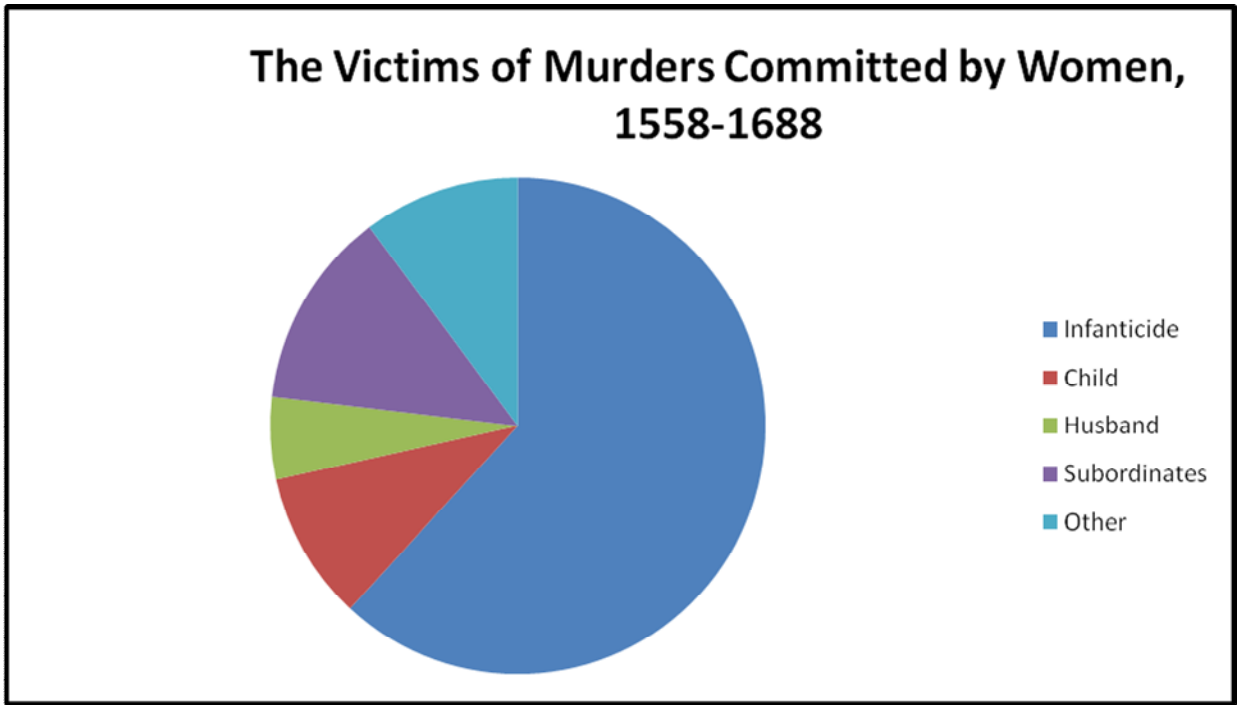
constitute one of the fundamental organising categories, if not *the* organising category of modern British women's history'.[25] Due to the perceived weaknesses, both moral and biological, that women were believed to have, they were excluded from all public life. James Sharpe has shown that this pattern of murder, within the domestic setting, can also be found in both thirteenth-century studies as well as studies carried out in the modern period. He states that this could be 'indicative of certain continuities in western cultural patterns', rather than the specific positioning of early modern women and where they spent their time.[26]

The types of female homicides can be categorised into four general groupings: infanticide and child murder, husband murder, the murder of subordinates and murders which do not fit into the other categories. Figure 1 shows in what proportion these forms of murder occurred. Almost three quarters of the cases against women referred to infanticide or the murder of a child. It can also be seen that there are very few cases of husband murder. This is perhaps surprising; as pamphleteers in this period were preoccupied with the topic, yet here it is the smallest category. The murder of subordinates can be seen as the second largest category following infanticide. This is also an interesting result, as historians of crime hardly mention these cases, even though this category forms quite a substantial area of female homicide.

Women employed a variety of methods to commit murder. Figure 2 shows that strangulation was the most common method used by women, when all forms of murder are considered. However, methods very often were specific to each form of murder. For example, suffocation and strangulation were most commonly used in infanticide cases, whilst poison

[25] Amanda Vickery, 'Golden Age to Separate Spheres? A Review of the Categories and Chronology of Women's History', *Historical Journal* 36:2 (1993), p.389.
[26] Sharpe, 'Domestic Homicide in Early Modern England', p.37.

Figure One:

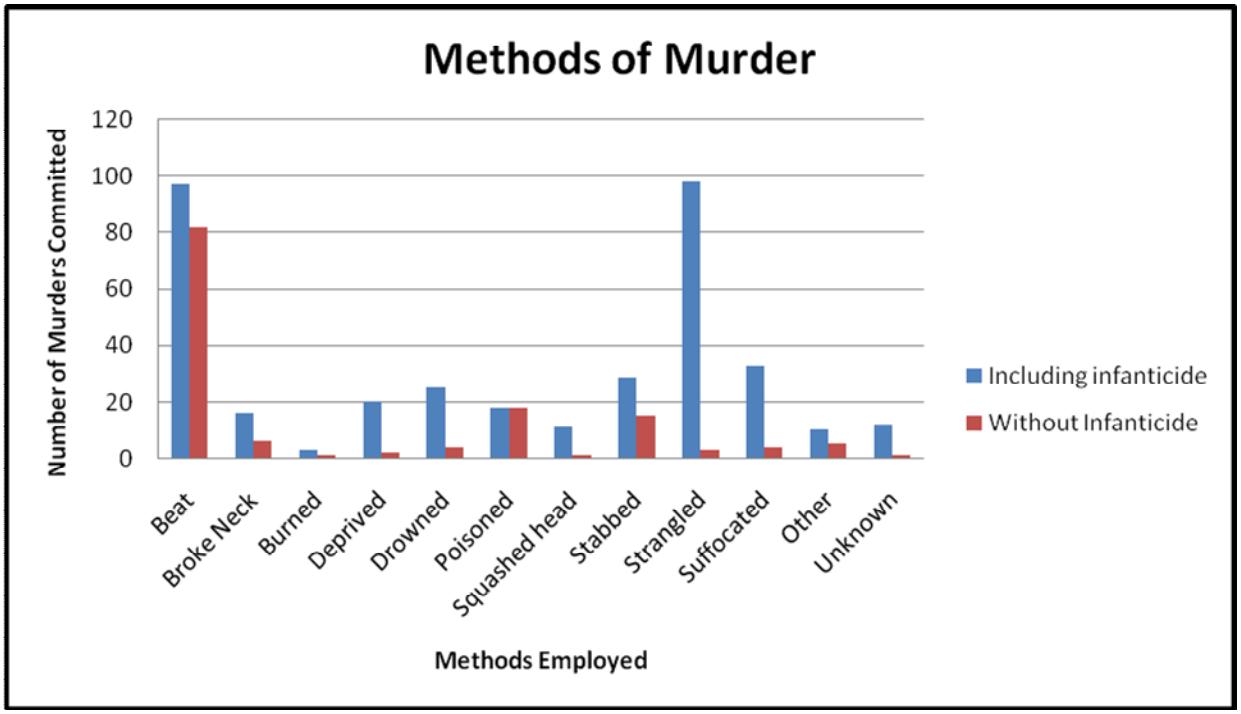


Sources: R.F.Hunniset,(ed.), *Sussex Coroners Court inquests, 1558-1688*, J.Cockburn, (ed.*),Calendars of Assize Records: Kent (Elizabeth I to Charles II), Calendars of Assize Records: Essex (Elizabeth I and James I).*

was used more in cases of husband murder. These differences will be discussed further in the relevant chapters. Infanticide cases in particular display many methods which were specific to that form of murder. If we remove infanticide cases, we can get a better picture of what methods women used in other forms of murder.

The red column of figure 2 shows the methods of murder excluding the infanticide cases. The most striking difference is the dramatic fall in strangulation, which has dropped from the most common method to leave only three cases. Surprisingly, the most common methods used by women were very violent. About 60 per cent of all murders committed by women were done by beating their victim to death. In this case, beating refers to kicking, punching and

Figure Two:



Sources: R.F.Hunniset,(ed.), Sussex *Coroners Court inquests, 1558-1688*, J.Cockburn, (ed.),*Calendars of Assize Records: Kent (Elizabeth I to Charles II), Calendars of Assize Records: Essex (Elizabeth I and James I).*

hitting with objects like cudgels or broomsticks until the victim is dead. Poisoning and stabbing were the only other methods which occur in large numbers, with 13 per cent poisoning their victims and 11 per cent stabbing them. Anne Marie Kilday considers that women in the eighteenth century were 'not afraid to be overtly violent in their endeavours' and this view can certainly be applied to these sixteenth and seventeenth century women as well.[27]

The conviction rate for women who murdered within this period was not very high. In this study only about 47 per cent of women who were indicted for murder were found guilty. But once they were found guilty, they were not often reprieved. 75 per cent of the women

[27] Anne Marie Kilday, ''The Lady Killers': Homicidal Women in Early Modern Britain', in Katherine Watson (ed.), *Assaulting the Past: Violence and Civilisation in Historic Context* (Newcastle, 2007), p.209.

convicted went on to be executed. On the other hand, 45 per cent of women were found not guilty when they were indicted for murder. This shows that women were found guilty approximately half of the time, so perhaps Garthine Walker's claim that 'women benefitted from chivalric attitudes on the part of judges and jurors' was fairly accurate, or at least the courts had no obvious bias against female defendants- except in the case of infanticide, where the 1624 act assumed guilt unless the accused could prove her innocence. [28]

From these statistics a number of key features of female crime in the early modern period can be seen. Women did not commit murder often and when they did; they were far more likely to commit infanticide than any other form. It can also be seen that conviction rates, when a woman was indicted for murder, were low. Statistics alone however, tell us very little about the experiences of the individual women who were committing the murders. The following chapters will look more in depth at the three main areas of female murder: infanticide and child murder, husband murder and the murder of subordinates. The statistics presented within this chapter will be studied more specifically in relation to each of these types of murder. This chapter ends with a brief examination of those murders which do not fall within these three main categories. This dissertation will build on these findings to frame an overall picture of the experiences of early modern murderous women.

I: Women Who Murder Outside of the Prescribed Categories

There were a very small number of murderous women, who cannot be placed within the three most common categories of female homicide of child murder/infanticide, husband murder and

[28] Walker, *Crime, Gender and the Social Order*, p.113.

servant murder. This section will attempt to explain these women's experiences, through the study of several individual cases. Unlike in other chapters, it is hard to generalise about the experiences of these women. Their acts did not follow any common pattern as they involved different sorts of victims and perpetrators. However, through these cases, it is hoped that the experiences of women who murdered outside the main categories considered may at least be better understood in relation to the more common experiences of women in this period. Two of the cases considered in this section are based on pamphlet accounts. The murders outlined are those committed by 'Canberry Bess' and the poisoning of Sir Thomas Overbury by the Countess of Somerset. In addition to these accounts, there were a number of cases from within the court records of Kent, Essex and Sussex which exemplify how varied murders by women could be in the sixteenth and seventeenth centuries, however only one will be considered here.

In 1616 Frances, Countess of Somerset was accused of being an accessory to the murder of Sir Thomas Overbury. Richard Weston, Overbury's gaoler in The Tower, was hanged for poisoning him with tarts, which had been given by the Countess. Frances had reason to murder Overbury. She had recently had her marriage to the Earl of Essex annulled and had fallen in love with the Earl of Somerset, who was Overbury's close friend. Overbury was against the match, and had made these thoughts clear to both the Earl and Frances, referring to her as 'base' and warning the Earl that he would lose favour with the King as Frances was 'immoral and low-born'.[29] Overbury had been imprisoned in The Tower in 1614 for defying the King's wish that he travel to France. Whilst in prison, Weston poisoned Overbury a number of times, first with a poisoned broth, then with some poisoned tarts, and lastly with a poisoned enema. All of these

[29] Anne Somerset, *Unnatural Murder: Poison at the Court of James I* (London, 1998), p.126.

poisons, he stated at his trial, were procured and arranged by the Countess of Somerset, through her associate Mrs Turner.[30] Eventually, through the testimonies given by Richard Weston and others who were also indicted as accessories, the Countess was brought to trial. She pleaded guilty 'with a low voice, but wonderful fearful' and was condemned and sentenced to death, along with her new husband.[31] However, although she confessed, the king pardoned both of them for their involvement in the murder. This then was a high-class murder, committed for personal, emotional reasons. The experiences of the Countess of Somerset were very different from most of the cases in this work, specifically because of her exalted position in the realm and the relationship of her husband with the King. Her position in society saved her from death.

The murders committed by Elizabeth Evans (Canberry Bess) with her partner Thomas Sherwood (Country Tom), show a woman at the opposite end of the social spectrum. Elizabeth and Thomas would work together to lure men into alleyways in order to steal their possessions. The broadsheet ballad *Murder Upon Murder* is written as the story of Country Tom. After arriving in London he meets Canberry Bess who 'rotted so his minde, that unto any villainy, ...[he] was inclined.[32] The need for money can be seen as the main motive of their acts. The ballad continues that 'his coyne all spent he must have more', so they work together to commit robberies and murders.[33] The two were caught when Elizabeth lured a gentleman, Thomas Claxton to Greys Inn Field where Thomas beat him to death and tried to sell the man's

[30] Francis Bacon, *A True and Historical Relation of the Poisoning of Thomas Overbury* (London, 1651), pp.23-25.
[31] Antonia Fraser, *The Weaker Vessel: Woman's Lot in Seventeenth-Century England* (London, 2002), p.34.
[32] *Murder Upon Murder Committed by Thomas Sherwood, alias, Countrey Tom: and Elizabeth Evans, alias, Canbrye Besse.*(London, 1635), Broadside.
[33] Ibid.

belongings 'the very same morning'.[34] They both confessed and were hanged for their crimes. One of the most interesting features of this case is Elizabeth Evans' relatively sympathetic treatment in the narrative of *Heavens Speedie Hue and Cr*y. She was born into a good family and was sent to work in London 'for her good education and her future preferment'.[35] Her descent into crime is blamed on 'a young man in London, who tempted her to folly, and by that ungodly act her suddain ruine insued', and on her relations, who had 'failed, and frowned on her'.[36] Henry Goodcole, the author of the pamphlet *Heavens Speedie Hue and Cry* was the Newgate chaplain, so was in close quarters with these criminals. His pamphlets served to demonstrate that 'the downward spiral of their lives was an instructive warning for every reader'.[37]

Finally, one case from the records in Sussex stands out as an extraordinary example of women who murdered. In 1562 Agnes Purser was accused and subsequently acquitted of killing a George Plum in the street by throwing 'thre flint stones' at him 'with great force'.[38] The interesting thing about this case is that not only is the murder committed in a public place, but the man appears not to have been known to her. Bernard Capp suggests that Purser 'may have been trying to drive away an assailant', and that narratives often 'laid stress on [women's] weakness, fear and helplessness'.[39] The emphasis on these qualities would have influenced the

[34] Bernard Capp, 'Dunblane Says Nothing About the Present … But a lot About the Past', *The Spectator* (March 1996), p.9.
[35] Henry Goodcole, *Heavens Speedie Hue and Cry Sent After Lust and Murder Manifested Upon the Suddaine Apprehending of Thomas Shearwood, and Elizabeth Evans, Whose Manner of Lives, Death, and Free Confessions, are Heere Expressed...* (London, 1635), sig.A2v.
[36] Ibid., sig.A2v.
[37] Bernard Capp, 'Serial Killers in Seventeenth Century England', *History Today*, 46:3 (1996), p.26.
[38] R.F. Hunnisett, (ed.), *Sussex Coroners' inquests, 1558*-1603 (Kew, 1996), no.18.
[39] Bernard Capp, *When Gossips Meet: Women, Family and Neighbourhood in Early Modern England* (Oxford, 2003), p.234.

jury to have found her action as self defence, an excusable form of homicide likely to lead to acquittal.[40]

These three cases stand outside of the traditional forms in which women murdered in the early modern period. Each of these cases differs not only from the usual forms of murder which will be discussed in the rest of this dissertation, but from each other. Each woman had very different motivations for her crimes: the Countess of Somerset's was personal, Elizabeth Evans' was greed, whist Agnes Purser was attempting to protect herself. These three cases alone show why it is hard to quantify forms of female murder which do not fit into the other frameworks – most aspects of them are truly extraordinary. The main aim in including these examples at the start of this work, is to emphasise that although generalisations can be made about the experiences of women who committed murder, there are exceptions. These cases show that some women did commit murder in unlikely situations, albeit not very often.

[40] Walker, *Crime, Gender and the Social Order*, p.116.

Chapter Two: Infanticide and Child Murder

This chapter considers those women who murdered their new-born babies or their older children. These two crimes are distinct from one another, especially since a law was passed in 1624 which applied specifically to infanticide, changing the way that these women were treated in the courts. By contrast, the killing of an older child was treated as murder, as with any other intentional killing. The types of women who committed each of these crimes differed. Infanticide was largely a crime committed by unmarried, lower class women, whereas women who killed older children were more likely to be married. This means that the motives behind the crimes were also going to differ, as the circumstances of the women involved were not the same. However, there were a number of ways in which the two areas overlapped, principally in the involvement of neighbours in discovering the crime as well as in portrayals of the murderous women in pamphlets. These two forms of murder will be discussed together so that their differences and similarities can be explored, to provide a better understanding of the ways in which these women experience the two forms of murder.

A number of historians have studied infanticide and have offered suggestions as to what infanticide means; how young the child has to be for the crime to be considered infanticide. Peter Hoffer and N E Hull in their work *Murdering Mothers: Infanticide in England and New England*, applied infanticide to mean any murders of children up to the age of ten.[41] However, in this work infanticide will only refer to neonatal murders, those babies killed within hours after their birth. This corresponds to the statute passed in 1624, entitled 'An Act to Prevent the Destroying and Murthering of Bastard Children', which implies that the mothers murdered or

[41] See Peter Hoffer and N.E.H Hull, *Murdering Mothers: infanticide in England and New England 1558-1803* (New York, 1981).

hid the deaths of their child straight after birth.[42] Child murder in this study refers to those children who were not new-born when they were murdered. The children were not hidden and secret, as in cases of infanticide, but acknowledged members of a family. Figures for the murder of these older children were much lower than for infanticide in the period 1558 to 1688, with 230 recorded cases of infanticide in comparison with only 36 cases of child murder. However, even though statistically it was less common, there were many more pamphlets published throughout this period concerning the subject. The murder of a child by its mother in these situations would be much more sensational than cases of infanticide, which as a more common occurrence would have been less interesting to the public.

Motherhood was one of the key roles of the early modern married woman. To become pregnant, as a married woman, was an achievement, and indeed the inability to conceive was seen by the scriptures as 'one of the greatest misfortunes which could befall a woman'.[43] As a mother, a woman was expected to be loving and tender, so the women who murdered their children were depicted as unnatural or heartless. Pamphlets concerning infanticide and child murder, all depict these women as acting contrary to how mothers should.[44] Botelho states that 'murder and the forgetting of maternal duty served as a way for any woman to resist or subvert subordination or confinement' and that this can be seen within pamphlets concerning

[42] *An Act to Prevent the Destroying and Murthering of Bastard Children,* 21 James I c.27.
[43] Sara Mendelson and Patricia Crawford, *Women in Early Modern England* (Oxford, 2003), p.67.
[44]See *The Unnatural Mother Being a Full and True Account of One Elizabeth Kennet* (London, 1697); *A Pittilesse Mother That most Vnnaturally at One Time, Murthered Two of her Owne Children ... Being a Gentlewoman Named Margret Vincent* (London, 1616); *Deeds Against Nature, and Monsters by Kinde Tryed at the Goale Deliuerie of Newgate … a Lasciuious Young Damsell Named Martha Scambler, Which Made Away the Fru[i]t of her Own Womb* (London, 1614).

the murder of children, as the women lose their role in early modern society.[45] The murder of one's children was perceived as a rejection of the state and the position of women in their role as a mother. Therefore, it was seen as a threat to early modern society. Sandra Clark states that 'when a woman has thrown aside the virtuous restraints of society, and is enlisted on the side of evil, she is far more dangerous to society than the other sex.'[46] Accordingly, society reacted harshly to crush behaviour it viewed as unruly and dangerous.

I: The 1624 Statute and Infanticide

The statute of 1624 outlined a number of parameters which influenced the prosecution of infanticide after its implementation. It specifically referred to single women who give birth to bastards and then secretly hid the body and claimed that it was born dead, 'whereas it falleth out sometime ... that the said child or children were murthered by the said women'.[47] It goes on to declare that if the death was concealed and there was no way to prove whether the child had been born dead or not, then the woman would be assumed guilty of murdering that child. This reversed the usual legal principle that a person was presumed innocent until proved guilty of a crime. The effects of this statute were huge. Between 1558 and 1624, there were 61 recorded cases of infanticide in the counties of Sussex and Kent. From the implementation of the act to 1688 there was a 213 per cent increase in infanticide cases within these counties. The act clearly led to greater vigilance and therefore more accusations of infanticide throughout the period. The conviction rate was also fairly high, with 53 per cent of women accused being found

[45] Keith Bothelho. 'Maternal Memory and Murder in Seventeenth Century England', *Studies in English Literature, 1500-1900,* 48:1 (2008), p.114.
[46] Sandra Clark, *Women and Crime in the Street Literature of Early Modern England* (Basingstoke, 2003), P.53.
[47] *An Act to Prevent the Destroying and Murthering of Bastard Children,* 21 James I c.27.

guilty. In addition to this, 86 per cent of those women went on to be executed. This shows that infanticide was considered to be a heinous crime, which deserved severe punishment. It was only towards the end of the century that juries became less willing to convict women for infanticide, growing uneasy at the harshness of the statute. Of the 12 infanticide cases in the decade 1680-88, nine of those accused were found not guilty, while in three the grand jury returned 'ignoramus' verdicts. This suggests that by the end of the century there was less willingness to convict than previously. Keith Wrightson notes that the statute 'failed to distinguish between premeditated infanticide and acts of unbalanced mothers', which may have led some to question the severity of the act when many of the women may not have been completely culpable.[48] Randell Martin attributes this change partly to the belief that when women who committed infanticide already had children, the 'communities did not wish to become responsible for "charitable bastards" after the mother was hanged' and that it may have been due to the 'growing disapproval of the law itself'.[49] However, as this trend can only be seen at the very end of the century, it remains the case that the increase in vigilance and violence against infanticidal mothers affected women throughout the period.

In some ways the 1624 statute was simply one of a number of acts which had affected infanticide and perhaps increased its rate from the sixteenth century. When we consider the rate of infanticide before the 1624 statute, there were a number of spikes which cannot be explained by this later act. The most dramatic spike was in the 1580s. The number of women accused of infanticide in Kent, Essex and Sussex quadrupled from 8 in the 1570s to 36 in the

[48] Kieth Wrightson, 'Infanticide in European History', *Criminal Justice History*, 3 (1982), p10.
[49] Randall Martin, (ed.), *Women and Murder in Early Modern News Pamphlets and Broadside Ballads, 1573-1697* (Aldershot, 2005), p.xvi.

1580s. This increase can be attributed to the statute passed under Elizabeth I in 1575. This was implemented as an attempt to control levels of illegitimacy by holding the parents responsible for raising and supporting the bastard child, rather than the parish. This statute also added that the bastard bearer be imprisoned in the house of correction as punishment for her sexual promiscuity.[50] The statute was intended to encourage 'justices and their informants to search out bastardy' and in consequence discoveries of infanticide cases increased, as the two offences were usually found together.[51] This was the only significant peak before the introduction of the 1624 statute, with the decades in between dropping back to a lower rate. Infanticide is the only category of female murder where legislation directly affected the levels and experiences of women committing the crime.

II: Motivation and Method

Infanticide was a socially motivated crime. The principal reasons why single, servant women murdered their new born babies were connected with their social position and reputation. To have a bastard child meant that those in service (who made up the majority of these infanticide cases) would invariably lose their position. They would then find it very difficult to find new employment. Keith Wrightson states that 'since provision for her was uncertain, she faced the prospects of poverty, isolation, vagrancy and perhaps prostitution'.[52] Women who bore bastard children after 1575 might well have been sent to the house of correction for a year or even publicly whipped, as well as having lost their place within a household. Linked to these fears

[50] Dolan, *Dangerous Familiars*, p.128.
[51] Hoffer and Hull, *Murdering Mothers,* p.18.
[52] Wrightson, 'Infanticide in European History', p.7.

faced by bastard bearing mothers was a loss of honour. This was frequently referenced within contemporary literature as one of the reasons that women committed infanticide. Laura Gowing has written on how women's honour and credit was based around their sexual activities; to be single, sexually active and then pregnant would lose a woman all honour and change the way in which society saw her.[53] Martha Scamber, a single young woman living with her family, killed her bastard son. After the birth, 'the child being borne with shame and she by it made a scandell to her acquaintance', she decided to kill it, to 'thereby make to her self a riddance of [a] ... infamy'.[54] The act of her infanticide was to hide the fact that she had ever been sexually promiscuous, to avoid the shame connected with it. It seems unsurprising then that many unmarried women would consider leaving their children to die rather than suffer these difficulties. Indeed, Laura Gowing states that these women were suffering from 'dissociative reaction', that 'Infants who died at their mothers' hands or through a lack of help at the birth did so because there was no economic place for their survival: it was materially and socially impossible for many pregnant single women to imagine themselves as mothers.'[55] Even if these women had not murdered their children, they would have known that they could not keep it, as once it was born the baby would usually have been taken away and placed with a married mother within the parish. This must have helped the infanticidal mother to distance herself from the child psychologically and made it easier for her to commit the murder.

There were a number of types of child murder: a women could murder her own child, a stepchild or else another person's child. The murder of their own child was most common, with

[53] See Gowing, 'Gender and the Language of Insult', pp.1-21.
[54] *Deeds Against Nature, and Monsters by Kinde*, sig.A4.
[55] Gowing, 'Secret Births and Infanticide', p.107.

20 cases recorded in the court records, compared to eight for each of the other forms. Pamphlet accounts rarely discuss the murders of step children or the murder of another's child, concentrating on mothers murdering their own offspring. In this way the pamphlets reflect the court records. This was probably due to the perceived unnatural nature of the crime rather than its frequency, as the number of pamphlets related to this topic is large compared to the occurrence of the crime itself. The motivations of those women who committed child murder were more varied than those for infanticide. The accounts given in pamphlets of child murder suggest different motivating factors in each case. The motivations given appear more sensational than those for infanticide. Margaret Vincent killed her two children in 1616. She had recently converted to Catholicism and perceived that her children 'had been brought up in blindness and darksome error', and allegedly killed them to save their souls.[56] Religious fanaticism was offered as the driving force behind her actions. This would have played on the prejudices of the protestant readers as it confirmed their beliefs in the evils of popery.

Psychological reasons were behind Mary Cooke's killing of her infant child in 1670. Having tried to kill herself a number of times, she began to wonder 'what should become of that child, which she so dearly loved, after she was dead', and so decided to kill the child before herself so she would not have to worry about her.[57] In almost every case the devil is a key figure, tempting the mother to do away with her child. Mary Cooke's melancholy may not have led to murder, had the devil not convinced her to tell no one of her troubles who 'might pray

[56] *A Pittilesse Mother*, sig.A3.

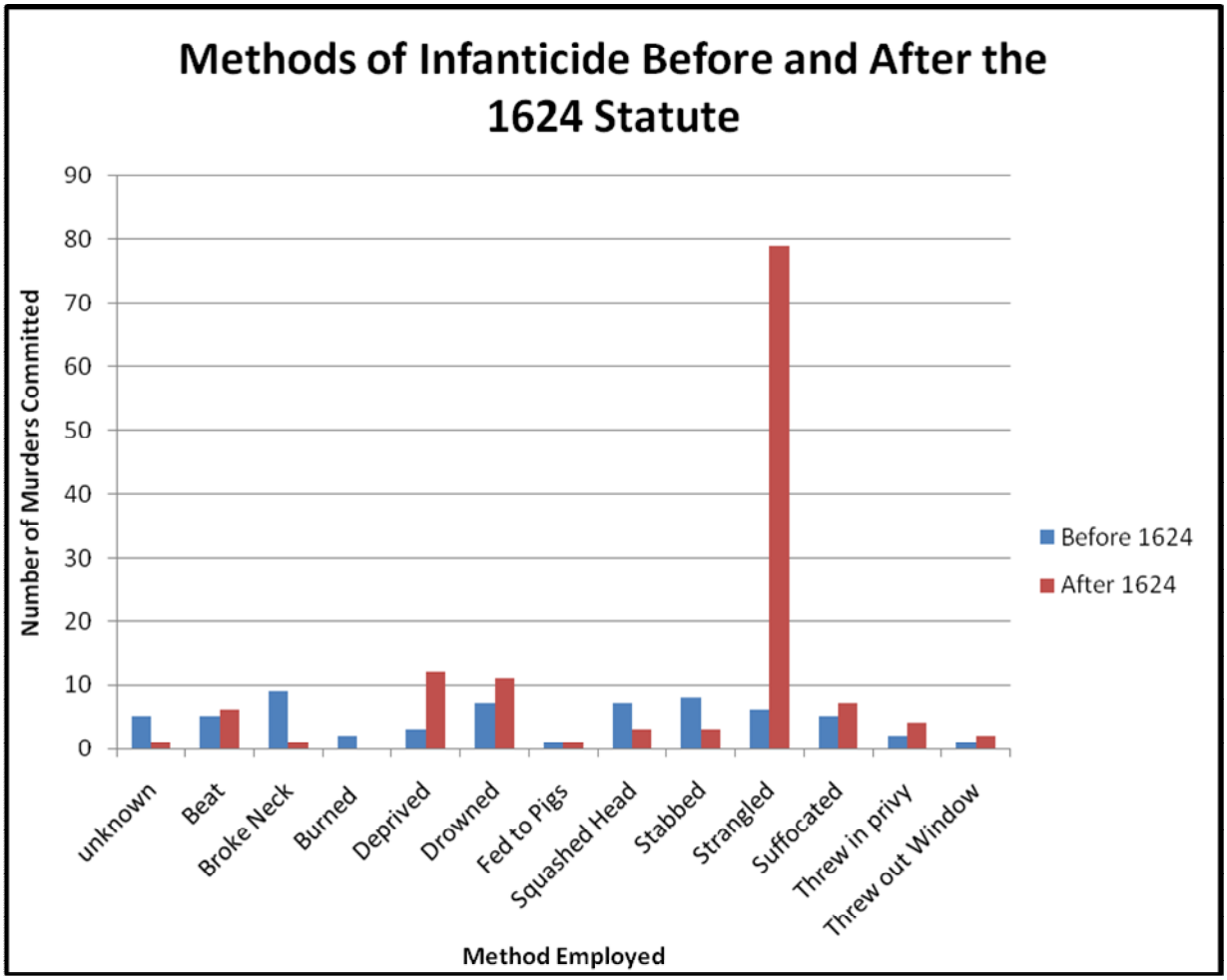
[57] N. Partridge, *Blood for Blood, or, Justice Executed for Innocent Blood-Shed Being a True Narrative of that Late Horrid Murder Committed by Mary Cook Upon her own and Only Beloved Child …* (London, 1670), sig.B5.

with or for her, or could give suitable counsel to her'.[58] Material factors could also provide motivation. Katherine Fox killed her children and her husband as he had spent all their money on drink. She decided that it would be better for the children to die now, rather than slowly starve to death. All three of these mothers 'delude themselves that the child is suffering so much that it has to be killed', that their actions were helping their children and protecting them from further harm.[59] Frances Dolan considers that these portrayals show a 'natural identification between mother and child' and therefore that these 'representations of murderous mothers ... suggest that violence against children is not unnatural or strange, but ... familiar'.[60]

There were a number of different ways in which infanticidal mothers killed their babies, but some were more common than others. Strangulation, suffocation, drowning and deprivation were the most common methods when considering the period as a whole. However, a change in methods can be detected over time, specifically after 1624. Before the implementation of the 1624 statute, the methods used in such cases were much more varied, with none predominant. But after 1624, there were fewer examples of beating or the use of weapons and more emphasis on methods such as suffocation. Figure 3 shows the extent of this change before and after 1624. Garthine Walker has outlined in her book *Crime, Gender and the Social Order* that this increase in strangulation accusations may have been related to the circumstances of the child's death. She states that 'because the form of the indictment required that the means of death were entered, cases that rested on concealment alone frequently

[58] Ibid., sig.B2v.
[59] Hoffer and Hull, *Murdering Mothers*, p.149.
[60] Dolan, *Dangerous Familiars*, p.149.

Figure Three:



Sources: R.F.Hunniset, (ed.), *Sussex Coroners inquests 1558-1688*, J.Cockburn, (ed.),*Calendar assize records Kent (Elizabeth I to Charles II).*

claimed that the child had been suffocated or strangled', even if there was no evidence of this.[61] The increase in strangulation as a method of murder was directly connected to the statute and may not have actually been used more by women, only cited more within the courts out of necessity to have a method of murder stated. The statistics show that over the period 1558 to 1688, for murders that were not overtly violent (defined here as suffocation, drowning, deprivation and throwing in the privy, but also including strangulation due to its use

[61] Walker, *Crime, Gender and the Social Order*, p.155.

within the courts), the conviction rate was about 51 per cent, compared to 66 per cent for those who had committed obviously violent murders (outlined as beating, breaking necks, stabbing, burning and feeding to pigs). So, there was a lower conviction rate for those women who did not use such violent methods in murder, although this was by no means a certain way to avoid conviction. In some cases, inquest juries would ignore evidence that a child had been born prematurely, if there was any evidence of violence on the body, showing how influential these injuries were in determining verdicts.[62] These statistics may indicate that in some ways infanticidal women may have understood this, as violent infanticides were not that common.

By contrast, the methods used by women who murdered older children were more violent. Of the 36 examples of child murder in this study, 19 concerned women who beat their children to death. This trend can also be seen in some of the pamphlets published in this period. The murderous mothers considered in the pamphlets T*he Distressed Mother or the Sorrowful Wife in Tears* (1690), *Natures Cruel Step-Dames* (1637) and *The Cruel Mother* (1670) all cut the throats of the children. However, this form of violence was not common when we consider the court records. Only 3 of the 36 child murders in the Kent, Essex and Sussex involved women stabbing their children or cutting their throats. Pamphlets tended to print the more bloody and shocking cases principally because the pamphleteers would have seen these cases as the most likely to attract public interest. This would explain why there was a disproportionate amount of extreme violence within the pamphlet literature compared to the court records. When mothers killed their older children, it was probably more difficult to use

[62] Mark Jackson, 'Suspicious Infant Deaths: The Statute of 1624 and Medical Evidence at Coroner's Inquests', in M Clark and C. Crawford (eds.), *Legal Medicine in History* (Cambridge, 1994), p.69.

'passive' forms of murder like suffocation or abandonment as the children would be able to some extent to defend themselves, unlike in the case of infanticide.

III: Discovery and Portrayal

The role of the neighbour was fundamental in the shaping of women's experiences of infanticide and child murder. It was up to people within the neighbourhood, especially the women, to enforce moral values on bastard-bearing, potentially infanticidal women as well as on other, married women. Women had a specific and central role in the sphere of childbearing. Linda Pollock has stated that in the process of a legitimate birth, 'Friends and neighbours offered advice, their experience and practical support during pregnancy and, even more importantly, gathered in the birth chamber awaiting the delivery of the child.'[63] Although this offers an image of female camaraderie, in the case of unmarried and infanticidal mothers female neighbours played a very different role. They were most likely to become aware that a young woman was pregnant, or might have given birth in secret. Neighbours watched for signs of pregnancy, 'watching women's stomachs and, more definitively, inspecting their breasts' for swelling and in the case of breasts producing milk.[64] The case of Jane Hattersley shows the importance of neighbours in the discovery of infanticide. Jane was a young servant who had been committing adultery with her master for a number of years. On a number of occasions she had became pregnant and murdered the newborn child. The second time when she was 'mistrusted to be with child, she was searched by women and was found to be so', however,

[63] Linda Pollock, 'Childbearing and Female Bonding in Early Modern England', *Social History* 22 (1997), p.288.
[64] Gowing, 'Secret Births and infanticide', p.91.

she was 'presently seene around againe well, and so little ... as was justly suspected.'[65] Her third pregnancy and infanticide was also commented upon by her neighbours. Frances Foorde a neighbour came to her house during her labour and heard through the door 'the shriek of a newborn infant', which she did not see or hear again, although Jane came out to talk to her.[66] This evidence was given at her trial and led to her eventual execution. Neighbours also played a role in the discovery of child murder. Katherine Fox, in an exceptional case, was 'apprehended by some of her neighbours' the morning after she killed her two children and her husband.[67] Margaret Vincent was found in the yard by a maid who 'perceiving her mistress by her gastly countenance ... demanded how the children did' and was told that they were dead, to which she called other neighbours to hold the woman there until the constable could arrive. [68] This case is slightly unusual as the maid is in a position of power and reports her mistress, when within the social hierarchy and in infanticide cases this was usually the other way around. This shows the importance of the neighbour in discovering and reporting infanticide and child murder as well in shaping the murderous women's experiences of their crimes.

As the role of neighbours and the members of the household was so important in the discovery of infanticide, there must have been a certain amount of collusion from these people in the case of infanticidal mothers who were not reported. When infanticide was not uncovered until the discovery of the child's body, some people must have ignored the woman's growing body, as well as her labour. Servant girls often gave birth in the room they shared with other

[65] T.B., *The Bloudy Mother, or The Most Inhumane Murthers, Committed by Jane Hattersley Vpon Diuers Infants, the Isue of her Owne Bodie* (London, 1610), sig.B2.
[66] Ibid., B2v.
[67] *The Distressed Mother: or, Sorrowful Wife in Tears: Being a Full and True Account of a Most Horrid, Barbarous and Bloody Murther, Committed … by one Mrs. Katherine Fox, a Gentlewoman, on the Body of her Own Husband, and Two Children.* (London, 1690), p.1.
[68] *A Pittilesse Mother* (London, 1616), sig.A4v.

servants, often sleeping in the same bed throughout their pregnancies. Yet there are cases where their roommates state that they did not notice anything. Barbary Howland shared a bed with Mary Green, however she 'did not know the said Mary Green to be with child: for she did work and spin without trouble and eat her meat and victuals and complained not of pain or distempers'.[69] Mary gave birth in the same bed as Barbary, yet Barbary did not become suspicious that something was wrong until Mary tried to leave while their mistress was away. It would seem surprising that Barbary noticed nothing of Mary's changing state, so her claiming she was ignorant must have been for a reason. Laura Gowing considers that these servants 'might... have been colluding at some level in the pregnant woman's enterprise of secrecy and suppression ... they might hope, as the pregnant women must themselves have done, that the birth would never happen'.[70] In this way, the ignorance of the other servants could have been a way to support the pregnant woman and save her from shame or death on the gallows.

There could also be an amount of collusion from the mistress of the house in these cases, although not necessarily in support of the servant, but in an attempt to secure their own reputation. Usually employers would turn out a servant once they found she was pregnant. To have a servant give birth under their roof damaged the employers' own honour and reputation. It has to be considered why some mistresses did not do this. It could be claimed that they did not know about the pregnancy, or else she might have been in denial (like the servant herself) hoping that the problem would go away. This could have been achieved by leaving the servant to give birth alone, without the assistance of a midwife. One woman claimed that when she

[69] Gowing, 'Secret Births and Infanticide', p.103.
[70] Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (New Haven, 2003), p.153-4.

was giving birth her mistress ' did not at all help her in her travail, and did leave her to bring forth her birth'.[71] Of course, it could be that in some cases mistresses may genuinely not have known about the servant's pregnancy. There are no obvious answers to the motives of the mistresses involved, but some form of collusion must have come into play when mistresses ignored their servants' pregnancies and illegitimate births.

There was a common, stereotypical image of women who committed infanticide. They were generally depicted as whores. The 1624 statute itself refers to 'lewd women', instantly giving those accused of infanticide a damning image. [72] The pamphlets concerning such women also portray them as loose, one calling them 'murderous minded strumpets'.[73] William Gouge, an early modern moralist and author of *Of Domesticall Duties* (1622) described infanticidal mothers as 'lewd and unnatural', as it went against the natural state that mothers should love and protect their children.[74] These statements also show how any act of premarital sex could be used to present the woman as a whore or strumpet, and thus all the more likely to commit the further crime of infanticide. Their unnatural state was further emphasised in the context of the labour itself. Women who gave birth illegitimately were not considered to experience the birth like married women having legitimate children. The process of labour was considered to be fast and easy, without the pain associated with the legitimate form. This can be seen in the ballad *'No Naturall Mother, But a Monster'*, in which the woman states that 'with little pain or smart

[71] Gowing, 'Secret Births and Infanticide', p.103-4.
[72] *An Act to Prevent the Destroying and Murthering of Bastard Children,* 21 James I c.27.
[73] *Deeds Against Nature, and Monsters by Kinde*, sig.A3v.
[74] Wrightson, 'Infanticide in European History', p.1.

... I with my child did part'.[75] The pamphlet *Deeds Against Nature and Monsters by Kind* makes a similar point, when the narrator states that 'her lusty body, strong nature and feare of shame brought on easier to her delivery', thus attributing this easy delivery to a combination of base physical and moral qualities. [76] When a woman committed infanticide, a preconceived image was placed upon her, shaping society's reactions to her crime and therefore her experiences of it. A number of pamphlets emphasised the mother's base and unnatural character by comparing her to a monster or an animal. Jane Hattersley is described as a 'chimera, with a lions upper-part in bouldnesse: a goats middle-part in lust: and a serpants lower part in sting and poyson'.[77] The different parts describe not only her unwomanly features, but also the different aspects of her infanticidal act. Child murderers were also described as unnatural, through a comparison with animals. This imagery was used to show the loss of their human self through their violent and unnatural act. Elizabeth Barnes is described as a 'ravenous wolfe' and her child and 'innocent lambe', whom she 'intice[d] unto its slaughter'.[78]

These pamphlets sometimes reveal an element of contradiction in how the murderesses were represented. Obviously, these pamphlets condemn their actions, in one case describing the act as a 'hainous, inhumane, barbarous and wicked sin'.[79] They also emphasised the righteousness and the importance of justice being served on murdering women. However, a

[75] Martin Parker, 'No Natural Mother but a Monster', in Hyder Rollins (ed.), *The Pepysian Garland: Black-Letter Broadside Ballads of the Years 1595-1639, Chiefly from the Collection of Samuel Pepys* (Cambridge, 1922), [consulted at http://www.traditionalmusic.co.uk/broadside-ballads/broadside-ballads.html (28 July 2010)], p.427.
[76] *Deeds Against Nature, and Monsters by Kinde*, sig.A4.
[77] T.B., *The Bloudy Mother*, sig.B3.
[78] Henry Goodcole, *Natures Cruell Step-Dames: or, Matchlesse Monsters of the Female Sex; Elizabeth Barnes, and Anne Willis Who were Executed the 26. day of April, 1637. at Tyburne, for the Unnaturall Murthering of their owne Children* (London, 1637), p.1-2.
[79] *The Cruel Mother; Being a True Relation of the Bloody Murther Committed by M. Cook, upon her Dearly Beloved Child (*London, 1670), sig.A2.

number of them show an element of sympathy and some understanding of why the murders might have been committed. The widow at the centre of *Murther Will Out*, is portrayed sympathetically due to her situation. Her child was 'visited by the hand of God with a lingering distemper' and her perseverance is praised: 'This poor women bore up under it as well as could be expected for a weak vessel.'[80] After this, the devil finds it easy to tempt her to commit the murder of the child. The sympathy is obvious, the situation that the widow was in was difficult and this difficulty meant she was more susceptible to the temptations of the devil. This shows there was sometimes a conflict of emotions for the authors of these pamphlets, since in some cases they could understand the circumstances but still wanted, or felt they had to, present the execution of the women as just. Mary Goodenough provides another example; she was in poverty and promised maintenance and support from a rich neighbour who seduced her, she already had two children to support, and on finding herself pregnant, decided to hide it and give birth in secret. The man who seduced her is portrayed negatively, described as 'infamous of the like practises with others' even though he was a married man, but the author still insists that she was 'justly convicted of murder', despite the circumstances.[81] Frances Dolan considers that in cases like these, 'by emphasising her suffering and helplessness, such pamphlets qualify and therefore somewhat decriminalise the mother's agency'.[82] The desperation of the mother inspires the pamphlet writer to offer some sympathy for her fate, though never to question the justice of her condemnation.

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[80] *Murther Will Out; or A True and Faithful Relation of a Horrible Murther Commited Thirty Three Years Ago , by an Unnatural Mother, Upon the Body of her Own Child About a Year Old, and was Never Discovered Till This 24th of November 1675...*(London, 1675), p.2.
[81] *Fair Warning to Murderers of Infants: Being an Account of the Tryal, Condemnation and Execution of Mary Goodenough at the Assizes held in Oxon, in February, 1691/2... (*London, 1692), p.1.
[82] Dolan, *Dangerous Familiars*, p.145.

III: Conviction and Execution

The court records show a number of interesting findings concerning conviction rates of those women who murder their children. Of the 36 cases of child murder, 20 of these women were found guilty, whilst 10 were found not guilty, with two cases being ruled as 'ignoramus' and four with unknown results. Of the 20 women found guilty, nine were sentenced to be hung (although one died in gaol before the execution). Only two of the women received pardons after their convictions. This shows that there was quite a high rate of conviction and execution for child murder, which implies that the juries agreed with the pamphlets that child murder was an unnatural and terrible crime. There are some interesting findings within the not guilty verdicts. In all but one of these cases the murders were committed on step children or on another's child. The records state that four of these murders had been committed by a fictional person, three are attributed to 'John Anoke' and one to 'John Staffe'. These men were fictional. They appear throughout the court records a number of times and their function was to provide someone to take the blame off the women accused. Another two of these acquittals were due to the claim that the death of the child had been 'divine visitation', that it had been God's intervention that had led to their deaths. This may imply that the juries did not see the murder of another's child as such a terrible crime as the murder of their own child.

The time which these women spent in prison as well as their executions could shape the way in which they were seen by society. The actions of the women within prison were represented in a number of these pamphlets as pious and virtuous. Mary Goodenough had 'forgetfullness of God and her soul' when she first came to gaol to await her trial but, through

Godly education from ministers, had found redemption. She 'blessed God that had caus'd her iniquities to find her out, else ... I might have gone on in my sin ... till I had fallen into hell'.[83] To some extent the pamphlet account is used as a cautionary work to get people to admit their sins, as Mary had done. Accounts like this one also emphasise the power of the state. Mary accepts her just punishment for her crimes, because she accepted that she had sinned and that she should be punished. The execution of Anne Greene shaped the way in which her crime was perceived. Although she was hanged for half an hour with 'her friends in the mean time thumping her on the breast' to hasten her death, she revived during the autopsy and was brought back to health.[84] Her revival was seen as a sign of God's providence, that she was not guilty of the infanticide she had been convicted of and she was quickly given a pardon. Although this is an exceptional case, it shows that suspicions that led to execution could be quickly re-evaluated to excuse the woman of the crime. What had been an infanticide was now 'a flux of those humors which for ten weeks before had been suppressed, and that the child which then fell from her unawares, was nothing but a lump of the same matter coagulated'.[85] The understanding and explanation of the matter was changed due to the circumstances of her execution.

Conclusion

The experiences of women who committed child murder and infanticide were very similar, in the ways in which society and neighbours intervened in the discovery and prosecution of the

[83] *Fair Warning to Murderers of Infants*, p.2.
[84] Richard Watkins, *Newes from the Dead. Or A True and Exact Narration of the Miraculous Deliverance of Anne Greene, who Being Executed at Oxford Decemb. 14. 1650. Afterwards Revived* (London, 1651), p.3.
[85] Ibid., p.7.

crime as well as the depiction of the women as unnatural and animal-like. Society feared women who had stepped outside their legitimate role, and through tough legislation and portrayals was attempting to reinforce order. In the case of infanticide there was certainly change over time; the introduction of the 1624 statute increased prosecutions, though with more evidence of sympathy and less willingness to convict by the end of the seventeenth century. Interactions with other people in the society certainly shaped the ways in which women experienced infanticide and child murder, through their condemnation as well as (in some infanticide cases) their secret support. The next chapter deals with the experiences of those women who murdered their husbands, to see how their experiences related to these infanticidal and child murdering women.

Chapter Three: Husband Murder

The duty of the wife in the household was to be obedient to her husband. Since women were considered to be both biologically and morally inferior to men, it was necessary that they be controlled and supported by them. Through marriage, women were legally subsumed by their husbands; they had no legal identity within society. Mendelson and Crawford have argued that this position of the wife as 'feme convert', under the dominance of her husband, 'placed her in the same category as children, wards, lunatics, idiots and outlaws'.[86] The rule of coverture however, did not apply to murder or other crimes. The household was like a 'little commonwealth', in which the husband was the ruler of his family.[87] For a wife to murder her husband was considered to be petit treason, as she has rebelled against her natural superior. If found guilty she suffered the same punishment as if convicted of high treason: burning at the stake. Husband murder was seen by early modern society as one of the worst crimes a woman could commit. Principally this was due to the rebellious nature of the crime as well as the belief that all of society was intrinsically linked, 'What happened in the household was important for the village, the country and ultimately, the state.'[88] The crime itself was not seen as a single attack by one woman on one man, but a wider attack on society and order. This perception influenced the way in which women experienced husband murder, through the ways in which they committed the crime to their treatment within pamphlets and by the criminal courts.

Although there were a large number of contemporary pamphlets concerning husband murder, there were only 20 cases within the assize and coroners' court records in Kent, Essex

[86] Mendelson and Crawford, *Women in Early Modern England*, p.37.
[87] William Gouge, *Of Domesticall Duties* (1622), p.18.
[88] Susan Amussen, 'Punishment, Discipline and Power: The Social Meanings of Violence in Early Modern England', *The Journal of British Studies*, vol.34, no.1 (1995), p.4.

and Sussex between 1558 and 1688. Fear of husband murder increased over the period. Out of the 12 pamphlets considered within this dissertation nine were printed after 1650, with five of those in the 1680's alone.[89] In contrast to this, the court records show that 18 of the 20 cases occurred before 1620. The fear shown was disproportionate to the reality, with many more pamphlets being published when there were far fewer instances of the crime. Susan Amussen suggests that 'the enormous and energetic pamphlet debate on women focused (from the attacker's perspective) on their failure to live up to their assigned roles as meek, obedient wives'.[90] The perception of the pamphleteers was that women were acting disorderly in their married life. These publications were used to show their concern as well as caution the women against their disorder. Of course, this could also be due simply to the perceived danger behind these murderous acts. Frances Dolan writes that early modern writers 'dwell on the violation of domesticity and marital intimacy entailed by this crime' since they tended to occur within the most female interactive areas of the household: the kitchen (principally through poisoned food) and the bedroom.[91] The pamphlets considered here are no different. Four outline murder within the bedroom, six within the kitchen and only three in other areas within the household. This increase may have been due to the social upheaval linked to the English Civil War in the 1640s. Bernard Capp writes that 'many men believed that the upheavals of the civil war had seriously damaged authority within the family as well as in the state and society'.[92] This preoccupation of the early modern press on husband murder comes from the belief that it

[89] Although there are only 12 pamphlets, there are 13 accounts of husband murder as *The Adultresses Funeral* deals with two cases.
[90] Susan Amussen, '"Being Stir'd to Much Unquietness": Violence and Domestic Violence in Early Modern England', *Journal of Women's History*, 6:2, (1994), p.75.
[91] Dolan, *Dangerous Familiars,* p.29.
[92] Bernard Capp, 'Separate Domains? Women and Authority in Early Modern England', in Paul Griffiths, Adam Fox and Steve Hindle (eds.), *The Experience of Authority in Early Modern England* (Basingstoke, 1996), p.122.

'posed the greatest threat to the social order' and that these publications 'perform a public service by warning fellow citizens and deterring future felons'.[93] The interest of publicists later in the period on husband murder may then have been a reaction to the perceived instability of early modern society.

I: Motivation and Method

There were a number of motives which might have led women to murder their husbands. The two most frequent in pamphlet literature were adultery by the woman and domestic violence. The court records support that adultery may indeed lead to murder. In 6 of the 20 cases in Essex, Kent and Sussex the murder was committed by women in collusion with their lovers. Whenever women were adulterous there were a number of dangers which arose. The paternity of children born to adulterous women was in doubt and could further damage the honour of the husband as well as the household. More dramatically, it could end in the murder of the husband. Indeed, as Garthine Walker has stated, 'that murder was adultery's ultimate end was a cultural motif' in early modern society.[94] One case in Kent in 1581 exemplifies this motif of adultery leading to murder. Not only did Petronella Brightred murder her husband William using a broth containing 'rattesbayne', but her lover Thomas Heywood murdered his wife using the same means. By the time the two came to trial they had married. Both were convicted and hanged.[95] Adulterous women were dangerous as 'death was the only way to exchange one

[93] Susan Staub, 'Bloody Relations: Murderous Wives in Street Literature of Seventeenth-Century England', in Kari Boyd McBride (ed.), *Domestic Arrangements in Early Modern England* (Pittsburgh, 2002), p.129; Martin, *Women and Murder in Early Modern News Pamphlets and Broadside Ballads*, p.xii.
[94] Walker, *Crime, Gender and the Social Order*, p.143.
[95] J.S. Cockburn, (ed.), *Calendar of Assize records: Essex indictments: Elizabeth I* (London, 1979), no.1200.

husband for another'.[96] The story of Thomas Arden of Faversham shows the danger that was posed when a woman fell in love with another man. Thomas Arden knew that his wife Alice was in an adulterous relationship with a Thomas Mosbie, yet he was 'contented to wink at hir filthie disorder' even inviting him to stay at his house to be closer to her.[97] Yet his acceptance of her affair did not stop her plotting his murder in order to be able to marry her lover. A number of pamphlets also concentrated on the adulterous activities of the homicidal women. The very title of *The Adulteresses Funeral* makes the sexual practices of the woman the first thing that it known about the pamphlet, rather than the crime that she committed.

Domestic violence was also considered likely to lead a woman to commit husband murder. In nearly all the pamphlets quoted within this dissertation, there was at least some aspect of domestic violence, even if it was not the main catalyst to the murder. Although husbands had the right to beat their wives in common law, most conduct books advised that they should not. William Gouge's *Of Domesticall Duties* predicts a rebellious reaction by severely beaten wives. He states that:

> There is no hope of any good to proceed from an husbands beating of his wife: for that party corrected is perswaded that the party which correcteth no authority or right so to doe, it will not be brought patiently to take it: but will resist and strive if it be possible to get the mastery.[98]

[96] Laura Gowing, *Domestic Dangers : Women, Words and Sex in Early Modern London* (Oxford, 1996), p.205.
[97] Raphael Holinshed, The *Chronicles of England, Scotlande and Irelande* (1577), cited in John Bellamy, *Strange, Inhuman Deaths: Murder in Tudor England* (Stroud, 2005), p.166.
[98] Gouge, *Of Domesticall Duties*, p.392.

Beating led to hatred from the subordinates of the household who might then rebel against this tyranny, for 'the man who is not lyked and loved of his mate, holdeth his life in continual peril'.[99] Sarah Elton killed her husband in 1678 with a pair of scissors after 'a quarrel arising between them, and he having beat her very severely'.[100] Her actions appear to have been accidental, as she says that she 'onely thought to do him some slight mischief in revenge of his cruelty in beating her'.[101] His excessive violence had ultimately led to his death. Another, much more brutal case, was that of Mary Hobry. Her husband had beaten her and treated her badly throughout their marriage. One night he arrived home drunk and beat her as well as taking 'her in his arms with all his force, til he did stop her vital breath, and so she wished for a sudden death: he forc'd on her such barbarous violence in spight of what she did in her defence'.[102] In *A Cabinet of Grief*, which purported to have been written by Hobry herself, she stated that his actions 'did exasperate my spirits to the height of passion', which led to her decision to kill him to escape her situation.[103] In this case, the excessive violence meted out by her husband before she murdered him was committed while he was drunk. The 'drunken burn' theory, that alcohol was and is a principal feature of domestic violence, can be seen to be the case, not only in the beating itself, but in that beating leading Mary to commit murder. [104] Some of the women who

[99] Gowing, *Domestic Dangers*, p.206.
[100] *A Warning for Bad Wives: or The Manner of the Burning of Sarah Elston Who was Burnt to Death on Wednesday the 24th of April 1678. For Murdering her Husband Thomas Elston, the 25th of September Last …*(London, 1678), p.2-3.
[101] Ibid., p.3.
[102] *A Warning-Piece to all Married Men and Women Being the Full Confession of Mary Hobry the French Midwife, who Murdered her Husband on the 27th of January 1687/8 (as also the cause thereof), for Which she Receiv'd the Sentence to be Burnt Alive …*(London, 1688), Broadside.
[103] *A Cabinet of Grief, or, The French Midwife's Miserable Moan for the Barbarous Murther Committed upon the Body of her Husband with the Manner of her Conveying Away his Limbs and of her Execution, She Being Burnt to Ashes on the 2d of March in Leicester-fields* (London, 1688), p.4.
[104] Jessica Warner and Allyson Lunny 'Marital Violence In A Martial Town: Husbands And Wives In Early Modern Portsmouth, 1653-1781', *Journal of Family History,* 28.2 (2003), p.269.

committed these murders were themselves drunk when they did the act. Prudence Lee was described as having had a 'very lewd liver', which may have influenced her in her attack on her husband.[105] In this way then, continual beating of a wife by her husband could eventually lead her to commit murder, in a desperate attempt to escape the situation.

Of course, there were sometimes other motivations. Firstly, there could be material considerations. James Sharpe states that although murder for financial gain was rare, some spouses were certainly 'disappointed when they discovered that the wealth of their partners did not match ante-nuptial expectations'.[106] This was part of the reason why Elizabeth Ridgeway poisoned her husband, as he had 'a debt of twenty pounds, which his sister demanded of him soon after his marriage, and which was as much as ever he had pretended to be worth', which had 'frustrated of her expectations in her marriage'.[107] Financial ruin during the marriage could also be a driving factor. Margaret Osgood killed her husband as he would 'spend lavishly to keep horses and spaniels, so that in a short time almost all that her former husband had left her (which was considerable) was wasted'.[108] The sadness she felt from the loss of fortune made her want to kill herself, but when she couldn't she decided to kill her husband instead. Callous spending on the part of the husband was also the reason for Katherine Fox to cut the throats of her two children as well as her husband. Mr Fox had a 'plentiful estate' but 'through riotous living had consum'd it all' and was 'reduced to a very low ebb of

[105] *The Witch of Wapping* (London, 1652), p.7.
[106] Sharpe, 'Domestic Homicide in Early Modern England', p.41.
[107] John Newton, *The Penitent Recognition of Joseph's Brethren a Sermon Occasion'd by Elizabeth Ridgeway, Who for the Petit Treason of Poysoning her Husband, was... Burnt at Leicester* (London,1684), sig.Cv.
[108] *The True narrative of the confession and execution of the prisoners at Kingstone-upon-Thames, on Wednesday the 16th of this instant March, 1681 viz. Margaret Osgood burnt for killing her husband…(*London, 1681), sig.Av.

fortune'.[109] Katherine killed her family principally because, through his behaviour, they no longer had the means to feed themselves. Material considerations could certainly affect a wife's actions. However, in both these latter cases the women were also frequently beaten and had often argued with their spouses. This suggests that other factors worked together with the material, economic circumstances to influence women to commit husband murder.

There was widespread disapproval in early modern society of marriages in which there were large age differences. Many saw difference of age between the two marital partners as a key cause of marital strife, and of husband murder. Both Mary Hobry and Mistress Page were married to partners who were not of the same age as themselves, implying this may have been an underlying cause for many of the marital problems which led to the eventual murders. In the ballad *The Murder of M. Page of Plymouth,* Mistress Page lists the problems with her marriage. She states that 'my chosen eies could not his sight abide; My tender youth did scorn his aged side'.[110] The difference in age is stated as one of the key factors why the marriage was not working. Most commonly though, within the pamphlet literature the murderous wife was the older partner, marrying a much younger man who was usually her second or third husband. In these cases, jealousy was the motivation behind the murder. In the case of Elizabeth Lillyman, whose husband William was not quite thirty, it was her age of 'near threescore' which had made her 'not a little tainted with the poison of jealousy'.[111] Elizabeth killed her husband at an alehouse after a servant maid working there implied that she was having an adulterous affair

[109] *The Distressed Mother: or, Sorrowful Wife in Tears*, p.1.
[110] Thomas Deloney, 'The Ballad of M. Page of Plymouth', cited in Staub, 'Bloody Relations', p.135.
[111] *A Compleat Narrative of the Tryal of Elizabeth Lillyman Found Guilty of Petty Treason and Condemned at the Sessions at the Old Bayly the 10th of this Instant Iuly, to be Burned to Death, for the Barbarous and Bloody Murther of VVilliam Lillyman her Late Husband* (London, 1675), sig.A2v.

with him. She 'fell into an angry passion' and stabbed her husband to death.[112] The age difference and the jealously that came with it were in some cases directly linked to marital discord and murder.

The Kent, Essex and Sussex court records suggest there were four methods commonly used when women committed husband murder. Three women stabbed their husbands, seven beat them to death, one broke her husband's neck and nine poisoned them. Interestingly, when the husbands were murdered through beating it was more likely that there had been a male accessory involved in the murder. Five of these cases involved an accessory, with men being the primary accused in four of them. In these instances three of the men indicted with the women involved were allegedly their lovers. Cases in which men took an active, primary role often involved face to face, physical assaults, which women alone usually avoided. Poison was the only other method in which others were involved. Three of the cases of poisoning had the women aided and abetted by their lovers, which can be seen as the court cases did not follow until the women had remarried the men indicted with them.

Anne Marie Kilday considers that women who murdered their husbands in the eighteenth century 'tended to use implements associated with their domestic chores when they commit violent acts against an individual'.[113] The seventeenth century supports this theory, as these statistics show. Each stabbing used knives which could be found in the kitchen, the broken neck occurred from pushing the husband off the bed and the poison was usually added to food. The only exception could be those who beat their husbands, yet staffs and cudgels would still be found within the domestic sphere, and near at hand if there were

[112] Ibid., sig.A3v.
[113] Kilday, ''The Lady Killers'', p.210.

murderous intentions. A number of cases in the pamphlet literature show the use of implements common to everyday life as murder weapons. Sarah Elton used scissors to stab her husband, whilst Elizabeth Lillyman used a knife with which her husband had been eating his dinner.[114] In these cases, it can be seen that the act of murder was not premeditated, but impulsive, brought on by anger during a domestic argument.

However, the same cannot be said in cases where poison was used. There were a number of social constructions surrounding poison in this period. Not only was it the most common form of murder in the court records for husband murder, the pamphlet literature also had poison as the most common method for women to use. Those who used poison were given 'negative feminine characteristics – weak, foolish, wicked, cunning'- which indicates the extent to which the use of poison was considered to be a specifically female crime.[115] Poisoning was considered to be an especially horrible means of murder, so much so that Henry Goodcole devoted a large section to it within his *The Adulteresses Funeral*. He states that poison 'containes so much villainy', for it 'is an act done by deliberation, or meditation, no waies carried, and hurried by the violence either of will or of passion, but done upon a cold blood'.[116] Pre-planning in relation to murder was important for the court, as it removed any chance of lessening the charge to manslaughter or self-defence as might happen in other instances.[117] Six of the women referred to within the pamphlet literature considered here poisoned their husbands. One of the more dramatic cases was that of Anne Hamton, who added so much

[114] See *A Warning for Bad Wives* (London, 1678); *A Compleat Narrative of the Tryal of Elizabeth Lillyman* (London, 1675).
[115] Walker, *Crime, Gender and the Social Order*, p.144.
[116] Henry Goodcole, *The Adultresses Funerall Day in Flaming, Scorching, and Consuming Fire, or, The Burning Downe to Ashes of Alice Clarke, Late of Vxbridge in the County of Middlesex, in West-smith-Field on Wensday the 20 of May, 1635 for the Unnaturall Poisoning of Fortune Clarke her Husband* (London, 1635), sig.B3v.
[117] Martin, *Women and Murder in Early Modern News Pamphlets and Broadside Ballads,* p.xiv.

poison to her husband's food – enough to kill ten men – that he swelled and burst.[118] The swelling of the body was traditionally considered to be one of the main forms of evidence that poison had been used, so in this case, the circumstances of the death were very suspicious.[119] Another case which emphasised the dangers of poison was that of Elizabeth Caldwell. She, her lover Jeremy Brown and her neighbour Isabel Hall connived together to poison her husband by baking ratsbane into oat cakes. Although they failed to kill her husband, a neighbour's child died (for which she was convicted) and their plot was discovered.[120] A further dangerous and malicious aspect with poison, as this pamphlet exemplifies, was that it could not be certain to whom it would be administered. However, poisoning appears to have been a seventeenth-century phenomenon, at least to the extent that it is perceived to be used amongst women as a method for murder. J. Cockburn had found that during the eighteenth century the use of poison as a means to commit husband murder lessened.[121] It can be claimed, that women who murdered their husbands within the seventeenth century were following a cultural tradition with their use of poison.

II: Discovery and portrayal

As with cases of infanticide and child murder, the neighbourhood had a significant role to play

[118] *Murther, Murther, or, A Bloody Relation How Anne Hamton Dwelling in Westminster Nigh London by Poyson Murthered her Deare Husband Sept. 1641 Being Assisted and Counselled Thereunto by Margeret Harwood for which Both Committed to Gaole and at this Time Wait for a Tryall.* (London, 1641), sig.A3v-A4.
[119] Malcolm Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, Vol. 23, No. (1998), p.22.
[120] See Gilbert Dugdale, *A True Discourse of the Practises of Elizabeth Caldwell, Ma: Ieffrey Bownd, Isabell Hall Widdow, and George Fernely, on the Parson of Ma: Thomas Caldwell, in the County of Chester, to Haue Murdered and Poysoned Him, with Diuers Others Together …(*London, 1604).
[121] J. Cockburn, 'Patterns of Violence in English Society: Homicide in Kent 1560-1985', *Past and Present* 130 (1991), p.104.

in the detection of husband murder. This role is more pronounced than in those for infanticide and child murder, with almost half the pamphlets considered describing some neighbourhood involvement, either in the discovery of the crime or as witnesses at the trial. Neighbours 'were inevitable witnesses to the breakdown of a marriage' as they had close proximity to the couple as well as interpersonal relationships with them.[122] It was expected by many that neighbours would intervene in troublesome marriages, especially during domestic violence to ensure the safety of those involved as well as the peace of the community. When Mistress Page was considering killing her husband, Goodcole suggests that her neighbours 'by their good counsel might have diverted her from so wicked a resolution'.[123] Neighbours, servants and apprentices also acted as key witnesses in these cases. The watching neighbour or servant was important in deciding if these women were guilty, by reporting their actions and reactions to their husband's death. When Margaret Ferne-Seede's husband was found dead, far from where he lived, it was the testimonies and opinions of the watching neighbourhood which condemned her for his murder. On hearing of his death, Margaret walked through the streets with her servant to see the body and encountered a number of her neighbours who 'began to pittie her griefes ... and to wish her those comforts which are fit for affliction', she told them that her 'eyes are ill alreadye and I must now preserve them to mend my clothes not to mourne for a husband'.[124] Later, her servant speaks out against his mistress, stating that she had been unhappy since her marriage, had been committing adultery with a man whom she meant to go to once her

[122] Jessica Warner and Allyson Lunny 'Marital Violence In A Martial Town: Husbands And Wives In Early Modern Portsmouth, 1653-1781', *Journal of Family History,* 28.2 (2003), p.259.
[123] Goodcole, *The Adultresses Funerall Day,* sig.B1v.
[124] *The Araignement & Burning of Margaret Ferne-seede for the Murther of her Late Husband Anthony Ferne-seede, Found Deade in Peckham Field neere Lambeth, Hauing Once Before Attempted to Poyson him with Broth, Being Executed in S. Georges-Field the Last of Februarie.* (London, 1608), sig. A4.

husband was dead, and she had already sold all of her husband possessions before she was told of his death.[125] It was principally these accounts, given by the neighbours, that led her to be convicted of murder, which she stoutly denied up to her death. In a like case, when Mary Osgood claimed at her trial that when she committed the murder of her husband she was 'distracted' and therefore *non compos mentis* (which would probably have led to her exoneration), it was the words of her neighbours that contradicted the plea. They 'deposed upon oath' that on the morning following the killing 'she was as at other times and they saw not distraction in her'.[126] This led to her conviction and execution. The actions and opinions of neighbours and servants were fundamental to the fate of women who murdered their husbands, as they could be key factors in their convictions.

Surprisingly, society as well as contemporary pamphlets could be quite sympathetic to murderous women, especially when domestic violence was the key motivation to murder. *A Warning for Bad Wives* shows that since the discovery that Anne Hamton and her husband had 'lived with much discord and frequent wrangling' since the beginning of their marriage, many people 'would partly excuse the woman' for committing the murder. [127] *The Adulteresses Funeral* displays the same sort of sympathy, laying some blame or at least responsibility on the actions of the husband. Fortune Clarke beat Alice, and 'so cruelly added blowe upon blow upon her body, that the markes thereof, were very visible on her body at this present'. [128] The inclusion of this within the pamphlet and the implication of blame placed on the husband for his actions, show at least some sympathy for the situation she was in, if not with her means of

[125] Ibid., sig.A4v.
[126] *The True Narrative of the Confession and Execution of the Prisoners at Kingstone-upon-Thames, on Wednesday the 16th of this Instant March, 1681 viz. Margaret Osgood Burnt for Killing her Husband…(*London, 1681), Av.
[127] *A Warning for Bad Wives,* p.2.
[128] Goodcole, *The Adultresses Funerall Day,* sig.B2v.

dealing with it. A much more obvious display of sympathy is shown in *A Cabinet of Grief,* which states that 'his [Dennis Hobry's] unnaturalness and cruelty has been such, that no tongue is able to express the daily sorrows that I [Mary] underwent'.[129]

However, not all accounts were sympathetic. As with depictions of women who killed their children, there were a number of statements of the unnaturalness of the killers and their acts. When Esther Ives was found to have murdered her husband, the pamphlet describes it as a 'wicked and unnatural murder'.[130] Mary Osgood's act was repeatedly referred to as the 'horrid murder' throughout the narrative of the murder of her husband.[131] Portrayals of murderous wives are also like those of murderous mothers in comparing these women to animals. Anne Hamton is not only compared to lions, but considered worse than them. The pamphlet writer states 'let all the forrests wherein lions are contained be joined in one, and privy search made, to know if ever female did the male destroy; oh no! For though by nature they be fierce and bloody, yet doth nature so much governe them', unlike the 'savage woman' whom the pamphlet concerns'.[132] These accounts show that there were certain similarities in how murderous women were perceived, either if they had murdered their husbands or their children. This is unsurprising, as both victims were intimately and familiarly related to the perpetrator, the woman who was supposed to care for and maintain each of the victims.

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[129] *A Cabinet of Grief,* p.2.
[130] *A Full and True Account of a Most Barbarous and Bloody Murther, Committed by Esther Ives, With the Assistance of John Noyse a Cooper; on the Body of William Ives, her Husband, at Rumsey in Hampshire, on the Fifth day of February 1686* (London, 1687), sig.A3v.
[131] *The True Narrative of the Proceedings at the Assizes Holden at Kingstone-upon-Thames, for the County of Surry Which Began on Monday the 7th of this Instant March, … But More Particular of the Trial and Condemnation of Margaret Osgood* (London, 1681), sig. Av.
[132] *Murther Murther*, p. A2v.

III: Conviction and Execution

Statistically, the conviction rate for husband murder from Kent, Essex and Sussex was very low. Only six of the 20 women brought before the courts were found guilty. By common law these women should then have been burned at the stake, as that was the punishment for petty treason. However, not all those found guilty were burned. Out of the six cases in which the woman was found guilty, only two of these were burned at the stake, whilst the other four were hanged. There could be some leniency when women killed their husbands. This leniency seems strange when one considers the fear surrounding the crime. Not only were these women not often convicted, but when they were they were not often burned. G.R. Elton considers that this might be explained by 'an often instinctive chivalry, or if you like embarrassment, which was a common reaction of that day when confronted with women who broke the rules'.[133] However, the pamphlets give a different impression. Of the 13 examples of husband murder, not only were all convicted, but 10 of those specifically stated that the women were burned at the stake. The pamphlet *The Witch of Wapping* goes so far as to describe the experience of Prudence Lee whilst being burnt at the stake. It states that she called out 'lord Jesus have mercy on my soul; and after the fire was kindled she was heard to shrike out terrible some five or six several times'.[134] However, this apparent discrepancy may not be surprising when it is considered that the pamphlets were intended to be read by a large audience. The pamphleteers would have chosen cases in which the women had been severely dealt with in order to fulfil their purpose of warning the public of the fate of those who committed such acts.

[133] J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford, 2002), p.439.
[134] *The Witch of Wapping*, p.8.

The reality for women convicted of husband murder was rather more lenient than the sensational cases selected by the pamphlet writers.

As with pamphlets concerning infanticide and child murder, nearly all those concerning husband murder report how these women spent their time whilst they were in gaol. The main aim of including these narratives within the murder pamphlets was to place the woman back under society's rule. They showed that women who had broken the social order, had later confessed and repented their crimes and been accepted back into the patriarchal society. Like the scaffold speech, the publication of these words and actions was a political statement. Mary Hobry admitted her faults and accepted her punishment. She stated that 'I for this bloody fact do wait for my just punishment'.[135] In some cases, the emphasis on piety and confession that these pamphlets expressed, presented these women in a positive, almost pious light. Susan Staub writes that many husband murderers went through the 'transformation of the criminal' from the deplorable murderess to the 'epitome of piety and rectitude'.[136] *A True Discourse of the Practises of Elizabeth Caldwell* outlined how Elizabeth not only found her own repentance in prison, but acted to convert others sentenced to death as well. She also spent time writing 'letters to several preachers to be resolved as touching her fayth, and the want of a sound resolution that God had pardoned her offences.'[137] In fact the pamphlet spends more time outlining her virtues in prison and on the scaffold than it does on the attempted murder of her husband and the eventual death of the child she was convicted of killing. The inclusion of these

[135] *A Cabinet of Grief,* p.3.
[136] Staub, 'Bloody Relations', p.139.
[137] Dugdale, *A True Discourse of the Practises of Elizabeth Caldwell,* sig.B2v.

aspects of the case within murder pamphlets emphasises the importance of the reintegration of these rebellious women into society.

The main purpose of the execution was 'not merely displays of brutality, but rather attempts by the authorities to exert ideological control, to reassert certain values of obedience and conformity'.[138] This was achieved through the ceremony and spectacle of the execution, especially that which took place on the scaffold. Frances Dolan however, has considered that the scaffold was a place in which women could also find agency. There was a boundary-crossing element to the proceedings, as women were allowed, even encouraged to be given a voice through the scaffold speech.[139] Susan Staub goes further, stating that the printed accounts of women committing and being executed for crimes 'marks a new consciousness for them as individuals'.[140] In this way, through committing crime, specifically in the case of husband murder, they were removing themselves from their traditional subordinate position within society and re-writing their role. Indeed, this could be taken even further for those women who would not admit their faults and crimes, as was expected of them on the scaffold and within their confinement before their execution. During Mary Osgood's time in prison she would sometimes 'applaud her cruelty saying she did not repent of what she had done', though at others 'she was stupefied with horror of guilt'. Ultimately she said that she would rather have burned than lived with her husband if he had still been alive.[141] In this way, murderous women could control their own actions and subvert the expectations of society. Of course some women

[138] J.A. Sharpe, '"Last Dying Speeches"', p.158.
[139] See Frances Dolan, '"Gentlemen, I have one more thing to say": women on scaffolds in England, 1563-1680', *Modern Philology* (1994), pp.157-178.
[140] Staub, 'Bloody Relations', p.128.
[141] *The True Narrative of the Confession and Execution of the Prisoners at Kingstone-upon-Thames*, sig. Av.

chose to express their remorse and reach some sort of reconciliation with the state, rather than reject it as these women did.

The area around the scaffold could also be considered a place in which the reassertion of authority and social order was enacted. As has already been mentioned, many cases of husband murder were motivated by the woman's adulterous acts. Within society acts of charivari were sometimes acted out against those who had challenged gender norms. These usually involved the 'carting' or 'riding' of a whore when the woman had committed adultery or otherwise abused her husband.[142] The aim of these acts was to shame the couple and reassert societal order. Interestingly, this was also used in the case of Esther Ives, who murdered her husband William with her lover John Noyse. On the day of their execution they, 'being placed upon one horse, were in that manner conveyed to... the place ordered for their execution'.[143] In this case then, it can be seen that the state was not only reasserting its authority through the execution itself, but also through those methods traditionally used when sexual misdemeanours occurred.

Conclusion

There are a number of conclusions that can be drawn from the experiences of women who committed husband murder. Firstly, it can be seen that there were a number of motives behind the act itself. Although pamphlet literature and historical analysis concentrate principally on domestic violence and adultery, the causes of husband murder were more varied than these

[142] David Underdown, 'The Taming of the Scold: The Enforcement of Patriarchal Authority in Early Modern England', in Anthony Fletcher and John Stevenson (eds.), *Order and Disorder in Early Modern England* (Cambridge, 1983), p.121.
[143] *A full and True Account of a Most Barbarous and Bloody Murder*, sig. A4.

alone and in many cases a number of the motives were at work together. It can also be seen that women chose methods and implements of murder which were related to their domestic role. Since these murders were committed within this sphere this does not seem surprising, it could also imply that these women were taking advantage of their position in the household, especially in the case of poison. Women's experience of husband murder also relates to that of child murder and infanticide in both the involvement of the neighbourhood and the ways in which the women were portrayed. These may be common factors in female homicide, irrespective of the form it took. Finally, it can be seen that conviction rates for the murder of one's husband were low throughout the period studied. This implies some degree of leniency on the part of the judiciary and the courts for these women. The experiences of the women who committed husband murder were shaped and moulded by the society that these women lived in, and many of the actions of the women themselves conformed to traditional ideas concerning the act of husband murder.

Chapter Four: The Murder of Subordinates

This chapter is concerned with those murders which were committed by the mistress of the house on her household subordinates. In this study, the term subordinate refers specifically to servants and apprentices, although more focus will be placed on servant murder. The murder of servants was the second most common type of murder that women committed between 1558 and 1688. Of the 372 murders in Kent, Essex and Sussex, 46 were of servants, whilst only two were of apprentices. There is little contemporary pamphlet material on this topic. This chapter will concentrate on only two contemporary pamphlets, which will be examined in depth to discover why they were published and what they suggest about how society viewed these murderous women. The position of power these women had, through their role as an employer, meant that the perceptions of society and the reactions of the courts was very different from those experienced by other murderous women.

Going into service was common among young teenagers and adolescents in the early modern period. The principal reason was in order to 'solve the problem of what to do with children between puberty and marriage'.[144] It was also a way for older children to be provided for, with boarding and lodging, which they would not be able to provide for themselves if they had come from low income households. The ages of those within service varied widely from children of about 8 to the late twenties. Looking at the court records, in the 18 cases in which subordinates' ages were given, all were aged between 8 and 20. Within the household, these subordinates were part of the early modern family, with their master and mistress taking the

[144] Ann Kussmaul, *Servants in Husbandry in Early Modern England* (Cambridge, 1981), p.3.

role of their substitute parents.[145] The mistress was expected to have a close relationship with her maidservants, she was meant to look after them when they were ill, feed them, give them gifts of clothes as well as influence and guide them morally.[146] Within the early modern household, masters and mistresses also had a duty to enforce correction through corporal punishment if their servants disobeyed or disappointed them. However, they were usually counselled by conduct literature to treat servants gently, as with husbands correcting their wives. Thomas Becon advised readers not to 'curse, and lame them [servants], cast dishes and pots at their heads, beat them, [or] put them in danger of their life'.[147] Of course, as the statistics have shown, this cannot always have been the case. Anthony Fletcher has argued that 'whereas between husbands and wives and parents and children there were blood ties and ties of affection which might soften and modify, even subvert, the harshest prescription of ... God given authority, service was banded by no such ameliorating circumstances'.[148] Mistresses then, were not as likely to be kind to their servants as to other family members as they did not have a familial connection with them.

I: Motivation and Method

The motivations and methods involved in cases of the murder of subordinates can in some respects be seen to be related. Most of the cases in the court records show that the subordinates were killed through methods connected with domestic correction. Of the 48 cases reported in the court records, 39 outlined that the murder was committed by the mistress by

[145] Alison Sim, *Masters and Servants in Tudor England* (Stroud, 2006), p.13.
[146] Mendelson and Crawford, *Women in Early Modern England*, p.105.
[147] Ralph Houlbrooke, *The English Family* (London, 1984), p.175.
[148] Fletcher, *Gender, Sex and Subordination*, p.213.

beating the servants to death. Another three of the deaths could also have been linked to corrective violence, as two suffered broken necks and another was pushed down the stairs. In addition to this, in the pamphlet literature concerning this topic, Elizabeth Wigenton murdered her female apprentice through the use of extreme corrective violence. The final four murdered subordinates were stabbed, although these attacks might also have originated in the mistress's angry determination to punish her servant for some alleged fault. However, Elizabeth James in the pamphlet *Three Bloody Murders* murdered her maid by cutting her throat, not through any form of domestic correction, but for revenge. Elizabeth had been borrowing money and clothes from the maid and failing to pay her back. Eventually the maid went to her master and complained about this behaviour, and he later argued with Elizabeth about her actions. [149] It was her desire to have revenge on the maid that led to the eventual murder. This indicates that in some cases, murders committed on subordinates within the household by their mistresses may not have been simply an extension of their role in corrective violence.

Women were much more likely to murder female servants than male servants, with 83 per cent (40) of the victims being female to 17 per cent (8) being male. This distribution was most likely because of the position of the mistress in the household, as specifically in charge of the female subordinates. Robert Cleaver in his *A Godlie Forme of Householde Government* (1612) stated that:

[149] *Three Bloodie Murders the First, Committed by Francis Cartwright Vpon William Storre, Mr. of Art, Minister and Preacher at Market Raisin in the Countie of Lincolne. The Second, Committed by Elizabeth Iames, on the Body of her Mayde, in the Parish of Egham in Surrie: who was Condemned for the Same Fact at Saint Margarets Hill in Southwark, the 2. of Iuly 1613* (London, 1613), sig.Cv.

> As it is not comely or beseeming, that the wife should take upon her to rule and correct the men-servants, so likewise it is not comelie or meete that the husband should meddle with punishing and chastising maidservants ... for a mans nature scorneth and disdaineth to bee beaten of a woman, and a maides nature is corrupted with the stripes of a man.[150]

This shows that the murder of female servants by their mistresses was more likely because she would normally be in charge of correcting the maid. However, this does not account for other factors which may also have come into play in the relationship between a mistress and her female servant within the household. Laura Gowing has considered the tensions that would have arisen within the mistress/ servant relationship in relation to the master of the household. She states that in some cases there was an 'underlying edge of sexual competition' and that there were a number of stories concerning 'maids being beaten by jealous mistresses'.[151] Theoretically then, the jealousy inherent with the adulterous actions of the master of the household may have led mistresses to beat female servants more frequently and roughly, if this was the case. Anthony Fletcher states that 'sexual exploitation of servant girls was an accepted social phenomenon' in this period.[152] In fact, 'the servant propositioned by her master ... was not protected by the normal community controls on extramarital sex, and because of the association of wealth with credibility, her allegations were often disbelieved.'[153] In this way, the master would have had a massive amount of power over their female servants. The maid could

[150] Robert Cleaver, *A Godlie Forme of Householde Government* (1612), p.378-9.
[151] Laura Gowing, 'The Haunting of Susan Lay: Servants and Mistresses in Seventeenth Century England', *Gender and History*, Vol.14 (2002), p.193.
[152] Fletcher, *Gender, Sex and Subordination*, p.219.
[153] Amussen, 'Punishment, Discipline and Power', p.15.

not easily stop this behaviour, but might be punished by her mistress for it. This implies that these adulterous relationships between master and servant occurred fairly often and must have been a source of tension within the household, which might well influence the actions of the mistress.

J. Cockburn has argued that although some 'masters kill from protracted ill treatment, ... most deaths ... seem to have been the result of sudden impatience or loss of temper'.[154] This appears to be true for Elizabeth Wigenton, when she murdered her apprentice in 1681. She had set her apprentice to work, but was dissatisfied with the results so began to beat her, 'the which not satisfying her cruel rage, she went and got a bundle of rods ... with which, after she had bound her, she whipped her so unmercifully, that the blood ran down like rain'.[155] An episode told in the pamphlet *Three Bloody Murders* can in some sense also be seen as a loss of temper rather than protracted ill treatment, although Elizabeth James' attack on her maidservant was to some extent premeditated. She murdered her servant to get revenge for causing an argument between herself and her husband. Indeed, the maid had 'thought herself very happy' to be working for her mistress until the attack.[156] She had obviously not suffered long term corporal punishment before her murder. However, it cannot be said for certain that the cases in the court records were acts of passion or part of longer term abuse. It could be the case that those killed, were the victims of long term abuse which only ended with their death. James Beattie states that 'only a fraction of [the abuse of servants] must have been reported and of those only a handful prosecuted, but enough charges of mistreatment of servants did

[154] J. Cockburn, 'Patterns of Violence in English Society', p.97.
[155] *The True Relation of the Tryals at the Sessions of Oyer and Terminer … as Particularly of Elizabeth Wigenton for Whipping a Girl to Death at Ratcliffe* (1681), sig. A.
[156] *Three Bloody Murders*, sig. Cv.

come to light to suggest that this kind of domestic bullying and abuse by women was not uncommon'.[157] Indeed, there are many examples of servants or apprentices suing their masters for mistreatment. One female apprentice sued her master in Middlesex, following his stripping her naked, hanging her by her thumbs and giving her 21 lashes.[158] In another case Sarah Fenner took her mistress to court when she lost the use of her left hand in 1572, after her mistress had beaten her with a firebrand.[159] This could suggest that although these attacks may appear to be acts of passion, they could actually be part of a longer running pattern of violence between the mistress and the subordinate, which eventually led to the servant's death.

II: Discovery, Portrayal and Conviction

Women who murdered their servants were not perceived in the same way as other murderous women. It has already been stated that these women were in a position of power and had obtained a certain legitimacy for their use of physical violence, which other murderous women had not. Child-murderers, infanticidal mothers and husband murderers were all portrayed similarly, as unnatural animals. This did not apply to servant murderers. Elizabeth Wigenton is merely described as a 'cruel woman' with 'cruel rage'. The pamphlet does not challenge her right to beat her servant, only the severity of her acts.[160] The same can be said of Elizabeth James, who is described as a 'cruel woman, being empty of all grace'.[161] The women who murdered their subordinates were criticised for their lack of pity and moderation, which they

[157] Beattie, 'The Criminality of Women in Eighteenth century England', p.87.
[158] Steve Smith, 'The London Apprentices as Seventeenth Century Adolescents', *Past and Present* 61 (1973), p.222.
[159] Mark Burnett, 'Masters and Servants in Moral and Religious Treatise, c. 1580-1642', in Arthur Marwick (ed.), *The Arts, Literature and Society* (London, 1990), p.56.
[160] *The True Relation of the Tryals at the Sessions of Oyer and Terminer,* sig. A.
[161] *Three Bloody Murders*, sig. Cv.

might have shown their servants, but their actions were not considered unnatural. In some ways, the portrayals of the women who murdered their subordinates were shaped by the ways in which these women saw themselves. Elizabeth Wigenton exemplifies the opinions which these murderous mistresses probably all felt. When she was in court on trial she is said to have 'pleaded little in her own defence, onely saying that she did not think to kill her [servant]'.[162] This implies that she believed she had killed the servant accidently, and her plea may have worked had it not been for testimony from her neighbours.

As with cases of child-murder, infanticide and husband-murder the involvement of the neighbours in the detection and conviction of these women was fundamental. Although we cannot find this evidence within the court records, both the pamphlets considered in this dissertation show the importance of the role of the neighbour. Elizabeth James' murder was discovered when a dog pulled the severed head of the murdered maid from the flowerbed in which Elizabeth had buried it, revealing the murder to her husband and their neighbours. It was the neighbours who 'saw in her' the guilt of the matter and 'did presently apprehend her' and take her to the justices.[163] The pamphlet concerning Elizabeth Wigenton implies that she was convicted of the murder of her apprentice almost solely on the testimony of her neighbours. She had claimed that she did not mean to kill the girl, but 'it being proved that she had been a cruel woman by all her neighbours, she was found guilty of wilful murder'.[164] The perceived prior behaviour of mistresses by neighbours clearly influenced the way in which they were seen

[162] *The True Relation of the Tryals at the Sessions of Oyer and Terminer.* sig. A.
[163] *Three Bloody Murders*, sig. C2v.
[164] *The True Relation of the Tryals at the Sessions of Oyer and Terminer,* sig. A.

in their criminal trials. This shows the importance of the neighbourhood as a whole in the detection and conviction of these murderous mistresses.

Conviction rates for women who murdered their servants were very low. About 80 per cent (38) of those accused of murdering their servants were found not guilty within the courts. These acquittals and the reasons given by the court for reaching them, suggest a certain amount of collusion between the courts and juries with the mistresses. One of the devices used by the courts to ensure that these women were acquitted was to introduce the fictional killer. Out of the 38 women acquitted, five of the cases stated that the murder had been committed by another person. In these cases false names are given to fictional murderers, in order to be able to find the defendant not guilty. In two of those cases mentioned above, the murder was committed by 'John Lellowe', one by 'John a Love' who appears throughout the court records in most forms of female and male murder, one 'Thomas staff' and one 'William Nemo'. In addition, 10 of the cases of not guilty verdicts stated that the victim had died from 'divine visitation', implying that the death was due to God's will, rather than the mistress who had given the beating. This shows that there was a concerted effort within the court to acquit these women of murder.

Even if the mistress was convicted of the murder, it was still more likely that she would be reprieved than executed. Of the ten cases of subordinate murder in which the women were found guilty, only four were hanged, whilst the other six were either acquitted, remanded in custody or pardoned. James Sharpe has argued that these verdicts must have been due to the perceptions of the judges and juries that 'if employers were deterred from beating their charges by death sentences when correction ended in fatality, godly discipline would be

eroded'.[165] Unlike other forms of female homicide, the murderous woman was supported by the courts, and through her position as mistress was dealt with more leniently. The murder of subordinates was thus a much more socially acceptable crime for women as mistresses to commit than any of the other forms of murder committed by women. There were some issues which affected rates of conviction. It appears that if the victim had been male, it was slightly more likely that there would be a conviction for the mistress than in the case of female servant murders. The conviction rate for mistresses who killed their female servants was 18 per cent whilst in the cases where the victim was male, there was a 38 per cent conviction rate. As already seen, it was assumed that mistresses would deal with female correction, whilst masters dealt with the male. The subversion of this ideal may then have led to their more frequent conviction: they were not supposed to be beating their male servants therefore the fatality was less acceptable.

III: Servants Who Murder Their Masters

There were very few examples of subordinates murdering their masters within the court records. There was only one example in which a female servant murdered her mistress and three cases of attempted murder of their masters, yet there has been much more focus on this within the historical literature than the murderous mistress. As with husband murderers, the murderous female servant was burned as the stake as a petty traitor. In the one example within these assize records of the murder of her mistress, the servant was found not guilty. Of the three attempted murders, one maid was found guilty and was pilloried, one was found not

[165] Sharpe, 'Domestic Homicide in Early Modern England', p.38.

guilty and one was at large. These four cases make it difficult to assess how such cases were treated in court. From looking at pamphlet accounts of servants and apprentices murdering their masters, it appears that it was a more common occurrence for men to commit this crime, with no female examples found. It is surprising that maids murdering their masters is not a more common occurrence, since there was a sexual exploitation element of the master/maidservant relationship. It could be suggested that the gender and social hierarchies were so ingrained for these servants, that this form of retribution was not something that maids could seriously contemplate.

To some extent there was a fear of the subordinate, servant and apprentice classes within this period. The age in which individuals went into service, usually as adolescents, was perceived as one of the most dangerous times of life. The younger members of society were believed to have had little control over themselves. Entry into service was supposed to curb the disorderly nature of youth. Fletcher states that 'this was a society in which work was seen as a basic form of self-discipline and each youthful, masterless life was seen as a portent of disorder'.[166] One pamphleteer wrote of apprentices that 'of this base sort, you should commonly find them at playhouses on holy days ... these make no conscience to beat or lame one, whom they never before saw or knew'.[167] This fear of servants and apprentices was, to some extent passed over into the master and servant relationship. This would help explain the extensive use of corrective violence within this period, to curb their disobedient and dangerous nature.

[166] Fletcher, *Gender, Sex and Subordination*, p.211.
[167] Samuel Rowlands, 'Greenes Ghost Haunting Conie-Catchers' (London, I602), cited in Mark Burnett, 'Apprentice Literature and the 'Crisis' of the 1590's', *The Yearbook of English Studies* 21 (1991), p.30.

The reasons why these murders were committed can be seen partly to be related to domestic violence. Bernard Capp outlines the case of Mary Spenser, who poisoned the silk weaver's family she was working for and then ran away. She later stated that she took these actions so that 'they should never beat her more'.[168] Robert Cleaver remarked in his *A Godlie Forme of Householde Government* that masters should treat their servants kindly in order to avoid their anger and revenge. He states 'provoke not your servants to wrath: that is, use such reproofes and such corrections, that you do not provoke them ... immoderate fiercenesse doth much more harm than good'.[169] As in accounts of husband murder then, the master or mistress was advised to act carefully towards their subordinates, in case it leads to vengeful acts. The case of Mary Spenser shows her desperation to escape from a household where domestic correction was used often and too viciously. Although servants did have the right to leave their employment at a quarter's notice, the months in which they had to remain within these violent households may have been too much for those servants involved.[170]

Murders by female servants might occasionally have been triggered if there was an adulterous relationship with the master. One case in Essex in 1601 outlined the trial of Margaret Woodthorpe (nee Forde), who was accused of poisoning her mistress, Elizabeth Woodthorpe's, porridge with mercury. The record casually mentions that Margaret has since married her former master, Elizabeth's husband. Although she is found not guilty of the murder of her mistress, the sudden change in her status could have been what led to her

[168] Bernard Capp, *When Gossips Meet*, p.177.
[169] Robert Cleaver, *A Godlie Forme of Householde Government*, p.375.
[170] Mendelson and Crawford, *Women in Early Modern England*, p.106.

prosecution.[171] Male servants could also be involved in the murder of their master because of an adulterous relationship with their mistress. During Joan Ashbey's adulterous affair with Roger Die behind her husband's back, much of their love talk was concerned with replacing her husband with Roger. On one occasion, Roger told her of a 'younge ladie that did not care for her husband so well as she respected another young man, who afterwards contrived her husbandes deathe and after ... the young man and she lyved contently and pleasantly together'.[172] The idea of the death of her husband was used as a courting tool by her servant lover. In this way then, there was a certain cultural explanation for the involvement of servants in their master or mistresses deaths, when there was an adulterous relationship.

The position of the female servant was overwhelmingly within the domestic setting, working within the kitchen and in other areas of the household.[173] This placed the maid in a certain position of power, to some extent like that of the murderous wife or mother, to maintain and feed the family. It seems unsurprising then, that the method of murder used when a servant murdered her master or mistress was poison. The position of the maid within the household made poison the easiest and most convenient means to commit the murder, as she was in close proximity to the area in which food was prepared.

IV: Conclusion

Women who murdered their subordinates were in a much better position than women who murdered in any other circumstance. This form of murder gave the women a form of legitimate

[171] Cockburn, *Calendar of Assize records: Essex indictments: Elizabeth I*, no.3149.
[172] Gowing, *Domestic Dangers*, p.203.
[173] Ann Kussmaul, *Servants in Husbandry in Early Modern England*, p.4.

defence and courts were unwilling to convict murderous mistresses as they accepted their right to beat their servants and apprentices, which they did not wish to erode. Courts tended to believe the testimony of these murderous women, that they were only discharging their right to use domestic correction, even if the reasons behind the murder were more personal, such as jealousy. The leniency showed to these murdering mistresses meant that their experience was very different from other murderous women. However, the influence of the neighbours of the women continues to be a universal factor in the experience of murder for women. Even for these mistresses, the testimony and actions of their neighbours ensured that some were tried for their murders, and in cases led to their conviction.

Conclusion

This dissertation has discussed the ways in which women experienced committing murder throughout the early modern period. It has been found that the form that the murder took, whether infanticide, child murder, husband murder or the murder of subordinates, dramatically shaped the experiences of these women. This means that it is hard to make generalisations about their experiences, although a number can be found. It can be seen that women were more likely to murder within the domestic sphere and that when they did, infanticide was the most common form of murder. The most common method of murder (when infanticide was excluded) was beating, although poison and stabbing were also prevalent. The inclusion of poison within these methods is interesting, as there was a social understanding of poison as the female weapon of choice, which featured in contemporary pamphlets. However, it is surprising that only poison was seen as a female weapon as other more violent and physical methods were more common. Conviction rates of women were about half of those indicted for homicide, which implies that they had a substantial chance of escaping execution. Of course, the types of murder that the women committed affected not only the methods of murder, but also the motivations, portrayals and conviction rates.

The women who committed infanticide were likely to be lower class, single servant girls. The motivations behind their crimes were socially constructed: they murdered to save their employment and avoid shame and physical punishment. The experiences of these women were shaped dramatically by the implementation of the 1624 statute, which led to a higher rate of infanticide indictments as a secret pregnancy which ended in the child's death could now be judged as infanticide. This affected the ways in which women murdered their babies.

Strangulation was now the most common form of murder, when beating had been before the implementation of the statute. When servant girls committed infanticide, it is implied that there was a certain amount of collusion from the other members of her household. They sometimes ignored the pregnancy and claimed to have not heard the birth, despite in some cases being in the same room. Women who committed child murder were treated significantly differently from those who had killed their neonatal babies. These women were more likely to be married and in a household of their own rather than in service. In addition to this, the motives of these women were more varied. Religious fanaticism, psychological problems and economic destitution can all be considered as reasons for the acts of these women. The methods used were also more varied than those for infanticide, and usually more violent with beating as the most common form. The conviction rates of infanticide and child murder were the highest of all the forms of murder, although child murderers were far more likely to escape execution once they had been convicted than infanticidal mothers.

Women who murdered their husbands were working under three motivations. In some cases the women killed their husbands as the woman had been committing adultery with another man. Their lover was sometimes an accessory when this was the case. The method of murder when adultery was the motive was usually poison, as the murder was premeditated by the couple. Women were also driven to commit murder if they had been beaten, severely and systematically by their husbands. In these cases the murder was usually an act of passion, an impulsive act triggered by the beating. They usually used knives or other weapons when this was their motivation. Women also killed their husband due to economic hardship or age difference and jealousy. Although economic deprivation might have had some level of

premeditation, these were for the most part murders of passion. Pamphlets that were published concerning husband murder concentrated on sensational cases, in which the women involved received the most severe punishment of being burned at the stake. The court records show that this punishment was in fact rarely used for women who committed husband murder. When they were convicted these women were more likely to be hanged than burned. In addition to this, the courts show that conviction rates were very low for husband murder, yet there was a preoccupation by pamphlet writers concerning this crime. This shows the discrepancy between the published pamphlets and the criminal court statistics.

The murder of subordinates was by far the most socially acceptable form of murder considered within this dissertation. The mistresses who murdered their servants or apprentices had a very low conviction rate, and those that were found guilty were often reprieved. Although this form of murder was the second most common committed by women in the early modern period, there were very few pamphlets published on the topic. The methods used in these murders were usually connected to corrective violence, since these women had the right to beat their servants. Due to this the victims were usually female, as it was the mistresses who were in charge of their correction. It seems that the murders may have been an accident, a side effect of the correction. However, some other motivations can be noted. For example, jealousy of the servant by the mistress, especially in the case of female servants. They were potential threats to the mistress's marriage, as masters often took the servants as their lovers. In these case revenge may have been a motive which led mistresses to beat their servants more often and more harshly. Due to the position of power that these mistresses held, there was a certain amount of acceptance in the murder of their subordinates, as they had the right to use

corrective violence on their unruly servants. These women's experiences of murder were noticeably different to other murderous women.

There has been a large concentration within historical literature on the murder of mistresses and masters by their servants. This dissertation has found that there were very few cases of female servants committing homicide, either within the court records of within the published pamphlets. However, the main motivation, as with mistresses murdering their servants, was corrective violence. The murder of her masters may have been the only way that these women might have seen for escaping from their treatment within the household. An adulterous relationship between the servant and her master might also have influenced them both to murder the mistress, so that they could be together. The main method that these servants used was poison, probably because it was the easiest to administer as it did not require them to physically attack their masters, but also through their proximity to the kitchen.

Having considered these differences, there are also a number of general experiences that these women shared when they committed murder. Firstly, the involvement of the household and the neighbourhood was constant throughout each form of murder, not only for its discovery but also for the conviction of the women indicted. Throughout the early modern period, it was a role of the neighbourhood, especially the female side of it, to police the morals and activities of those around them. It can be seen that 'their roles encompassed physical, verbal and legal initiatives' and this can certainly be seen within this dissertation.[174] Without

[174] Laura Gowing, 'Ordering the Body: Illegitimacy and Female Authority in Seventeenth Century England' in Michael Braddick and John Walter (eds.), *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Early Modern Britain and Ireland* (Cambridge, 2001), p.60.

the involvement of the neighbourhood, it could be conceived that many of the female murderers discussed in this dissertation may not have been discovered and taken to court.

One area which connects those women who committed infanticide, child murder or husband murder was their portrayal within the published pamphlets. In all of these cases the murderous women were shown to be 'unnatural'. They were also described as animals, vicious and violent. Women were supposed to have a natural tenderness towards their husbands and children, making it unnatural as well as sinful to resort to homicidal violence against them. To some extent this can also be seen with portrayals of subordinate murder, although not to the same degree. Although these women are not described as unnatural, their cruelty and lack of compassion were the main focus. Here again the mistress was supposed to have maintained her subordinates, but had failed to do so.

In most of these cases there was also a concentration within the published pamphlets on the actions of the women both in gaol and on the scaffold. The inclusion of these aspects within contemporary literature was an attempt by the pamphleteers to reassert the authority of the state, over those women who had transgressed against the law. They showed not only the women's acceptance of the judgement of the courts, but also a religious re-conversion to morality. Of course, there were some cases within the pamphlets where the women's actions flouted these aims, and in these cases they are either converted by the time of their deaths or else were attacked and denounced throughout the pamphlet. The way in which subordinate murder does not follow this pattern shows that there was more acceptance of the crime that in the other forms of murder.

The source materials themselves give some interesting insights into the perceptions of society concerned with female homicide. Looking at the four main types of murder; infanticide, child murder, husband murder and servant murder, the two most common forms within the court records, infanticide and servant murder were the least represented within contemporary pamphlet literature. This was probably due to the very fact that these were common crimes. They occurred much more often than the other forms, and so must have seemed less exciting and sensational to the pamphleteers than those women who murdered their husbands or children. The main aim of the pamphleteer was to sell his pamphlets to a large audience, and the way in which this was achieved was through printing the most sensational stories.

It has been found then, that Women's experiences of murder in the sixteenth and seventeenth centuries were diverse, but some general conclusions can be drawn both within the different types of murder that they committed as well as overall. The type of murder that these women committed affected all aspects of their experiences. It shaped the ways that women killed their victims, the motivations that led to the murder, their portrayals within the published pamphlets and the likelihood of conviction. In this way it could be claimed that generalisations about the experiences of women who murdered are difficult to make. However, a number of common features can be found, principally through the involvement of the neighbourhood in policing these women. They acted both in the capacity of discovering the crime as well as being involved within the court case itself as witnesses. Similarities in the ways that these women were seen by society are also evident. The experiences of women who committed murder were dependent then, upon their choice of victim.

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The Araignement & Burning of Margaret Ferne-seede for the Murther of her Late Husband Anthony Ferne-seede, Found Deade in Peckham Field neere Lambeth, Hauing Once Before Attempted to Poyson him with Broth, Being Executed in S. Georges-Field the Last of Februarie. (London, 1608).

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A Compleat Narrative of the Tryal of Elizabeth Lillyman Found Guilty of Petty Treason and Condemned at the Sessions at the Old Bayly the 10th of this Instant Iuly, to be Burned to Death, for the Barbarous and Bloody Murther of VVilliam Lillyman her Late Husband (London, 1675).

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A Pittilesse Mother That most Vnnaturally at One Time, Murthered Two of her Owne Children ... Being a Gentlewoman Named Margret Vincent (London, 1616).

Three Bloodie Murders the First, Committed by Francis Cartwright Vpon William Storre, Mr. of Art, Minister and Preacher at Market Raisin in the Countie of Lincolne. The Second, Committed by Elizabeth Iames, on the Body of her Mayde, in the Parish of Egham in Surrie: who was Condemned for the Same Fact at Saint Margarets Hill in Southwark, the 2. of Iuly 1613 (London, 1613).

*The True Narrative of the Confession and Execution of the Prisoners at Kingstone-upon-Thames, on Wednesday the 16th of this Instant March, 1681 viz. Margaret Osgood Burnt for Killing her Husband…(*London, 1681).

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