

Katie Kissinger
ENGL 338-01
Professor Cohen
November 13, 2014

Ordinary's Account of the Life and Execution of Anne Stephens, 26th January 1691

Beginning in the late 17th century, Ordinaries at Newgate Prison in London, England recorded the life and crimes of roughly 1,187 executed criminals. The crimes committed by the condemned men and women ranged in severity from libel and theft to more violent offenses such as assault and murder. On Monday January 26th, 1691, the Ordinary Samuel Smith noted the execution of eight of these sentenced criminals: seven men, and one woman. The one woman, Anne Stephens, was convicted of the brutal infanticide of her "bastard" child, who was discovered with a broken jaw and stab wounds inflicted by a pair of scissors. While Anne Stephen's crime may appear to a modern audience as a disturbing and isolated incident, she was a participant in a trend of rampant infanticide among working class women across England in the 17th and 18th centuries. In an era in which there were virtually no social safety nets available for poor, pregnant, unmarried women, many were pushed to drastic measures in the pursuit of self-preservation. Their story is one that must be contextualized in light of prevailing cultural and socioeconomic trends present in Early Modern England. Only then can one begin to understand what could have driven women like Anne Stephens to such brazen acts of violence against their own children.

Unlike other violent crimes such as murder or assault, infanticide was a crime exclusive to a specific subset of the population: young, (usually) poor, women. In Essex, England from 1600-1665 alone, there were sixty recorded prosecutions of infanticide in which fifty-nine of the accused were the infant's mother. In addition to being a gendered crime, infanticide was also correlated with accusations of "bastardy". Of the aforementioned sixty prosecutions in Essex, the courts also declared fifty-three of the murdered children illegitimate. As described by Keith Wrightson in "Infanticide in earlier seventeenth-century England", the act of infanticide "was referred to not as a widely practiced custom, but as a crime associated primarily with attempts on the part of bearers of illegitimate children to either conceal their offence or to rid themselves of the unwanted child." (Wrightson, p. 11)

Many of the perpetrators of infanticide during the 17th and 18th centuries acted not only out of concerns of societal denunciation, but also out of fear of harsh legal punishments. Starting in the late 16th and early 17th centuries, a slew of anti-bastardy legislation arose in England that distributed harsh penalties to those accused of incest, adultery, or fornication outside of the confines of marriage. "New-born murder, commonly termed infanticide," states historian Garthine Walker, "entered legal discourse in the sixteenth century as an act connected with the mother's sexual immorality." (Walker, p.148)

This condemnation of sexual depravity was addressed in the draconian 1624 'Act to Prevent the Destroying Murthering of Bastard Children', which sought out to punish unmarried women suspected of child murder. According to Walker, the "law thus defined poor unmarried mothers as precisely the sort of ungodly, dissolute persons who would perpetrate such a heinous, 'unnatural' deed." (Walker, p.148) Differing from many other normative statutes at the time, the

Act also imposed the burden of proof on the women over the Crown, leaving many women with a disadvantage in court proceedings.

Unlike prior acts regarding violent crimes, the 1624 Act focused less on the child's death itself, and more on whether or not the Mother had concealed her pregnancy. A concealed pregnancy (something also illegal in England at this time) was viewed with great suspicion and considered to be a precursor to bastard infanticide. As author and historian Josephine McDonagh explains:

Under this statute, concealment of the death of an infant bastard established the legal presumption that the mother was guilty of murder, whether or not she could be shown to have caused the death, and reflected the common supposition that the shame of illegitimacy was motive enough to provoke a woman to commit the deed. (McDonagh, p3)

However, since the 1624 Act was singularly focused on concealment, it also provided an opportunity for vindication for women who had appeared to prepare for the birth of their baby. If a woman was able to show evidence of purchasing 'linen' in anticipation for the child, she could claim that the child had been stillborn. Though many women convicted of infanticide claimed that their children had been stillborn, this was also difficult to prove. Babies were murdered most commonly through strangulation or exposure, which could be easily masked as miscarried births. More violent murders, such as the one committed by Stephens, were more unpopular probably due in part to their difficulty to mask as stillborn.

Like many of the young women guilty of infanticide, Anne Stephens became pregnant as a result of an affair with a servant of higher rank within the family for whom she worked. Believing his promises of marriage and tempted by the potential of a higher position in society, she gave into his enticements. Yet after she became pregnant with his child, he left her without any means of support and refused to marry her. This narrative is one that was fairly common among employed women in the 17th and 18th centuries, whom were the majority of those among women charged with infanticide. Despite strict standards of chastity, the female maidservant held a highly sexualized place within society, whether she invited the sexual attention or not. As scholar Kristina Straub explains, "Women servants cause trouble in families even without active effort. Just by being, their sexuality threatens to ensnare any man, servant or master, who comes within their purview." (Straub, p.35)

Nevertheless, to the roughly 2/3 of the British population in the 18th century who had lived in service to a family by their mid-teens, expressing sexuality during employment was highly forbidden. For female servants, giving into the sexual advances of masters or fellow servants was especially dangerous. If a female servant were to become pregnant, she often faced unemployment and economic ruin. "Extra-marital pregnancies", asserts McDonogh, "often led a woman to the loss of regular employment, homelessness, being disowned by family and friends, and being cast out of parishes that were unwilling to pay poor relief of illegitimate children." (McDonogh, p.2) Frequently, these women were forced to turn to prostitution in order to support themselves and their children, completing transformation of the motif of the "fallen woman".

The image of the fallen female servant as either innocent victim or "guilty whore" obtained popularity in literature and popular culture within Early Modern England. Prostitute narratives, as in works such as *The Histories of Some of the Penitents in Magdalen-House*, told stories of innocent maids tempted by lustful masters, whose turn from chastity placed them in

lives of prostitution. Often, these stories served as tales of morality, attempting to deter susceptible young women from the same fate.

The cautionary ballad “No Natural Mother, but a Monster”, that traces the progression of a young girl’s fall from grace to her execution for infanticide, shares many parallels with the life of Anne Stephens. Like Anne, the narrator of the ballad becomes impregnated while in service, and is abandoned by the father of her child. Fearing the shame of bastardy, the narrator smothers her child, and is eventually found out and hanged at Newgate Prison. However, even greater parallels emerge between both women’s final warnings about giving into temptation:

Sweet Maidens all take heed, / heedfully, heedfully, / Adde not unto the deed / of fornication, / Murder which of all things, / The soule and conscience stings, / Which God to light still brings, / though done in private. (“No Natural Mother but a Monster”, Stanza 15)

She warns all persons to preserve their chastity, and to take heed of the beginning of any Wantonness in their Conversation, left it spread to Grosser Acts, in such Barbarous Murder, to conceal Shame and avoid the Fear of Poverty (Ordinary’s Account)

Like the narrator of “No Natural Mother but a Monster”, Anne Stephens creates a correlation between the loss of chastity and greater evils. As implied in the Account, “Wantonness” and the lures of sexuality lead to “Grosser Acts” such as “barbarous murder”. While the murder was committed out of a “Fear of Poverty”, the origin of the murder itself began with the “death” of the women’s sexual innocence. Just as the ballad alleges that the loss of chastity is the “murder which of all things, / The soule and conscience stings”, Anne Stephen’s also cites a link between sex and malevolent acts. By creating a clear connection between the sexuality of unmarried women and sin, “No Natural Mother but a Monster” and the Anne Stephen’s Ordinary Account reemphasize popular notions surrounding the sexualized unmarried woman, and her danger within English society.

Ultimately, Anne Stephen’s crime is one mired in the abominable murder of an innocent child, it is also one profoundly impacted by the societal, legal, and economic pressures of the time. Stephens lived within an environment in which her volatile position as a young, employed woman was always in jeopardy. Though sexualized by society, she was expected to be chaste. Though expected to aspire to marriage, she faced abandonment from the man who had promised to make her his wife. Though condemned for concealing a pregnancy, she was chastised by a society in which “bastardy” was a legally punishable sin. It is amid these contradictions that one can begin to see what may have pushed Anne Stephens to commit her dark murder; a decision that eventually ended in her own execution and death.

Ordinary's Account, 26th January 1691.

...

II. Anne Stephens, condemned to dye for Murthering¹ her Bastard Child. I ask'd her how she became so void of all Reason and Modesty, as to prostitute² her Chastity? She said, That he who tempted her, being a Servant in the same Family, promised her Marriage, whom she credited, and thereby was prevailed upon, in hope to better her Fortune, but he who bega³ the Child did not afterward regard her, but utterly refused to marry her, or make any Provision for her Subsistence. So, when she knew herself to be Quick with Child⁴, to avoid the Shame of Bastardy⁵ she quitted her Service, and sought out a Place of Privacy, to be delivered. She denyed not the Crime but lamented her Unnatural Cruelty to her Innocent Babe. She said, That Satan had brought her from one sin to another, because she had not led a good Life, but was Careless of her Duty to God, and was not contented with the Mean⁶ Condition of a Servant . She wept, but I told her, That her Tears could not wash off so deep dyed a Sin, but only the efficacy of Christ's Blood shed, applyed by Faith, to make her Heart truly and deeply Penitent She warns all persons to preserve their Chastity, and to take heed of the beginning of any Wantonness⁷ in their Conversation, left it spread to Grosser Acts⁸, and end in such Barbarous Murder, to conceal Shame and avoid the Fear of Poverty, when scorned, and left destitute even of Necessaries to support Life, after they yield to the Wicked Temptations of Lustful Persons.

¹ According to the Oxford English Dictionary, 'murthering', the equivalent of the modern day verb 'murder', means: "To kill (a person) unlawfully, *spec.* with malice aforethought (in early use often with the additional notion of concealment of the offence.)"

² In this use, 'prostitute' is used with a dual meaning. Not only does 'prostituting' her chastity implicate that she had "debase[d], dishonor[ed], or put for sale" (OED) her chastity, but it also refers to the inherent sexual nature of the act of losing one's chastity

³ "begat" the child, usually referring to the Father's role in the procreation. (OED)

⁴ "Quick with child" refers to the concept of "quickenning", in which the child begins to stir in the Mother's uterus. Often, a child was considered alive within the womb once 'quickenning' had begun. ("Quickenning", The Law Dictionary. Online.)

⁵ Societal shame associate with having a child out of wedlock.

⁶ "Of a person: employed as or acting as an intermediary, agent, or go-between." (OED,)

⁷ "Lustfulness, lasciviousness; sexual promiscuity" (OED.) Here, through the ordinary, Anne Stephens is warning about potential flirtatious activity and how they can lead to more sexual acts

⁸ Usually "grosser acts" are referred to in the context of sexual promiscuity or fornication.

Works Cited

Beattie, John M. "The Criminality of Women in Eighteenth-century England." *Journal of Social History* 8.4 (1975): 80-116.

Beattie's article provides interesting and relevant information about sentencing relating to "female" crimes in 18th century England. He is especially helpful in his connection between concealed pregnancies and the condition of the domestic servant.

Cockburn, J. S. "The Ordinary of Newgate and His Account." *Crime in England, 1550-1800*. Princeton, NJ: Princeton UP, 1977. N. pag. Print.

This chapter was wonderful in providing context relating to the general conduct of the Ordinaries of Newgate and their accounts of the life and crimes of the executed prisoners. Useful for statistics relating to those imprisoned in Newgate.

McDonagh, Josephine. *Child Murder and British Culture: 1720-1900*. Cambridge: Cambridge UP, 2003. Print.

McDonagh's book was very helpful situating the role of the unmarried woman in relation to the question of illegitimate pregnancies and infanticide. This source was also very helpful in understanding some of the provisions surrounding the 1624 "Act to Prevent the Destroying and Murthering of Bastard Children."

OED Online. Oxford University Press, September 2014. Web. 12 November 2014.

This source was essential in helping to decode some of the language used in the original account. It is indispensable in any analysis of an original source using outdated English expressions.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 13 November 2014), January 1691, trial of Anne Stephens (t16910115-15).

This source provided further background information regarding the details of Anne Stephen's murder of her child.

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 13 November 2014), *Ordinary of Newgate's Account*, January 1691 (OA16910126).

This is the primary source addressed in the introduction. Includes full text of the Ordinary's Account detailing the crimes of the seven other men executed with Anne Stephens.

Pepys, Samuel, and Hyder Edward Rollins. "'No Natural Mother, but a Monster'" *A Pepysian Garland; Black-letter Broadside Ballads of the Years 1595-1639, Chiefly from the Collection of Samuel Pepys*. Cambridge: U, 1922. N. pag. *Google Books*. Web.

As another primary source that served as a contemporary piece to the Ordinary's Account of Anne Stephen, it provides fascinating insight into the narrative of the "fallen woman", and how she was perceived by popular culture.

Straub, Kristina. *Domestic Affairs: Intimacy, Eroticism, and Violence between Servants and Masters in Eighteenth-century Britain*. Baltimore: Johns Hopkins UP, 2009. Print.

Straub's book provides fascinating information regarding master-servant and other domestic relationships within 18th century British households. In addition to a thorough discussion of female servants, she also highlights the role of male servants, and the dynamic role of servants within the middle and upper class British household.

Walker, Garthine. *Crime, Gender, and Social Order in Early Modern England*. New York: Cambridge UP, 2003. Print.

Walker's text is essential in any discussion of female crime in Early Modern England. She addresses sex disparities between different crimes, and provides interesting graphs and statistics essential to the study of the gendered nature of those crimes.

"What Is QUICKENING?" *Definition of QUICKENING (Black's Law Dictionary)*. N.p., n.d. Web. 12 Nov. 2014.

Provides a useful definition of what "quickenning" or being "quick with child" meant in Early Modern England.

Wrightson, Keith. "Infanticide in Earlier Seventeenth-century England." *Local Population Studies* 15.Autumn (1975): 10-22.

Wrightson's article provided wonderful information and statistics regarding the crime of Infanticide in England. Very useful in understanding the scope of infanticide and its use in 17th century England.

1 Corinthians 13 is the thirteenth chapter of the First Epistle to the Corinthians in the New Testament of the Christian Bible. It is authored by Paul the Apostle and Sosthenes in Ephesus. This chapter covers the subject of Love. In the original Greek, the word ἀγάπη (agape) is used throughout. This is translated into English as "charity" in the King James version; but the word "love" is preferred by most other translations, both earlier and more recent. Professor Cohen is a great guy, he truly cares about poetry and expects that you are interested and participate. Honestly I took the class to fulfill a gen ed requirement and it was a lot harder than I expected. The class has a midterm and a final, and you need to memorize a lot of quotes to substantiate your writing. Dec 13th, 2015. Bruce is the best professor at UConn. He's a strange but genius little man. Nov 6th, 2014. The most amazing professor you will ever have. Bruce will do anything to help his students and make sure that they succeed. Carl Cohen (professor). From Wikipedia, the free encyclopedia. Carl Cohen. Born. April 30, 1931. In 1998 anonymous donations totaling some \$13,000 were made to the University to name a reading room in the Residential College in Cohen's honor. This was done; a plaque honoring him was placed. It was removed shortly afterwards, however, the reason given being "procedural violations." Cohen maintains his membership in the ACLU despite his disagreement with the organization's support of race preferences in university admissions.[3]. Research ethics. From 1985 to 1995 a fraction of Cohen's appointment was in the Medical School of the University of Michigan, where he served as Professor of Philosophy and as Director of the Program in Human Values in Medicine.