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'Dark Spots' in Irish Society: Unmarried motherhood, crime and prosecution in Ireland, 1900 – 1950

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Thesis submitted for the degree of Ph.D

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March 2008

Declaration

I hereby declare that this thesis is a product of my own work and has not been submitted as an exercise for a degree at this or any other university. I agree that the library of Trinity College, Dublin may lend or copy this thesis upon request.

Signed:----------

Clíona Rattigan

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Summary

This thesis examines unplanned pregnancy in Ireland during the first half of the twentieth century from the perspective of the unmarried women who feature in the judicial records of infanticide and abortion trials. Chapter one examines the existing scholarship on the history of unmarried motherhood in Ireland and argues that while official responses to the problem of single motherhood in post-independent Ireland have been analysed in depth, relatively little is known about the actual experiences of unmarried mothers during the first half of the twentieth century. This chapter suggests that the records of infanticide and abortion trials can provide a great deal of insight into the lives of unmarried women who were forced to deal with the consequences of an unplanned pregnancy between 1900 and 1950. The next three chapters (2, 3 and 4) analyse the records of infanticide trials involving single women and/or their relatives and male partners. Chapter 5 examines cases where unmarried English and Scottish women stood trial for infanticide or concealment of birth during the first half of the twentieth century and contrasts their treatment and experiences with their Irish counterparts. This chapter also brings to light a small but significant number of cases held in British archives involving unmarried Irish immigrants who stood trial for infanticide or concealment of birth between 1900 and 1950. The remaining chapter analyses the experiences of single Irish women and their male partners who sought abortions in Ireland and in England between 1900 and 1950. It contrasts their experiences with those of the unmarried women who were charged with infanticide and whose experiences were explored in chapters 2, 3 and 4.

This thesis used primary archival material to build up a picture of the diverse experiences of single women who refused to become unmarried mothers and ran the risk of being charged with a criminal offence by killing their infants or seeking an illegal abortion. The judicial records of infanticide and abortion cases for four separate jurisdictions have been used extensively. The thesis aimed to study the experiences of unmarried Irish women who faced an unplanned pregnancy during the first half of the twentieth century. This has been achieved through detailed case-by-case analysis of the records of 418 infanticide and abortion cases. (Appendix B provides details of the cases examined in each chapter). This thesis discusses the ways in which sentencing patterns in Irish infanticide cases differed over the fifty-year period examined and highlights some of the changes that took place after independence. By comparing Irish infanticide cases with cases tried in

England and Scotland this thesis argues that while the cases examined in all four jurisdictions shared a number of similar features they also differed, not only in terms of legislation, but also with regard to the treatment of putative fathers, the manner in which suspects were questioned and in terms of family involvement in infanticide cases.

Acknowledgements

First of all I would like to thank my supervisor Professor David Dickson for providing so much advice, support and encouragement during the past four years. He was always interested in my work and gave generously of his time and expertise. My thesis has benefited greatly from his insightful comments and suggestions. I would also like to thank the Irish Research Council for the Humanities and Social Sciences for providing funding for three years of my PhD studies. I am grateful to the staff at the libraries and archives I have used, especially those in the Trinity College, the National Archives of Ireland and the Public Record Office of Northern Ireland. In particular I would like to thank Gregory O'Connor at the National Archives for his assistance and advice and the members of staff in the Public Record Office of Northern Ireland who assisted me to apply for permission to the Northern Ireland Courts Service to use the trial records currently closed to the public. I have been encouraged and advised by a number of people during the course of the past four years. In particular, I would like to thank Eunan O'Halpin, Maria Luddy, Sandra McAvoy, Louise Ryan, Tanya Evans, Leanne McCormack and Karen Brennan who generously shared references and advice. I would like to specially thank my parents Cathy and Joe Rattigan and my sister Aoife for their unflagging support, for their continuous encouragement, their generosity and their interest in my research. Their support has meant a great deal during the past four years and I will be forever grateful to them. Thanks are also due to Dympna Kyne and Mick McAree for their assistance and advice. I would like to thank my fellow historians and good friends Mary Muldowney, Eve Morrison and Catriona Pennell and all my close friends who provided advice and support during the past four years. Finally I would like to thank Nicolas.

Abbreviations for archives and archival material cited:

C.C.A.: Court of Criminal Appeal

C.C.C.: Central Criminal Court

D.D.A.: Dublin Diocesan Archives

N.A.I.: National Archives of Ireland

N.A., Kew: National Archives, Kew

N.A.S.: National Archives of Scotland

P.R.O.N.I.: Public Record Office of Northern Ireland

R.C.B.: Representative Church Body Library, Dublin

S.C.A.: Scottish Catholic Archives

Abbreviations for frequently cited secondary sources:

Maguire, Moira Jean, 'The Myth of Catholic Ireland: Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century' (PhD thesis, American University, Washington D.C., 2000). Hereafter to be referred to as Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century.'

McAvoy, Sandra, 'Before Cadden: Abortion in Mid-Twentieth Century Ireland' in Keogh, Dermot, O'Shea, Finbarr, Quinlan, Carmel, (eds.), *Ireland in the 1950s: The Lost Decade* (Cork, 2004). Hereafter to be referred to as McAvoy, Sandra, 'Abortion in Mid-Twentieth Century Ireland.'

McAvoy (Larmour), Sandra, 'Aspects of the State and Female Sexuality in the Irish Free State, 1922-1949' (PhD thesis, University College, Cork, 1998). Hereafter to be referred to as 'The State and Female Sexuality in the Irish Free State.'

Ryan, Louise, 'The Press, Police and Prosecution: Perspectives on Infanticide in the 1920s' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History* (Dublin, 2004). Hereafter to be referred to as Ryan, Louise, 'Infanticide in the 1920s.'

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Preface

This thesis explores unplanned pregnancy in Ireland during the first half of the twentieth century from the perspective of the unmarried women who feature in the judicial records of infanticide and abortion trials. It is based primarily on archival material and examines the judicial records of infanticide cases tried in Ireland, both North and South. It provides a detailed analysis of the experiences of unmarried women who stood trial for the murder or concealment of birth of their illegitimate infants. It also analyses the experiences of single women who sought to terminate an unplanned pregnancy by exploring the records of abortion cases tried in Ireland during the first half of the twentieth century. This thesis also compares infanticide cases tried in Ireland with cases involving single women in England and Scotland between 1900 and 1950. Its methodology is based on a case-by-case analysis. Newspaper reports on infanticide and abortion trials are used selectively in order to provide further detail about certain cases and to explore the manner in which cases involving women who eschewed unmarried motherhood were reported at the time.

This thesis focuses on the diverse experiences of unmarried mothers who faced criminal charges because they were suspected of having committed infanticide and of single women who were witnesses for the prosecution in abortion trials. The thesis also assesses the role played by the women's male partners and their relatives in suspected cases of infanticide and abortion. In so doing, it reveals aspects of Irish sexual behaviour and family relationships in the first half of the twentieth century that are normally not documented.

Chapter 1

'The troublesome matter of unmarried mothers'[1]: Single motherhood in Ireland, 1900 – 1950

In March 1935 the *Irish Times* carried a report on an inquest into the death of a twenty-two year old man whose body had been found in Carlingford, Co. Louth on 23 February. After hearing the evidence of several witnesses the jury concluded that the man's death had been due to suicide by drowning. The report on the tragic incident brought to light the personal dilemmas that unmarried couples had to contend with when faced with an unplanned pregnancy in Ireland during the first half of the twentieth century. The case was unusual. It puts the focus on the putative father of an unborn illegitimate infant, rather than on the mother. The putative fathers of illegitimate infants rarely featured in the discourse on unmarried mothers in Ireland during the period, and there is relatively little archival material shedding light on the manner in which unmarried men responded to unplanned pregnancy. And the tragedy in this particular case concerned the death of the putative father of an illegitimate infant, rather than the trial of an unmarried mother.

The deceased man's girlfriend, who was six months pregnant when the inquest was held, was a key witness. When called on to give evidence Annie M. explained that 'she had been keeping company with [John] P. since April of 1934 and he was responsible for her condition.'[2] John P.'s suicide seems to have been linked to his girlfriend's pregnancy. The evidence submitted by his girlfriend and his brother George suggested that John felt torn between the demands of his family and his girlfriend's insistence that he marry her. When questioned, George P. admitted that he, along with his mother and brother Thomas, was very displeased with John's relationship with Annie M. During the inquest John P.'s mother recalled how she had told her son 'not to stand in that girl's luck - to let her go her way, and for him to go his way, owing to their differences in religion.'[3] Annie was also aware that John's family had not approved of their relationship. She stated that John had told her once that 'his people objected to his keeping company with her.'[4] John had a Protestant sounding name and Annie was probably Catholic.

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[1] *Clare Champion*, 25 Nov. 1933.
[2] *Irish Times*, 23 Mar. 1935.
[3] Ibid.
[4] Ibid.

Annie had urged John to marry her when she discovered that she was pregnant. Like most unmarried women who became pregnant out of wedlock during the period, Annie appeared to have been anxious to avoid the shame and stigma of an extramarital pregnancy. She told John that if he did not marry her, her family would turn her out of their home. She might have also been afraid that she would lose her job. On 22 February 1935 John told Annie that he was expecting to receive money at Christmas and said he would marry her then. John was distraught the last time he met Annie on the night he committed suicide and had repeatedly cried before leaving her employer's house where they had had tea and biscuits together. The *Irish Times* report on John P.'s death offers a brief glimpse into the private lives of an unmarried couple who found themselves forced to deal with an unplanned pregnancy at a time when unmarried mothers and their illegitimate children were stigmatised and marginalised in Irish society. The tragic outcome in this case, with its denominational undertones, contrasts sharply with the negative and stereotyped constructions of unmarried mothers prevalent in Ireland between 1900 and 1950.

The history of single motherhood in Ireland during the first half of the twentieth century lacks a thoroughgoing analysis of the ways in which unmarried women dealt with the prospect of lone motherhood. The perspective of the women concerned has been largely absent from most historical studies of single maternity in Ireland. This thesis does not aim to provide a comprehensive study of the experiences of single motherhood in Ireland during the first half of the twentieth century. Indeed, given the difficulties accessing sources such as the records of religious-run Magdalen asylums, coupled with the fact that single mothers left few written records, such a study would simply not be feasible. Instead, this thesis will focus on the experiences, attitudes and behaviour of single expectant Irish women who rejected maternity and whose actions resulted in criminal charges being brought against them and/or others over the fifty-year period between 1900 and 1950. This thesis will draw extensively on several samples of the records of infanticide and abortion cases that were tried in Ireland between 1900 and 1950. Most studies on single motherhood in Ireland during the period under review have overlooked the women themselves and their personal experiences. The experiences of the unmarried women who feature in the records of infanticide and abortion cases that came before the courts in Ireland between 1900 and 1950 will form the keystone of this thesis. The records of infanticide and abortion trials can provide a great deal of insight into the lives

of single, mainly working-class women during the first half of the twentieth century. The women who feature in the judicial files examined in this thesis eschewed motherhood for various reasons. Paradoxically, unmarried Irish women who refused to become mothers and were charged with the murder of their illegitimate infants during the period can contribute enormously to our understanding of single motherhood in Ireland. The judicial records of infanticide and abortion trials shed light on various aspects of single motherhood including the ways in which family members responded to extra-martial pregnancy, the treatment of single mothers in workhouses and county homes, patterns of sexual behaviour and the community surveillance of single women.

While the records of Irish infanticide trials have been analysed by several historians in recent years, those studies have been confined to the post-independence period and to the twenty-six counties. This thesis will examine the records of infanticide cases that were tried in Ireland over a longer time span, from 1900 to 1950, so that the manner in which the crime of infanticide was dealt with both before and after independence can be more fully appreciated. As this thesis also examines a sample of infanticide cases tried in Northern Ireland between 1920 and 1950, differences and similarities between patterns of behaviour North and South can be set more firmly in context. While McAvoy and Maguire made important contributions to infanticide scholarship in Ireland, they were interested in examining infanticide from the point of view of the state and its efforts to regulate female sexuality in McAvoy's case, and in terms of the Catholicism in Maguire's.[5] The overall emphasis in this thesis is firmly on the women who featured in the trial records and on their experiences of unplanned pregnancy out of wedlock in Ireland between 1900 and 1950. The research for this thesis is based on close readings of each individual case in the samples for four separate jurisdictions and provides the most thorough and detailed exploration of infanticide in Ireland during the first half of the twentieth century to date.

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[5] See McAvoy (Larmour), Sandra, 'Aspects of the State and Female Sexuality in the Irish Free State, 1922-1949,' Unpublished PhD Thesis, (N.U.I., History Department, University College Cork, 1998) and Maguire, Moira Jean, 'The Myth of Catholic Ireland: Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century,' Unpublished PhD Thesis, (American University, Washington D.C., Faculty of the College of Arts and Sciences, 2000).

1.1 Studies on unmarried motherhood in Ireland, 1900 – 1950

The past decade has seen an increasing number of publications on the history of single mothers and their children in Ireland during the first half of the twentieth century.[6] Much of the literature on unmarried motherhood in Ireland between 1900 and 1950 has focused on official responses to it. Indeed official responses to the problem of single motherhood in post-independent Ireland have now been subject to a nearly exhaustive analysis. Historians who have explored single motherhood in post-independent Ireland have made great use of government sources such as the annual reports of the Department of Local Government and Public Health, the *Report of the Committee on Evil Literature* (1927)[7], the *Report of the Commission on the Relief of the Sick and Destitute Poor, Including the Insane Poor* (1928)[8] and the *Report of the Committee on the Criminal Law Amendment Acts, 1880 – 1885 and Juvenile Prostitution* (1931).[9] Luddy, McAvoy, Earner-Byrne and Kennedy have all examined legislation introduced in post-independent Ireland in relation to single mothers and their children. Most scholars agree that state policies directed at

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[6] From the late 1990s onwards a number of articles on unmarried Irish mothers during the first half of the twentieth century have been published in academic journals. See for example, Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6 (2001), Earner-Byrne, Lindsey, 'The Boat to England: An analysis of the official reactions to the emigration of single expectant Irishwomen to Britain, 1922 - 1972' in *Irish Economic and Social History Journal,* Vol. XXX, (2003), Earner-Byrne, Lindsey, 'Moral Repatriation': the response to Irish unmarried mothers in Britain, 1920s – 1960s' in Duffy, Patrick J. (ed.), *To and From Ireland: Planned Migration Schemes 1600 – 2000*, (Dublin, 2004), Garrett, Paul Michael, 'The abnormal flight: the migration and repatriation of Irish unmarried mothers' in *Social History,* Vol. 25, No. 3. Unmarried mothers also feature in Sandra McAvoy's 'The Regulation of Sexuality in the Irish Free State, 1929 – 1935' in Jones, Greta, Malcolm, Elizabeth (eds.), *Medicine, Disease and the State in Ireland, 1650 – 1940*, (Cork, 1999) and in two articles by James M. Smith, 'Remembering Ireland's architecture of containment: "Telling" stories in *The Butcher Boy* and *States of Fear*' in *Éire Ireland,* Vol. 36, Nos. 3 & 4, (2001) and 'The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and the Carrigan Report (1931)' in *Journal of the History of Sexuality*, Vol. 13, No. 2, (2004). Aspects of the history of single mothers and emigration have been touched on in Ryan, Louise, 'Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s' in *Women's Studies International Forum*, Vol. 25, No. 1, (2002) and Lambert, Sharon, 'Irish Women's Emigration to England, 1922 – 60: The Lengthening of Family Ties' in Hayes, Alan, Urquhart, Diane (eds.), *Irish Women's History* (Dublin, 2004). Aspects of the history of single maternity in Ireland during the first half of the twentieth century are also explored in Diarmaid Ferriter's *The Transformation of Ireland 1900 - 2000*, (London, 2004), in Myrtle Hill's *Women in Ireland: A Century of Change*, (Belfast, 2003) in Finola Kennedy's *Cottage to Creche: Family Change in Ireland*, (Dublin, 2001), in Rosemary Cullen Owens' *A Social History of Women in Ireland, 1870 – 1970*, (Dublin, 2005), in O'Sullivan, Eoin, Raftery, Mary, *Suffer the Little Children: The Inside Story of Ireland's Industrial Schools*, (Dublin, 1999), in O'Sullivan, Eoin "this otherwise delicate subject": Child Sex Abuse in early Twentieth-Century Ireland' in O'Mahony, Paul (ed.), *Criminal Justice in Ireland*, (Dublin, 2002) and Maguire, Moira Jean, 'The Myth of Catholic Ireland: Unmarried Motherhood Infanticide and Illegitimacy in the Twentieth Century,' Unpublished PhD Thesis, (American University, Washington D.C., Faculty of the College of Arts and Sciences, 2000).

[7] *Report of the Committee on Evil Literature* (Dublin, 1927).

[8] *Report of the Commission on the Relief of the Sick and Destitute Poor, Including the Insane Poor* (Dublin, 1928).

[9] *Report of the Committee on the Criminal Law Amendment Acts, 1880 – 1885 and Juvenile Prostitution* (Dublin, 1931).

unmarried mothers and their children in post-independence Ireland were inadequate. Several scholars have investigated the history of some of the institutions that admitted single expectant women from the 1920s.

Luddy has noted how these institutions allowed single women and their families to conceal their shame: 'The value of these institutions managed by nuns was that they shielded both the woman and her family from the gaze and scrutiny of the public.'[10] Earner-Byrne has underlined the class dimension to the various institutions that catered for single expectant women; single expectant women from middle-class backgrounds were admitted to the special 'mother-and-baby' homes, while working-class women generally had little option but to enter a county home.[11] Magdalen asylums generally accepted poorer women or unmarried women who had experienced more than one pregnancy. Both Earner-Byrne and Garrett have highlighted the fact that unmarried mothers in the Mother and Baby homes in Ireland were required to spend longer amounts of time in the institutions than were single mothers in Britain.

By the early 1920s the policies and practices of the Leeson Street Magdalen Asylum, an institution in Dublin for unmarried Protestant mothers and their babies, were far more progressive than institutions run for single mothers by Catholic nuns in Ireland. Women in the former were actively encouraged to leave the Leeson Street Magdalen Asylum to rebuild their lives and to find work. Indeed, from 1933 onwards unmarried mothers were only required to remain in the home for a period of six months after the birth of their babies.[12] This contrasts sharply with the manner in which many Catholic institutions were run. Some religious orders seem to have discouraged women from leaving their institutions and there is evidence in the records of infanticide trials to suggest that many tried to detain convicted unmarried mothers for as long as possible. From the early 1920s unmarried mothers and their babies were kept together in the Leeson Street home for a number of months and mothers were encouraged to look after their babies. This was

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[10] Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6, (2001), p804.

[11] Earner-Byrne, Lindsey, 'The Boat to England: An Analysis of the official reactions to the Emigration of Single Expectant Irishwomen to Britain, 1922 – 1972' in *Irish Economic and Social History*, Vol. XXX, (2003), p57.

[12] Representative Church Body Library, Governesses' Minute Book for the Leeson Street Magdalen Asylum, 1928-1934.

generally not encouraged in Catholic homes. Unmarried mothers assisted by St Patrick's Guild, a Catholic organisation, were separated from their infants 'as soon as is practicable.'[13] With the exception of the Regina Coeli hostel, most of the Catholic institutions that dealt with single expectant women in Ireland during the first half of the twentieth century seem to have had a narrow, punitive outlook. Kennedy has drawn attention to the fact that the opening of the lay-run Regina Coeli hostel in Dublin in 1930 marked a break with the way single mothers and their children had theretofore been dealt with by Catholic organisations in Ireland.[14] However existing homes run by female Catholic religious orders did not, unlike homes that catered for unmarried Protestant mothers, reform or re-model themselves to any great extent during the course of the first half of the twentieth century. As Smith has noted, few people interested in the welfare of unmarried mothers and their children in Ireland during the 1930s were able to imagine responses to the issue that did not involve institutionalisation.[15]

1.2 Constructions of unmarried mothers in Irish society

We know much about the ways in which unmarried mothers were perceived in post-independent Ireland.[16] The discourse on unmarried mothers in post-independent Ireland was largely constructed by government officials, priests, politicians and rescue workers. For the most part, the discourse on single motherhood in post-independent Ireland concerned itself with categorising unwed mothers and putting forward various ways of dealing with each category. The experiences of individual single mothers rarely featured in this discourse. As Maguire has put it, the official discourse on single mothers 'focused exclusively on the moral and social problems believed to derive from unmarried motherhood, and showed little concern for women and children as individuals.'[17] In a key paper 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s,' Luddy

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[13] Dublin Diocesan Archives [hereafter D.D.A.], St Patrick's Guild, Archbishop Byrne Papers, Lay Organisations 2.

[14] Kennedy, Finola, *Cottage to Crèche: Family change in Ireland*, p62.

[15] Smith, James, "The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and 'The Carrigan Report' (1931)" in *The Journal of the History of Sexuality*, Vol. 13, No. 2, (2004), p212.

[16] See Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6, (2001), Ryan, Louise, 'Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s' in *Women's Studies International Forum*, Vol. 25, No. 1, 2002, O'Sullivan, Eoin, Raftery, Mary, *Suffer the Little Children: The Inside Story of Ireland's Industrial Schools*, (Dublin, 1999) and in O'Sullivan, Eoin "this otherwise delicate subject": Child Sex Abuse in early Twentieth-Century Ireland' in O'Mahony, Paul (ed.), *Criminal Justice in Ireland*, (Dublin, 2002) and Maguire, Moira Jean, 'Unmarried Motherhood Infanticide and Illegitimacy in the Twentieth Century'.

[17] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century', p54.

discussed the ways in which unmarried mothers were perceived in post-independent Ireland.[18] She highlighted the fact that 'conflicting representations of unmarried mothers abounded' and has suggested that although 'sophisticated and complex representation of unmarried mothers existed in the Irish Free State' by the end of the 1920s, such discussion did not lead to significant policy changes in terms of the ways in which single mothers and their children were dealt with.[19] Earner-Byrne has argued that in Ireland between 1900 and 1950 'the prevailing view of unmarried motherhood was that it was illegitimate, unsustainable and morally wrong.'[20] According to Earner-Byrne, such negative constructions of single motherhood 'helped to direct and limit the scope of government policy in relation to the unmarried mother and her child.'[21] Several scholars have drawn attention to the fact that the language of crime was used extensively to describe unmarried mothers. Kennedy has noted how 'the language used about unmarried mothers during the first half of the twentieth century in Ireland was marked by the colours of crime and sin.' [22] She has highlighted the fact that phrases such as 'rehabilitation of the mother' and 'girls who have fallen again,' were used repeatedly in government reports.[23] O'Sullivan and Raftery have also noted the fact that 'the language of criminality was deliberately invoked' in discussions of unmarried mothers 'highlighting the perception of such women as 'criminal.'[24] When unmarried mothers were mentioned in the Irish press during the first half of the twentieth century, they were often characterised in negative terms and referred to as 'troublesome'[25] or as 'offenders.'[26] Articles on single mothers in the Irish press often carried headings such as, 'A difficult problem. The Unmarried Mother Question,'[27] or 'Unmarried Mother Problem.'[28] Like many commentators, 'Sagart'[29] writing in 1922 viewed unmarried

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[18] Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6, (2001).
[19] Ibid., p798.
[20] Earner-Byrne, Lindsey, 'The Boat to England: An Analysis of the official reactions to the Emigration of Single Expectant Irishwomen to Britain, 1922 – 1972' in *Irish Economic and Social History*, Vol. XXX, (2003), p69.
[21] Ibid.
[22] Kennedy, Finola, *Cottage to Crèche: Family change in Ireland*, p145.
[23] Ibid.
[24] Raftery, Mary (and) O'Sullivan, Eoin, *Suffer the Little Children: the inside story of Ireland's industrial schools*, p73.
[25] *Clare Champion*, 25 Nov. 1933.
[26] Ibid.
[27] *Clare Champion*, 25 Nov. 1933.
[28] *Irish Times*, 22 Jan. 1926.
[29] An anonymous author who used the pseudonoym 'Sagart' in an article in unmarried mothers which was published in the *Irish Ecclesiastical Record* in 1922.

mothers as offenders and as sinners, and discussed their 'degrees of guilt.'[30] Glynn in 1921 argued that the unmarried mothers sinned against moral law and natural law in 'bringing a child into the world which will bear a brand on it all its life.'[31] 'Girl-mothers' were regarded by many in Ireland during the first half of the twentieth century as 'people who don't deserve respect' and as untrustworthy individuals whose word could not be necessarily relied on in a court of law.[32] Judge Shannon warned the jurors in an abortion case that was tried in February 1937 that Margaret B. [A. 10] was 'a witness to be looked upon with the very greatest possible suspicion' - as she was a single woman who had had three pregnancies.[33] Newspaper reports that referred to the ways in which single mothers and their infants were discussed by Boards of Health in post-independent Ireland indicate that unmarried motherhood was a contentious issue.

Earner-Byrne has noted that 'Irish expectant single mothers emigrated to Britain in significant numbers during the twentieth century.'[34] Several scholars interested in the history of Irish women and emigration have examined the experiences of single pregnant women who left Ireland for Britain in the post-independence period. In her essay based on the oral evidence of forty Irish women who lived in Lancashire between 1922 and 1960, Lambert referred briefly to the fact that unmarried pregnant Irish women were often 'forced to emigrate rather than bring shame upon their families at home.'[35] Some women in her study concealed their pregnancies from family members, while others received assistance from relatives to emigrate. In 'Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s,'[36] Ryan explored discourse regarding the emigration of unmarried pregnant Irish women. Ryan drew attention to the fact that during the 1930s journalists, priests and social workers expressed concern regarding the level of pre-natal emigration.

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[30] 'Sagart,' 'How to Deal with the Unmarried Mother' in *Irish Ecclesiastical Record*, Vol. XX, No. 20, (1922), p148.

[31] Glynn, Joseph, 'The Unmarried Mother' in *Irish Ecclesiastical Record*, Vol. XVIII, No. 18, (1921), p461.

[32] *People* (Wexford), 25 May 1929.

[33] National Archives of Ireland [hereafter N.A.I.], Court of Criminal Appeal [hereafter C.C.A.], 8/1937.

[34] Earner-Byrne, Lindsey, 'Moral Repatriation': The response to Irish unmarried mothers in Britain, 1920s – 1960s' in Duffy, Patrick J., (ed.), *To and From Ireland: Planned Migration Schemes c. 1600 – 2000*, p155.

[35] Lambert, Sharon, 'Irish Women's Emigration to England, 1922 – 60: The Lengthening of Family Ties' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History*, p157.

[36] Ryan, Louise, 'Sexualising Emigration: Discourses on Irish Female Migration in the 1930s' in *Women's Studies International Forum*, Vol.25, No.1, (2002), pp51-65.

Several scholars have recently focussed their attentions on unmarried Irish mothers in Britain and specifically on the emergence of a scheme set up during the 1930s to repatriate single Irish mothers in Britain. Earner-Byrne has identified social hostility to their plight as one of the main factors for the high levels of pre-natal emigration among single expectant Irish women in post-independent Ireland. Social services for unmarried women and their children were highly inadequate in Ireland and many women were keen to secure anonymity, 'less punitive care, and free legal adoption' in Britain.[37] Earner-Byrne's research has detailed how the Irish government finally took action in the late 1930s to reverse this trend by sanctioning an assisted repatriation scheme for unmarried Irish mothers in Britain. Garrett has researched the activities of Child Protection and Rescue Society of Ireland, an organisation that co-operated with English agencies who helped repatriate Irish women from the late 1930s onwards. In examining the reasons that prompted so many single expectant women to leave Ireland for Britain, Garrett also argued that 'the threat of a type of incarceration in semi-penal institutions' was probably one of the main reasons large numbers of unmarried pregnant women emigrated.[38] He has suggested that some single expectant Irish women may have decided to give birth in England and have their children cared for there because they were aware of the numbers of illegitimate children who died in institutional care in Ireland.

In writing about the public response to Irish unmarried mothers in Britain between 1920 and 1960, both Earner-Byrne and Garrett concentrated almost exclusively on material relating to the numbers of unmarried mothers in Britain and to the repatriation scheme held in Irish archives. Records relating to the problem of unmarried Irish mothers in Britain and to the repatriation scheme held in British archives have not been utilised. Both writers have focussed on single expectant Irish mothers from the south who went to England. The experiences of single pregnant women who left Northern Ireland for Scotland and England have been overlooked, yet they faced the same predicament as single women from the Irish Free State and Éire and shared similar experiences in Britain.

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[37] Earner-Byrne, Lindsey, 'Moral Repatriation': The response to Irish unmarried mothers in Britain, 1920s – 1960s' in Duffy, Patrick J., (ed.), *To and From Ireland: Planned Migration Schemes c. 1600 – 2000*, p156.

[38] Garrett, Paul Michael, 'The abnormal flight: The migration and repatriation of Irish unmarried mothers' in *Social History*, Vol. 25, No. 3, (2000), p336.

A smaller portion of the research on unmarried motherhood in Ireland during the first half of the twentieth century concerns the children of single women. A number of historians have discussed mortality rates among illegitimate infants in post-independent Ireland and the way in which the government responded to the disparity in deaths between legitimate and illegitimate infants. Raftery and O'Sullivan have highlighted the fact that categorising single mothers as 'first offenders' or 'recidivists,' and treating them accordingly, impacted on the fate of their children.[39] While the children of so-called 'first offenders' were often informally adopted, the children of single women who had given birth more than once were usually sent to industrial schools or fostered. O'Sullivan and Raftery also noted that there was a strongly held view in Ireland 'that not only was the unmarried mother a threat to the social order, but her child could be infected with the deviant genes and would perpetuate the threat to order.'[40] They have argued that the children of unmarried mothers were treated particularly harshly within the industrial school system. Maguire has argued that 'the Catholic doctrine of the sanctity of human, and especially child, life, and the value that early nationalist lawmakers placed on child life, bore no resemblance to the way church and state dealt with illegitimate, problematic, and vulnerable children in the twentieth century.'[41] Her research has suggested that illegitimate children were not always regarded as potentially valuable citizens but as 'dangerous and burdensome populations to be confined, regulated, and controlled.'[42] It is clear from the records of infanticide trials that illegitimate children were not valued in Irish society during the first half of the twentieth century.

O'Sullivan has noted that 'considerable debate took place as to the most appropriate mechanism to meet the needs of "fallen girls" in the pages of the *Irish Ecclesiastical Record* in the early 1920s.[43] Most of those who contributed to the debate in the *Record* shared the same narrow approach to single motherhood. In fact several contributors were only moved to take action on the 'unmarried mother question' because of the threat they believed proselytisers posed to single mothers and their children. Otherwise they may

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[39] Raftery, Mary (and) O'Sullivan, Eoin, *Suffer the Little Children: the inside story of Ireland's industrial schools*, p73.
[40] Ibid., p74.
[41] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century', p161.
[42] Ibid., p161- 162.
[43] O'Sullivan, Eoin, "this otherwise delicate subject": Child abuse in Early Twentieth-Century Ireland' in O'Mahony, Paul, (ed.), *Criminal Justice in Ireland,* p184.

well have been content to leave the woman to be punished for her sin which, according to some, would have also had the added advantage of acting as a deterrent to other unmarried women in the community. Articles[44] published in the *Irish Ecclesiastical Record* on unmarried motherhood by Richard Devane S.J., Rev. McInerney, 'Sagart' and Joseph Glynn during the 1920s have been scrutinized in detail by a number of historians. Devane, as O'Sullivan has put it, 'responded energetically to the series of articles in the *Irish Ecclesiastical Record*...on the unmarried mother problem.'[45] He appeared to have a greater knowledge of legal aspects of the unmarried mother problem than most conservative commentators. As Smith has observed, Devane stood apart from other clerics who gave evidence to the Carrigan committee in that he 'articulated critical concerns that would remain prominent in sociological debates for decades to come', such as the double standard of morality prevalent in Ireland which stigmatised the unmarried mother but rarely censured the man responsible for her pregnancy.[46] Devane was also a strong advocate for legal reforms that would benefit the unmarried mother and her child, and he was critical of the 'intolerable injustice' that left the woman to bear her punishment alone while the father of her child was free from censure.[47] Devane argued in favour of raising the age of consent and introducing affiliation orders legislation. However, unlike Devane, most commentators did not refer to the fathers of illegitimate children and failed to take social and economic circumstances of single mothers into account.

The dominant discourses on unmarried motherhood in Ireland during the first half of the twentieth century resolutely condemned unmarried motherhood and were mainly

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[44] Glynn, Joseph, 'The Unmarried Mother' in *Irish Ecclesiastical Record*, Vol. XVIII, No. 18, (1921), McInerney, Rev. M. H., 'The Souper Problem in Ireland' in *Irish Ecclesiastical Record*, Vol. XVIII, No. 18, (1921), 'Sagart,' 'How to Deal with the Unmarried Mother' in *Irish Ecclesiastical Record*, Vol. XX, No. 20, (1922), Devane, Rev. R.S., 'The Unmarried Mother: Some Legal Aspects of the Problem. I - The Age of Consent' in *Irish Ecclesiastical Record*, Vol. XXIII, No. 23, (1924), Devane, Rev. R.S., 'The Unmarried Mother: Some Legal Aspects of the Problem. II– The Legal Position of the Unmarried Mother in the Irish Free State' in *Irish Ecclesiastical Record*, Vol. XXIII, No. 23, (1924), Devane, Rev. R.S., 'The Legal Protection of Girls. I – Age of Consent' in *Irish Ecclesiastical Record*, Vol. XXXVII, No. 37, (1931).

[45] O'Sullivan, Eoin, "this otherwise delicate subject": Child abuse in Early Twentieth-Century Ireland' in O'Mahony, Paul, (ed.), *Criminal Justice in Ireland,* p187.

[46] Smith, James, "The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and 'The Carrigan Report' (1931)" in *The Journal of the History of Sexuality*, Vol. 13, No. 2, (2004), pp220 – 221.

[47] Devane, Rev. R.S., 'The Unmarried Mother: Some Legal Aspects of the Problem. II– The Legal Position of the Unmarried Mother in the Irish Free State' in *Irish Ecclesiastical Record*, Vol. XXIII, No. 23, (1924), p172.

concerned with dividing single mothers into different categories or 'classes' and with their moral rehabilitation. There was, however, a limited degree of opposition to the dominant discourse although it is noteworthy that articles such as Frank O'Connor's 'Ireland'[48] and Signe Toksvig's 'Why Girls Leave Ireland,'[49] which referred to the high levels of infanticide in the country, were both published in American journals. *The Bell* was one of the only Irish publications that addressed the issue of single motherhood critically and candidly during the period under review. An article in the June 1941 issue was highly critical of the apathy of public opinion in Ireland towards unmarried mothers and the fate of their children. The article also criticised Irish rescue societies and suggested that they needed to be thoroughly overhauled. 'These hostels do commendable work but there is no use in pretending that they do not badly need improvement, supervision and co-ordination. They are liable to be miserably comfortless.'[50] 'No attempt,' the writer noted 'is made to train the unmarried mother, not only in pre-natal and post-natal care of her child, but in domestic science and nursing so that she can more readily find work in the outside world. In short, these institutions have a very long way to go.'[51] The writer was also critical of the fact that little after-care or support was provided for single mothers when they left the institutions. At a time when most institutions that admitted single expectant women separated mother and child and actively discouraged unmarried women from raising their children, the writer went on to suggest that 'much more might be done to strengthen that natural link between mother and child.'[52]

In an article published in the American journal *Survey* in August 1929, entitled 'Why Girls Leave Ireland,' Signe Toksvig, a Danish-born American woman who married the writer Francis Hackett and spent a number of years in Ireland during the 1920s, explored some of the reasons why young Irish women chose to emigrate. Toksvig strove to present a realistic picture of life in rural Ireland to her American readers and referred to controversial issues such as unmarried motherhood and infanticide. One of the young single women Toksvig had employed gave birth a week after she had been hired. Although Toksvig referred to her as a 'special case' she emphasised the fact that cases of

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[48] O'Connor, Frank, 'Ireland,' in *Holiday*, Dec. 1949
[49] Toksvig, Signe, 'Why Girls Leave Ireland,' in *Survey,* (August 1929).
[50] M. P. R. H., 'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring,' in *The Bell,* Vol. 2, No. 3, (1941), p86.
[51] Ibid., p84.
[52] Ibid., p86.

unmarried motherhood were becoming more numerous in post-independent Ireland.[53] Toksvig also referred to the prevalence of infanticide and argued that because there were generally no village halls or community centres in the countryside 'young people have no way of decently meeting.'[54] Frank O'Connor also referred to infanticide in the December 1949 edition of the American magazine *Holiday*, claiming that 'infanticide in Ireland is appallingly common.'[55] By including the remarks of an old man he encountered in Wexford, O'Connor suggested that pre-marital sex was not uncommon.[56] O'Connor's article proved highly controversial in Ireland. Letters of protest were sent from Killarney Urban District Council, Wexford Corporation and Wicklow County Council to the Taoiseach in January 1950. Members of Wexford Corporation unanimously adopted a motion of protest against O'Connor's article which, they stated, 'vilif[ied] Ireland and the morals of the girls of Wexford.'[57] They also requested that the Taoiseach ask the Minister for External Affairs to instruct the embassy in Washington to 'categorically deny the truth of the article in question.'[58] In February 1950 the *Irish Press* referred to O'Connor's article as 'malicious.'[59] In the same month, the weekly bulletin issued by the Department of External Affairs was highly critical of the content of O'Connor's article. Judging by the response O'Connor's article received, it would appear that many Irish people were unwilling to accept unflattering portrayals of Irish society that undermined the country's identity as 'a Catholic and morally pure society.'[60]

1.3 Uncovering the experiences of Ireland's single mothers

While studies such as Luddy's 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s'[61] have shown that the 'unmarried mother question' was debated and discussed quite extensively in some circles in post-independent Ireland, relatively little is known, in

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[53] Toksvig, Signe, 'Why Girls Leave Ireland' in *Survey,* (August 1929), p483.
[54] Ibid., pp484 – 485.
[55] O'Connor, Frank, 'Ireland' in *Holiday*, Dec. 1949, p39.
[56] 'Don't ever marry a girl without feeling her first,' said the old man firmly. 'The parish priest will tell you differently, but priests have no experience. There was a man in a house near me that married a girl like that, and the first night they were together, whatever occasion he had of grabbing hold of her, he felt the child jump inside her. I would never marry a girl without feeling her first, and I would never give information about a neighbour.' (O'Connor, Frank, 'Ireland' in *Holiday*, Dec. 1949, p59).
[57] N.A.I., Department of the Taoiseach S 14716. Letter dated 18 Jan. 1950 from Wexford Corporation to the Taoiseach.
[58] Ibid.
[59] *Irish Press*, 2 Feb. 1950.
[60] Smith, James, "The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and 'The Carrigan Report' (1931)" in *The Journal of the History of Sexuality*, Vol. 13, No. 2, (2004), p233.
[61] Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6, (2001).

specific terms, about Ireland's 'girl-mothers' during the first half of the twentieth century. Existing studies have concentrated on representations of unmarried mothers in contemporary discourse, and on the ways in which both church and state responded to the 'unmarried mother question,' rather than the actual experiences of unwed women who faced an unplanned pregnancy between 1900 and 1950. Consequently their experiences remain an under-researched aspect of the history of single motherhood. Only a partial picture of single maternity in Ireland during the first half of the twentieth century can be said to exist. There are substantial gaps in our knowledge of unmarried motherhood, particularly in terms of the history of single mothers who were admitted to religious-run institutions. A large part of the history of unmarried mothers in Ireland remains unrecorded as the records of Magdalen asylums run by Catholic religious orders are currently inaccessible to researchers.

The history of single mothers in Northern Ireland between 1900 and 1950 has received relatively little scholarly attention. Studies of unmarried motherhood in Ireland during the twentieth century have largely been confined to the South. Much of the scholarship on single mothers in Ireland during the first half of the twentieth century has been confined to the Free State period and there has been a tendency to focus on the way in which unmarried mothers were dealt with by church and state in post-independent Ireland. It is debatable whether separate studies on unmarried motherhood should be carried out for the North and the South. A comparative analysis of the manner in which the 'problem' of single motherhood was approached in the North and in the South would certainly contribute to our understanding of unmarried motherhood. Although infanticide trials in the South have been the subject of scholarly inquiry in recent years, there have been no detailed studies of unmarried mothers and infanticide in Ulster to date, even though there is a considerable body of archival material on the subject. Further research needs to be done on single motherhood in Ireland between 1900 and 1920. This is necessary for an understanding of patterns of behaviour, particularly in terms of infanticide and abortion cases over a longer time span.

The discourse on unmarried motherhood in Ireland during the first half of the twentieth century was, for the most part, confined to the annual reports of rescue societies and medical and religious journals. The written records of unmarried mothers themselves are practically non-existent. Women who experienced single motherhood in Ireland between

1900 and 1950 left few records.[62] Much of our historical knowledge of unmarried motherhood has been filtered through the writings of rescue workers and clergymen. These sources are of great use in the sense that they allow historians to analyse how unmarried motherhood was perceived in Ireland at the time, but little can be understood about the actual experience of unmarried mothers from their evidence. Much of what has been written about Ireland's unmarried mothers has focused on published opinions about single mothers, and the actual lived experience of unmarried Irish women who had to deal with an unplanned pregnancy has been relegated to the margins. Historians have relied heavily on official government sources, on the annual reports of charitable groups that dealt with unmarried mothers and their children and on correspondence between these groups and the Catholic hierarchy.

The experience of unmarried motherhood in Ireland during the first half of the twentieth century has rarely been explored from the standpoint of single women who were faced with an unplanned pregnancy. The experiences of the women who were charged with the murder or concealment of birth of their illegitimate infants as well as the experiences of single women suspected of having attempted to have an unwanted pregnancy terminated have been overlooked by most historians, with the exception of Maguire, whose doctoral dissertation examined official discourses and the popular experiences of single mothers and illegitimate children in Ireland during the twentieth century. Maguire argued that the records of infanticide cases and the various ways in which both families and the wider community treated single mothers and their children demonstrate that there were instances where men and women made decisions about 'their own moral and sexual behaviours, and evaluated their responsibility and loyalty to others, based on a variety of factors, and law and Catholic teaching were not always paramount.'[63] If scholars are to construct a more comprehensive history of single motherhood in Ireland during the first half of the twentieth century, a wider range of source material will have to be used and the scope of inquiry will have to be extended.

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[62] June Goulding's memoir *The Light in the Window* (London, 1998) provides considerable insight into the experiences of single mothers who were admitted to the religious-run institution. Goulding was employed as a nurse in a Mother and Baby home run by the Sacred Heart nuns in the early 1950s.

[63] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century',pii.

The records of organizations that assisted unmarried mothers such as St Patrick's Guild and the Leeson Street Magdalen Asylum generally reveal little about the women who sought their aid. In fact, as Pomata has observed in relation to unmarried mothers in Italy in the late nineteenth and early twentieth centuries, clinical histories and forms compiled on unmarried mothers often 'tell us much about those who wrote them: they reveal attitudes and behaviour on the part of the physicians and administrators of the foundling hospitals and, later, of the social workers as they deal with these same women.'[64] And indeed the specimen cases included in the annual reports for St Patrick's Guild reveal a great deal about those responsible for the running of that organisation.

Case number 483 which was included as one of several case studies in an undated report drawn up during the 1920s highlights the determination of the Guild's members to save unmarried mothers from further 'sin' and the extent to which they were able to intervene in a single woman's life and to thwart plans she had made independently. The subject of case 483 was, according to the report's author, 'unfortunately in love with a married man.'[65] The unmarried woman had apparently been planning to travel abroad with him and to leave her baby in the care of the guild. The woman's plans somehow became known to members of the Guild and the Guild's founder intercepted the 'passage booked to leave the country' and got in touch with the woman's parish priest.[66] The outcome in case 483 was presented as a triumph for the Guild. 'Immediate action was taken and her plans frustrated.'[67] A considerable amount of pressure was presumably brought to bear on the woman both by members of the Guild and her parish priest. We are told that 'she was made to see the gravity of the situation, and is now doing well.'[68] More sinister perhaps is the final remark on the case. 'She is, of course, kept under close observation.'[69] Although the man this woman was in love with was the father of her child, he was not forced to assume any responsibility for the situation by the Guild, and it was the unmarried mother who was prevented from travelling freely and taking control of her own life as she saw fit. The individuality of the women in the case reports

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[64] Pomata, Gianna, 'Unwed Mothers in the Late Nineteenth and Early Twentieth Centuries: Clinical Histories' in Muir, Edward and Ruggiero, Guido, (eds.), *Microhistory and the Lost Peoples of Europe*, p160.
[65] D.D.A., St Patrick's Guild, Archbishop Byrne Papers, Lay Organisations 2.
[66] Ibid.
[67] Ibid.
[68] Ibid.
[69] Ibid.

published by Irish organisations such as St Patrick's Guild is, as Pomata put it, 'compressed by the structure of the interrogation and by the drafting of the forms; it remains, therefore, inevitably remote.'[70] Pomata has argued that forms and case studies 'are designed to give voice not to the women but rather to the phenomenon of "unwed motherhood," in order to compose and at the same time to impose a "type."'[71] The case histories published by St Patrick's Guild were certainly not designed to give voice to unmarried mothers. Case studies of unmarried mothers assisted by the Guild may have been used, as Pomata suggested in relation to Italian clinical histories, 'for classification in order to construct a typology of unwed mothers.'[72]

1.4 Sources for the study of single motherhood in Ireland

Articles in legal publications such as the *Irish Reports* and in the provincial press often provide additional perspectives on the experiences of single pregnant women between 1900 and 1950. For instance, a report on the case of Elizabeth and Antonio T., who demanded custody of Elizabeth's seven-year-old son from her parents in 1943, in the *Irish Reports* underscored the difficulties single women faced, both in terms of attempting to raise an illegitimate infant on their own and being granted custody of their children. In 1936, while she was unmarried and living in Glasgow, Elizabeth T. gave birth to a son. When he was six weeks old Elizabeth brought her infant son to her parents' home in Co. Louth. She had no home of her own at the time and as an employee of a fish and chip shop, would probably have found it difficult to raise a child on her own. The court was satisfied that Elizabeth T. had always taken a 'very real interest in her child.'[73] She sent her elderly parents 'both money and clothes for the child and in so far as her circumstances permitted has provided largely for the means whereby he has hitherto been maintained.'[74] However, the court ruled in favour of the boy's grandparents as the judges felt that 'his moral and religious welfare would be jeopardised if he were sent to live with persons whose way of life was contrary to the teachings of their Church and whose conduct was regarded by their clergy with disapproval.'[75] Antonio T. had

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[70] Pomata, Gianna, 'Unwed Mothers in the Late Nineteenth and Early Twentieth Centuries: Clinical Histories' in Muir, Edward and Ruggiero, Guido, (eds.), *Microhistory and the Lost Peoples of Europe*, pp185-6.
[71] Ibid., p186.
[72] Ibid., p185.
[73] *The Irish Reports*, (1944), 'In the matter of William Dominic M. T., an infant, and in the matter of the Courts of Justice Act, 1924 (I),' p511.
[74] Ibid.
[75] Ibid., p545.

divorced his wife and the marriage between Antonio and Elizabeth, which took place in a registry office in Scotland, was not recognised by the Catholic Church. Mr Justice P. Maguire doubted whether Elizabeth and Antonio T.'s marriage was stable and considered that it would be detrimental to the boy's morals and religious belief if he were 'removed from the moral atmosphere in which he has been reared to a home in which the conduct of his mother is regarded by her own clergy with disapproval.'[76] While Mr. Justice Kevin Haugh was favourably impressed with Elizabeth T. as a witness and was satisfied that 'motherly feelings alone have prompted her to take these proceedings,'[77] he was of the opinion that her son would 'receive little or no Catholic training' in their home in Glasgow.[78] He felt that they would be unable to ensure that the boy attended his sacramental duties when they themselves were unable to do so, and he concluded that the welfare of Elizabeth T.'s son would be better served by leaving him in the care of his grandparents. The court's decision may have permanently deprived Elizabeth of all access to her son. Her lifestyle, which went against the teachings of the Catholic Church, seems to have prejudiced her in the eyes of the court. There may well have been many incidents like this in Ireland during the first half of the twentieth century, but written records of the experiences of women like Elizabeth T. rarely come to light.

Individual single mothers often featured in newspaper reports of infanticide trials and affiliation orders cases. Newspaper articles on unmarried mothers charged with the murder or concealment of birth of their illegitimate infants often stood in stark contrast to much of the contemporary discourse on unmarried mothers that characterized them as reckless, immoral and wild, or as the passive, hapless victims of conniving men. Although they generally avoided any mention of premarital sex, newspaper reports on infanticide cases involving single women referred to aspects of unmarried motherhood, such as poverty and incest. Ryan has noted how press reports 'suggest some of the hidden problems of Irish society.'[79] In spite of their limits, newspaper reports of infanticide trials offer a more realistic and complex picture of unmarried mothers and the ordeal many of them experienced in Ireland during the first half of the twentieth century than the case studies included in the annual reports of charitable organisations that dealt with unmarried mothers. Ryan has examined newspaper reports of infanticide cases,

[76] Ibid., p514.
[77] Ibid., p515.
[78] Ibid., p517.
[79] Ryan, Louise, 'Infanticide in the 1920s', p150.

most of which involved unmarried women, for the years 1925, 1926, 1928 and 1936 in two Irish newspapers, the *Cork Examiner* and the *Irish Independent*. She also studied press reports of single pregnant Irish women who emigrated to Britain and of unmarried Irish women who became pregnant while living in Britain in the *Irish Independent*, *Cork Examiner* and *Irish Press* during the 1930s. Further research on press reports of unmarried mothers in Ireland during the first half of the twentieth century would most likely uncover other facets of the history of single motherhood.

Newspaper reports of single mothers who brought affiliation orders proceedings against the men responsible for their pregnancies have yet to be explored in depth. Provincial newspapers sometimes included reports of cases where single mothers sought maintenance from the fathers of their illegitimate infants in court under the terms of the Illegitimate Children (Affiliation Orders) Act, which became law in 1930. These reports demonstrated that determined and resourceful single mothers used the new legislation to their own advantage and a small number of them succeeded in forcing the putative fathers of their children to face up to their responsibilities. For instance, in June 1936 the *Connacht Tribune* reported that James L. was ordered to pay Mary B. five shillings per week from May 1935 under the Illegitimate Children (Affiliation Orders) Act, 1930.[80] But in the words of a solicitor who had dealt with 'a number of applications for affiliation orders', the bill passed in 1930 often 'involves considerable time and work with no outcome whatsoever...'[81]. Newspaper reports also highlighted the difficulties single mothers faced in securing financial support for the putative fathers of their illegitimate infants. At the district court in Galway in 1936, Patrick C. had been ordered to pay Mary M. twelve pounds and four shillings in monthly instalments for the maintenance of their illegitimate child. However a judge in Galway circuit court reversed the order of the district justice once he was satisfied that Patrick C. was unable to pay the debt he owed Mary M. 'It was unfortunate,' the judge remarked 'that the woman having got the order was unable to get the money.'[82] Given the low success rate for women who brought a case against the putative father of her infant under the terms of the new legislation, this was perhaps a more typical case. It highlights the difficulties single women encountered and the hardship they faced as lone parents.

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[80] *Connacht Tribune*, 13 Jun. 1936.
[81] M. P. R. H., 'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring' in *The Bell,* Vol. 2, No. 3, (1941), pp 79-80.
[82] *Connacht Tribune*, 13 Jun. 1936.

1.5 Negative constructions of unmarried Irish mothers

Negative stereotypes about unmarried mothers predominated in the discourse on single motherhood in Ireland during the first half of the twentieth century. Much of the criticism of the Affiliation Orders Bill in the Dáil centred on the issue of blackmailing. According to Earner-Byrne, 'much Dáil time was exhausted on how best to protect the putative fathers from unscrupulous blackmailers.'[83] Luddy has noted how 'the concern with blackmail eventually allowed considerable protection for men summoned', and that the situation of the putative father appeared to be of greater concern than the welfare of the unmarried mother.[84] However, while it may have been rare for a single expectant woman falsely to accuse a man of being the father of her child in an attempt to safeguard her own reputation, and several deputies displayed a strong sense of indifference to the welfare of unmarried mothers and their children, prioritising instead the situation of men who might stand accused of being the father of an illegitimate child, such concerns were not without foundation. Some single pregnant women did make false accusations against men who were not the fathers of their infants during the period. An account in the *Irish Reports* provided detailed and graphic evidence in the case of *Cyril G. v Margaret Mary G.*[85] On 10 November 1925 Margaret Mary H.'s mother accused Cyril G. of having had unlawful carnal knowledge of her daughter who, at the time the alleged incident took place, was only sixteen years old. Margaret Mary claimed that she became pregnant following their encounter in Howth in July 1925. However, it later emerged that the accusation was false. Margaret Mary's mother 'informed [Cyril] that he would be liable to criminal proceedings and that if [he] did not marry Margaret Mary G. that the criminal proceedings would be commenced.'[86] Having been threatened with criminal proceedings, fearing conviction and imprisonment and anxious to avoid 'the resulting scandal and publicity to him and his family', Cyril agreed to marry Margaret Mary.[87] Following their marriage Cyril 'soon realised that the attempted connexion at Howth on the 25th day of July, 1925, could not have given her a child.'[88] When Cyril confronted Margaret Mary

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[83] Earner-Byrne, Lindsey, 'The Boat to England: An Analysis of the official reactions to the Emigration of Single Expectant Irishwomen to Britain, 1922 – 1972' in *Irish Economic and Social History*, Vol. XXX, (2003), P57.

[84] Luddy, Maria, 'Moral Rescue and Unmarried Mothers in Ireland in the 1920s' in *Women's Studies*, Vol. 30, No. 6, (2001), p812.

[85] *The Irish Reports*, (1944), 'Cyril G., petitioner, v. Margaret Mary G., respondent,' pp35 – 53.

[86] Ibid., p36.

[87] Ibid., p35.

[88] Ibid., p37.

about the incident in Howth she immediately admitted that she had deceived him and told him the child's father's name. She 'said she had to find somebody to father her child – the other man knew too much about her.'[89] She had accused Cyril because 'she was more fond of him...and she would make a better match with Cyril, for which reason she told the story against him.'[90] According to Justice Kevin Haugh, such incidents were not unusual. He stated that from his experience at the Bar and as Attorney-General he was aware that 'marriages frequently result from threats of this precise nature.'[91] 'Many such cases,' he claimed, 'have passed through [his] hands in recent years.'[92] In a society that stigmatised and discriminated against single mothers, it is hardly surprising that some unmarried pregnant women felt desperate enough to make false allegations against a man who was not responsible for an extramarital pregnancy. More research on blackmail and forced marriage in Ireland during the first half of the twentieth century would be revealing.

In July 1925 the *Irish Independent* quoted Miss Fitzgerald Kenny L.G.D. who gave evidence at a meeting of the Poor Law Commission. Kenny drew a distinction between 'first offenders' and 'old offenders.'[93] Similarly, in his letter to the Clare Board of Health in November 1933, Bishop Fogarty grouped unmarried mothers into three classes: the 'feeble or weak minded sort,' 'girls who are naturally decent, but have fallen through accident or environment', and 'women of a wild or vicious nature who are a harmful influence wherever they prevail.'[94] Kenny went as far as to suggest that unmarried women who became pregnant for a second time should be imprisoned in a state penitentiary for several years. Although these women were not in breach of criminal law, Miss Kenny was probably not alone in believing that they should be treated as common criminals because they had flouted the moral code. However, as Luddy has observed, 'while there was considerable discussion around, and support for, retaining unmarried mothers in Magdalen asylums, especially those who had more than one illegitimate child, no legislation was ever put in place to enact these objectives.'[95]

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[89] Ibid., p46.
[90] Ibid., p47.
[91] Ibid., p43.
[92] Ibid., p43.
[93] *Irish Independent*, 16 Jul. 1925.
[94] *Clare Champion*, 25 Nov. 1933.
[95] Luddy, Maria, *Prostitution and Irish Society, 1800 – 1940*, p119.

All too often, unmarried mothers were portrayed in the writings of priests and charity workers, and in government reports as passive victims, delinquents or mental defectives. As Spensky has argued, until the Second World War in Britain, 'unmarried motherhood had been considered as being the result of the seduction of an overcredulous girl, who was particularly weak in character, ignorant or mentally defective.[96] The discourse on single motherhood in Ireland during the period also presented the unmarried mother as a passive victim who had been seduced or led astray. However, the statements of single women charged with the murder or concealment of birth of their illegitimate infants between 1900 and 1950 suggest that the reality was far more complex. While some women may have been unsophisticated and uninformed about sex and pregnancy and a smaller number had 'fallen' more than once, the records suggest that the experiences of single working-class women during the period varied considerably and in many cases did not conform to the stereotypes in the discourses on unmarried motherhood prevalent in post-independent Ireland. Contemporary observers tended to group unmarried mothers into overly neat categories. However the range of sexual experiences and of contrasting attitudes towards sexuality evident in the statements of single women charged with the murder or concealment of birth of their illegitimate infants between 1900 and 1950 defy such clear-cut categorisation.

The experience of single motherhood was clearly a huge ordeal for many women who found themselves pregnant and unmarried during the first half of the twentieth century, yet this aspect of the issue was rarely acknowledged in government reports on unmarried motherhood or in the sermons of Irish bishops, where they were viewed as financial burdens and a national embarrassment. The more tragic aspects of the phenomenon was overlooked and only occasionally surfaced in some newspaper reports. Incest, abuse and underage sex were sometimes a feature of infanticide cases involving single women, but the link between single motherhood and such disturbing social problems was rarely acknowledged. The economic and social circumstances of individual women who became pregnant outside wedlock were ignored by most commentators. Public opinion in Ireland in relation to single mothers and their children was, as the author of the article in *The Bell* in June 1941 pointed out, apathetic. Referring to the ' "It's always the girl's fault any way" attitude' then prevalent throughout the country, the author argued that

[96] Spensky, Martine, 'Producers of Legitimacy: Homes for unmarried mothers in the 1950s' in Smart, Carol, (ed.), *Regulating Womanhood. Historical essays on marriage, motherhood and sexuality*, p106.

Irish people tended to place the whole blame on the unmarried women who became pregnant.[97] Indeed, most commentators at the time seem to have felt that the problem lay with the women themselves, and rescue workers and others concerned with the problem of single motherhood focussed their attention on unmarried mothers and their moral or mental weaknesses to an extraordinary degree.

Although rarely discussed in detail, mental deficiency was often invoked to explain single motherhood in Ireland. A report issued by St Patrick's Guild in the early 1920s averred that approximately fifteen percent of the single mothers it dealt with were mentally deficient and 'quite 50% a little abnormal.'[98] An article on the Bethany Home, a home for unmarried Protestant mothers, in the *Irish Times* in February 1926 referred to single mothers as a problem and suggested that the issue of unmarried mothers 'is a matter to be considered seriously by social workers.'[99] In their joint evidence to the Poor Law Commission Mrs Noel Guinness, a member of the Dublin Board of Guardians until its dissolution, and the Hon. Ethel MacNaghten, a member of the Belfast Board of Guardians, went as far as to suggest that every unmarried expectant women who sought admission to a maternity home under the local authority should be 'examined by a mental specialist with a view to deciding whether or not, after the birth of a child, she was a fit person to take up normal life again, or whether she should be the subject of special care and control...'[100]. Pomata's research on unmarried mothers in Italy has found that, despite their 'meagre and popular knowledge of medicine,' female visitors to foundling hospitals 'had a power of definition and judgement over other women.'[101] She has drawn attention to the fact that the forms compiled by female visitors 'often contain judgements ("amoral, physically deficient"; "mentally deficient, amoral, cynical, potential criminal") in which medical jargon is adopted to express distance and hostility.'[102] Upper-class members of the Dublin and Belfast Board of Guardians like Mrs Noel Guinness and Ethel MacNaghten, and those who worked for St Patrick's Guild, would probably only

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[97] M. P. R. H., 'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring' in *The Bell,* Vol. 2, No. 3, (1941), p80.
[98] Department of Justice, 90/4/6, Letter dated January 1927 from Miss Cruice, Hon. Secretary of St Patrick's Guild to all the Irish bishops.
[99] *Irish Times*, 5 Feb. 1926.
[100] *Irish Times*, 22 Jan. 1926.
[101] Pomata, Gianna, 'Unwed Mothers in the Late Nineteenth and Early Twentieth Centuries: Clinical Histories' in Muir, Edward and Ruggiero, Guido, (eds.), *Microhistory and the Lost Peoples of Europe*, p191.
[102] Ibid.

have had a popular knowledge of medicine similar to female visitors to the foundling hospitals described by Pomata and yet, like the Italian female visitors, they too had a power of definition and judgement over unmarried mothers. They also made judgements about unmarried mothers that expressed distance and hostility.

Joseph Glynn argued in 1921 that at a time when 'scientific vice is widespread, it is only the frail, ignorant girl, often mentally deficient, and always weak-willed, who finds herself pregnant.'[103] In a letter to the Clare Board of Health Dr Fogarty, the Bishop of Killaloe, stated that 'a great many' single mothers were of 'the feeble or weak minded sort.'[104] These women, he argued, 'will never be able to take care of themselves and are easy victims to the wrecker.'[105] He suggested that they should be collected into institutions run by nuns. Rather than holding the men who allegedly took advantage of vulnerable women accountable, or attempting to educate these women about human sexuality, the bishop clearly felt that these women should be institutionalised. According to the bishop, as long as these women 'remain in such institutions they are quite happy and inoffensive.'[106] Devane also favoured committing unmarried 'semi-imbecile' and 'mentally deficient' women who had had illegitimate infants to Good Shepherd Homes.[107] He argued that as they were unable to protect themselves and were 'irresponsible,' they often drifted into prostitution after a first lapse.[108] Luddy has noted how 'repeated pregnancy outside marriage was to become closely identified with mental deficiency.'[109] She has also highlighted the fact that in Ireland there was little understanding of mental deficiency in the late nineteenth and early twentieth centuries. Although written evidence relating to doctors' assessments of women's mental fitness in the records of infanticide trials is scant, it would appear from the material available that single women's moral conduct and supposed lack of self-control were certainly taken into consideration.

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[103] Glynn, Joseph, 'The Unmarried Mother' in *Irish Ecclesiastical Record*, Vol. XVIII, No. 18, (1921), p463.
[104] *Clare Champion*, 25 Nov. 1933.
[105] Ibid.
[106] Ibid.
[107] Devane, Rev. R.S., 'The Unmarried Mother: Some Legal Aspects of the Problem. II– The Legal Position of the Unmarried Mother in the Irish Free State' in *Irish Ecclesiastical Record*, Vol. XXIII, No. 23, (1924), p183.
[108] Ibid.
[109] Luddy, Maria, *Prostitution and Irish Society, 1800 – 1940*, p117.

Pronouncements about unmarried women who were charged with infanticide as being mentally defective or feeble-minded will be explored in greater detail in the chapters that follow. An analysis of the records of infanticide and abortion trials will show that many single expectant Irish women were in fact active rather than passive and that relatively few were mental defectives or delinquents. Only a very small proportion of unmarried women charged with the murder or concealment of birth of their illegitimate infants in the samples studied in this thesis had criminal records. Their previous convictions were often for minor offences.[110]

As McLoughlin has noted in relation to infanticide cases in nineteenth-century Ireland, 'the motivation and personal circumstances of women's lives were rarely alluded to' and 'the reality of women's lives was ignored.'[111] Refusal to acknowledge the strained social and economic circumstances in which single mothers who committed infanticide often found themselves was not confined to the nineteenth century. An unwillingness to acknowledge the reality of women's lives or to attempt to understand the personal circumstances of unmarried women charged with murder or concealment persisted well into the twentieth century. The individual circumstances of women who became pregnant outside wedlock were almost always overlooked in published reports on single mothers and, for the most part, unmarried motherhood was discussed in broad terms. It is clear from both the trials records of infanticide cases and newspaper reports that the actual lived experiences of single expectant women were often more varied and more complex than the manner in which the 'lapse' of single girls was depicted in the discussions on unmarried mothers in circulation in Ireland at the time. Some single pregnant women charged with murder or concealment of birth had been abused and mistreated, while other unmarried women appear to have taken little interest in their infants and were unmoved by their deaths. For instance, in March 1927 the *Clare Champion* published an article entitled 'Mother's attitude in hospital.'[112] Mary K.'s illegitimate child had died

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[110] For instance, sisters Elizabeth and Rose E. [P. 121], who were charged with the murder of Elizabeth's infant daughter in October 1934, had both been charged with the larceny of three turkeys in December 1933. They were both discharged under the Probation of Offenders Act. (N.A.I., C.C.C., ID 56 24, Co. Roscommon, 1934).

[111] McLoughlin, Dympna, (ed.), 'Infanticide in Nineteenth-Century Ireland' in Bourke, Angela, Kilfeather, Siobhán, Luddy, Maria, MacCurtain, Margaret, Meaney, Geraldine, Ní Dhonnchadha, Máirín, O'Dowd, Mary, Wills, Clair, (eds.), *The Field Day Anthology of Irish Writing: Irish Women's Writing and Traditions*, Vol. IV, p919.

[112] *Clare Champion*, 5 Mar. 1927.

suddenly in Kilrush workhouse but according to the report she 'did not seem to mind much about the death of the child.'[113]

The unmarried mother's 'lapse' or 'fall' was often perceived as being the result of her own personal moral or spiritual failing. A number of writers portrayed unmarried mothers as 'silly' or 'giddy' girls who had been seduced and exploited by 'clever blackguards.'[114] A report for St Patrick's Guild suggested that many girls 'fall into sin...through credulity or foolishness or impulse.'[115] 'Sagart' suggested that girls often got into trouble 'through weakness, credulity or folly.'[116] A priest who gave evidence to the Carrigan committee felt that new laws should be introduced in order to 'deter lustful blackguards from exploiting the simplicity, the giddiness, or the poverty of our young girls.'[117] Single mothers were also frequently portrayed as reckless 'girls' determined 'to have a good time at any cost.' [118] Unmarried mothers were frequently alluded to in Lenten pastorals during the 1920s and 1930s. The spectre of the single mother was most often invoked in the Lenten pastorals that warned people against dance halls. Most bishops seem to have felt that the rise in the numbers of unmarried mothers could be directly attributed to the dance hall craze. Following a meeting of the Catholic hierarchy in Maynooth in October 1925, a statement was issued condemning dance halls, the cinema, excessive drinking and the 'spiritual dangers associated with dancing.'[119] Dance halls, according to the members of the Irish hierarchy, 'had brought many a good, innocent girl into sin, shame and scandal.'[120] The Catholic Church was not alone in linking unsupervised dance halls to single motherhood. Many people were concerned about the connection between dance halls and illegitimacy in post-independent Ireland. For instance, a superintendent home assistance officer in Co. Galway commenting in 1928 believed that dance halls were 'a great source of evil to girls.'[121] At a meeting of the

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[113] *Clare Champion*, 5 Mar. 1927.
[114] Devane, Rev. R.S., 'The Unmarried Mother: Some Legal Aspects of the Problem. I - The Age of Consent,' in *Irish Ecclesiastical Record*, Vol. XXIII, No. 23, (1924), p63.
[115] D.D.A., St Patrick's Guild correspondence c. early 1920s, Archbishop Byrne Papers, Lay Organisations, Box 2.
[116] 'Sagart,' 'How to Deal with the Unmarried Mother,' in *Irish Ecclesiastical Record*, Vol. XX, No. 20, (1922), p145.
[117] N.A.I., Department of Justice, 90/4/19, Evidence of Rev. M. Fitzpatrick, C.C., St Michael's, Limerick to the Carrigan committee.
[118] *Irish Times*, 2 Mar. 1929.
[119] *Irish Independent*, 7 Oct. 1925.
[120] Ibid.
[121] *Connacht Tribune*, 8 Dec. 1928.

Galway Homes and Home Assistance Committee in December 1928 Mr Heneghan referred to one particular unmarried mother who had met a stranger at a dance. The stranger was the father of her illegitimate infant but she never saw him again.[122] Few women charged with the murder or concealment of birth of their illegitimate infants referred to dance halls in their statements. Unsupervised dancing does not appear to have been the cause of the 'lapse' of many women in the judicial records of infanticide trials. It is possible, of course, that many women did meet the father of infants at dances but chose not to refer to that in their statements. The Catholic Church tended to blame the apparent increase in numbers of single mothers on modern trends and new pastimes rather than on more deeply rooted social problems.

Much of the debate on unmarried mothers in Ireland during the first half of the twentieth century failed to acknowledge the role social and economic circumstances might have played in their 'fall' and failed to take factors such as the limited training provided to pupils of girls' industrial schools into account. Articles published on single motherhood ignored the unenviable circumstances in which single young women who became pregnant found themselves.

According to a member of the Legion of Mary, a number of former industrial school pupils became pregnant soon after being discharged. He attributed this to the fact that these girls were not 'given solid warning and prudent instruction about the dangers awaiting them in the world' but were 'left to discover by bitter experience what should really have been supplied to them by instruction at school.'[123] These comments were echoed by others involved in rescue work in Dublin at the time. Elizabeth Carroll, a probation officer, gave evidence to the Committee for the Suppression of Prostitution at their fourth meeting in January 1948. She also suggested that changes should be introduced to the industrial school system so that girls 'would be better equipped to meet the dangers of the modern world.'[124] Frank Duff was also critical of the industrial school system and the way in which girls were 'thrown overboard at the age of sixteen into the

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[122] Ibid.

[123] D.D.A., Archbishop McQuaid Papers, Lay Organisations, Legion of Mary correspondence, 1941-1949.

[124] Department of Justice 72/94A, Committee on the Suppression of Prostitution., Evidence of Miss Carroll.

waves of the world' without adequate training or preparation.[125] Some women like Kathleen C., a former pupil of St Columba's industrial school for girls in Westport, Co. Mayo, were returned to religious-run institutions when they became pregnant.[126] Kathleen worked in the laundry in Pelletstown after the birth of her baby.

A number of witnesses who gave evidence to the Carrigan committee identified social problems connected to the 'unmarried mother problem', such as poor housing conditions, widespread ignorance about sex and the practice of late marriage, but their findings were never made public and the state refused to engage with such uncomfortable issues. Finnane has suggested that 'an obsession with the visibility of sex (in dance halls, on country lanes, or imagined in the motor vehicles parked along the roads) avoided a more considered attention to the contexts and harm of serious sexual offending.'[127] Smith has pointed to the fact that institutions such as mother and baby homes and Magdalen asylums 'concealed members of society who had been marginalized by a number of interrelated social phenomena, including illegitimacy, incest, and infanticide.'[128] 'Consequently the discourse of "sexual immorality" marginalized real-life sexual practice that resulted in single motherhood and illegitimacy while it simultaneously elided the pervasive reality of rape, incest, and paedophilia.'[129] According to Smith, the Carrigan report makes it clear that neither church nor state was willing to consider the social conditions that gave rise to incest and illegitimacy.

1.6 Judicial records

Official documents on policies relating to single mothers and contemporary discourse on unmarried mothers reveal little about the personal circumstances of individual women. But as Brookes pointed out in her study of English women and reproduction between 1860 and 1919, criminal records often provide insight into the circumstances that led women to reject maternity.[130] The records of infanticide and abortion trials in Ireland can contribute to our understanding of the circumstances that led unmarried women to reject

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[125] Department of Justice 72/94A, Committee on the Suppression of Prostitution, Evidence of Frank Duff.
[126] D.D.A., Archbishop McQuaid Papers, Lay Organisations, Legion of Mary 1941-1949.

[127] Finnane, Mark, 'The Carrigan Committee of 1930–31 and the "moral condition of the Saorstat" ' in *Irish Historical Studies* XXXII, No. 128, (2001), p530.
[128] Smith, James, "The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and 'The Carrigan Report' (1931)" in *The Journal of the History of Sexuality*, Vol. 13, No. 2, (2004), p209.
[129] Ibid., p211.
[130] Brookes, Barbara, 'Women and Reproduction c. 1860 – 1919' in Lewis, Jane (ed.) *Labour and Love: Women's Experience of Home and Family 1850 – 1940*, (Oxford, 1986), p195.

maternity and drove them to commit criminal offences. The records of infanticide and abortion trials are perhaps the richest available source of information about single women faced with an unplanned pregnancy during the first half of the twentieth century. The unpublished records of infanticide and abortion trials provide greater insights into the lonely experience of unmarried motherhood in Ireland in the first half of the twentieth century than any other source. The records of individual infanticide cases illuminate the personal plight of single women faced with unwanted pregnancies. The judicial records of infanticide and abortion cases often included evidence from a range of individuals who had come into contact with unmarried women suspected of killing or concealing the births of their infants or having terminated a pregnancy. The statements of single women charged with the murder or concealment of birth of their illegitimate infants and single women who underwent illegal abortions, along with the depositions of their employers, relatives and the doctors and nurses who provided them with medical care, are invaluable. By analysing the records of infanticide and abortion cases involving unmarried women, it is possible to move beyond an analysis of the ways in which unmarried mothers were perceived in Irish society between 1900 and 1950 and the manner in which they were treated by both church and state, and to explore some of the ways in which single expectant women and their close relatives or male partners responded to an unplanned pregnancy.

Table 1:1 Infanticide cases known or reported to the police per 100,000 of population in England and Wales, Ireland and Northern Ireland[131]

Year	England & Wales	Ireland	Northern Ireland
1900	0.15	0.46	0.40
1901	0.18	0.34	0.24
1902	0.16	0.44	0.40
1903	0.19	0.31	0.16
1904	0.17	0.41	0.24
1905	0.13	0.35	0.08
1906	0.14	0.35	0.16
1907	0.15	0.29	0.48
1908	0.13	0.25	0.32
1909	0.15	0.22	0.16
1910	0.17	0.41	0.24
1911	0.12	0.13	0.16
1912	0.16	0.32	0.24
1913	0.18	0.25	0.40
1914	0.13	0.22	0.24
1915	0.13	0.13	0.40
1916	0.16	0.26	0.40
1917	0.12	0.55	0.40
1918	0.13	0.49	0.56
1919	0.14	0.29	0.40
1920	0.15	n.a.	n.a.
1921	0.13	n.a.	n.a.
1922	0.12	n.a.	0.48
1923	n.a.	n.a.	0.24
1924	0.15	n.a.	0.08
1925	0.15	0.13	0.48
1926	0.14	0.13	0.64
1927	0.14	0.30	0.48
1928	0.16	0.34	0.16
1929	0.13	0.44	0.40
1930	0.13	0.34	0.16
1931	0.14	0.24	0.16
1932	0.13	0.13	0.08
1933	0.13	0.34	-
1934	0.12	0.13	0.16
1935	0.10	0.30	0.24
1936	0.12	0.20	0.16
1937	0.11	0.20	0.31
1938	0.09	0.17	0.47
1939	0.05	0.17	0.15

[131] Statistics obtained in Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), pp 148-50.

1940	0.10	0.17	0.08
1941	0.09	0.07	0.15
1942	0.18	0.03	0.30
1943	0.17	0.10	0.15
1944	0.19	0.03	0.15
1945	0.24	0.10	0.15
1946	0.16	0.03	0.07
1947	0.23	-	0.15
1948	0.13	0.20	0.07
1949	0.11	0.17	0.07
1950	0.11	0.10	0.07

It is also worth examining figures for the crimes of infanticide, concealment of birth and abortion reported to the police in England, Wales, Scotland, Ireland (Twenty-Six Counties) and Northern Ireland reported to the police between 1900 and 1950 and calculated here per 100,000 of population. As we can see from Table 1:1 figures for infanticide cases reported to the police and calculated per 100,000 of population in England and Wales remained quite steady during the first half of the twentieth century with fewer fluctuations than the figures for the Twenty-Six Counties or Northern Ireland.[132] Overall the figures for England and Wales were lower than those for the Twenty-Six Counties and Northern Ireland. Figures for infanticide cases reported to the police increased in Northern Ireland during the years of the First World War and the figures for the future Twenty-Six Counties increased in 1917 and 1918. There was no marked increase for figures for England and Wales during the First World War. Figures for the Twenty-Six Counties and Northern Ireland decreased from 1939 onwards.

[132] Rose's figures in tables 1:1, 1:2 and 1:3 are used as an approximate gauge for rates of infanticide, concealment of birth and abortion per 100,000 of population.

Table 1:2 Concealment of birth cases known or reported to the police per 100,000 of population in England and Wales, Ireland and Northern Ireland[133]

Year	England & Wales	Ireland	Northern Ireland	Scotland
1900	0.21	0.77	1.05	0.11
1901	0.24	0.78	0.81	0.22
1902	0.27	0.75	1.1	0.18
1903	0.22	0.57	0.89	0.35
1904	0.26	0.91	0.97	0.13
1905	0.28	0.88	1.36	0.22
1906	0.31	0.51	0.40	0.35
1907	0.26	0.54	0.56	0.22
1908	0.23	0.89	0.96	0.26
1909	0.31	0.57	0.56	0.19
1910	0.25	0.35	0.4	0.19
1911	0.22	0.76	0.48	0.23
1912	0.21	0.51	0.80	0.23
1913	0.26	0.61	1.04	0.23
1914	0.25	0.65	0.56	0.32
1915	0.29	0.52	1.20	0.19
1916	0.29	0.72	0.96	0.08
1917	0.33	0.75	0.72	0.27
1918	0.27	0.65	1.27	0.21
1919	0.25	0.74	0.80	0.10
1920	0.29	0.19	n.a.	0.25
1921	0.30	0.10	n.a.	0.25
1922	0.29	0.13	0.65	0.22
1923	0.28	0.07	0.64	0.31
1924	0.33	0.33	1.28	0.21
1925	0.25	0.47	1.35	0.04
1926	0.26	0.64	0.80	0.14
1927	0.32	0.71	0.72	0.23
1928	0.26	1.66	0.88	0.31
1929	0.26	1.7	0.56	0.29
1930	0.24	1.6	0.72	0.12
1931	0.25	2.0	0.4	0.1
1932	0.26	1.29	0.72	0.04
1933	0.19	1.28	0.08	0.08
1934	0.18	1.28	0.08	0.2
1935	0.17	0.98	1.18	0.1
1936	0.14	1.48	0.39	0.14
1937	0.17	1.08	0.47	0.06
1938	0.17	1.16	0.03	0.16
1939	n.a.	1.23	0.61	0.12

[133] Statistics obtained in Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), pp 154-56.

1940	0.15	1.22	0.38	0.09
1941	0.20	1.10	0.99	0.13
1942	0.19	1.31	0.75	0.11
1943	0.23	1.32	0.60	0.28
1944	0.29	1.01	0.52	0.21
1945	0.29	1.32	0.29	0.17
1946	0.23	0.85	0.44	0.20
1947	0.16	0.84	0.52	0.14
1948	0.16	0.90	0.22	0.16
1949	0.15	0.94	0.44	0.08
1950	0.09	0.40	0.22	0.08

Figures for concealment of birth cases reported to the police and calculated per 100,000 of population were similar in England, Wales and Scotland throughout the first half of the twentieth century. Overall, figures for Scotland were lower than those for England and Wales. Figures for concealment of birth cases for the Twenty-Six Counties were highest between 1928 and 1945 and in some years ten times as high as figures for England, Wales and Scotland. Figures for Northern Ireland were not as high for the same period although overall concealment of birth figures were higher for Northern Ireland than for England, Wales or Scotland.

Table 1:3 Illegal abortions known or reported to the police per 100,000 of population in England and Wales, Ireland and Northern Ireland[134]

Year	England & Wales	Ireland	Northern Ireland	Scotland
1900	0.03	-	-	-
1901	0.01	-	0.16	-
1902	0.03	-	-	0.02
1903	0.05	-	-	0.02
1904	0.06	-	-	-
1905	0.07	-	-	0.02
1906	0.14	-	-	-
1907	0.09	-	-	-
1908	0.09	-	-	0.11
1909	0.08	-	-	0.11
1910	0.05	-	-	0.04
1911	0.12	-	-	0.13
1912	0.13	-	-	0.06
1913	0.14	-	-	-
1914	0.12	-	-	0.06
1915	0.09	-	0.16	0.08
1916	0.19	0.03	-	-
1917	0.15	-	0.16	0.02
1918	0.24	-	-	0.08
1919	0.20	-	0.08	0.06
1920	0.15	n.a.	n.a.	0.04
1921	0.15	n.a.	n.a.	0.04
1922	0.08	n.a.	-	0.14
1923	0.14	n.a.	0.08	0.06
1924	0.10	n.a.	0.16	0.21
1925	0.22	n.a.	-	0.12
1926	0.14	0.07	0.08	0.14
1927	0.19	0.03	-	0.16
1928	0.29	0.03	-	0.12
1929	0.21	n.a.	0.16	0.14
1930	0.25	n.a.	0.08	0.19
1931	0.25	0.03	-	0.10
1932	0.19	0.03	-	0.10
1933	0.14	n.a.	-	0.53
1934	0.18	n.a.	0.08	0.65
1935	0.29	0.03	0.08	0.40
1936	0.35	0.03	0.24	0.32
1937	0.48	n.a.	-	0.36
1938	0.42	n.a.	0.23	1.8

[134] Statistics obtained in Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), pp 132-34.

1939	n.a.	n.a.	0.08	0.42
1940	0.26	n.a.	0.07	1.28
1941	0.41	n.a.	0.15	0.50
1942	0.82	0.07	0.15	0.21
1943	1.09	0.17	0.75	1.05
1944	1.52	0.34	0.07	1.1
1945	1.08	n.a.	0.07	0.79
1946	0.67	n.a.	0.15	0.61
1947	0.41	-	0.07	0.18
1948	0.45	0.40	-	0.37
1949	0.52	-	-	0.33
1950	0.57	0.07	0.07	0.10

Figures for abortion cases reported to the police and calculated per 100,000 of population remained very low for the Twenty-Six Counties throughout the period. Figures for England and Wales and Scotland were consistently higher. Abortion figures were highest for England and Wales from the mid 1930s onwards and from the early 1930s onwards in the case of Scotland. While figures for Northern Ireland were much lower than those for England and Wales and Scotland more overall, more cases of abortion were reported to the police in Northern Ireland than in the Twenty-Six Counties. It is important to bear in mind that the figures in tables 1:1, 1:2 and 1:3 probably only reflect a minimum of the numbers of abortions, infanticides and concealment of births that actually occurred and as Rose has observed, 'differing probabilities of offences being reported to/by the police in these four cultures no doubt did/do exist – the evidence is nevertheless consistent with the supposition that unwanted Irish pregnancies have to a greater extent been historically more likely to end in post-natal fatalities than elsewhere in the British Isles.'[135] Rose's research on the cross-cultural comparison of abortion, infanticide and concealment of birth crime rates known or reported to the police in England and Wales, Ireland (Twenty-Six Counties), Northern Ireland and Scotland has shown that while the Twenty-Six Counties had 'the lowest enumeration of illegal abortions, so far as was known or reported to the police, it has also had during this same period higher rates of infanticide, concealment of childbirth and abandonment of children under two years of age than any of the other areas investigated in the British Isles.'[136] Northern Ireland, Rose noted, 'is a

[135] Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the Republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), pp253-4.
[136] Rose, R.S., 'Induced Abortion in the Republic of Ireland', in *British Journal of Criminology*, vol. 18, no. 3, (1978), p253.

close second in respect to infanticide and concealment'.[137] Rose attributed the higher rates of infanticide and concealment of birth in the Twenty-Six Counties to 'a Church inspired lack of adequate primary fertility control coupled with an over-riding fear of stigmatisation in ever being classified as an "unwed mother."'[138] This thesis will compare and contrast the experiences and motivations of single Irish women who sought illegal abortions with the far larger numbers of unmarried Irish women who were charged with infanticide or concealment of birth.

In their introduction to *Sexual Cultures in Europe: National Histories*, Eder, Hall and Hekma stated that trial records 'rarely quote the words of the persons concerned or their everyday language.'[139] This is not the case with most of the judicial records of abortion or infanticide trials that came before the courts in Ireland between 1900 and 1950. In fact, the words of single mothers suspected of having killed or concealed the births of their illegitimate infants are quoted extensively in the records of these trials. The following example from a concealment of birth cases tried in Co. Donegal in 1909 gives some indication of the kind of colourful dialogue captured in many judicial files. When Mary K.'s [47] neighbour Catherine McBride arrived to assist her after she had given birth, Mary denied that she had given birth to a full-term infant, claiming that 'it did not come to its time.'[140] However, when Catherine examined the body and realised that it was a full-term infant she reacted angrily and in her evidence recalled how she had said 'to Mary do you mean to blindfold me you tory you it was plenty for you to have the sin of getting it and not to do away with it.'[141]

Muir has argued that because 'documents generated by the forces of authority systematically distort the social reality of the subaltern classes, then an exceptional document, especially one that records the exact words of a lower-class witness or defendant, could be much more revealing than a multitude of stereotypical sources.'[142]

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[137] Ibid., p253.

[138] Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the Republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), p174.

[139] Eder, Franz X., Hall, Lesley, and Hekma, Gert. (eds.), *Sexual Cultures in Europe: National Histories*, p6.

[140] N.A.I., IC 48 39, Co. Donegal Crown Files at Assizes 1909 – 1911.

[141] Ibid.

[142] Muir Edward, 'Introduction: Observing Trifles' in Muir, Edward and Ruggiero, Guido, (eds.), *Microhistory and the Lost Peoples of Europe*, pxvi.

The records of infanticide trials that capture the actual words of single working-class women suspected of having killed their illegitimate newborns are, in many ways, far more revealing than documents on unmarried motherhood produced by the clergy or individuals associated with charitable organisations that dealt with single mothers and their offspring. The historical study of infanticide and abortion in Ireland can shed new light on areas of historical understanding such as gender, sexual behaviour, family dynamics, policing and living and working conditions in Ireland between 1900 and 1950. The records of infanticide trials offer insight into diverse aspects of the lives of young single Irish women during the first half of the twentieth century. The depositional evidence contained in these files often indicate how cases came to police attention and demonstrate how the police dealt with single women suspected of having killed or concealed the birth of their illegitimate infants. Case records also shed some light on how unmarried women coped with the pressure of concealing a pregnancy and of giving birth alone and reveal that some women who were suspected of having killed or concealed the birth of their illegitimate infants attempted to commit suicide. Much can be learned from the records of infanticide and abortion cases about the social and economic conditions of working-class women, their living conditions and in some cases, family life in Ireland during the period. In her deposition Mary M. [15], who stood trial for the concealment of birth of her daughter's illegitimate infant in 1901, said that she shared a bed with her daughter Bridget and another woman. 'She said she slept in the same bed as her and Nancy Bradley and that she could not be in the family way without her noticing it...'[143] Katherine N. [P. 188] shared a bed with her two sisters and she said that her parents also slept in the same room but in a different bed.[144]

Many of the single women charged with murder or concealment of birth came from extremely poor backgrounds. The doctor who examined Margaret F. [P. 141], a single woman who was charged with murder and concealment of birth in June 1943, said that 'the conditions in [her] house were very filthy, with dust and dirt.'[145] He also stated that 'there was no proper bed in the house.'[146] A number of infanticide files include the plans of the houses in which the defendants lived or worked and several files also contain photographs of houses, bedrooms and the areas in which infants' bodies were discovered.

[143] N.A.I., IC 48 36, Co. Donegal Crown Files at Assizes, 1900 – 1902.
[144] N.A.I., Central Criminal Court., [hereafter C.C.C.], ID 29 1, Co. Cork, 1948.
[145] N.A.I., C.C.C., ID 22 84, Co. Mayo, 1943.
[146] Ibid.

Much can be gleaned from the records of the trials about the living and working conditions of domestic servants. While servants would generally have slept in areas apart from their employers, Mary C. [P. 41], who was employed as a domestic servant by a Co. Wexford farmer in 1928, slept in the same bed as her employer, his son and daughter.[147]

A small number of the judicial files examined in this thesis contain letters or notes written by single women implicated in infanticide and abortion cases during the period under review. Such records, unlike the statements made by women charged with infanticide or suspected of having sought an illegal abortion, were written freely and were not shaped or influenced by the authorities. Some of the letters, several of which were used as exhibits in infanticide and abortion trials are difficult to interpret, not only because the handwriting in some letters is almost illegible and they are littered with misspellings and devoid of punctuation, but also because a number of the letters and notes exist in isolation. They do not, in most instances, form part of a series of correspondence between two individuals and even when they are read alongside the depositions and statements included in the trial records, the incidents, people and places referred to in the letters and notes remain obscure.

Five examples will suffice. The letters Karmel M. [A. 12] wrote to the man responsible for her pregnancy asking him for financial assistance and later thanking him for his help are lucid and easy to comprehend in the light of the evidence contained in the case against her former boyfriend.[148] However, a letter to Elizabeth E. [P. 121] from the father of her infant included among the documents in the state file in the case against Elizabeth and her sister Rose for the murder of Elizabeth's infant daughter presents more of a challenge to the researcher. The letter is a rare example of a document written by the father of an illegitimate infant whose death was being investigated. However, the poor spelling and references to private incidents make it difficult to comprehend. As the letter is not dated properly it is unclear whether the father of Elizabeth's baby wrote to her during her pregnancy or after the birth. He appeared reluctant to return to the area they were from. He said that he 'wood [sic] hang before I do that.'[149] He told her that if she

[147] N.A.I., C.C.C., IC 90 27, Co. Wexford, 1928.
[148] N.A.I., C.C.C., ID 24 139, Dublin, 1944.
[149] N.A.I., C.C.C., ID 56 24, Co. Roscommon, 1934.

didn't like that 'you can please yourself.'[150] He also suggested that Elizabeth move to England for a few years. Towards the end of the letter he said 'for god sace [sic] don't have it to come down here for if the[y] here it at home I will drown myself.'[151] Tom may have been anxious for Elizabeth's pregnancy to remain a secret. He seemed to have been unsupportive of her and determined to keep his family from learning about the pregnancy. However, given the manner in which the letter was written and without Elizabeth's initial letter to Tom, it is not possible to draw any definite conclusions about the nature of the young couple's relationship.

Mary Anne D. [P. 112] was charged with the murder of her illegitimate infant in April 1936. Mary Anne returned to her mother's home with her baby after giving birth in a nursing home. She led her mother and brothers to believe that she was married. Prior to the death of her infant daughter Mary Anne wrote a letter to a former boyfriend, a man who was not the father of her illegitimate infant, asking him to visit her in her mother's house and to pretend that he was her husband because she had 'told [her] mother and the lads that [she] was married.'[152] Mary Anne told Peter that if he didn't agree to come to visit her 'it will be hard for me I might have to go to a hom [sic].'[153] She said that if he agreed to act as her husband she would never forget him and she also sent him some money along with the letter. The letter was included as Exhibit 'P' in the case against Mary Anne D. and her brother Martin. It illustrates the lengths to which unmarried women like Mary Anne, who had given birth outside wedlock, were prepared to go to in order to prevent people from gossiping about them and to preserve their own reputations.

The most shocking letter included in the judicial records of infanticide and abortion trials involving single Irish women is a letter written by Margaret H. to her daughter Annie [P. 6] an unmarried woman who had given birth in the county home in Monaghan, advising her to smother her illegitimate infant. Margaret told her daughter 'that its not hard two do if you would take currage [sic]' and instructed her to 'turn it over on its face and throw yourself across [sic] it yoou [sic] could d that no matter whoo [sic] was in the room.'[154]

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[150] Ibid.
[151] Ibid.
[152] N.A.I., C.C.C., ID 56 30, Co. Mayo, 1936.
[153] Ibid.
[154] N.A.I., C.C.C., IC 79 25, Co. Monaghan, 1924.

Annie was subsequently charged with the murder of her infant and her mother Margaret was charged with being an accessory both before and after the fact.

Mary Kate M.'s [P. 140] sister Agnes wrote to her after she was charged with the murder of her illegitimate infant in April 1943. The letter penned by Mary Kate's sister highlights the tension criminal trials could cause within families and the sense of anger and shame felt by the close relatives of single women who were suspected of having murdered their newborn infants. In her letter Agnes told her sister that she had 'ruined us', and she referred to the consequences Mary Kate's actions could have on other members of the family. Agnes said that Bridie might 'be put out of the Nuns over it.'[155] An unidentified man told Mary Kate's sister that they 'were an awful family and feels sorry for Paddy to have anything to do with [her].'[156] The man also told Agnes that she 'was thick not to notice [Mary Kate] when [she] was out that [she] had a belly as two now and now [she] [has] it lost and racked and looking white as a sheet.'[157]

The convict reference files for single women convicted of murder or concealment of birth often contained petitions written by the women themselves to the Lord Lieutenant asking to be released before completing their prison sentences. This will be explored in greater detail in chapter two. The records of infanticide cases trials also indicate whether women charged with the murder or concealment of birth and their relatives and neighbours could read or write. Some were illiterate and were unable to sign their names to their statements or depositions. It is clear from the letters, notes and petitions in these files that many had attained a basic level of literacy. However, most women that feature in the judicial files would have been unaccustomed to letter writing or expressing themselves in a formal manner. The differences between the female petitioners and the men in positions of authority within the prison system and the administration in Dublin Castle in terms of education and class background are very evident in the prisoners' correspondence.

As Mark Jackson has observed in relation to sources for the study of the social history of infanticide in mid-nineteenth-century England, 'the narratives contained in depositions were clearly constrained by the law: their form and content were strongly influenced by

[155] N.A.I., C.C.C., ID 22 83, Co. Galway, 1943.
[156] Ibid.
[157] Ibid.

the interests of the local official and his clerk and they were produced to conform to procedural guidelines and statutory directions.'[158] He has argued however that 'in spite of these limitations, depositions can provide invaluable historical information about the generation of suspicions locally, about the motives for prosecution, about the manner in which suspects were interrogated and examined, and about the ways in which evidence of murder was accumulated and evaluated by coroners, magistrates and medical witnesses.'[159] This is also evident in the records of infanticide cases tried in Ireland during the first half of the twentieth century. The structure of depositions and statements submitted by defendants and their relatives, employers and neighbours and the manner in which suspects were interrogated will be referred to in the samples examined throughout this thesis in so far as the records allow.

Inglis has noted that 'the history of Irish sexuality remains a relatively hidden, secretive area'[160], and has suggested that 'the reason why this subject has been ignored by historians is that there is an absence of revealing historical records and archives.'[161] In her survey, 'Public Discourse, Private Reflection, 1916 – 70', Howes has stated that 'Irish sexual culture was almost certainly more diverse and less isolated than many commentators thought.'[162] Having noted that 'the available written materials do not represent all aspects of Irish sexual culture and behaviour adequately,' Howes has argued that while marginalized intellectuals have been over-represented, 'the sexual ideologies and activities of travellers, landless labourers and the urban poor are under-represented.'[163] While historical sources on sexuality in Ireland are no doubt limited, sources that are available have been under-utilised. The records of infanticide and abortion trials indicate, as McAvoy has suggested, that there was a section of society in post-independent Ireland 'identified by a number of observers as working class, whose sexual behaviour was not influenced by the dominant middle-class, Catholic sexual

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[158] Jackson, Mark, 'Fiction in the Archives? Sources for the Social History of Infanticide' in *Archives,* Vol. 27, No. 107, (2002), p181.
[159] Ibid, p181.
[160] Inglis, Tom, 'Origins and Legacies if Irish Prudery: Sexuality and Social Control in Modern Ireland' in *Éire Ireland*, Vol. 40, Nos. 3 & 4, (2005), p9.
[161] Ibid., p10.
[162] Howes, Marjorie, (ed.) 'Public Discourse, Private Reflection, 1916 – 70' in Bourke, Angela, Kilfeather, Siobhán, Luddy, Maria, MacCurtain, Margaret, Meaney, Geraldine, Ní Dhonnchadha, Máirín, O'Dowd, Mary, Wills, Clair, (eds.), *The Field Day Anthology of Irish Writing: Irish Women's Writing and Traditions*, Vol. IV, p927.
[163] Ibid.

values.'[164] The level of detail captured in the judicial records of infanticide and abortion trials varied considerably, but trial records nonetheless remain one of the most revealing documentary records of sexual behaviour among working-class Irish women during the period under review. This aspect of the history of Irish women will be explored throughout this thesis.

It is clear from the records of infanticide cases that many single women who became pregnant during the period under review were poor and marginalised and some appear to have been vulnerable. Thus while the records of infanticide cases can contribute to our understanding of the history of unmarried working class women who had to deal with an unplanned pregnancy, they reveal little about the experiences of women from more affluent backgrounds. It is more difficult to find sources that document the experiences of unmarried middle-class Irish women who gave birth during the first half of the twentieth century. The records of Mary Anne Cadden's trial for child abandonment and for obtaining money by false pretences in April 1939 provide a rare glimpse into the manner in which single women from wealthier backgrounds dealt with an unplanned pregnancy. The relatives of two unmarried women who were due to give birth in the private nursing home run by Nurse Cadden in Rathmines paid her fifty pounds in March 1938 to have the babies adopted by a community of nuns. The Gardaí suspected that Cadden had kept the money and abandoned the infants. The unmarried mothers and their relatives who paid Cadden her fee to arrange the adoption gave depositions. Both the unmarried women who had given birth in Cadden's private nursing home explained that they had been anxious to avoid publicity and scandal and as their relatives provided them with money to pay for private medical care they were able to keep the birth of their infants a secret from family and friends. Annie H. told the Gardaí that she only saw her baby once and 'never wanted to see it again.'[165] Annie's aunt said that she wanted to have the baby adopted so that the 'shame' would 'be buried as quickly as possible.'[166] Mary Kate C.'s brother covered the cost of her stay in Cadden's nursing home and he also paid Cadden fifty pounds to have his sister's baby adopted. Mary Kate was also anxious to get rid of her baby. She said that she 'did not want to see the child again... [She] wanted to forget all about [her] shame and [she] did not want the people in the County to know anything

[164] McAvoy, Sandra, 'The Regulation of Sexuality in the Irish Free State, 1929 – 1935' in Malcolm, Elizabeth, and Jones, Greta, (eds.) *Medicine, Disease and the State in Ireland, 1650 – 1940,* p264.
[165] N.A.I., C.C.C., ID 11 95, Dublin, 1939.
[166] Ibid.

about it.'[167] Many unmarried middle-class women who became pregnant in Ireland during the first half of the twentieth century may have given birth in private nursing homes and arrange to have their babies privately adopted. However, records of these kinds of cases rarely surface.

This thesis, which is primarily concerned with the history of unmarried Irish mothers who were charged with infanticide between 1900 and 1950, is divided into six chapters. Five of these chapters examine the records of infanticide cases involving single women while the sixth looks at unmarried women who aborted or attempted to abort in Ireland and in England during the first half of the twentieth century. While this thesis centres on the discussion of the actions of unmarried women it also explores, as far as the sources allow, the actions and attitudes of the relatives and the male partners of these women. Chapter two focuses on the judicial records of cases involving unmarried women and their relatives who were charged with the murder or concealment of birth of their illegitimate infants in Ireland, from 1900 to 1920 in cases tried in the six counties of the North-East, and from 1900 to 1921 in cases tried in the remaining twenty-six counties. A discussion of the ways in which infanticide cases involving unmarried women were dealt with in Ireland before independence, and the manner in which single suspects were apprehended, questioned and sentenced is central to this chapter. This chapter will assess the prevalence of infanticide in Irish society between 1900 and 1920/21, contrast acquittal rates and compare the kinds of sentences handed down to single women convicted of the murder or concealment of birth of their illegitimate infants both before and after independence. Chapter three is based on an analysis of the records of cases tried in the Central Criminal Court in Dublin between 1922 and 1950 where unmarried women, their relatives or the fathers of their illegitimate infants were charged with the murder or concealment of birth of their illegitimate infants. Many of the themes explored in chapter two will also be scrutinised in chapter three so that continuities and changes in infanticide cases that were tried in Ireland can be compared over time. Chapter four examines the records of infanticide cases involving single women and their relatives that went before the courts in Northern Ireland between 1920 and 1950 and will explore both the differences and the similarities between infanticide cases that were tried in Northern Ireland between 1920 and 1950 and cases that were tried in the twenty-six counties after

[167] Ibid.

independence. Legislative differences in the two jurisdictions and divergences in terms of sentencing patterns will be among some of the key themes discussed in chapter four. The experiences of single Irish women who were charged with infanticide in Britain will be explored in chapter five. Chapter five will also discuss various aspects of infanticide and concealment cases involving single British women and compare them with cases tried in Ireland during the first half of the twentieth century. The final chapter of the thesis will compare the experiences of single women who terminated or attempted to terminate an unplanned pregnancy between 1900 and 1950 and single women who killed or concealed the births of their illegitimate newborns.

Chapter 2: Poor unfortunate girls?[1]: Unmarried mothers and infanticide in Ireland, 1900 - 1921

To date, most studies on infanticide in Ireland during the first half of the twentieth century have been primarily concerned with the period from 1922 to 1950. Relatively little attention has been paid to the experiences of unwed mothers who were charged with the murder or concealment of birth of their infants during the first two decades of the century. This chapter will explore a sample of the judicial records of infanticide cases that were tried in Ireland between 1900 and 1921.[2]

The records of infanticide trials contain a wide range of voices. The statements of single women who were charged with the murder or concealment of birth of their illegitimate infants as well as the depositions of their relatives, co-workers, employers and neighbours will be scrutinised in order to provide a detailed understanding of the social and economic circumstances of unmarried women suspected of killing their illegitimate infants. Evidence submitted by members of the police force and the medical professionals who came into contact with the women in this sample will also be explored.

This chapter will address issues relating to infanticidal women such as their motivation and mental health, and the degree of involvement of family members in suspected cases of infanticide. Statistical information relating to the murder and concealment of birth of infants aged one year and under will also be examined. How did figures for the murder of infants aged one year and under and figures for concealment of birth in Ireland in the pre-independence period compare with the recorded figures for the period 1922 to 1950? Sentencing patterns in infanticide cases will also be explored and compared with trends in other jurisdictions and in other periods. This leads to the critical questions as to whether women convicted of the murder, manslaughter or concealment of birth of their

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[1] According to the *Evening Herald*, at Hannah K.'s [1] trial for the murder of her illegitimate infant in September 1900 the judge said that he had 'never tried a case in which he felt more sorrow and grief and compassion with a poor unfortunate girl who had been wronged by a man named Burns.' (*Evening Herald*, 17 Sept. 1900).

[2] I use the term 'infanticide' where appropriate throughout the thesis even though in terms of legislation there was no separate charge of infanticide in England and Wales and Northern Ireland until 1922 and infanticide legislation was only passed in the Twenty-Six Counties in 1949. However, the murder of infants was commonly referred to as infanticide in Britain and Ireland during the period under review. The term 'infanticide' was also often used in newspaper reports on the murder of infants.

illegitimate infants were dealt with more leniently in the earlier part of the twentieth century, and were there any discernable differences in sentencing patterns in the decades before and after independence.

McAvoy has noted that 'under Section 1 of the 1861 Offences Against the Person Act, a murder conviction carried a mandatory death penalty unless a plea of insanity was accepted, or the accused was under sixteen years of age.'[3] In what became the Irish Free State this remained in force until 1949: there was to be no separate legislation dealing with the murder of infants despite legislative developments in Britain. Legislation relating to infanticide was passed in Westminster in 1922 and in 1938, and this legislation applied to Northern Ireland. But before 1922 it was the 1861 act that covered all facets of infanticide. Many women in this sample were also charged with concealing the births of their newborn infants. 'The offence of concealment of birth was retained under Section 60 of the 1861 Offences Against the Person Act. It was classed as a misdemeanour, not a felony, and carried a maximum penalty of two years imprisonment.'[4]

Lysaght has observed that 'at the start of the twentieth century a significant number of homicide victims were babies'.[5] This is certainly the case. There was an average of fourteen cases per annum across Ireland where infants aged one year and under were murdered recorded by the police between 1900 and 1909.[6] Between 1910 and 1919 the average was the same. The average number of concealment of birth cases known to the police was consistently higher than figures for the murder of infants. Between 1900 and 1909 there was an average of thirty-four cases per annum across Ireland known to the police; between 1910 and 1919 the average declined slightly with an average of thirty concealment cases per annum.

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[3] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p276.
[4] Ibid., p292.
[5] Kennedy, Finola, *Cottage to Crèche: Family change in Ireland,* p38.
[6] Information on the number of crimes known to the police in Ireland between 1900 and 1919 was obtained in the annual parliamentary reports on Judicial Statistics of Ireland. See *General Index to the Bills, Reports and Papers Printed by Order of the House of Commons and to the Reports and Papers Presented by Command 1900 to 1948-49*, (London, 1960), pp381-383.

Table 2.1 Number of murder and concealment of birth cases known to the police in Ireland 1900 - 1919

Year	Murder of infants < 1 year	Concealment
1900 – 1904	81	181
1905 – 1909	61	155
1910 – 1914	58	131
1915 – 1919	80	166

Between 1900 and 1909 there was an average of eleven cases per annum in the future Twenty-Six Counties where infants aged one year and under were murdered as recorded by the police. Between 1910 and 1919 the average for the area stood at ten cases. Published crime statistics are not available for the years 1920 to 1926. However, McAvoy's research on infanticide has shown that the Annual Reports of the Registrar General which were prepared on a twenty-six county basis can provide some information on the level of infanticide during this gap period. 'The 1923 report registered 9 cases; the 1924 report, 16 cases; the 1925 report 9 cases; and the 1926 report 20 cases.'[7] There were nineteen cases where infants aged one year and under were known to the Gardaí in the Irish Free State in 1927, ten in 1928 and thirteen in 1929.[8] The averages for the ten-year periods 1930–1939 and 1940–1949 were lower: the average for 1930–39 was seven and for 1940 – 1949 three. In 1950 six cases where infants aged one year and under were murdered were known to the Gardaí and three infanticide cases were listed as being known to Gardaí that year.

However concealment of birth offences recorded as being known to the Gardaí were higher for the Twenty-Six Counties from 1927 to 1950 than was the case from 1900 to 1919. An average of twenty-three concealment of birth cases per year were recorded as being known to the police between 1900 and 1909. The average dropped slightly in the

[7] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p279.
[8] Information on the number of crimes known to the Gardaí in the Twenty-Six Counties from 1927 onwards was obtained in O'Donnell, Ian, O'Sullivan, Eoin, Healy, Deirdre (eds.), *Crime and Punishment in Ireland 1922 - 2003: A Statistical Sourcebook*, pp2-11.

following decade to nineteen cases per year, but forty-one cases were recorded in 1927, forty-nine in 1928, while in 1929 there were fifty concealment of birth cases. Between 1930 and 1939 there was an average of forty cases, with a decline to thirty-two during the 1940s. Only two such cases were recorded as being known to the Gardaí in 1950.

In the early years of the century the judiciary were clearly concerned about the numbers of women who were standing trial for the murder or concealment of birth of their newborn infants. Passing sentence on Hannah M. [43][9] in December 1909, Mr Justice Wright stated that 'probably there was a great deal too much of that kind of crime going on throughout Ireland.'[10] Hannah was convicted of concealment of birth and sentenced to fifteen months' imprisonment with hard labour. However, concern about moral decline evidenced by the growing numbers of single mothers in Ireland seems to have been expressed more frequently and more forcefully in post-independent Ireland. This may be partly due to the increase in the concealment of birth cases in post-independent Ireland, but there was also a sense that parental authority over young people had been reduced. Finnane has suggested that Ireland and the Irish government may have been overly 'obsessed with sex to the detriment of other social scars' in the decades following independence.[11] The Catholic Church also became increasingly vociferous on the theme of declining standards of morality in the new Ireland. As McKenna has noted, 'after independence, the Catholic church developed an almost obsessive concern with what is perceived to be declining moral standards in Ireland.'[12]

The sample used for this chapter is based on the records of ninety-five murder and concealment of birth cases involving single women that came before the assizes in twelve counties.[13] It was decided to limit the sample for this study and to study the assize records for murder and concealment of birth cases in what is hoped is a representative spread of counties: Dublin city and county, Co. Carlow, Co. Louth, Cork city and county, Limerick city and county, Co. Clare, Co. Leitrim, Galway city and county, Co. Donegal,

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[9] The full names of individuals in cases quoted in this chapter are available in the original material. For purposes of clarity I have assigned a number to each case.

[10] N.A.I., Convict Reference File/1910/M52.

[11] Finnane, Mark, 'The Carrigan Committee of 1930–31 and the "moral condition of the Saorstat," ' in *Irish Historical Studies* XXXII, no. 128 (2001), p535.

[12] McKenna,Yvonne, 'Embodied Ideals and Realities: Irish Nuns and Irish Womanhood, 1930s – 1960s' in *Éire Ireland,* vol. 41, no. 1, (2006), p43.

[13] One woman in this sample, Kate H. [39], was married. However, as she married during her pregnancy and the man she married was not the father of her baby, it was decided to include her in this sample.

Co. Down, Co. Armagh and Belfast city. The sample includes ten convict reference files of unmarried women charged with the murder or the concealment of birth of their newborn infants. This study also draws on newspaper accounts of infanticide trials and on command papers for statistical information for the period up to 1920.[14]

McLoughlin has noted that 'it is very difficult to quantify the extent of infanticide in nineteenth-century Ireland, as only a small number of culpable mothers were actually sent for trial'.[15] This remains true for early twentieth-century Ireland. The recorded police figures for the murder of infants and concealment of birth probably represented only a minority of those crimes that were committed annually in Ireland. As Dickinson and Sharpe noted in their study of infanticide cases tried at the Court of Great Sessions in Chester between 1650 and 1800, 'the infanticides which came to court can only have been a sample, and possibly a skewed sample, of those carried out.'[16] Moreover, they have also emphasised the fact that infanticide cases which resulted in formal prosecution 'were an uncertain but probably small proportion of the total that were committed.'[17] This must also be borne in mind in any discussion of infanticide cases tried in Ireland between 1900 and 1950.

Many single women were charged with abandoning their illegitimate infants in Ireland during the period under review but the sample used in this chapter does not include abandonment cases, even though in some instances the abandonment or the neglect of infants by their mothers may have been tantamount to infanticide. These cases indeed provide considerable insights into the material circumstances of poor unmarried women with young infants who struggled to raise their offspring but were, in many cases, unable to cope with an unwanted pregnancy and the burden of caring for and feeding a child in

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[14] See appendix A p327 for further information about suspected cases of infanticide that came to light between November 1920 and December 1921.

[15] McLoughlin, Dympna, (ed.), 'Infanticide in Nineteenth-Century Ireland' in Bourke, Angela, Kilfeather, Siobhán, Luddy, Maria, MacCurtain, Margaret, Meaney, Geraldine, Ní Dhonnchadha, Máirín, O'Dowd, Mary, Wills, Clair, (eds.), *The Field Day Anthology of Irish Writing: Irish Women's Writing and Traditions, Vol. IV*, p915.

[16] Dickinson, J.R., Sharpe, J.A., 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650 – 1800' in *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p49.

[17] Ibid., p43.

unfavourable conditions and who eventually resorted to infanticide.[18] However, this phenomenon lies beyond the scope of the present study.

In all 900 cases of murder where the victims were aged one year or under or of concealment of birth were recorded as being known to the police in Ireland between 1900 and 1919. The highest percentage of cases using the population figures for the 1911 census occurred in Munster and Leinster with an average of 1.13 cases each reported to the police per 100,000 between 1900 and 1919. Ulster had on average for the same period a rate of 1.03 cases per 100,000 of population. The lowest number of recorded cases occurred in Connacht with an average of 0.66 cases reported to the police per 100,000 of population. The highest number of recorded cases occurred in urban areas. A total of one hundred and six cases occurred in Belfast, while eighty-six occurred in the Dublin Metropolitan Police District area.

As Dickinson and Sharpe have noted in their study of infanticide in Chester between 1650 and 1800, child victims were generally killed at birth and the gender of the infant was not a factor.[19] Almost all infants in this early-twentieth century sample were killed at birth or shortly afterwards, and the gender of an illegitimate infant was again not a factor. The sex of the illegitimate infants in this sample was recorded in a total of seventy-three cases out of 95.[20] Thirty-eight infants in this sample were male, thirty-six were female. In the vast majority of cases in this sample, infants were killed shortly after delivery, although there were some exceptions. Hannah K.'s [1] infant son was three months old when he was killed in September 1900.[21] Unmarried women who gave birth in a

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[18] For instance, Mary W., alias Laura C., stood trial for the wilful neglect of her child causing death in December 1910. She was unmarried and appears to have been rejected by her family. Her father wrote a letter to her uncle stating that she had disgraced her family. At the time Mary was living with her uncle. However, her father advised her uncle to 'kick her out of the house' (IC 67 2, Co. Louth, Leinster Winter Assizes, 1910). He also said that 'he hoped she would be drowned or killed on the railway or left penniless in Glasgow or Liverpool' (IC 67 2, Co. Louth, Leinster Winter Assizes, 1910). Mary was homeless and was described by an N.S.P.C.C. inspector as a tramp. She had apparently 'tramped' from Co. Down to Dundalk and her six-month old son was reported to have been in a very emaciated condition. Although Mary said that she didn't think she neglected her infant son and claimed that she 'took the best care [she] could of it' an N.S.P.C.C. inspector noted that she was not fond of her son and he felt it necessary to caution her against neglecting him (IC 67 2, Co. Louth, Leinster Winter Assizes, 1910). Many such cases involving poor, unmarried women may have come before the courts in Ireland between 1900 and 1921.

[19] Dickinson, J.R. and Sharpe, J.A., 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650 – 1800' in Mark Jackson (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p49.

[20] This included one set of twins.

[21] Hannah K.'s [1] file is listed in the National Archives of Ireland as CRF 1901/K55 but her file is not contained in file CRF 1901/K55. It is attached to Hannah A.'s [51] file CRF 1911/A11.

workhouse hospital generally killed their infants shortly after they were discharged from hospital.[22] In most cases their infants would have been one or two weeks old when they were killed.

2.1 Women's lives

Little is known about the lives of the single women who stood trial for the murder or concealment of birth of their illegitimate infants in Ireland between 1900 and 1921 or about the circumstances in which they gave birth and committed infanticide or concealment of birth, despite the fact that their voices have been captured in the records of the judicial process. The typical unmarried woman who stood trial for the murder or for concealment of birth of her infant was in her mid-twenties and employed as a domestic servant. The age of the women in this sample was recorded in a total of twenty-nine cases. The average age of single women charged with murder or concealment of birth in this sample was twenty-four. Information relating to the occupation of the women in this sample was available in a total of fifty cases. The vast majority were employed as domestic servants.[23] One woman was employed in a laundry, one woman worked in a factory and another listed her occupation as weaver. Two women worked as shop assistants and one woman was employed as a 'wardswoman' in a workhouse.

Half of the single women charged with the murder or concealment of birth of their illegitimate infants in the Irish Free State in 1925 and 1926 in Ryan's sample were employed as domestic servants.[24] She has argued that the high rate of infanticide by unmarried domestic servants can be attributed to the nature of their work: 'after all an illegitimate child could cost them not only their employment, but also the roof over their heads, leaving them at the mercy of the workhouse.'[25] Moreover, according to Ryan, servants had a high risk of being caught as they generally lived in restricted quarters within their employer's household and would have had relatively few opportunities to conceal a birth.[26] Ryan has also suggested that there was a class dimension to the infanticide cases reported in the Irish press; she as argued that the women who were charged and tried were either domestic servants or poor women who lived in rural areas.

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[22] N.A.I., CRF/1911/A 11.
[23] Thirty-nine women in this sample worked as domestic servants. Three women were employed as cooks. Two women was employed as maids in hotels.
[24] Ryan, Louise, 'Infanticide in the 1920s', p142.
[25] Ibid.
[26] Ibid.

Unmarried middle-class women, according to Ryan, would have had more options available to them at the time: it would have been easier for them to arrange a private adoption. Ryan has also argued that 'respectable' middle-class women would have been less likely to have been suspected of 'any unsavoury activity' in the first place.[27]

In her study of infanticide in twentieth-century Canada, Kramar has argued that 'since the loss of a servant girl's reputation had catastrophic economic and social consequences, it seems reasonable to infer that domestic servants were more likely than were single women employed in other occupations to conceal pregnancy and to commit maternal neonaticide.'[28] Similarly in his study of infanticide in Britain between 1800 and 1939 Rose has argued that single women employed as domestic servants were 'particularly vulnerable if they became pregnant, as it would mean instant dismissal without references; for this reason they figure so prominently in the story of infanticide; a factory worker could deposit her baby with a daily minder, and her employer need not know, less care.'[29] And according to Hearn, 'a reference was absolutely essential when a servant was seeking work.'[30] Servants may have been motivated to kill their illegitimate newborns because they feared that immediate loss of employment would result if their employers learned that they were pregnant. But it was also much more likely that servants who gave birth secretly and hid the infant's body would have been discovered by their employers, as they generally lived in the same household.

In a report written about Bridget R. [58] who was convicted of concealment of birth in March 1912, an R.I.C. sergeant stationed in Enniskerry, Co. Wicklow stated that 'the standard of morality among the people of her class here is, unfortunately, very low.'[31] He felt that it required 'legal punishment to remind such people that the action of this girl, or others who might act similarly, is wrong.'[32] In Ireland, poor, working-class women may not have been as influenced by church teaching or by the notions relating to respectability and appropriate feminine behaviour held by their middle-class

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[27] Ibid, p145.
[28] Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada,* pp26 – 27.
[29] Rose, Lionel, *The massacre of the innocents: Infanticide in Britain 1800 – 1939,* p19.
[30] Hearn, Mona, 'Life for Domestic Servants in Dublin, 1880 – 1920' in Luddy, Maria and Murphy, Cliona, (eds.), *Women Surviving: Studies in Irish Women's History in the 19th and 20th Centuries,* p167.
[31] N.A.I., CRF R 26/1912. Bridget R. [19] stood trial for concealing the birth of her illegitimate infant in March 1912.
[32] Ibid.

counterparts. As Weeks has pointed out in discussing English patterns, ''chastity' may not have had the same social meaning for a working-class girl, accustomed to different courtship and marriage patterns, as for a middle-class young lady.'[33]Julia S. [73] was regarded by members of the community in which she lived in Castleisland, Co. Kerry as a woman of 'loose morals.'[34] Twenty-two year old Julia was unmarried but had given birth twice. Indeed, many women in this sample would not have conformed to Catholic, middle-class ideals of femininity and respectability. At least two women in this sample had had previous convictions. Hannah A. [51] had been convicted of concealment of birth seven years before she was convicted of the murder of her infant daughter and sentenced to death in July 1910.[35] Anne L. [3] had been charged with being drunk and disorderly seven months before she was charged with concealing the births of her twin infants in Dublin in August 1900.[36] At least one of the birth mothers in this sample was herself illegitimate. In her deposition Annie T.'s [86] mother confirmed that her twenty-four year old daughter, who was charged with the murder of her illegitimate male child in October 1917, was illegitimate.[37] Annie T. had already given birth to an illegitimate child. Annie and her mother may have been regarded with suspicion and looked down upon by other members of their community in Balbriggan, Co. Dublin. Rumours had been circulating about Annie's pregnancy prior to her arrest.

Mary M.'s [81] family were described as being 'of the labouring class'.[38] Indeed, many, if not most, of the women in this sample would have been from the lower socio-economic layers of Irish society. While it was noted that although Bridget R.'s [58] father was a labourer, the family were, according to Sergeant Duffy, 'comfortable and in good circumstances for people of the class'.[39] However not all women in this sample were comfortable or in good circumstances: Bridget L. [15] slept in the same bed as her mother and another woman not related to her.[40] Maria O. [32] and her brother John lived in a house that contained only two small rooms near Ahascragh, Co. Galway.[41] According to police evidence the bedroom measured about nine feet square and the

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[33] Weeks, Jeffrey, *Sex, Politics and Society: The Regulation of Sexuality since 1800,* p61.
[34] N.A.I., CRF S 2/1916.
[35] N.A.I., CRF/1911/A 11.
[36] N.A.I., IC 14 13, Dublin, Crown Files at Quarter Sessions, 1900.
[37] N.A.I., IC 70 51, Leinster Winter Assizes, December 1917.
[38] N.A.I., CRF M 37/1916.
[39] N.A.I., CRF R 26/1912.
[40] N.A.I., IC 48 36, Co. Donegal, Crown Files at Assizes, 1900 – 02.
[41] N.A.I., IC 20 4, Co. Galway, Crown Files at Assizes, 1905 – 06.

kitchen measured approximately ten feet square. In her petition Mary explained that her mother had 'a very small farm'.[42] There were, of course, some exceptions. For instance, Agnes M. [62] was described as being 'a tall well dressed girl wearing a broad hat'.[43] Her family may have been in reasonably prosperous circumstances as Agnes was able to afford to stay in a boarding house in Dublin for six weeks and to travel from Dublin to Killaloe by train. Agnes received a well-written letter in an elegant hand from her mother while she was in Dublin. The letter indicates that Agnes' family may have been well educated, and probably middle-class rather than working-class.

Some women in this sample were under pressure, not only to support themselves but to provide for other family members, even though they were often poorly paid. Hannah K.'s [1] aunt and sister were both described as imbeciles and they were apparently 'so weak minded that they could do nothing for their own support'.[44] Hannah was obliged to work in order to support them. Following the birth of her son Hannah placed him with a nurse but had to pay 'a good deal for its support'.[45] Hannah also had to contribute towards sending the father of her baby to America, and soon afterwards her family wrote to ask her to make a contribution towards the cost of her aunt's funeral expenses. According to one report, Hannah felt 'quite overpowered with all the demands on her very slender purse and maddened with shame and grief at what she had done took the infant from the care of its nurse and threw it into the sea'.[46] Indeed, single women whose parents or siblings were poor or infirm seem to have relied on their daughters to care for them and to provide for them. Margaret P. [33] wrote to the Lord Lieutenant in October 1906 to request that her prison sentence be reduced. She stated that her brother was 'not very well in his health' and explained that since her mother's death he relied on her to take care of him.[47] In her petition Mary M. [81] explained that her mother was an elderly woman 'in very delicate health at home and has a very small farm'.[48] Mary said that she was her mother's only help. In a letter to the crown solicitor for Kerry, Julia S.'s [73] father

[42] N.A.I., CRF M 37/1916.
[43] N.A.I., ID 39 135, Co. Clare, Crown Files at Assizes, 1912.
[44] N.A.I., CRF/1911/A 11.
[45] Ibid.
[46] Ibid.
[47] N.A.I., CRF/1906/P17.
[48] N.A.I., CRF M 37/1916.

explained that he 'badly' needed his daughter as he was poor and old. He said that Julia was '[his] whole support'.[49]

Given the economic circumstances of most of the unmarried women in this sample, it seems likely that few of them were able to afford the costs of having a solicitor or a barrister to represent them in court. Information as to whether women in this sample were defended or undefended in court is available for eleven cases in this sample. Eight women were defended in court, while three women were listed as undefended. Women who were unable to afford legal representation would clearly have been at a disadvantage when their case went to trial, and it was the practice for some to be assigned legal representation. It is possible that many more women were assigned legal representation but this was not recorded in the relevant files. Some women who did not have legal representation in court may have cross-examined witnesses themselves.

Some women in this sample appear to have been practically homeless in the latter stages of pregnancy, presumably dismissed from their jobs or turned out from their parents' homes. Norah M.'s brother [65] stated that his sister had no fixed place of residence when she gave birth but went from one friend's house to another.[50] Bridget N.'s [11] employer dismissed her because he suspected that she was pregnant.[51] Bridget gave birth in the workhouse but had nowhere to go when she was discharged; she seems to have slept outdoors for some time afterwards.

Poor single women found it difficult to raise an illegitimate infant without financial assistance from the baby's father. Some women seem to have struggled to pay a foster mother to mind their infant. In some instances poorly paid women who were unable to maintain such payments eventually took their infants' lives. Mary O. [84] gave her illegitimate daughter to a foster mother a number of weeks after its birth, but she had difficulty in making regular payments to the woman and as the latter 'had not received any remuneration up to 1-3-17 she on that date handed back the child to Mary O.'[52] The baby died soon after. At first Mary O. said that the baby died in her arms when she was walking back from the foster mother's home, but she later admitted putting the baby's

[49] N.A.I., CRF S 2/1916.
[50] N.A.I., ID 39 135, Co. Clare, Crown Files at Assizes, 1912.
[51] N.A.I., IC 38 133, Co. Limerick, Crown Files at Assizes, 1901 – 02.
[52] N.A.I., ID 39 140, Co. Clare, Crown Files at Assizes, 1917.

body in a bog trench. It was later found that death was due to suffocation. With no state assistance apart from the workhouse, which for many would have been an unattractive option, very few options were available for single mothers like Mary O. without family support during the first two decades of the twentieth century.

Although only one woman in this sample appears to have been illiterate, few women would have received much formal education. Margaret P. [33] was convicted of the manslaughter of her illegitimate infant in July 1906 and sentenced to serve twelve months in prison. Writing to the Lord Lieutenant, she told him that 'it was not very nice to give me such a large time here such a long time in prison'.[53] In her petition Bridget R. [58] stated that if the Lord Lieutenant took pity on her 'and could see [his] way to take something off [her] time [she] would be very thankful to [him] and [she] will promise never to come back to prison again for [she] [is] very sorry for bringing such disgrace on [her] people as there was never anything against any belonging to [her] till this misfortune befell [herself] but [her] mother and father is forgiving [her] and taking [her] home under their care'.[54] The letters, notes and petitions in these files are replete with grammatical and spelling errors. Some writers were clearly unfamiliar with official legal terminology. Julia S.'s [73] father referred to her crime as 'a charge of Infancy'.[55]

Terms such as 'weak intellect' and 'feeble-minded' appear to have been poorly defined during the period under review and in some cases may have been liberally applied to single women charged with the murder or concealment of birth of their newborn infants. In some instances neighbours, relatives and members of the local police force, rather than medical professionals, offered their opinions about a woman's intellect, but the judicial authorities did not always agree with their assessments. Julia S. [73] 'appears to have been locally regarded as of weak intellect'.[56] Julia's neighbour, Kate Murphy said that she had known 'this girl always'.[57] She did not think Julia was 'quite right in the head'.[58] Sergeant James Butler said that he had known Julia for the past sixteen or seventeen years. He believed that she was 'of very weak intellect'.[59] A report from the R.I.C.

[53] N.A.I., CRF/1906/P17.
[54] N.A.I., CRF R 26/1912.
[55] N.A.I., CRF S 2/1916.
[56] Ibid.
[57] Ibid.
[58] Ibid.
[59] Ibid.

inspector for Co. Kerry stated that Julia was both 'a person of weak intellect and loose morals.'[60] However, the judge who tried her case felt that the claims about her intellect were exaggerated. At the Cork Winter Assizes her legal representatives pleaded for a mitigation of the sentence handed down to her on the grounds that she was 'not strong of intellect'.[61] The judge said that he was sending her to prison 'for her own good as she would receive good medical attendance there'.[62] A link was made in Julia S.'s case between weak intellect and promiscuity. This was not uncommon at the time. It was often assumed in the nineteenth and early twentieth centuries that mentally defective or 'feeble-minded' women were generally promiscuous and were vulnerable to unscrupulous men. Jackson has shown that those concerned with mental deficiency in the Victorian and Edwardian England argued that as feeble-minded women lacked will power and were often unable to fend for themselves, they drifted into crime and vagrancy. 'More crucially, their supposedly natural bestiality and lack of self-control predisposed them to sexual promiscuity. This behaviour, it was feared, would not only propagate their own degenerate stock but also taint the normal healthy inheritance of those with whom they mixed.'[63]

Dr Hackett, the medical officer in Mountjoy prison, was of the opinion that Bridget R. [58] was 'not mentally strong'.[64] However, there is no further evidence in the file to explain how or why Hackett concluded that Bridget was not mentally strong. It is not known to what extent Bridget's apparent mental weakness affected her judgement and behaviour. In a letter to the Under-secretary, the judge who tried Hannah A. [51] for the murder of her illegitimate daughter said that she appeared 'to be a woman who did not realise the crime she committed and to be of weak intellect'.[65] Hannah was convicted of murder and sentenced to death at the Limerick Summer Assizes but both judge and jury strongly recommended leniency. There is no further detail in Hannah's file about her weak intellect and it is possible that accounts about her intellectual ability may have been exaggerated, thereby providing both judge and jury with a convenient excuse to suspend the death sentence that was passed on her.

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[60] Ibid.
[61] Ibid.
[62] Ibid.
[63] Jackson, Mark, *The Borderlands of Imbecility: Medicine, Society and the Fabrication of the Feeble Mind in Late Victorian and Edwardian England,* p106.
[64] N.A.I., CRF R 26/1912.
[65] N.A.I., CRF/1911/A 11.

2.2 The medical profession and infanticide in Ireland, 1900 – 1921

From her study of newspaper accounts of infanticide in the Irish Free State Ryan has noted that cases of infanticide often only came to light when a woman who chose to give birth alone and in secret subsequently required medical attention and had to send for a doctor.[66] Doctors were often the first people to come into contact with the unmarried mothers who had committed infanticide. When they treated these women in their bedrooms they were often the first to enter what had, in effect, become a crime scene. Doctors were also often the first to attempt to find the baby's body. For instance, in September 1902, Dr Thomas Parr found the body of Catherine O.'s [19] newborn infant 'wrapped in a window blind, under the hair-mattress of the bed'.[67] Doctors were therefore often the first to report a suspected case of infanticide to the police. Nurses also feature in the records of Irish infanticide trials. In some instances a nurse, rather than a doctor, was the first person to treat an unmarried mother suspected of infanticide. In some cases doctors accompanied members of the R.I.C. to households where unmarried women were suspected of having recently given birth and subsequently killed their newborn infants or concealed the birth. Once a doctor had confirmed that the suspect had recently given birth, the police investigation could follow. Sergeant Atteridge obtained a warrant to search the house where Maria O. [32] lived with her brother John in June 1905.[68] He was accompanied by a doctor when he went to investigate whether a crime had been committed. Dr O'Callaghan examined Maria O. with her consent and quickly concluded that she had recently given birth. Sergeant Atteridge then proceeded to search the house.

Both the post-mortem examination and the hydrostatic test carried out by doctors in order to try to determine whether an infant had been born alive were central to the trial of unmarried mothers charged with the murder of their newborn infants during the period under review.[69] Cooper Graves has argued that from 1803 'the new rules pertaining to infanticide required the prosecution to prove that the infant had been born alive, and then

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[66] Ryan, Louise, 'Infanticide in the 1920's', p141.
[67] N.A.I., IC 67 1, Co. Louth, Leinster Winter Assizes, 1900 – 05.
[68] N.A.I., IC 20 4, Co. Galway, Crown Files at Assizes, 1905 – 06.
[69] If an infant's lungs floated it could, in many cases, be established that the baby had breathed and had, therefore, been born alive. However, there were difficulties with the test. It was recognised from the early nineteenth century onwards that the test alone could not always be taken as accurate proof of a live birth.

had met its death through wilful violence inflicted by the mother'.[70] As Kramar noted in her study of infanticide in twentieth-century Canada, 'legally defining maternal neonaticide as murder was exceedingly difficult and involved a variety of complex legal and bio-medical tests'.[71] According to her, 'because medical forensic science could not prove live birth beyond a reasonable doubt according to the legal requirements, intentional homicide was often practically impossible to prove in a court of law.'[72] Doctors often used the hydrostatic test to establish whether an infant had been born alive but from the early nineteenth century 'the usefulness of the hydrostatic test was more and more frequently challenged as to its validity, throwing the testimony of physicians into question.'[73] When Dr Thomas Parr was called to the house where Catherine O. [19] was employed as a servant he examined her infant's body. However, although he reported that there was 'a purple mark over the right forehead eye and cheek' he acknowledged the fact that the mark 'might have been caused from a fall from the mother at birth' and he said that he could not swear that Catherine's infant had had an independent existence.[74] Even though the head of Bridget R.'s [58] newborn infant was severed from its body, Lord Chief Baron, who tried the case, acknowledged that in cases like Bridget's, where no one witnessed the birth of the infant, 'it was impossible to show that the child had an independent existence before it received the injuries which caused its death.'[75] Bridget R. was acquitted of murder and convicted of concealing her infant's birth instead. This pattern is discernable in many cases in this sample. In fact, Lord Chief Baron referred to it as a difficulty that often arose in child murder cases.

It is important to bear in mind, as Brockington rightly noted, that 'women who gave birth alone and in secret must often have experienced extremes of physical and psychological torment.'[76] It is clear from the evidence in several cases in this study that single women

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[70] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide,* pp 119 – 120.

[71] Kramar, Kirsten Johnson, 'Unwilling Mothers and Unwanted Babies: Infanticide and Medico-Legal Responsibility in 20th Century Canadian Legal Discourse' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide,* p145.

[72] Ibid., p146.

[73] Cooper Graves, Donna, ' "...in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide,* p120.

[74] N.A.I., IC 67 1, Co. Louth, Leinster Winter Assizes, 1900 – 05.

[75] N.A.I., CRF R 26/1912.

[76] Ward, Tony, 'The Sad Subject of Infanticide: Law. Medicine and Child Murder, 1860 – 1938' in *Social and Legal Studies*, vol. 8, no. 2, (1999), p165.

who concealed a pregnancy and had given birth alone without assistance experienced severe physical pain and emotional distress. The doctor who examined Eliza M. [90] after she had given birth said that when he saw her 'she was sobbing and crying and would not answer [his] questions'.[77] Eliza had haemorrhaged after giving birth unassisted in a bedroom in her employer's house. A number of doctors who came into contact with women suspected of having murdered or concealed the births of their illegitimate infants referred to the fact that they had suffered greatly during the birth of their infants or immediately after giving birth unaided. The doctor who examined Mary B. [89] said that she had had a severe haemorrhage after the birth of her daughter.[78] Similarly, Dr Richard Flood said that Isabella K. [27] suffered 'severe haemorrhage of her womb caused by expulsion of the products of conception'.[79] Isabella had to be transferred to the workhouse in order to receive the necessary medical treatment. Indeed, several hearings were postponed because the defendants were unable to be removed from hospital to stand trial. Two women in this sample died shortly after giving birth.

Five women in the sample referred to the physical pain they experienced when they gave birth without assistance. Annie T. [86] said that following the birth of her infant she 'was very sick and weak' and was unable to leave her room for several days afterwards.[80] Margaret D. [44] claimed that she 'was bad with pain and weakness'.[81] In some instances unmarried women charged with the murder or concealment of birth of their illegitimate infants linked the physical pain they endured to memory loss and feelings of confusion and distress in their statements and petitions. Susan M. [76] said that she did not remember murdering her baby. She claimed that she was 'suffering from terrible pains' at the time and could not recall what happened after the birth.[82] In fact, two women claimed that the pain they experienced led to temporary memory loss. Three more women in this sample claimed that were unable to account for their behaviour immediately after the birth of their illegitimate infants. In her petition, Julia S. [73] argued that she was not responsible for the actions following the birth of her infant daughter in September 1915. She said that she 'had no recollection of what [she] done

[77] N.A.I., IC 71 72, Dublin, Leinster Winter Assizes, 1919.
[78] N.A.I., IC 71 72, Dublin, Leinster Winter Assizes, 1919.
[79] N.A.I., IC 48 37, Co. Donegal Crown Files at Assizes, 1903 – 05.
[80] N.A.I., IC 70 51, Co. Dublin, Crown Files at Leinster Winter Assizes, 1917.
[81] N.A.I., IC 38 138, Crown Files at Assizes, Limerick City and County, 1908 – 10.
[82] N.A.I., IC 55 83, Co. Limerick Crown Files at Assizes, 1915.

until the police arrested [her]'.[83] Mary M. [81] said she was distracted and mad and did not know what she was doing immediately after the birth of her illegitimate infant.[84]

In a study of physicians' and parliamentarians' definitions of infanticide in Victorian England Cooper Graves noted that throughout the nineteenth century it was argued in court that a woman who stood trial for the murder of her newborn infant 'had "unconsciously" or "accidentally" killed her newborn while in a state of "frenzy" or "temporary derangement".'[85] Her research has shown that by the beginning of the twentieth century the notion of 'temporary insanity' had became 'increasingly accepted and more commonly used as a medico-legal concept',[86] and her research has shown that 'individual lawyers, judges, jurymen, and physicians accepted the idea of "temporary insanity" and applied it in cases of infanticide long before parliament, as a body, agreed to fix the concept into law'.[87] In Ireland doctors also referred to temporary insanity in court long before the law made a provision for it. The notion that unmarried mothers who gave birth unassisted and subsequently killed their infants may have been temporarily insane was often referred to in court, and doctors who treated women suspected of committing infanticide often made detailed observations in relation to the mental health of unmarried mothers. In their statements, unmarried women charged with the murder or concealment of birth of a newborn infant often claimed that they had been mad or half mad immediately after giving birth. K - - - - - - - M. [85] was charged with concealing the birth of her illegitimate infant in January 1916. She told the police that she thought that her 'mind must have been away' when she gave birth unattended in January 1916.[88] K - - - - F. [70] said that her head was away after the birth of her illegitimate infant.[89] A total of five women or their relatives said that they had suffered from a form of temporary insanity following the birth of their infants. When C - - - - - - - - G.'s [36] sister was cross-examined in court she said that when she 'found [her] sister in the yard, she seemed out of her sane mind and looked as if she did not know what she was doing.

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[83] N.A.I., CRF S 2/1916.
[84] N.A.I., CRF M 37/1916.
[85] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p131.
[86] Ibid, p130.
[87] Ibid, p131.
[88] P.R.O.N.I., DOW1/2B/23/6, 1916.
[89] P.R.O.N.I., BELF/1/1/2/45/7, 1914.

She appeared not to know what had happened.'[90] The doctor who examined C - - - - - - - - said it was possible that she was not accountable for what she did at the time.

Statements made by women when they were arrested and charged clearly need to be treated with caution. When K - - - - - - - M. [85] said she that her 'mind must have been away' she may have meant that she had been extremely distressed and emotional.[91] While a number of doctors expressed their concerns regarding the mental health of their patients, it is only possible to speculate about how many women may actually have experienced temporary insanity. While the deaths of some infants may have been unintentional, many more must have been deliberately killed by their mothers. Cooper Graves has suggested that while factors such as poverty, ignorance and 'frenzy' may help account for the actions of women who killed their newborn infants, women were not simply driven to commit infanticide because of temporary insanity. Indeed, many women who managed to conceal a pregnancy and subsequently planned and committed the crime of infanticide, may well have been, as Malcolmson argued, 'determined, resourceful, and strong-willed' women.[92] Several women in this sample claimed that they could not remember what happened immediately after self-delivery. While some women in this sample may well have experienced temporary memory loss following the birth of their illegitimate infants, others may have claimed that they were unable to recall what had occurred in the hope that they might be dealt with more leniently. For instance, Bridget M. [74] said that she didn't remember 'having [her baby] being born at all.'[93] She said that the only thing she could recall was the nurse removing the afterbirth. In July 1915, E - - - - - - - - R. [77], an unmarried domestic servant told police that '[she] had the child about 6 am and at almost 9 am I put it in the boiler.'[94] She said that '[she] did not know what [she] was doing at the time.'[95] Her employer's son heard a whining noise coming from the range and removed the baby from the boiler. However, the infant died fifteen minutes later from extensive burns.

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[90] P.R.O.N.I., Belf/1/1/2/24/10, 1907.
[91] P.R.O.N.I., DOW/1/2B/23/6, 1916.
[92] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p132.
[93] N.A.I., ID 39 138, Co. Clare, Crown Files at Assizes, 1915.
[94] P.R.O.N.I., DOW1/2B/22/5, 1915.
[95] Ibid.

Only one woman in this sample expressed the desire, following the birth and death of her newborn infants, to take her own life. When E - - - - A. [57] was arrested and charged with the murder of her female infant in Belfast in February 1910 she told Constable Owen Brennan that she 'dropped [her] child in the yard' and that she was 'sorry [she] didn't drown [herself].'[96] She said if she could go 'out now [she] would go and throw [herself] in the Lagan'.[97] It is not possible, based on the evidence available, to assess how serious E - - - - A.'s threats were. Several women in the post 1922 sample considered in chapter three expressed the desire to take their own lives. In fact, six percent of single Irish women who stood trial for the murder or concealment of birth of their illegitimate infants at the Central Criminal Court in Dublin between 1922 and 1950 mentioned suicide in their statements, and one woman was actually charged with attempted suicide.

According to Cooper Graves, from the eighteenth century onwards doctors were often called on to offer opinions at infant murder trials in England.[98] The importance of doctors as witnesses in Irish infanticide cases was well established by the early twentieth century. Indeed their statements in relation to the physical and mental health of unmarried women who had given birth unassisted may have affected the verdict and the sentence in a number of cases in this sample. Doctors who treated unmarried mothers charged with infanticide referred to the mental disturbance, mental strain, shock and pain, nervousness or weak mindedness their patients experienced in their depositions in thirteen cases in this sample of 95. It is quite probable that many more doctors referred to these symptoms when called on to give evidence in court and the number of doctors who observed signs of mental anguish in the women charged with infanticide may have been higher still.

As with most single women charged with the murder or concealment of birth of their illegitimate newborns, Bridget B. [63] gave birth alone without assistance in June 1912. Dr John Byrnes, the medical officer of Bruree dispensary district, concluded that Bridget's infant's death was due to asphyxia but he added that 'during a protracted birth when there is no medical attendant...the child is often asphyxiated in course of birth.'[99] A small number of doctors stated that it was possible that some women who gave birth

[96] P.R.O.N.I., BELF/1/1/2/31/5, 1910.
[97] Ibid.
[98] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p119.
[99] N.A.I., IC 55 80, Co. Limerick, Crown Files at Assizes, 1912.

alone and without assistance may not have known how to tie the cord or how to attend to the baby after birth. When Dr McGinley was cross examined by Mary C.'s [93] solicitor during her trial for the concealment of birth of her infant daughter in Co. Donegal in October 1919, he said that as it was her first confinement she would probably not have known how to tie the cord.[100] There were no marks of violence on the infant's body. In a Co. Louth case, Dr Thomas Parr said that he believed that if the deceased infant was Catherine O.'s [19] first child she would have been 'ignorant of the technicalities necessary' and 'through ignorance she may have destroyed the chord [sic].'[101] Her baby had died from 'want of proper attention at birth probably from haemorrhage from the navel cord.'[102] The doctor who attended M - - - G. [37] after the birth of her infant said that she was a young girl who was not robust.[103] He also said that she might not have recognised the labour pains and may have mistaken them for another kind of pain.

Marland has argued that 'puerperal insanity began to be used with increasing authority as a defence plea in cases of infanticide or concealment' from the early nineteenth century onwards.[104]

> Following the trial of giving birth, involving intense physical effort, pain and disruption of the delicate reproductive organs, and in many cases increased strain on family resources, mothers were seen as liable to become deranged, neglectful or violent. They came to represent a risk to themselves and other family members, particularly the new-born child.[105]

Women who suffered from puerperal insanity were regarded as either having been 'unaware of what they were doing or to have temporarily lost control of their actions.'[106] While doctors who were called on to give evidence in infanticide trials in Ireland between 1900 and 1921 frequently noted that single women who had given birth secretly and without assistance may have been dazed, distressed or suffered from shock, few referred in their evidence to the fact that women may have suffered from puerperal insanity or puerperal mania. Case twenty-seven is an exception in this regard. Twenty-

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[100] N.A.I., ID 6 13, Co. Donegal, Crown Files at Assizes, 1919 – 21.
[101] N.A.I., IC 67 1, Co. Louth, Crown Files at Assizes, 1900 – 05.
[102] Ibid.
[103] P.R.O.N.I., BELF/1/1/2/25/5, 1907.
[104] Marland, Hilary, 'Getting Away with Murder? Puerperal Insanity, Infanticide and the Defence Plea' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000*, p174.
[105] Ibid, p173.
[106] Ibid., p172.

two year old Alice K. [52] stood trial for the murder of her illegitimate daughter in February 1911.[107] Under cross-examination one doctor admitted that there were 'cases where women at confinement were possessed of mania which often took the form of a desire to kill their offspring'.[108] The Society for Discharged Female Prisoners wrote a memorial on her behalf, claiming that Alice's mind must have been temporarily deranged when she committed the act. They insisted that she could not have been criminally responsible for the death of her infant daughter. However Mr Justice Dodd clearly regarded reports about Alice's temporary derangement with scepticism. Alice's infant was discovered hidden in a chest of drawers. A piece of velvet was found tied around its neck. In his address to the jury he stated that 'the whole evidence showed that the accused on the night in question was aware of what she was doing, and was in a frame of mind capable of appreciating what was right or wrong'.[109] However, the jury found Alice guilty of concealment of birth rather than murder, and she was sentenced to eighteen months' imprisonment. Mr Justice Dodd felt that the sentence was mild for the offence.

Unmarried women charged with the murder or concealment of birth of their newborn infants occasionally seem to have had a proven history of mental illness. L - - - - - M. [41] was charged with the murder of her newborn infant in November 1908. She may have had a history of mental illness. She had lived in Canada for some time but returned to Co. Down because, according to one witness, 'a doctor there told her that if she did not come home she would lose her reason'.[110] Dr Nelson stated that while L - - - - -'s 'bodily health was not amiss' following the birth of her illegitimate infant, 'mentally she seemed dazed and not to realise what had happened and [was] indifferent.'[111] It was claimed that Norah M. [65] may not have known what she was doing when she killed her infant after giving birth in a bog in Liscarrow, Co. Clare in March 1912. Norah was held in Limerick prison following her arrest for the murder of her illegitimate infant in March 1912. The medical officer who examined her there came to the conclusion that Norah was weak minded. She apparently suffered a 'form of mild attacks of recurrent mania', and the 'attacks appear to have been of long standing.'[112] According to her brother, Norah had not been 'right in her mind' since she returned to Ireland from America six or seven

[107] N.A.I., CRF/1911/K15.
[108] *Evening Telegraph*, 2 Feb. 1911.
[109] N.A.I., CRF/1911/K15.
[110] P.R.O.N.I., DOW1/2B/15/5, 1908.
[111] Ibid.
[112] N.A.I., ID 39 135, Co. Clare, Crown Files at Assizes, 1912.

years prior to her arrest.[113] He said that she had no fixed place of residence since she returned to Ireland. Instead, she used to move from one friend's house to another.[114]

While the voices of women who were charged with the murder or concealment of birth of their illegitimate infants were often, as Bechtold and Cooper Graves have put it, 'muffled by the legal authorities of the state', and few women offered detailed explanations of their actions - women who sent petitions to the Lord Lieutenant or letters to doctors from prison often attempted to provide a more detailed account of the circumstances in which they found themselves immediately after the births of their illegitimate newborns.[115] By examining these sources the women's voices become, to quote Bechtold and Cooper Graves, 'individualized and amplified.'[116] In their petitions, women convicted of the murder or concealment of birth of their illegitimate infants generally attempted to account for their actions. In providing such explanations these women may have been influenced by contemporary medico-legal discourse on the mental state of women who committed infanticide. They would have encountered this kind of discourse during their trials and also perhaps in prison.

Mary B. [29] was found guilty of the murder of her infant in September 1905. She was deemed to have been insane at the time she committed the crime and was sent to Dundrum Central Asylum. Mary spent just over one year in the asylum but was regarded as being 'of quite sound mind' and was conditionally discharged in October 1906.[117] Mary B. [29] wrote a letter to a doctor from Tullamore prison in October 1905 asking him to help '[her] out of [her] trouble'.[118] She told him that she 'did not know what cloud came over [her] when [she] drowned [her] fine child'.[119] She said that she regretted her actions and explained that she had been 'so fond of him'.[120] Mary had also described her temporary mental derangement in terms of a cloud that came over her to staff in the

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[113] Ibid.
[114] As verdict and sentencing information were not sourced for Nora M. [65], it is not clear whether her history of mental illness impacted on the verdict and, if she was found guilty, whether it impacted on the kind of sentence she received.
[115] Bechtold, Brigitte H. and Cooper Graves, Donna, 'Introduction: Towards an Understanding of the Infanticide Scholarship' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p19.
[116] Ibid.
[117] N.A.I., CRF/1906/B 59.
[118] Ibid.
[119] Ibid.
[120] Ibid.

hospital where she had received treatment in after her arrest. In her deposition the nurse who was put in charge of Mary in the Athlone workhouse hospital said that Mary had told her that while she was feeding her baby 'a great cloud came over her and at that moment she pushed it into the water and in a minute after she got sorry and tried to get it out and then she couldn't reach it as she was afraid to reach into the water.'[121] In her petition Bridget R. [58] explained that she had no medical assistance during the birth. She also said that she did not know what to do immediately after the birth of her infant. She claimed that her mind 'must have been weak although [sic] for it was only afterwards [she] could realise what [she] had done.'[122] In her petition Mary M. [81] admitted concealing the birth of her infant but said that 'at the time it al [sic] happened [she] had neither nurse or doctor with [her]' and furthermore she claimed that she was 'destracted [sic] in [her] mind and did not know what [she] was doing.'[123] Julia S. [73] also maintained that she was not responsible for her action at the time. She said she had 'no recollection of what I had doen [sic] until the police arrested [her].'[124]

2.3 Investigating infanticide cases

Lousie Ryan, in her study of newspaper coverage of infanticide cases in the Irish Free State for the years 1925 and 1926, has noted that 'police enquiries began for two reasons. Usually the discovery of a body signalled the start of a search for the mother. However, in several reported cases the investigation began with the mother and culminated in the discovery of an infant's body.'[125] This is also true of many of the cases in the pre-1922 sample. Investigations into suspected cases of infanticide involving single women were often initiated before an infant's body was discovered. Ryan's research has shown that 'based on their local knowledge, the Civic Guards seem to have played an active role in initiating investigations even before infant bodies were discovered'.[126] Cases in rural areas were, according to Ryan, often 'initiated by the suspicions of the local civic guards... In each case, the Guards, aware that a local woman was pregnant, began investigating when it was apparent that no baby had arrived'.[127] There are several such examples in this sample. It is possible that the police, particularly in rural areas, would

[121] Ibid.
[122] N.A.I., CRF R 26/1912.
[123] N.A.I., CRF M 37/1916.
[124] N.A.I., CRF S 2/1916.
[125] Ryan, Louise, 'Infanticide in the 1920s', p145.
[126] Ibid.
[127] Ibid.

have had unmarried pregnant women under observation. This is certainly evident from a number of cases tried at the Central Criminal Court, Dublin between 1922 and 1950. It is also clear that in many instances in this pre-1922 sample the police had heard rumours about an unmarried woman who had been confined and in a number of instances they also seem to have received information from the local community about unmarried pregnant women who had been confined and were suspected of having killed their newborns. It would seem that the sexual behaviour of many young unmarried women was monitored by the neighbours and the other people who the women in this sample came into contact with on a regular basis. It is apparent that while neighbours or acquaintances on noticing that a single woman was pregnant did not, in most instances, offer any advice or support, they were quite prepared to alert the police as soon as they suspected that the woman had given birth. Writing about the trial and execution of Sarah Dean in Chester in 1755 Dickinson and Sharpe noted how that case, among others, 'reveal a world of gossip and rumour, in which the moral conduct and physical appearance of women were made a matter of comment among other women in the community'.[128] The records of infanticide cases in this sample also suggest a world of gossip and rumour, with eyes watching the moral conduct and physical appearance of unmarried women. As McKenna has noted in her study of Irish nuns and Irish womanhood in the mid-twentieth century, women who became pregnant outside marriage 'were often excluded by a judgemental society'.[129] She has also drawn attention to the fact that local communities in Ireland could prove 'more effective than legislation at ostracizing individuals for behaviour deemed inappropriate'.[130] This is doubly apparent, to judge by the records of infanticide trials, in the first two decades of the twentieth century.

Sergeant Edmond O'Brien told the Limerick county court that due to 'information received' he, along with another member of the R.I.C., went to Denis M.'s house and made a search of a manure heap.[131] They discovered the body of a newborn infant there and they charged Minnie M. [12] with concealment of birth. When the R.I.C. in Killaloe

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[128] Dickinson, J.R. and Sharpe, J.A., 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650 – 1800' in Jackson, Mark, (ed.), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p46.
[129] McKenna,Yvonne, 'Embodied Ideals and Realities: Irish Nuns and Irish Womanhood, 1930s – 1960s' in *Éire Ireland,* vol. 41, no. 1, (2006), p43.
[130] Ibid.
[131] N.A.I., IC 38 133, Co. Limerick, Crown Files at Assizes, 1901 – 02.

received information about Kate M. [21], they proceeded to her mother's house and charged her with concealment of birth. A neighbour may have reported her suspicions regarding Kate's pregnancy to the police. Kate M.'s neighbour Ellen Barry said that on the night of June 17th 1903 she was 'wakened out of [her] sleep by some noise that [she] heard in the next house through the wall'.[132] Ellen Barry seems to have had a longstanding grievance with the M. family and she may have been motivated to report the suspected incident because of this ill feeling. Kate's sister said that Ellen Barry was 'a woman we don't speak to' and claimed that she was against them.[133] Some of the defendants in this sample were conscious of the fact that a single pregnant woman was likely to catch people's attention. Jim R. was clearly worried that people would talk about Ellen C.'s pregnancy and perhaps even report it to the police. Ellen C. [17] said that when she told Jim R., the father of her twin infants, that she was returning home he advised her not to leave her place of employment 'as the people outside would be making talk about it and he was afraid it would go to the ears of the police'.[134] In a letter he allegedly instructed her to keep herself well covered on her journey home 'as the people would not know whether the babies were born or not and that he was never in more trouble than at present and he was afraid it would go to the ears of the police'.[135] Jim's fears were clearly confirmed as Ellen was arrested and charged with the murder of her illegitimate newborns in October 1902.

On 6 June 1905 Sergeant William Atteridge 'made an information' before a Justice of the Peace in Co. Galway and obtained a warrant to enter and search the house where Maria 0. [32] lived with her brother John. Sergeant Atteridge said that at the time he had 'good reason to believe that [Maria] is about being or has been delivered of an illegitimate child'.[136] He also said that he had reason to believe that her infant, 'if born may be unlawfully done away with.'[137] He requested a warrant 'to enter the house of said Maria O. of K. and take therein such action as [he] may legally do in [his] capacity of constable to prevent or detect the commission of a crime'.[138] Rumours may have been circulated in the local area about Maria's pregnancy, or the sergeant may himself have noticed that she

[132] N.A.I., ID 39 126, Co. Clare, Crown Files at Assizes, 1903.
[133] Ibid.
[134] N.A.I., IC 38 134, Co. Limerick, Crown Files at Assizes, 1903.
[135] Ibid.
[136] N.A.I., IC 20 4, Co. Galway, Crown Files at Assizes, 1905 – 06.
[137] Ibid.
[138] Ibid.

was heavily pregnant and suspected that she might take her baby's life. The manner in which this case was dealt with by the R.I.C. indicates that infanticide was not uncommon in Ireland at the time and that the police may have, in some instances, tried to intervene to prevent the death of illegitimate newborns. There are many more instances in this sample where investigations into suspected cases of infanticide were initiated because rumours about unmarried pregnant women had been circulating in a neighbourhood. One more example will suffice. A Protestant clergyman seems to have alerted the police in a 1915 Co. Carlow case. Minnie E. [72], an unmarried woman, and her grandmother Susan E. were both charged with having concealed the birth of Minnie's infant in June 1915. According to the Reverend Bradish, during the course of a conversation with 'the elder prisoner before the child was born' Susan E. had threatened to kill her granddaughter's illegitimate infant and she mentioned the man responsible for her granddaughter's pregnancy.[139] The Reverend Bradish's suspicions were aroused when he saw Minnie and her grandmother at divine service some time after the baby was due. When he questioned them about the infant 'Mrs E. said at first there was no child, but afterwards said that the child was dead-born.'[140]

It is clear from the evidence of Maria H.'s [50] employer that the discovery of an infant's body in the household was often a frightening and disconcerting experience. When Maria called her employer into her bedroom, her employer saw 'half the head of a baby at the foot of the bed.'[141] Arabella Ferguson said that she sent for the district nurse at once but 'did nothing for the child, or the mother except to put a blanket over the mother.'[142] She said that she was very nervous and did not know what to do. Ryan, in her study of press reports of infanticide cases in the Irish Free State between 1925 and 1926, has noted that 'in several cases it was suspicious employers who alerted the authorities. Hence, women living under the close scrutiny of their employers made up a large proportion of those charged with committing infanticide'.[143] There are many such instances in this sample. Two examples will suffice. On the night of June 2nd 1912 Bridget B.'s [63] employer heard noises coming from her bedroom. He said that 'the noise was like moaning'.[144] Bridget did not get up the following day and her employer went into her room. He

[139] *Nationalist and Leinster Times*, 11 Sept. 1915.
[140] Ibid.
[141] N.A.I., IC 42 54, Dublin, Crown Files at Commission, Leinster Winter Assizes, 1910.
[142] Ibid.
[143] Ryan, Louise, 'Infanticide in the 1920s', pp141 – 142.
[144] N.A.I., IC 55 80, Co. Limerick, Crown Files at Assizes, 1912.

suspected that she had given birth as he asked her 'if she had anything in the bed with her'.[145] He said he would 'send for the police and the doctor if she didn't own up if there was anything in the bed with her'.[146] Bridget agreed to let him search her room. He subsequently sent for a doctor. Margaret D. [44] gave birth in the kitchen in her employer's house in Co. Limerick in September 1909. Her employer said that he woke during the night on hearing the cries of an infant. In his evidence he stated that 'the cries were very strong' and that he 'leapt out of the bed when I heard the second cry and ran to the kitchen'.[147] He said that he saw Margaret D. stooping over the fire 'shoving the baby down in the ashes and red cinders'.[148] Thomas C. removed the baby from the ashes and instructed his niece to get holy water in order to baptise the baby. He also travelled nine miles to inform Margaret's mother about the birth, and he then sent for the police.

2.4 Men and infanticide

Mr. Justice Gibson, before he sentenced Hannah K. [1] to death in 1900 acknowledged the fact that it was perhaps unfair that Hannah alone faced the ordeal of a trial and possibly the death sentence, and that the man responsible for her condition had evaded his duties as a father and had disappeared. 'It was a lamentable thing that this terrible crime should be charged against her,' he remarked, 'but what was to be done?'[149] Legislation that enabled single mothers to sue the fathers of their infants for maintenance was not introduced in Ireland until 1930 with the passing of the Illegitimate Children (Affiliation Orders) Act. As McAvoy has noted, prior to the passing of that act women were unable to seek maintenance in their own right.[150] The only alternatives available to them in seeking maintenance were either for their employers or for parents to bring a civil action for seduction by claiming loss of the woman's services as a result of her pregnancy, or if the woman's child was 'supported on the poor rate, the poor law guardians could initiate proceedings against the father, but obtaining a decree involved cross-examination of the mother and corroboration of her evidence'.[151]

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[145] Ibid.
[146] Ibid.
[147] N.A.I., IC 38 138, Co. Limerick, Crown Files at Assizes, 1908 – 10.
[148] Ibid.
[149] N.A.I., CRF/1911/A11.
[150] McAvoy, Sandra , 'The Regulation of Sexuality in the Irish Free State, 1929 – 25' in Malcolm, Elizabeth, and Jones, Greta, (eds.), *Medicine, Disease and the State in Ireland, 1650 – 1940*, p230.
[151] Ibid., p260.

Very little is known about the putative fathers of the infants whose deaths were investigated in the cases in this sample or the kinds of relationships single women in this sample had with the men responsible for their pregnancy. As the fathers of these infants were generally not suspects, they were rarely questioned by the police or called upon to give evidence. The material in the judicial files for the period between 1900 and 1921 is less detailed than the material contained in the state files for cases tried at the Central Criminal Court in Dublin between 1922 and 1950. Central Criminal Court files often contain more information about the kinds of relationships single women suspected of having killed their infants had with the fathers of the murder victims. The R.I.C./D.M.P. may not have interrogated unmarried women charged with murder or concealment of birth, at least in the period between 1900 and 1921, about the fathers of their infants, whereas it is quite apparent from the evidence in a number of Central Criminal Court files that unmarried women were questioned about the infants' fathers by the Gardaí.

In a letter to the Lord Lieutenant in 1906, the Waterford Prisoners Aid Society stated that Mary B. [29] was 'seduced under promise of marriage and then deserted'.[152] A nurse in Athlone workhouse hospital recalled how Mary had told her that the father of her illegitimate infant had emigrated to America. Mary told Constable John Brogan that 'the man that's accountable for this has a good deal to answer for'.[153] According to a newspaper report, the father of Hannah K.'s [1] infant son followed her from Co. Tipperary to Dublin, where he lived off her earnings for some time. He allegedly promised to marry her. Both Mary B. and Hannah K. may have lied about the manner in which they were seduced. Neither man in question may have promised to marry them, but given that Victorian ideals of femininity still held sway in Ireland as in Britain, their experiences, real or imagined, do not seem to have been doubted.

It is evident that in the infanticide cases tried at the Central Criminal Court in Dublin between 1922 and 1950 many, if not most of the unmarried women charged with the murder or concealment of birth of their infants had willingly engaged in sexual encounters with men of the same class background. Judicial records for cases in this pre-1922 sample contain far less information about the relationships single women had with

[152] N.A.I., CRF/1906/B 59.
[153] Ibid.

the fathers of their infants, but it is probable that many unmarried women in the sample had also willingly engaged in sexual encounters with men of the same class background.

Unmarried women who had given birth on one or more occasions prior to their arrest for the murder or concealment of birth of their infants would not have been ignorant of the risk of having extra-marital sexual relationships, and women who had attempted to raise their infants single-handedly would have been very much aware of the difficulties of lone parenthood in Ireland in the early twentieth century. However, such risks and difficulties clearly did not deter some women from engaging in sexual relationships. It is evident from the judicial files of unmarried women who stood trial for the murder or concealment of birth of their infants in the Central Criminal Court between 1922 and 1950 that while some families may have been willing to accept the birth of one infant outside wedlock they were not going to accept a second transgression. This may have motivated some women to kill any subsequent infants born outside wedlock. However, it is only possible to speculate about whether this was a factor in the cases included in the sample for this chapter, as the evidence available is less detailed than for the period from 1922 to 1950. Infanticide may in fact have been the only way in which poor, sexually active, single women could control their own fertility during the period under review. Hannah A. [51] had resorted to infanticide on more than one occasion.[154] She was convicted of concealing the birth of her illegitimate infant in 1903. In July 1910 she was convicted of the murder of her second illegitimate infant. Infanticide, as Cooper Graves has noted of nineteenth-century England, may be viewed as 'an attempt by these women to assert control over their own reproductive processes, even if that meant doing so during or after delivery.'[155]

It is clear from the records of infanticide cases that were tried at the Central Criminal Court between 1922 and 1950 that a number of single women were very poorly informed about pregnancy or childbirth. Some women claimed that they did not realise that they were pregnant for a considerable length of time. Although no single women in the sample for this chapter referred to their ignorance regarding human reproduction it is likely that many were very poorly informed. Several doctors were of the opinion that a

[154] N.A.I., CRF/1911/A 11.

[155] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p135.

number of women in this sample who gave birth alone were ignorant about aspects of childbirth. None of the women in this sample referred to contraception. However, one woman in this sample may have attempted to induce a miscarriage by taking abortifacients. In her deposition, Bridget M.'s [74] mother mentioned that her daughter had been taking pills and salts. It is possible that Bridget may have taken pills and salts in order to cause a miscarriage but this is uncertain. Her mother did not state which pills Bridget had consumed. However, the police seem to have been suspicious about this and Bridget was questioned about the medication she had taken during her pregnancy. In her statement she insisted that '[she] never took any medicine but salts' before the birth of her baby.[156]

Hearn has noted that 'in spite of dire consequences for women, seduction of servants and premarital sexual relationships seem to have been fairly common among servants in Ireland'.[157] Arnot has noted that 'some work in social history has suggested that the picture of Victorian England's morality has been one-sided and has not adequately represented working-class culture, where, in fact, sexual relationships were more fluid and much less likely to be formalized in law'.[158] Irish working class culture in the twentieth-century has, perhaps, not been adequately represented either. Some of the judicial records of infanticide in Ireland during the first half of the twentieth century suggest that sexual relationships may have been somewhat more fluid among working class men and women. At least five single women in this sample had given birth once previously, while N - - - - - G. [79][159] had already had two children when she was arrested and charged with concealing the birth of her illegitimate newborn in Belfast in June 1915. M - - - - - - S. [87][160] had already had two children before the birth of her infant son in April 1917. It would appear, from the information in her file, that M - - - - - -'s other two children were boarded out.

The putative fathers of the illegitimate infants in this sample were mentioned in a total of seventeen cases (17.8%) in this sample. The fathers of the deceased infants in this sample

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[156] N.A.I., ID 39 138, Co. Clare, Crown Files at Assizes, 1915.
[157] Hearn, Mona, *Below Stairs: Domestic Service Remembered in Dublin and Beyond 1880 – 1922*, p97.
[158] Arnot, Margaret L., 'The Murder of Thomas Sandles: Meanings of a Mid-nineteenth-century Infanticide' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p153.
[159] P.R.O.N.I., BELF/1/1/2/47/7, 1915.
[160] P.R.O.N.I., BELF/1/1/2/53/7, 1917.

were referred to in only a minority of cases. The vast majority of unmarried women in this sample did not mention the men responsible for their pregnancy.[161] Minnie M. [12] named the father of her infant in her statement.[162] Bridget M. [74] told Head Constable McMahon that she had been keeping company with John L. of Clonmel when she was in service in Limerick.[163] John L. lodged in her employer's house. She said that he was the father of her baby. A maternity nurse recalled how Mary O. [84] had told her the name of her infant's father. According to the nurse Mary had wanted the baby to 'be baptised in that surname.'[164] Margaret C. [67] told Sergeant Michael Gaffney who the father of her illegitimate infant was. She also said that he had left the country six months previously.[165] Several women in this sample claimed that the fathers of their deceased infants had emigrated. It is possible that the men in question were not aware that these women were pregnant, but they may have left the country in order to avoid paying maintenance costs. It is also possible however that some women in this sample lied about the whereabouts of the fathers of their deceased infants in order to gain sympathy on the basis that they had been seduced, betrayed and abandoned.

A newspaper report provided details about the father of Kate F.'s [91] infant. Kate and her sister were both charged with the murder of Kate's illegitimate infant in September 1918. Kate had lived with her married sister Hannah for some time in 1917 and 1918 and according to one newspaper report on the trial, 'while she was living in that home unquestionably opportunities existed for association between her and her sister's husband Gunner C.'[166] Kate gave birth in the house of another married sister and following the birth she told her sister and her sister's husband Stephen M. that Hannah's husband was the father of her illegitimate infant. Stephen M. informed Hannah C. that her husband was the father of her sister's baby and the barrister for the Crown argued that this provided Hannah with the motive for the murder.

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[161] The fathers of the infants whose deaths were being investigated were named by the infants' mothers in twenty-three per cent of cases in the sample for chapter three and the fathers of the illegitimate infants in the sample for chapter three were referred to in many more cases. This may have been due to the manner in which these women were interrogated by the Gardaí.
[162] N.A.I., IC 38 133, Co. Limerick, Crown Files at Assizes, 1901 – 02.
[163] N.A.I., ID 39 138, Co. Clare, Crown Files at Assizes, 1915.
[164] N.A.I., ID 39 140, Co. Clare, Crown Files at Assizes, 1917.
[165] N.A.I., ID 39 137, Co. Clare, Crown Files at Assizes, 1914.
[166] *Cork Examiner*, 25 Jul. 1919.

The women who referred to the fathers of their deceased infants generally said very little about them. They usually only named them and mentioned their place of residence or place of employment. Unlike in the evidence gathered for infanticide cases that were tried at the Central Criminal Court between 1922 and 1950, where unmarried female suspects sometimes provided a considerable amount of information about the nature of their relationship with the father of the infant whose death was being investigated, the case files in this sample up to 1921 reveal little information about the women's feelings towards the fathers of their infants or the kinds of relationships they had had. It is only in cases where the fathers of illegitimate infants whose deaths were being investigated gave evidence that light is shed on the nature of the couple's relationship and the role the male partner played in the events leading up to the birth and after the birth.

It is clear from the records of infanticide cases tried at the Central Criminal Court in Dublin between 1922 and 1950 that many unmarried women who stood trial for the murder or concealment of birth of their illegitimate infants had been involved with the father of their infant for a considerable length of time. Some women maintained close contact with the fathers of their infants until they were tried for infanticide, and a number of women seem to have expected that they would eventually marry the fathers of their infants. Some single women who feature in the records in the sample for this chapter also seem to have maintained close contact with their infants' fathers until they were arrested and charged.

The putative fathers of three illegitimate infants (3.1%) whose deaths were being investigated in this sample gave evidence. Some women in this sample had been involved with the fathers of their deceased infants for a considerable amount of time and some couples may have intended to marry. A small number of women in this sample confided in their male partners. James H., the father of Kate M.'s [21] infant, was questioned by police following her arrest in June 1903. James told police that he had been keeping company with Kate M. 'for some time past' and that he intended to marry her. He had been in Kate M.'s company until the week before her arrest. He admitted that she had told him that 'she was carrying a child for [him].'[167] However, he claimed that he did not know that Kate had given birth. He was not regarded by the police as a suspect in

[167] N.A.I., ID 39 126, Co. Clare, Crown Files at Assizes, 1903.

the case and he was not charged. When James R. was questioned by the police he admitted knowing about Ellen C.'s [17] pregnancy.[168] He said that he realised from her appearance that she was pregnant but said that they had never discussed it. He swore that he was not in her room the night she gave birth. In her statement Ellen said that Jim R. came into her room the evening after she had given birth. She also stated that she had told him that their twin infants were dead and that she had wrapped them up in her bed. Ellen alleged that Jim had asked her 'was there anything he could do for [her]'.[169] 'He had a half pint of whiskey in his pocket and wanted [her] to drink some of it...He then asked me did I want anything else and I said no except he brought in some milk from the barn and boiled it'.[170] Ellen also claimed that Jim said that he would bury the infants. From the evidence available in this case it seems that Ellen and Jim may have conspired together. Jim may have assisted her in concealing the births of her infant twins. However charges were not brought against him.

Hearn has argued that servants were particularly vulnerable to sexual exploitation by the master, sons and male visitors to the house in which they worked. She has also suggested that unmarried domestic servants 'were often lonely, deprived of the companionship of members of the opposite sex and so were particularly vulnerable: employers and their friends frequently took advantage of this situation'.[171] Mary G. [18] and her employer Robert M. were both charged with concealing the birth of their infant daughter in December 1902. Mary had worked as a servant in Robert's household for three years prior to the birth of her infant. She told police that he was the father of her illegitimate infant. Mary said that she gave birth in the loft of Robert M.'s house. She claimed that the baby was stillborn and said that 'when it was born [she] called down to [Robert] that it was born and was dead'.[172] In his statement Robert claimed that he knew 'nothing about Mary G. having a child.'[173] He did admit that he knew that she was pregnant but claimed he told her she shouldn't stay in his house any longer. It is possible that Mary G. lied and that Robert M. was not the infant's father, but given that Mary and Robert lived together in close proximity for three years it is not improbable that a sexual relationship developed between them. This relationship may not have been exploitative. Hearn

[168] N.A.I., IC 38 134, Limerick City & County, Crown Files at Assizes, 1903.
[169] Ibid.
[170] Ibid.
[171] Hearn, Mona, *Below Stairs: Domestic Service Remembered in Dublin and Beyond 1880 – 1922*, p96.
[172] N.A.I., IC 48 37, Co. Donegal, Crown Files at Assizes, 1903 – 05.
[173] Ibid.

acknowledged the fact that 'not all servants were innocent victims of sexual liaisons'.[174] However, given the lack of available evidence it is not possible to do more than speculate on the dynamics of Robert and Mary's relationship.

According to Hearn, 'a pregnant servant could expect very little sympathy from her mistress, or indeed from her parents'.[175] This is clear in many of the cases in this sample. Hearn has noted that when 'girls seduced by masters, members of his family or others became pregnant, they were often dismissed instantly without a character and literally put out on the street'.[176] Hannah A. [51] worked as a wards woman in Newcastle West workhouse. When the matron in the workhouse heard that Hannah was pregnant, she spoke to her about it and told her she would have to leave.[177] She kept Hannah on only until she found a replacement. Margaret D. [44] said that after she had given birth, her employer 'hunted [her] out of the house in the morning and left [her] walking into Newcastle workhouse'.[178] Margaret said that she was 'bad with pain and weakness' after the birth and was 'very bad on the road', but that her employers offered her no assistance.[179] She claimed that she would have died 'only the people were good on the road'.[180]

Some employers were more sympathetic to the plight of their unmarried, pregnant servants. For instance, Hannah K.'s [1] employer noticed that Hannah was pregnant, but she agreed to keep her in her employment until near her confinement.[181] Some employers, when asked about their employee's characters, made positive comments about their servants. In her evidence Kate N.'s [92] employer said that Kate had a good character and worked well. Kate had been in her employment in Corofin, Co. Clare for three years. Similarly, Catherine O.'s [19] employer said that he had always regarded her as 'a quiet respectable modest girl'.[182]

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[174] Hearn, Mona, *Below Stairs: Domestic Service Remembered in Dublin and Beyond 1880 – 1922*, p97.
[175] Ibid.
[176] Ibid.
[177] N.A.I., IC 55 78, Co. Limerick, Crown Files at Assizes, 1910.
[178] N.A.I., IC 38 138, Co. Limerick, Crown Files at Assizes, 1908 – 10.
[179] Ibid.
[180] Ibid.
[181] N.A.I., CRF/1911/A 11.
[182] N.A.I., IC 67 1, Co. Louth, Crown Files at Assizes, 1900 – 05.

2.5 Resourceful women

In her study of workhouses and female paupers in Ireland between 1840 and 1870, McLoughlin referred to pauper women as 'resourceful, if at times, vulnerable women'.[183] Many of the single women who stood trial for the murder or concealment of birth of their illegitimate infants in Ireland between 1900 and 1921 could also be described as both resourceful and vulnerable. Like the women that featured in the seventeenth and eighteenth century court records examined by Dickinson and Sharpe, many of the women in this sample were both physically and psychologically resilient.[184] A number of women resumed their normal daily chores in the households where they were employed as domestic servants only hours after giving birth alone. Many women in this sample would have worked long hours and performed demanding physical work while they were in the late stages of pregnancy. As many domestic servants worked in rural areas, their duties would often have involved manual work outdoors. In her study of infanticide cases in Upper Bavaria between 1848 and 1919 Schulte noted that unmarried pregnant servants often 'performed the full quota of work expected of them until the moment of labour and then carried on as if nothing had happened.'[185] Many of the women in this sample who were charged with the murder or concealment of birth of their infants appear to have been psychologically resilient. At the trial for the murder of her illegitimate son in December 1901, Bridget N. [11] appears to have cross-examined witnesses for the crown. Bridget M. [8] also interrogated several crown witnesses during the trial for the murder of her illegitimate son. The unmarried pregnant women in this sample were economically vulnerable, and some were socially isolated, yet most of the women who stood trial demonstrated agency in the way in which they dealt with an unplanned pregnancy.

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[183] McLoughlin, Dympna, 'Workhouses and Irish Female Paupers, 1840 – 70' in Luddy, Maria and Murphy, Cliona, (eds.), *Women Surviving: Studies in Irish Women's History in the 19th and 20th Centuries*, p142.

[184] Dickinson, J.R. and Sharpe, J.A., 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650 – 1800,' in Mark Jackson (ed.), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000*, p45.

[185] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p102. There are several examples of single pregnant women who continued to work steadily until they gave birth in the samples for all chapters in this thesis. For instance, I - - - - - - - L. [N. 26] told the police that following the birth of her infant she 'carried on at [her] work ever since as [she] did not want anybody to know.' (P.R.O.N.I., BELF/1/1/2/80/6, 1926).

As has Hearn noted in her study of the lives of domestic servants in Dublin in the late nineteenth and early twentieth centuries, 'servants spent twenty-four hours a day in their workplace and were generally in constant daily contact with their mistresses.'[186] The employers of unmarried pregnant servants often noticed the change in their physical appearance and many suspected that their employees were pregnant. In his deposition Matthew K. said that 'from the day' Mary H. [26] 'came into [his] employment [he] noticed the stomach was high with her.'[187] Some of the employers in this sample confronted their employees and referred to their concerns, but the women generally denied that they were pregnant and lied about the reason for the change to their appearance. When M - - - - - - S.'s [87] employer noticed that 'she was a bit stout' and inquired about her condition M - - - - - - told her that 'she never wore corsets and that was the explanation of her figure'.[188] Susan M.'s [76] employer was suspicious about her condition and asked her what was wrong with her, but Susan lied and told her that 'she was not regular for the past four months' when her employer noticed 'blood about the room on the floor.'[189] Both Bridget L. [15] and her mother Mary lied about Bridget's pregnancy when they were questioned by the police in July 1901. Bridget denied that she had been recently confined and told the Head Constable of Rathmullen that 'she had been suffering from bile on her stomach and that her sickness had ceased but on Sunday the 23rd June 1901 her sickness came on and that the swelling that she previously had left her'.[190] Bridget's mother also denied that her daughter had been 'in the family way'.[191] She also claimed that Bridget had been 'suffering from bile in the stomach and that her usual sickness stopped and that on Sunday night it came on'.[192] Single pregnant women who lived with their parents also felt they had to tell lies in order to hide their condition and to account for any absences from the family home during their confinement. Margaret M. [54] left home to give birth in the Limerick union hospital in August 1910. She told her father that she 'had been in hospital for three weeks with a sore hand'.[193]

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[186] Hearn, Mona, 'Life for Domestic Servants in Dublin, 1880 – 1920' in Luddy, Maria and Murphy, Cliona, (eds.), *Women Surviving: Studies in Irish Women's History in the 19th and 20th Centuries*, p166.
[187] N.A.I., IC 38 135, Limerick City & County, Crown Files at Assizes, 1904 – 05.
[188] P.R.O.N.I., BELF/1/1/2/53/7, 1917.
[189] N.A.I., IC 55 83, Co. Limerick, Crown Files at Assizes, 1915.
[190] N.A.I., IC 48 36, Co. Donegal, Crown Files at Assizes, 1900 – 02.
[191] Ibid.
[192] Ibid.
[193] N.A.I., IC 55 78, Co. Limerick, Crown Files at Assizes, 1910.

Several women in this sample gave birth in workhouse maternity wards. They often lied about their marital status when they were admitted to the institutions and gave false names. Perhaps by giving a false name they may have hoped that they would escape detection after being discharged. Mary B. [29] gave a false name when she was admitted to the Galway Union hospital during the late stages of her pregnancy in September 1905.[194] Bridget N. [11] appears to have used two different aliases. She gave birth in Limerick workhouse and may have registered as a married woman there and used the surname of her infant son's father. It is not clear from the evidence in her file as to when she used the second assumed name. It is possible that she gave a false name to the police when she was first questioned. A number of unmarried women who gave birth in county homes in post-independent Ireland also lied about their marital status and said that they were married.

Some women continued to lie about the birth of their infants even after the body had been discovered. Kate M. [7] tried to prevent her employer from informing the police when he found a parcel under her bed that contained the body of a newborn infant. She denied that anything had occurred and protested saying, 'surely you will not bring the sergeant on me when there is nothing the matter with me'.[195] According to her employer, 'when [Kate] found [he] intended to go she jumped out of the bed and tried to prevent [him]'.[196] She tried to bargain with him and said that if he would let her spend the night in his house she promised to 'leave and go away decently' the following morning.[197] However, Kate's employer did not accede to her request and he reported the incident to the police before she could leave the area.

Some women were so desperate to avoid detection and prosecution that they attempted to bargain with the doctors who discovered their infants and confirmed that they had given birth. L - - - - - M. [41] asked the doctor who attended to her after she had given birth without assistance not to tell anyone what had happened.[198] She told him that she would get the baby buried and then leave the area. When Dr John Byrnes asked Bridget B. [63] how long she had carried her deceased infant for, she told him that 'it was two or three

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[194] N.A.I., CRF/1906/B 59.
[195] N.A.I., IC 48 36, Co. Donegal, Crown Files at Assizes, 1900 – 02.
[196] Ibid.
[197] Ibid.
[198] P.R.O.N.I., DOW1/2B/15/5, 1908.

months from its time' and that it had been born dead.[199] When Dr Byrnes examined the body he concluded that it was 'a full time child'.[200] A number of other women in this sample lied to the doctors who examined them and told them that their infants were premature or had been still born. They may not have realised that medical professionals would have been easily able to distinguish between the body of a premature infant and a full-term infant and to determine whether an infant had been still born.

Many women who were charged with the murder or concealment of birth of their illegitimate infants between 1900 and 1921 attempted to make excuses to doctors and to the police in order account for the deaths of their newborn babies. For instance, when Margaret M. [80] was arrested and charged she made a long statement 'admitting guilt and stating that she fell asleep and when she awakened the child was lying dead under her and that she didn't know what to do'.[201] This was quite a common explanation. Margaret L. [53] also claimed that she accidentally overlay on her infant during her sleep.[202] Lillian G. [82] said that her baby was still born.[203]

While many single pregnant women in this sample do not seem to have made plans in advance of giving birth, a small number of women seemed to have decided on a particular course of action that they would take in advance of giving birth. Agnes M. [62] seems to have gone to considerable lengths to conceal the birth of her infant. In August 1912 Agnes left her home in Portarlington for Dublin, where she rented a room in a boarding house for 'from 4 to 6 weeks before she went to the Rotunda hospital' to give birth.[204] Agnes told her landlady that she intended to take her baby home to her mother or to Clare to have it nursed. She travelled from Dublin to Killaloe in Co. Clare by train in September 1912. It is not clear whether Agnes ever seriously intended to have her baby nursed or whether she travelled to Clare in order to dispose of her infant's body. She lied to the people she met in Killaloe and told them that the baby was not hers, that it was her sister's infant.

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[199] N.A.I., IC 55 80, Co. Limerick, Crown Files at Assizes, 1912.
[200] Ibid.
[201] N.A.I., CRF M 35/1916.
[202] N.A.I., IC 42 54, Dublin City & County, Crown Files at Commission, Leinster Winter Assizes, 1910.
[203] N.A.I., IC 70 48, Dublin City & County, Crown Files at Commission, Leinster Winter Assizes, 1916.
[204] N.A.I., ID 39 135, Co. Clare, Crown Files at Assizes, 1912.

Mary G. [34] also tried to avoid detection by leaving the area where she resided with her family just before she was due to give birth, returning to her parents' house after the birth.[205] She travelled to another part of Co. Donegal shortly before she was due to give birth and rented a room. She gave a false name in the house where she lodged and told the nurse who attended her that she was a married woman whose husband had deserted her. Bridget M. [8] left her employer's house in May 1900 before she was due to give birth. Bridget, according to one deponent, 'did not say why she was going further than that she was not well and was going home for some time to her people'.[206] Clearly, Bridget did not want her employer or co-workers to know that she was pregnant. She returned to work in the same place at the end of July 1900.

2.6 Family members and infanticide cases

Much can be learned about family dynamics from the records of infanticide trials. In their study of infanticide in Cheshire between 1650 and 1800 Dickinson and Sharpe found 'scattered but intriguing evidence of friends and family rallying to help the mother through childbirth, and to assist in concealing the dead child subsequently'.[207] Their research has shown that accessories to the crime of infanticide were generally relatives. 'Relatives', they noted 'were, of course, the people who would naturally be called on in a crisis like childbirth.'[208] Unmarried motherhood was considered extremely shameful in Ireland during the first half of the twentieth century. As Hill has put it, 'whether their mothers were rich or poor, children were only welcomed when born within a union legalised by marriage. In a country which placed a high value on chastity and self-restraint, illegitimacy was socially unacceptable'.[209] Out-of-wedlock pregnancy would have constituted a serious crisis for most Irish families during the period and relatives of the birth mothers in this sample responded to the crisis in several different ways. The relatives of many women in this sample reacted angrily when they learned that their single daughters or sisters were pregnant. According to Sergeant James Butler, when he arrived at Ellen S.'s house and asked what was the matter, she pointed to her granddaughter Julia S. [73] and said 'this one here...has a baby this morning, take her

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[205] N.A.I., IC 48 38, Co. Donegal, Crown Files at Assizes, 1906 – 08.
[206] N.A.I., IC 48 36, Co. Donegal, Crown Files at Assizes, 1900 – 02.
[207] Dickinson, J.R. and Sharpe, J.A., 'Infanticide in early modern England: the Court of Great Sessions at Chester, 1650 – 1800' in Jackson, Mark, (ed.), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p43.
[208] Ibid.
[209] Hill, Myrtle, *Women in Ireland: A Century of Change*, pp27-29.

away from me I don't care what you will do with her'.[210] She also told the police that Julia had given birth on a previous occasion. Some women were forced out of their homes because they were pregnant. In her study of women in twentieth-century Ireland, Hill referred to several instances where unmarried pregnant women were thrown out of their homes.[211] Social exclusion for women who became pregnant outside marriage, was common, she has argued.[212]

However not all families were unsympathetic. The relatives of a small number of unmarried women in this pre 1922 sample were more understanding of the predicament in which their female kin found themselves. While most unmarried women in this sample lied to their parents about their pregnancy and did their utmost to conceal their condition from family members, a small proportion of the women confided in their relatives. Unmarried pregnant women were more likely to have confided in female relatives. E - - - - A. [57] may have confided in her mother about her pregnancy or her mother may have guessed that her daughter was pregnant.[213] In her deposition the mother said that '[she] had known previous to this that [her] daughter was in the family way.'[214] Anne L. [3] had clearly confided in her sister Sarah. When she was questioned, Sarah told the police that she 'was aware [Anne] was in the family way.'[215]

The relatives of some women assisted them during childbirth and on occasion collaborated with them to kill and conceal the birth of their newborns. Thirty-nine relatives of the birth mothers in the sample made depositions.[216] The evidence obtained from the relatives of single women who had given birth sheds light on they ways in which family members responded to the birth of an illegitimate infant. Their evidence must however be treated with caution. In some instances it was contested or contradicted by the birth mother. This is understandable, given the circumstances in which many families found themselves. Most relatives of the unmarried mothers in this sample would

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[210] N.A.I., CRF S 2/1916.
[211] Hill, Myrtle, *Women in Ireland: A Century of Change*, p29.
[212] Ibid.
[213] P.R.O.N.I., BELF/1/1/2/31/5, 1910.
[214] Ibid.
[215] N.A.I., IC 14 13, Dublin, Crown Files at Quarter Sessions, 1900.
[216] The relatives of birth mothers gave evidence in thirty cases in this sample. In several instances more than one member of the same family gave evidence and in some instances relatives who gave depositions were also charged with the murder or concealment of birth of the infant whose death was being investigated.

naturally have felt under pressure when the police questioned them. The relatives of some women may have lied and denied playing any part in the crime, even if they had provided their female relatives with some form of assistance. Kate M.'s [21] sister Margaret said that she 'never knew if' her sister 'was in the family way'.[217] She said that she 'knew nothing and did not bother myself about her'.[218] She also denied that her sister had given birth in their mother's house although their next door neighbour claimed she had heard a great deal of noise in their house the night Kate supposedly gave birth. Some of the mothers in this sample incriminated family members in their statements, while others swore that their relatives had not had any part in the infant's death. For instance, Maria O. [32] swore that neither her brother John 'or no one else had anything to do' with the death of her infant.[219] She said that she delivered the baby on her own and concealed the body herself. However, the police suspected John of being involved and he was charged with concealment of birth.

Many unmarried women in this sample seem to have been extremely anxious to conceal the fact that they were pregnant from their relatives. That a single woman would strive to conceal a pregnancy is hardly surprising, given the level of hostility towards unmarried mothers in Ireland during the period. Some women worried that their parents would force them out of the home if they were discovered to be pregnant. In her petition, Mary M. [81] said that she concealed the birth of her illegitimate infant because she was afraid that if her mother discovered that she had had a baby, she would throw her out of the house.[220] E - - - - - - - - H. [49] admitted putting her infant's body in an ash pit. She said that her mother was 'down on [her]' and she was afraid of her brothers and afraid of being thrown out of home.[221]

Some single pregnant women were indeed turned out of their parents' homes. Annie T.'s [86] stepfather 'put her out of his house' a day or so after the birth of her first illegitimate child. Annie's life had apparently been endangered on that occasion.[222] Bridget M. [8] spent three weeks in Mary S.'s house before she went into the workhouse to give birth. Bridget told Mary S. that 'the reason she came to [her] house was because her own

[217] N.A.I., ID 39 126, Co. Clare, Crown Files at Assizes, 1903.
[218] Ibid.
[219] N.A.I., IC 20 4, Co. Galway, Crown Files at Assizes, 1905 – 06.
[220] N.A.I., CRF M 37/1916.
[221] P.R.O.N.I., BELF/1/1/2/33/6, 1909.
[222] N.A.I., IC 70 51, Co. Dublin, Leinster Winter Assizes, 1917.

people would not keep her at home.'[223] Bridget also told a nurse in the Milford Union workhouse in Co. Donegal that 'her father had put her out of his house.'[224] In her deposition Ellen D. said that Bridget called to her house and 'wanted to stop with [her] as she was in trouble and could not go home to her mother'.[225] Bridget explained that she was pregnant and needed somewhere to stay. Although she offered to pay Ellen said that she 'would not keep her at all as I had not the means and told her to go home'.[226] Bridget clearly did not want to go home and went to the workhouse instead. Others seem to have feared that their male relatives would be violent towards them if they learned that they were pregnant or had given birth. Margaret M. [54] told the police that she was afraid to return to her father's house after giving birth for 'fear he'd kill [her]'.[227]

While the relatives of most single women in this sample who gave evidence denied that an infant had been born when they were questioned, and in many case may have assisted the birth mother in concealing an infant's existence, the relatives of some women reacted by alerting the authorities. Margaret C.'s [67] sisters Annie and Ellen informed on their sister.[228] E - - - - A.'s [57] mother said that she knew her daughter was pregnant.[229] When she heard cries from the yard she sent for a policeman. E - - - - - - - - H.'s [49] father called the police when he found an infant's body in an ash pit near their home.[230]

There are many instances in the case files where relatives of the birth mother attempted to assist her in some way. The mothers of several women in this sample assisted them during delivery. Nora C. [23] told the police that her mother was present when she gave birth in May 1903 and attended to her. [231] In his deposition Patrick M. said that he told his sister that he 'would get her a ticket and get her into the workhouse'.[232] He had suspected that she was pregnant but Norah [65] had denied it. When Patrick returned with the ticket he found his sister 'sitting over a bog hole'.[233] He said that he 'caught hold of her and brought her home with [him]. [He] afterwards brought her to Scariff Union

[223] N.A.I., IC 48 36, Co. Donegal, Crown Files at Assizes, 1900 – 02.
[224] Ibid.
[225] Ibid.
[226] Ibid.
[227] N.A.I., IC 55 78, Co. Limerick, Crown Files at Assizes, 1910.
[228] N.A.I., ID 39 137, Co. Clare, Crown Files at Assizes, 1914.
[229] P.R.O.N.I., BELF/1/1/2/31/5, 1910.
[230] PRONI, BELF/1/1/2/33/6, 1909.
[231] N.A.I., ID 39 126, Co. Clare, Crown Files at Assizes, 1903.
[232] N.A.I., ID 39 135, Co. Clare, Crown Files at Assizes, 1912.
[233] Ibid.

hospital where [they] arrived at about six pm where [he] left her as a patient'.[234] However, Norah had already given birth. Her baby's body was found in a field after she was admitted to hospital. Sarah Jane B.'s [55] mother told the police that she was present when her daughter gave birth.[235] She also said that she helped Sarah Jane to bed afterwards and washed her baby and put it in a cradle.

The relatives of sixteen single women in this sample (16.8% of all cases) were charged with the murder or concealment of birth of their illegitimate infants. It is clear from the cases in this sample that female relatives were far more likely to have been charged with murder or concealment of birth than male relatives. The mothers of women who gave birth outside wedlock were more likely to have collaborated with the birth mother to conceal the birth of a newborn infant or to cause its death than any other relative. From the cases in this sample it would appear that female relatives were generally more sympathetic and understanding of the difficult position in which unmarried pregnant women found themselves. This is also evident in cases tried in the Central Criminal Court between 1922 and 1950. Margaret M.'s [30] mother Mary made a detailed deposition. She said that she knew that her daughter was pregnant. She confronted her about it and advised her to 'go to some hospital or somewhere to be confined'.[236] Mary M. said she told her daughter to go away for her confinement as she was 'too old to mind her and her brothers were not satisfied that she should stay in the house and be confined in it'.[237] Mary gave Margaret some money and she left her home in Co. Carlow and went to the South Dublin Union hospital. Mary also sent her daughter money by post to cover the cost of her train fare home.

The mothers of eight single women in this sample were charged with the murder or concealment of birth of their illegitimate infants, and the grandmothers of two women were charged with concealment of birth. Annie T. [86] and her mother Annie M. were both charged with the murder of Annie's illegitimate son in October 1917. The body of Annie's infant was found 'face down wholly immersed in water and mud, one foot deep' in the garden of their home in Balbriggan, Co. Dublin. In her statement Annie's mother

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[234] Ibid.
[235] N.A.I., IC 48 39, Co. Donegal, Crown Files at Assizes, 1909 – 11.
[236] N.A.I., IC 12 57, Co. Carlow, Crown Files at Assizes, 1887 – 1906.
[237] Ibid.

admitted to being the only person present when her daughter's baby was born.[238] She told the police that Annie's baby was 'dead when it was born' and she told them that about half an hour after the birth she took the infant's body 'to the garden where there is a manhole at the end of the drain and put it into it with an old piece of sacking and covered all up with some sticks and old potato stocks'.[239] Annie T. described how her mother had assisted her when she became 'ill with pains' on October 14th 1917.[240] Her mother assisted her during the birth and Annie recalled how 'after the child was born [her] mother carried [her] back into [her] bed'.[241]

Bridget L. [15] and her mother Mary M. were both charged with the concealment of birth of Bridget's illegitimate infant in July 1901. On July 2nd 1901 Constable Richard Shier questioned Bridget's mother 'as to the rumour that was through the country with reference to her daughter'.[242] Mary M. told him that 'the cutty[243] was not in the family way'.[244] She also lied and said that Bridget 'was suffering from bile in the stomach and that her usual sickness stopped and that on Sunday night it came on'.[245] Mary explained that she shared a bed with her daughter and that she could not have been pregnant without her noticing it. She also stated that she had 'washed a sheet that was stained this morning and that her daughter could show me the petticoat she was wearing which was also stained with blood'.[246] Mary was clearly trying to imply that Bridget was menstruating and was, therefore, not pregnant. However, the infant's body was later located in a field close to Mary M.'s house. Its limbs and head had been severed. Bridget seems to have tried to avoid incriminating her mother. She told the police that she had a miscarriage. She said that 'there was no person with [her]' when she gave birth and she said that she did not know what happened to the baby's body.[247]

The mothers of several women in this sample assisted them during childbirth and attended to them afterwards. In some cases the mothers of the birth mother appear to

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[238] N.A.I., IC 70 51, Co. Dublin Crown Files at Commission, Leinster Winter Assizes, 1917.
[239] Ibid.
[240] Ibid.
[241] Ibid.
[242] N.A.I., IC 48 36, Crown Files at Assizes, 1900 – 02.
[243] 'A short stump of a girl *Dumfriesshire*,' or 'a term of reprobation for a testy, or naughty girl or woman; but often used playfully.' (*The Oxford English Dictionary*, 2nd ed., Volume IV, Oxford, 1989).
[244] N.A.I., IC 48 36, Crown Files at Assizes, 1900 – 02.
[245] Ibid.
[246] Ibid.
[247] Ibid.

have killed the infant and disposed of its body while their daughters recovered in bed. It is not clear from the available evidence whether the mothers of the birth mothers in this sample who faced prosecution killed their illegitimate grandchildren in order to avoid the shame and stigma of an illegitimate pregnancy in the household, or whether they feared how their husbands or other family members would react if they discovered an unmarried female family member had given birth. Nor is it clear whether the mothers of the birth mothers took criminal action out of a sense of kindness and concern for their daughters. Were they anxious to protect their daughters' reputations or were they motivated out of anger and an overwhelming urge to conceal the shame of an illegitimate birth in the household? Relatives who assisted an unmarried mother to kill or conceal the birth of an illegitimate infant obviously experienced a range of emotions and in most cases in this sample these emotions are not clearly articulated.

The sisters of four single women in this sample were charged with the murder or concealment of birth of their infants. These cases are very similar to instances where the birth mother's mother came to their daughters' aid. Margaret H. [31] was charged with the murder of her sister Bridget's newborn infant in July 1905. In his deposition Sergeant Edward Keane said that he was 'in ambush outside the house of Patrick H.' in Merrit, Co. Clare between one and three am on July 28th.[248] He recalled how he had heard 'great moaning by a female from inside the house'.[249] In a lengthy and detailed deposition Sergeant Keane said that 'the moaning in the room continued at intervals until 2 o' clock am calling "mother, mother come and relieve me" and she was calling Maggie in the same terms'.[250] At 3 am Sergeant Keane said he 'heard Maggie H. calling out, 'Bring down the holy water Bridgey is dying'.[251] After that he said that 'some one came down from the kitchen to the room in a hurry and shouted out "my child is dead".[252] Sergeant Keane also said that shortly after Bridget's death he heard Bridget's mother say 'My God, a child is coming!,' and that when Bridget's father said something 'with reference to a child and was hushed up by the women'.[253] It is not clear whether the police had the Patrick H.'s household under observation because they suspected that Bridget H. was due to give birth or whether they were on a routine patrol of the neighbourhood during the

[248] N.A.I., ID 39 128, Co. Clare, Crown Files at Assizes, 1905.
[249] Ibid.
[250] Ibid.
[251] Ibid.
[252] Ibid.
[253] Ibid.

night. Margaret H. said that she 'done nothing to [her] poor sister' and that '[she] done nothing to injure her.'[254] Margaret may have decided to kill her sister's newborn infant because her sister had died shortly after giving birth. She may have felt that raising an illegitimate infant would have been an unnecessary burden on her and her elderly parents. Like other family members in this sample she may also have been keen to avoid the stigma associated with illegitimacy.

It is perhaps easier to decipher a motive in the case thirty-nine. Kate H. [39] and her sister Margaret S. were both charged with the murder of Kate's infant son in November 1908. Kate married about four months before she gave birth but her husband was not the infant's father. Kate told the police that when her husband married her he 'had no knowledge that [she] was with child.'[255] Although Kate said that she 'never had any unpleasantness with [her] husband about the child though he knew that he was not the father', it seems likely that the birth of her son caused tension between them and this may have provided both Kate and her sister Margaret with a motive for taking the baby's life.[256] When she was arrested Margaret said that she thought she was doing her sister a good turn.

Male relatives were far less likely to have been suspected of assisting an unmarried sister or daughter in killing an illegitimate newborn or of taking its life. The male relatives of three single women in this sample were charged with concealment of birth whereas the female relatives of thirteen women – 81% of cases where family members were arrested and charged - stood trial for the murder or concealment of birth of their illegitimate infants. Only one woman's father was charged with concealing the birth of her illegitimate newborn. Bridget S.'s [14] father Dan was tried for concealing the birth of Bridget's illegitimate infant at the Limerick Summer Assizes in 1901. Dan S. seems to have lied several times in order to protect both himself and his daughter. When the police first called to his house to question them he told them that Bridget was not in the house, but the police went upstairs and found her there. He also lied about where his daughter's baby was buried. 'I told Dr Lee at 7:30 o clock last night that the child was buried in Glenlara. That was not true. I showed the body to Dr Lee and the Head Constable. I did

[254] Ibid.
[255] N.A.I., IC 38 138, Limerick City & County, Crown Files at Assizes, 1908 – 10.
[256] Ibid.

not put the child there or does [sic] not know who did it.'[257] Dan S. also told the police that he had brought a woman to attend to his daughter but the police were unable to locate the woman, and it seems like that this was untrue. The brothers of two unmarried woman in this sample were charged with concealing the birth of their sisters' illegitimate infants.

It is evident from a number of cases in this sample that single women were often pressured by family members to conceal their pregnancy from neighbours and friends and to kill their illegitimate newborns. Patrick M.'s sister Margaret [30] was charged with murdering her illegitimate infant son in January 1905. Margaret may have felt under considerable pressure to take her infant's life. While Margaret's mother appears to have been sympathetic towards her daughter when she noticed that she was pregnant, Margaret's brothers appear to have been unhappy about the predicament in which she found herself. Margaret's mother said that in one letter she sent home while she was in the South Dublin Union hospital Margaret had said 'that she did not like to come home to us: to bring the child home to us.'[258] In her evidence a nurse who worked in the South Dublin union hospital stated that Margaret M. received a letter from her family two days after she had given birth. According to the nurse, who had read part of the letter, it said, 'you blackguard you have disgraced your poor mother; every person is asking where Maggie is gone: don't bring it home'.[259] As Margaret's mother was illiterate it seems likely that her brother Patrick wrote the letter. However, Margaret eventually returned home with her baby. In his deposition, her brother Patrick stated that the night that Margaret returned home there were neighbours in the house. He recalled how she said that 'she was ashamed to come in till they went away.'[260] She only went indoors when the neighbours had left. Later that night Patrick saw the infant's body. Margaret's mother sent Patrick for the police. Given her brother's attitude, Margaret may have felt that she had little choice but to take her baby's life.

Watching an unmarried female relative give birth and subsequently committing a crime must have been a traumatic experience for the relatives of many single women in this sample. The relatives of some single women appear to have been extremely distressed

[257] N.A.I., IC 38 133, Co. Limerick, Crown Files at Assizes, 1901 – 02.
[258] Ibid.
[259] Ibid.
[260] Ibid.

because an unmarried female family member was pregnant. The pressure to assist a single woman to conceal her pregnancy and to dispose of her infant's body seems to have been a source of intense anxiety to some. When he was cross-examined, the district inspector of the R.I.C. in Co. Louth said that when Mary C.'s [56] mother Margaret saw the sergeant, 'she was overwhelmed – half-distracted – whether from grief or fear and was in that state when she made the statement.'[261] Margaret had attempted to refute claims that her daughter was pregnant on several occasions when her neighbours inquired, and she appears to have buried the body of her daughter's illegitimate newborn. Margaret apparently 'got very nervous and excited' when the police arrived, and judging by her statement and behaviour she was extremely anxious to avoid being disgraced.[262]

Little is known about the fate of single women who were convicted of the murder or concealment of birth of their illegitimate infants between 1900 and 1921 following their terms of imprisonment. Some women's relationships with their close relatives may have been ruptured following their arrest, trial and imprisonment, and they may not have returned to their parents' home when they were released from prison. However, others may have not encountered as many difficulties and some women may have been welcomed back into the family fold when their term of detention had expired. Women whose parents were poor and required part of their daughters earnings or their labour at home may have forgiven them more readily than parents who were not reliant on their daughters' assistance. Bridget R. [58] was convicted of concealing the birth of her illegitimate infant in March 1912 and sentenced to twelve months' imprisonment with suitable labour. According to a Co. Wicklow based RIC sergeant, Bridget's parents were 'most anxious to have their daughter Bridget home again.'[263] In her petition to the Lord Lieutenant, Bridget stated that her 'mother and father is forgiving me and taking me home under their care.'[264] Although Julia S.'s [73] grandmother told the police to take her granddaughter away and said that she didn't care what they did with her, Julia's father wrote to the Crown Solicitor for Kerry in March 1916 in order to petition him for her early release. He seems to have been dependent economically on his daughter.

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[261] N.A.I., IC 67 2, Co. Louth, Crown Files at Leinster Winter Assizes, 1906 – 10.
[262] N.A.I., IC 67 2, Co. Louth, Crown Files at Leinster Winter Assizes, 1906 – 10.
[263] N.A.I., CRF R 26/1912.
[264] Ibid.

2.7 Motivation

Margaret O. [25] gave birth in the Ennis Union workhouse in November 1903. A worker in the maternity ward felt that Margaret was neglecting her newborn infant and threatened to report her to a doctor. However, Margaret told her that 'she didn't care about the doctor or anyone else.' [265] Margaret had been reluctant to feed her infant. She lied to a doctor while she was in the workhouse and told him that she had no breast milk. Margaret left her newborn infant in a field and it eventually died from exposure on November 30th or December 1st 1903. There was frost on the ground when Margaret abandoned her infant. A post-mortem examination on the infant's body also suggested that the baby had been neglected. Scalds were found on its body.

Margaret, like many other women in this sample, was clearly keen to unburden herself of her illegitimate infant. The evidence submitted by people who observed her with her baby in the workhouse suggests that she had very little sense of maternal affection for her infant son. Margaret's statement was very brief. It is not clear whether she was weighed down by financial worries or whether she feared how her family would react if they discovered that she had given birth. Margaret may have been reluctant to raise her son single-handedly because of the impact single motherhood would have had on her own life in terms of marriage and future employment. Cooper Graves has noted that while infanticide 'can be seen, as the nineteenth-century reformers saw it, as a desperate, self-destructive reaction to experiences of material and moral poverty...it can also be viewed in its positive aspect, as an act of autonomy, self-assertion, and self-definition.'[266] It is important to remember that 'choosing infanticide deliberately could not only save women from economic ruin, it could release her from being held a lifelong hostage to the constraints imposed by motherhood.'[267] However, as Bechtold and Cooper Graves have noted, the causes of infanticide are multifaceted.[268] It is only possible to speculate about motivation in Margaret's case but like many unmarried women who killed their illegitimate newborns or concealed their births in Ireland at this time, she may have done so for many reasons.

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[265] N.A.I., ID 39 127, Co. Clare, Crown Files at Assizes, 1904.

[266] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p134.

[267] Ibid.

[268] Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p197.

It is clear from a number of cases in this chapter that many women were subject to pressure from relatives to kill their illegitimate newborns. A number of women feared that the birth of an illegitimate infant would lead to both mother and child being rejected by the mother's family and being cast out of the parental home. Many women who were employed as domestic servants would have worried that the birth of an illegitimate infant would lead to the loss of employment and destitution. It is clear from the cases in this sample that as Cooper Graves has argued in relation to infanticide cases in Victorian England, the 'circumstances of desertion and poverty tempted these women to conceal their pregnancies, deliver the babies on their own, destroy the infant, and dispose of the body.'[269] Many single women in this sample were quite poor. In some cases, they were under pressure to provide not only for themselves, but also for poor infirm or elderly family members, even though their own wages would have been quite low. Most women in this sample would have found it extremely difficult to pay a foster mother to raise their illegitimate infants and to support other family members from their earnings in domestic service.

The sense of stigma associated with lone motherhood in Ireland during the first two decades of the twentieth century, was quite potent, and many single women would have been keen to avoid intense moral censure in their communities. This may well have been one of the main motivating factors in infanticide cases involving unmarried mothers at the time. A number of women in this sample referred to the sense of shame and disgrace associated with unmarried motherhood in their statements. When Margaret M. [54] was charged with murdering her illegitimate infant in September 1910, she 'burst out crying' and said she was a disgrace to her brothers and sisters.[270] When K - - - - F. [70] was arrested and charged with concealing the birth of her illegitimate infant in November 1914 she begged the police not to inform her parents of her arrest. She said that it would 'break their hearts and disgrace them for life.'[271] However, relatively more women referred to this sense of shame and disgrace in the infanticide cases tried at the Central Criminal Court in Dublin between 1922 and 1950. Unmarried women who were charged

[269] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, pp113 – 114.
[270] N.A.I., IC 55 78, Co. Limerick, Crown Files at Assizes, 1910.
[271] P.R.O.N.I., BELF/1/1/2/45/7, 1914.

with the murder or concealment of birth of their infants in the Twenty-Six Counties between 1922 and 1950 also tended to give more detailed statements than the women who feature in the cases in this pre 1922 sample. Their statements may also have been influenced to a considerable extent by the kinds of questions that were put to them by the Gardaí. They may well have been asked more directly whether they felt a strong sense of shame during the pregnancy.

A small number of women may have suffered from a temporary loss of sanity and some may have been overwhelmed by physical pain to the point where they could not control their actions or could not recall what had happened. In such instances single women who had just given birth alone and without assistance after months of concealing a pregnancy would no doubt have also have been affected by factors such as family reactions, possible loss of employment and the sense of disgrace associated with single motherhood and with illegitimate children.

2.8 The outcomes in infanticide cases tried in Ireland, 1900 – 1921

Information on the verdicts in cases of the murder, manslaughter or concealment of birth of infants is available for a total of seventy-one cases (74.7%) in this sample. Three single women in this sample were found guilty of the murder of their illegitimate infants. One case in this sample was not proceeded with and ten women were acquitted.[272] Eight women were found guilty of manslaughter. The vast majority of women in this sample, however, were convicted on the lesser charge of concealing the births of their infants. Thirty-eight women were found guilty of concealment of birth. Indeed many of these women were also charged with the murder of their illegitimate newborns but in most cases they pleaded not guilty to murder but guilty to concealment of birth. Their pleas were almost always accepted. As Ward has noted in relation to nineteenth-century England, women who faced trial for killing new-born infants were usually only convicted of concealment of birth.[273] This pattern is also evident in Ireland in this period.

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[272] It is not clear from the records whether Agnes M. [62] pleaded guilty to manslaughter or concealment of birth.

[273] Ward, Tony, 'Legislating for human nature: legal responses to infanticide, 1860 – 1938' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p256.

Table 2:2 Outcomes in sample of Irish infanticide cases 1900-1921 (minus unknown outcomes)

Outcome	Number	Percentage
Guilty of murder	3	4.2
Guilty of manslaughter	8	11.2
Guilty of concealment of birth	38	53.5
Guilty but insane	2	2.8
No true bill	3	4.2
Nolle prosequi	3	4.2
Not guilty	10	14.0
Not proceeded with	1	1.4
Relative	3	4.2
Total	**71**	**100**

Juries in Ireland appear to have been unwilling to convict young single women who were charged with the murder of their illegitimate newborns. Writing to the Chief Secretary's office about Mary M. [81] in October 1916, Lord Justice Ronan noted that 'this was one of these cases in which the Crown accepts a plea of guilty to concealment of birth although the facts disclose strong evidence of infanticide.'[274] 'It is difficult,' he added, 'to conceive a more serious case of concealment of birth.'[275] Mary's infant's died as the result of a fracture to its skull. It appeared more than likely that Mary had inflicted force on her newborn infant's head. It would appear from the judge's comments that there were many similar cases and that there was a reluctance to proceed with murder charges against a single woman suspected of having killed her infant and a readiness instead to accept pleas of guilty to concealment of birth during the first two decades of the twentieth century. Judges were extremely reluctant to sentence single women convicted of the murder of their infants to death. As Arnot has observed, in some instances, the criminal justice system operated to women's advantage.[276] Mr Justice Boyd said that passing the death sentence on Hannah A. [51], who was convicted of the murder of her infant daughter in July 1910, was 'a most disagreeable thing for [him] to do.'[277] He told Hannah that he would forward 'a strong expression on [his] own part' along with the jury's recommendation for mercy and explained that it was necessary for him to

[274] N.A.I., CRF M 37/1916.
[275] Ibid.
[276] Arnot, Margaret L., Usborne, Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne, Cornelie (eds.), *Gender and Crime in Modern Europe*, p7.
[277] *Limerick Chronicle*, 7 Jul. 1910

pronounce the death sentence, even though he clearly did not wish to do so.[278] Hannah A.'s case had clearly generated a great deal of sympathy and concern. There seems to have been a strong sense of compassion towards Hannah who was perceived as a vulnerable young woman - despite the fact that she was thirty-six years old and had been previously convicted of concealment of birth. Solicitor Edward Coffey sent a memorial to the Under-Secretary of Dublin Castle in July 1910 appealing for mercy for Hannah A. It was signed by the Mayor and High Sheriff of Limerick city as well as 'other prominent gentlemen of the City of Limerick, and district, praying mercy for the defendant.'[279] The death sentence passed on Hannah was commuted to penal servitude for life later in the month.

As Cooper Graves has put it in reference to Victorian England, 'juries, normally much in sympathy with the plight of the accused women, sought excuses for the events outlined in the indictments, rather than sifting through technical evidence that might be incriminating.'[280] This is also apparent in several cases in this sample. According to Edward Jacob of the Waterford Discharged Prisoner's Society, the jury in the Mary B. [29] case 'were only too glad thus to find a door of escape for the poor young thing.'[281] They found her guilty of murder but found that at the time she killed her infant son she was not responsible for her actions. One of the members of the grand jury who brought in true bills against Hannah K. [1], a twenty-year-old unmarried domestic servant who was charged with murdering her infant son in September 1900, was moved to write to the Lord Lieutenant about the case. He recalled how the feeling among the other members of the panel 'was so strong that it was a case for pity; that it was arranged to ask the judge if in believing the woman to be guilty we were justified in throwing out the bills, because of the sad circumstances.'[282] Colonel Robertson of Bray wrote to the Lord Lieutenant to express his views regarding the Hannah K. case. He felt that because infanticide was not prevalent in Ireland, Hannah should 'be tenderly dealt with.'[283] The sense of sympathy with Hannah K. even extended to the judge who tried the case. He told the jury that if

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[278] Ibid.
[279] N.A.I., CRF/1911/A 11.
[280] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p122.
[281] N.A.I., CRF/1906/B 59.
[282] N.A.I., CRF/1911/A 11.
[283] Ibid.

they recommended Hannah to mercy they would have his support. Several commentators, as Ward has noted, 'attributed acquittals to the sympathy of judges and juries for fallen women and their sense (perhaps prompted by their own sexual guilt) of the injustice of sentencing the woman to death while her seducer went free.'[284] Mr Justice Gibson was reluctant to pass the death sentence on Hannah K. [1]. This may have been partly due to the fact that she had apparently been seduced and betrayed. He chose not to address her 'in the ordinary language a judge does to a criminal.'[285] He did not exhort her to repent for her crime because he said that he had 'no reason to doubt that you are, apart from this lamentable transaction, a good girl.'[286] Indeed, there are many other cases in this sample where the sympathy of the judge and jury with women charged with the murder or concealment of birth of their newborn infants is strongly in evidence.

As Prior has observed, 'throughout the nineteenth century, women in situations like Hannah found understanding and leniency among judges and jurors alike.'[287] Seventeen-year-old Hannah was indicted for the murder of her illegitimate infant in 1895. This sense of sympathy and understanding continued into the twentieth century. Several judges expressed sympathy with young, unmarried women who were tried for the murder or concealment of birth of their illegitimate infants in Ireland during the first two decades of the twentieth century. Elizabeth W. [22] was tried for concealing the birth of her illegitimate infant in March 1903. According to a report in the *Cork Examiner*, the trial judge said that Elizabeth 'was not altogether to blame.'[288] Although she pleaded guilty to concealment of birth, Elizabeth was released on entering into a recognizance. Mary D. [83] stood trial for concealment of birth in July 1916. The trial judge stated that he 'sympathised with prisoner in her social distress and anguish and if he had before him the man who made her his victim, he would deal very strictly with him.'[289] When Kate B. [2] was tried for the murder of her illegitimate infant the trial judge stated that 'on a case of this kind the feeling was always that they had not the real criminal before them, because

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[284] Ward, Tony, 'Legislating for human nature: legal responses to infanticide, 1860 – 1938,' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p256.
[285] *Evening Herald*, 17 Sept. 1900.
[286] Ibid.
[287] Prior, Pauline, 'Mad, Not Bad: Crime, Mental Disorder and Gender in Nineteenth-Century Ireland', in O'Donnell, Ian, (ed), *Criminal Justice History: Themes and Controversies from Pre-Independence Ireland,* (Dublin, 2003) p79.
[288] *Cork Examiner*, 19 Mar. 1903.
[289] *Cork Examiner*, 29 Jul. 1916.

the woman was less guilty than the father of the child.'[290] Kate was found not guilty and she was discharged.

Information on the sentence in cases of the murder, manslaughter or concealment of birth of infants is only available for a total of sixty-one cases in this sample. Twenty-five percent of women convicted of murder, manslaughter or concealment of birth in this sample were incarcerated in prisons. A total of fifteen women in this sample were sentenced to serve terms of imprisonment. Eleven women received sentences that included hard labour or suitable labour. The length of time women were sentenced to serve in prison ranged from one to eighteen months. Two of the five women convicted of the murder of their illegitimate infants were sentenced to death. In both cases their sentences were reduced to penal servitude for life. Hannah O. [64] was found guilty of the murder of her illegitimate infant. The jury strongly recommended her to mercy.[291]

Table 2:3 Sentences imposed on convicted women in sample of Irish infanticide cases 1900-1921

Outcome	Number	Percentage
Sentenced to death	2	3.8
Prison	15	28.8
Recognizance	24	46.1
Dundrum Asylum	1	1.9
Discharged	8	15.3
Salvation Army Home	1	1.9
Convent	1	1.9
Total	**52**	**100**

However, most women convicted of the manslaughter or concealment of birth of their illegitimate infants received non-custodial sentences. Almost half of the women in this sample who were convicted of the murder, manslaughter or concealment of birth received non-custodial sentences.[292] They paid a recognizance and agreed to come up for sentence if called upon, and to keep the peace and be of good behaviour for a certain length of time.

[290] *Freeman's Journal*, 5 Dec. 1900.
[291] The outcome in this case is uncertain but Hannah O. [64] was not executed and probably served a prison sentence.
[292] Twenty-four women, 46% of those convicted, in this sample for whom information is available, received non-custodial sentences.

In some instances, the presence of a male relative in the courtroom may have worked to an unmarried woman's advantage. A small number of single women seem to have been discharged because their fathers guaranteed to ensure that their daughters would be of good behaviour and would return to court to receive judgement if called upon. Although these women were not juveniles, the authorities still seem to have regarded unmarried women as being in effect subject to the control of their fathers. Margaret O.'s [38] father attended her trial and he undertook to take charge of her and to take her home. Minnie M.'s [12] father was present during his daughter's trial at the Munster Winter Assizes in December 1901. He 'acknowledged himself bound in open court in the sum of 10 pounds the condition being he will produce the said Minnie M. to receive judgement when called on by the Crown.'[293]

Ward's research has shown that unmarried women who killed their infants were 'only rarely found insane at trial.'[294] Kramar has stressed the fact that in twentieth century Canada few women convicted of concealment of birth were actually detained for lunacy. According to Kramar, 'the question of mental illness in these cases was, however, never really very strong since infanticide was understood as resulting from a fleeting mental condition precipitated by childbirth and/or lactation, somewhat akin to a state of inebriety.'[295] The situation was similar in Ireland between 1900 and 1921. (This pattern is also evident in the post-independence period. Only three women convicted of the murder, manslaughter or concealment of birth in the sample for the twenty-six counties between 1922 and 1950 were found guilty but insane.) Only two women in this sample, Mary B. [29] and Susan M. [76], were found guilty but insane at the time they committed the act of murder. Mary B. was sent to the Dundrum Criminal Lunatic Asylum. However as she had suffered from temporary insanity, Dundrum may not have been a suitable place of detention for Mary B. The legal system was perhaps not accustomed to dealing with prisoners who had been affected by a fleeting form of insanity associated with childbirth. Edward Jacob of the Waterford Discharged Prisoners Society felt that 'from the time the girl [Mary B.] was admitted into Waterford prison until the day she left,

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[293] N.A.I., ID 37 199, Crown Book, Munster Winter Assizes, Co. Limerick, 1901.
[294] Ward, Tony, 'The Sad Subject of Infanticide: Law. Medicine and Child Murder, 1860 – 1938' in *Social and Legal Studies,* vol. 8, no. 2, (1999), p166.
[295] Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada*, pp50-51.

there was no sign of her mind being in anyway affected.'[296] The Catholic Discharged Prisoners Aid Society wrote to the Lord Lieutenant in December 1906. Mary B. had by then spent over one year in Dundrum Criminal Lunatic Asylum. The society's honorary secretary stated that Mary was 'of quite sound mind.'[297] Susan M. was also found guilty but insane ten years later, but she was not removed to the Dundrum Criminal Lunatic Asylum. It would appear that she spent some time in a convent instead. She was clearly not considered to be in need of psychiatric treatment.

Mary G. [18] was convicted of concealing the birth of her illegitimate infant. However, she was only detained for the day and then discharged. This was probably because she had already spent a number of weeks or even months in custody. A number of women convicted of concealing the births of their illegitimate infants between 1900 and 1921 were discharged following their trials, particularly if they had been held in prison while they awaited trial. Mary D. [83] had spent over three months in prison before she was tried for concealing the birth of her illegitimate infant in July 1916 and although she was convicted she was released after her trial. The judge said that as she had been held in prison since April 1916 he felt that she had 'suffered punishment quite adequate and sufficient for her case and he ordered her to be released.'[298] When Kate C. [75] was convicted of concealment of birth in December 1915 the trial judge told her mother, who was in attendance in court, to 'take her away and look after her; no good would come of my sending her to gaol.'[299]

Some judges appear to have been reluctant to send unmarried women convicted of concealment of birth to religious-run institutions. Ellen O. [69] pleaded guilty to concealment of birth in December 1914. The judge said that he 'would not impose any punishment on Ellen L. as he thought she had suffered enough.'[300] However, according to the barrister who prosecuted, the prison chaplain was anxious to have Ellen sent to a Home. The judge seems to have been opposed to this. He stated that while Ellen could 'go to one if she likes,' 'her mother's home is the best home for her.'[301] Judges who tried infanticide cases in the period from 1922 to 1950 seem to have felt that convents or the

[296] N.A.I., CRF/1906/B 59.
[297] Ibid.
[298] *Cork Examiner*, 29 Jul. 1916.
[299] *Cork Examiner*, 4 Dec. 1915.
[300] *Cork Examiner*, 8 Dec. 1914.
[301] *Cork Examiner*, 8 Dec. 1914.

Bethany Home in the case of Protestant women, were the most appropriate places for unmarried women convicted of concealment of birth. Only one woman in this sample convicted of the murder of her illegitimate infant 'agreed' to enter a convent as part of her recognizance agreement. Susan M. [76] was convicted of murder at the Limerick Assizes in 1915 but the jury felt that she was insane at the time she committed the deed. It would appear from the documents in her file that she was discharged upon payment of a recognizance and once she had agreed to enter a convent. In July 1915 the superioress of Our Lady's Home, Henrietta Street Dublin, wrote to the court authorities about Susan M. The superioress stated that Susan was 'a case to be reclaimed' and said that they were willing to admit her to the convent.[302] One woman was sent to the Salvation Army Home in Belfast. Judging by this sample, it would appear that overall, sentences for unmarried women convicted of concealment of birth in Ireland between 1900 and 1921 were somewhat less harsh than they were to be in the decades after independence. Most women convicted of concealment of birth between 1900 and 1921 were released upon payment of a sum of money and upon agreeing to keep the peace and be of good behaviour for a certain period of time and to come up for judgement if called upon. Sentences for concealment of birth in Ireland in the years 1900 and 1921 were similar to sentencing patterns for the same offence in Britain during the first half of the twentieth century and to those in Northern Ireland between 1921 and 1950. They differed somewhat, as we shall see, from sentencing patterns in the Irish Free State after 1922.

As we shall see, a much larger proportion of unmarried women convicted of the manslaughter or concealment of birth of their illegitimate infants 'agreed' to serve their sentences in convents in post-independent Ireland. Single women who were thus incarcerated in convents had no right of petition to the Minster for Justice. By contrast, this was a right that women who served their sentences in prison up to 1921 had enjoyed, and judging by the convict reference files that have survived, many women made use of this right and attempted to have their sentences reduced by petitioning the Lord Lieutenant.

Convents were at this time not used as substitutes for prison for unmarried women convicted of manslaughter or concealment of birth. Convents were however occasionally

[302] N.A.I., IC 55 83, Crown Files at Assizes, Co. Limerick, 1915.

being used as rehabilitation centres for women convicted of murder, manslaughter or concealment of birth between 1900 and 1921, following their release from prison. At least one woman in this sample spent some time in a convent following her release from prison. Edward Jacob of the Waterford Prisoners' Aid Society felt that Mary B. [29] should go to the Good Shepherd Convent in Waterford for several months if she was released from the Dundrum Asylum. Jacob had clearly helped to place a number of women who had served time in prison under the care of the Good Shepherd sisters. Jacob was keen to see Mary 'restored to the path of virtue', and he, like many others, may have felt that an institution run by nuns would have been the most appropriate place for a 'fallen' woman.[303]

In southern Ireland between 1922 and 1950 a number of single women convicted of the manslaughter or concealment of birth of their illegitimate infants were discharged from custody on undertaking to marry the fathers of their deceased infants. None of the women in the sample of cases in this chapter were released on agreeing to marry the fathers of their deceased infants. This solution seems to have been unique to post-independent Ireland. There is no evidence in the samples here that such a solution was adopted in Northern Ireland, England or Scotland during the first half of the twentieth century.

A high proportion of the relatives of single women who were tried of the murder, manslaughter or concealment of birth of the illegitimate infant of an unmarried female family member between 1900 and 1921 were acquitted. The relatives of sixteen unmarried mothers in this sample were charged with murder or concealment of birth.[304] More than half of the relatives of the single women in this sample (58%) were not convicted.[305] The relatives of five women in this sample were acquitted. The relatives of four women in this sample who were convicted of manslaughter or concealment of birth served prison sentences. The relatives of two women were found guilty of concealment of birth but were discharged on entering into a recognizance. Bridget S.'s [14] father was probably discharged even though he was convicted of concealing the birth of her

[303] N.A.I., CRF/1906/B 59.
[304] Charges were brought against the relatives of sixteen unmarried women in this sample. In one case charges were brought against the birth mother's mother and grandmother.
[305] This includes three cases where the verdicts are unknown and two cases that were not proceeded with.

illegitimate infant. The jury strongly recommended him for mercy because they felt that he was ignorant of the law.

Little is known about the fate of unmarried women convicted of the murder, manslaughter or concealment of birth when they were discharged from prison or convents. Information is available for a small number of women who feature in the Convict Reference Files in this sample. The Discharged Prisoners' Aid Society appears to have assisted several women. Mary B. [29] spent some time in the Good Shepherd convent in Waterford before she got a 'guarded situation', possibly as a domestic servant. Bridget R. [58], Julia S. [73] and Mary M. [81] may well have returned to their parents' homes. Evidence in both Bridget and Julia's files indicate that their parents were willing to have them back. Mary M. expressed interest in her petition for early release in returning to her mother's farm to assist her there. Hannah A. [51] was handed over by a Crown officer to the Roman Catholic Discharged Prisoners' Aid Society when she was released in August 1911. Hannah K. [1] was released to the Home for Discharged Prisoners. She would probably have spent eighteen months there before being sent to Canada where she would have been assisted in finding work as a domestic servant. The Prisoners' Aid Society also found a situation for Hannah M. [43]. When Alice K. [52] was released from prison she travelled to a boarding house in Bristol to begin working as a housemaid.

2. 9 Conclusion

Jackson has observed that 'over the last twenty years, historians have become increasingly interested in exploring the forgotten lives of those men and women previously hidden from the historical gaze.' [306] The 'poor unfortunate girls' who stood trial for the murder or concealment of birth of their illegitimate infants in Ireland during the first two decades of the twentieth century have hitherto been totally hidden from the historical gaze. The records of infanticide cases tried in Ireland between 1900 and 1921 tell us much about the criminal justice system in early twentieth century Ireland, about attitudes towards single women who stood trial for the murder or concealment of birth of their infants, about the role played by doctors in infanticide cases and about the working conditions of domestic servants. However further research is required in order to

[306] Jackson, Mark, *The Borderlands of Imbecility: Medicine, Society and the Fabrication of the Feeble Mind in Late Victorian and Edwardian England*, p6.

examine the differences between infanticide cases in urban and rural areas as well as the impact the First World War may have had on the numbers of infanticide cases in Ireland.

Although the judicial records of infanticide trials in this sample are generally not as rich or as detailed as the records for cases tried at the Central Criminal Court in Dublin between 1922 and 1950, they nonetheless provide many insights into the lives of single women who responded to the prospect of lone motherhood by killing their infants. As McLoughlin has noted in relation to pauper women in nineteenth-century Ireland, 'these women cannot be easily presented as either victims or as independent individuals. The life experiences of such a complex group cannot be so tidily summarised.'[307] This is also true of single women here. They cannot all be viewed as poor unfortunate girls. Although this chapter only provides a partial analysis of infanticide cases involving unmarried women in Ireland between 1900 and 1921 as the sample is limited to ninety-five cases, we can be confident that the overall patterns in terms of the behaviour of poor, single, pregnant women and of the convictions and sentences does not differ to any great extent. This examination of a group of cases tried between 1900 and 1921 also allows us to benchmark the cases that were tried in the post-independence period. It is only then that we can begin to see whether 1922 marks a rupture in the pattern of infanticide cases tried over the fifty-year period from 1900 to 1950.

[307] McLoughlin, Dympna, 'Workhouses and Irish Female Paupers, 1840 – 70' in Luddy, Maria and Murphy, Cliona, (eds.), *Women Surviving: Studies in Irish Women's History in the 19th and 20th centuries*, p142.

Chapter 3: 'Dark Spots'[1] in Irish Society: Unmarried Mothers and Infanticide in Ireland, 1922 - 1950

On St Patrick's Day, 1936 Judge Hanna spoke at length about crime in the Irish Free State at the annual dinner of the Companions of St. Patrick in the Metropole restaurant in Dublin. He reminded his audience that while independent Ireland was 'a star producing its own brightness,'[2] the country's 'dark spots were [also] of its own making.'[3] One of the 'dark spots' staining Irish society was the crime of the concealment of the birth of illegitimate children. There had been, as an editorial in the *Irish Times* noted the day after Justice Hanna gave his speech, 'a shocking increase in cases involving infanticide and concealment of birth'.[4]

Judge Hanna's speech 'received considerable notice in the press.'[5] Correspondence between senior civil servants in the Department of Justice and the statistics branch of the Department of Industry and Commerce reveal a deep sense of dissatisfaction with the judge's frank discussion of sexual crime in the Free State. Thomas Coyne, a Department of Justice employee, found it extraordinary that the judge had quoted figures which were inaccurate and implied that he had drawn faulty conclusions from insufficient data. He also suggested that the figures for the years 1932 and 1934 in relation to sexual crime were 'somewhat abnormal'[6] and should have been disregarded. While civil servants in the Department of Industry and Commerce could not prevent Judge Hanna from accessing the statistical abstracts they did not discuss statistics in relation to sexual crime with him or assist him in his inquiries. Writing to Thomas Coyne, R.C. Geary of the statistics branch said: 'I need hardly add that no comment was made on the subject by this branch.'[7] Attempts to publicly criticise moral standards and sexual behaviour in the Free State were always discouraged. As McAvoy has argued, the true extent of the problem of sexual crime was hidden from the public eye.[8]

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[1] *Irish Times*, 18 Mar. 1936.
[2] Ibid.
[3] Ibid.
[4] Ibid.
[5] N.A.I., Department of Justice 8/451, Memo from Thomas Coyne to R.C. Geary.
[6] Ibid.
[7] N.A.I., Department of Justice 8/451: Letter from R.C. Geary to Thomas Coyne, 12 June 1936.
[8] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,' p331. In March 1929 the *Irish Times* asked 'has not the time come for a frank discussion of Irish morals?' The editorial was highly critical of the manner in which the Free State government attempted to deal with sexual

While civil servants may have found fault with Judge Hanna's analysis of the statistical abstracts, his comments regarding the prevalence of infanticide in Ireland were echoed by barristers in cases tried in courtrooms around the country. Basil McGuckin, who prosecuted on behalf of the State in the Ellen D. [P.71] case in November 1930,[9] 'said that he was sorry to say that the case with which the jury were called upon to deal with was not uncommon in the Free State'.[10] Similarly, Mr Finlay who prosecuted in the Mary Anne K. case in June 1929 told the jury that 'the number of cases of infanticide was becoming too numerous in the courts'.[11] Indeed, few at the time would have disagreed with their observations. As Ryan has observed, 'to judge from the pages of the *Cork Examiner* and *Irish Independent* infanticide was a monthly, if not weekly, reality in Irish society' during the 1920s.[12]

While the history of unmarried mothers and infanticide remains an under-researched area, a number of studies that focus on infanticide in Ireland have been carried out in recent years. Guilbride's study of infanticide in Ireland covered the years 1925 to 1957 and was based on an examination of ninety-one cases tried at the Central Criminal Court.[13] Her study was rooted in the context of the social changes that had taken place in the years following the outbreak of the First World War. Guilbride identified a number of key themes in Irish infanticide cases, among them the class aspect of infanticide, the part

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immorality. 'The public mind,' according to the newspaper, 'has been put upon a false track by the Free State Government's absurd Censorship Bill.' The writer insisted that the decay was 'home-grown' and recommended that the government tackle the problem by introducing legislation to deal with the support of illegitimate children, the sale of drink and the supervision of dance halls rather than by declaring 'war on English newspapers.' The 1931 Carrigan report drew attention to the country's increasing illegitimacy rate, the growth in the numbers of unmarried mothers, the level of sexual crime and the apparent deterioration in the nation's moral outlook. However, its findings were never made public. Indeed the members of the Carrigan committee agreed, at their preliminary sitting, not to publish the evidence they received in the press. The final report was never published because it contained 'numerous sweeping charges against the state of morality of the Saorstát.' (N.A.I., Department of the Taoiseach, S5998). A Department of Justice memorandum noted that unless the statements in the Carrigan report were exaggerated 'the obvious conclusion to be drawn is that the ordinary feelings of decency and the influence of religion have failed in this country and that the only remedy is by way of police action.' (N.A.I., Department of the Taoiseach, S5998). It was, the author stressed, 'clearly undesirable that such a view of conditions in the Saorstát should be given wide circulation.' (N.A.I., Department of the Taoiseach, S5998).

[9] The full names of individuals in cases quoted in this chapter are available in the original material. For purposes of clarity I have assigned a number to each case. Each individual in the sample for this chapter will be referred to by first name, the initial of the surname and P. followed by a number between one and one hundred and ninety-seven. 'P.' stands for post-independent Ireland.

[10] *Irish Times*, 26 Nov. 1930.

[11] *Irish Times*, 11 June 1929.

[12] Ryan, Louise, 'Infanticide in the 1920s,' p137.

[13] Guilbride, Alexis, 'I Went Away in Silence: A Study of Infanticide in Ireland from 1925 to 1957' (Minor M.A. thesis, University College, Dublin, 1994).

played by women other than the birth mother in infant killings and the absence of Irish men outside their role in the criminal judicial system.

In her PhD thesis 'Aspects of the State and Female Sexuality in the Irish Free State, 1922-1949' McAvoy examined the attitudes of politicians, governments and civil servants in relation to issues regarding female sexuality, and looked at the debates in connection with proposed amendments to legislation in relation to sexual crime, prostitution, contraception, abortion and infanticide.[14] She suggested that the numbers of discovered cases of infanticide reached a peak in the late 1920s and early 1930s and argued that state authorities employed a number of legal strategies in order to ensure that infanticide was treated differently from other categories of murder. Although McAvoy did not carry out a case-by-case analysis of infanticide cases tried at the Central Criminal Court between 1922 and 1949 her research highlighted many key aspects of the history of infanticide in post-independent Ireland. She provided a detailed analysis of government documents relating to infanticide legislation and discussed sentencing patterns in depth. Louise Ryan has contributed to the research on infanticide in Ireland during the 1920s and the 1930s by studying representations of Irish women and infanticide in both the provincial and the national press.[15] Ryan has argued that while infanticide was regularly reported in Irish newspapers, reports were generally limited to a brief synopsis of events and offered no discussion about unmarried motherhood in Irish society.

Maguire has analysed several aspects of the history of infanticide in Ireland between 1925 and 1960, including the legislative, religious and judicial discourse on infanticide.[16] She also examined motives for infanticide in cases that were tried at the Central Criminal Court between 1925 and 1960 and discussed family and community responses to the birth of illegitimate children, arguing that the records of infanticide cases demonstrate that the values and priorities of poor unmarried Irish women differed from Catholic teaching and middle-class values. This thesis offers a more detailed analysis of issues

[14] McAvoy (Larmour), Sandra, 'Aspects of the State and Female Sexuality in the Irish Free State, 1922-1949' (PhD thesis, University College, Cork, 1998).
[15] Ryan, Louise, 'The Press, Police and Prosecution: Perspectives on Infanticide in the 1920s' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History*, (Dublin, 2004) and Ryan, Louise, *Gender, Identity and the Irish Press 1922 – 1937: Embodying the Nation*, (Lampeter, 2002).
[16] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century.'

Maguire discussed, such as motivation, patterns of sexual behaviour and the involvement of family members in infanticide cases in the judicial records of infanticide cases tried at the Central Criminal Court between 1922 and 1950. It also explores other aspects of infanticide cases such as the role of doctors in infanticide cases, strategies adopted by unmarried expectant women, insanity, suicide and the manner in which cases were investigated by the Gardaí.

This chapter discusses unmarried mothers and the crime of infanticide from 1922 to 1950 and is based primarily on an analysis of the judicial records of infanticide files. The sample for this study consists of a total of one hundred and ninety-five cases.[17] My research is based on the records of four cases heard at the Court of Criminal Appeal and the records of one hundred and ninety-one cases tried at the Central Criminal Court between 1922 and 1950. Verdict and sentencing information for defendants in this sample was sourced in Trial Records Books for the period under consideration. Other sources used in this chapter include newspaper reports of infanticide cases, statistical data, published articles and official reports on single mothers, and material in the Department of Justice and the Department of the Taoiseach relating to single mothers and infanticide. [18]

This chapter offers therefore a detailed analysis of the judicial records of almost two hundred cases that were tried at the Central Criminal Court between 1922 and 1950. Bechtold and Cooper Graves have noted that case-study research methodology offers a number of advantages to researchers on infanticide. Case studies, they have argued, 'can offer multiple perspectives, for example, by giving voice to those who have the least power, in this case primarily the infanticidal mother, or by fostering understanding of the

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[17] The birth mothers were the sole defendants in 82% of cases in this sample. In 9.2% of cases in this sample the birth mother and one or more relatives stood trial for the murder or concealment of birth of an illegitimate infants. Relatives of the birth mother were the sole defendants in 4.6% of cases in this sample. The birth mother and the infant's father both stood trial in 2.6% percent of cases in this sample. The infant's father was the sole defendant in 1% of cases in this sample and the birth mother's boyfriend, who may not have been the father of her infant, stood trial in 0.5% of cases in this sample.

[18] I have found that newspapers are a particularly useful source when combined with a study of the trial records of infanticide cases. Reports on infanticide in the national and provincial press often contain additional information that would not have been included in the trial records. Newspaper reports often referred to the level of public interest in infanticide cases, particularly when a case was tried at the district court. I have examined the newspaper reports of several infanticide cases in this chapter. However, given the number of cases in this sample, it was not possible to examine newspaper reports for each individual case.

role of specific institutions, locations or persons associated with the act of infanticide.'[19] They have also highlighted the fact that case studies of infanticide 'typically describes the real-life context in which the act of infanticide took place.'[20] I would argue, as Bechtold and Cooper Graves have, that infanticide cannot simply be understood through an analysis of official figures alone 'because its causes are multifaceted.'[21]

As Donovan noted in his study of infanticide and juries in France, the statistics for infanticide in all periods have one problem in common: 'there is no way of knowing just what proportion of infanticides were brought to justice.'[22] It is possible that many single women who killed or concealed their illegitimate newborns in Ireland between 1922 and 1950 also 'got through the official net,' as McLoughlin put it.[23] The sample for this study is based on the records of infanticide cases involving single women that went before the Central Criminal Court and the Court of Criminal Appeal. Many more cases were heard in the lower courts during the period under review. Until a thoroughgoing analysis of the records of concealment of birth cases that were tried in the circuit courts has been carried out, it will not be known how many such cases involving unmarried women were tried in post-independent Ireland. However, statistics on concealment of birth compiled in O'Donnell et al.'s *Crime and Punishment in Ireland 1922 - 2003: A Statistical Sourcebook* indicate that more than eight hundred and fifty cases of

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[19] Bechtold, B., and Cooper Graves, D., (eds.) *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p195.
[20] Ibid.
[21] Ibid., p197.
[22] Donovan, James M., 'Infanticide and the Juries in France, 1825 – 1913' in *Journal of Family History*, vol. 16, no. 2, (1991), p159.
[23] McLoughlin, Dympna, (ed.), 'Infanticide in Nineteenth-Century Ireland' in Bourke, Angela, Kilfeather, Siobhán, Luddy, Maria, MacCurtain, Margaret, Meaney, Geraldine, Ní Dhonnchadha, Máirín, O'Dowd, Mary, Wills, Clair, (eds.), *The Field Day Anthology of Irish Writing: Irish Women's Writing and Traditions, Vol. IV,* p915. It is clear, even from the sample of cases on which this chapter is based, that many more infanticide cases may have gone undetected. At least two single women in this sample appear to have given birth secretly without assistance on several occasions and committed infanticide shortly after delivery each time. Two women managed to escape the notice of the authorities several times. In May 1943 Kate O. [P. 148] admitted killing five illegitimate infants over the course of five or six years. She gave birth in her mother's house on each occasion and admitted killing each newborn baby apart from one infant, which, according to Kate, was stillborn. (N.A.I., Central Criminal Court [hereafter C.C.C.], ID 22 84, Co. Westmeath, 1943). In his evidence Garda John Leary said that 'in consequence of certain rumours [he] heard [he] went to see Anne B. in July' 1928. Anne B. was a neighbour who lived next to Anne H. [P. 40], an unmarried woman suspected of having killed and/or concealed the birth of an illegitimate infant. Following a conversation with Anne H.'s neighbour Garda Leary questioned her and she admitted that she had killed two infants and concealed their births. While Anne's second pregnancy had clearly been talked about in the neighbourhood, her previous pregnancy may have gone unnoticed or her neighbours may not have brought it to police attention. (N.A.I., C.C.C., IC 90 22, Co. Sligo, 1928).

concealment of birth were known to the Gardaí between 1927 and 1950.[24] The majority of defendants in these cases would, in all likelihood, have been unmarried women.

Table 3.1 Murder and concealment of birth cases known to An Garda Síochána 1927 - 1950

Year	Murder of infants	Concealment of birth
1927-1929	42	140
1930-1934	35	220
1935-1939	31	175
1940-1944	12	177
1945-1949	15	144
1950	6	2
Total	**141**	**858**

McAvoy's research has shown that there is no evidence of an upsurge in infanticide cases after the ban on contraceptives was introduced in 1935. She has also noted that there was no increase in the numbers of infanticide cases known to Gardaí during the war years when travel restrictions may have prevented women travelling to Britain in order to abort unwanted pregnancies. As the vast majority of single women in this sample were on low incomes it is doubtful whether they would have been able to cover the costs involved in travelling to Britain and accessing abortionists there. The assumption here is that many single women charged with the murder of their infants would have been unfamiliar with contraceptives and that the 1935 ban would arguably have had little impact on their lives or lifestyle choices.

The sex of the illegitimate infants in this sample was recorded in a total of one hundred and sixty-one cases. Seventy-seven infants in this sample were male, while eighty-four were female. As in the sample for cases tried between 1900 and 1921, gender selection does not seem to have been a factor in the cases in the sample for this chapter.

[24] O'Donnell, Ian, O'Sullivan, Eoin, Healy, Deirdre, (eds.), *Crime and Punishment in Ireland 1922 - 2003: A Statistical Sourcebook,* pp2 – 11.

3.1 The Law and Infanticide in southern Ireland, 1922 – 1950

As McAvoy has observed, women were generally charged with concealment of birth rather than murder if 'there was insufficient evidence to prove either murder or manslaughter' or in cases 'where post-mortem evidence was insufficient to sustain a murder or manslaughter charge, but where a clear attempt was made to secretly dispose of the body of an infant in order to hide the fact that its mother had given birth.'[25] If the birth mother and/or others were charged with concealment of birth only, the case was tried in the circuit court rather than in the Central Criminal Court. Women who stood trial at the Central Criminal Court during the period under review were usually charged with both murder and concealment of birth. This meant that women could be convicted on a lesser charge of concealment of birth. Juries could also return a manslaughter verdict in cases where individuals stood trial for the murder of infants.

Until 1949 the deliberate killing of a fully delivered infant was murder and carried a mandatory death penalty under Section 1 of the 1861 Offences Against the Person Act. However, only a small number of cases prosecuted in the Central Criminal Court during the period under review actually resulted in murder convictions. The death sentence passed on women convicted of the murder of their infants between 1922 and 1949 was always commuted, and few women convicted of the murder of their illegitimate infants served more than three years in prison. The passing of the Infanticide Bill in 1949 did not however mark a significant change in the way women convicted of the murder of their infants were dealt with. Rather it spared the indicted woman, the judge, the jury and the government 'all the distress and worry of an unreal trial for murder followed by reprieve' and sanctioned existing practice.[26] As McAvoy has observed, 'it is clear that the introduction of infanticide legislation was not perceived as a priority issue by any Irish government prior to 1949.'[27] She has suggested that this low priority was due to the fact that contemporary legal practice had ensured that most infant murder prosecutions ended in lesser verdicts.

Themes under consideration in this chapter include the role of family members in infanticide cases, the mental state of women convicted of infanticide, the role of the

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[25] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,' p292.
[26] N.A.I., Department of the Taoiseach, S7788A.
[27] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,' p310.

putative fathers of illegitimate infants and the attitude of the Gardaí and the wider communities in which these women lived towards single women suspected of killing and concealing their illegitimate newborns. This analysis is set against the backdrop of a newly independent state the government of which became increasingly concerned with socio-moral problems.

It is possible that many cases of infanticide went undetected during the War of Independence and Civil War period. Indeed, there appears to have been serious delays in bringing cases to trial in the immediate post-independent period and some infanticide cases were not tried for a considerable length of time. Michael C. and Mary Anne C. [P. 11] had 'been kept twelve months awaiting trial' for the concealment of birth of their newborn infant in the Central Criminal Court.[28] The couple were not married. They were apprehended in June 1924 but were not tried until June 1925. According to one barrister 'the delay arose owing to the congestion of business in the courts arising out of the disorder in the country. They were clearing the arrears as quickly as they could. Things were much better now than they had been.'[29]

An editorial in the *Irish Times* in March 1929 suggested that standards of morality, particularly in the south and the west of the country, were 'lamentably low.'[30] However, it is striking that the vast majority of infanticide cases tried in the Central Criminal Court were concentrated in the east and south of the country with fewer discovered cases of infanticide in the west and north-west.[31] A total of fourteen cases in this sample occurred in Dublin city between 1922 and 1950. There were two cases in Cork city and two in Limerick city. No infanticide cases in this sample were discovered for Galway city. Perhaps more telling is the fact that cities such as Dublin, Cork, Galway and Limerick only account for eighteen out of a total of one hundred and ninety-five cases, indicating that reported infanticide was largely a rural phenomenon. It may have been the case that rates of detection of infanticide were higher in rural areas because tight-knit communities observed the sexual behaviour of young women more closely than in the cities. McAvoy has observed that criminal statistics indicate that the numbers of 'discovered' cases of

[28] *Longford Leader*, 13 June 1925.
[29] Ibid.
[30] *Irish Times*, 2 Mar. 1929.
[31] 40.5 % of all cases in this sample occurred in Leinster. 33.3% of all cases in this sample occurred in Munster. 13.8% of cases in this sample occurred in Connacht, while 12.3% of cases were discovered in counties Cavan, Monaghan and Donegal.

infanticide and suspected infanticide reached a peak in the late 1920s and early 1930s 'and that they suggest a decline rather than an increase thereafter.'[32] However, while figures for the murder of infants aged one year and under did indeed decrease from the early 1930s onwards, the figures for concealment of birth remained consistently high until 1950, when they registered a sharp decline.

The single women who stood trial at the Central Criminal Court for the murder of their illegitimate infants in the years between 1922 and 1950 are clearly a very small minority of all single Irish mothers of this period and are somewhat atypical as most single mothers at the time did not of course kill their newborn infants or conceal their births, it is nonetheless worthwhile to examine the experiences of these women insofar as the records allow, as their experiences have a significant amount in common with single mothers at large. All entering single motherhood would have experienced many of the same fears, anxieties and concerns as the few who chose to deal with the prospect of single motherhood in a drastic way. Single working-class women had fewer options available to them than unmarried women from more affluent backgrounds. As the anonymous author of an article on unmarried mothers in *The Bell* noted in 1941, 'the well-off young woman confesses to her parents; she is hustled off, normally, to London, Paris, Biarritz, comes back without the baby, and nobody is any the wiser.'[33] Middle-class women could often afford to give birth in private maternity homes and have their infants privately adopted. Others may have emigrated to Britain.

The records of the infanticide trials are by no means clear-cut. Some files consist of layers of conflicting statements and contradictory narratives and can, therefore, be read in a number of ways. Other cases are more straightforward. Indeed, the complexities and contradictions contained in the judicial records of infanticide cases serve to highlight the level of stress and anxiety experienced by unmarried mothers and by those they confided in. This could sometimes produce confused responses in suspects' evidence. Women accused of infanticide were under severe psychological pressure when arrested and asked to give statements. Arrests were generally made shortly after the women had given birth, which in most cases had been without medical assistance and followed months of

[32] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,' p275.
[33] M.P.R.H.,'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring' in *The Bell,* vol. 2, no. 3, (1941), p82.

concealing their pregnancies from family, friends and employers. Most single women who stood trial for the murder of their infants in the Central Criminal Court during the period under review confessed quickly. Few seem to have made any plans as to the disposal of the body or thought through their actions in advance.

3.2 Women who committed infanticide

The vast majority of women who stood trial for infanticide in the Central Criminal Court between 1922 and 1950 were unmarried and most were quite young. In fact when Mary Anne K., a married woman, was convicted of infanticide and sentenced to death in June 1929, the judge remarked that hers had been an unusual case: 'In the customary sort of infanticide case it was usually an unmarried woman who stood in the dock.'[34] The average age of unmarried mothers who were charged with infanticide in Ireland during the years 1922 to 1950 was twenty-four.[35] There are four widows in this sample. Two of the widows charged with the murder of an illegitimate infant were far older than most women who stood trial for the murder of their illegitimate infants in the Central Criminal Court between 1922 and 1950.[36] The sample for this chapter consists of a total of one hundred and ninety-five cases involving two hundred and twenty-two defendants. The unmarried birth mother was not a defendant in twelve cases. Unmarried birth mothers were defendants in a total of one hundred and eighty-three cases in this sample.

Most single women charged with infanticide or concealment of birth during the period under review were from working-class backgrounds and were employed as domestic servants.[37] According to Margaret R.'s [P.13] solicitor, her parents 'belong[ed] to a very

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[34] *Irish Times*, 11 June 1929. At least fourteen married women stood trial at the Central Criminal Court for the murder of their infants between 1922 and 1950.

[35] In cases where the unmarried mother was not the defendant I have included her age in the sample, where possible. The age of the birth mothers is the cases in this sample was recorded in one hundred and eleven cases.

[36] Elizabeth D. [P.114] was forty-one when she was charged with the murder of her illegitimate infant in 1936 and Elizabeth D. [P. 14] was forty-one when she was charged with the murder of her illegitimate infant in 1926. It is not known how old Mary Kate F. [P. 93] was. Bridget M. [P. 21] was twenty-five when she was charged with the murder of her illegitimate infant in 1926. Her husband had been killed four years earlier during the civil war.

[37] The occupations of the birth mothers were recorded in a total of one hundred and two cases in this sample. Ninety-two women worked as domestic servants. One woman worked as a kitchen helper in a hotel, one woman was employed as a cook and two women worked as maids in hotels. One woman was an inmate worker in a union hospital and one woman was employed as an attendant in a mental hospital. One woman worked as a dressmaker, two women were employed as shop assistants and one woman worked in a factory. Many women in this sample who were not gainfully employed would have worked on their parents' farms and in the home.

poor labouring class' and were unable to make any contribution towards the legal costs of her trial. [38] The parents of many women in this sample were from the 'labouring class,' or were the daughters of men who worked as 'labourers'. Many of these women would have left home in their mid-to late teens to begin working and would therefore, have been free from parental supervision at a relatively early age. This may help explain why domestic servants are over-represented in the records of infanticide trials. Most domestic servants lived away from home and would have been free from the constraints of family life. As employers did not always monitor their servants' behaviour closely, many domestic servants may well have enjoyed a greater degree of independence than most of their peers. In her study of domestic service in Dublin between 1880 and 1922 Hearn noted that most young girls who went into service at the age of fourteen would have 'been innocent of the "facts of life".'[39] She has suggested that as servants were 'often lonely, deprived of the companionship of members of the opposite sex,' they were particularly vulnerable and 'employers and their friends frequently took advantage of this situation.'[40] However, at the same time, unmarried, pregnant domestic servants were, as McAvoy has pointed out, 'particularly vulnerable to discovery.'[41] This was also true of many of the women in the sample examined in chapter two.

It is clear from the records of infanticide cases tried at the Central Criminal Court between 1922 and 1950 that a number of women charged with infanticide had difficulty expressing themselves. Many single women tried for the murder of their newborn infants had received very little, if any, formal education. Some were illiterate.[42] This placed unmarried mothers at a serious disadvantage both during the pre-trial process and in the courtroom. Coupled with the physical and psychological strain of giving birth alone, it is hardly surprising that the statements of unmarried mothers charged with the murder of their newborn infants or with concealment of birth sometimes appear quite confused. The doctor who examined Mary S. [P.113], a twenty-two year old unmarried woman who gave birth unassisted in her employer's home, said that when he saw her 'she was in a

[38] N.A.I., C.C.C., IC 90 28, Co. Wicklow, 1926.
[39] Hearn, Mona, *Below Stairs: Domestic Service Remembered in Dublin and Beyond 1880 – 1922*, p96.
[40] Ibid.
[41] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p307.
[42] At least four single women in this sample were illiterate. The relatives of several women in this sample were illiterate. One woman's boyfriend [case P.196] was unable to read or write.

very confused condition and not really mentally capable of making any reliable statement.'[43]

Judges, barristers and doctors sometimes commented on the level of intelligence of women charged with infanticide. Unmarried mothers suspected of committing infanticide were often perceived as stupid, ignorant or mentally defective.[44] In a report written on 14 June 1929 a medical officer stated that Deborah S. [P.66] was 'of low mental calibre.'[45] The medical officer who examined Mary M. [P.192] in Mountjoy prison in September 1948 reported that he 'found her childish in manner' and that while she had attended school until she was thirteen years old, 'she shows a very low standard of education and is unable to do simple calculations.'[46] She never read newspapers or books and took no interest in general affairs. Mary was also 'completely ignorant of the dangers connected with child birth and also with some of the essential physical facts', and the medical officer concluded that she was both mentally immature and mentally defective.[47] Mary M. [P.161], a twenty-one year old domestic servant, was tried at the Central Criminal Court for the murder of her unnamed female infant in April 1941. Dr James Maher spoke to Mary when she was admitted to the Coombe Hospital. In his deposition he noted that Mary was not inclined to speak at the time. He also added that 'from her attitude to the questions I thought she was a bit dull mentally.'[48] Insensitive remarks made by doctors reveal a lack of sympathy and understanding and suggest that some may have been ill equipped to deal with women who may have committed infanticide. However, remarks made with regard to the intellectual ability of these women may have, in some instances, been calculated to work in the woman's favour. Elizabeth H. [P.31] was sentenced to death at the Central Criminal Court in December 1927 for the murder of her infant. She was described by the trial judge, Mr. Justice Johnston, as 'a person of weak intellect.'[49] He 'strongly endorsed' the jury's recommendation of the prisoner to mercy as he 'was of opinion that she was a person of

[43] N.A.I., C.C.C., ID 56 30, Co. Meath, 1936.
[44] There were far fewer instances where doctors who came into contact with women suspected of having killed their infants commented favourably on their intellect. The medical officers who examined Mary C. [P. 184] in Sligo prison in May 1947 stated that she 'appeared to show a high degree of intelligence for her education.' Mary apparently answered all their questions freely and logically. (N.A.I., C.C.C., ID 29 1, Co. Donegal, 1947).
[45] N.A.I., Department of the Taoiseach, S 5886.
[46] N.A.I., C.C.C., ID 29 7, Co. Kilkenny, 1948.
[47] Ibid.
[48] N.A.I., C.C.C., ID 11 96, Dublin, 1941.
[49] N.A.I., Department of the Taoiseach, S 5571.

low intellect and that her intellect was further clouded by the distressing circumstances attending the birth of the child.'[50] It is apparent that Mr Justice Johnston did not want to see Elizabeth H. executed. His remarks on her intellect indicate that he felt that she was not fully responsible for her actions. This may have provided the authorities with a pretext to pardon her.

Edith A. [P.120], according to the medical officers who examined her in Mountjoy prison, was mentally defective. They came to the conclusion that she was unfit to plead. In a letter to prison authorities the rector in Edith's parish stated that she had always been mentally defective and 'though she went to school regularly for a good many years could never learn anything and is almost or quite unable to read or write'.[51] In his deposition Edith's father said that he didn't think she was capable of taking care of herself. He also stated that she had never been "normal". Edith's stepmother was of the opinion that Edith was not accountable for what she did. She also maintained that Edith was not normal. Two single women charged with the murder or concealment of birth of their illegitimate infants between 1922 and 1950 were considered to be mental defectives.[52]

The vast majority of women charged with infanticide were from small towns or rural areas. A number of the women charged with the murder or concealment of birth of their illegitimate infants in Dublin city were not originally from Dublin but had migrated there from other parts of the country in search of work. Some of the women in this sample came from extremely disadvantaged backgrounds. When the Superintendent of the Garda Síochána in Monaghan reported to the registrar of the Court of Criminal Appeal on the family history and circumstances of Mary S., [P.133] he sketched out the economic status

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[50] N.A.I., Department of the Taoiseach, S7788A.
[51] N.A.I., C.C.C., ID 60 58, Co. Donegal, 1937.
[52] Both Edith A. [P. 120] and Margaret F. [P. 141] were considered mentally defective. The medical officer who examined Margaret F. in Sligo prison concluded that she was a mental defective. She was found insane at her trial in December 1943. However, comments were made about the level of intelligence of a number of other women in this sample. The doctor who examined Mary M. [P. 128] said that 'in [his] opinion the girl is barely normal.' (N.A.I., C.C.C., ID 11 95, Co. Donegal, 1940). In his report on Mary M. [P. 161] the prison medical officer noted that while she was fit to plead 'the mentality of this prisoner is low.' (N.A.I., C.C.C., ID 11 96, Dublin, 1941). Dr Thomas McDonagh said he thought that Jane M. [P. 174] was 'sub-normal in intelligence.' (N.A.I., C.C.C., ID 27 5, Co. Sligo, 1945). The extract from the medical officer's journal in Mary M.'s [P. 193] file stated that 'she is a simple minded type and one easily swayed by others.' (N.A.I., C.C.C., ID 29 11, Co. Tipperary, 1949). The medical officer who examined Frances B. [P. 195] in Mountjoy prison noted that she was 'dull' and 'slow in replying to questions.' (N.A.I., C.C.C., ID 11 29, Co. Sligo, 1949).

of Mary S. and her family: they lived in 'a small corrugated iron-roofed house;'[53] a number of rooms were described as 'barely habitable.'[54] She received financial assistance from the County Monaghan Protestant Orphan Aid Society. Margaret D. [P.124] told Gardaí that she had been keeping company with the father of her baby for five years and explained that they 'would have been married long before only that we could get no house.'[55] Mary W.'s [P.170] doctor gave her a certificate for the Union so she could have the baby there, but in her statement her sister Catherine explained that Mary did not go to the Union 'because she has no clothes for herself or the child.'[56]

Women and men charged with the murder of illegitimate infants were often unable to meet the legal costs that were incurred in going to court. In a 1943 Co. Meath case John E., [P.172], the father of a woman who was pregnant before she married, was convicted of the murder of her infant. John E's solicitors wrote to the Registrar at the Central Criminal Court to request a copy of the depositions free of charge. In the letter his solicitors described John E as 'a man of very slender means, residing on a farm of about 20 acres.'[57] They explained that 'it is more than difficult for the accused to raise any funds beyond the minimum required to meet the actual costs of the defence.'[58] In a 1943 Co. Galway case Mary Kate M., [P.140], a single woman, and John MG, a married man, were tried for the murder of Mary Kate's infant. Mary Kate experienced difficulty in meeting the legal costs. Her solicitors wrote to the County Registrar at Green Street Courthouse in September 1943 to request a copy of the depositions free of charge. Although Mary Kate worked on the family farm, she was not gainfully employed and her solicitors described her as 'a person of no means'[59] who was 'unable to retain Counsels and Solicitors.'[60] Letters from solicitors regarding financial difficulties their clients faced only appear in five of the cases included in this study. However at least seventeen further defendants in this sample were granted some form of legal aid, and it seems likely that many single women, and indeed men, charged with infanticide had difficulty covering the cost of their defence.

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[53] N.A.I., C.C.A., 36/1938.
[54] Ibid.
[55] N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935.
[56] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.
[57] N.A.I., C.C.C., ID 24 131, Co. Meath, 1944.
[58] Ibid.
[59] N.A.I., C.C.C., ID 22 83, Co. Galway, 1943.
[60] Ibid.

The vast majority of single women in this sample were from working-class backgrounds. Edith A. [P.120] was an exception in this regard. Her father had a farm that consisted of about ninety-two acres and the family who were Church of Ireland lived in a large two-storied house. According to the rector of St Anne's in Ballyshannon, Edith's parents were respectable parishioners. He considered that their home 'is a fit one for not only Edith A. but for any person to live in.'[61]

In some cases there is evidence to suggest that even before they were arrested, women charged with infanticide were marginalized within the communities they lived in. This seems to have been due in part to their extreme poverty, but in greater measure because other members of the community disapproved of their moral behaviour.[62] According to the Gardaí in Monaghan, Mary S. [P.133] 'had the reputation of being of loose moral character.'[63] Her family was 'largely shunned by their neighbours.'[64] Kate K.'s [P.123] lifestyle would have earned her the disapproved of her neighbours. In her statement she told the Gardaí that she had 'three illegitimate children living, two boys and one girl.'[65] She lived with her mother and had never known her father. 'I myself am an illegitimate and I don't know who was my father.'[66] This kind of exclusion or isolation may help explain the high rates of conviction for infanticide among the very poor in Irish society. If women like Mary S. [P.133] were shunned by the community and considered morally suspect it is hardly surprising that people would have reported her single daughter's pregnancy to the authorities.

3.3 Attitudes towards Unmarried Mothers in Irish Society, 1922 - 50

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[61] N.A.I., C.C.C., ID 60 58, Co. Donegal, 1937.

[62] As McAvoy has observed 'in the late 1920s and early 1930s...there was a section of Irish society, identified by a number of observers as working class, whose sexual behaviour was not influenced by the dominant middle-class, Catholic sexual values, even when attempts were made to regulate sexual morality through legislation, sermon, pastoral and proselytising social work. This may imply different class experience and class-related sexual meanings.' (McAvoy, Sandra, 'The Regulation of Sexuality in the Irish Free State, 1929 - 25' in Malcolm, Elizabeth and Jones, Greta, (eds.), *Medicine, Disease and the State in Ireland, 1650 – 1940*, p264). This is evident from the evidence contained in many infanticide cases in the sample for this chapter.

[63] N.A.I., C.C.A., 36/1938.

[64] Ibid.

[65] N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935.

[66] Ibid. A small number of single women in this sample said that they were illegitimate.

When Mary L. [P.26] was tried for the murder of her granddaughter's infant at the Central Criminal Court in December 1928 the prosecution insisted that there could be 'no half-way verdict of concealment of birth in this case. It must be one of wilful murder or not.'[67] Mr Carrigan, K.C., seems to have felt that juries generally sympathised with defendants in infanticide cases and often opted to convict women of concealment of birth rather than find them guilty of murder. Between 1922 and 1950 single women suspected of killing their infants were often charged with both murder and concealment of birth. However, juries in Ireland appear to have been reluctant to convict young women of murder and they were often convicted on the lesser charge of concealment of birth.[68] Writing to the Secretary of the Department of Justice in March 1941, a civil servant in the Attorney General's Office noted that juries 'will on the slightest excuse bring in a verdict of manslaughter or acquit.'[69] It was, he stated, 'almost futile to arraign young girls on the charge of infant murder when the killing takes place shortly after an infant's birth.'[70] As Ferriter has observed in relation to infanticide cases, 'there was a recognition of the human dilemma and stark loneliness of the single mother, and a frequent refusal by juries to convict women of infanticide or impose the death penalty or unduly harsh sentences.'[71] Between 1922 and 1950 only twelve women and one man were convicted of murder of an illegitimate infant. Even when single women, their relatives or male partners were convicted of murder, juries invariably strongly recommended them to mercy. Judges always strongly supported such recommendations. James M. Donovan's study of infanticide and juries in France between 1825 and 1913 has shown that juries were quite lenient towards those tried for the crime of infanticide. While the acquittal rate for infanticide in France was 'slightly higher than the average acquittal rate for all felonies', it rose sharply after 1891.[72] Arnot and Usborne have noted that although European criminal justice systems have until more recently been controlled 'either entirely or almost entirely by men,' it is not clear whether such male power has

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[67] *Cork Examiner,* 30 Nov. 1928

[68] 'A citizen of Waterford' clearly sympathised with Mary S. [P. 133], who was convicted of the murder of her daughter's illegitimate infant in November 1938. The unnamed citizen wrote to the Taoiseach to protest at the fact that Mary had been sentenced to death, arguing that 'there is something wrong in the law that allows a seducer to get off scot free and a poor demented mother to be hanged.' Many more Irish people may have shared the citizen's sentiments. (N.A.I., Department of the Taoiseach, S11040).

[69] N.A.I., Attorney General's Office, 2000/10/2921. Letter to the secretary of the Department of Justice from B. Daly, 28 Mar. 1941.

[70] Ibid.

[71] Ferriter, Diarmaid, *The Transformation of Ireland 1900-2000*, p323.

[72] Donovan, James M., 'Infanticide and the Juries in France, 1825 – 1913,' Journal of Family History, vol. 16, no. 2 (1991), p162.

disadvantaged women.[73] 'Some recent work,' according to Arnot and Usborne, 'suggests its effects could sometimes be contradictory.'[74] Male power within the criminal justice system in Ireland may not have disadvantaged women. Members of the legal profession were not entirely unsympathetic to single mothers in post-independent Ireland. In their closing speeches, judges usually acknowledged the fact that unmarried motherhood was a traumatic experience for the women involved. In some instances judges and members of the juries in infanticide cases openly sympathised with the plight of unmarried mothers. Defence lawyers often attempted to use the overwhelming sense of shame and disgrace experienced by unmarried mothers to account for the actions of the women they defended and to arouse pity in the members of the jury. Defending Mary S. [P.133] who was tried for the murder of her daughter's illegitimate infant in November 1938, Mr Hooper argued that there was 'no calm intention of taking away the life of the child' and that the 'the shame which was brought upon householders by the birth of an illegitimate child' was 'a natural thing to try to avoid.' [75]

3.4 Strategies Adopted by Unmarried Mothers

As Cooper Graves has noted in relation to women who committed infanticide in Victorian England, 'to see these women only as victims of poverty, ignorance and the male-dominated social order is to deny them human agency.'[76] Many of the women in this sample demonstrated agency and like the women who feature in the records of infanticide trials in Victorian Britain, they cannot simply be viewed as victims. Unmarried women suspected of concealing the birth of an infant employed a number of strategies so that their crime would remain hidden. Sisters Catherine and Mary W. [P.170] both lied about the birth of Mary's baby. They told the Gardaí and the local doctor that she had had the baby in a hostel for unmarried mothers in Dublin. It was only when the Gardaí explained that they would be able to verify this claim that she admitted that the baby was born at home.

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[73] Arnot, Margaret L., Usborne, Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne, Cornelie, (eds.), *Gender and Crime in Modern Europe*, p7.
[74] Ibid.
[75] N.A.I., Court of Criminal Appeal [hereafter C.C.A.], 36/1938.
[76] Cooper Graves, Donna, "in a frenzy while raving mad": Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p134.

Single women who became pregnant had to devise ways of concealing their condition from family members and neighbours. Elizabeth and Rose E. [P.121], told their parents and brother as well as members of the local community in Fuerty, Co. Roscommon that Elizabeth was not in good health and needed to be hospitalised. They fabricated stories in order 'to conceal the existence of that child from members of the family, and from their neighbours to whom they had told stories about what was wrong with Lizzie.'[77] When she was arrested in January 1935 Margaret D. [P.124] told Gardaí that she had managed to hide her pregnancy from her mother by wearing loose fitting clothes.

> I had an old loose bib on me here around the house and my mother could not notice me. She never knew anything about it. I tried to hide it from her. I used remain in bed and she used make me get up and then I used remain sitting down on the chair so that she could not see me.[78]

Ellen K., 'kept out of people's way as much as possible,' rarely ventured outdoors and stopped going to mass so her neighbours would not notice that she was pregnant.[79]

Such was the sense of disgrace associated with unmarried motherhood in Ireland during the period under review that when unmarried expectant women entered the union workhouse or a county home they generally lied about their marital status and registered as married women, to deflect unwanted attention from medical staff and officials in the county homes. Elizabeth E. [P.121] wore a wedding ring when she went to the Roscommon County Home and told staff that her name was Mrs Mannion. Christina R.'s [P.87] sister Katie told the court that she had asked her to get a certificate of admission to the Union from Dr Fulham, in the name of Mrs Mary R., the name of her brother's wife. Christina R. [P.87] managed to avoid detection for the duration of her stay in the South Dublin Union. The ward mistress questioned in court in the Christina R. case explained to the court that staff at the Dublin Union did not pay as much attention to married mothers: 'You see this woman was supposed to be a married woman and we did not take as much notice of her as if she had been a single woman.'[80] Members of staff carefully monitored the ways in which unmarried mothers interacted with their newborn infants.

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[77] N.A.I., C.C.A., 13/1935.
[78] N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935.
[79] N.A.I., C.C.C., ID 24 131, Co. Westmeath, 1944. Although Ellen K. was a married woman and has not been included in the sample for this chapter, I have referred to her case here as it illustrates the lengths to which women went to in order to conceal an unwanted pregnancy. Ellen's husband was not the father of the infant whose death was investigated.
[80] N.A.I., C.C.A., 24/1930.

When called on to give evidence during the Christina R. trial Mrs Margaret O'Callaghan detailed a conversation she had with Christina in her house on Capel Street the day she left the Dublin Union. 'I then asked her if she was married and she said no. I asked her how she got out of the union as I understood unmarried girls would have to stay some time in the union to mind their babies.'[81] Unmarried mothers were treated differently from married women with newborn children by staff in maternity hospitals. From the evidence given in the Elizabeth E. [P.121] and Christina R. [P.87] cases, it seems that unmarried mothers immediately aroused the suspicion of staff in county homes, hospitals and unions. It would appear that unmarried mothers were considered a high-risk category by staff in the South Dublin Union and in county homes nationwide. It was assumed that unmarried mothers were far more likely to abandon, neglect or harm their children than married mothers.

Case P.71 showed that unmarried expectant women were sometimes refused treatment altogether. When she was tried for infanticide in November 1930 Ellen D. said that she had been refused admission to the county home in her area. In reaching a verdict of not guilty the foreman of the jury explained that 'the jury felt that the unfortunate girl took steps to be attended properly at her confinement, but was not successful.'[82] He stated that refusing admission to a pregnant woman was deplorable and suggested that 'steps should be taken to have the matter remedied.'[83] In June 1927 at the monthly meeting of the Galway Hospital and Dispensaries' committee, the members of the committee were informed that five unmarried mothers had recently been admitted to the hospital. The committee was clearly dissatisfied and a resolution calling on members of the Catholic hierarchy to appeal to the people of Ireland to 'return to the old Gaelic customs under which such scandals were practically unknown' was passed unanimously.[84] In May 1929 at a meeting of the County Wexford Health Board a Miss O'Ryan referred to unmarried mothers as 'people who don't deserve respect.'[85] She argued that 'respectable labourer's wives'[86] who required treatment in the county home during their confinement should not have to 'be put into the same ward as the unmarried mother.'[87] A number of others in

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[81] Ibid.
[82] *Irish Times,* 26 Nov.1930.
[83] Ibid.
[84] *Irish Times*, 20 June 1927.
[85] (Wexford) *People*, 25 May 1929.
[86] Ibid.
[87] (Wexford) *People*, 22 June 1929.

attendance at the meeting clearly agreed. A Mr Gaul said that he felt that 'there should be some provision made in the County Hospital for decent married women during their confinement, who could not think of going into the County Home amongst unmarried mothers.'[88] Judging by the remarks made by members of hospital committees and county health boards in the 1920s, it is clear that hostility towards unmarried mothers was deeply ingrained. Such widespread negative attitudes meant that social services for single mothers and their children did not improve until much later in the twentieth century.

In a 1939 Co. Tipperary case Dr Mary Courtney, who attended to Mary B. [P.136], a twenty-three year old unmarried mother, recalled how she had tried to help Mary.[89] Shortly after Mary's baby was born, Dr Courtney made enquiries regarding the adoption of her infant and managed to find three addresses for her. However, in most cases there is no evidence to suggest that doctors or nurses offered single women any concrete support or useful advice. An article in the *Irish Times* on March 27th 1935 described how staff at the Roscommon County Home had repeatedly warned Elizabeth E. [P.121] against neglecting her daughter. 'A nurse in that institution had warned the mother not to abandon it or the guards would be after her,'[90] and 'Dr C. J. Kelly, Roscommon, said that he warned Elizabeth E. that if she did not take care of the child she would get into trouble.'[91] Staff in Ireland's network of county homes may have warned unmarried mothers about taking care of their children but they were not offered any concrete support or given much useful advice. In Dublin and other large cities unmarried mothers could turn to rescue societies who helped women to foster their children. However, it was far more difficult for unmarried mothers in rural areas with tight knit communities to adopt that kind of solution.

Unmarried expectant women who were able to pay the fees charged in private nursing homes chose to give birth there because the homes were small and quiet and it was unlikely that neighbours, employers or friends would discover that they had given birth. Mary Kate M. [P.140] went to such a nursing home in Galway to have her baby in March 1943. In his statement, John M., [P.140] the father of the child, described the plans they

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[88] Ibid.
[89] N.A.I., C.C.C., ID 11 93, Co. Tipperary, 1939.
[90] *Irish Times*, 27 Mar. 1935.
[91] Ibid.

made. 'Before she left home it was our intention that she should give birth to the child at some place where it would not become known that the child had been born.'[92]

3.5 Infanticide and insanity

McAvoy has argued that with the passing of the Infanticide Act in 1949, 'infanticide came to be seen as the act of a woman temporarily mentally unbalanced by the trauma of childbirth.'[93] The idea that following childbirth a woman could become temporarily insane was not new and as is clear in the sample for chapter two, doctors in Ireland had referred to temporary insanity in court long before the law made a provision for it. A number of women who were charged with the murder of a newborn infant in this sample described themselves as mad or half mad immediately after giving birth in their statements. In a 1944 Co. Kilkenny case Bridget D. [P.171] told Gardaí that she could not tell them exactly what she did. She said she was 'half mad at the time.'[94] However, statements made by women when they were arrested and charged obviously need to be treated with caution. Like K - - - - - - - M. [42] in the sample for chapter two, who said she that her 'mind must have been away' immediately after the birth of her illegitimate infant, when Bridget D. [P.171] said she was 'half mad,' she may have also meant that she had been extremely distressed and emotional, rather than insane. Only three women in the sample for this chapter were found 'insane and incapable of pleading' or 'insane at the time.'[95]

However, from the depositional evidence of doctors, nurses, family members and the statements of unmarried mothers, it is clear that in many cases women charged with infanticide displayed signs of distress and irrational behaviour. In their statements to the Gardaí, a number of women who were charged with the murder of a new born infant maintained they were suffering from the shock and trauma of giving birth without assistance and as a result, were unable to account for their actions. Like the single women who stood trial for the murder or concealment of birth of their newborn infants

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[92] N.A.I., C.C.C., ID 22 83, Co. Galway, 1943.

[93] McAvoy (Larmour), Sandra, 'Aspects of the State and Female Sexuality in the Irish Free State, 1922-1949' (PhD thesis, University College, Cork, 1998), p276.

[94] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.

[95] Elizabeth D. [P. 14], a forty-year old widow, was sentenced to death in June 1926. Although the jury did not return a verdict of guilty but insane the prison doctors may have felt that she suffered from mental health problems. When her sentence was commuted to penal servitude for life she was transferred from prison to the Dundrum asylum. (N.A.I., C.C.C., IC 90 28, Co. Wicklow, 1926).

between 1900 and 1921 some women in the sample for this chapter also claimed that they were unable to recall what had happened immediately after the birth. Joan C. [P.168] was charged with the murder of her unnamed male infant in March 1944. When Dr William O'Connor examined the baby's body he found a knotted cloth tied around the infant's neck. Part of the infant's gum was torn. The doctor concluded that the baby had been strangled and that death was caused by asphyxia. In her statement Joan C. said that she did not recall tying a cloth around the infant's neck and claimed that if she had done so it had not been intentional. Joan insisted that she was suffering from a loss of memory and could not remember what had happened or what she had done. 'I don't remember putting any cloths around the child except my coat... I don't remember being brought to Tralee hospital.'[96] It is clear from the depositional evidence of Joan's sister and father that they were alarmed by her behaviour. Mary C. gave a very vivid description of her sister Joan shortly after she had given birth. 'She appeared to be convulsed. She was tearing the bedclothes. She was working her hands. As a result of that convulsed condition I brought in her father and he had to hold her in bed.'[97] Joan C.'s behaviour is one of the more extreme examples of mental disturbance that manifested itself in single mothers accused of infanticide.

The jury in the Deborah S. case [P.66] found it difficult to deliver a verdict. They informed the judge 'that their difficulty was as to the state of mind of the woman at the time of the act.'[98] Deborah S. gave birth on a mountainside in Co. Kerry in February 1929 without any assistance. The infant's body was found in a stream where it had been drowned. The doctor who carried out the post-mortem in the case stated that 'in the absence of any assistance it is possible but highly improbable for a mother to help herself by putting a hand on the child's throat. In moments of great pain it is possible the mother might do the improbable thing.'[99] Deborah S.'s defence argued that she felt so weak and frightened after giving birth alone that she put the child's body in a bush but could not explain how it had drowned. The jury in the Deborah S. case found the prisoner guilty but recommended her to mercy. 'In all the circumstances of the case, I strongly recommend the accused to mercy - the act was committed immediately after birth when the accused must have still been suffering from the pangs and subsequent prostration of

[96] N.A.I., C.C.C., ID 24 131, Co. Kerry, 1944.
[97] Ibid.
[98] N.A.I., Department of the Taoiseach, S5886.
[99] N.A.I., C.C.C., IC 94 61, Co. Kerry, 1929.

child-birth.'[100] Similarly, Catherine A.'s [P.55] defence argued that she was so traumatised by giving birth without any medical assistance that she could not be reasonably held responsible for her actions. The jury recommended Catherine A. to mercy 'having regard to the circumstances attending the birth of the child. The accused had no attention or assistance at the birth and the child appears to have been strangled by her a short time after the birth.'[101]

Bridget D. [P.171] was charged with murdering an unnamed female child in Co. Kilkenny on March 24th 1944. When cross-examined in court the doctor who examined Bridget D. conceded that a mother's nervous and mental condition was frequently abnormal immediately after childbirth. He also stated that when he first saw Bridget D. she was 'highly nervous and excited.'[102] He heard her threaten to commit suicide. In her statement she claimed that she was 'half mad at the time'[103] and 'wanted to hide the thing from [her] mother.'[104] It is clear that in many cases the physical and emotional strain of giving birth outside wedlock took a heavy toll on single women. In many cases, doctors who treated unmarried mothers charged with infanticide may not have wished to see them convicted of murder. Their statements about the mental state of women charged with infanticide may have been calculated to arouse sympathy in a jury.

Margaret D. [P.124] said she was distracted and mad following the birth of her baby and Bridget D. said she was 'half mad at the time.'[105] Mary M. [P. 96] said that she was weak and did not know what she was doing when she killed her baby shortly after delivery. She said that she was 'half cracked at the time.'[106]A number of doctors expressed their concerns regarding the mental health of their patients in their depositions. However, it is only possible to speculate about how many women may actually have experienced temporary insanity. While the deaths of some infants may have been unintentional, many more may have been deliberately killed by their mothers with premeditation.

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[100] N.A.I., Department of the Taoiseach, S5886.
[101] N.A.I., Department of the Taoiseach, S 5891.
[102] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.
[103] Ibid.
[104] Ibid.
[105] Ibid.
[106] N.A.I., C.C.C., ID 33 67, Co. Tipperary, 1933.

A change in legislation had been under discussion in the Department of Justice and in the Attorney General's office for some time before the law was changed in 1949. With the passing of the Infanticide Bill in 1949 a woman charged with infanticide was no longer considered fully responsible for her actions. It was assumed that she had been suffering from a disturbed or unbalanced state of mind at the time. Infanticide became a non-capital offence. In 1951 the Attorney General, C.F. Casey, could express his sympathy in the national press with the physical and metal trauma unmarried mothers experienced: 'those who have prosecuted or defended know that death has often been inflicted on the child by the anguished mother. No one knows the mental anguish of the unmarried mother in her terrible suffering. Her mind and judgement are unbalanced. Her world is indeed black.'[107]

3.6 Infanticide and suicide

It was not uncommon for women charged with murder of a newborn infant to display suicidal tendencies, even to attempt suicide. A total of eleven women told family members, the Gardaí, their doctors or the medical officers who examined them in prison that they had considered taking their own lives. In addition, one woman was charged both with concealment of birth and with attempted suicide. Johanna D. [P.25] attempted to commit suicide in August 1926 by cutting her throat with a razor. A report on the case in the *Limerick Leader* noted that when Garda Kennedy looked at Johanna's neck he saw 'a gash of a wound almost three inches long, which appeared fresh. Blood was oozing from it.'[108] The entry in the Trials Record Book from June 1925 to June 1927[109] indicates that Johanna attempted suicide almost a week after she concealed the birth of her infant.[110] Johanna told Garda Kennedy that 'she wanted to cut her throat, that she had her people scandalised.'[111]

Mary C. [P.184] was tried for the murder of her unnamed male infant in June 1947. She repeatedly threatened to commit suicide in Sligo prison. The medical officers who treated

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[107] *Irish Independent,* 14 Feb. 1951.
[108] *Limerick Leader*, 22 Sept. 1926.
[109] N.A.I., Trials Record Book, June 1925 – June 1927, IC 88 61.
[110] The judge who tried her case seems to have sympathised with her plight. He requested the county registrar write to her parish priest to ask him to 'keep a friendly eye on this poor girl, who is only 19, whose youth and story have appealed to his sympathies.' The county registrar added that he 'would like to associate [himself] with this request.' (N.A.I., C.C.C., IC 90 14, Co. Limerick, 1926).
[111] *Limerick Leader*, 22 Sept. 1926.

her in Sligo prison took a number of precautions to prevent her from taking her own life. On May 4th the medical officer in Sligo prison came to the conclusion that Mary had suffered from a 'brain storm' after giving birth.[112] The medical officer ordered Mary to be placed under complete observation and added that 'all utensils be removed from her cell' and 'a night guard should be posted during her detention.'[113] On May 10th Mary was recommitted on remand from Letterkenny district court and she told the prison doctor once again 'that she did not wish to live.'[114] The medical officer recorded that she was to be kept 'under strict observation day and night, with a view to preventing her from committing suicide or injuring herself.'[115] However, a week later, on May 17th Mary assured the medical officers that 'she had at no time any intention of doing away with her life.'[116] The medical officers concluded that 'she is a person of sound mind.'[117]

Johanna D. [P.25] clearly attempted to end her own life and Mary C.'s [P.184] threats taken very seriously by the prison authorities. Mary C. [P.184] was interviewed on a number of occasions and a number of measures were taken by the prison authorities to ensure that she could not commit suicide. However, it is not clear in all cases whether women charged with the murder of their newborn infant actually attempted to commit suicide. It is also difficult to assess how serious their threats were.

3.7 Relatives and infanticide

There were many instances where the family members of unmarried women were the sole defendants or co-defendants in infanticide and concealment of birth cases tried at the Central Criminal Court between 1922 and 1950. Relatives were charged with the murder or concealment of birth of an illegitimate infant in twenty-eight cases (14%). There were several more cases where criminal charges were not brought against relatives of the birth mother although it seemed quite clear that they had assisted her in some way. Relatives were the only defendants in nine infanticide cases. The records of infanticide cases frequently reveal a great deal about family dynamics. Case studies of infanticide help

[112] N.A.I., C.C.C., ID 29 1, Co. Donegal, 1947.
[113] Ibid.
[114] Ibid.
[115] Ibid.
[116] Ibid.
[117] Ibid.

uncover 'family customs, sexual behaviours and norms, ...and methods of coping with unwanted births that include abortion and infanticide.'[118]

The female relatives of the birth mother in cases involving single women were more likely to have been implicated in infanticide cases than male relatives, and the mothers of single pregnant women were more likely to have collaborated in infanticide cases than any other family member. A number of single pregnant women in this sample confided in close female relatives. It is hardly surprising that unmarried expectant women would have found a natural ally in close female relatives. There was however a sliding scale of involvement. For instance, Katie R., [P.87] whose sister was accused of infanticide, procured a medical certificate for her sister under a different name so that she could enter the South Dublin Union as a married woman. Christina corresponded with Katie while she was in the South Dublin Union and Katie agreed to take a woman named Lily Parkinson out of the Union as she had promised to put Christina's baby in a home.

> I wrote to my sister on a Tuesday to come in to take Lily Parkinson out of the Union as Lily Parkinson had already said that if I got anyone to take her out of the Union when I would be coming out she would take the baby and put it into a home.[119]

Katie assisted her sister in entering the Union and she allegedly helped her sister's acquaintance Lily Parkinson to leave the South Dublin Union, but unlike female relatives in several other cases in this sample, Katie R was not suspected of having played a part in the death or disappearance of the child. The relatives of fourteen women confessed to killing an illegitimate newborn. Catherine W. [P.170] confessed to killing her sister's baby in February 1944. She said, 'I removed the child a few feet from her and caught its throat with my right hand and squeezed it to kill it so that my father and the people would not know. I kept squeezing its throat for ten or fifteen minutes and it was making a choking or suffocating noise.'[120] Kate O. [P.62] said that when she saw her daughter's baby she 'took it and threw it into the river.'[121] She said she did not know what she was doing at the time. The relatives of seven women denied playing any part in the death of an infant, while the relatives of five more single women denied killing infants but admitted that they had assisted the woman in some way.

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[118] Bechtold, Brigitte and Cooper Graves, Donna, 'Towards an Understanding of the Infanticide Scholarship' in Bechtold, Brigitte H. and Cooper Graves, Donna, (eds.), *Killing Infants: Studies in the Worldwide Practice of Infanticide*, p7.
[119] N.A.I., C.C.A., 24/1930.
[120] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.
[121] N.A.I., C.C.C., IC 94 54, Co. Clare, 1930.

Several single women in these cases referred to the concern and protective kindness their female relatives displayed towards them. For instance, Annie S. [P.133] told Gardaí that her mother took the baby away after the birth, gave her tea and fixed the bedclothes in the bed.[122] McCarthy has argued that in Ireland during the first half of the twentieth century a woman's sexuality was totally contained in marriage, 'with "illegitimate" births even less acceptable in Ireland than elsewhere in Europe. A sexual double standard meant ostracisation from family and community for the woman who "erred".'[123] However accounts Like Annie S.'s [P.133] serve to suggest that unmarried Irish women who became pregnant were not always automatically cast out of the family home. As guardians of family honour some women helped their female relatives to conceal what was considered a shameful event. Bessie D. [P. 17] told Gardaí that she 'bandaged up [her] sister and took care of her until she was well.'[124] Catherine W. [P.170] helped deliver her sister's baby in February 1944. She later told Gardaí that she cut the umbilical cord with a scissors, assisted her sister Mollie indoors after she had given birth in the farmyard, heated milk for her and helped her to bed. Catherine also said she 'got up early next morning and went out and gathered up the hay that was blood stained and covered it over. After breakfast my father went off to work and I brought in the blood stained hay and burned it in the fire. I gave Mollie her breakfast in bed...I asked her what would we do with the child and we both decided to take it up in Peter Walsh's field at Dronagh.'[125] Mary S. [P.133] delivered her daughter's baby, helped Mary Anne to bed and made her a hot drink before she disposed of the baby's body.

The mothers of some single pregnant women may have been motivated to kill their daughters' newborn infants because they were afraid of their husbands' reaction if they discovered that their unmarried daughter had given birth. Nora M. [P.89] who was convicted of the concealment of birth of her daughter's infant in November 1933 told Gardaí that she 'didn't make any alarm about it then because I was afraid of her father.'[126] Similarly, Johanna M.'s mother Nora [P. 154] said that she did not tell her

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[122] N.A.I., C.C.A., 36/1938.
[123] McCarthy, Áine, 'Hearths, Bodies and Minds: Gender Ideology and Women's Committal to Enniscorthy Lunatic Asylum, 1916 – 25' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History*, p122.
[124] N.A.I., C.C.C., IC 90 7, Co. Donegal, 1926.
[125] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.
[126] N.A.I., C.C.C., ID 33 62, Co. Clare, 1933.

husband about the birth and was afraid to take the baby into the house. Instead she left the infant in a shed to die.

The sisters of eight unmarried mothers were charged with the murder or concealment of birth of a newborn infant. The bond between sisters charged in infanticide cases was often particularly striking. Sisters Rose and Elizabeth E. [P.121] were both sentenced to death for the murder of Elizabeth's baby in March 1935. An official in the Department of Justice noted that Rose E. 'assisted in the killing of [her] sister's child' because of 'her affection for the sister.'[127] Elizabeth apparently confided in her younger sister two months before she was due to give birth. In his charge to the jury the judge said that 'the two accused were acting in concert during the whole time.'[128] Rose went to considerable lengths to assist her sister. She accompanied Elizabeth to the County Home in Roscommon. She visited her there on several occasions and told their parents that Elizabeth was suffering from appendicitis and had to undergo an operation in the County Home. She also hired a car to bring Elizabeth and her infant daughter home. Following the infant's death Rose said that she took the baby from Elizabeth's arms and buried it in a nearby field.

While the sisters of some women who gave birth outside marriage may have been prompted to act because of feelings of protectiveness and concern, others may have been motivated to kill or conceal the birth of their illegitimate infants for more selfish reasons. The sisters of some single pregnant women may have been motivated to kill or conceal their sisters' illegitimate infants because they knew that the stigma associated with single motherhood would have had repercussions in their own lives. Their own marriage prospects may have been seriously threatened by their sisters' actions and behaviour. Bridget M. [P.79] was charged with the murder of her newborn infant in October 1931. According to Sergeant James Kinsella, Bridget's sister reacted angrily to the news of her sister's arrest. 'While the accused was dressing her sister Rita said you have disgraced the whole family, you are no kiddie, you knew what you were doing.'[129]

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[127] N.A.I., Department of the Taoiseach, S 7788A.
[128] N.A.I., C.C.A., 13/1935.
[129] N.A.I., C.C.C., IC 94 65, Co. Mayo, 1931.

In her study of infanticide in Ireland from 1925 to 1957, Guilbride noted that men are notably absent from the trial records.

> In the great majority of cases, though, there was no mention of men at all. Fathers and brothers were often on the premises when the infant was born, but they were invariably ignorant of the whole matter and were never required to give evidence.[130]

This is true in certain cases. In a 1930 Co. Dublin case, Superintendent John Hughes did not question the suspect in her brother's presence as he assumed that he had no knowledge of his sister's pregnancy. He explained that he had brought Christina R. [P.87] into another room when he first questioned her 'as it would be awkward to have [her brother] present and she must have felt very sensitive of having given birth to a child. I did not know that her brother was aware of the fact that she had given birth to a child.'[131] Christina did not inform her brother of her pregnancy. When Justice O'Byrne asked her if she had gone to her brother's house with her baby when she left the Union she explained that she 'would not go down Capel Street at all as [she] did not want [her] brother to know anything about it.'[132]

It is apparent however that male relatives of unmarried mothers were sometimes required to give evidence in infanticide cases. In some cases the male relatives of unmarried mothers were questioned by the Gardaí, while in other cases male members of the household were not called on to make statements. Some men made detailed statements while others appear to have had scant knowledge of their daughter's lives. The nature of the statements made by male relatives varies considerably. For instance, Margaret D.'s [P.124] father played a pivotal role in his daughter's arrest. He made a detailed statement to the Gardaí. Patrick B. suspected that his daughter had been pregnant. He questioned her and when she admitted that she had left her baby's body in a disused quarry, he contacted the Gardaí and she was arrested and charged. 'When I heard of the finding of the child I interviewed my daughter the accused about the matter.'[133] John W., [P.170] whose daughters were charged with infanticide and concealment of birth in May 1944, made a very brief statement to the Gardaí simply confirming that he recognised the items

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[130] Guilbride, Alexis, "I Went Away in Silence: A Study of Infanticide in Ireland from 1925 to 1957' (Minor M.A. thesis, University College, Dublin, 1994), p29.
[131] N.A.I., C.C.A., 24/1930.
[132] Ibid.
[133] N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935.

of clothing the baby had been wrapped in.[134] The male relatives of thirty-one single women charged with the murder or concealment of birth of their illegitimate infants in this sample made depositions. The father of Margaret S.'s [P. 116][135] deceased infant was listed as a witness for the defence in the Trials Record Book and Bridget M.'s [P. 81][136] father was listed as a witness for the defence. He also paid the sum of money required as part of her recognizance. Clearly, it was not always assumed that men were ignorant of the matter.

For Guilbride, the most striking aspect of the records of infanticide trials is 'the absence of the man outside his role within the criminal justice system.'[137] Ryan has also asserted that men were rarely implicated in infanticide cases.[138] While infanticide was undoubtedly a crime associated with women and with unmarried women in particular, a number of Irish men were implicated in infanticide cases during the years 1922 to 1950 and were tried for the murder of newborn babies. The absence of men in studies of infanticide in Ireland during the first half of the twentieth century has, I believe, been overstated. While Irish men are absent from a number of trial records, they are present in many more. Previous studies have neglected the fact that a number of men were tried and convicted for the murder or concealment of birth of newborn infants.

Guilbride has asserted that 'if [male relatives] were mentioned by the woman, it was as objects of fear, and a number of infants were smothered at birth by their newly delivered mothers for fear that a father or brother would discover the existence of the said infant.'[139] This may have been a motivating factor in the Elizabeth and Rose E. case. Rose E. [P.121] remarked to her sister that 'the old fellow will kill us if he hears about the baby.'[140] Such fears are mentioned in a number of infanticide cases. According to the medical officer who examined Mary M. [P.192] in Mountjoy prison in September 1948, 'her one fear... was that her brother, Tommy, would hear the child cry and be angry with

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[134] N.A.I., C.C.C., ID 24 131, Co. Kilkenny, 1944.
[135] N.A.I., Trials Record Book, C.C.C., ID 33 68, Change of Venue Cases, November 1927 Sittings – June 1933 Sittings.
[136] Trials Record Book, Central Criminal Court, ID 11 92, 4th November 1933 – 22nd April 1941.
[137] Guilbride, Alexis, 'I Went Away In Silence: A Study of Infanticide in Ireland from 1925 to 1957' (Minor M.A. thesis, University College, Dublin, 1994), p28.
[138] Ryan, Louise,'Infanticide in the 1920s', p144.
[139] Guilbride, Alexis, 'I Went Away in Silence: A Study of Infanticide in Ireland from 1925 to 1957' (Minor M.A. thesis, University College, Dublin, 1994), p29.
[140] N.A.I., C.C.A., 13/1935.

her for the trouble she had brought on the family.'[141] Nora C. [P.37] threw her newborn infant into a river in April 1927. According to her mother 'she was afraid of her brothers to go home.'[142] Yet while brothers of the birth mother were less likely than sisters to have been involved in infanticide cases, there are at least three recorded instances where the brothers of an unmarried woman helped her kill her newborn infant or helped her to dispose of the body.

Mothers were also mentioned as objects of fear in the trial records of infanticide cases. In her evidence Deborah S. [P.66] stated that she was terrified of her mother. In the Margaret F. case, Bridget C., [P.68] her cousin, told the court that Margaret said to her: 'I am going to have a baby but not to tell her mother.'[143] When the baby was buried shortly after the birth, Bridget C. recalled how Margaret 'told me again not to tell her mother and to keep behind her so that her mother would not notice her. Her legs were all blood at the time.'[144] In September 1923 Anne F. [P.3] called to the local barracks and, according to Sergeant Martin Nagle, Anne 'stated her mother had been hearing talk in the locality and requested me to give her a letter from her mother to the effect that she was not delivered of a child as she would be afraid her mother would kill her.'[145] Sergeant Nagle gave her a letter for her mother 'directing that she (her mother) should not interfere with her in any way.'[146]

Single women who became pregnant understood the seriousness of their situation and knew that they faced rejection not only by their parents but by the entire community. Although fathers were mentioned as objects of fear in the statements of a number of single women charged with infanticide, there are examples of fathers who were understanding and clearly concerned about their daughters' fate. Mary M.'s [P.96] father wrote to the chief clerk of the Central Criminal Court in November 1933 about '[his] unfortunate daughter.'[147] He said he was unable to go to Dublin because he was a poor man but appealed to the judge to have compassion on her.

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[141] N.A.I., C.C.C., ID 29 7, Co. Kilkenny, 1948.
[142] N.A.I., C.C.C., IC 90 9, Co. Kerry, 1927.
[143] N.A.I., C.C.C., IC 94 54, Co. Clare, 1930.
[144] Ibid.
[145] N.A.I., IC 79 21, Crown Book at Assizes, Co. Cork, 1924.
[146] Ibid.
[147] N.A.I., C.C.C., ID 33 67, Co. Tipperary, 1933.

It is clear that in most infanticide cases if an unmarried mother sought help from a relative or confided in a family member it was generally a sister, mother or grandmother that they turned to, but this was not always the case. In April 1935, a father and daughter were indicted for the murder of an illegitimate male child. Delia M. [P.107] pleaded guilty of manslaughter. Her father, John M., pleaded guilty of concealment of birth. Delia's father, the *Irish Times* noted, was 'anxious not to shame his daughter and did what he did.'[148] He asked the judge not to send his daughter to prison and suggested that she be sent to a home instead. The newspaper account portrayed John M. as a hard-working old man who stood by his daughter, even though 'the girl's character in general was bad.'[149] It was not the first time John M. had been involved with the police because of his daughter's behaviour. In November 1931 Delia M. gave birth to a stillborn child. Her father reported the birth on that occasion and no charge was brought against her. She had also been found guilty of concealment of birth in October 1929 after the birth of her first child. The fathers of three single women were charged with the murder or concealment of birth of their daughters' illegitimate infants during the period under review.

3.8 Men and infanticide

The fathers of illegitimate infants were charged with murder or concealment of birth in seven cases tried at the Central Criminal Court during the period under review.[150] In two cases these men were the sole defendants, while in a further five cases the fathers of the infants stood trial along with the infants' mother and or others. Edward C. [P.187] was the sole defendant in an infanticide case in October 1948. Edward had been involved with a woman named Margaret S. for a number of years but refused to marry her when she became pregnant. She was unable to keep the baby in the family home. In her deposition Margaret explained that '[she] would have kept it if [she] could have done so, but [she] was trying to please everybody and there was nothing else [she] could do and at the same time avoid trouble with [her] family.'[151] She had urged Edward C. to find a foster mother for the baby. He agreed to do so and told Margaret that he would take the baby to a family in Tipperary and assured her that all the arrangements had been made.

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[148] *Irish Times*, April 2nd 1935.
[149] Ibid.
[150] It is also possible that John M. [P. 196] was the father of his girlfriend's illegitimate infant even though he insisted that he was not the infant's father and his girlfriend thought that another man was responsible for her pregnancy. (N.A.I., C.C.C., ID 29 13, Co. Wexford, 1949).
[151] N.A.I., C.C.C., ID 29 3, Dublin, 1948.

Instead Edward C. drowned the baby in the Tolka River. He told police that he 'put it in a river up at Phibsboro.'[152] While some single women appear to have collaborated with the men charged with the murder of their infant sons or daughters Margaret S. was unaware, when she handed her nine-day-old son over to Edward C., that he intended to drown the baby.

John L. and Margaret S. [P.43] were charged with the murder of their illegitimate infant in June 1928.[153] Mr Carrigan, who prosecuted, seems to have sympathised to some extent with the situation in which Margaret S., a domestic servant, found herself. He said that 'if legislators acted rightly they would pass a law for making amenable men responsible in cases where the unfortunate children were born in such circumstances.'[154] John L. had provided Margaret with very little support. She had been reduced to living in an open field and sleeping in a ditch for some time prior to the birth. John L. brought her some food each day. In his statement he admitted that he had left the infant to die outdoors and buried the body afterwards. He was found guilty of manslaughter. The state entered a *nolle prosequi* against Margaret S. Mr Carrigan said that 'she was not in a condition to realise what was happening at the time.'[155]

While many men were unsupportive of unplanned pregnancies, the records of infanticide trials in Ireland indicate that in some cases the fathers of illegitimate infants were supportive of their unmarried girlfriends and assisted them in making plans to give birth secretly. John M. and Mary Kate M. [P.140] were charged with murder and conspiracy to murder in April 1943. A report in the *Irish Times* noted that Mary Kate. M 'was unmarried, while Mr M., who was married, lived about four miles from M.'s house. He worked for the M.'s and occasionally slept at their home.'[156] John M. told Gardaí that 'it was my wish and hers to hide the birth of the child.'[157] In his statement John M. referred to the plans they made together before the baby was born:

> Before she left home it was our intention that she should give birth to the child at some place where it would not become known that the child had been born. My object in going

[152] N.A.I., C.C.C., ID 29 3, Dublin, 1948.
[153] N.A.I., C.C.C., IC 90 24, Co. Tipperary, 1928.
[154] *Nationalist and Munster Times*, 19 Jul. 1928.
[155] Ibid.
[156] *Irish Times,* 25 Nov. 1943.
[157] N.A.I., C.C.C., ID 22 83, Co. Galway, 1943.

to Galway was to get the quietest nursing home I could for her to enter and my reason was to hide the birth of the child.[158]

John M. called to the nursing home and said he was Mary Kate's husband. He arranged to have the baby baptised and ordered a car to take Mary Kate and the baby home. John M. may have been suspected of putting pressure on Mary Kate to kill the infant. He told Gardaí that '[he] didn't murder it and [he] didn't say it to her to murder it.'[159]

Although some women incriminated their relatives in the statements they made, others did not refer to their role at all. Catherine W. [P.170] was not initially considered a suspect. Mary W. [P.170] lied to protect her sister and did not mention Catherine's part in the crime when she was first questioned. Catherine might never have been charged at all, but when a guard asked her if she would keep her sister company in the station where she was being held, Catherine became emotional and confessed. Women who assisted an unmarried relative in giving birth did not always support the mother's evidence in court. Such a secretive, shameful event clearly strained close relationships. Katherine N.'s [P.188] brother had to give evidence against her in court as he had found her baby's body and reported it to the Gardaí. The relatives of some women denied any involvement in the case. Catherine M.'s [P.119] mother initially denied being involved. When they were being questioned Catherine pleaded with her mother to tell the truth. According to Sergeant Liddane, Rosanna M. 'started to cry again and said "How can I tell it? How can I say I put it in the river?"[160] Hanna L. [P.26] insisted that she had informed her grandmother about her condition in June 1927. She told the court that her grandmother had helped her deliver the baby and told her that she would bury the stillborn infant. However, when the case was tried at the Court of Criminal Appeal, Hanna's grandmother, Mary L., denied she had played any part in the delivery of her granddaughter's baby. She said that 'certainly before God and his Blessed Mother, I can swear that she didn't make me aware of any of her business.'[161] The case against sixty-seven year old Mary L. was based on her granddaughter's testimony. Hanna's evidence resulted in the conviction of her elderly relative. When the death sentence was pronounced on Mary L., she 'waved her hand towards her grand-daughter Hanna,' who

[158] Ibid.
[159] Ibid.
[160] N.A.I., C.C.C., ID 60 61, Co. Kilkenny, 1937.
[161] N.A.I., C.C.A., 30/1928.

was in the courtroom. Hanna had, by then 'burst into tears' and buried her head in her hands.[162]

It is difficult to provide an adequate explanation to account for the forces that drove the relatives of single women to kill or conceal the birth of illegitimate children during the period under review. Some newborn infants were killed quite brutally. Shame was clearly one of the main motivating factors in a number of cases involving relatives of the birth mother during the period under review. In a 1926 Co. Longford infanticide case the birth mother's brother Thomas recalled how his mother remarked 'your sister Bridget had a child on the floor. It is a nice shame in the face of the public.'[163] John E. [P.172] was the only person tried for the murder of his daughter's infant in April 1944. It would appear that John E. killed his daughter's baby in an attempt to preserve her reputation and the family's honour. Eileen Q. had been married for two months when she gave birth in her father's home. Extramarital conception was clearly considered shameful, even when marriage followed; John E. did not inform his younger daughters about the birth and death of the baby. He told the Gardaí that 'I did not open my mouth to them about it. I did not want to let them know it.'[164] He claimed that the baby died a few hours after its birth and that he placed the dead body in a stack of hay, but it is clear from the evidence of his neighbour Neil F., that he took the baby from his daughter and left it to die in the farmyard.

The compulsion to protect a family's sense of honour and reputation in the community was obviously a very strong one in Ireland throughout the first half of the twentieth century. It was often put forward by barristers defending the relatives of unmarried mothers charged with murder or concealment of birth in court in order to account for their clients' behaviour. Judges, barristers and doctors involved with infanticide cases often referred to the huge sense of shame and disgrace associated with unmarried motherhood. When Rose E. [P.121] was questioned in court about the death of her sister's illegitimate daughter, Judge O'Byrne remarked, 'I take it that you felt her

[162] *Cork Examiner*, Dec 1 1928.
[163] N.A.I., C.C.C., IC 90 15, Co. Longford, 1926.
[164] N.A.I., C.C.C., ID 24 131, Co. Meath, 1944.

position keenly and you felt the great shame and disgrace brought upon yourself, your parents and your brother.'[165]

Policing methods may also help account for the fact that charges were brought against a number of family members in the infanticide cases tried in the south between 1922 and 1950. There were several instances in southern Ireland where charges were brought against the relatives of the birth mother when there was little if any evidence to link them to the crime, and such cases generally collapsed when they were brought to court.[166] There seems to have been a tendency for Gardaí investigating infanticide cases to bring charges against family members in a household where a single woman gave birth even when there was little evidence to connect them to the crime. Close relatives of the birth mother who lived in the household where the birth had taken place may have been arrested in the hope that when they were put under pressure they would reveal more information about the circumstances surrounding an infant's death, or contradict or add to the evidence given by the birth mother.[167]

As Arnot and Usborne have observed, 'historical studies in different contexts on topics such as childcare, infanticide and abortion have shown that there could be major disjunctures between official penal prescription and popular perceptions and practices.'[168] That there was a disjuncture between church teaching and the law on one hand, and attitudes held by many Irish families with regard to illegitimate child life is

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[165] N.A.I., C.C.A., 13/1935.

[166] In case one hundred and twenty-nine a recently married husband and wife were charged with the murder of their infant daughter. They had been living with James B.'s [P. 129] parents at the time of the birth. Even though James and Jean B. had travelled across the border to Enniskillen where the infant had allegedly died and been buried, James B.'s mother Annie was also arrested and charged with murder and conspiracy to murder. When Annie B. was arrested she protested and according to Sergeant Thomas Delaney said, 'it's a notorious mistake. He will not arrest me at all. I will resist it. I was not away from home at all. I told you all when you were here before.' (N.A.I., C.C.C., ID 11 95, Co. Cavan, 1940). Annie B. seems to have been arrested simply because she was aware of the infant's existence and was acquitted when the case went to court

[167] In case P.58 the fifteen-year-old daughter of an unmarried woman suspected of murdering her illegitimate infant was questioned. In her statement Mary M. [P. 58] said that 'on the occasion when the statement was obtained from me I was sitting in the day room when the inspector questioned me about the offence. He said if I did not tell the truth my mother and step father and my daughter would be arrested. He asked whether I wanted my daughter to go to gaol along with me. He asked whether I would let that happen or tell the truth and take the consequences.' (N.A.I., C.C.C., IC 94 67, Co. Monaghan, 1929). Mary's daughter was questioned. She said that 'the inspector made [her] make a statement by telling [her] [her] mother would be hanged and that he would send [her] up to the gaol to [her] mother.' (N.A.I., C.C.C., IC 94 67, Co. Monaghan, 1929).

[168] Arnot, Margaret L., Usborne, Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne, Cornelie, (eds.), *Gender and Crime in Modern Europe*, p20.

evident from an examination of these cases. The relatives of some single women displayed a complete lack of regard for the lives of children born outside wedlock. Thomas K. [P.21] claimed that when he asked his mother why she did not remove the child from the floor 'as it would die with the cold, she said 'to hell with it. What would I be bothering myself taking pain with it for.'[169] When three members of the family, a mother, son and daughter, were charged with murder and concealment of birth in August 1926, the judge who heard the case commented unfavourably on the 'levity of the accused in court.'[170] The judge remarked that one of the accused was apparently, from her demeanour, regarding the affair lightly. He told her that her demeanour in court was appalling and reminded her that she was in court under a most serious charge. While the state may have regarded the murder of infants as a serious charge, the attitudes displayed by the relatives of some unmarried mothers suggest that some Irish people did not regard infanticide as a serious crime.

3.9 Relationships

A number of witnesses who gave evidence before the Carrigan committee were of the opinion that employers often seduced young women who worked for them by intimidating them.[171] There may well have been many such instances in post-independent Ireland, but single women charged with infanticide between 1922 and 1950 rarely referred to being seduced by their employers in their statements. While some women may have been unsophisticated and uninformed about sex and pregnancy and a smaller number may have 'fallen' more than once, the records suggest that the experiences of single working-class women during the period under review varied considerably and in many cases did not conform to the stereotypes in the discourse on unmarried motherhood prevalent in the 1920s and 1930s. Some women had been involved with the fathers of their infants over a considerable period of time, others had had brief encounters with the men they named as the infant's father and a very small number of women had been raped or abused. Given that these statements were made at a time when sexual activity among unmarried couples was seriously frowned upon officially and the discussion of sexual

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[169] N.A.I., C.C.C., IC 90 15, Co. Longford, 1926.
[170] *Longford Leader*, 28 Aug. 1926.
[171] For instance, at the eleventh meeting of the Carrigan committee, representatives from the Committee of Medical Women stated that 'it is believed that in many cases an evilly-disposed employer intimidates girls in his employment e.g. domestic servants, Clerks, Shop Assistants etc into yielding to his wishes by threats of dismissal.' (N.A.I., Department of Justice H247/41D, Criminal law Amendment Committee (1930) Minute Book, 90/40/1).

matters was considered taboo, the level of detail in many of the statements of single women charged with infanticide is quite striking. The records of infanticide trials certainly raise questions about the manner in which Gardaí conducted investigations into suspected cases of infanticide. While some women may not have been interrogated about their sexual experiences, others were questioned about the most intimate aspects of their relationships with the fathers of the deceased infants. It seems unlikely that these women would have volunteered such information but would probably have been pressed by Gardaí to disclose details about the kinds of relationships they had with the fathers of the infants whose deaths were being investigated. The manner in which Gardaí questioned single women suspected of killing their illegitimate infants must have, in many cases, influenced their statements. A female suspect who stated in her evidence that 'Garrett N. is responsible for my condition. I kept company with no other person' would probably have been asked who the father of her infant was and whether she had kept company with any other men.[172] In the vast majority of cases such information had no bearing on the actual investigation and it is not clear why Gardaí who conducted investigations in suspected cases of infanticide questioned unmarried female suspects at length about the infant's father or the nature of the woman's relationship with him.

While there are few records of unmarried mothers, still less is known about the fathers of illegitimate children. They are generally portrayed in a negative light. This is perhaps unfair. However, given the paucity of sources available to the historian it is impossible to reconstruct and analyse the very personal experiences of people involved in these cases. The fathers of illegitimate infants were rarely questioned during the course of investigations into suspected cases of infanticide. In the vast majority of cases the putative fathers were not suspected of having played any part in the infant's death. The fathers of only fourteen infants in this sample gave evidence. Seven of these men were charged with murder or concealment of birth. In spite of this low level of enquiry unmarried women were often questioned about these men.

A number of women told Gardaí that they did not wish to name the infant's father. Although the man's identity had no bearing on the investigation some women were clearly pressurised to name the putative father. When asked about her infant's father

[172] N.A.I., C.C.C., ID 29 1, Co. Cork, 1948.

Christina M. [P.158] told Gardaí that in October 1940 a man had taken her up Dalkey hill but claimed that she could not remember what occurred there.[173] The Gardaí who interrogated her may have tried to induce her to describe her encounter with this man but Christina refused to answer their questions. Mary Ellen T. [P.153] told Gardaí that she had a four-year-old daughter but refused to name the girl's father. 'I do not wish to say who the father of my first child is.'[174] The Gardaí must have pressed her for this information even though it had no bearing on the case.

In her study of adolescent female sexuality in the United States between 1885 and 1920, Odem argued that the sexual encounters described by young women in statutory rape case in the Alameda and Los Angeles courts 'did not fit the image of male lust and female victimization promoted in the seduction narratives of purity reformers. Instead of being the helpless victims of evil men, most of the young women were willing participants in a more complicated sexual drama than middle-class reformers or public officials could imagine.'[175] The discourse on single motherhood in Ireland during the period under review also often presented the unmarried mother as a passive victim who had been seduced or led astray. However, from the statements of single women charged with the murder or concealment of birth of their illegitimate infants during the period under review, it is clear that unmarried Irish women were generally not the passive victims of male lust, and many women seem to have been willing participants in the sexual encounters they described in their statements.

Some of the sexual encounters described by single women in their statements suggest that they were of a casual nature. In a number of cases, single women charged with infanticide seem to have been uncertain about the identity of the father of the deceased infant. Some women may have only met the infant's father on one occasion. Jane M. [P.174] was convicted of infanticide in November 1945. When Dr McDonagh asked her who the infant's father was she claimed that she did not know, before adding that 'it was a stranger I met coming out of the bog.'[176] Some women may have been uncertain of the man's identity, particularly if they had had sexual relations with more than one man.

[173] N.A.I., C.C.C., ID 11 96, Co. Dublin, 1941.
[174] N.A.I., C.C.C., ID 20 101A, Dublin, 1942.
[175] Odem, Mary E., *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920*, p53.
[176] N.A.I., C.C.C., ID 27 5, Co. Sligo, 1945. Dr McDonagh concluded that Jane M. [P. 174] was sub-normal in intelligence.

Gladys M. [P.53] told Gardaí that in June 1928 she had started 'going about' with two men.[177] She said she had permitted both men 'to have connection with [her]', but because Ned W. was 'mostly with [her]' Gladys believed that he was the father of her infant son.[178] A total of fifteen women referred to other sexual partners in their statements.[179]

Single women charged with infanticide in the Ireland between 1922 and 1950 rarely referred to dance halls in their statements. As Maguire has noted, 'in reality, a survey of central criminal court cases suggests that only a fraction of the sexual encounters that resulted in infanticide occurred at dance halls.'[180] Only four women in the sample for this study stated that they had met men in dance halls.[181] When Mary Ellen T. was charged with the murder of her infant in December 1941 she named her infant's father and said that he had had 'connection' with her while they were at a dance.[182] Bridget C. [P. 82] attended a dance in Co. Galway in March 1932. She left the dance at 6am and was accompanied home with a man she had met there. Bridget said that she 'went into [a] haggard' with the man and 'he did it'.[183] She said that she then 'went home and he went home his own way'.[184]

A number of women appear to have had short-term relationships with the fathers of their illegitimate infants. Often these women lost touch with the infants' fathers months before they were due to give birth and in some cases contact had ceased before the woman realised she was pregnant. Margaret H. [P.167] was charged with murder and concealment of birth in June 1944. She said she 'kept company' with a soldier for two months and during that time 'he had connection with [her] nearly every time [they] met', but she had lost touch with him eight months before she gave birth.[185]

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[177] N.A.I., C.C.C., IC 94 76, Co. Wicklow, 1929.
[178] Ibid.
[179] This also includes information in files where the fathers of illegitimate infants were charged with their murder.
[180] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century', p107.
[181] Josephine R. [P. 22], Bridget C. [P. 82], Mary Ellen T. [P. 153] and Elizabeth D. [P. 180] said that they met the fathers of their illegitimate infants during or after dances. Bridget M. [P. 79] may also have met the father of her illegitimate infant at a dance. She said that she 'went with fellows now and again' and she 'often attended dances.'(N.A.I., IC 94 65, Co. Mayo, 1931).
[182] N.A.I., C.C.C., ID 20 101A, Dublin, 1942.
[183] N.A.I., C.C.C., ID 33 64, Co. Galway, 1933.
[184] Ibid.
[185] N.A.I., C.C.C., ID 24 131, Co. Cork, 1944.

However many single women charged with infanticide during the period under review had been involved with the father of their infant for a considerable length of time. Some women maintained close contact with the fathers of their infants until they were tried for infanticide. A number of women seem to have expected that they would eventually marry the fathers of their infants. Annie R. [P.179] had made long-term plans with the father of her infant. She told Gardaí that she was keeping company with a man named Patrick R. and that she intended to marry him. She said that she was 'fairly intimate with him' and he came to see her twice a week.[186] Similarly, Nora C. [P.146] told Gardaí that she had been keeping company with a boy for the past year. They met once a week and she said that they 'had an understanding that we would be married.'[187] Indeed a history of long-term involvement with the father of her baby often worked in favour of women who were charged with infanticide. If the father of the infant agreed to marry a woman charged with infanticide, she could often avoid serving a prison sentence.

Most single Irish women charged with infanticide during the period 1922 to 1949 appear to have willingly engaged in sexual encounters with men of the same class background. However a small number of women told Gardaí that they had not consented to sex. When Hannah B. [P.75] was arrested and charged with the murder of her infant she told Gardaí that she had been raped by a middle-aged man when she was leaving her sister's house late one night. She said that she 'did not tell any person that this happened to [her].'[188] While some women charged with the murder of their illegitimate infants may have been raped it is also possible that women may have claimed that they had not consented to sex because they were concerned about their reputation.

Instances of incest and abuse occasionally came to light during the course of investigations into suspected cases of infanticide. In a small number of cases, women charged with infanticide had been sexually abused by male relatives or by male employers who were in a position of authority over them. Nora H. [P.73] was charged with the murder of her infant in April 1931. She explained to Gardaí that she did not go to hospital to have the baby; '[she] said [she] would have it at home and leave it to [her

[186] N.A.I., C.C.C., ID 29 1, Co. Cavan, 1946.
[187] N.A.I., C.C.C., ID 22 84, Co. Roscommon, 1943.
[188] N.A.I., C.C.C., IC 94 55, Cork, 1931.

father] because he owns it.'[189] A week before the birth Nora's father had said that if he saw a child in the house he would kill it. When Nora reminded him that he 'owned' the child she said 'he got into a temper then and was fighting all the night.'[190] According to the Trials Record Book Nora undertook to spend two years in the Magdalen Asylum in Donnybrook. However, the Reverend Mother of the convent wrote to the registrar at Green Street courthouse seven months after Nora's admission to request that she be 'removed without delay.'[191] Nora had endangered the lives of some of the other inmates and had 'to be kept apart from the other inmates of the institution.'[192] She was then sentenced to two years' imprisonment with hard labour. It is unlikely that charges were brought against Nora's father. Nora's behaviour in the convent may well have been due to the abuse she experienced but she was evidently treated as a criminal rather than a victim.

In a 1928 Co. Wexford case it emerged that Mary C. [P.41], who had been employed by Myles D. as a domestic servant had had sexual intercourse with both her employer and her employer's son.[193] They had all shared the same bed for a number of months. In his statement, Myles D. said that Mary had slept between him and his son. Although Mary C. seems to have consented to sex with her employer's son, it is not possible to determine whether she also consented to sex with her employer on two occasions. Mary C. gave no indication of her feelings towards either man in her evidence although she mentioned that at one point there 'was a conversation about John marrying [her].'[194]

In her discussion of female sexuality during childhood in 1930s and 1940s Dublin, Lyder has observed that 'discussion of, or instruction in, sexual matters appears to have been virtually non-existent.'[195] This is apparent in the statements of several women who were charged with infanticide in Ireland between 1922 and 1950. A number of single women charged with infanticide during the period under review appear to have had very little knowledge about pregnancy or childbirth. When Margaret H. [P.74] made a statement in

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[189] N.A.I., C.C.C., IC 94 73, Co. Waterford, 1931.
[190] Ibid.
[191] N.A.I., Trials Record Book, Central Criminal Court, ID 33 68, Change of Venue Cases, November 1927 Sittings – June 1933 Sittings.
[192] Ibid.
[193] N.A.I., C.C.C., IC 90 27, Co. Wexford, 1928.
[194] Ibid.
[195] Lyder, Hazel, "Silence and Secrecy": Exploring Female Sexuality during Childhood in 1930s and 1940s Dublin' in *Irish Journal of Feminist Studies*, vol. 5, nos. 1 & 2, (2003), p80.

September 1931 she said; 'I now want to say that although I missed my usual monthly illness I did not know what was wrong with me.'[196] The medical officer who examined the defendant in a 1948 Co. Kilkenny case remarked that 'from examination it appears that this girl was completely ignorant of the dangers connected with child birth and also with some of the essential physical facts.'[197] When she was arrested seventeen-year-old Mary T. [P.70] said that she 'had no knowledge of the fact that I was pregnant' and that she 'knew nothing about it or the way children are brought into the world.'[198] The extent of Irish women's lack of knowledge in sexual matters was recognised by a number of groups and individuals concerned with sexual morality in post-independent Ireland. Several of those who gave evidence to the Carrigan Committee commented on the high level of sexual ignorance among Irish women. While it seems probable that many young women would have been uninformed or poorly informed about pregnancy and childbirth during the period under review, it is also possible that some women may have exaggerated their ignorance when they were asked why they had failed to prepare for the birth of their infants or to seek medical assistance.

Margaret W. [P.95] was charged with the murder of her infant July 1933. Upon seeing Margaret in the barracks a Garda stationed there remarked, 'we've met before', and asked her who was responsible for her condition this time.[199] Margaret replied that it was 'the same fellow as before Mick T. – it is three times – he is the father of my third baby and the third time I have been arrested.'[200] Margaret W. was not the only single woman charged with infanticide who confessed to having given birth to an illegitimate infant previously. In fact, nineteen women who were charged with the murder or concealment of births of their illegitimate infants between 1922 and 1950 had given birth on at least one other occasion. Eleven women said that they had given birth once previously.[201] Five women had given birth twice previously.[202] Two women had had three infants and one woman had given birth five or six times previously. During questioning in May 1943 Kate O. [P.148] told Gardaí that 'nearly every year for the past five or six years I had a

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[196] N.A.I., C.C.C., IC 94 66, Co. Meath, 1931.
[197] N.A.I., C.C.C., ID 29 7, Co. Kilkenny, 1948.
[198] N.A.I., C.C.C., IC 94 68, Co. Leix, 1930.
[199] N.A.I., C.C.C., ID 33 64, Co. Kildare, 1933.
[200] N.A.I., C.C.C., ID 33 64, Co. Kildare, 1933.
[201] Seven of these infants were alive when the mother was arrested, two resided with foster mothers, two children lived with their mothers and her parents and one woman's child lived in a Catholic home. One woman's baby had died and this information was not recorded in two cases.
[202] Seven of these infants had died.

baby. I had all the babies in the house. They were all born alive but one, which was dead born.'[203] Women who had their first-born infants fostered or placed in an institution or whose parents permitted them to raise their children in the family home often concealed subsequent pregnancies, gave birth alone and killed their infants. Lucy B. [P.54] and her four-year-old daughter had both been living with her parents when she was charged with the murder of her newborn infant in August 1929. While Lucy's family were willing to accept one child born outside wedlock they may have been unwilling to accept a second transgression, and this may have motivated Lucy to kill her second illegitimate infant. Some women like Elizabeth H. [P.31][204], Kate O. [P.148][205] and Margaret W. [P.95][206] seem to have killed all of their newborn infants.

While a small number of women married the fathers of their infants after they had been charged (and in some cases convicted), other women had married shortly before they gave birth. It is clear from the records of infanticide trials that premarital conception was clearly considered shameful even in cases where couples married shortly before the birth of their child. The *Anglo-Celt* newspaper, which covered the trial of James B. [P.129], his wife Jean and his mother Annie for the murder of a newborn infant, referred to James and Jean's recent marriage as a 'hasty marriage by force of circumstances.'[207] The report suggested that the three defendants had 'early on at all events, the intention of hiding the fact of this hasty marriage.'[208] Although Jean B. [P.129] said that she had not been 'anxious to conceal the child's early arrival...her husband, mother-in-law and sister-in-law were anxious to conceal it.'[209]

It is evident that some women were clearly rejected and abandoned by the fathers of their infants. Bridget C. [P. 137] told Gardaí that she 'was keeping company with Johnny W. from June 1939 until October to November 1939. Sometime before October I found I was in the family way and I told [Johnny] that he was the father of the child and he did not want to own it at all and we had a falling out. We did not keep company since and he

[203] N.A.I., C.C.C., ID 22 84, Co. Westmeath, 1943.
[204] N.A.I., C.C.C., IC 90 26, Co. Westmeath, 1927.
[205] N.A.I., C.C.C., ID 22 84, Co. Westmeath, 1943.
[206] N.A.I., C.C.C., ID 33 64, Co. Kildare, 1933.
[207] *Anglo Celt*, 14 Dec. 1940.
[208] *Anglo Celt*, 14 Dec. 1940.
[209] Ibid.

did not speak to me since'.[210] When Peggy S. [P.187] told her boyfriend that she was pregnant and suggested that he do something about it Edward C. said '[he] was going to do nothing about it; that [he] wouldn't marry her.'[211]

While many men may have shirked their responsibilities during the period under review and abandoned their girlfriends when they became pregnant, some men were prepared to stand by the women they were involved with. A 1945 Co. Cork case highlights the obstacles that young couples could come up against when attempting to get married. Kathleen L. [P.178] told Gardaí that when she told Patrick M. that she was pregnant he agreed to marry her. As Patrick was under the age of twenty-one he needed his mother's consent to marry, but she refused to give her consent. Kathleen L. told the Gardaí who questioned her that her sister and the parish priest had gone to speak to Patrick's mother about their marriage but that she withheld her consent. The young couple even appealed to the Bishop of Kerry, but he refused to intervene and said 'he had nothing to do with marriages.'[212] In July 1945 Kathleen and Patrick left Kerry 'with the intention of getting married in Cork', but the priest they went to see in Cork refused to marry them unless they could provide a letter from their priest in Kerry.[213] Kathleen gave birth in a boarding house in Cork and Patrick was later charged with the infant's murder.

However, not all single women who became pregnant necessarily wished to marry the men who were responsible for their condition. James N. [P.116] told Gardaí that when he noticed that his girlfriend was 'remarkably stout,'[214] he asked her 'was there anything wrong or who was the father of it',[215] but Margaret denied she was pregnant. Although James had known Margaret 'all her life' and was keeping company with her, Margaret does not seem to have confided in him.[216] There is evidence to suggest that a number of women like Margaret S. seem to have been reluctant or unwilling to confide in the men they had had sexual relations with. Margaret may not have wanted to marry James N. or she may have considered giving birth secretly and killing the infant preferable to living with the stigma of single motherhood. When Mary C. [P.166] found that she was

[210] N.A.I., C.C.C., ID 11 93, Co. Limerick, 1939.
[211] N.A.I., C.C.C., ID 29 3, Dublin, 1948.
[212] N.A.I., C.C.C., ID 27 4, Co. Cork, 1945.
[213] Ibid.
[214] N.A.I., C.C.C., ID 60 65, Co. Tipperary, 1937.
[215] Ibid.
[216] Ibid.

pregnant a few months later she told Jim M. and he offered to marry her. However, she said that she did not want to marry him. According to Mary Jim said 'there is no need to worry I will stand by you and he said that he would marry me. I said that I would not marry him.'[217]

3.10 Uncovering infanticide cases in Ireland, 1922 – 50

While some juries and members of the medical profession may have sympathised with unmarried mothers accused of infanticide, the Gardaí treated it as a very serious crime. It is clear that in a number of cases they went to great lengths to prosecute women suspected of giving birth outside wedlock and of murdering their infants. The *Irish Times* journalist who reported the case of the E. sisters [P.121] noted that 'the river in the vicinity was dragged, and an extensive search of the surrounding countryside made, but no trace of the body was found.'[218] In a 1934 Co. Monaghan case Bridget C., the accused, claimed that the Garda who took her statement intimidated her and threatened her.[219] According to Bridget, when she denied that she had given birth, the Guard responded by saying, 'I will soon make you tell, I will bring you to see the doctor.'[220] It was unclear whether Bridget C's statement had been a voluntary one; the judge was critical of the guard involved, and in particular of the 'method in which the Sergeant took her evidence.'[221] He also remarked that 'some of the Guards think that it is only necessary to rattle off the caution in a glib way.'[222] Many of the women in this sample may well have been unaware of their legal rights.

The Gardaí in Monaghan were clearly anxious to stamp out the crime of infanticide. Mary S. [P.133] was sentenced to death on November 15th 1938. On the 17th of November 1938 the Vice Commissioner of the Garda Síochana forwarded an extract from a report written by the Superintendent in Monaghan concerning Mary S.'s background and standing in the local community to the registrar at the Court of Criminal Appeal. The report was also discussed at a cabinet meeting on December 13th 1938,

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[217] N.A.I., C.C.C., ID 11 97, Co. Meath, 1941.
[218] *Irish Times,* 27 Mar. 1935.
[219] N.A.I., C.C.A., 31/1934. As Bridget C. was a married woman she has not been included in the sample for this chapter. I have referred to her case here as it provides a clear illustration of the manner in which some members of An Garda Síochána treated women suspected of murdering their illegitimate infants. The father of Bridget's infant was not her husband.
[220] N.A.I., C.C.A., 31/1934.
[221] N.A.I., C.C.A., 31/1934.
[222] Ibid.

shortly before Mary S. was due to be executed. The report painted a very vivid picture of an amoral woman who was ostracised by her neighbours and disregarded notions of respectability and reputation. Mary S. was described as 'a rough masculine type'[223] who had 'the reputation of being of loose moral character.'[224] According to the author of the report, Mary S. 'did not appear to worry in the least as to the views, or opinions, regarding her which were held by her neighbours.'[225] Before her marriage to John S. she gave birth to an illegitimate child and according to the Superintendent, 'it is freely stated in the locality that her husband - John S. - was not the father of some of the younger members of her family.'[226] The Gardaí in Monaghan clearly felt that women who flouted the moral code should not be treated leniently by the law. The report ended by arguing that given Mary S.'s reputation it was unlikely that she had killed her daughter's illegitimate infant because of any anxiety as to the honour of her family.

> Having regard to the character and reputation of the family, the ruthless disposal of the infant can hardly be attributed to those motives which might in other cases be responsible, namely, the anxiety to protect the family from the shame attaching to such a misfortune. For this reason, one can have little sympathy with the culprit.[227]

The Gardaí in this case did their utmost to convince the government that her sentence should not be overturned and that the execution should be carried out. However the death sentence passed on Mary S. was commuted to penal servitude for life.

McCarthy has referred to the ways in which gender ideology was imposed on Irish women in the 1920s. She has argued that this ideology was mediated through social structures like the Catholic church and has asserted that at a local level, neighbourhood gossip was often an effective way of monitoring women's behaviour.[228] McAvoy has argued that Irish women, and working class women in particular, were exposed to scrutiny within small communities and that an informal system of neighbourhood surveillance policed women's behaviour and in particular the sexual behaviour of young

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[223] N.A.I., C.C.A., 36/1938. Report by Superintendent of An Garda Síochána, Monaghan in a letter sent to the registrar at the Court of Criminal Appeal by the Vice Commissioner of the police force.
[224] Ibid.
[225] Ibid.
[226] Ibid.
[227] N.A.I., Department of the Taoiseach, S 11040.
[228] McCarthy, Áine, 'Hearths, Bodies and Minds: Gender Ideoology and Women's Committal to Enniscorthy Lunatic Asylum, 1916 – 25' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History*, p123.

women.[229]That local communities monitored the behaviour of young women is clear in many of the cases quoted in this chapter. Indeed, Bridget B. [P.122] may have left her local area in order to escape that kind of scrutiny. She was originally from Co. Galway but went to live in Limerick a few months before she gave birth. When the Guards questioned Margaret F. [P.68] about the body of a newborn infant she denied that she had given birth and insisted that the rumours circulating in the neighbourhood about her were untrue. She claimed that someone was telling lies about her. 'The talk of the people is something awful. I never had a child in my life.'[230] It is clear in many cases that neighbours and employers often reported their suspicions about young, unmarried pregnant women to the Gardaí. Investigations were often initiated even before a body had been found. In some of the cases quoted, an investigation began with rumours and speculation about a single woman who was suspected of having had an illegitimate child. McAvoy has suggested that single women who were pregnant may have been reported to the police, not because members of their community were concerned about the fate of their vanished infants but because they may have wanted to shame single pregnant women or to make examples of them.[231]

The community surveillance of young women that McCarthy and McAvoy referred to was evidently an effective way of bringing an infanticide case to the attention of the Gardaí. For instance, in a 1938 Co. Monaghan case an inquiry was initiated when Gardaí received information about Mary Ann S., [P.133] an eighteen-year-old single woman who 'was suspected of having given birth to an illegitimate child.'[232] One guard stated that when they went to Mary S.'s [10] house to make inquiries there was very little basis to their suspicions. 'Before going out to the house I had very little information, beyond a confidential bit of information.'[233] In other cases, the discovery of a body of a newborn infant was reported to the Gardaí and then an inquiry began. Gossip was central to the investigation of infanticide. The Gardaí relied on members of the community to inform them about single women who attempted to conceal their pregnancies. Ryan has suggested that there was a higher rate of detection of infanticide in rural areas than in large towns or cities. 'Based on their local knowledge, the civic guards seem to have

[229] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', (PhD thesis, University College, Cork, 1998), p308.
[230] N.A.I., C.C.C., IC 94 54, Co. Clare, 1930.
[231] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p308.
[232] N.A.I., Department of the Taoiseach, S 11040.
[233] N.A.I., C.C.A., 36/1938.

played an active role in initiating investigations even before infant bodies were discovered.'[234] Ryan's study of infanticide reports in the *Cork Examiner* in 1926 has shown that in three separate cases investigations into the death of an infant began because the Gardaí were aware that the woman in each case was pregnant but realised that the expected infants had not appeared.

This is also evident in the judicial records of infanticide cases. In his evidence Garda John Lally said that he knew Bridget M. [P.98], an eighteen-year-old woman who was charged with the murder of her infant daughter in July 1933. He said that 'for some time' prior to the date of her arrest she appeared 'as if she were pregnant.'[235] When he saw Bridget standing outside her house on July 15th 1933, he noticed that 'she looked pale and thin' and he began to ask her 'some questions relating to [her] condition.'[236] Bridget confessed quickly and showed him where she had buried her baby. In a report to the Carrigan committee, Hannah Clarke, an NSPCC inspector claimed that the Gardaí were 'now keeping an eye on girls in trouble to prevent infanticide.'[237] She stated that a sergeant in Maynooth 'had ten cases under observation recently.'[238] If a domestic servant gave birth in her employer's home her employer generally notified the authorities. From her study of newspaper accounts of infanticide in the 1920s Ryan has observed that cases of infanticide often came to light when a woman who chose to give birth alone and in secret required subsequent medical attention and had to send for a doctor.

In the Mary S. [P.133] case the judge conceded that while 'it may be a natural thing to try to hide the birth of an illegitimate child... it is not to be suggested that it is a natural thing to kill the child for the purpose of hiding its birth.'[239] From the cases examined here, it is clear that many Irish people considered the murder of illegitimate children a lesser crime than the murder of children born within wedlock. In her study of infanticide in the 1920s Ryan referred to the 'low value attached to illegitimate infant life.'[240] If unmarried motherhood was considered shameful and deviant at the time, it is perhaps only to be

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[234] Ryan, Louise, 'Infanticide in the 1920's' in Hayes, Alan and Urquhart, Diane (eds.), *Irish Women's History*, p145.
[235] N.A.I., C.C.C., ID 33 66, Co. Offaly, 1933.
[236] Ibid.
[237] N.A.I., Department of Justice, H247/41D, 90/4/8.
[238] Ibid.
[239] Ibid.
[240] Ryan, Louise, 'Infanticide in the 1920's', p149.

expected that people would not have held illegitimate children in high regard. Garda Joseph Christol testified that he overheard Rose [P.121] remark to her sister that 'the child is better off dead anyway.'[241] When James E. asked his sister Rose why she didn't bury the baby in the churchyard she explained 'that she thought these children doesn't [sic] be buried in the Churchyard.'[242] Margaret F. [P.68] did not seem to regret killing her infant. Her cousin Bridget described Margaret's detached attitude in her statements. Margaret had referred to her infant as a bastard shortly after the birth and expressed no remorse for her actions, as though a child born out of wedlock and associated with shame and dishonour did not deserve to live.

Unmarried motherhood was unacceptable in Ireland during the period under review. It could be argued that poor, unmarried 'girl-mothers'[243] who were tried for infanticide during the period under review were denied the opportunity to display their natural instincts as mothers and that social pressure as well as individual circumstances militated against them and left them with little choice but to abandon or kill their children. Female and male relatives may have encouraged these women to kill or neglect their children.

Witnesses in the infanticide cases under review were often asked whether the unmarried mother charged with infanticide seemed to have cared for her infant. When questioned in court Nurse Sally O'Gorman admitted that Elizabeth E. [P. 121] appeared fond of her baby when she was in the County Home. When Elizabeth was asked if her sister Rose ever spoke about the child's death to her, Elizabeth said 'indeed many a time we talked about it. I used to be regretting the child and she used to be consoling me. She used to tell me it was better off.'[244] The *Irish Times* reported that while a garda was taking Elizabeth's statement 'the accused woman broke down and cried profusely when she came to the death of the child.'[245] Elizabeth E. was clearly not an unfeeling woman but in cases like hers it seems that the fear of social condemnation and the shaming of one's family may have been powerful enough to overcome any natural maternal instincts. When asked what she thought relations between Christina R. [P. 87] and her baby were like, Margaret O'Callaghan said that 'she nursed the baby and seemed to be very fond of

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[241] N.A.I., C.C.A., 13/1935.
[242] Ibid.
[243] Representative Church Body Library, Nursery Rescue Society, *Report for 1916.*
[244] N.A.I., C.C.A., 13/1935.
[245] *Irish Times,* 28 Mar. 1935.

it the night before in the kitchen. She seemed to be very much attached to it I think.'[246] When questioned about the death of her baby in court, Christina R. 'burst into tears and sobbed silently for some time.'[247]

3.12 Motivation

Many of the infants in these cases were killed in quite brutal ways. In her statement Elizabeth H. [P. 31] confirmed that her son had been born alive in August 1927. The baby was still conscious when she put it in a pot and covered its body with stones. 'It was born alive and it was alive when I covered it.'[248] Shortly after her daughter's baby was born, Mary S. [P. 133] left the infant 'in a shopping bag lying on a couch. About daybreak [she] took the child up to a deep hole of water about sixty yards from the house, put two or three stones on top of the child in the bag and dropped it into the water.'[249] Hanna L.'s [P. 26] baby was found floating in a bog hole. There were a number of wounds on the baby's body. The skull was fractured and some of the internal organs had been removed.

As Richter has observed, 'the decision to kill or abandon a child or to abort a pregnancy, could never have been simple. Multiple, sometimes contradictory, influences were involved.'[250] While some women undoubtedly experienced some form of mental disturbance, others may have been motivated to kill their infants by feelings of shame or fear or by their inability to provide for their infant.[251] It would appear, judging by the actions of single mothers immediately after the birth of their infants, that most women viewed illegitimate children extremely negatively. They saw them as a terrible mistake or a shameful secret that had to be concealed and destroyed. Single mothers understood that

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[246] N.A.I., C.C.A., 24/1930.
[247] Ibid.
[248] N.A.I., C.C.C., IC 94 54, Co. Westmeath, 1927.
[249] N.A.I., C.C.A., 36/1938.
[250] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p544.
[251] Case one hundred and sixty-three stands apart from the vast majority of infanticide cases in this sample as Eithna M.'s [P. 163] illegitimate son was seven months old when he was drowned by his mother in September 1940. In her statement nineteen year old Eithna told gardaí that on Tuesday September 17th 1940, she 'made up [her] mind to drown the child in Gurtavehy lake as [she] [had] been annoyed from it since it was born.' She spent the entire day at the edge of the lake after she had killed her son. According to Eithna's second cousin, with whom she and her baby lived, two days before the incident, when asked to attend to her baby, Eithna had remarked 'Am I going to be all my life watching the baby?' Eithna's behaviour suggests that she may have been suffering from a form of depression but, as there are no medical reports in her file, this is by no means certain. She may simply have resented the responsibility of motherhood and deliberately decided to take her son's life. (N.A.I., C.C.C., ID 11 96, Co. Cork, 1941).

the birth of an illegitimate child would have an adverse effect on their own lives. Domestic servants may have been motivated to kill or conceal an illegitimate newborn because they wished to maintain their reputation and position. Unmarried domestic servants who became pregnant would have lost their jobs and without a reference would have found it very difficult to secure a position again. Kramar has argued that because the loss of a servant girl's reputation had 'catastrophic economic and social consequences, it seems reasonable to infer that domestic servants were more likely than were single women employed in other occupations to conceal pregnancy and to commit maternal neonaticide.'[252] Pregnancy outside wedlock did indeed have serious consequences for the unmarried women in the sample for this chapter. Some unmarried women lost their jobs before they gave birth. Margaret H.'s [P. 74] employer noticed that Margaret was pregnant and although she said she was 'anxious to help her and on several occasions [she] asked "is there anything Maggie I can do to help you?",' she gave Margaret her notice to leave because she was pregnant.[253]

The women in this sample belonged to a society that condemned unmarried motherhood without qualification and offered little support for single mothers and their children. Most unmarried mothers had little or no financial means and would have been unable to support a child.[254] Without a social welfare system for impoverished single mothers to fall back on, and without the support of the infant's father, it is not difficult to see what may have motivated many ordinary young women to conceal the births of their illegitimate children and to kill them.[255]

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[252] Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada*, pp26 – 27.

[253] N.A.I., C.C.C., IC 94 66, Co. Meath, 1931.

[254] Although Mary Margaret H. has not been included in the sample for this chapter as her illegitimate son was two and a half years when he was killed on an unknown date between March 21st and April 1st 1945, it is worth referring to her case here as it provides a clear illustration of the economic and social pressures brought to bear on single mothers during the period under review. Mary Margaret was employed as a domestic servant. She paid a foster mother to look after her son but found it difficult to make the payments to her. She told Gardaí that the foster mother was 'pressing [her] for money and [she] was afraid of them all at home and everything…' In her statement she explained that 'the people at home knew nothing about the child and [she] couldn't tell them.' (N.A.I., C.C.C., ID 27 5, Co. Limerick, 1945).

[255] An infanticide case tried in England in 1940 where the defendant was a single Irish woman gives some indication of the difficulties unmarried mothers faced in suing the fathers of their infants for maintenance. When she was arrested and charged with infanticide in December 1940 Rosemary B. [I.B. 2] told police that she had taken the father of her first infant through the courts in Ireland. However, she explained that the court had ruled that she did not have sufficient evidence to support her claim and she 'lost the day.'(N.A., Kew, CRIM 1/1270). Rosemary B.'s experience would not have been unusual at the time. According to a solicitor quoted in an article on unmarried mothers in *The Bell* in June 1941, the Affiliation Orders Act of 1930 "involves considerable time and work with no outcome whatsoever…The main stumbling block is to provide the corroboration required by the Act, which only states that corroboration of

Annie H. [P. 40] told a cook who worked in the Civic Guard barracks where she was held that 'she done away with two babies as she had no food to give them to eat.'[256] In her statement she explained that 'the reason why I done away with the baby was that I could not support it, but I cried after doing all this and I feel sorry for doing this now.'[257] Poverty may indeed have been an important factor in many infanticide cases that were tried in the Central Criminal Court between 1922 and 1950. Kathleen L. [P. 156] was described by her solicitor as destitute. According to solicitor Patrick O'Sullivan 'she and her parents have no means whatsoever by which they could pay my fees.'[258] Many unmarried mothers who stood trial for the murder of their illegitimate infants in the Central Criminal Court during the period under review came from very deprived backgrounds.

Some women who left their place of employment or their parents' home in order to conceal the fact that they were about to give birth appear to have had little option but to live outdoors and to give birth unassisted in the open. Mary T. [P. 106] told Gardaí that '[she] killed the child as [she] had nowhere to go or nowhere to take it.'[259] Mary worked as a domestic servant but she left her job before she gave birth. From her evidence, it would appear that she was homeless when her baby was due. She said she gave birth alone in 'a disused house on the back road between Carrick on Suir and Clonmel...'[260] She spent the night in the disused house 'with the dead child' before burying it nearby the following morning.[261] Nora C. [P. 164] left home on her bicycle a week before she

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the mother's story must be given, but is silent as to what sort of corroboration is necessary." ' (MPRH, 'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring' *The Bell*, vol. 2, no. 3, (1941), pp79-80). Even when single women were successful in suing the infant's father for maintenance they did not always receive payments. Although Patrick C. had been ordered by the district court to pay maintenance costs to Mary M., in June 1936 a judge ruled that he was satisfied that Patrick C. was unable to meet the monthly payments. The judge remarked that 'it was unfortunate that the woman having got the order was unable to get the money.' (*Connacht Tribune*, 13 June 1936). Single mothers in Ireland were often reluctant to go to court. A report in *The Bell* in June 1941 claimed that paternity was successfully established in only two out of two hundred cases that had come before the courts in Ireland over a certain period. If this report was accurate then it is hardly surprising that single mothers were reluctant to initiate proceedings against the putative fathers of their infants. (MPRH, 'Illegitimate: being a discourse on the problems of unmarried mothers and their offspring' *The Bell*, vol II, June 1941,p80).

[256] N.A.I., C.C.C., IC 90 22, Co. Sligo, 1928.

[257] Ibid.

[258] N.A.I., C.C.C., ID 20 102, Co. Limerick, 1942.

[259] N.A.I., C.C.C., ID 56 24, Co. Waterford, 1945.

[260] Ibid.

[261] Ibid.

gave birth. She had nowhere to go and simply slept outdoors until her baby was born. She gave birth in a field. Her infant's body was found in a ditch nearby.[262]

Some women did express remorse and sorrow over the death of their infants in their statements. Kate K. [P. 123] said she was 'terrible sorry after [she] had threw it [sic] into the river.'[263] She said she did not know what she was doing at the time. Dr James White treated Mary C. [P. 149] who was charged with murder in November 1943. In his deposition he recalled that 'she was in a very collapsed condition and she was very ill. She said 'Why did I do it?'[264]

It seems unlikely that most of the unmarried mothers in these cases were suffering from post-natal depression or mental illness. The sense of shame associated with unmarried motherhood in Ireland during the period under review seems to have been one of the main motivating factors in many cases in this sample. The fact that in some cases a close relative of the unmarried mother killed the newborn infant lends weight to this interpretation. In the vast majority of infanticide cases the infants were murdered within minutes or hours of being born.[265] The infants of women who gave birth in a workhouse or county home were generally a week or two old before they were killed, as women were required to remain there for a short period of time after the birth. In all the cases quoted in this chapter where women had given birth in a workhouse or county home, their infants were killed shortly after they left the institution in question.

While many women may have referred to shame and fear in their statements, it is also possible, as McAvoy has noted, that in some cases infanticide was 'a deliberately planned, obvious, and possibly traditional method of fertility control.'[266] For many, if not

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[262] N.A.I., C.C.C., ID 11 97, Co. Limerick, 1941.
[263] N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935.
[264] N.A.I., C.C.C., ID 22 83, Dublin, 1943.
[265] There are three cases in this sample where older infants were killed by their mothers. Eithna M.'s [P. 163] illegitimate son was seven months old when he was drowned by his mother in September 1940. Eily Q.'s [P. 182] daughter was a year and ten months old when she died and Frances B.'s [P. 195] daughter was nine months old when she was killed in August 1949.
[266] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p307. Twenty-nine year old Kate K. [P. 123] was charged with the murder of her unnamed female child in March 1935. In her statement Kate said that she killed the baby because she 'did not want to let [her] mother see it.' (N.A.I., C.C.C., ID 56 22, Co. Limerick, 1935). As Kate already had three illegitimate children and lived with her children in her mother's house it perhaps questionable that she was motivated to kill her newborn infant because of feelings of shame or because she was afraid of how her mother would react. McAvoy has asked whether Kate K., 'a mother of three illegitimate children, who drowned the fourth immediately on

most women in this sample the act of committing infanticide may have been a once off event in their lives, a drastic response to a particular set of circumstances which they found themselves in at a particular moment in time. It may have been accidental and not deliberately planned. However, for other women, particularly those who had given killed and concealed previous births and in some cases, multiple births, infanticide may well have been the only means they had of controlling their own fertility.

3.13 Sentencing patterns in post-independent Ireland

Information relating to the verdict is available for one hundred and ninety-three cases in this sample. As twelve of these cases involve individuals other than the birth mother, information on the verdict in cases where an unmarried mother was tried for the murder, manslaughter or concealment of birth of her illegitimate infant is available in one hundred and eighty-one cases. Only 4.6% of single women for whom information is available were convicted of the murder of their illegitimate infants. There was no separate category of infanticide until the passing of the Infanticide Bill in 1949 and thus the murder of infants under the age of one year was until then a capital offence. Thus we find that the vast majority of single women charged with the murder of their illegitimate infants between 1922 and 1949 were convicted of manslaughter or concealment of birth rather than murder. In many cases in this sample single women charged with the murder of their illegitimate infants pleaded guilty to manslaughter or concealment of birth and these pleas were generally accepted.[267] As Maguire has put it, 'the leniency evident in the Irish adjudication of infanticide was manifest not in a high acquittal rate but in a high rate of convictions on lesser charges.'[268] The vast majority of single women in this sample

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delivery' was 'hiding her shame or controlling her fertility?' (McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p307.) Christina K. [P. 51], an unmarried woman, lived with her two young children in her mother's house. She was charged with of the murder of her infant daughter in July 1929. Christina may also have attempted to control her fertility by resorting to infanticide. (N.A.I., C.C.C., IC 94 57, Co. Galway, 1929). Nineteen women in this sample had given birth on at least one other occasion. Poor, sexually active women may have had no other means of controlling their fertility during the period under review.

[267] As McAvoy put it, 'it was open to juries in murder cases to bring in a verdict of guilty of manslaughter, a non-capital offence. In doing so a jury accepted that the accused was culpably negligent but that the killing was not deliberate or malicious.' (McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p284.) She has noted that 'the factor determining whether the verdict would be "guilty of murder" or "guilty of manslaughter" appears to have been the skill of the defence in establishing that, although not insane, at the time of committing the offence the state of mind of the accused was temporarily unbalanced by childbirth to the extent that she was not responsible for her actions.' (McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p283).

[268] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century', p38.

were convicted either of concealment of birth (32.8%) or manslaughter (34.3%). Only one woman in this sample was convicted of infanticide. Margaret R. [P. 115] pleaded guilty to infanticide at her trial in February 1950. She was one of the few women in this sample who stood trial after the passing of the Infanticide Act in 1949. 13.8% percent of the women in this sample for whom information is available were acquitted and the state entered 'nolle prosequi' in 1.5% of these cases. 1.5% of single women for whom information is available were found 'guilty but insane'. Six women were convicted of lesser charges such as abandonment, cruelty and neglect; one woman was found not guilty of concealment of birth but guilty of attempted suicide following the birth of her illegitimate infant.[269]

Table 3:2 Outcomes in infanticide cases tried at the Central Criminal Court, 1922-1950

Outcome	Number	Percentage
Guilty of murder	9	4.6
Guilty of murder but insane	3	1.5
Guilty of manslaughter	67	34.3
Guilty of concealment of birth	64	32.8
Guilty of infanticide	1	0.5
Guilty of abandonment	4	2.0
Guilty of neglect	1	0.5
Guilty of cruelty to a child	1	0.5
Guilty of attempted suicide	1	0.5
Nolle prosequi	3	1.5
Not applicable*	12	6.1
Unknown	2	1.0
Not guilty	27	13.8
Total	195	100

* Cases where the birth mother was not a defendant

[269] It is not clear from the available records whether Mary C. [P. 9] pleaded guilty to manslaughter or concealment of birth.

Nine single women[270] were convicted of the murder of their illegitimate infants between 1922 and 1950 and the female relatives of three unmarried women were convicted of the murder of their infants. In all cases the death sentence was commuted to penal servitude for life. One woman was transferred to the Dundrum Central Lunatic Asylum. Information on the length of time women convicted of the murder of their infants served in prison is available for seven individuals. The average length of time these women served in prison was two years. Deborah S. [P. 66] spent six months in prison while Catherine A. [P. 55] served four years in prison. One man was convicted of the murder of his illegitimate son. His sentence was also reduced to penal servitude for life but it is not known how many years he served in prison.

15.8 percent of all single women in this sample who were convicted served their sentences in prison.[271] Forty-nine percent of all single women convicted in this sample were detained in convents rather than in prisons. McAvoy has commented on the development of the practice of suspending prison sentences following manslaughter convictions once the women in question agreed to enter a Magdalen asylum for 'a period equivalent to the length of the proposed sentence.'[272] However it would appear from this sample that the length of time women 'agreed' to serve in a Magdalen asylum often exceeded the length of time they would have spent in prison: in a number of cases quoted here the original prison sentence handed down by the judge was shorter than the length of time women were required to spend in Magdalen asylums.[273] McAvoy has suggested that convents may have been the 'only available alternative to prison in cases in which the convicted girls were destitute and could not be bound over to keep the peace

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[270] Catherine A. [P. 55] married the father of her infant shortly before she gave birth in March or April 1929. However, as she was unmarried when she became pregnant and as she lived with her parents rather than her husband after her marriage it was decided to include her in the sample for this chapter.

[271] This percentage does not include the women who were sentenced to death but whose sentences were reprieved as they also served several years in prison instead.

[272] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p287.

[273] This is evident in a 1943 Dublin case. Mary C. [P. 149] was charged with murder and tried at the Central Criminal Court in November 1943. She pleaded not guilty to murder but guilty to concealment of birth and was sentenced to two years of imprisonment with hard labour. This sentence was suspended when Mary C. agreed to enter High Park Convent, Whitehall for a period of three years. This pattern was similar in a 1927 Co. Kerry case. Nora O'C. [P. 37] was charged with the murder of her infant, Lizzie O'C on the 7th of April 1927. She pleaded not guilty to murder but guilty to the charge of manslaughter. Her six-month prison sentence was suspended on condition that she paid ten pounds as a guarantee that she would keep the peace for two years and that she go to High Park Convent and 'remain there until the Superior consents to her discharge.' (N.A.I., Trial Records Book, Central Criminal Court, June 1925 - June 1927, IC 88 61).

and return to the care of their families.'[274] However, she has also argued that the practice of confining women convicted of the manslaughter or concealment of birth of their infants in convents may have been 'motivated by contemporary thinking on the possibility of penance, reform and redemption of women whose sexual behaviour was considered unacceptable, more than concern about punishment for killing or the treatment of "illness."'[275] Maguire has also noted that 'court justices shared the hierarchy's concern for the rehabilitation of convicted women, and many of the sentences handed down to female defendants aimed less at punishing crimes than at rehabilitating moral lapses.'[276] Such explanations are plausible given the socio-moral climate of post-independent Ireland.

In their essay on gender and crime in modern Europe, Arnot and Usborne noted that studies on the social history of crime have paid less attention 'to analysing in detail the extent to which court decisions at conviction and sentencing stages have been affected by the gender of the defendant.'[277] In post-independent Ireland, court decisions in terms of sentencing appear to have been affected by the gender, age and marital status of defendants. Single women who had given birth and were suspected of having killed their illegitimate newborns seem to have been regarded as sexually transgressive and were, therefore, punished in a particular way. Gender-based assumptions about appropriate sexual behaviour, morality, and respectability did not apply to Irish men in the same way that they were applied to Irish women. For instance, brother and sister, Martin and Mary Anne D. [P. 112] were both found guilty of concealing the birth of Mary Anne's illegitimate female infant in March 1936. Martin D. was discharged on entering into a recognizance of twenty-five pounds whereas his sister Mary Anne was sentenced to spend two years at Henrietta Street convent in Dublin. However, not all male defendants were treated so leniently. John L. [P. 43] was sentenced to three years' imprisonment for the manslaughter of his illegitimate infant while *nolle prosequi* was entered in the case against the infant's mother Margaret S. This may have been due to the fact that as

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[274] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p289.
[275] Ibid.
[276] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century,' p93.
[277] Arnot, Margaret L., Usborne, Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne, Cornelie, (eds.), *Gender and Crime in Modern Europe*, p10.

Maguire has noted, John L. failed to provide adequately for his girlfriend's confinement; she was homeless and gave birth in a field in Co. Tipperary in June 1928.[278]

Table 3:3 Sentences imposed on convicted women

Sentence	Number	Percentage
Sentenced to death	9	5.9
Prison	24	15.8
Convent	74	49.0
Insane*	3	1.9
Recognizance	27	17.8
Recognizance and marriage	6	3.9
Discharged	4	2.6
Bethany Home	4	2.6
Total	151	100

* All three women were ordered to be detained in strict custody and taken care of until the pleasure of His Excellency the Governor General be made known concerning them.

Single women who had been pregnant more than once were more likely to receive prison sentences than be sent to convents. Seven women who had given birth more than once and were convicted of the murder, manslaughter or concealment of birth of their illegitimate infants were given prison sentences. Two of these women were sentenced to death but the sentences were commuted to penal servitude for life. Just four women who had given birth more than once were sentenced to spend time in convents rather than in prisons. These women may have been regarded as 'less hopeful cases' and less amenable to reform and religious influence than younger, less sexually experienced single women. Widows were also less likely to serve their sentences in a convent rather than in prison. As the widows in this sample were older than most of the unmarried women who stood trial during the period under review and as women who had been married, they may have been regarded as less amenable to reform and religious instruction in a convent.

Although forty-nine percent of women convicted of the manslaughter or concealment of birth in this sample served their sentences in convents, little is known about their fate. Case P. 132 two sheds some light on the manner in which unmarried women convicted of

[278] Maguire, Moira Jean, 'Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century', p117.

manslaughter or concealment of birth were treated. On December 1st 1938 Bridget D. [P. 132] was found guilty of manslaughter and was ordered to serve her sentence in St Vincent's Convent in Cork. In a letter to the County Registrar at the Central Criminal Court, Sr. Frances Greer stated that the nuns would 'do [their] best to keep her in safety even after her time has expired.'[279] It is evident from Sr. Greer's letters to the County Registrar that religious-run institutions were willing, even anxious to keep a convicted woman in their care even after her sentence had expired, and that the state was aware of this practice. The County Registrar expressed his gratitude to Sr. Greer for agreeing to take Bridget D. 'for a year or more, if necessary',[280] even though she had only been sentenced to one year in the Magdalen Home run by the Sisters of Charity in Cork.

Many women may thus have been illegally detained in convents and held there after their sentences had expired. However, as the records of convents are currently inaccessible, it is impossible to know how long the women who served their sentences in Magdalen asylums actually spent in those institutions, particularly when their release was at the discretion of the nuns who ran the convent laundries. But some women may have been allowed out of the convents before they had served the full term of their sentences. In June 1942 Máire C. [P. 162] was allowed to return home having served only one year of a three-year sentence in the Henrietta Street Convent. The circumstances under which Máire was released were however exceptional as her father was suffering from advanced cancer of the throat and had requested to see his daughter. From the available evidence it is not possible to know how often this may have occurred during the period under review.[281]

It is possible that in some cases, the parents of single women convicted of the manslaughter or concealment of birth of an illegitimate infant may have requested that their daughters be sent to a convent to serve their sentences. In at least one case the father

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[279] N.A.I., Trials Record Book, Central Criminal Court, ID 11 92, 4th November 1933 – 22nd April 1941, Letter from Sr. Frances Eucharia Greer to the County Registrar dated 2nd December 1938.

[280] Ibid.

[281] In her doctoral thesis McAvoy noted that while probation officer Elizabeth Carroll is mentioned in the records of several infanticide cases, it is unclear from the files how closely she or other probation officers were involved with women who agreed to obey the rules of a particular convent rather than serve a sentence in prison. (McAvoy (Larmour), Sandra, 'the State and Female Sexuality in the Irish Free State', p289). My research has shown that Elizabeth Carroll was also involved in following up in at least one other case, case number one hundred and sixty-one, during the period under consideration. In that instance, the woman in question, Máire C. [P. 161] was released early from the convent where she was serving her sentence as her father was dying of cancer.

of an unmarried woman convicted of infanticide arranged for her to be sent to a Magdalen asylum. Mary Anne M. [P. 28] was charged with manslaughter and concealment of birth in June 1927. She was convicted of the latter. In this case the original sentence handed down by the judge was replaced by an order to have her escorted by members of the police force to the Good Shepherd convent in New Ross. In a letter to the court the Reverend John O'Connor, New Ross, explained that at the request of Mary Anne's father, he had arranged for her to be taken to the convent: 'This note is to show that all arrangements have been made by me and they will take her at any time that she is sent there now.'[282] The entry into the Trials Record Book dated the 27th of July 1927 noted that Mary Anne M 'shall not leave the Convent of the Good Shepherd New Ross to which she is now being sent without the express permission of the Reverend Mother of the said convent.'[283] In this case, the father of a woman who had given birth to an illegitimate child and killed it intervened in the judicial process with the help of a priest to ensure that his daughter would not return to the family home for some time, if ever again. The local priest planned and executed an alternative sentence for Mary Anne M. and the courts consented to this. The actions of Mary Anne's father give some indication of the level of shame experienced by families whose daughters gave birth to illegitimate children and were tried for infanticide.[284]

As McAvoy has observed, 'there was no statutory basis for using convents to detain women convicted of criminal offences. A 1942 Department of Justice memo warned that it was a "makeshift practice" and that "there are no positive means of compelling the offender to remain in the convent if at any time she chooses to leave." '[285] However, it would appear that few women detained in these institutions attempted to leave or were aware of the law. Only two women in this sample objected to serving their sentences in

[282] N.A.I., Trial Records Book, C.C.C., IC 88 61, June 1925 to June 1927.
[283] Ibid.
[284] This practice of sending single women convicted of the manslaughter or concealment of birth of their illegitimate infants to religious run institutions rather than to prison was not limited to Ireland. Kramar's research on infanticide in twentieth-century Canada has shown that single women convicted of the concealment of birth of their infants sometimes served their sentences in reformatories rather than in provincial prisons. In 1912 'at eighteen years of age Pearl Smith was indicted to two separate charges: abandonment and murder. She pled guilty to manslaughter and was sent to live at the Salvation Army, in Toronto, for five years.' (Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada*, p60).
[285] McAvoy (Larmour), Sandra, 'the State and Female Sexuality in the Irish Free State', p288.

religious institutions.[286] Most unmarried women incarcerated in convents would probably not have been aware that they were deprived of rights ordinary prisoners enjoyed, such as the right to petition the Minister of Justice for early release. A number of single women in the 1900-21 sample took advantage of that right. This option does not appear to have been available to single women who were convicted and incarcerated in convents between 1922 and 1950.[287] A Co. Dublin cases highlighted the discrepancy in the manner in which prisoners and women detained in convents were treated. In September 1938 Margaret M. [P. 138] was convicted of the manslaughter of her newborn infant; she undertook to spend two years in St Patrick's Refuge in Dun Laoghaire. Margaret's uncle, Laurence B., pleaded guilty to concealment of birth and was sentenced to six months' imprisonment. Laurence petitioned the Minister for Justice from prison and was released from prison having only served one month of his six-month sentence. Margaret became extremely distressed on learning that her uncle had secured early release from prison while she had to spend two years in a convent. It seems that she became so distressed that she had to be transferred from the convent to Grangegorman Mental Home.

It was not only Catholic women convicted of the manslaughter of their illegitimate infants who found themselves condemned to spend a number of years in a reformatory institution in post-independent Ireland. Four of the five Protestant women convicted of the murder, manslaughter or concealment of birth of their illegitimate infants served their

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[286] This figure may be higher and it is possible that other women objected to serving their sentences in convents but that a written record of their protests was never compiled or was not including in material relating to their cases in the records for cases tried at the Central Criminal Court during the period under review. When she was convicted in June 1931 Nora H. [P. 73] 'agreed' to serve her sentence in a convent run by the sisters of charity in Donnybrook. Less than a year later the mother superioress wrote to the registrar at Green street court to inform him that Nora H. was extremely troublesome and had to be 'kept apart from the other inmates of the institution.' She had apparently endangered the life of another inmate on more than one occasion. The mother superioress requested that she be removed without delay. She was later transferred to prison and ordered to serve two years with hard labour. Margaret M. [P. 138] was convicted of the murder of her illegitimate infant and her uncle was convicted of concealment of birth. Following her uncle's early release from prison, Margaret M. requested that she be allowed to serve her sentence in prison rather than in the convent where she was held following her conviction. As McAvoy has noted, 'this may have arisen from her uncle's advice and from the fact that the prison sentence was one year long, but the term of detention in a convent two years.' (McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p290).

[287] This option was open to women who served their sentences in prisons. In a 1942 Co. Waterford case a woman detained in Mountjoy prison seems to have successfully petitioned the Minister for early release. Nora M. [P. 154], a married woman, was convicted of the manslaughter of her daughter's illegitimate infant and sentenced to serve nine months in prison in February 1942. However, she was released on February 12th 1942 by order of the minister for justice having only served several weeks of her sentence in Mountjoy prison. There is nothing else in the judicial file to indicate why she was released but she would probably have sent a petition to the minister asking to be released.

time in the Bethany Home in Dublin, a home for unmarried Protestant women and their babies.

Some single women avoided serving time in a religious run institution or in prison by marrying the putative fathers of their infants. If the father of the infant agreed to marry a woman charged with infanticide, she could often avoid serving a prison sentence. At least six women (3.9%) were released from custody in Ireland between 1922 and 1950 following their marriage to the putative fathers of their illegitimate infants. These women may have been released following marriage because when married women who had been charged with the murder or concealment of their illegitimate infants would no longer posed a threat to Catholic morality.

From the available evidence it is not clear what prompted the fathers of some women's murdered infants to offer to marry them, thereby securing their release. These men may have acted of their own free will or they may have been subject to pressure by the woman's family, by members of their own family or by the wider community. Local priests may also have played a role in engineering these marriages. In a 1934 Co. Clare case, the father of the deceased infant wrote to Teresa C. [P. 94] who was being held in Mountjoy and expressed his willingness 'to make atonement and to marry her.'[288] The *Clare Champion* noted that the parish priest 'entirely approved of the attitude of the parties.'[289]

In her study of infanticide in twentieth-century Canada, Kramar has suggested that the fact that single women who worked in domestic or personal service usually lived and worked on their own may have meant that they were at a disadvantage as they would not have had a male family member to intervene with the authorities on their behalf. 'Without fathers to shield them from prosecution – either by way of securing a perhaps costly defence attorney or by way of diverting the matter entirely from the criminal system – domestic servants were likely to be in a more vulnerable position than other women.'[290] The evidence in a small number of cases in this sample suggests that

[288] *Clare Champion*, 22 Dec. 1934.
[289] *Clare Champion*, 22 Dec. 1934.
[290] Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada*, p43.

unmarried women may indeed have benefited from their fathers' attendance in court.[291] A small number of women (2.6%) were handed over to the care of their fathers, parents or brothers who were in attendance in court. In a 1927 Co. Leitrim case Bridget C. [P. 34] was found guilty of concealment of a birth but discharged on her father undertaking to look after her. Margaret D. [P. 124] pleaded guilty to the manslaughter of her female infant at her trial in the Central Criminal Court in March 1935. The plea was accepted and she was released from custody having paid a recognizance of ten pounds and handed over to the care of her father who was in attendance in court. One woman was released upon payment of a recognizance and undertaking to return home to her grandmother. One woman in this sample, Mary F. [P.103], was handed over to the care of a named individual who may not have been family member. Mary F. was convicted of the manslaughter of her illegitimate infant in the spring of 1934. She was sentenced to serve twelve months in prison but this was suspended as Mrs Anne Jane Bailey 'undertook to the court to take care of the accused if she were released and to keep her so long as she remained with her.'[292] It is not clear from the files who Mrs. Bailey was. However, it is possible that she was a relative or a woman who had agreed to employ Mary.

Although a number of women referred to the fact that they had experienced mental distress and one woman claimed she was half mad following the birth of her infant, very few single women convicted of the murder, manslaughter or concealment of birth of their illegitimate infants were actually found insane. Between 1922 and 1950 a total of three single women for whom information is available (1.9%), were deemed insane and considered unfit to plead. Annie C. [P. 65] was found insane and considered incapable of pleading in June 1930. She was sentenced to be detained in strict custody and taken care of 'until the pleasure of His Excellency the Governor General be made known concerning her.'[293] At her trial for the murder of her twin female infants in February 1930 Kate M. [P. 69] was found guilty but insane at the time. Margaret F. [P. 141] was charged with the murder of her illegitimate male infant in June 1943. The doctor who had

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[291] It is not known if the fathers of single women charged with the murder of their illegitimate infants attended their daughters' trials at the Central Criminal Court or whether other men may have attempted to influence the kind of sentences their daughters received. As is evident from the Mary Anne M. [P. 28] case discussed on p166, the fathers of these women could also have a negative impact on the sentences their daughters received.

[292] N.A.I., Trials Record Book, Central Criminal Court, ID 11 92, 4th November 1933 – 22nd April 1941.

[293] N.A.I., Trials Record Book, Central Criminal Court, ID 33 68, Change of Venue Cases, November 1927 Sittings – June 1933 Sittings.

called to Margaret's house after she had given birth said that she was 'slow witted', and the medical officer who examined Margaret in Sligo prison was of the opinion that she was mentally defective.[294] Margaret was found insane and ordered to be detained in strict custody until the pleasure of the government be made known concerning her. Elizabeth D. was sentenced to death, but the sentence was later commuted to penal servitude for life. She may later have been deemed insane and in need of psychiatric care as she was transferred to Dundrum Asylum in July 1926. As detailed medical reports do not exist for these individuals, it is not known how their insanity manifested itself.

3.14 Conclusion

There can be no doubt but that the records of infanticide cases heard in Irish courts during the period under review make a significant contribution to charting the history of unmarried motherhood in Ireland. The unmarried women in the sample for this chapter refused to become single mothers and responded to the stigma and shame associated with out-of-wedlock pregnancy in the Ireland of this period. Unmarried women who stood trial in southern Ireland for the murder or concealment of birth of their illegitimate infants between 1922 and 1950 had much in common with the women in the earlier sample for the years 1900-21. Often from the lower socio-economic layers of Irish society and usually employed as domestic servants, the women in both samples faced a similar set of circumstances. Significant changes in the experiences of single women charged with the murder or concealment of birth of their newborn infants in the years between 1900 and 1950 are only really evident in the ways in which sentencing policy shifted after 1922.

It is difficult to know to what extent the statements made by women suspected of infanticide were prompted or directed by the Gardaí. Some women may have been intimidated or induced into making compromising statements. Nonetheless, the judicial records of infanticide trials afford the historian a rare glimpse into the tragic and isolating experience of these women. Infanticide trials divided Irish families in a variety of ways. It was a crime that, in many cases, led to the breakdown of close personal relationships and blighted the lives of all those involved.

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[294] N.A.I., C.C.C., ID 22 84, Co. Mayo, 1943.

Infanticide was a crime that was closely associated with single women. However, given the number of men tried for infanticide and concealment of birth during the period it is no longer possible to conclude that the most striking aspect of infanticide cases in Ireland is the absence of men outside their role in the criminal judicial system. What is perhaps more striking is the actual level of involvement of men in infanticide cases; several men were tried for the murder of newborn infants. Many more were charged with concealment of birth. It was not uncommon for the male relatives of women charged with or suspected of infanticide to be questioned by the Gardaí and in the courtroom. Irish men were not as far removed from crimes associated primarily with women as has hitherto been suggested.

Judges who presided over infanticide trials in southern Ireland between 1922 and 1950 regularly reminded juries that the life of a child, even an illegitimate child, was 'just as sacred in the eyes of our law as the life of any adult person.'[295] However, judging by the number of infanticide cases that came before the courts in Ireland between 1922 and 1950 it is clear that many people drew a distinction between the lives of illegitimate infants and those born to married couples, and in so doing chose to ignore Catholic and Protestant teaching.

[295] N.A.I., C.C.A., 36/1938.

Chapter Four

'Girl Murderers': Unmarried women and infanticide in Northern Ireland, 1920 – 1950

The title of this chapter refers to an article published in July 1928 in the Belfast *Irish News* under the heading: 'Girl Murderer. Swoons on Being Sentenced to Death.'[1] The *Irish News* provided detailed coverage of the trial of J - - - - - - - - M. [N. 1][2] who admitted killing her daughter in July 1928. Girl murderers, like J - - - - - - - - M., had become associated in the public mind with a particular type of murder during the period under review when they were, for the most part, charged with the murder of illegitimate infants. Unlike most murder trials, cases involving young unmarried women were often described in the press as 'painful'[3], 'pitiable'[4] or 'poignant.'[5]

This chapter will explore the history of unmarried 'girl murderers', who were tried for the murder of their infants, infanticide or concealment of birth in Northern Ireland between 1920 and 1950, by drawing on the court records of such cases and commenting on the ways in which these cases were reported in the press in Northern Ireland.[6] For the purposes of this thesis it was decided to divide the analysis of infanticide cases tried in Ireland between 1921/1922 and 1950 into two separate chapters, one for the Twenty-Six Counties and one for Northern Ireland. The cases examined in chapter three and four differed in terms of their legislative context but also in terms of the character of access to the trial records in the National Archives of Ireland and the Public Record Office of Northern Ireland. As infanticide cases in the Public Record Office of Northern Ireland

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[1] *Irish News*, 21 Jul. 1928.

[2] For purposes of clarity I have assigned a number to each case. 'N' stands for Northern Ireland.

[3] The June 15th 1931 edition of the *Irish News* published an article on the trial of a 17-year old girl for the murder of her newborn infant with the heading 'Painful Case at Ballymena.'

[4] The July 19th 1938 edition of the *Irish News* carried a report on the trial of 'a young girl' who pleaded guilty to infanticide and quoted her defence counsel, M. J. McSparran, who described the case as 'pitiable.'

[5] The August 14th 1930 edition of the *Irish News* reported on the trial of 'a young domestic servant,' who had been charged with child abandonment, under the heading 'Baby Found at Wayside. Poignant Story told in Newry Court.'

[6] J - - - M. [N. 38] stood trial for the murder and concealment of birth of two illegitimate infants in October 1924. (P.R.O.N.I., TYR1/2B/34, 1924). Even though L - - - - - M., the mother of the infants, was a married woman, this case has been included in the sample for this chapter as L - - - - -'s husband was not the father of the infants. J - - - M., L - - - - -'s employer was the father of the infants. L - - - - - seems to have left her husband to live with and work for J - - - M. S - - - - - M. [N. 23] was also married but she had been separated from her husband for several years when she was arrested and charged with the murder of her infant daughter in April 1928. (P.R.O.N.I., BELF1/1/2/87/7, 1928). Her husband does not appear to have been the father of her infant daughter and as S - - - - - was, in terms of her day-to-day life, a single mother at the time of her arrest, she has also been included in the sample for this chapter.

are subject to a 100 year rule I am unable to refer to specific places where suspected cases of infanticide occurred or to identify defendants by name. Dividing the discussion of infanticide cases tried in Ireland from 1921/1922 to 1950 in this way means that the findings made in chapter three occasionally need to be restated but it is hoped that this structure facilitates cross-border comparison and allows for a detailed analysis of the cases within the separate jurisdictions.

The sample for this study consists of a total of thirty-eight cases.[7] My research is based on the records of three inquests and thirty-five trials. From the records of inquests into the deaths of newborn infants where the mother was unknown, it is clear that a number of cases were not prosecuted in Northern Ireland between 1920 and 1950. As noted in previous chapters, many cases of infanticide and concealment of birth may well have gone undetected during the period under review. Indeed, at least two women in this sample appear to have escaped detection on several occasions before they were eventually charged with concealment of birth.[8] Statistics on the numbers of infanticide and concealment of birth cases that were known to the police in Northern Ireland between 1920 and 1950 are not currently available, and until a comprehensive study of the records of all infanticide and concealment of birth cases is undertaken, it is only possible to speculate about how many such crimes were committed by unmarried mothers during the period under review.

Between 1920 and 1950 seventeen women and two men in this sample were charged with the murder of an illegitimate infant and seven women were charged with infanticide. In cases where there was no evidence of deliberate violence single women who gave birth unassisted were charged with concealment of birth. Nine women in this sample were charged with concealment of birth. Three cases in this sample were tried at the

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[7] There are thirty-eight cases in this sample involving thirty-nine defendants. Two women in this sample were originally from Éire but they had lived and worked in Northern Ireland for some time before they were arrested and charged. In July 1938 M - - - M. [N. 9], a twenty-four-year-old native of Co. Donegal, who had been employed as a domestic servant in Belfast was charged with the murder of her newly born male child. (P.R.O.N.I., BELF/1/1/2/117/5, 1938.) K - - - - - - - M. [N. 20] was charged with infanticide in January 1946. (P.R.O.N.I., BELF/1/2/2/56/4, 1946.) She was also originally from Co. Donegal but was employed as a domestic servant in Belfast.

[8] A - - - - - - - - H. [N. 6] gave birth secretly at least four times. (P.R.O.N.I., BELF/1/1/2/98/6, 1932). She managed to escape detection for twelve years. L - - - - - M. [N. 38] gave birth on three occasions over the course of several years. (P.R.O.N.I., TYR1/2B/34, 1924). She was arrested and charged after the birth of the third infant and it was only during the course of the investigation into the death of the third infant that it emerged that she had given birth to two other illegitimate infants in similar circumstances.

coroner's court and it is not clear whether charges were brought against the birth mothers in these cases.[9]

The sample for this chapter consists of thirty-eight cases from Belfast city and counties Down, Armagh and Tyrone.[10] The majority of infanticide cases in this sample were tried in Belfast.[11] Eight infanticide cases in this sample were prosecuted in Co. Down and two cases in this sample went before the courts in Co. Armagh. Nine cases in this sample were tried in Co. Tyrone. This chapter constitutes a beginning in charting the history of single mothers and infanticide in Northern Ireland, but until the records of criminal statistics are made available to researchers and a study that encompasses the six counties of Northern Ireland is undertaken, only a partial picture of the history of the crime of infanticide in Northern Ireland can be said to exist.

In the vast majority of infanticide cases in this sample the illegitimate infants of unmarried women were murdered within hours of being born.[12] The infants of women who gave birth in a workhouse or county home were generally a week or two old before they were killed, as women were required to remain there for a short period of time after the birth. In all the cases quoted in this chapter where women had given birth in a workhouse hospital, their infants were killed shortly after they left the institution in question. The sex of the illegitimate infants in this sample was recorded in thirty cases. Although twice as many illegitimate female infants as illegitimate male infants were

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[9] There are thirty-eight cases in this sample. Thirty-nine individuals were charged with murder, infanticide or concealment of birth. Charges were brought against both A - - - - R. and J - - - - - R. [N. 15] in a 1931 Co. Down infanticide case. (P.R.O.N.I., DOW1/2B/38/7, 1931).

[10] The records of infanticide cases held in the Public Record Office of Northern Ireland are currently subject to a one hundred year rule. The records of cases tried from 1908 onwards are closed to researchers. I applied for permission from the Northern Ireland Courts Service through the Public Record Office of Northern Ireland to see catalogued infanticide and concealment of birth files. Infanticide and concealment of birth files are catalogued for Belfast city, Co. Down, Co. Antrim and Co. Armagh. Infanticide and concealment of birth files have not yet been catalogued for Co. Londonderry, Co. Fermanagh or Co. Tyrone. I was, however, granted permission to see the records for some cases tried at the Co. Tyrone Assizes.

[11] Ten cases of murder, one case of infanticide and eight cases of concealment of birth in this sample went before the courts in Belfast. Three cases of murder and one case of infanticide in this sample went before the courts in Co. Down. In four additional cases tried in Co. Down it was not clear if charges were brought against single women suspected of killing their infants. One case of murder and one case of infanticide in this sample went before the courts in Co. Armagh during the period under review. Five cases of murder, three cases of infanticide and one case of concealment of birth in this sample were tried in Co. Tyrone.

[12] The J - - - - - - - - M. [N. 1] case was an exception in this regard. J - - - - - - - - M.'s infant was fifteen months old when she was killed. (P.R.O.N.I., HA 5/569).

killed in this sample there is nothing in the judicial records to indicate that gender selection was a factor in any of these cases.[13]

In her introduction to *Women in Ireland: A Century of Change*, Hill noted that while 'some aspects of both individual and collective female experience have been recorded, assessed and analysed...many stories remain untold...'.[14] *Women in Ireland: A Century of Change* addressed many aspects of the history of women's lives in twentieth century Ireland, both North and South. However, relatively little has been written about the history of women and non-political forms of crime in Northern Ireland. Although the trials of single women convicted of infanticide in Northern Ireland may have occasionally caused a stir among contemporaries when they came to court, this aspect of the history of mainly young, working-class women from all sections of the community has hitherto been overlooked. Infanticide trials in the South have as we have seen been the subject of scholarly inquiry in recent years, but historians have tended to focus on the Irish Free State period. A history of infanticide that assesses the crime on both sides of the border between 1920 and 1950 remains to be written.

It is not clear to what extent infanticide trials attracted public interest in Northern Ireland between 1920 and 1950. Attendance levels were not always commented upon in newspaper reports. It is clear, however, that some trials attracted considerably more attention than others. Particularly gruesome cases, like the trial of A - - - - - - - - H. [N. 6] in January 1932,[15] cases involving a man such as the M - - - - - - M. [N. 18] trial[16] in December 1933 and a trial held in July 1928 where a young woman was sentenced to death,[17] seem to have been well attended. A report on the trial in the *Irish News* described the atmosphere in the courtroom during J - - - - - - - - M.'s [N. 1] murder trial. 'There was suppressed excitement in Court when J - - - - - - - - M., aged 24 years, a domestic servant and native of Larne, but who had been employed in Belfast for the last seven years, was put forward charged with the murder of her illegitimate child E - - - M - - M.'[18] A letter written to a Member of Parliament by the secretary of the Belfast Women's Advisory

[13] Twenty of the illegitimate infants in this sample who died in suspicious circumstances were female, while ten were male.
[14] Hill, Myrtle, *Women in Ireland: A Century of Change*, p2.
[15] P.R.O.N.I., BELF/1/1/2/98/6, 1932.
[16] P.R.O.N.I., HA 9/2/4.
[17] P.R.O.N.I., HA 5/569.
[18] *Irish News*, 21 Jul. 1928.

Council in August 1928 drew attention to the sense of public outcry following the outcome of the J - - - - - - - - M. case. Miss Montgomery stated that 'in common with the rest of the public my Council has been gravely disturbed by the fact that the Jury was forced to return a verdict of ''wilful murder'' and the Judge was forced to pronounce the death sentence on [J - - - - - - - - M.].'[19] The case certainly did not go unnoticed by the Belfast Women's Advisory Council and if Miss Montgomery's letter is accurate, it seems that a certain proportion of Belfast's citizens were appalled by the verdict.

In January 1932 a 31-year-old married woman was charged with the concealment of birth of four infants. The heading in the *Irish News* when the story broke read: 'Gruesome Discovery in Belfast. Infants' Bodies in Suitcase.'[20] When A - - - - - - - - H. [N. 6] was brought to trial the *Belfast Telegraph* noted that 'there was keen interest at the Belfast Custody Court to-day' and that 'the court was crowded.'[21] Indeed, since January 4th when police first began to investigate the case there had been a high level of interest in the proceedings. According to the *Irish News*, 'the dramatic swoop by the police, and the shocking discovery which followed, caused a profound sensation in the district, and the house in which the suitcase was found was the object of many curious sightseers on Monday night.'[22] On January 29th 1932 the *Belfast Telegraph* published an article on the trial of A - - - - - - - - H. with the heading 'Babes and Books. Strange Belfast Case.'[23] The heading referred to a hymnbook, the Bible and a copy of 'The Life of Christ' that were found in the suitcase along with the remains of four infants. The A - - - - - - - - H. case was given much more coverage than most Irish infanticide cases and the *Belfast Telegraph* even published a photograph of the house where the bodies were discovered. Similarly in May 1931, when a father and daughter were charged with incest and infanticide, the *Belfast Telegraph* noted that 'the arrival of the accused at the petty sessions office, where the Court was held, attracted considerable attention owing to the rather unusual features of the case.'[24] While there may have been public interest in high profile infanticide cases, such interest did not lead to debate on the economic circumstances or lack of provision for single mothers in Northern Ireland. Indeed, the

[19] P.R.O.N.I., HA 5/1449.
[20] *Irish News*, 5 Jan. 1932.
[21] *Belfast Telegraph,* 29 Jan. 1932.
[22] *Irish News*, 5 Jan. 1932.
[23] *Belfast Telegraph*, 29 Jan. 1932.
[24] *Belfast Telegraph*, 23 May 1931.

Belfast Women's Advisory Council do not seem to have realised that the Infanticide Act (1922) had been passed in Northern Ireland.[25]

4.1 Infanticidal women

Richter's research on infanticide in Imperial Germany has shown that the profile of the typical '"reproductive criminal" is remarkably clear.'[26] The 'type' is also clear in all samples of infanticide cases in this thesis. In the sample for Northern Ireland 92.3 percent of those convicted of the murder, infanticide or concealment of birth of illegitimate infants were women, 97.2 percent of female defendants in this sample were unmarried when they committed the crime and 73.9 percent of female defendants whose occupations were recorded were employed in domestic service or agriculture.[27]

The average age of single women charged with infanticide in Northern Ireland was twenty-four.[28] The youngest women in the sample E - - - - H. [N. 2] and J - - - - - B. [N. 29] were both nineteen and the oldest recorded age of a single woman charged with infanticide or concealment of birth was thirty-six. Although A - - - - - - - - H. [N. 6]'s age was recorded as thirty-one, given that she concealed the births of four infants over a twelve-year period, she would have been younger when she committed the crimes with which she was charged.

Single women charged with infanticide in Northern Ireland between 1920 and 1950 were generally referred to as 'girls' in newspaper reports on the infanticide cases that came before the courts. J - - - - - - - - M. [N. 1] was twenty-four when she was charged with the murder of her illegitimate daughter but a report in the *Irish News* referred to her as a 'girl murderer.'[29] In July 1938 the *Irish News* reported on the case of S - - - - - M. who appeared before the Belfast Custody Court on a charge of murder. The report carried the

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[25] P.R.O.N.I., HA 5/1449.
[26] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p513.
[27] The occupations of women who were charged with murder, infanticide or concealment of birth was recorded in twenty-three cases in this sample. Seventeen women were employed in domestic service or agriculture.
[28] The age of unmarried women charged with murder, infanticide or concealment of birth in this sample was recorded in fifteen cases in this sample.
[29] *Irish News*, 21 Jul. 1928.

heading 'charge against Donegal girl.'[30] In the same month the *Irish News* reported on the case of S - - - - M., 'a young girl' who had been charged with infanticide.[31] Addressing M - - - - - - M. [N. 18] during his trial for the murder of his infant daughter in December 1933, Lord Justice Best referred to the baby's mother as a girl.[32] In some instances single women charged with infanticide had not yet reached adulthood and the term 'girl' was applicable. M - - - - - - M. was seventeen when she was charged with the murder of her illegitimate infant in May 1931.[33] However, in other instances reporters may have referred to single women suspected of killing their infants as 'girls' in order to create a more sensational story or to portray them in a sympathetic light.

The occupations of twenty-three of the unmarried women in this sample who were charged with murder, infanticide or concealment of birth were recorded.[34] Most single women charged with infanticide in Northern Ireland were from working-class backgrounds.[35] Fourteen women were employed as domestic servants and one woman was employed as a maid in a hotel.[36] One woman worked as a dairymaid in Co. Down and another was employed as a farm hand in Co. Tyrone. One woman was employed as a spinner and another listed her occupation as hemstitcher. J - - - - - B. [N. 29] was a factory worker. One woman in this sample worked as a dressmaker, while another was employed as a typist. S - - - - - C. [N. 30] worked in a restaurant but it is not clear whether she was employed as a waitress or whether she worked in another capacity. Most of the single women charged with infanticide or concealment of birth in the South also worked as domestic servants. Domestic servants, as previously noted, may well have

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[30] *Irish News*, 9 Jul. 1938. S - - - - - M. has not been assigned a number as her case file is not included in the sample for this chapter.

[31] *Irish News* 19 Jul. 1938. S - - - - M. has not been assigned a number as her case file is not included in the sample for this chapter.

[32] Referring to M - - - - - - M.'s [N. 18] girlfriend during his trial, Lord Justice Best described her as '...the girl who was your lover, the girl who is the mother of your child.' (*Northern Whig and Belfast Post*, 14 Dec. 1933).

[33] *Irish News*, 15 Jun. 1931. M - - - - - - M. has not been assigned a number as her case file is not included in the sample for this chapter.

[34] The occupation of the birth mothers in two cases in this sample where the father of an illegitimate infant was the sole defendant was also recorded. One woman was employed as a domestic servant, while the other woman was employer as a housekeeper by the man charged with concealing the births of the infants she had given birth to.

[35] Although L - - - R.'s [N. 14] occupation was not recorded, the fact that she gave birth in a workhouse suggests that she was from a working-class background (P.R.O.N.I., DOW1/2B/36/6,1929). A - - - - R. [N. 15] was not gainfully employed but she was 'keeping house' for her father. A - - - - R. and her father did not have legal representation in court, which suggests that they were also from a working-class background. (P.R.O.N.I., DOW1/2B/38/7, 1931).

[36] Two women listed their occupation as nursemaid and housekeeper and they have been included in the overall figure for domestic servants.

been particularly vulnerable to discovery as they generally lived in their employers' households. Women employed as domestic servants may also have feared that they would lose their jobs if their employers knew that they were pregnant and without a reference they would probably have found it difficult to secure a job again. At least one single expectant woman in this sample lost her job because she was pregnant. C - - - - - K. was charged with infanticide at the Omagh winter assizes in July 1926. She had been employed as a servant but lost her job because of her pregnancy.[37] The social profile of unmarried women charged with murder, infanticide and concealment of birth in Northern Ireland is almost identical to the social profile of single women who were charged with the same offences in southern Ireland between 1922 and 1950, although single working-class women in Northern Ireland appear to have had more opportunities in terms of occupation than their southern counterparts.

As Kiernan, Land and Lewis noted in their study of lone motherhood in twentieth-century Britain, 'at the turn of the century the options for single, pregnant women were few.'[38] The options for unmarried expectant women in Ireland during the first half of the twentieth century would also have been very limited, particularly if the women were poor. It was difficult for unmarried women in Ireland, either in the North or the South, to compel the putative fathers of their infants to pay maintenance costs during the period under review.[39] Infanticide is a crime that is generally associated with poor, single women. The vast majority of single women charged with murder or concealment of birth in southern Ireland between 1922 and 1950 were from the lower socio-economic layers of Irish society. Unmarried women who stood trial for the murder or concealment of birth of their illegitimate infants in Northern Ireland during the period under review were no different. Poverty certainly seems to have been an important factor in many

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[37] P.R.O.N.I., TYR1/2B/35, 1926.

[38] Kiernan, Kathleen, Land, Hilary, Lewis, Jane (eds.), *Lone motherhood in twentieth-century Britain: from footnote to front page,* p98.

[39] The case notes of the solicitor to the Belfast Poor Law Guardians in affiliation proceedings give some indication of the difficulties single mothers faced in attempting to bring proceedings against the putative fathers of their infants for maintenance. In March 1922 Hugh Harper communicated with the putative father of Nellie M.'s infant on her behalf and requested payment for the amount due for relief. However, the man in question denied paternity. According to the solicitor 'proceedings were instituted but were returned unserved as defendant had removed and his whereabouts were unknown to Nellie M.' (P.R.O.N.I., HA5/1366.) Several men left the area they had been living in once they learned that a woman they had been involved with intended to sue them for maintenance costs. Other women were unsuccessful in bringing proceedings against the putative fathers of their infants because they could not provide sufficient evidence to prove paternity.

infanticide cases during the period. It confirms Richter's findings for Germany - that 'infanticide was primarily an outcome of poverty.'[40]

J - - - - - - - - M. [N. 1], like many unmarried mothers during the period, North and South, became dependent on the public welfare system once she had given birth. J - - - - - - - - M. wanted to admit her infant to the workhouse in April 1928 but apparently became frustrated when she was in the process of doing so. According to one witness, J - - - - - - - - grew 'fed up' and seems to have contemplated drowning both herself and her child.[41] When she was charged, J - - - - - - - - M. told District Inspector Hamilton that 'the baby was crying and she was hungry.'[42] She said that she had no money and that at the time she thought there was no other way than to take her daughter's life. J - - - - - - - - admitted that she smothered her baby with her hand and put the baby's body under her bed. A report on the case in the *Irish News* quoted the defence's speech to the jury. Mr Marrinan referred to the case as 'a sorrowful story of a young woman faced with poverty, and perhaps with a slow lingering death for her child.'[43] He claimed that J - - - - - - - - M. had had nothing to eat at the time of her infant's death, 'her only sustenance being perhaps a drink of water.'[44] He also alleged that J - - - - - - - - M. was 'a wreck in our social system.'[45]

Most of the women in this sample do not seem to have been quite as impoverished as J - - - - - - - - M. [N. 1]. However, newspaper reports of cases where the mothers of illegitimate children in Northern Ireland were charged with abandonment indicate that the unmarried mothers of young infants often felt unable to cope financially with raising a child single-handedly. Newspapers often published reports about infants that had been abandoned by their mothers during the period under review. In many cases unmarried mothers seem to have been reluctant to seek help from friends or relatives because they wanted to conceal the fact that they had given birth. In July 1930 E - - - - - - C. abandoned her infant near a viaduct outside Newry. A letter was found near the

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[40] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p533.
[41] *Irish News*, 21 Jul. 1928.
[42] *Irish News*, 21 Jul. 1928.
[43] *Irish News*, 21 Jul. 1928.
[44] Ibid.
[45] Ibid.

baby. E - - - - - - - - asked if 'some kind person' would 'take [her] wee son.'[46] She explained that she was 'weary of begging and starving,' that her son was 'crying for milk' and that she was unable to take care of him because she had no money.[47] It is also probable that single women like A - - - - M. [N. 7], who had already given birth and were struggling to support their firstborn infants, may have felt unable to cope with the birth of a second infant.[48]

While most single women in this sample seem to have killed their infants and disposed of the bodies almost immediately after giving birth, a small number of women struggled to find a way of dealing with an illegitimate infant before taking the baby's life. L - - - M. [N. 16] wrote to ask a couple from whom she had rented a room shortly before she went to the workhouse to give birth if they would come to take her out and if they would then look after her newborn infant.[49] However, they declined to assist L - - - and she suffocated her infant soon after she was discharged from hospital. C - - - - - K. [N. 33] lost her job as a domestic servant because her employer noticed that she was pregnant.[50] Following the birth of her baby in March 1926, C - - - - - appears to have tried to find a foster mother who would look after her infant. She wrote a letter to a woman from the workhouse hospital asking her to take in her baby. However, as she was unemployed, C - - - - - - does not seem to have had enough money to pay the woman nor does she seem to have sought help elsewhere. When she was discharged from the workhouse hospital C - - - - - - was seen wandering the roads with an infant. Her experience mirrors that of several other women both in the sample for all-Ireland from 1900 to 1920 and the sample for southern Ireland between 1922 and 1950.

Unmarried working-class women in Northern Ireland were perhaps more likely to have committed infanticide than single middle-class women who found themselves in a similar predicament during the period under review. Working-class women were probably more likely to have been discovered by their employers if they worked as domestic servants or by their landladies if they lived in rented rooms. While most single women charged with infanticide in Northern Ireland between 1920 and 1950 gave birth

[46] *Irish News*, 14 Aug. 1930.
[47] Ibid.
[48] P.R.O.N.I., BELF/1/1/2/97/5, 1931.
[49] P.R.O.N.I., DOW/2B/44/5, 1937.
[50] P.R.O.N.I., TYR1/2B/35, 1926.

alone and without assistance, at least four single women in this sample gave birth in workhouse hospitals. The births of illegitimate children to middle-class women may have gone undetected as more affluent women would have been able to afford to pay for private maternity care. Working-class women seem to have been exposed to a greater degree of scrutiny.

We have seen that in a number of cases tried in the South that women and men charged with the murder of illegitimate infants were unable to meet the legal costs they incurred in their defence. References to legal costs do not appear in the trial records of cases tried in the Northern Ireland but it seems likely that many single women who had been employed as domestic servants would have been unable to cover their legal costs, and as in the case of a father and daughter from Co. Down, who were charged with the murder and concealment of birth of a newborn infant in May 1931, many women in this sample may not have been professionally represented in court.[51] The state did not help.

4.2 Medicine and infanticide

As Marland has pointed out, the role of doctors in the witness stand became more significant from the nineteenth century, 'particularly as the forensic evidence they were required to present became more complex.'[52] Doctors who treated single women who were charged with murder, infanticide or concealment of birth during the period under review often submitted detailed depositions. In many instances in this sample as in others, their evidence provides a considerable degree of insight into the physical and mental health of the infanticidal women they encountered. S - - - - - C. [N. 30], like several other women in this sample, was very weak and in need of medical attention after giving birth without any support or assistance. Sergeant William Hackett had to assist S - - - - - downstairs and lay her on a couch. He said that she was 'apparently very weak and

[51] *Irish News*, 25 May 1931. It is clear from the information recorded in the Crown Books that a number of women in this sample were assigned solicitors and barristers to represent them in court. For instance, S - - - - W. [N. 4] was assigned defence counsel during her trial for the murder of her illegitimate infant in November 1930. (P.R.O.N.I., Belf1/1/1/76, 1930). C - - - - - K. [N. 33] and J - - - - - V. [N. 35] were also assigned legal representation. (P.R.O.N.I., TYR 1/2A/3, 1921 – 1932). Neither S - - - - - C. [N. 30], N - - - - R. [N. 31] nor A - - - - S. [N. 32] were professionally represented in court. (P.R.O.N.I., TYR 1/2A/3, 1921 – 1932).

[52] Marland, Hilary, 'Getting Away with Murder? Puerperal Insanity, Infanticide and the Defence Plea' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p171.

sick.'[53] He did not arrest or charge her immediately 'owing to her condition.'[54] In her statement S - - - - - explained that 'no person did anything for [her]' until the police arrived.[55] She said that she had been in bed for over a day without any assistance and she claimed that she was nearly dead. S - - - - -'s version of event may sound melodramatic. It seems unlikely that S - - - - - was close to death following the birth of her infant but she probably went on to make a full recovery. However, S - - - - - may well have felt that her life was endangered and her words highlight the fact that secretive, unassisted births must have been a frightening experience for many of the women in this sample.

Several women claimed that they could not remember what had happened immediately after delivery.[56] K - - - - - - - M. [N. 20] said that she was so weak and upset after the birth of her illegitimate infant that she could not remember very much.[57] S - - - - - C. [N. 30] said that she was 'burning' after the birth of her baby and did not know what she was doing.[58] In her statement C - - - - - - - - W. [N. 36] said that she was unable to remember what occurred after the birth of her infant. She said that she was not 'in [her] proper senses' at the time and was not even sure whether the baby was alive when it was born.[59] M - - - M. [N. 9] gave birth alone in her bedroom in June 1938. She told the police that 'no person was present at the birth.'[60] She also claimed that she was not sure whether her baby was 'born living or dead' as she did not hear it cry. M - - - gave the impression that she lost consciousness. She explained that 'after [she] came round [herself] [she] parcelled the baby up in brown paper and kept it concealed in [her] room.'[61] A number of women in the sample for chapter two also told the authorities that they had experienced memory loss following self-delivery. Members of the medical and legal professions who came into contact with women charged with infanticide may have regarded this as a credible explanation, given that most women in the samples for this thesis gave birth alone without any assistance. Some women may plausibly have indeed experienced memory loss. However unmarried women charged with infanticide during the period

[53] P.R.O.N.I., BELF/1/1/2/62/5, 1920.
[54] Ibid.
[55] Ibid.
[56] Four out of thirty-six women in this sample (11%) who were charged with murder, infanticide or concealment of birth claimed that they were unable to recall what had happened immediately after giving birth.
[57] P.R.O.N.I., BELF/1/2/2/56/4, 1946.
[58] P.R.O.N.I., BELF/1/1/2/62/5, 1920.
[59] P.R.O.N.I., TYR1/2B/37, 1928.
[60] P.R.O.N.I., BELF/1/1/2/117/5, 1938.
[61] Ibid.

may also have claimed that they could not remember what had happened in order to elicit sympathy and understanding from the authorities and jurors.

When she was arrested, K - - - - - - - M. [N. 20] said that she did not realise that she had been pregnant for some time. She said that she 'suspected nothing as [her] periods were never regular.'[62] She explained that as a result she had 'no idea as to when [her] baby would be born.'[63] K - - - - - - - insisted that if she had known when to expect the birth she would have left Belfast and gone home. In fact, several women in this sample claimed that they their infants had arrived sooner than they expected. S - - - - - C. [N. 30] told the police that she 'did not think it was going to be born that night.'[64] She claimed that she 'was intending going to the infirmary to have it born there.'[65] M - - - H. [N. 19] stated that 'there was no person with [her] when the child was born and it was born sooner than [she] expected.'[66] Given that the vast majority of women in this sample had not consulted a doctor before the birth it is possible that they were not sure when their infants were due, but as most women were extremely anxious to conceal their pregnancy it is questionable whether they would have sought assistance in advance, even if they had known approximately when their babies were due.

The fact that a number of women in this sample and women in the samples for chapters two and three insisted that they would have made the appropriate preparations for the birth if they had known when to expect it may well be indicative of the manner in which they were questioned by the police. The kinds of questions that were put to these women when they were arrested are likely to have been reflected in the kinds of responses that emerge in their statements. Women like K - - - - - - - - M. [N. 20], S - - - - - C. [N. 30] and M - - - H. [N. 19] would probably have been asked if they had made any preparations for the birth of their infants. For those investigating suspected cases of infanticide it would have been an obvious question and, depending on the response, it could have been a way of establishing whether the women they questioned had intended to deliberately do away with their children.

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[62] P.R.O.N.I., BELF/1/2/2/56/4, 1946.
[63] Ibid.
[64] P.R.O.N.I., BELF/1/1/2/62/5, 1920.
[65] Ibid.
[66] P.R.O.N.I., ARM1/2D/14/5, 1920.

The records of a small number of cases that went before the Court of Criminal Appeal in the South between 1922 and 1950 include the questions put to unmarried female defendants charged with the murder of their illegitimate infants and the statements of a very small number of the women in the sample for chapter three were recorded in question and answer format, but there is no indication in any of the judicial files for cases tried in the sample for Northern Ireland as to the manner in which female suspects were interrogated by the R.U.C. In most cases, it is not possible to know to what extent women were responding to questions in their statements and to what extent they were telling their own narrative on their own terms. It is only possible to speculate as to what extent female suspects in the samples may have been telling the authorities what they thought they wanted to hear and whether they were conscious about the need to place their actions in a certain light as they made their statements. Some women may well have been aware of how their version of events would be received in the courtroom; others seem to have been almost completely unaware about the implications of what they stated in their evidence. Some seem to have naively hoped that if they confessed to the police, the charges against them would be dropped. When a police sergeant went to S - - - - W.'s [N. 4] house and questioned her about the body of a newborn infant that had been found nearby, she told him that she knew about and said 'Sure. There will be nothing about it if I tell you.'[67] There are a number of similar examples of such naiveté in all samples.

The passing of the Infanticide Act in 1922 meant that there was a provision in the law for women who appeared to have suffered from temporary insanity at the time of the birth. However, few women in this sample who were charged with infanticide in Northern Ireland between 1922 and 1950 seem to have displayed signs of temporary insanity. None of the woman in this sample were deemed insane. When M - - - M. [N. 9] was arrested she explained what had happened clearly and rationally.

> The child was born on Tuesday three weeks. I took it down the road at 9 o' clock at night and threw it over O'Neill's bridge into the river. It was then dead. I tied a string round its neck after it was born. I then wrapped it up in an old chemise. I am not a bit worried about myself. I deserve it all. It was living when it was born.[68]

Most women in this sample gave logical accounts of what had occurred. J - - - - - - - - M.'s [N. 1] defence counsel seem to have made sustained efforts to argue that she had

[67] P.R.O.N.I., BELF/1/1/2/94/6, 1930.
[68] Ibid.

suffered from mental health problems and had finally succumbed to a sudden impulse[69] but even J - - - - - - - - had apparently 'told a perfectly connected narrative' when she was arrested.[70]

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Mental distress or disturbance is only referred to by doctors or members of the police force in the records of four cases tried in Northern Ireland between 1920 and 1950, and in three of these cases the defendants were merely described as having been distressed or excited.[71] J - - - M. [N. 5] was charged with the murder of her illegitimate infant in July 1929. Both the midwife and the doctor who attended her agreed that she had been very weak following the birth of her infant. Dr Unsworth also said that she had been in a 'distressed condition' when he saw her.[72] Dr Loughridge said that when he saw E - - - - H. [N. 2] almost a week after she had given birth 'she had fully recovered from the effects of the birth and the balance of her mind was not disturbed but she was excited.'[73] E - - - - H.'s parents said that they did not notice 'anything astray' with their daughter's mind after she had given birth in her bedroom.[74] In other cases the defendant's physical condition following the birth was referred to. While Sergeant Robert Shaw noted that A - - - - M. [N. 3] was 'very weak and very pale' when he arrested her in July 1930, he ruled out the possibility that she had suffered from temporary insanity and stated that he had 'noticed nothing else amiss with her.'[75] The barristers who defended J - - - - - - - - M. [N. 1] in July 1928 seem to have made a sustained attempt to convince the jury that she had suffered from mental imbalance prior to and following the birth of her illegitimate daughter. However the jurors did not believe that J - - - - - - - - had suffered from temporary insanity. Her daughter was fifteen months old when she died and the jury found J - - - - - - - - guilty of murder. The Infanticide Act (1922) only made provision for women who suffered from temporary insanity when they killed newly born infants and J - - - - - - - - M.'s infant daughter was not newly born. Lord Justice Best was also unconvinced by J - - - - - - - - M.'s barristers' arguments about her mental instability.

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[69] During her trial J - - - - - - - - M. [N. 1] said that 'she had been subject to severe pains in the head, which sometimes lasted for weeks. She often felt as though there were black clouds over her and did not know what she would be doing.' (*Irish News* 21 Jul. 1928).

[70] *Irish News* 21 Jul. 1928.

[71] In addition to this the coroner in the A - - - - - - - - H. [N. 6] case, where the bodies of four infants were discovered in a suitcase after a number of years, was quoted in *Irish News* on 13 Jan. 1932 as saying that the case was 'too horrible to comment upon at any length' and that 'it seemed to be the act of a maniac.'

[72] P.R.O.N.I., BELF/1/1/2/91/6, 1929.

[73] P.R.O.N.I., BELF/1/2/2/40/67, 1930.

[74] Ibid.

[75] P.R.O.N.I., BELF/1/2/2/40/68, 1930.

Summing up, he stated that 'it would be a bad thing if juries allowed themselves to be swayed by brain waves and sudden frenzies such as counsel had referred to.'[76] While he sympathised with the defendant to a certain extent – he informed the jury that if the brought in a verdict of guilty of murder they could add a recommendation that would be sent immediately to the proper quarters – Lord Justice Best felt that J - - - - - - - - was criminally responsible for the death of her daughter, and he seems to have strongly disapproved of the manner in which her counsel had drawn on psychiatric explanations.

Doctors who gave evidence in infanticide trials in Northern Ireland during the period under review were often asked to assess the intelligence of women who stood trial for murder, infanticide or the concealment of birth of their infants.[77] More attention seems to have been paid to J - - - - - - - - M.'s [N. 1] mental state than in the judicial records to that of any other woman in this sample. This may have been due to the fact that unlike most women in this sample who were charged with the murder of a newborn infant, J - - - - - - - - stood trial for the murder of a fifteen-month old infant. In a Ministry of Home Affairs file on J - - - - - - - - M. [N. 1], who was convicted of the murder of her illegitimate daughter in July 1928, it was noted that there was the 'suggestion of very low mentality.'[78] Dr Heron, a prison doctor at Armagh, had had J - - - - - - - - under observation. He had come to the conclusion that although she was not insane J - - - - - - - - M. was 'a woman of very low intelligence – a very poor type of intellect.'[79] He did not think that she was capable of appreciating 'the enormous gravity of a crime like this.'[80]

Case N.1 is indeed somewhat atypical. Highly educated professionals often commented on the intellectual ability of unmarried women who were charged with infanticide in Ireland during the first half of the twentieth century. Some of these assessments may have been made following brief conversations. They may have, in some cases, been unfair. They may well have been due to misunderstandings or poor communication between educated and affluent men, and poor, uneducated and unmarried women. However, J - - - - - - - - M. had previously experienced mental health problems.

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[76] *Irish News*, 21 Jul. 1928.
[77] This seems to have been almost standard practice in Ireland, England and Scotland during the first half of the twentieth century.
[78] P.R.O.N.I., HA 5/569.
[79] *Irish News*, 21 Jul. 1928.
[80] *Irish News*, 21 Jul. 1928.

J - - - - - - - - M.'s defence team capitalised on her previous mental health difficulties. Her history of mental disturbance was central to the arguments put forward by the barrister who represented her in court. It was alleged that a history of insanity ran in her family. Under cross-examination District Inspector Hamilton said that he had ascertained that two of J - - - - - - - -'s relatives were insane. During her trial the court was told that she had been tried for attempted suicide while she was pregnant two years previously. She became an inmate in an institution run by the Salvation Army following her trial. Bertha Peacock of the Salvation Army gave evidence in court and explained that during her stay in the home J - - - - - - - - M. could not be left alone. According to Bertha Peacock, 'she was morose, and kept much to herself.'[81] J - - - - - - - - was also called on to describe her symptoms in her own words. She said that 'for a long time she had been subject to severe pains in the head, which sometimes lasted for weeks', and that 'she often felt as though there were black clouds over her and did not know what she would be doing'.[82] J - - - - - - - - M.'s defence team portrayed her as an unintelligent woman and suggested that she may well have suffered from temporary insanity. Dr Heron lent weight to that argument in court. However, it is unclear whether J - - - - - - - - M. was actually as unintelligent as her defence team implied. The prosecution claimed that it was 'idle to suggest she did not know what she was doing,' as when following her arrest J - - - - - - - - M. 'told a perfectly connected narrative.'[83] Single women charged with the murder of their illegitimate infants may have attempted to appear less intelligent than they were in court in order to appear vulnerable and less culpable to the jury. J - - - - - - - -'s life history seems to have generated a considerable degree of sympathy. The secretary of the Belfast Women's Advisory Council wrote to Richard Bates M.P. to protest at that the fact that the death sentence was pronounced 'on a girl admitted to be mentally afflicted.'[84] The *Irish News* described her as 'a pathetic figure.'[85]

Few women in the sample here referred to the desire to take their own lives in their statements. Although a number of women in the sample were visibly upset and distressed following their arrest, judging by the information available in the judicial records for infanticide trials in Northern Ireland, few seem to have experienced serious mental health

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[81] *Irish News,* 21 Jul. 1928.
[82] *Irish News,* 21 Jul. 1928.
[83] *Irish News,* 21 Jul. 1928.
[84] P.R.O.N.I., HA 5/1449.
[85] *Irish News,* 21 Jul. 1928.

problems.[86] In fact, only one defendant in this sample attempted to commit suicide. J - - - - - - - M. [N. 1] was charged with attempted suicide during her pregnancy.[87]

A number of women in this sample seem to have lied about the manner in which their infants died. In some cases their version of events clearly contradicted the medical evidence. Like the unmarried women in the all-Ireland sample for the period 1900 – 1921, they may not have realised that doctors would have been able to determine whether they were telling the truth. I - - - - - - - L. [N. 26] said that her infant daughter was 'dead when born' and she explained that she hid the body under her bed.[88] However, when the constable who questioned her in the presence of a doctor 'drew the prisoner's attention to the cloth in the child's mouth and asked her to account for it but she burst into tears.'[89] She then admitted that she put the cloth in the infant's mouth to prevent it from crying. She said she was 'afraid of the people hearing it.'[90] In her statement J - - - - - B. [N. 29] said that her baby fell on the floor when it was born. She said that although she thought it was alive 'it could just cry a wee, wee bit.'[91] By claiming that her baby had fallen after delivery and suggesting that it was physically weak J - - - - - may have been trying to lessen her own guilt in the incident. According to the medical witnesses J - - - - -'s infant died because it was neglected at birth.

The most common cause of death recorded for illegitimate infants in Northern Ireland was neglect or inattention at birth.[92] Many illegitimate infants in this sample did not meet

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[86] In his evidence the medical practitioner who examined J - - - M. [N. 5] after the birth of her illegitimate infant in July 1929 said that she was 'in a weak and distressed condition' when he saw her shortly after self-delivery. (P.R.O.N.I., BELF/1/1/2/91/6, 1929). When Head Constable A. Henry apprehended L - - - M. [N. 16] in may 1937 he said that she 'got very agitated and started to cry.' (P.R.O.N.I., DOW/2B/44/5, 1937). Cross-examined by M - - - H.'s [N. 19] solicitor, Sergeant McKeown, who arrested her on March 29th 1920, said that when he spoke to her she was excited and she was 'sitting on the bed crying.' (P.R.O.N.I., ARM1/2D/14/5, 1920).

[87] The numbers of women who referred to suicide or attempted to commit suicide in the samples for this thesis were quite low. 2.6% of women the sample for Northern Ireland attempted to commit suicide. Less than one percent (0.83%) of the women in the sample for infanticide cases tried in Ireland between 1900 and 1921 referred to the desire to take their own lives. Six percent of women in the sample for the twenty-six counties between 1922 and 1950 expressed the desire to commit suicide and six percent of women in the sample for infanticide cases tried in England between 1900 and 1950 referred to taking their own lives. No women in the Scottish sample referred to suicide.

[88] P.R.O.N.I., BELF/1/1/2/80/6, 1926.

[89] Ibid.

[90] Ibid.

[91] P.R.O.N.I., BELF1/1/2/76/5, 1925.

[92] The infants of twelve women in this sample (31.5%) died from neglect or inattention at birth. The cause of death was either not recorded or could not be ascertained in eight cases in this sample (21%). The deaths of eight infants in this sample were due to asphyxia (21%). Five infants were suffocated (13%). Two

with violent deaths but were killed because their mothers neglected to tie the umbilical cord. A - - - - S.'s [N. 32] newborn infant died from haemorrhage because she failed to tie the umbilical cord.[93] According to medical reports, C - - - - - - - - W. [N. 36] did not attend to the umbilical cord following the birth of her infant daughter.[94] However, several women in this sample admitted using force to take their infants' lives. A substantial proportion of illegitimate infants in this sample died from asphyxia or suffocation. S - - - - G. [N. 24] told the maternity nurse who attended her after the birth that when her newborn infant started to cry and tried to kick 'she squeezed its neck.'[95] Although she tried to deny killing her newborn infant when she was first questioned by police, M - - - - - - - M. [N. 12] eventually admitted taking her baby's life. She said that '[she] [was] not going to tell any more lies about it, it is all true.'[96] A piece of elastic tape had been tied around the infant's neck. M - - - - - - - confessed that she had 'tied a string round its neck after it was born.'[97] A small number of infants in the cases quoted in this paper were killed in particularly brutal ways. Norman C. Graham carried out the post-mortem examination on M -- - - - - - B.'s [N. 8] infant in November 1930. He recorded that the baby's head 'had been sectioned with a sharp instrument into two portions'[98] and that 'the legs had been severed close to the body.'[99] He said that 'this had also been done with a sharp instrument which severed the bones.' [100] However, it was not always possible for doctors to determine the cause of death in suspected cases of infanticide. For instance in case N. 6 case the coroner was unable to determine the cause of death or decide whether the infants had been born alive because of the mummified condition of the bodies.[101]

Unmarried women who committed infanticide during the first half of the twentieth century were not usually perceived as dangerous criminals. They were not regarded as a posing a threat to society. Often physically and emotionally exhausted when they were apprehended, the women in this sample frequently said that they regretted their actions. A number of women expressed a sense of remorse and sorrow over the death of their

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infants died as a result of injuries received (5%). One infant died of exposure and one infant was stillborn and had a spinal deficiency.

[93] P.R.O.N.I., TYR1/2B/35, 1926.
[94] P.R.O.N.I., TYR1/2B/37, 1928.
[95] P.R.O.N.I., BELF 1/1/2/79/5, 1926.
[96] P.R.O.N.I., ARM1/2D/16/6, 1928.
[97] Ibid.
[98] P.R.O.N.I., BELF/1/1/2/95/6, 1931.
[99] Ibid.
[100] Ibid.
[101] *Irish News*, 13 Jan. 1932.

infants in their statements. Following her arrest M - - - M. [N. 9] stated that she was not a bit worried about herself. She apologised immediately and said 'I deserve it all. It was living when it was born.'[102] When Sergeant Robert Shaw arrested A - - - - M. [N. 3] she told him that she was sorry for the trouble she had given.[103] Single women charged with infanticide often broke down as soon as they were arrested and charged. When A - - - - - - - - H. [N. 6] was cautioned in January 1932, the District Inspector said that 'she merely turned pale and sat down and cried.'[104] Under cross-examination Sergeant Hugh McKeon said that M - - - H. [N. 19] was 'excited' when he arrested her and that she sat on the bed crying.[105] Few women in this sample seem to have made sustained attempts to deny that they had given birth or to lie about their crime once they were apprehended.

Even when they did lie about the circumstances surrounding the birth and death of their infants, most single women charged with infanticide seem to have broken down soon after being interrogated. Most women in this sample do not seem to have thought of convincing lies to tell the authorities in advance of their arrest. When Constable Henry asked L - - - M. [N. 16] if she was 'a Miss M.,' she hesitated at first but then replied in the affirmative. When he inquired whether she had left the workhouse hospital that morning she said 'no' but following a short pause she said 'yes.'[106] When he asked L - - - where baby was she told him a woman in Belfast was going to look after it and said that the woman had left the town by bus. L - - - claimed that she did not know the woman's address. The constable then recovered the keys to L - - - M.'s case and found her infant's body.

4.3 The community and the crime of infanticide

According to Cook writing of England, 'individuals who openly transgressed sexual boundaries such as...unmarried mothers...were usually treated harshly by their families and communities.'[107] She has argued that community disapproval of sexual transgression enabled the authorities to uphold rigid sexual mores. The fear of disapproval would

[102] P.R.O.N.I., ARM1/2D/16/6, 1938.
[103] P.R.O.N.I., Belf/1/2/2/40/68, 1930.
[104] P.R.O.N.I., BELF/1/1/2/98/6, 1932.
[105] P.R.O.N.I., ARM1/2D/14/5, 1920.
[106] P.R.O.N.I., DOW/2B/44/5, 1937.
[107] Cook, Hera, *The Long Sexual Revolution: English Women, Sex, and Contraception 1800 – 1975*, p179.

probably have led many single women in this sample to conceal an unplanned pregnancy and to take the lives of their illegitimate infants. Many unmarried women seem to have feared that pregnancy would lead to loss of employment or to rejection by their families. Two single expectant women in this sample were turned out of their parents' homes in the latter stages of pregnancy, most likely because they were pregnant and one woman's father inflicted physical violence on her, presumably because he had learned of her condition.

It is apparent from a number of infanticide cases that were tried at the Central Criminal Court in Dublin between 1922 and 1950 that local communities, particularly in small towns and rural areas, monitored the behaviour of young, single women. Unlike cases tried in southern Ireland, where investigations into suspected cases of infanticide were often initiated even before a body had been found, in Northern Ireland investigation of the crime of infanticide usually began when a body had been discovered, and when relatives, employers or landladies of suspect single women reported the fact to the authorities.[108] Investigations into suspected cases of infanticide in the Twenty-Six Counties between 1922 and 1950 were often triggered by rumour and speculation about a single woman suspected of having had an illegitimate child, or of instances where unmarried woman were pregnant and the expected infants had not appeared.

This phenomenon of local communities monitoring the behaviour of young women is less evident in the sample for Northern Ireland (perhaps because it was a more urbanised society).[109] In the vast majority of cases in Northern Ireland the discovery of a body of a newborn infant was reported to the police and only then an inquiry began. Case N. 18 is an exception in this regard. It highlights the fact that the sexual behaviour of young unmarried couples may have occasionally attracted the attention of the R.U.C.,

[108] Lodgers in rooms the unmarried expectant mother had previously rented found the body of an infant and contacted the authorities in two cases in this sample. The parents of two women in this sample alerted the authorities. The employers of five women in this sample contacted the authorities. The bodies of three infants were discovered by passers by and in each case they reported the discovery to the authorities. The sisters of two women in this sample contacted the authorities. The landladies of seven women in this sample contacted the authorities. A fellow employee in one case in this sample alerted her employer who in turn contacted the authorities. The police began an investigation before a body was discovered in one case and in another case in this sample the police initiated inquiries after receiving information. Neighbours contacted the authorities in two cases and the male relative of one woman contacted the authorities. Two women were apprehended by the police when they were on their way to bury their infants' bodies. A patient in the workhouse where one woman went for her confinement claimed that she heard the mother suffocating her infant. It is not known how investigations began in eight cases in this sample.

[109] Belfast cases account for 50% of cases in this sample.

particularly in rural areas. The local police were aware that L - - - T. was pregnant and had given birth in September 1933. Soon after she returned to work, following the birth of her daughter, they began 'to make inquiries as to the whereabouts of the child and who was looking after it.'[110] This led to the arrest of the infant's father, M - - - - - - M. [N. 18] The sergeant stationed in R - - - - - - - - commented at length on M - - - - - - M.'s relationship with L - - - T. in a report on the defendant's character which was compiled in January 1934. While it seems likely that most of the information contained in the report was based on interviews with L - - - T. following M - - - - - -'s arrest, it is also evident that relationships between unmarried couples did not go unnoticed by the authorities in some areas.

More than half of the single women in this sample gave birth alone in their bedrooms in their employers' or parents' houses.[111] For the most part, the bodies of illegitimate infants were found in the bedrooms or grounds of the houses of the defendants' employer or parents. Many women were unable to leave their bedrooms after giving birth alone and a number of women concealed the bodies in suitcases or boxes in their rooms. The authorities were generally notified by the defendant's relatives, employer or landlady.[112]

Domestic servants formed a large proportion of those charged with infanticide in Northern Ireland between 1920 and 1950.[113] This is hardly surprising given that servants who lived in their employers' household would have enjoyed very little privacy and would have had few opportunities to conceal and dispose of a body. Although Ryan's

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[110] P.R.O.N.I., HA 9/2/4.

[111] Six women (15.7%) in this sample gave birth in their parents' house and thirteen women (34.2%) gave birth in their place of employment. Three women (7.8%) gave birth in the house of a relative. Six women (15.7%) gave birth in a house where they had a rented room. Four women (10.5%) gave birth in a workhouse hospital. One woman (2.6%) gave birth in the house where her fiancé's sister lived. This information was not recorded in five cases (13.1%) in this sample.

[112] One woman's parents notified the police on discovering an infant's body concealed in a chimney in their daughter's bedroom. One woman's sister sent for a doctor when she learned that her sister had given birth unassisted. The police apprehended two women who were about to dispose of their infants' bodies. A patient in the workhouse notified the authorities when she heard a woman's baby struggling to breathe. In four cases a woman's employer notified the authorities on discovering an infant's body. Investigations began after the discovery of a body in four cases. A co-worker informed her employer when she discovered an infant's body in S - - - - C.'s [N. 13] suitcase. A landlady notified the authorities in one case. In the J - - - - - - - M. [N. 1] case a lodger in a boarding house informed the authorities when she discovered a baby's body in a suitcase where J - - - - - - - - M. had previously resided.[112] In a 1932 Belfast case a relative of the landlady where A - - - - - - - - H. [N. 6] had rented a room discovered the bodies of four infants in a suitcase. The police began their inquiries before a body was discovered in a 1933 Co. Down case.

[113] A substantial proportion of unmarried women charged with the murder or concealment of birth of illegitimate infants in Ireland between 1900 and 1921 and in the twenty-six counties between 1922 and 1950 were also employed as domestic servants.

research on infanticide cases in the Irish Free State has shown that there was a higher rate of detection of infanticide in rural areas in the Irish Free State than in large towns or cities, it is not clear if there was a marked disparity between the numbers of discovered infanticide cases in cities and in rural areas in Northern Ireland.[114] Overall figures for the numbers of infanticide cases that were known to the police are currently unavailable. However, nineteen out of the thirty-eight infanticide cases in this sample occurred in Belfast and nineteen cases occurred in small towns or rural areas.

In many instances the employers and landladies of single expectant women seem to have discovered that they had given birth and subsequently sent for a doctor or the police. In most cases in this sample it was women rather than men who seem to have noticed that their employees or lodgers were pregnant. Female employers would presumably have had more contact with their domestic servants than their husbands, and in this sample women seem to have predominated as the managers of rented accommodation. In her study of the court records of infanticide trials in Upper Bavaria between 1848 and 1910, Schulte also found that 'it was other women, especially, who noticed the immediate physical changes in the pregnant woman. It was almost impossible to conceal a pregnancy from the knowing and inquisitive gaze of the women...'[115] Two examples from this sample will suffice. M - - - C.'s [N. 28] landlady noticed that her figure had suddenly changed shape.[116] The landlady also noticed bloodstains and questioned her tenant about it. It seems likely that the landlady reported the matter to the police. K - - - C.'s [N. 10] employer noticed that her employee looked 'pale and haggard' and became suspicious when K - - - arrived downstairs with 'an armful of bloodstained clothes.'[117] Her employer went upstairs to her bedroom and found a cardboard box parcelled up in one of the drawers in her room. She told the police that '[she] opened the box and saw that it contained the body of a newly born child.'[118] She sent K - - - to bed and called for a doctor, who in turn presumably contacted the police.

4.4 Strategies Adopted by Unmarried Mothers

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[114] Ryan, Louise, 'Infanticide in the 1920s', p145.
[115] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p113.
[116] P.R.O.N.I., BELF1/1/2/74/5, 1924.
[117] P.R.O.N.I., DOW1/2B/31/5, 1923.
[118] Ibid.

As Schulte has pointed out in her Bavarian study, 'a secret pregnancy and the birth, which almost all of the women who committed infanticide endured alone, were a tremendous exertion and demanded complete reserve in the face of questions and offers of help.'[119] It is evident from an analysis of the trial records in the samples for chapters two and three that unmarried women who concealed a pregnancy, gave birth unassisted and attempted to conceal or dispose of their infants' bodies, were generally quite resourceful. They employed various strategies and developed a number of coping mechanisms. Single expectant women in the sample for Northern Ireland between 1920 and 1950 were no different in this regard. Indeed there is a remarkable degree of similarity in the ways single mothers in several different jurisdictions dealt with an unplanned pregnancy.

Most single women charged with infanticide in this sample attempted to conceal their pregnancies and generally denied that they were pregnant if friends, relatives or employers inquired. When M - - - - - - - B.'s [N. 8] employer questioned her about being unwell she said 'it [was] just [her] usual illness.'[120] I - - - - - - - L.'s [N. 26] landlady noticed bloodstains on the floor in her bedroom. She questioned I - - - - - - - about the stains but she lied and said it was 'due to natural causes.'[121] When R - - - A - - - G.'s [N. 34] employer suspected that she was pregnant and questioned her about it, R - - - A - - - lied and told her employer that she had always been stout.[122] Schulte has argued that some women who repeatedly denied that they were pregnant when questioned by employers and co-workers 'did at least manage to create a measure of uncertainty about their condition through their assertions and explanations.'[123] She has also suggested that by denying that they were pregnant, women who committed infanticide were not just seeking to allay suspicion so that they could retain their jobs, but that 'their roots went deeper and were not directly connected with the credibility that the maids wished to give their assurances.'[124] She has argued that by denying the child they were carrying, women who committed infanticide were also 'depriving it of any identity in the eyes of the

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[119] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p102.
[120] P.R.O.N.I., BELF/1/1/2/95/6, 1931.
[121] P.R.O.N.I., BELF/1/1/2/80/6, 1926.
[122] P.R.O.N.I., TYR1/2B/35, 1925.
[123] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p104.
[124] Ibid.

outside world and, most importantly, in their own eyes: The child remains a piece of nature, without a history...'[125] It is possible that some women in this sample and indeed women in other samples in this thesis may also have denied the existence of the child they were carrying both to themselves and to people who questioned them about their condition.[126]

Even after they had given birth, some single women tried to deny what had happened. M - - - - - - - B.'s [N. 8] employer recalled hearing a noise in her employee's bedroom on November 20th 1930. When she went into M - - - - - - - 's room she said she saw 'a good deal' of blood on the floor.[127] M - - - - - - - does not seem to have offered a clear explanation as to why her bed and clothes were blood stained but she assured her mistress that she would clean it up 'in a minute or two.'[128] M - - - - - - - told her employer that she did not require a doctor. She then left her employer's house, but returned a few days later to remove the infant's body, which she had left wrapped in a parcel in the coalhouse. She told her employer that the parcel contained old clothing but when her employer remarked on the smell and asked her what the parcel contained M - - - - - - - finally admitted that she had given birth. However, she told her employer that it was born prematurely and was 'only 6 months old and it's only a little form.'[129] M - - - H. [N. 19] also told her landlady that she 'had had a six months baby but that it had not come to anything.'[130] When J - - - - - V.'s [N. 35] neighbours noticed that she had a baby she told them that it was not hers and that she was bringing it home because its mother had gone on holidays. Her neighbours seem to have doubted her story. One neighbour recalled how she had said 'I heard you had one of your own J - - - -' but J - - - - - had insisted that it was a lie.[131] M - - - M. [N. 9] seems to have been determined to avoid being

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[125] Ibid.

[126] The statements of unmarried mothers who were charged with infanticide in the South between 1922 and 1950 suggest that many women may have convinced themselves that the infant they were due to deliver would be dead. A number of women described the acute sense of distress they experienced when they realised that the infant was alive and because they had not prepared for such an outcome, they generally strangled or suffocated the infant almost immediately. Bridget C. [P. 137] initially told Gardaí that 'the child was dead when it was born.' (N.A.I., C.C.C., ID 11 93, Co. Longford, 1939). However, she later admitted that the baby had been alive. She explained that she was distressed when she realised that the infant was alive. 'I will tell you the truth. I was very upset the child was born alive. I held it in my hands for about half an hour and I think it died with the cold. I was so upset I was not sure if it was dead when I put it in the haycock.' (N.A.I., C.C.C., ID 11 93, Co. Longford, 1939).

[127] P.R.O.N.I., BELF/1/1/2/95/6, 1931.

[128] Ibid.

[129] Ibid.

[130] P.R.O.N.I., ARM1/2D/14/5, 1920.

[131] P.R.O.N.I., TYR1/2B/40, 1931.

apprehended. She was charged with infanticide in June 1938 but continued to deny the charge even though she was arrested when she was trying to dispose of her infant's body. She gave a false name to the policeman who apprehended her while she was on her way to bury the body in an area of waste ground.[132]

Some women refused medical attention, even when they were clearly in need of assistance, in order to conceal the fact that they had given birth. A - - - - M. [N. 3] gave birth in her room in the house where she worked as a nursemaid in September 1930. Her employer said she noticed that 'her bed was in a bad condition' and offered to fetch a doctor, but A - - - - maintained that she was all right and said she 'had often been like that before.'[133]

Many single expectant women in this sample also attempted to escape the notice of family, neighbours and friends during the latter stages of pregnancy. Some women rented rooms in areas where they were not known. M - - - H. [N. 19] rented a room shortly before she was due to give birth. She may not have wanted people to notice her condition as she spent most of her time in bed. Her landlady told the police that 'since she came to [her] she was in the habit of lying long every morning.'[134]

It is clear from the trial papers in the other two samples that single women who gave birth in hospitals usually lied about their marital status and registered as married women on admittance. Unmarried expectant women seem to have hoped that this would deflect unwanted attention by medical staff and officials in the county homes and hospitals. It is not clear from the cases in this sample whether L - - - R. [N. 14][135], L - - - M. [N. 16][136], C - - - - - K. [N. 33][137] and J - - - - - V. [N. 35],[138] who gave birth in workhouse hospitals in Northern Ireland during the period under review, also lied about their marital status but it is likely that they would have done so.

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[132] P.R.O.N.I., BELF/1/1/2/117/5, 1938.
[133] P.R.O.N.I., BELF/1/2/2/40/68, 1930.
[134] P.R.O.N.I., ARM1/2D/14/5, 1920.
[135] P.R.O.N.I., DOW/1/2B/36/6, 1929.
[136] P.R.O.N.I., DOW/2B/44/5, 1937.
[137] P.R.O.N.I., TYR1/2B/35, 1926.
[138] P.R.O.N.I., TYR1/2B/40, 1931.

In August 1931 the *Irish News* reported that the body of a three-week-old male child of a single woman from Co. Fermanagh was exhumed from a graveyard in Scotshouse, Co. Monaghan by order of the Minister of Justice of the Free State. The baby was born in Belfast but later buried in Co. Monaghan. An inquest was held and although the infant's mother was suspected of being implicated in the death no charges were brought against her. It may well have been buried across the border in an attempt to prevent an investigation into its death. There is evidence to suggest that a small number of unmarried pregnant women from the Irish Free State, particularly those from the border counties, moved to Northern Ireland in an attempt to avoid detection and to prevent family members, employers and friends from learning of their condition. For instance, in August 1930 the *Irish News* published an account of the case of an abandoned baby whose mother was traced and charged at Newry Petty Sessions. E - - - - - - - - C., a young domestic servant and a native of Co. Leitrim had 'got into trouble in Monaghan' and subsequently left Monaghan for Armagh where the baby was born.[139] She then moved to Newry in search of work and abandoned her infant near a railway viaduct outside the town. Charged with child abandonment, E - - - - - - - - C. was subsequently released and a priest in the area made arrangements for her to be transferred with her baby to St Joseph's Home in Belfast. The Gardaí in Co. Monaghan seem to have been very much aware that suspects could evade trial by crossing the border. In July 1938, Mary S., [P. 133] who lived in Co. Monaghan and was the mother of a young unmarried woman who had recently given birth, was charged with the murder of her daughter's baby. According to a Garda report, Mary S. was held at the Garda station because it was feared that she would cross the border and abscond.[140]

As Marland noted in relation to women who committed infanticide in Warwickshire in the 1850s and 1860s 'the single mother was also more likely to conceal her birth, but often in a very flimsy, distracted way, hiding the child under the bed, in a box or in piles of clothes, or abandoning it in the privy, the scene of many Warwickshire births.'[141] This is also evident in many of the cases in this sample. Most single women charged with infanticide in Northern Ireland between 1920 and 1950 do not seem to have planned how

[139] *Irish News,* 14 Aug. 1930. E - - - - - - - - C. has not been assigned a number as her case file is not included in the sample for this chapter. She was charged with abandoning her infant.
[140] N.A.I., Department of the Taoiseach, S11040.
[141] Marland, Hilary, 'Getting Away with Murder? Puerperal Insanity, Infanticide and the Defence Plea' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p183.

they would dispose of a dead body carefully. They may well have been too physically and emotionally exhausted after giving birth to think through this aspect of the crime and they may not have been aware that police were often able to link single women to the crime of infanticide without great difficulty. Some women hid the bodies of their infants in areas that were close to their place of residence. The body of S - - - - W.'s [N. 4] infant was found in the grounds of a school at the back of the house she lived in.[142] M - - - - - - - B. [N. 8] disposed of the remains of her infant's body in a gully trap. A newspaper and brown paper marked with bloodstains was also found nearby and the police were able to trace the brown paper to her mistress' husband in the house where she had been employed as a domestic servant. His name may have been marked on the brown paper.

Several women in the sample for this chapter did not even attempt to remove their infants' bodies from the houses where they lodged. They may not have realised that the odour of decomposed bodies might have attracted attention or that the police would have been able to trace them even after they had left their lodgings. A - - - - - - - - H. [N. 6] rented a room in Belfast for a period of six years and during that time she gave birth to four infants. She concealed their bodies in a suitcase in her room and left the case in the room when she left in December 1931. In January 1932 the bodies were finally discovered when the proprietor's niece brought the case down because she noticed that there was a smell from it. J - - - - - - - - M. [N. 1] left her baby's body under the bed in a room she had rented in Belfast. The woman who rented the room after J - - - - - - - - said that when she 'went to toss the bed and found a bundle on the floor underneath the bed. The bundle contained the body of a child.'[143] M - - - B. [N. 27] also left her infant's body in a room she had rented. Another tenant noticed the smell when she went to fetch something in the room M - - - had occupied. She found the parcel that contained the infant's body and the landlady contacted the police. If the women in the examples cited here had removed the bodies from the rooms they had rented they might never have been arrested or charged.

4.5 Relationships

[142] P.R.O.N.I., BELF/1/1/2/94/6, 1930.
[143] *Irish News*, 21 Jul. 1928.

'Prying into the sex lives of young people in the past,' as Heywood noted, 'has always proved a challenging exercise.'[144] As he observed, 'there are few sources available to throw light on the private life of the mass of children and adolescents in the past.'[145] Although the issue of "voice" in the judicial records 'is a vexed one', as Arnot as Usborne have noted, 'because words are mediated through (male) court officials who transcribe testimony and what people say is strongly structured by questions coming from the court,' close readings of the trial records of infanticide cases can contribute somewhat to our knowledge of patterns of sexual behaviour among working-class women in Northern Ireland between 1920 and 1950.[146] In general, however, the judicial records in this sample reveal far less than cases in the sample for infanticide trials that went before the Central Criminal Court in Dublin between 1922 and 1950. A more detailed and nuanced picture of sexual relationships between single mothers charged with infanticide and the fathers of their infants emerges in the trial records of cases tried at the Central Criminal Court, Dublin between 1922 and 1950. This is partly due to the disparity in the numbers of cases tried in the South. There is a much smaller sample of cases available for Northern Ireland.[147] Furthermore, single women charged with infanticide in Northern Ireland do not seem to have been questioned to the same extent about the most intimate aspects of their relationship with the father of the deceased infant and few women in Northern Ireland referred to their sexual experiences in any detail. It is, of course possible that members of the R.U.C. interrogated women about the nature of their relationships with the infants' father, and that they refused to respond. Yet, unlike cases tried in southern Ireland between 1922 and 1950, where women were clearly questioned about the fathers of their infants but refused to co-operate in some instances, there is nothing in the recorded evidence to suggest that this was a feature of infanticide cases tried in Northern Ireland between 1920 and 1950.[148]

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[144] Heywood, Colin, 'Innocence and Experience: Sexuality among young people in modern France, c. 1750 – 1950' in *French History*, vol. 21, no. 1, (2007), p44.

[145] Ibid., p45.

[146] Arnot, Margaret L., Usborne, Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne, Cornelie, (eds.), *Gender and Crime in Modern Europe*, p22.

[147] The sample for chapter three consists of 195 cases involving single mothers and/or their relatives and/or the fathers of their illegitimate infants that were tried at the Central Criminal Court, Dublin between 1922 and 1950. The sample for this chapter consists of thirty-eight cases of murder, infanticide and concealment of birth where the defendants were unmarried women and/or their relatives or the fathers of their illegitimate infants.

[148] It is clear from the manner in which their statements were worded that several women in the sample for infanticide cases tried in the Central Criminal Court, Dublin between 1922 and 1950 were questioned by the Gardaí about their relationships with the fathers of their infants or about previous sexual partners and that they refused to respond. When asked about her infant's father Christina M. [P.158] told Gardaí that in

Of thirty-five cases in this sample where a single woman was charged with murder, infanticide or concealment of birth, only nine women mentioned the infant's father in their statements.[149] The police may have asked them a specific question about the father of the infant or they may have volunteered the information. The identity of the infant's father was known in a further three cases as two men were charged with the murder of illegitimate infants during the period. Six women in this sample named the fathers of their infants, although it is worth noting that in one of these cases the defendant did not even know the man's surname. K - - - - - - M. [N. 20] told the constable who questioned her that the father of her child was an Englishman. She said that she 'only remember[ed] his name was Brian' and claimed not even to know what part of England he lived in 'as [she] kept company with him just for a week and never corresponded with him.'[150]

As Mahood noted, the independent working-class girls groups such as those the Scottish Council for Women's Trades encountered in the early twentieth century, 'presented a problem because they were not passive victims; they had not been drugged or duped and seduced by strangers but willingly entered into relationships with men of their own choice.'[151] From the records of infanticide cases tried at the Central Criminal Court, Dublin between 1922 and 1950 it would appear that most single mothers charged with the murder of their illegitimate infants willingly engaged in sexual relationships with men of the same class background. A similar pattern emerges from the small number of cases where a single woman charged with infanticide in Northern Ireland referred to the infants' father. For instance, E - - - - H. [N. 2], who was charged with concealment of birth in July 1930, told police that had been keeping company with a man for a number of months. She told the police that 'about October he had connection with me and

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October 1940 a man had taken her up Dalkey hill but claimed that she could not remember what occurred there. (N.A.I., C.C.C., ID 11 96, Co. Dublin, 1941.) The Gardaí who interrogated her may have tried to induce her to describe her encounter with this man but Christina refused to answer their questions. Mary Ellen T. [P.153] told Gardaí that she had a four-year-old daughter but refused to name the girl's father. 'I do not wish to say who the father of my first child is.' (N.A.I., C.C.C., ID 20 101A, Dublin, 1942.) The Gardaí must have pressed her for this information even though it had no bearing on the case.

[149] Single women were the sole defendants in thirty-five infanticide cases in the Northern Ireland sample for the years 1920 to 1950. The fathers of illegitimate infants were defendants in three cases in this sample. M - - - - - M. [N18] was the sole defendant in a 1933 Co. Down infanticide case. J - - - M. [N. 38] was the sole defendant in a 1924 Co. Tyrone case and J - - - - - R. [N. 15] was tried along with his daughter for the murder and concealment of birth of their illegitimate infant in 1931.

[150] P.R.O.N.I., BELF/1/2/2/56/4, 1946.

[151] Mahood, Linda, 'Family Ties: Lady Child Savers and Girls of the street 1850 - 1925' in Breitenbach, Esther and Gordon, Eleanor (eds.) *Out of Bounds: women in Scottish society 1800 – 1945*, p49.

continued for about twice a week' until March when she 'fell out with him.'[152] She said she had not seen him since.

Some of the sexual encounters described by single women in their statements suggest that they were of a casual nature. In a number of cases, single women charged with infanticide seem to have been uncertain about the identity of their infants' father. Some women may have only met the father of the deceased infant on one occasion, or like K - - - - - - - M. [N. 20] may have only spent a short period of time in their company. Although S - - - - W. [N. 4] mentioned the father of her infant in her statement she claimed not to know his name. She told police that 'a good while ago [she] met a boy in the village'[153] who 'took [her] down the King's road and had connection with [her] a few times.'[154]

A - - - - - - - - H. [N. 6] was charged with the concealment of birth of four infants, but it is not clear whether the man she married was the father of all or any of the infants that were discovered in a suitcase in January 1932. It was alleged that 'at various times within the past twelve years at Belfast' A - - - - - - - - H. had given birth to four infants.[155] According to the *Belfast Telegraph* A - - - - - - - - had been keeping company with the man she married for some time while she was a lodger in the house where the bodies were discovered. 'For some time before she left the house she had been keeping company with a man named Joseph H.'[156] It is possible that Joseph H. was the father of all four infants.

In cases tried at the Central Criminal Court between 1922 and 1950 fifteen women referred to relationships or experiences they had had with men other than the father of the deceased infant in their statements. However, none of the women charged with infanticide in Northern Ireland between 1920 and 1950 referred to previous sexual partners in their statements. In fact, in their statements several women insisted that they had only had one sexual partner. K - - - - - - - M. [N. 20] said that the father of her infant

[152] P.R.O.N.I., BELF/1/2/2/40/67, 1930.
[153] P.R.O.N.I., BELF/1/1/2/94/6, 1930.
[154] P.R.O.N.I., BELF/1/1/2/94/6, 1930.
[155] P.R.O.N.I., BELF/1/1/2/98/6, 1932.
[156] *Belfast Telegraph*, 18 Feb. 1932.

was 'the only man who ever had intercourse with [her].'[157] When she was questioned, E - - - - H. [N. 2] said that she 'did not keep company with any other boy.'[158]

There was only one case in this sample where the father of an illegitimate infant whose death was being investigated was also the woman's employer. J - - - M. [N. 38] was tried for the murder and concealment of birth of two illegitimate infants in October 1924. The mother of the infants, L - - - - - M. had already been convicted of concealing the birth of one of the infants. When she was imprisoned in Armagh jail, she made a statement implicating J - - - M., the father of the deceased infants. L - - - - - was a married woman and she was employed by J - - - M. as his housekeeper. From the information available in this case it does not appear that L - - - - - was exploited by her employer. She seems to have left his employment after her marriage but when she argued with her husband she returned to J - - - M.'s house and resumed her work as his housekeeper. L - - - - - M. told the police that J - - - attended her during her confinement in his home. J - - - seems to have assumed responsibility for removing the body and disposing of it after the birth. L - - - - - said that 'after the child was born prisoner took it away and [she] never saw it again. [She] never asked him what he did with it.'[159] This happened on three separate occasions. J - - - and L - - - - - had an ongoing sexual relationship and they seem to have used infanticide as a means of fertility control. L - - - - -'s husband gave evidence in the case. He said that he was not aware when he married her that she had already had a child. He also said that he 'tried to get her to come back to [him]' when she was in her employer's house but L - - - - - clearly preferred to stay with J - - - M. [N. 38].[160]

In Ireland, both North and South, the fact that single women charged with infanticide had given birth previously occasionally came to light during the course of an investigation into a suspected case of infanticide. At least seven single women (18.4%) charged with infanticide in Northern Ireland between 1920 and 1950 had given birth on another occasion. A - - - - - - - - H. [N. 6] had given birth on four occasions over a twelve-year period prior to her marriage.[161] In a 1929 Belfast case the doctor who examined the

[157] P.R.O.N.I., BELF/1/2/2/56/4, 1946.
[158] P.R.O.N.I., BELF/1/2/2/40/67, 1930.
[159] P.R.O.N.I., HA 9/2/4.
[160] P.R.O.N.I., TYR1/2B/34, 1924.
[161] P.R.O.N.I., BELF/1/1/2/98/6, 1932.

defendant noted that J - - - M. [N. 5] had had a child before.[162] A - - - - M. [N. 7] was charged with concealment of birth in August 1931.[163] In her deposition M - - - - - S. said that A - - - - M. had given her a child to nurse in November 1928. L - - - R. [N. 14] was charged with infanticide in March 1929 while she was a patient in a workhouse hospital in Co. Down.[164] Dr Boyd gave evidence in the case and noted that L - - - R. had given birth in the institution on one other occasion in June 1929. Poor unmarried women who had already attempted to raise one infant may have been reluctant to try to maintain a second baby and this may have prompted them to take the lives of subsequent infants born out of wedlock. As noted in previous chapters, infanticide may have been the only available means for poor sexually active women who were uninformed about contraception and unaware of effective abortion methods to control their fertility during the period. One woman in this sample gave birth secretly and unassisted on four separate occasions and concealed the births of all four infants.

Schulte's research on the court records of infanticide trials in Upper Bavaria has shown that in some instances infanticide had been preceded by attempts to abort.[165] An attempt to abort is only mentioned in one file in this sample although it is possible that other women in this sample consumed abortifacient medications in the hope that they would miscarry. According to a police report, M - - - - - - M. [N. 18] gave his girlfriend a box of pills when she told him that she was pregnant. M - - - - - - apparently told L - - - T. to take the medication 'telling her that she would be all right and that there would be no baby.'[166] It is not clear from the information available in this case whether the pills M - - - - - - provided L - - - with were actually abortifacients. L - - - followed his instructions and took the pills but they failed to have the desired effect.

Many single women charged with the murder or concealment of birth of their illegitimate infants in southern Ireland between 1922 and 1950 had been involved with the fathers of their infants for a considerable length of time and a number of women seem to have expected that they would eventually marry the fathers of their infants. In Northern Ireland one woman claimed she had recently married the father of her deceased infant

[162] P.R.O.N.I., BELF/1/1/2/91/6, 1929.
[163] P.R.O.N.I., BELF/1/1/2/97/5, 1931.
[164] P.R.O.N.I., DOW/1/2B/36/6, 1929.
[165] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p110.
[166] P.R.O.N.I., HA9/2/4.

and one woman had married prior to her arrest.[167] M - - - H. [N. 19] named the father of her infant in her statement and said that she had married him a week before she was apprehended.[168] It is not clear whether M - - - had actually married the father of her infant, although as she was referred to as 'M - - - H. otherwise M - - - R.' in the legal records it is probable that she did indeed marry the father of her infant.[169] In her evidence, the landlady in the house where M - - - H. lodged prior to the birth of her infant noted that H - - - R., her alleged husband, had called to see her. The boyfriends of at least two other women in this sample also saw them regularly. A woman who lived near the house where M - - - B. [N. 27] was a lodger said that she often saw the man M - - - used to 'keep company with' sitting on the windowsill outside the house waiting for her.[170] S - - - - - C. [N. 30] told her landlady who the father of her baby was. In her deposition S - - - - -'s landlady said that she knew the man in question as her was 'in the habit of visiting the accused at [her] house.'[171] S - - - - -'s landlady said that she had spoken to him about S - - - - -'s condition but she did not state how he had responded.

M - - - - - - M. [N. 18] may have intended to marry L - - - T. The latter told the court that after the birth of her daughter M - - - - - - had said that 'as soon as they were able they would get married.'[172] The pair had been keeping company for approximately three years before L - - - gave birth in September 1933. According to a police report there was 'intimacy' between them 'soon after they began keeping company.'[173] In November 1931 the couple made arrangements to get married, but M - - - - - - left the area a few days before the wedding day and 'there was a coolness between Miss T. and he then until December of the same year when the intimacy began again.'[174] As M - - - - - - M. provided his pregnant girlfriend with abortifacient pills rather than offering to marry her again, this may indicate that he was insincere about marriage.

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[167] M - - - H. [N. 19] was charged with concealment of birth in March 1920. She named her infant's father in her statement and claimed they had been married a week when she gave birth. A - - - - - - - - H. [N. 6] was unmarried when she gave birth and concealed her infants' bodies but she had married before she was arrested.
[168] P.R.O.N.I., ARM1/2D/14/5, 1920.
[169] Ibid.
[170] P.R.O.N.I., BELF 1/1/2/73/7, 1923.
[171] P.R.O.N.I., BELF/1/1/2/62/5, 1920.
[172] *Northern Whig and Belfast Post*, 14 Dec. 1933.
[173] P.R.O.N.I., HA 9/2/4.
[174] Ibid.

None of the women in this sample said that they had been raped, whereas a small number of women featured in cases tried at the Central Criminal Court in Dublin between 1922 and 1950 claimed that they had not consented to sex. However, there was one case of incest in the sample for this chapter. J - - - - - R. [N. 15], 'a grey-haired farmer about 66 years of age'[175] was charged with the murder of his daughter's female infant and with having had 'carnal knowledge' of his daughter in May 1931. One of the investigating officers in the case said that J - - - - - R. admitted that he had carnal knowledge of his daughter A - - - - R. at least five or six times and said that they had both slept in the same bed for the past nine months.[176] J - - - - - R.'s wife, who had been 'residing apart from [her] husband four and a half years', said that her husband had nodded his head 'as if to say he could not help it' when he admitted that he was the father of their daughter's infant.[177] A - - - - R.'s mother and uncle appear to have been shocked when they learned of the incestuous relationship she had had with her father. According to a report in the *Belfast Telegraph*, J - - - - - R.'s brother-in-law 'was overcome and collapsed in the hall leading to the office and did not revive for a considerable time.' J - - - - - R.'s wife said that when her daughter told her what had happened she believed that 'if [she] had got a knife [she] would have struck the two of them.'[178] As A - - - - R. [N15] did not make a statement there is little to indicate how she felt towards her father; according to the *Belfast Telegraph* the accused both cried in court.[179]

As we have seen, sixteen men were charged with the murder or concealment of birth of an illegitimate infant in the sample of 195 cases for southern Ireland between 1922 and 1950. The fathers of fourteen infants in cases tried at the Central Criminal Court, Dublin between 1922 and 1950 were questioned by the Gardaí and submitted depositions. Seven of these men were charged with murder or concealment of birth. In three percent of cases in the sample for the twenty-six counties between 1922 and 1950 men who were not charged with the murder or concealment of birth of an illegitimate infant were questioned and gave evidence. In this sample there were only three cases where the deceased infant's father was charged with its murder and one case where the putative father was questioned

[175] *Irish News*, 25 May 1931.
[176] P.R.O.N.I., DOW1/2B/38/7, 1931.
[177] P.R.O.N.I., DOW1/2B/38/7, 1931.
[178] *Belfast Telegraph*, 23 May 1931.
[179] *Belfast Telegraph*, 23 May 1931.

by the police.[180] Relatives of single women charged with infanticide gave depositions in eleven cases. Police investigating infanticide cases seem to have had little interest in the infants' fathers. Presumably they were not questioned because they were not suspected of having played a part in the infant's death or because they were no longer in the area and the woman had lost touch with them. The female relatives of the birth mother in cases in this sample were more likely to have given evidence in infanticide cases than male relatives.[181] The depositions submitted by the relatives of single women in this northern sample were generally quite brief and rarely provide much insight into their feelings or their relationship with the pregnant family members. Most of the relatives in this sample who gave evidence usually denied that they had known about the woman's pregnancy and registered their sense of shock on the discovery of the body of a newborn infant. J - - - M.'s [N. 5] sister told police that she was 'much distressed' when she discovered that her sister had given birth alone in her bedroom in July 1929.[182] The depositions submitted by male relatives in this sample do not appear to have been any more or less detailed than those submitted by female relatives.

While the vast majority of suspects in infanticide cases in Northern Ireland between 1920 and 1950 were women, and for the most part, single women, this was not always the case. The fathers of illegitimate infants were charged with their murder on three occasions during the period under review. In December 1933 M - - - - - M. [N. 18], who was employed as a trapper by the Northern Ministry of Agriculture and lived in a hut in Co. Down, was sentenced to death for the murder of his nine-day-old infant daughter. J - - - - R. [N. 15] was charged with the murder of his daughter's female infant and with having had carnal knowledge of his daughter in May 1931. J - - - M. [N. 39] was tried for the murder and concealment of birth of two illegitimate infants in October 1924. The mother of the infants was his housekeeper and she was convicted of concealment of birth but the couple were tried separately.

As we have seen, there were a number of instances where couples, both unmarried and newly wed, conspired to kill and bury a newborn infant in the south between 1922 and

[180] A total of sixteen relatives of the birth mother gave evidence in eleven cases (28.9%) in this sample. In some cases more than one member of a family submitted evidence.
[181] Ten female relatives of unmarried women in this sample submitted depositions. The male relatives of six unmarried women in this sample submitted depositions.
[182] P.R.O.N.I., BELF/1/1/2/91/6, 1929.

1950, but there is less evidence of similar conspiracies in the judicial records of cases tried in Northern Ireland between 1920 and 1950. J - - - M. [N. 38] and the mother of his deceased infants, L - - - - - M., seem to have conspired together to conceal the birth of three infants that the latter gave birth to in secret over the course of several years. When she was questioned, L - - - - - M. said that each time she gave birth J - - - M. took the bodies away. She said that she never questioned him about what he did with the bodies and that on the second occasion 'he told [her] not to tell no one.'[183] Although the evidence in this file is not very detailed, the fact that L - - - - - returned to live with and work for J - - - M. after her marriage to a third party and following the birth and death of her first infant with J - - - M., suggests that she played an active part in the conspiracy to dispose of the babies' bodies.

Like Peggy S. in case P.187 in the sample from the Central Criminal Court, Dublin, it would appear that L - - - T. was not aware that her infant's father intended to kill their newborn daughter.[184] The barristers who defended M - - - - - - M. [N. 18] in court suggested that L - - - T., the mother, had been aware of M - - - - - - 's intentions, but the presiding judge objected to the allegations. When L - - - T. left the baby at M - - - - - - 's hut she had prepared two bottles of milk, and when M - - - - - - told her that he had given the baby to his sister in Glasgow she claimed she had offered to send her money to pay for the baby's upkeep. The *Northern Whig* reported that during the course of the trial L - - - T. 'broke down momentarily when a shawl was produced, which she identified as that which was around the child when it was taken to the hut.'[185] It seems unlikely that L - - - T. had been involved in her daughter's death. As noted in chapter three, while some single women appear to have collaborated with the men charged with the murder of their infant sons or daughters, neither Peggy S. nor L - - - T. seem to have been aware that their partners intended to take the lives of their infants. From the evidence available in the case files, both women seem to have been loving mothers.

4.6 Relatives of the birth mother

[183] P.R.O.N.I., TYR1/2B/34, 1924.
[184] See pp137-138 of chapter three for a discussion of case P. 187.
[185] *Northern Whig and Belfast Post*, 14 Dec. 1933.

From the records of infanticide cases tried at the Central Criminal Court, Dublin between 1922 and 1950 it is clear that the relatives of the birth mother were sometimes involved in the death of an illegitimate infant and there were a number of instances where there was sufficient evidence to bring a successful prosecution against such relatives. However, as we have seen there was also a number of instances where charges were brought against the relatives of the birth mother when there seems to have been little if any evidence to link them to the crime. These kinds of cases often collapsed when they were brought to court. As noted in chapter three, there appears to have been a tendency for Gardaí investigating infanticide cases in the South to spread the charges against co-resident family members. Such relatives may have been arrested in the hope that when they were put under pressure they would reveal more information about the circumstances surrounding an infant's death, or contradict or add to the evidence given by the birth mother. In a Co. Cavan case in 1940 a recently married husband and wife were charged with the murder of their infant daughter. They had been living with the husband, James B.'s [P. 129] parents at the time of the birth. Even though James and Jean B. had driven across the border to Enniskillen where the infant had allegedly died and been buried, James B.'s mother Annie was also arrested and charged with murder and conspiracy to murder. When the latter was arrested she protested, and according to Sergeant Thomas Delaney said 'it's a notorious mistake. He will not arrest me at all. I will resist it. I was not away from home at all. I told you all when you were here before.'[186] Annie B. seems to have been arrested simply because she was aware of the infant's existence and was acquitted when the case was tried.

Relatives of the birth mother were charged with the murder or concealment of birth of an illegitimate infant in twenty-eight cases tried at the Central Criminal Court, Dublin between 1922 and 1950.[187] It would appear that in Northern Ireland the relatives of the birth mother were less likely to have been considered suspects in the crime than their southern counterparts. In the Northern sample there was only one case where a relative of the birth mother was charged with infanticide, and in this case the man charged was both

[186] N.A.I., Central Criminal Court, ID 11 95, Co. Cavan, 1940.
[187] Eight male relatives and twenty-two female relatives of the birth mother were also charged with murder or concealment of birth in twenty-eight cases that went before the Central Criminal Court, Dublin between 1922 and 1950. This accounts for 14% of all cases in the sample for chapter three.

the woman's father and the father of her infant.[188] Relatives of the birth mother in northern infanticide cases were apparently less likely to have collaborated with single women who gave birth to illegitimate children in the family home than their southern counterparts. Alternatively (and less plausibly), policing methods were markedly different in such investigations.

The bond between sisters charged in infanticide cases is particularly striking in the South. In Northern Ireland the sisters of single women do not appear to have collaborated in infanticide cases. Few single women charged with infanticide in the North between 1920 and 1950 referred to their sisters in their statements, and the sisters of women charged with infanticide rarely made statements.[189] Furthermore, the police do not seem to have suspected the female relatives of single mothers charged with infanticide in the cases under review. M - - - - - - - B. [N. 8] gave birth in her employer's home and left the body in the coalhouse. She returned to collect the body a few days later and was accompanied by her sister. It seems that M - - - - - - - B.'s sister was unaware of what the bundle in the coalhouse contained. M - - - - - - - B.'s employer was the only other person who knew what had occurred. When she asked her if her sister would tell their mother, M- - - - - - - B. replied 'No. She thinks it's only a bundle of clothing I called for.'[190] Although M - - - - - - - - B.'s sister was present when she threw the parcel that contained the infant's body over a hedge, her sister was not considered a suspect in the case and was not questioned by the police.

A number of unmarried mothers in cases tried at the Central Criminal Court and in the Court of Criminal Appeal confided, or allegedly confided, in their female relatives as to their preganncy. Even this does not appear to have been a feature of infanticide trials in Northern Ireland. None of the women in the cases examined for this chapter appear to have confided in their female relatives or sought their assistance. J - - - E. [N. 5] claimed not to have confided in her sister even though they lived together, and although J - - -'s sister assisted her this only occurred after the delivery when she found J - - - 'on her hunkers at the chamber.'[191] S - - - - G. [N. 24] appears to have been reluctant to tell her

[188] J - - - - - R. [N. 15] and his daughter A - - - - were both charged with the murder and concealment of birth of their infant daughter in May 1931.
[189] The sisters of four single women in this sample gave depositions.
[190] P.R.O.N.I., BELF/1/1/2/95/6, 1931.
[191] P.R.O.N.I., BELF/1/1/2/91/6, 1929.

mother that she was pregnant. In her evidence A - - - - L., who may have been a friend or neighbour of S - - - - -'s, said that when she saw S - - - - in bed after the birth, she advised her to inform her mother. 'I said she would have to tell her mother and she said not to tell her mother.'[192] S - - - - told her mother that she was in bed because she was 'bad with the toothache and headache.'[193] A - - - - L. went for a nurse to attend to S - - - - , and she eventually told S - - - -'s mother, Mrs. G. The latter told the police that she 'did not know that there was anything the matter with [her] daughter nor she never told [her].'[194] While the parents of some single pregnant women in the northern sample may have known that their daughters were pregnant but denied being aware when they were questioned by the police, it would appear that S - - - -'s mother genuinely did not realise that her daughter was pregnant. J - - - - - B. [N. 29] appears to have done her utmost to conceal her pregnancy from her sister and father. When she was sent to the Belfast Union Infirmary she told the master of the hospital that 'neither her mother nor anyone else knew of her condition.'[195] She said that when she heard her sister coming upstairs to see her after she had given birth secretly she was afraid that she would hear the cry of the baby, so she rolled it up in a piece of cloth and put it in a case. J - - - - -'s father told the police that he was 'totally unaware she was in a pregnant condition.'[196] Her sister also denied knowing that J - - - - - was pregnant. It is particularly surprising that J - - - - -'s sister would not have suspected that she was pregnant as they shared the same bed and worked together in the same factory. It is of course possible that J - - - - -'s sister was aware but that J - - - - - did not want to implicate her in the crime.

There were a number of cases in the South where the mothers of single women suspected of infanticide were charged with the murder or concealment of birth of their daughters' illegitimate infants. There was only one such case in Northern Ireland where the mother of a single woman appears to have been implicated. M - - - C. [N. 17] told the coroner's court that she 'was present when the child was dead born. The child was kept til Tuesday the 4th December. [She] buried the child on that evening. [Her] daughter L - - - - - helped

[192] P.R.O.N.I., BELF1/1/2/79/5, 1926.
[193] P.R.O.N.I., BELF1/1/2/79/5, 1926.
[194] P.R.O.N.I., BELF1/1/2/79/5, 1926.
[195] P.R.O.N.I., BELF1/1/2/76/5, 1925.
[196] Ibid.

[her] to bury it.'[197] However, M - - - C. and her daughters do not seem to have been charged.

One woman in this sample confided in a male relative. S - - - - - M. [N. 23] had been living with a male relative and his wife for a period of twenty-one months prior to her arrest for the murder of her female infant child.[198] In his deposition J - - - M., the male relative, told the police that S - - - - - had informed him about her pregnancy three months prior to the birth. He said that he did not tell his wife. It is not clear how he felt about S - - - - -'s pregnancy or if he offered her any advice or support. He may have informed the police when his wife discovered the body of her infant in their house.

4.7 Motives

It is evident from the judicial records of infanticide trials in the northern sample that multiple influences usually lay behind the decision to kill an illegitimate infant. While most of the cases in this sample are broadly similar, each has distinctive features and the circumstances that individual women who feature in the records of infanticide trials found themselves in also differed. Poorly-paid unmarried women like D - - - - - G. [N. 22][199] and E - - - - - S [N. 25][200] who were forced from the parental home when their pregnancy became visible are most likely to have been motivated to kill their infants principally for economic reasons - because they feared loss of employment and the social isolation that would follow.

But how general were economic motives for single women in Northern Ireland charged with infanticide between 1920 and 1950? As well as drawing attention to her history of mental health problems, the barristers who defended J - - - - - - - M. [N. 1] also made much of the fact that she was practically destitute and felt unable to support herself and her daughter. She had attempted to have her daughter taken into the workhouse. Although her barristers portrayed her as a woman of low intelligence who had previously suffered from mental disturbance, they also attempted to elicit sympathy in the jurors by highlighting the dire economic situation she found herself in. The vast majority of

[197] P.R.O.N.I., DOW1/2B/31/8, 1923.
[198] It is not clear how S - - - - - M. [N. 23] and J - - - M. were related from the information available in the case file.
[199] P.R.O.N.I., BELF1/1/2/86/5, 1927.
[200] P.R.O.N.I., BELF1/1/2/77/5, 1925.

unmarried female defendants in this sample were from the lower socio economic rungs of society, but few appear to have lived in conditions of such extreme poverty.[201] In her study of infanticide cases in Upper Bavaria Schulte has argued that 'it does not seem possible to infer from the reasons given by the maids for killing their babies that, compared with other unmarried mothers, they suffered from such extreme conditions that they were driven into a position of "utter hopelessness" or "profound mental and material distress." '[202] However, even if they did not live in conditions of extreme poverty at the time of conception, it would be reasonable to assume that the prospect of unemployment and or homelessness may have driven many single pregnant women in this sample to contemplate infanticide.

As Richter noted of Germany, some scholars of infanticide have placed paramount importance on cultural values, while others have tried 'to deflate the importance of honour and shame as motivations for child abandonment and infanticide.'[203] Schulte has argued that although most women who committed infanticide in Upper Bavaria between 1848 and 1910 were poor and single, many had given birth more than once - and so the shame and disgrace so often associated with unmarried motherhood was not likely to have been a motivating factor in cases where the woman had already given birth. According to Schulte, 'extramarital pregnancy was not in itself considered a disgrace in nineteenth-century Upper Bavaria...Illegitimacy in Bavaria was integrated into the social structure of peasant society and did not clash with the requirements and standards of the family as the basic element of farming life.'[204] The parents of single women who gave birth to illegitimate infants in areas such as Upper Bavaria often raised the children in their homes while their daughters continued to work, but this was generally not an option for unmarried women faced with an unplanned pregnancy in Ireland during the period under review. In Ireland, both North and South, the shame and stigma associated with unmarried motherhood remained a powerful driving force. It certainly appears to have been one of the main motivating factors in M - - - - - - M.'s [N. 18] decision to kill his

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[201] When she was arrested J - - - - - - - - told the police that she was hungry and had no money. Her defence counsel told the court that J - - - - - - - -'s only source of sustenance at the time was a drink of water. She said that she felt she had no alternative but to take her infant's life. (*Irish News*, 21 Jul. 1928).

[202] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p107.

[203] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p542.

[204] Schulte, Regina, *The Village in Court: Arson, infanticide, and poaching in the court records of Upper Bavaria, 1848 – 1910*, p98.

infant daughter.[205] Indeed during this trial in December 1933 the Crown prosecutor remarked that 'in this case motive pleaded like a trumpet-blast. There was the motive of the unwanted child.'[206] I - - - -- - - L. [N. 26] told the police that she was not married and that she did not want anyone to know that she was pregnant. She was afraid that people would hear the infant cry so she put some cloth in its mouth and hid it under her bed.[207] C - - - - - K. [N. 33] said that she belonged to 'decent people' and she did not want them to learn of her pregnancy.[208] Although few women in this sample referred specifically to the shame associated with unmarried motherhood or their desire to avoid the stigma of an out-of-wedlock pregnancy, it is evident from the way they dealt with unplanned pregnancy that they were determined to avoid bringing shame upon themselves or members of their families.

Fear of the impact on and reaction of family members seems to have been a pervasive factor in influencing an unmarried woman's decision to take her newborn infant's life. Most women charged in the North with infanticide during the period had been unwilling to tell family members about their pregnancy. When she was arrested K - - - - - - - M. [N. 20] said 'my people know nothing about my condition.'[209] She also said that she 'did not wish to write about it to [her] mother.'[210] This sense of fear and shame was often one of the key motivating factors in concealing an unplanned pregnancy and a number of women referred to these emotions in their statements. Like many others charged with infanticide E - - - - H. [N. 2] gave birth alone in her bedroom.[211] She told police that after the birth she sat up in bed for about half an hour because she did not know what to do next and was too frightened to call down to her mother. M - - - - - - - B. [N. 8] told her employer that she had given birth to a baby that was only six months old. However, she was clearly anxious about her mother learning of the birth. In her statement M - - - - - - - 's employer recalled that she had said 'For God's sake don't let [my mother] know

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[205] P.R.O.N.I., HA 9/2/4.
[206] *Northern Whig and Belfast Post*, 14 Dec. 1933.
[207] P.R.O.N.I., BELF/1/1/2/80/6, 1926.
[208] P.R.O.N.I., TYR1/2B/35, 1926.
[209] P.R.O.N.I., BELF/1/2/2/56/4, 1946.
[210] Ibid.
[211] P.R.O.N.I., BELF/1/2/2/40/67, 1930. Six women in this sample gave birth in their parents' house and thirteen women gave birth in their place of employment. Three women gave birth in the house of a relative. Six women gave birth in a house where they had a rented room. Four women gave birth in a workhouse hospital. One woman gave birth in the house where her fiancé's sister lived. This information was not recorded in five cases in this sample.

anything about this.'[212] S - - - - W. [N. 4] told police that she didn't 'want any of [her] people to know anything about this.'[213] When the constable who arrested L - - - M. [N. 16] spoke to her about her father he noted that 'she got very agitated and asked not to send for him.'[214] Similarly, when M - - - - - - - M. [N. 12] was arrested she begged Sergeant Albert Beattie not to march her through the streets and said 'this will kill my mother.'[215]

Three unmarried women in this sample referred specifically to fearing how their family members would react to the news that they were pregnant, while four more in the sample said that they did not want their relatives to know that they were pregnant. Two women in this sample had to leave their parents' homes and seek rented accommodation in the latter stages of pregnancy. However it seems likely that other women would also have experienced this sense of fear and shame but may not have expressed it in their statements. (Less than half of women in this sample made statements when they were arrested and charged. Even when the women in this sample made statements, they were generally quite brief.)

In her study of sexual behaviour in Britain from the First World War, Haste has stated that the 'social shame brought on the family was severe' when unmarried women were known to have become pregnant.[216] She has argued that 'many women suffered rejection from their parents as well as intolerance and ostracism from the outside world.'[217] Hill has argued that similar social exclusion of unmarried mothers was common in Ireland.[218] This it is hardly surprising that single women in this sample would have feared how their parents or that siblings would react negatively to out-of-wedlock pregnancy. The fathers of two women in this sample seem to have reacted angrily when they noticed that their unmarried daughters were in advanced stages of pregnancy. In May 1925 E - - - - - S. [N. 25] left home to find lodgings. Her landlady told the police that when she took her in E - - - - - 'had a black eye which she said her Father had given her.'[219] E - - - - - may well

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[212] P.R.O.N.I., BELF/1/1/2/95/6, 1931.
[213] P.R.O.N.I., BELF/1/1/2/94/6, 1930.
[214] P.R.O.N.I., DOW/2B/44/5, 1937.
[215] P.R.O.N.I., ARM1/2D/16/6, 1928.
[216] Haste, Cate, *Rules of Desire: Sex in Britain: World War One to the Present,* p72.
[217] Haste, Cate, *Rules of Desire: Sex in Britain: World War One to the Present,* p72.
[218] Hill, *Women in Ireland: A Century of Change*, p27.
[219] P.R.O.N.I., BELF 1/1/2/77/5, 1925.

have left home because her father had learned that she was pregnant. She gave birth a month after leaving her parents' house. D - - - - - - G. [N. 22] also had to look for rented accommodation because her father had put her out. Her landlady told the R.U.C. that 'about the 16th inst she came to my lodgings and told me her father had put her out and asked to be taken in.'[220]

Guilbride has asserted that if male relatives were mentioned in the statements of single women charged with infanticide at the Central Criminal Court, Dublin between 1925 and 1957, it was as objects of fear.[221] The findings here have shown that mothers were just as likely to have been mentioned as objects of fear in the statements of single women charged with infanticide in the South between 1922 and 1950. Similarly, single women charged with infanticide in Northern Ireland between 1920 and 1959 do not appear to have feared one parent more than the other and unmarried daughters seem to have been as reluctant to tell their mothers as their fathers about their predicament. However it is possible that some women did fear their fathers' reaction more than their mothers. Two women in this sample were turned out of the family home by their fathers and one woman's father was physically violent towards her.

4.8 Outcomes and sentencing patterns in Northern Ireland, 1920 – 1950

When the death sentence was passed on twenty-four year old J - - - - - - - - M. [N. 1] in July 1928, a 'distressing scene' unfolded in the courtroom in Belfast.[222] According to the *Irish News* reporter 'there were deep sighs in all parts of the court' as Lord Justice Best adjusted the black cap 'and the loud moans and sobs of a woman were heard coming from the public gallery.'[223] Addressing J - - - - - - - - M., Lord Justice Best assured her that the jury's recommendation for mercy would be sent forward 'at once and if possible acted upon immediately.'[224] However, he told her that he had a duty to perform and said he had no alternative but to perform it. 'I have now to pass upon you the dread sentence of the law,' he explained.[225] She collapsed in the dock when Lord Justice Best assumed

[220] P.R.O.N.I., BELF1/1/2/86/5, 1927.
[221] Guilbride, Alexis, 'I Went Away in Silence: A Study of Infanticide in Ireland from 1925 to 1957' (Minor M.A. thesis, University College, Dublin, 1994), p29.
[222] *Irish News*, 21 Jul. 1928.
[223] *Irish News*, 21 Jul. 1928.
[224] Ibid.
[225] Ibid.

the black cap.[226] She was raised up by the warders and according to the newspaper report 'while the closing words of the dread sentence were uttered prisoner lay inertly in the arms of the prison officials with her head thrown backwards.'[227] She was due to be executed on 14 August 1928, but her sentence was commuted to ten years penal servitude by the Governor of Northern Ireland.

No other woman in the northern sample had to undergo such a traumatic experience. As J - - - - - - - - M.'s infant was fifteen months old at the time of death, her defence counsel was not able to plead that she was suffering from the effects of childbirth or was temporarily insane after self-delivery. Such arguments were more likely to have been accepted by juries in cases where the mother took her infant's life shortly after birth.

Information on the outcome in cases where single women or their male partners were charged with murder, infanticide or the concealment of birth of an illegitimate infant is available in twenty-six cases in this sample (68.4%).[228] Apart from the N.1. case, the only other murder conviction was that of a father of an illegitimate infant. His sentence was also commuted and he served less than a year in prison. Eight women in this sample were convicted of concealment of birth and thirteen women were found guilty of infanticide. Two women and one man in this sample were acquitted.

Five women in this sample were sentenced to terms of imprisonment. Terms of imprisonment ranged from six weeks to nine months. The average length of time women in this sample were sentenced to serve in prison was four and a half months. Single women convicted of infanticide or concealment of birth in Northern Ireland between

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[226] Writing about Edith Roberts' trial for the murder of her newborn baby girl at the Leicester assizes in 1921, Ward noted that 'a less austere judge might have made some attempt to convey the reality that there was no prospect of the death sentence being carried out.' (Ward, Tony, 'Legislating for human nature: legal responses to infanticide, 1860 – 1938' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p262). The trial judge donned the black cap when he pronounced the death sentence on Roberts. According to Ward in 1916 the trial judge 'in a similar case in 1916, declined to wear the black cap and told the prisoner: 'It would be a hollow pretence for me to suggest in any way that your life will be forfeit.' '(Ward, Tony, 'Legislating for human nature: legal responses to infanticide, 1860 – 1938' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p262). Although Lord Justice Best donned the black cap when he pronounced the death sentence on J - - - - - - - - M. [N. 1] in July 1928 he did reassure her that the recommendation to mercy would be forwarded at once.

[227] Ibid.

[228] Sentencing information was not sourced for twelve women in this sample, 31.57% of the total sample. In some cases this was because there are gaps in the records, while in other cases the relevant files were consulted but the information was not located.

1920 and 1950 were therefore dealt with quite leniently by the courts. Eleven women convicted of infanticide or concealment of birth in this sample were released on payment of a recognizance and agreeing to keep the peace and be of good behaviour for a specified period of time.

Table 4:1 Sentencing patterns in Northern Ireland, 1920 - 1950

Sentence	Percentage
Sentenced to death	4.1
Imprisoned	20.8
Discharged on entering into a recognizance	45.8
Salvation Army Home	12.5
Good Shepherd Convent	4.1
Acquitted and discharged	8.3
Discharged unconditionally under the Probation Offenders Act	4.1

Unmarried women convicted of the manslaughter or concealment of birth of their illegitimate infants in the southern Ireland between 1922 and 1950 often served, as we have seen, most or all of their sentences in convents rather than in prisons. In fact, forty-nine percent of convicted women served their sentences in convents. In addition, four Protestant women convicted of manslaughter or concealment of birth of their illegitimate infants in southern Ireland between 1922 and 1950 served sentences in the Bethany Home in Dublin, a home for unmarried Protestant women and their babies. The practice of sending women convicted of infanticide or concealment of birth in Northern Ireland to institutions such as the Salvation Army Home or Good Shepherd convents was not uncommon but it was not as widespread as it was in the South. Three women in this sample served their sentences in the Salvation Army Home. A - - - - M. [N. 7] was convicted of concealment of birth. She paid a recognizance and agreed to spend a period of six months in the Salvation Army Home and to be of good behaviour for a period of two years.[229] When she was convicted of infanticide in Belfast in July 1938 M - - - M.

[229] P.R.O.N.I., BELF1/1/1/76 Belfast City Commission Crown Book, 1930.

[N. 9] was sentenced to six months' imprisonment but subsequently released on undertaking to spend two years in the Salvation Army Home.[230] However, she was later ordered to serve out her term of imprisonment because she refused to remain in the Salvation Army Home. She had apparently caused trouble in the Home and threatened to commit suicide if forced to remain there. E - - - - - S. [N. 25] was convicted of infanticide and released on undertaking to go to the Salvation Army Home for at least six months.[231]

Presumably reflecting religious affiliation, others were sent to northern convents.[232] Twenty-year old R - - - A - - - G. [N. 34] was charged with killing her female infant in Co. Tyrone in November 1925. In March 1926 a nun in the Good Shepherd Convent in Derry agreed to admit her. The nun who wrote the letter said that she hoped she 'will get a long term with us, short terms do little good, as you know.'[233] This particular nun had had experience with dealing with similar cases in Cork. She said that while she was in Cork female offenders in the convent 'were very good'[234] and stated that some 'stayed stayed long after their time was up and may be still there!!'.[235] Finnegan's study of Magdalen asylums run by the order in Ireland has shown that the Good Shepherd order encouraged inmates to remain in the institutions for long periods of time 'detaining them if possible for life.'[236] It is apparent from the contents of the Good Shepherd nun's letter in this particular case that she was also keen for the women sent there by the courts to remain after their sentences had expired.

Some women charged with infanticide or concealment of birth in Northern Ireland were held in religious homes or institutions both before and during their trial. A - - - - - - - H. [N. 6] was sent from the Belfast Police Court to the Salvation Army Home in the city in February 1932. She spent a week there while on remand. According to the records for the home, 'immorality' was the cause of her fall. Her conduct was good while she was in the

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[230] P.R.O.N.I., BELF1/1/1/78, Belfast City Commission Crown Book, 1937-1940.
[231] P.R.O.N.I., BELF1/1/1/56 Belfast City Commission Crown Book, 1925.
[232] Many more women convicted of infanticide or concealment of birth in Northern Ireland between 1922 and 1950 may also have been ordered to serve their sentences in convents. I have only come across one other instance where a woman was ordered to spend a period of time in a Good Shepherd convent in Northern Ireland. M - - - - D. was convicted of concealment of birth in July 1936. She was released on 'her own undertaking to remain in the Good Shepherd Convent for 12 months.' (P.R.O.N.I., BELF/1/1/1/77). As I was unable to locate her case file, M - - - - D. was not included in the sample for this chapter.
[233] P.R.O.N.I., TYR1/2B/35, 1925.
[234] Ibid.
[235] Ibid.
[236] Finnegan, Frances, *Do Penance or Perish: A Study of Magdalen Asylums in Ireland*, p40.

home but she did not profess 'to be saved'. It was noted that she did not have a drink habit and had not been in prison before.[237] Unmarried women charged with murder or concealment of birth in the South were occasionally detained in convents before they were tried.

In some cases tried at the Central Criminal Court, Dublin it would appear that if a woman charged with infanticide agreed to marry the father of the child or if a male relative agreed to take care of her, charges against her were dropped. There is no evidence in this sample to suggest that such leniency was a feature of infanticide trials in Northern Ireland during the period. It would appear that release upon marriage to the father of the infant with whose death a single woman was charged was a phenomenon peculiar to the South in the post-independence period.

The introduction of the infanticide legislation seems in Northern Ireland seems to have occurred without much debate. The English Infanticide Act of 1938 seems to have been adopted in Northern Ireland in 1939 without much difficulty. During the Stormont parliamentary debates on the Infanticide Bill in March 1939, Senator Samuel Cunningham stated that he felt that it was 'a great pity that a mother, who is really out of her mind on account of the suffering she has undergone, should have to be brought before a public tribunal to be tried.'[238] He suggested that it would be preferable if a doctor could certify that a woman was unfit to be tried for causing her child's death. Senator Cunningham thought that 'it [was] terrible that a mother, who has passed through such trouble and suffering should have to appear before a judge and jury and the public to be tried for an offence committed under such circumstances...'[239] However, his view may have been a minority position as most public representatives seem to have felt that some kind of legislation was necessary in order to protect infant life. Senator Leslie, who also supported the Infanticide Bill, said that while Senator Cunningham's suggestion seemed 'attractive...at first sight' he felt that further leniency with regard to the crime of infanticide could not be justified.[240] He stated that it was necessary 'in the interests of the

[237] Notes on A - - - - - - - - H. [N. 6] from the records of the Salvation Army Home, Belfast courtesy of Leanne McCormick, who was granted access to the files during her research for her PhD thesis.
[238] P.R.O.N.I., HA8/976.
[239] Ibid.
[240] Ibid.

preservation of human life, that we should take steps for the preservation of infant life'.[241]

4.9 Conclusion

One of the main differences between infanticide cases that were tried in Northern Ireland between 1920 and 1950 and those that were tried in the Twenty-Six Counties was clearly the legislative context. The English infanticide acts of 1922 and 1938, which also applied to Northern Ireland, reduced infanticide to a non-capital offence, whereas in southern Ireland new legislation relating to infanticide was not passed until 1949. However, from the 1920s onwards the death sentence passed on women convicted of the murder of their infants in the South was always commuted and few women served more than three years in prison.

Another point of difference between the two jurisdictions existed in relation to access to contraception. However it is unlikely that the availability of contraception in the North impacted on illegitimacy or infanticide rates to any great extent. For while contraception was legal in the North it was not widely available there between 1920 and 1950, and as Hill has observed, there was no 'widespread public demand for easier access' at the time.[242] Similarly, Howes has drawn attention to the fact that while 'at least theoretically, women in the North of Ireland enjoyed opportunities and freedoms not available to women in the Free State',[243] in general women in Northern Ireland do no appear to have taken advantage of those opportunities and freedoms. She has argued that 'the sexual culture of the North had a great deal in common with that of the new Irish state.'[244]

This chapter has shown that there are differences in terms of family relations, values and the role of communities between cases tried in the North and cases tried in the South. This may be due to the biases in the group of cases analysed. There is a bias towards Belfast in the cases examined in this chapter and the differences may be largely due to the urban nature of the cases. Further research on infanticide cases tried in Northern

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[241] Ibid.
[242] Hill, Myrtle, *Women in Ireland: A Century of Change*, p106.
[243] Howes, Marjorie, (ed), 'Public Discourse, Private Reflection, 1916 – 70' in Bourke, Angela, Kilfeather, Siobhán, Luddy, Maria, MacCurtain, Margaret, Meaney, Geraldine, Ní Dhonnchadha, Máirín, O'Dowd, Mary, Wills, Clair, (eds.), *The Field Day Anthology of Irish Writing: Irish Women's Writing and Traditions, Vol. IV,* p924.
[244] Ibid.

Ireland between 1921 and 1950 is necessary in order to provide a fuller understanding of these differences.

This study of a sample of the judicial records of infanticide cases tried in Northern Ireland between 1920 and 1950 has shown that the experiences of unmarried pregnant women living on either side of the border were remarkably similar. Poor, unmarried women in Ireland, North and South, felt compelled to commit infanticide for very similar reasons and despite the differences in terms of legislation between the two jurisdictions, the overall picture is much the same.

Chapter 5

'At the time I was suffering greatly both in body and mind': Unmarried mothers and infanticide in Britain, 1900 – 1950

In a letter written in November 1947 the Chief State Solicitor drew the Attorney General's attention to the number of infanticide cases that went before the courts in the Twenty-Six Counties. 'You will notice that these cases appear to be on the increase,' he remarked.[1] Almost twenty years previously in October 1928 at a trial in Cork Circuit Court Judge Kenny had referred to infanticide as a national industry.[2] This chapter will argue that the infanticide trends then prevalent were by no means unique to post-independent Ireland, although as Rose has noted, 'statistical evidence indicates a long-term decline in infanticide' in Britain 'by 1900 since the peak of the 1860s'.[3] The statistical evidence presented in chapter one highlights the fact that while the number of infanticide and concealment of birth cases known to the police calculated per 100,000 of the population in the Twenty-Six Counties has been consistently higher than the corresponding figures for England and Wales and Scotland[4] during the first half of the twentieth century, the figures for abortion cases known to the police were consistently higher for England and Wales and Scotland than was the case for the Twenty-Six Counties.[5]

This chapter will consider whether the courts in Britain and Ireland dealt with the crime of infanticide differently during the first half of the twentieth century. The social profiles of single women charged with infanticide in Britain and in Ireland will be compared.[6] One of the main differences in terms of how the crime of infanticide was dealt with by the courts in Britain and in Ireland was the differing statutory contexts. 'In 1922 infanticide was designated a special offence by the Infanticide Act. The Act distinguished

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[1] N.A.I., Attorney General's Office, 2000/10/2921. Letter to the Attorney General from the Chief State Solicitor, 21 Nov. 1947.
[2] *Irish Times,* 3 Oct. 1928.
[3] Rose, Lionel, *The Massacre of the Innocents: Infanticide in Britain 1800 – 1939*, p167.
[4] While figures for concealment of pregnancy cases known to the police in Scotland are available figures for child-murder were not recorded in the judicial statistics for Scotland between 1900 and 1950.
[5] See Tables 1:1, 1:2 and 1:3 pp29-34 of chapter 1.
[6] Married women charged with infanticide during the period under review were excluded from the sample used in this chapter.

infanticide from murder.'[7] The 1922 Act did not define 'new-born' but this was resolved with the passing of the 1938 Infanticide Act, which specified an age limit of 12 months for the victim. However, as noted in chapter four, this difference is perhaps less significant than it first appears. For although the Irish government did not enact similar legislation until 1949, for the most part women convicted of the murder of their illegitimate infants were treated differently than those convicted of the murder of adults or older children.

To date, the crime of infanticide in post-independent Ireland has been studied in isolation. Studies of infanticide in Ireland during the twentieth century have been limited to the Twenty-Six Counties and the existing scholarship has focussed on the period 1922 to 1949. This chapter will examine a sample of infanticide trials involving unmarried women in England and Scotland between 1900 and 1950 and compare these with infanticide cases involving single women that were tried in Ireland during the first half of the twentieth century. This chapter will also explore the experiences of a small number of Irish women who were charged with infanticide or concealment of birth in England or Scotland during the period under review.

There has been a tendency in Irish scholarship to view attitudes towards pre-marital sex and illegitimate infants in Ireland as having been considerably harsher and less tolerant than attitudes in other European countries. In a study on women's committal to Enniscorthy lunatic asylum between 1916 and 1925 McCarthy has asserted that illegitimate births were 'even less acceptable in Ireland than elsewhere in Europe.'[8] A study of attitudes towards illegitimacy in conservative Catholic countries such as Italy and Spain might contradict her claim. Set in a wider European context, Irish attitudes may appear less exceptional than some scholarship suggests. An analysis of these cases will show that there were many similarities between unmarried women who committed infanticide in England and Scotland and those who appeared before the courts on similar charges in Ireland during the period. While attitudes towards unmarried mothers may have been somewhat less forgiving in Ireland than in Britain, unmarried motherhood was also severely frowned upon in England and Scotland during the first half of the twentieth

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[7] Brookes, Barbara, *Abortion in England 1900-1967*, p31.
[8] McCarthy, Áine, 'Hearths, Bodies and Minds: Gender Ideology and Women's Committal to Enniscorthy Lunatic Asylum, 1916-25,' in Hayes, Alan and Urquhart, Diane (eds.) *Irish Women's History*, p122.

century. Lewis and Welshman have argued that single mothers have always been considered to be a social problem in Britain 'largely because of the demands they make on public funds, but also because of the moral threat they pose to the stability of the traditional family.'[9]

A comparative analysis of infanticide cases allows the historian to study the parallels between the ways in which infanticide was committed and prosecuted in different jurisdictions and a comparative study may also highlight aspects of the crime that appear to have been unique to particular jurisdictions. This chapter will address a number of issues. What motivated unmarried women to kill their infants in England and Scotland? Did the motives of single women who committed infanticide in England and Scotland mirror the motives of unmarried women charged with the murder of their illegitimate infants in Ireland? Were single mothers in Ireland treated more harshly than unmarried mothers in Britain? To what extent did sentencing practices in post-independent Ireland differ from the kinds of sentences imposed on unmarried women convicted of child murder, infanticide or concealment of birth in England and Scotland? A small number of infanticide cases tried in Britain between 1900 and 1950 where the defendants were unmarried Irish women who had emigrated to England or Scotland will also be examined. This chapter will consider to what extent Irish women living in Britain were influenced by the mores of the host population and whether single Irish immigrants who became pregnant in Britain were responsive to values that differed from those of the host population. Did single Irish women in Britain deal with the prospect of single motherhood in ways that differed from their English and Scottish contemporaries?

The sample for this study is based on the records of forty-six murder, infanticide and concealment of birth cases tried in England between 1900 and 1950 and twenty-six cases of child murder and concealment of pregnancy cases tried in Scotland between 1900 and 1929.[10] When selecting cases for the English sample it had originally been decided to examine the trial records of the first infanticide case listed on the online catalogue for 1900, the second infanticide case listed for 1901, the third case for 1902, the fourth for

[9] Lewis, Jane and Welshman, John, 'The Issue of Never-Married Motherhood in Britain, 1920-1970,' *Social History of Medicine,* Vol. 10, No. 3, (1997), p401.

[10] Although I refer to the murder of infants as infanticide throughout this chapter, a separate charge of infanticide was not introduced to England and Wales until 1922. In Scotland women were charged with child murder or concealment of pregnancy. In England and Ireland the term 'concealment of birth' was employed in legal discourse.

1903 and then the first case listed for 1904 etc. However it was not always possible to follow this method of selection. In many instances married women were the defendants in infanticide cases or the cases involved older children. Where possible this method of selection was adhered to. But in cases where this was not possible another case from the same year was chosen. However it was not always possible to find an appropriate infanticide case for each year between 1900 and 1950. In the case of Scotland, all catalogued cases of child-murder and concealment of pregnancy in the National Archives of Scotland that were open to the public at the time the research was undertaken were studied. All cases where the defendants were unmarried women were included in the Scottish cohort of cases. All the women included in this study were unmarried.[11] In England a total of twenty-five women were charged with the murder of their illegitimate infants, while two women were charged with both murder and concealment of birth. One woman was charged with manslaughter, seven women were charged with infanticide and a further eleven women were charged both with infanticide and concealment of birth. Sixteen of the twenty-six single Scottish women were charged with child murder between 1900 and 1929, while eight women were charged with child murder or concealment of pregnancy and one woman was charged with attempted child murder.[12] While most of the infants in this study were killed shortly after they were born, in a small number of cases the deceased infants were aged between eight and eighteen months when they died.[13]

5.1 Defendants in infanticide cases

[11] Three women in this sample claimed that they were married. As it is unclear whether they were actually married, - many women suspected of killing their illegitimate infants lied about their marital status - they have been included in the sample for the purposes of this chapter. Alice S. [E. 7] claimed she was married but was not admitted to the lying in hospital because she could not produce her marriage certificate. (National Archives, Kew, [hereafter referred to as N.A., Kew], ASSI/52/154, 1909). The manager of the hotel where Ann W. [E. 28] was employed as a cook said that she knew her as Mrs Wells but letters were sometimes addressed to her as Miss O'Neill. Ann W. did not refer to her husband or name him and he is not mentioned in any of the other depositions. (N.A., Kew, ASSI 52/327, 1930). Dorothy M. [E. 30] told her employer that she was married and that her husband was a soldier who was serving in India. (N.A., Kew, CRIM 1/592, 1932). Cases in the English sample have been numbered from E. 1 to E. 46.

[12] This information was not available in relation to Isabella C. [S. 11]. (N.A.S., AD15/14/37, 1914). Cases in the Scottish sample have been numbered from S. 1 to S. 26.

[13] Ruth J.'s [E. 37] son and Maud G.'s [E. 17] daughter were eighteen months old when they were killed while Jane A.'s [E. 27] son was fifteen months old when he was killed and Mary O.'s [E. 18] daughter was eight months old when she was killed. (N.A., Kew, ASSI 52/507, 1940, N.A., Kew, ASSI 52/289, 1919, N.A., Kew, ASSI 52/408, 1929, N.A., Kew, ASSI 52/311, 1920).

The defendants in infanticide cases were almost always young women. The average age of single women charged with infanticide in the English sample was twenty-three.[14] The oldest woman in the sample was thirty-four, while the youngest woman charged was seventeen. The average age of single women charged with child murder in the Scottish sample was twenty-two.[15] There is little difference in terms of the average age of single mothers who were charged with infanticide in England and Scotland between 1900 and 1950 and those charged with similar offences in Ireland during the first half of the twentieth century. The average age of unmarried women who stood trial for murder, infanticide or concealment of birth in the samples for chapters two, three and four was twenty-four.

Two of the women in the English sample were Welsh, while the remainder were English. Unmarried pregnant Welsh women, like their Irish counterparts, may have left their homes in rural Wales in order to seek the relative anonymity of large English cities and to conceal their pregnancy from family members, employers and friends.[16] One woman in the Scottish sample was from England.

Most single women in the samples discussed in this chapter were from working-class backgrounds. The occupation of single women charged with infanticide was recorded in a total of thirty-three English cases and in eighteen Scottish cases. The social profile of single women charged with infanticide or concealment of birth in Scotland and England is similar to unmarried women charged with the same offences in Ireland. As in Ireland, a large proportion of English and Scottish women who stood trial for infanticide during the first half of the twentieth century were employed as domestic servants. Rose has argued that 'it was inevitable that servants should figure so frequently as unmarried mothers, as they formed the largest female occupational group.'[17] Servants, Rose suggested, were more likely to resort to desperate means to unburden themselves of their illegitimate infants because of the nature of their employment.[18]

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[14] The age of single women charged with infanticide was recorded in twenty-one English cases.
[15] The age of defendants was recorded in seventeen out of twenty-six cases in the Scottish sample.
[16] It should be noted that single Irish women who were charged with infanticide in England between 1900 and 1950 have been excluded from this sample and are dealt with separately later in this chapter.
[17] Rose, Lionel, *The massacre of the innocents: Infanticide in Britain 1800 – 1939*, p19.
[18] This is also supported by research in other countries. In her study of infanticide in twentieth-century Canada, Kramar suggested that servants were more likely than single women employed in other occupations to conceal pregnancy and to commit maternal neonaticide. (Kramar, Kirsten Johnson, *Unwilling Mothers, Unwanted Babies: Infanticide in Canada*, p43.)

There was a slightly greater degree of diversity in terms of occupation among single women charged with infanticide in England, Northern Ireland and Scotland than those charged with the murder or concealment of birth in southern Ireland during the first half of the twentieth century, but even so single English and Scottish women suspected of committing infanticide were employed, for the most part, in unskilled and low-waged jobs. Most of the women in this study would not have received any formal education after the age of fourteen and some may not have attended school at all. Some indeed were illiterate.[19] A number of Irish women who were charged with the murder or concealment of birth of their illegitimate infants during the period under review were also unable to read or write.[20] Poverty and infanticide were closely intertwined in all jurisdictions examined in this thesis.

Twelve women in the sample who were charged with infanticide in England during the first half of the twentieth century were employed as domestic servants.[21] Ten women were employed as cleaners, canteen workers, chambermaids, cooks or housekeepers. One woman described herself as a nurse although it is not clear whether she was a qualified nurse and may in fact have worked as a nurse's assistant. One woman worked as a wardrobe mistress in a theatre, while four women were employed in factories and three women worked as shop assistants. In addition to this, one woman said that she did some sewing.[22] Very few women in this study had acquired any formal skills or training. Elizabeth S. [E. 46] had begun to train as a nurse but later left the hospital, perhaps because she was pregnant.[23] Some women, although not gainfully employed, worked as housekeepers for their brothers or widowed fathers. Bessie S.'s [E. 16] father told police that 'since [his] wife died 6 years ago [Bessie] has had to look after her brothers and sisters. She has had the care of them and has had to bring them up.'[24] Ten Scottish women were employed as domestic servants and two women worked as farm servants.

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[19] Neither Ellen B. [E. 9] nor Jane A. [E. 27] were able to sign their statements. (N.A., Kew, ASSI 52/173, 1911, N.A., Kew, ASSI 52/408, 1929).

[20] At least one woman in the sample for chapter two was illiterate and four women in the sample for chapter three were unable to read or write.

[21] This includes Elizabeth S. [E. 46] who had been a student nurse before she went into domestic service. (N.A., Kew, CRIM 1/2099, 1950).

[22] Bridget T. [E. 22] was not included in the total figure for the number of women who were gainfully employed the English sample as it is unclear from the available information whether she sewed occasionally or if it was a full time occupation. (N.A., Kew, ASSI 52/327, 1921).

[23] N.A., Kew, CRIM 1/2099, 1950.

[24] N.A., Kew, ASSI 52/282, 1918.

One woman was employed as a clerk, one woman worked as a housekeeper, two women were employed as laundry maids, one woman worked as a table maid and another woman was employed as a shop assistant.

It is clear from the records of infanticide cases that women charged with murder, infanticide or concealment of birth during the period were often motivated to kill their newborn infants for a variety of reasons. While it is not possible completely to disentangle these motives and impulses from the available evidence, a detailed analysis of the statements of single women charged with infanticide coupled with the evidence of their employer, co-workers, relatives, friends and neighbours can contribute to some sense of understanding of the various pressures these women were subject to. As Graves has observed, 'women who committed infanticide in the nineteenth century did so for a variety of reasons; no single motivation could possibly account for all cases.'[25] This is equally true of women suspected of having committed infanticide in England and Scotland during the first half of the twentieth century.

Many women lived away from home, supported themselves financially and did not have a support network to fall back on when they found themselves in difficulty. Most women in this sample would have found it extremely difficult to raise an infant on their own limited means. Addressing a meeting of the National Council for the Unmarried Mother and her Child in March 1931, the Catholic Bishop of Pella said he recognised that because of 'social ostracism and financial difficulty' [26] unmarried mothers often 'underwent terrible temptation to get rid of the child.'[27] Rose has noted that a pamphlet compiled by Joseph King MP in 1913 criticising the 1872 Bastardy Act drew attention to the fact that in 1911 less than a quarter of all fathers of recent illegitimate births were made the subject of maintenance orders. During the inter-war period in Britain 'affiliation machinery appears to have worked no better than before the war, for the proportion of single mothers winning maintenance orders remained obstinately at a fifth or less; indeed, in 1948 it was down to a tenth.'[28] Many women in the samples for both

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[25] Cooper Graves, D., '...in a frenzy while raving mad'': Physicians and Parliamentarians Define Infanticide in Victorian England' in Bechtold, B. and Cooper Graves, D. (eds.) *Killing Infants: Studies in the Worldwide Practice of Infanticide,* p134.

[26] Women's Library, London Metropolitan University, 5/OPF/01/4 Box 2, Minutes of the National Council for the Unmarried Mother and Child [hereafter N.C.U.M.C.], Mar. 26 1931.

[27] Ibid.

[28] Rose, Lionel, *The massacre of the innocents: Infanticide in Britain 1800 – 1939*, pp173–174.

England and Scotland cited financial difficulties as a factor that led them to kill their illegitimate infants or conceal their births.

Some unmarried women who were charged with infanticide in England between 1900 and 1950 certainly seem to have experienced serious economic hardship. For instance, Maud G. [E. 17] had been an inmate of the Bolton Union Workhouse for some time before the death of her illegitimate daughter. The fact that Maud's baby suffered from rickets suggests that she was unable to provide or care for her properly. Maud also seems to have been isolated and to have had little support from family or friends. Maud's boyfriend told the police that 'apart from [him] she has not got a friend in the world.'[29] According to the woman who attended to her during her confinement, Mary M. [E. 15] 'frequently complained...of being hard up.'[30] When she was arrested Mary told the police that she had no fixed abode. She said that she had been sleeping outdoors because she had no money. Unmarried, pregnant Irish women also found themselves in very difficult circumstances, particularly during the later stages of pregnancy.

At least three women in the English sample requested legal aid, as they were unable to pay for their defence. It is not clear from the judicial records if they were granted legal representation. At least three women in the English sample were undefended and eleven women were granted legal aid under the Poor Prisoner's Defence Act of 1930. It is hardly surprising that single women charged with murder or concealment of birth would have been unable to cover the legal costs incurred in going to court. In his study on infanticide in Britain between 1800 and 1939 Rose noted that in the nineteenth and early twentieth centuries women generally earned half as much money as men.[31] As previously noted, the women included in this sample were not well paid. It is clear from the records of cases tried in Ireland, both North and South between 1900 and 1950, that single Irish women charged with infanticide also experienced economic hardship and were often unable to meet any legal costs.

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[29] N.A., Kew, ASSI 52/289, 1919.
[30] N.A., Kew, ASSI 52/292, 1917.
[31] Rose, Lionel, *The massacre of the innocents: Infanticide in Britain 1800 – 1939*, p16.

Several women in the Scottish sample were unable to pay for the cost of professional legal representation. Maggie B. [S. 1] was unable to cover the cost of her defence.[32] Similarly, neither Margaret K. [S. 22] nor her parents were able to pay for her defence.[33] Many more women in Scotland may have sought or been granted legal aid during the period but this may not always have been noted in the judicial records. Some women were more fortunate. A letter in Elizabeth C.'s [S. 26] file from the Procurator Fiscal's office in Cupar, Fife to the Crown Agent in Edinburgh noted that 'the case was not a poor case, as I understand accused's relatives paid out a large sum for her defence.'[34]

Some women charged with infanticide in England and Scotland during the period did not have steady jobs and many women feared that they would lose their jobs if their employers learned that they were pregnant. Indeed, a number of women were unemployed when they gave birth, or had lost their jobs shortly before they gave birth, and would not have been in a position to support a child. Agnes H. [E. 36] worked as a chambermaid in a hotel.[35] Her employer suspected that she was pregnant and gave her a week's notice shortly before she was due to give birth. In January 1923 Mary M.'s [E. 21] landlady noticed that Mary was pregnant and she gave Mary and her partner notice to leave.[36]

Many single women were under pressure, not only to conceal their pregnancy from their employers but also to return to work as soon as possible, despite the effect this might have on their health. Most of the women in this sample supported themselves and a number of women lived and worked away from home. In many cases they did not have any kind of support network. In her deposition, Matilda A.'s [E. 4] landlady said that 'the prisoner was very poorly clad and her boots were very thin.'[37] She also remarked that 'the only time she missed going to her work was the same night that she was confined.'[38] The midwife who attended Matilda during her confinement said that she was 'the first woman whom I ever knew go out the day after her confinement.'[39] Matilda explained

[32] N.A.S., AD14/1900/1, 1900.
[33] N.A.S., AD15/26/94, 1926.
[34] N.A.S., AD15/29/77, 1929.
[35] N.A., Kew, CRIM 1/1110, 1939.
[36] N.A., Kew, ASSI 52/343, 1922.
[37] N.A., Kew, ASSI 52/104, 1905.
[38] Ibid.
[39] Ibid.

that 'she was bound to go back to work even though [the midwife] told her it was at the risk of her life' as 'she would lose her job if they knew what had happened.'[40] Matilda also explained that 'nobody knew that [she] was going to have a baby.'[41] She had been travelling with the theatre company as a single woman. Maud B. [E. 10] was clearly concerned about losing her job.[42] When she was arrested and charged she asked a policeman not to tell Miss Phillips, her manageress, about what had occurred.

Evidence from the judicial records suggest that many single women who were charged with infanticide during the first half of the twentieth century were lonely or isolated. Not all employers were unsympathetic, however. Some clearly sympathised with the plight of their unmarried pregnant employees and offered them assistance or advice. Edith B. [E. 39] was employed as a domestic servant. In October 1941 her employer suspected that Edith was pregnant and told her 'if she was in that condition [she] would do all [she] could to help her.'[43] Edith returned to work for Hilda M. after being charged with infanticide and her employer told police that she was 'anxious to keep [Edith] in [her] employment.'[44] Several Scottish employers also appear to have been sympathetic towards the plight of unmarried domestic servants who became pregnant. Jemima R.'s [S. 2] employer knew that she was pregnant and made arrangements for her confinement.[45] Marion S.'s [S. 13] employer took her back after her confinement in 1916.[46]

Although many women in this study killed their illegitimate infants shortly after they were born and most women had not made any arrangements for the birth of their infants, some women attempted to find other ways of unburdening themselves. A small number of women may have attempted to bring about a miscarriage during the early stages of pregnancy, while others tried to foster or adopt their infants after the birth. Mary M. [E. 15] asked the midwife who attended her during her confinement to 'take the child as she said she wanted to go and work on munitions.'[47] She also asked Annie Wilson, assistant

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[40] Ibid.
[41] Ibid.
[42] N.A., Kew, ASSI 52/183, 1912.
[43] N.A., Kew, CRIM 1/1403, 1939.
[44] Ibid.
[45] N.A.S., AD14/1900/26, 1900.
[46] N.A.S., AD15/20/25, 1920. Marion became pregnant for the second time in 1919 and she stood trial for the murder of her illegitimate newborn at the High Court in Edinburgh in July 1920.
[47] N.A., Kew, ASSI 52/292, 1917.

registrar for births and deaths if she 'knew of any nursing home in Carlisle where they would take the child as she wanted to work on munitions. [She] told her that [she] did not.'[48] Her infant's body was later found hidden in a ditch eighteen inches deep.

Most women who were charged with infanticide in England between 1900 and 1950 were clearly anxious to conceal an unplanned pregnancy from their relatives. This was particularly true of women like Ann A. [E. 6][49] and Edith B. [E. 39][50] who had already given birth outside wedlock. Ann A. seems to have been reluctant to tell her brother that she had given birth for the second time. When Ann's sister found the body of her newborn infant in a box under her dressing table, Ann asked her not to tell their brother Bill. The latter seems to have been the main, and possibly the only, breadwinner in the household, and Ann may have been financially dependent on her brother and particularly anxious therefore not to anger or upset him. Edith B.'s [E. 39] mother told the police that since the birth of her daughter's first illegitimate infant in 1935 'the accused has been timid of her father' and was afraid to speak out at home.[51] Edith's father had told her that if she had another baby 'he would not have her back in his home.'[52]

It is clear from other samples examined in this thesis that unmarried women who had their first-born infants boarded out or placed in an institution and women whose parents permitted them to raise their children in the family home often concealed subsequent pregnancies, gave birth alone and killed their infants shortly after they were born. A small number of English and Scottish cases followed a similar pattern. At least seven single Scottish women (26.9%) who were charged with child murder or concealment of pregnancy between 1900 and 1929 had given birth on at least one other occasion. When an inspector asked Jessie S. [S. 4] if it was the first time she had given birth to an illegitimate child 'she said no, that she had one before.'[53] She also told him that she 'meant to keep this one quiet.'[54] Sarah B. [S. 14] and her illegitimate daughter lived with Sarah's father. Elizabeth M.'s mother raised her illegitimate child.[55] While some families

[48] Ibid.
[49] N.A., Kew, ASSI 52/122, 1907.
[50] N.A., Kew, CRIM 1/1403, 1942.
[51] N.A., Kew, CRIM 1/1403, 1942.
[52] Ibid.
[53] N.A.S., AD15/02/108, 1902. According to police reports Jessie S. [S. 4] gave birth to an illegitimate female infant in Perth Poor House in 1897 and she gave birth to an illegitimate male infant two years later.
[54] Ibid.
[55] N.A.S., AD15/20/96, 1920.

may have been willing to accept one child born outside wedlock, they may well have been unwilling to accept a second transgression and this may have motivated single women to kill any subsequent illegitimate infants.

Several women in the English sample seem to have been concerned about disappointing or upsetting their parents. Jessie M. [E. 13] was raised by her aunt and uncle. In her statement she said that they had been very good to her and she was 'very anxious not to bring trouble on [her] uncle and aunt.'[56] When she was arrested in November 1948 Violet T. [E. 45] said that she 'didn't like to tell [her] mother.'[57] After she had given birth Violet said that '[her] only thought was to get rid of the baby before [her] mother saw it.'[58] As Violet had been charged with housebreaking and attempted housebreaking on two previous occasions, she may have been anxious to avoid causing her parents trouble again. She told the police that she didn't want to tell her mother because she knew she would be 'terribly upset.'[59] A number of women in the samples for chapters two, three and four referred to their fear that members of their family would learn that they were pregnant and some women appear to have been threatened or intimidated by family members who suspected they were pregnant. Although the number of Irish cases far outnumbers the English sample analysed in this chapter, from the available evidence it seems that unmarried women charged with infanticide in Britain were less likely to have been threatened by their parents in the manner described by single pregnant Irish women. A number of single English women seem to have been less afraid of their parents but more concerned with upsetting or disappointing them.

Few single pregnant women charged with child murder or concealment of pregnancy in Scotland referred to fear of parents or brothers in their evidence. In fact, the fathers of several Scottish women seem to have sympathised with their plight. Sarah B.'s [S. 14] sister told police that their father was very kind to Sarah. She said that Sarah 'did not require to fear him.'[60] The fact that Sarah and her three-year old illegitimate daughter lived with her father also suggests that he may have been a tolerant man. Annie W.'s [S. 18] father said that he suspected that his daughter was pregnant and he broached the

[56] N.A., Kew, ASSI 52/236, 1915.
[57] N.A., Kew, ASSI 13/191, 1949.
[58] Ibid.
[59] Ibid.
[60] N.A.S., AD15/20/96, 1920.

subject with her, but she denied that she was pregnant. John W. seems to have been understanding and sympathetic. In his statement John W. recalled that he had said 'you are not the first that has fallen although it is the case, and you will not be the last. If it is the case tell me the truth and there will be no more about it.'[61] However, Barbara M.'s [S. 20] boyfriend recalled how reluctant she was to tell her brother that she was pregnant. She had apparently told him that 'she would prefer to go home to Tayinloan rather than tell her brother Alastair.'[62]

It is clear in infanticide cases tried in Ireland that there was often a disjuncture between church teaching and the law on one hand, and attitudes held by some Irish families with regard to an illegitimate child's life. The relatives of some single Irish women displayed a complete lack of regard for the lives of children born outside wedlock.[63] Such attitudes are also evident in some Scottish cases. A report by the Procurator Fiscal for Inverness on the case of Elizabeth M. [S. 25] noted how her parents 'appeared to [him] at precognition to be absolutely callous as to what their daughter is alleged to have done.'[64] He also noted that none of Elizabeth's relatives seem to have cared how she 'behaved herself and that although they admitted that they were not ignorant of the fact that she was going about with men, nearly a year ago when she went amissing, she was found living in a navvy's hut with some road workmen.'[65]

A note in Elizabeth C.'s [S. 26] file pointed to the fact that she had had a very unhappy home life. The Scottish court authorities had apparently 'formed a very unfavourable impression' of her father during the trial and would have opposed any moves to return her to her home.[66] The note did not offer any explanation as to why such an unfavourable impression of her father had been formed. The Scottish authorities were clearly concerned at the perceived lack of morality of such families and by the fact that some parents refused to control their unmarried daughters' behaviour. Elizabeth M.'s [S. 25] mother admitted that her daughter was 'too free in talking and going with men' but said

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[61] N.A.S., AD15/21/166, 1921.
[62] N.A.S., AD15/22/55, 1922.
[63] Case P. 21 highlights this attitude. Thomas K. [P.21] claimed that when he asked his mother why she did not remove his sister's illegitimate infant from the floor 'as it would die with the cold, she said "to hell with it. What would I be bothering myself taking pain with it for." ' (N.A.I., C.C.C., IC 90 15, Co. Longford, 1926.)
[64] N.A.S., AD15/27/93, 1927.
[65] Ibid.
[66] N.A.S., AD15/29/77, 1929.

that 'there is no use my trying to check her.'[67] Although Elizabeth was twenty-one years old, it seems to have been expected that her conduct would still be monitored by her parents.

5.3 Relationships

In his study on the law and infanticide in England, Ward noted that 'oral testimonies from the 1920s and 1930s describe a working-class culture in which any discussion of female sexuality was taboo.'[68] Haste has argued that 'ignorance was widespread among the working class' during the early twentieth century and that 'sex was still obscured by secrecy and taboo.'[69] While some women in this sample may have been ignorant about sex, overall it would seem that unmarried women charged with infanticide in England were not as poorly informed about sex, pregnancy and childbirth as their Irish counterparts. Representatives from the committee of medical women in Ireland told the Carrigan committee that 'girls in rural areas in Ireland were much less sophisticated than girls of corresponding ages brought up in similar areas in England.'[70] They claimed that, in their experience, 'the lack of knowledge of physical facts displayed by Irish girls up to 18 years of age is remarkable.'[71] The Jesuit priest R.S. Devane was also of the opinion that 'Irish girls were less sophisticated than English girls of equal age'[72] and a district court judge claimed that 'certainly up to ten years ago, and probably even today, the number of girls in Ireland of marriageable age who are ignorant of the nature and consequences of sexual relationship, is larger than any country in the world.'[73] While these statements are impossible to verify, it is noteworthy that only one single woman charged with infanticide in England between 1900 and 1950 claimed that she was ignorant about the potential consequences of sexual intercourse. In her statement Elizabeth S. [E. 46] claimed that she 'never had these things explained to [her] and [she] didn't know what to do when [she] found [she] was going to have a baby.'[74] However, it

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[67] N.A.S., AD15/27/93, 1927.
[68] Ward, Tony, 'Legislating for human nature: legal responses to infanticide, c. 1860 – 1920,' in Jackson, Mark, (ed.) *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000*, p262.
[69] Haste, Cate, *Rules of Desire. Sex in Britain: World War One to the Present*, p71.
[70] N.A.I., D/Jus, 90/40/1, Criminal Law Amendment committee (1930) minute book, eleventh meeting, evidence of Dr Delia Moclair and Dr Dorothy Stopford Price, representatives of the Committee of Medical Women.
[71] Ibid.
[72] N.A.I., D/Jus, 90/40/1, Criminal Law Amendment committee (1930) minute book, fourth meeting, evidence of Rev. R.S.Devane.
[73] N.A.I., D/Jus, 90/4/21 evidence of Dermot F. Gleeson, Justice of the District Court.
[74] N.A., Kew, CRIM 1/2099, 1950.

is possible that other women in this sample were also poorly informed but may not have referred to their ignorance in their statements. A number of single women charged with infanticide in Ireland between 1900 and 1950 certainly appear to have had very little knowledge about pregnancy or childbirth.

The patterns of sexual behaviour of unmarried working-class women charged with infanticide in Britain, from what the judicial records reveal, appear to have been similar to the patterns of behaviour described in cases tried in Ireland, both North and South, during the period. According to Rose, although it was widely believed that servant girls were vulnerable to seduction by their social superiors, 'the vast majority of single mothers owed their predicament to one of their own class.'[75] Most women in the samples for England and Scotland examined in this chapter appear to have chosen to have sexual relationships with men from the same age and class background. However, there were some exceptions. When she was arrested in May 1911 Ellen B. [E. 9] told police that when she was sixteen her uncle 'took advantage of [her].'[76] His wife was not alive at the time and Ellen said that they 'went through the form of marriage.'[77] Her uncle later committed suicide but Ellen had separated from him before he died 'by reason of ill treatment.'[78]

Twenty-one women (45.6%) charged with infanticide or concealment of birth in England named the infant's father in their statements, although in two cases they mentioned the man's first name only. It is possible that these women did not know the surname. A small number of women were unable or perhaps unwilling to identify the father of the babies they had given birth to. For instance, nineteen-year-old Mary Alice S. [E. 26] told Detective Sergeant Joseph Wrigley that she didn't 'know who the father of it is.'[79]

The police in England rarely questioned the putative fathers of illegitimate infants who died in suspicious circumstances during the period. Although infanticide was a crime that was almost exclusively associated with women, men are not completely absent from the

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[75] Rose, Lionel, *The Massacre of the Innocents: Infanticide in Britain 1800 - 1939*, p18.
[76] N.A., Kew, ASSI 52/173, 1911.
[77] Ibid.
[78] Ibid.
[79] N.A., Kew, ASSI 52/347, 1923.

records of infanticide trials in England.[80] The putative fathers of infants whose deaths were being investigated gave depositions in nine cases (19.5%) that went before the courts in England between 1900 and 1950.

Many single women charged with the murder or concealment of their illegitimate infants in England and Scotland referred to the men who had been responsible for their condition in their statements. Some men were supportive while others abandoned their girlfriends once they learnt that they were pregnant, and a small number of men seem to have encouraged their girlfriends to procure abortifacients. Two single women in the English sample said that their boyfriends advised them to take abortifacients to bring on a miscarriage. As Brookes has observed in her study of abortion in England between 1900 and 1967, 'drugs and douches were popular methods of 'bringing on' a period.'[81] When Ellen B. [E. 19] informed her boyfriend that she was pregnant she claimed that 'he told her to take something and try and move it.'[82] Although Ellen did not say whether she consumed any abortifacients, it is possible that she had taken some kind of abortifacient medication. Daisy D. [E. 40] alleged that the man responsible for her pregnancy told her to 'try and get rid of it' and recommended a chemist that could supply her with medication to cause a miscarriage.[83] Daisy told police that she followed his advice and went to the chemist. It is possible that other women may have tried similar methods but did not refer to their attempts to terminate their unplanned pregnancies in their statements. A very small proportion of single women charged with infanticide in Ireland, either North or South, between 1900 and 1950 took abortifacient drugs in an attempt to terminate pregnancy.[84]

Some British women appear to have had casual sexual encounters or relationships that were of short duration with the putative fathers of their infants, while other women seem to have intended to marry the men they named as their infants' fathers. Infanticide cases

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[80] Although Mary O.'s [E. 18] boyfriend was not suspected of having killed her baby he was charged with receiving, harbouring and assisting her in January 1920. (N.A., Kew, ASSI 52/311, 1920).
[81] Brookes, Barbara, *Abortion in England 1900 – 1967*, p3.
[82] N.A., Kew, ASSI 52/322, 1921.
[83] N.A., Kew, CRIM 1/1519, 1943.
[84] One woman in the sample of murder and concealment of birth cases tried in Ireland between 1900 and 1921 had taken pills and salts during her pregnancy, possibly in an attempt to cause a miscarriage. One woman in the sample for cases tried at the Central Criminal Court, Dublin between 1922 and 1950 said that the man responsible for her pregnancy gave her a bottle of medicine 'to get rid of her trouble' and one woman in the sample for cases tried in Northern Ireland between 1920 and 1950 was given abortifacient medication by her boyfriend. (N.A.I., C.C.C., ID 11 97, Co. Meath, 1941.)

that came before the courts in Ireland during the first half of the twentieth century followed a similar pattern. However, none of the unmarried women charged in the Irish samples examined in previous chapters co-habited with the putative fathers of their deceased infants. Three women in the English sample had been living with the putative fathers of their infants for some time.[85]

In a speech delivered to members of the National Council for the Unmarried Mother and her Child in October 1958, Cyril F. Greenland, a senior psychiatric social worker noted that 'while there is considerable interest in unmarried mothers and illegitimate children, very little attention is paid to putative fathers, who remain curiously elusive figures.'[86] As Blaikie has observed in relation to illegitimacy in north-east Scotland, 'much research remains to be done towards understanding 'the total fabric of men's worlds', as well of those of women.'[87] He also argued that 'given the paucity of data for bastard-begetters'[88] the task of recovering the experience of fatherhood in the past 'is formidable and the obstacles near-insurmountable.'[89] While the putative fathers of illegitimate newborns suspected of having been killed by their mothers are absent from most infanticide cases that came before the courts in England and Ireland between 1900 and 1950, the words of Scottish men were recorded in a considerable number of child murder and concealment of pregnancy cases.

The infant's father was referred to in twenty-one cases (80.7%) in the Scottish sample. The infant's father was named in nineteen Scottish cases.[90] In one other case the defendant's father said that '[he] was told it was a Jew in Dunfermline was the father of the child.'[91] In the case of Jane M. [S. 5] it would appear that the father of her infant

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[85] Mary M. [E. 21] had been living with her boyfriend in lodgings prior to her arrest. (N.A., Kew, ASSI 52/343, 1923). Nellie A. [E. 25] had lived with her boyfriend for two years. (N.A., Kew, CRIM 1/411, 1927). Ruth J. [E. 37] had lived with her boyfriend for some time before the death of her infant. (N.A., Kew, ASSI 52/507, 1940).

[86] Women's Library, 5/OPF/1/4/6, Speech delivered to the National Council for the Unmarried Mother and her Child (N.C.U.M.C.) in October 1958 by Cyril F. Greenland, Senior Psychiatric Social Worker.

[87] Blaikie, Andrew, *Illegitimacy, Sex and Society: Northeast Scotland 1750-1800,* p230.

[88] Ibid., p115.

[89] Ibid, p230.

[90] The father of Margaret K.'s [S. 22] illegitimate infant, L. B. wrote to the Scottish court authorities stating that he was willing to marry Margaret K. and to look after her to the best of his ability. As he was not named by Margaret K. or any other witness in the case, he has not been included as one of the putative fathers whose identity was revealed. (N.A.S., AD15/26/94, 1926).

[91] N.A.S., AD15/20/96, 1920.

could have been one of two men who were employed as servants on the same farm.[92] Women often seem to have found it difficult to establish paternity. The men they named as their infants' father often contradicted their evidence and denied paternity. Two men were questioned in the case S.6 but neither man admitted paternity.[93] Some men tried to discredit the women who named them as the fathers of their infants. Marjorie R. [S. 12] told police that her employer, Alexander D., was the father of her infant. She had been employed as a servant on his farm for six months. She said that she wrote to him to inform him of her condition and told the police that he never replied. Police sergeant William Wright later questioned Alexander D. but 'he denied that he ever had any intercourse with her and also denied having received any letters from her concerning her condition and stated that he did not know she was pregnant.'[94] Alexander D. also told Sergeant Wright that while Marjorie was in his employment 'men came about the farm after it was late to see her.'[95] Alexander D. also suggested that Marjorie named him as the father of her infant because she wanted to take revenge on him and his wife; they had it was alleged refused to give her a reference when she left their employment because she 'kept the place in turmoil by telling lies about the other servants and about Mrs D. and me.'[96] It is highly probable that in cases like this the employer's version of events would have carried far more weight in court than the evidence of a single woman who had previously given birth to an illegitimate infant.

Scottish cases of child murder provide an interesting contrast with those tried in Ireland and England. In Scottish cases of child murder where the defendant was an unmarried mother the police, like their Irish and English counterparts, often questioned the women about the identity of the fathers of their illegitimate infants. Yet in Scotland, the police often tracked down the putative fathers mentioned in the statements of unmarried women and questioned them, even though none of the men in the cases included in this sample were suspected of having played a part in the infant's death. The police in Scotland seem to have been anxious to establish paternity. In some cases they seem to have gone to considerable lengths to find the men named as an illegitimate infant's father and to question them. In cases in the Scottish sample where the female defendant was unsure as

[92] N.A.S., AD15/08/92, 1908.
[93] N.A.S., AD/15/08/126, 1908.
[94] N.A.S., AD15/14/110, 1914.
[95] Ibid.
[96] Ibid.

to the identity of the infant's father and suggested that it could have been one of two men, the police questioned both men in an effort to resolve the issue. There is no evidence to suggest that this happened in similar cases that came before the courts in Ireland or in England during the period under review. The police in Scotland were persistent in their efforts to extract a statement from the putative fathers of illegitimate infants whose deaths were being investigated. Sergeant John McKie said that James L. [S. 13] was 'very reluctant to give any statement' and recalled how he had had 'to press him hard to get an answer to questions.'[97] The fathers of illegitimate infants were questioned by police and gave precognitions in sixteen cases (61.5%) in the Scottish sample.[98]

Eight Scottish men (30.7%) in this sample denied they were the fathers of the infants in question, while seven Scottish men (26.9%) admitted that they were the fathers of illegitimate infants.[99] It is clear that in many cases, a considerable degree of pressure often had to be brought to bear on the putative fathers of illegitimate infants before they admitted paternity and agreed to pay maintenance costs. John M., the man Jemima R. [S. 2] named as the father of the illegitimate infant she gave birth to in April 1900, did not reply to a letter she sent him 'stating her condition.'[100] Nor did he reply to a letter sent by the woman who attended to Jemima during her confinement 'intimating that Jemima R. had given birth to a female child of which [he] was the father and asking [him] to go there and settle for the child.'[101] It was not until Jemima's solicitor wrote to John M. asking him to pay towards the cost of her confinement and maintenance costs for the child that he admitted paternity.

While a number of men in the Scottish sample refused to acknowledge paternity, some men may have been willing to marry the women they had been involved with when they learned of their pregnancy. David M. told police that he offered to pay for rooms for Agnes W. [S. 18] during her confinement. He also claimed that he promised to 'pay for the child after it was born' and allegedly told her that 'if that did not suit then [he] would

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[97] N.A.S., AD15/20/25, 1920.
[98] The putative fathers of the deceased infants of two single Irish women charged with child murder in Scotland also gave precognitions.
[99] There was also one case where the father of the deceased infant could have been one of two men and two cases where the putative fathers neither denied nor admitted paternity.
[100] N.A.S., AD14/1900/26, 1900.
[101] Ibid.

marry her.'[102] However, his marriage proposal appears to have been a reluctant one and may not have been genuine. Alexander M. said that he and Sarah H. [S. 21] had discussed marriage but she had told him that 'she could not marry me so long as her mother was alive, as she had to support her, her father being unable to support her mother.'[103] The father of Margaret K.'s [S. 22] deceased infant wrote to the Scottish courts to inform the authorities that he was 'willing to marry Margaret K. and look after her to the best of [his] ability.'[104]

Two Scottish men were dismissed from their jobs because of their involvement in these cases. Agnes G. [S. 10] named Alexander S. as the father of her infant in December 1912. Alexander was dismissed from his job as a blacksmith 'in consequence...[his employers] said, of [his] being implicated in this case.'[105] George P. was dismissed from his post as an attendant in the Fife and Kinross asylum when he admitted that he was the putative father of Kathleen L.'s [I.B. 8] infant.[106] In both Ireland and England some single women were dismissed from their jobs when their employers realised that they were pregnant, but there is no evidence to suggest that the putative fathers of illegitimate infants suffered as a result of their conduct.

Like their Irish counterparts, some single women charged with infanticide in Britain appear to have been rejected or abandoned by the putative fathers of their illegitimate infants. Ellen B. [E. 19] told police that the man she had been keeping company with had promised that 'if anything came of it he would do the right thing and marry [her].'[107] However, in June he stopped seeing Ellen altogether. Ellen said she confronted him in August 1921 and asked him what he was going to do but he told her he 'would do nothing' and suggested that she 'put it in front of a magistrate.'[108] Ellen also told police that she had written to him three times but received no reply. Violet T. [E. 45] told police that in November 1947 she became friendly with an Irishman named Bobby. She did not know his surname. She said that she 'used to go out with him fairly regularly and sexual

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[102] N.A.S., AD15/21/166, 1921.
[103] N.A.S., AD15/24/66, 1924.
[104] N.A.S., AD15/26/94, 1926.
[105] N.A.S., AD15/13/6, 1913.
[106] N.A.S., AD15/21/171, 1921. Cases where single Irish immigrants stood trial for infanticide in Britain have been numbered from I.B. 1 to I.B. 10.
[107] N.A., Kew, ASSI 52/322, 1921.
[108] Ibid.

intercourse took place between [them].'[109] Violet said that although she did not tell Bobby that she was pregnant she had 'an idea that he knew [she] was.' Violet felt that that was why 'he went away and left [her] flat.'[110]

Single Scottish women may have been more likely to bring proceedings against the putative fathers of their illegitimate infants than their Irish or English counterparts during the period. At least five Scottish women wrote to the putative fathers of their infants to inform them of their pregnancy and to request maintenance and one woman had her solicitor write to the father of her infant. Of the five women who wrote to the putative fathers of their infants, two women received no reply and subsequently had their solicitors write to the men. Three of these men agreed to pay maintenance before the infant was born. It is not clear in a further two cases whether an agreement was reached with regard to maintenance. Sarah B.'s [S. 14] father said that they had 'raised' an action against the putative father of her infant but that it was subsequently dropped, and in one other case the father of a murdered infant wrote to the court authorities offering to marry her.[111]

In a small number of cases the kind of relationship a single woman charged with infanticide had with the putative father of her infant seems to have seriously impacted on her state of mind. The breakdown of the relationship between Ruth J. [E. 37] and her baby's father may have prompted her to kill her baby and to attempt suicide. Ruth J. and George M. had been living together as man and wife. Ruth told police that she killed her baby because she was 'upset because George M. said he was going to leave [her] tonight.'[112] According to Ruth she 'found a letter last night from another girl to George. [She] asked him about it and he said he was finished with [her] and was going to throw [her] out. When he went to work this morning [she] got a razor and cut the baby's throat.'[113] As well as being subject to severe emotional pressure, Ruth seems to have been financially dependent on the father of her infant and this may have added considerably to the emotional difficulties she experienced.

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[109] N.A., Kew, ASSI 13/191, 1949.
[110] Ibid.
[111] N.A.S., AD15/20/96, 1920.
[112] N.A., Kew, ASSI 52/507, 1940.
[113] Ibid.

As noted in chapter three, the statements of several unmarried women charged with the murder or concealment of birth in Ireland between 1922 and 1950 provide so much information in terms of their sexual relationships that it seems likely that some women may have been intimidated or threatened by Gardaí into revealing deeply personal information which had little if any bearing on the actual investigation. This is less apparent in the statements of single women charged with infanticide in England or Scotland between 1900 and 1950. In fact, in Scotland the putative fathers of illegitimate infants whose deaths were being investigated were more likely to have been questioned about the sexual aspect of the relationships they had with women who were charged with child murder or concealment of pregnancy.

Twelve unmarried women (26%) in the English sample referred to sex in their statements. However the amount of information single women suspected of infanticide disclosed to the police regarding sexual relations with the putative fathers of their infants varied. Jessie M. [E. 13] told police that the man she had been keeping company with had 'got [her] into trouble',[114] whereas Elizabeth S. [E. 46] described her relationship with the putative father of her infant in much more detail.[115]

> Whilst I was working at the Llandovey Cottage Hospital I became friendly with a young man named Meurig P. He is now aged 22. We kept company and went about together until I came to London. I had been keeping company with M.P. for about two years and one evening, I do not remember the exact date, we went out into the country near Llandovey. We made love to one another and he had sexual intercourse with me with my consent. This happened on three occasions the last time being about nine months ago.[116]

The putative fathers of two infants in the English sample referred to their relationships with the female suspects. At least ten single women (21.7%) in the English sample who were charged with infanticide or concealment of birth between 1900 and 1950 had given birth previously.[117] Six women (23%) in the Scottish sample had given birth previously. It is possible that some of these women took their infants' lives shortly after self-delivery because they were unable to obtain contraceptives or because they were ignorant about the forms of birth control available to them. The fact that a considerable proportion of unmarried women who stood trial for infanticide in Britain were sexually experienced

[114] N.A., Kew, ASSI 52/236, 1915.
[115] N.A., Kew, CRIM 1/2099, 1950.
[116] N.A., Kew, CRIM 1/2099, 1950.
[117] In addition to this a doctor who examined Alice S. [E. 7] said that he found signs of previous pregnancy. It seems likely therefore that she had also given birth previously. (N.A., Kew, ASSI/52/154, 1909).

and that some women may have deliberately chosen infanticide as a form of delayed birth control certainly undermines popular perceptions of infanticidal women as vulnerable girls who were taken advantage of by their social superiors.

5.4 Relatives of the birth mother and infanticide cases

Newspaper reports on infanticide cases tried in the Twenty-Six Counties between 1922 and 1950 occasionally carried headings such as 'Murder Charge against a Grandmother'[118] or 'Mother and Daughter Sentenced.'[119] Relatives of the birth mother were charged with the murder or concealment of birth of an illegitimate infant in at least twenty-eight cases (14%) that were tried at the Central Criminal Court between 1922 and 1950. The relatives of seventeen single women (17.8%) in the sample for cases tried in Ireland between 1900 and 1921 were charged with the murder or concealment of birth of their illegitimate infants. There was only one case (2.6%) in the sample for cases tried in Northern Ireland between 1920 and 1950 where a relative of the birth mother was charged with infanticide.

There was only one case in the English sample where the relatives of the birth mother were also charged with the murder of an illegitimate infant. Mary S. [E. 26] gave birth to an illegitimate infant in September 1923. The baby's body was found in the lower mill water lodge of a nearby mill. Both Mary and her mother were charged with the murder of Mary's newborn infant. Although Alice S. said that she 'took [the baby] and threw it in the Mill Lodge' she was not convicted.[120] Mary was convicted of concealment of birth at the Manchester winter assizes and sentenced to serve nine months in prison. For the most part, however, the police do not seem to have considered the relatives of single mothers charged with infanticide as suspects in cases tried in England or Scotland during the period. While the sisters and mothers of single women who gave birth at home in southern Ireland often came to her assistance and subsequently helped her kill or conceal the infant's body, this was not a feature of the cases in the samples for England or Scotland. If a single woman give birth in the family home her relatives rarely appear to have been aware of this until after the baby was born, and they generally then called for a doctor or the police. The relatives of single Irish women suspected of killing their infants

[118] *Cork Examiner*, 30 Nov. 1928.
[119] *Cork Examiner*, 29 Nov. 1929.
[120] N.A., Kew, ASSI 52/347, 1923.

also contacted the authorities in many cases, but they were more likely to have colluded with a single woman in the death of her child than the relatives of single women in the samples examined in this chapter. It is difficult to account for this phenomenon, but it is possible that the sense of shame associated with single motherhood was greater in Ireland than in England or Scotland and that families in southern Ireland were prepared to run risks and break the law in order to safeguard the family reputation. While close female relatives of single women charged with infanticide in England and Scotland were, in most instances, clearly concerned for their sisters' well being, they were not prepared to break the law in order to conceal the crime. When Ann A.'s [E. 6] sister found an infant's body in a box in her bedroom, Ann begged her not to tell their brother Bill, but Mary refused to lie and said 'it is a very serious case I shall have to tell him.'[121] The relatives of single expectant women in Northern Ireland were also less likely to have collaborated with them than their southern counterparts.

5.5 Strategies employed by single pregnant women who committed infanticide

Single women charged with infanticide in England and Scotland during the first half of the twentieth century rarely seem to have confided in anyone and generally denied that they were pregnant if employers, neighbours or their parents inquired. Ann G. [E. 32] told her employer that she said she was not pregnant and said that she had 'always been teased about being fat.'[122] Sarah B. [S. 14] stood trial for child murder in the High Court, Glasgow in June 1920. Her neighbours had suspected that Sarah was pregnant but she denied it and told them that she was suffering from tapeworm and a poisoned stomach.[123] This is consistent with the strategies single pregnant women in Ireland, both North and South, used in order to conceal a pregnancy from family members and employers.

In most cases it is difficult to determine whether infanticide was a pre-meditated crime. Although most women who were charged with causing the deaths of their illegitimate newborns had rarely made any sort of preparation for the birth of their babies, few seem to have seriously considered how they would dispose of the bodies in advance of the infant's birth, and most women were not adept at covering their tracks. For instance, when Ethel B. [E. 42] was searched at the police station the notebook she carried with

[121] N.A., Kew, ASSI 52/122, 1907.
[122] N.A., Kew, CRIM 1/795, 1935.
[123] N.A.S., AD15/20/96, 1920.

her was examined. An entry marked September 12th read, 'son was born in the night – everything Ok so far.'[124] Shortly after giving birth Ethel wrapped her newborn infant son up and placed him in a bag. The infant died of asphyxia. She later put the bag in a river. Few defendants in infanticide cases that came before the courts in Ireland between 1900 and 1950 seem to have planned their actions carefully in advance.

5.6 Doctors and infanticide cases

As Quinn has observed in relation to English infanticide cases in the late Victorian period, there are a 'wide variety of other voices present in these narratives.'[125] Doctors clearly played an important role in infanticide cases tried in Britain during the first half of the twentieth century. As previously noted, the depositional evidence submitted by medical professionals can help to build a more detailed picture of the physical and emotional trauma experienced by unmarried women who gave birth secretly and unassisted in Britain.

Many doctors who were called to give evidence in infanticide trials believed that the balance of the minds of many single women who had given birth unassisted may have been temporarily disturbed. Dr John Joseph Bourne's evidence is a typical example. He said that 'from [his] knowledge of [Barbara C., E. 43] and of her circumstances, in my opinion, the birth of a child to her would upset the balance of her mind.'[126] In several cases that came before the courts in Scotland the legal professionals who defended single women charged with child murder or concealment of pregnancy entered a special defence of insanity when the crime was committed and this appears to have been accepted by the courts. Many doctors appear to have been sympathetic towards the unmarried women they treated who had been charged with infanticide, murder or concealment of birth. Some doctors were more sceptical, however. Police Surgeon George Johnson said that he had never come across a woman who was out of her mind during childbirth although, when questioned, he admitted that there were 'authorities

[124] N.A., Kew, CRIM 1/1821, 1946.
[125] Quinn, Cath, 'Images and impulses: representations of puerperal insanity and infanticide in late Victorian England,' in Mark Jackson (ed.), *Infanticide: historical perspectives on child murder and concealment, 1550-2000* (Aldershot, 2002), p202.
[126] N.A., Kew, CRIM 1/1867, 1947.

who speak on the subject and say that a woman may not at the time of birth be in her right mind.'[127]

Some doctors felt that a woman's single status could exacerbate the level of mental strain they experienced both during and after childbirth. Dr James Partridge examined Margaret D. [I.B. 6] when she was admitted to H.M. Borstal Institution in Aylesbury in May 1950. She had been charged with infanticide. Dr Partridge said that when he examined Margaret she was 'in a distressed condition'[128] and was 'psychologically upset.'[129] Both Dr Partridge and Dr Greenbury felt that Margaret's unmarried status probably added to the mental strain she experienced during childbirth. Dr Partridge stated that 'It would be usual for her mental balance to be upset, in such a case as this where the girl is unmarried.'[130] Dr Greenbury was recorded as saying that 'in [his] experience [he] would say that where a single woman has given birth to a child in circumstances of secrecy the balance of her mind would be likely to be upset by the experience.'[131]

The strain of concealing an unplanned pregnancy and giving birth unassisted would undoubtedly have impacted strongly on the mental health of many women in this sample. Pamela B. [E. 41] was charged with infanticide in April 1945. She had been treated for nervous depression and insomnia since the sixth month of her pregnancy. Some women seem to have suffered considerably both during and after childbirth. One English woman in this sample was diagnosed with puerperal fever. The resident house surgeon at Southport Infirmary diagnosed Ellen T. [E. 3] with puerperal fever and said that she was in a dangerous condition when she was admitted to hospital. Although the doctor who treated Ellen said that he thought Ellen did not realise her position he did not think that she had suffered from puerperal mania. The doctor who examined Maggie B. [S. 1] who stood trial for child murder at the High Court in Glasgow in November 1900 was of the opinion that the authorities 'should have to admit as a possibility of parturition in the form of transient puerperal mania.'[132] Maggie claimed that at the time of the birth she was 'suffering greatly both in body and mind.'[133] Although some medical experts argued

[127] N.A., Kew, ASSI 52/114, 1906.
[128] N.A., Kew, ASSI 13/207, 1950.
[129] Ibid.
[130] Ibid.
[131] Ibid.
[132] N.A.S., AD14/1900/1, 1900.
[133] Ibid.

that there was a link between puerperal insanity and infanticide, the numbers of women diagnosed with puerperal mania or puerperal insanity in the samples examined in this thesis was very low.

A number of women in this sample referred to the pain they experienced during childbirth, which, in almost all cases, occurred without medical assistance. Some women claimed that the level of pain they experienced during an unassisted delivery rendered them temporarily insane. Bessie S. [E. 16] told a policeman that 'the pain drove [her] mad.'[134] She said that she did not know what she was doing at the time and claimed that she 'must not have been in [her] right senses.'[135] She said that she 'would not have done it if [she] had been in [her] right mind.'[136]

Fourteen English women (30.4%) claimed that they were unable to remember what happened during or immediately after the birth of their illegitimate infants.[137] Alice S. [E. 7] told police that the day she gave birth 'seems a blank to [her].'[138] She claimed that she could not remember anything after the child was born. Eileen H. [E. 31] gave a detailed and articulate account of what she believed happened following the birth of her baby. She said that 'from this time I do not remember very clearly what happened [:] every now and again everything went black and I had to grip something to bring me to.'[139] Eileen claimed that she had been in hospital for four days before she remembered what had occurred. She said that even at that point she 'could remember some details but not enough to satisfy myself what had really occurred.'[140] One woman (3.8%) in the Scottish sample claimed that she was unable to remember what had happened immediately after giving birth. Although it is possible that some women may have been unable to recall what had happened during the birth, it is also possible that they claimed they could not remember what had occurred in the hope that they might be dealt with more leniently by the authorities.

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[134] N.A., Kew, ASSI 52/282, 1918.
[135] Ibid.
[136] Ibid.
[137] In their statements a number of women in the samples for cases tried in Ireland between 1900 and 1921 and those tried at the Central Criminal Court, Dublin between 1922 and 1950 maintained that they were suffering from the shock and trauma of giving birth without assistance and as a result, were unable to account for their actions. Four women in infanticide cases in the sample for Northern Ireland claimed that they could not recall what had happened immediately after giving birth.
[138] N.A., Kew, ASSI 52/154, 1909.
[139] N.A., Kew, CRIM 1/691, 1934.
[140] Ibid.

If single women charged with the murder of their illegitimate infants did not claim that they were unable to remember what occurred when they gave birth and could therefore not account for the infants' deaths, they often said that they did not hear the baby cry and thought it was dead. Elizabeth S. [E. 46] said that she thought her baby 'was in pain and beyond saving so as to save it any further pain I got one of my black stockings which was by the side of my bed and tied it round the baby's neck.'[141] Similarly Mary S. [E. 26] said that she had 'thrown it over the yard wall and that she did not think it was alive.'[142]

Several unmarried women in the English sample threatened to commit suicide or attempted to commit suicide.[143] When Detective Constable George Borrows questioned Ruth J. [E. 37], he said that he noticed that her throat was bandaged. When he inquired 'how this was' Ruth explained that she had 'tried to do away with [herself] a couple of days ago.'[144] She then removed the bandage from her throat to reveal 'a scar across her throat about two inches long.'[145] It is difficult however, to ascertain how serious some suicide attempts and threats may have been. While Ruth J.'s suicide attempt seems to have been a serious one, Jane A.'s [E. 27] self-inflicted injury seems to have been far less serious. Although Jane A. inflicted an injury upon herself with the razor she used to cut her baby's throat and her own injury was inflicted immediately after she killed her baby, she did not mention suicide in her statement and her injury does not appear to have been regarded as a serious attempt at suicide. The doctor who examined Bessie S. [E. 16] said that 'from what [he] could understand she had threatened her own life.'[146] He had her removed to an infirmary.

Doctors in Ireland and in Britain who treated unmarried women suspected of having committed infanticide during the period under review often assessed their intellectual

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[141] N.A., Kew, CRIM 1/2099, 1950.
[142] N.A., Kew, ASSI 52/347, 1928.
[143] Three English women (6.5%) attempted suicide or threatened to take their own lives during the period under review. One woman (0.5 %) in the sample for cases tried in Ireland between 1900 and 1921 expressed the desire to commit suicide. One woman (2.6%) in the sample of infanticide cases tried in Northern Ireland between 1920 and 1950 attempted to commit suicide. Eleven women who stood trial for the murder or concealment of birth of their illegitimate infants at the Central Criminal Court, Dublin between 1922 and 1950 told family members, the Gardaí, their doctors or the medical officers who examined them in prison that they had considered taking their own lives (5.6 %) and one woman was charged both with concealment of birth and with attempted suicide.
[144] N.A., Kew, ASSI 52/507, 1940.
[145] Ibid.
[146] N.A., Kew, ASSI 52/282, 1918.

ability. In November 1929 the medical officer at Manchester prison who examined Jane A. [E. 27] concluded that she was 'a woman of a low mental type and standard of intelligence.'[147] In her evidence, Jane's mother said that her daughter had never been to school. This may have been due to her epilepsy. In March 1942 the medical officer at Holloway prison concluded that Edith B. [E. 39] was 'somewhat simple.'[148] In December 1947 the governor of Holloway prison stated that while Margaret D. [E. 44] was not mentally defective 'she is of low intelligence and will need supervision and guidance for some time.'[149] Only one woman in this sample was certified as feeble minded but she was still considered fit to plead. Agnes H. [E. 36] was placed under close mental observation in the prison hospital when she was admitted to Holloway prison in July 1939. In a report the medical officer who observed her claimed that 'in conversation she was simple and childish' and that 'her general knowledge is poor.'[150] He came to the conclusion that Agnes' mental age was that of an eight-year-old child. The prison doctor considered her certifiable as feeble-minded and although he believed that she was fit to plead to the indictment, he believed that 'she requires control, care, and supervision for her own protection, on account of mental defectiveness, which has existed from an early age.'[151]

Doctors in Scotland also frequently remarked on the level of intelligence of women charged with child murder or concealment of pregnancy. Maggie B. [S. 1] stood trial for child murder or concealment of pregnancy in November 1900.[152] The doctors who treated her were of the opinion that while she was of low intelligence, she knew the difference between right and wrong. One of the doctors who treated Maggie B. also commented on the fact that she did not seem to understand the seriousness of her situation. It is possible that uneducated, uninformed women or women who were not particularly intelligent did not realise quite how seriously their actions would be regarded by the authorities. The doctor who treated Margaret M. [S. 17], who stood trial for child murder at the High Court in Glasgow in February 1921, stated that while she was fit to plead to the charge preferred against her she was, in his opinion, 'facile, simple and

[147] N.A., Kew, ASSI 52/408, 1929.
[148] N.A., Kew, CRIM 1/1403, 1942.
[149] N.A., Kew, CRIM 1/1893, 1948.
[150] N.A., Kew, CRIM 1/110, 1939.
[151] Ibid.
[152] N.A.S., AD14/1900/1, 1900.

childish in manner.'[153] He noted that Margaret was 'weak minded and has no grown up outlook on things in general, reminding one of a half grown up girl...she is easily taken advantage of and imposed upon.'[154] In her evidence Margaret's mother said that her daughter continued to play with dolls like a little girl until she was sixteen. It is possible that some women, like Margaret M., had been taken advantage of, were unable to deal with an unplanned pregnancy and did not fully realise the consequences of their actions.

In most cases, the Scottish authorities seem to have attempted to establish whether single women suspected of killing or concealing the births of their infants were of normal intelligence or whether they were mentally defective or feeble minded. The nurse who attended Margaret M. [I.B. 10] when she was hospitalised said she saw 'nothing about her to suggest mental weakness.'[155] It seems likely that the nurse in this case was asked whether she thought Margaret M. suffered from some form of mental weakness. The putative fathers of some illegitimate infants were also questioned about the mental fitness of single women charged with child murder or concealment of pregnancy. When he was questioned by the police, John M., the putative father of Jemima R.'s [S. 2] infant, said that he did not think that Jemima was weak minded. Some medical professionals may have been concerned about the ability of unmarried women they diagnosed as weakminded to take care of themselves and to resist sexual advances. A number of studies have drawn attention to the fact that in the late nineteenth- and early twentieth-century Britain sexual promiscuity in women was linked to feeble-mindedness. Unmarried women who behaved in a manner that was deemed unacceptable were often considered to be in need of protective care and correction. Zedner has argued that in England 'the very definition of feeble-mindedness in women was informed as much by moral as by physical considerations',[156] and that 'assessments of a woman's moral conduct, her apparent degree of self-control – or lack of it – were taken as evidence of her mental state.'[157] In her study of gender, class and family in Britain, Mahood noted that in the case of girls and adolescent women who were incarcerated in magdalene asylums, 'sexual practices were the key marker of their "delinquent" status, in the same way that criminal activity marked boys.'[158]

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[153] N.A.S., AD15/21/47, 1921.
[154] Ibid.
[155] N.A.S., AD15/19/61, 1919.
[156] Zedner, Lucia, *Women, Crime and Custody in Victorian England*, p274.
[157] Ibid.
[158] Mahood, Linda, *Policing gender, class and family: Britain, 1850 – 1940*, p102.

Extreme disapproval of the sexual behaviour of some single women is expressed by medical and legal professionals in a number of files in this sample. Nurse McKenzie certainly seems to have equated sexual promiscuity with mental weakness or abnormality. She stated that Elizabeth M. [S. 25], who was charged with child murder in February 1927, 'is weak – especially morally.'[159] Nurse McKenzie said that if she met Elizabeth for the first time she would think that she was 'weak and not quite normal.'[160] Nurse McKenzie's assessment of Elizabeth M.'s mental health must surely have been coloured by the fact that she was knew that Elizabeth's 'reputation in the district is that she is of easy virtue and goes about a great deal with men.'[161] Dr Douglas McRae noted that Mary R.[162] 'alludes to her illegitimate pregnancies without the slightest sense of shame.'[163] He formed the opinion that 'the only result of her actions that [Mary] can appreciate are the satisfying of her desires or bodily needs.'[164] Dr McRae concluded that Mary R. was of unsound mind and was therefore unfit to plead. It is possible that Mary's transgressive sexual behaviour impacted on Dr McRae's assessment of her mental health.

Some of those in positions of authority clearly drew a distinction between immoral behaviour and feeble mindedness and recognised the fact that immoral behaviour in women did not necessarily imply feeble mindedness. The nurse who treated Elizabeth M. [S. 25] was of the opinion that she had a 'want.'[165] However, the Procurator-Fiscal of Inverness stated that while Elizabeth M.'s character is 'an immoral one' he said that he could 'find no other peculiarity about her.'[166]

5.7 Sentencing patterns in infanticide cases

In her study of infanticide Oberman noted how cases that came before the courts in Chicago between 1870 and 1930 'reflect a broad range of responses to neonaticide, with penalties ranging from the death penalty to acquittal.'[167] It is clear from the kinds of

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[159] N.A.S., AD15/27/93, 1927.
[160] Ibid.
[161] Ibid.
[162] Although Mary R. was a married woman living apart from her husband and is not included in the Scottish sample I have referred to her case here as it provides a clear example of the way in which a woman's transgressive sexual behaviour may have impacted on a doctor's assessment of her mental fitness.
[163] N.A.S., AD15/29/48, 1929.
[164] Ibid.
[165] N.A.S., AD15/27/93, 1927.
[166] Ibid.
[167] Oberman, Michelle, 'Understanding infanticide in context: mothers who kill, 1870 – 1930 and today,' in *Journal of Criminal Law and Criminology*, Vol. 92, Nos. 3 & 4, (2002), p727.

sentences handed down in infanticide cases in the English sample discussed in this chapter that there was a broad range of responses to the crime of infanticide in England between 1900 and 1950. This is less evident in the Scottish sample.

Verdict and sentencing information is available for all cases in the Scottish sample, but this information is only available for twenty-six cases (56.5%) in the English sample.[168] Sentencing practices in Ireland and in England varied considerably. As in Ireland, English juries appear to have been reluctant to convict single women for the murder of their illegitimate newborns, and where women were found guilty of murder juries generally included a strong recommendation to mercy.

Three women (11.5%) of women for whom verdict information is available) in the English sample were found not guilty. The acquittal rate in Scotland was much higher. Nine single women (34.6%) charged with child murder or concealment of pregnancy in Scotland between 1900 and 1929 were acquitted, and one woman (3.8%) was admonished and subsequently discharged. As child murder and concealment of pregnancy files do not contain information relating to jury deliberations or the judge's charges to the jury it is not clear why so many single women charged with child murder or concealment of pregnancy were acquitted in Scotland during the period under review. However it is possible that some women were acquitted on the basis of the evidence of medical witnesses. Annie W. [S. 18] was acquitted of child murder following her trial at the High Court in Perth in June 1921. Dr Peter Moffat's evidence may have affected the verdict. He felt that 'the ordeal' Annie experienced 'in the open country exposed to the elements, without assistance, encouragement or assurance' would have intensified the agony of childbirth 'a hundred times.'[169] He also stated that 'the probable excessive haemorrhage' could have caused Annie to faint or lose consciousness.[170] Dr Moffat was of the opinion that a woman who had given birth in such circumstances 'would be more or less in an irresponsible state of mind and helpless, and this, coupled with the birth of a weak child, would cause the death of the child through no fault of the mother.'[171] There

[168] A number of files in this sample are currently closed because they contain sensitive personal data and it was not possible to locate the relevant sentencing information in all cases.
[169] N.A.S., AD15/21/166, 1921.
[170] Ibid.
[171] Ibid.

are other cases in the samples for both England and Scotland where medical opinion may have impacted on the verdict in infanticide cases.

Table 5:1. Outcomes in cases of child murder and concealment of pregnancy in the Scottish cases

Outcome	Percentage
Not guilty*	34.6
Guilty	57.6
Admonished**	3.8
Insane	3.8

* This includes four cases where women were assoilzied and dismissed. 'Assoilzied' in Scottish law means to be free or absolved of guilt.

** 'If a person is found guilty, and the offence is considered trifling, or there are special circumstances associated with the accused or the offence, the court may dismiss the person with an admonition.' (http://www.nas.gov.uk/guides/legalTerms.asp). A special plea of insanity at the time was entered in this particular case.

Two women in the English sample were sentenced to death for the murder of their illegitimate infants. They were both pardoned and their sentences were reduced to penal servitude for life. None of the women in the Scottish sample were sentenced to death. Ward has noted that in England, 'almost from the outset, most women convicted of infanticide have received non-custodial sentences.'[172] This is not quite the picture here. During the first half of the twentieth century most single women convicted of manslaughter, infanticide or concealment of birth in England served their sentences in prison. Twelve women (46.1%) in the English sample were given prison sentences that ranged from seven days to three years. The sentences imposed on women convicted only of concealment of birth were often quite short. In April 1921 Bridget T. [E. 22] was found guilty of endeavouring to conceal the birth of her newborn infant and sentenced to

[172] Ward, Tony, 'The Sad Subject of Infanticide: Law. Medicine and Child Murder, 1860 – 1938,' in *Social and Legal Studies*, Vol. 8 No. 2., (1999), p163.

serve seven days in prison. In Ireland, particularly after 1922, women convicted of concealment of birth tended to serve longer sentences than their English counterparts.

Eight women (30.7%) convicted of infanticide or concealment of birth in this sample received non-custodial sentences. Five women were bound over in a sum of money for a period ranging between twelve months and two years. In addition to this, Margaret H. [E. 34] was ordered to enter into a recognizance, to appear for judgement if called upon within two years and to be placed under the supervision of a Miss Green.[173] It is not clear who Miss Green was. She may have been a social worker or an employee in a religious institution or home. Ann G. [E. 32] was entered into a recognizance of ten pounds and agreed to appear for judgement if called upon within six months.[174] She was also placed under the supervision of the Salvation Army.

Newspaper reports relating to three cases not included in this sample indicate that unmarried women convicted of infanticide or concealment of birth in England sometimes served their sentences in homes rather than in prison, although this practice does not appear to have been as widespread as it was in Ireland after 1922.[175] Having a woman agree to spend time in a home rather than serving a prison sentence may have been considered preferable by some judges. They may have felt that single women convicted of infanticide or concealment of birth were in need of reform and religious influence, or they may have sympathised with the defendants in these cases and felt that spending time in a home was more appropriate than a prison sentence. But in general English single women convicted of murder, infanticide or concealment of birth were likely to have served custodial sentences in prison, whereas in southern Ireland unmarried women convicted of the murder or concealment of birth of their illegitimate infants were more likely to have served their sentences in convents.

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[173] N.A., Kew, CRIM 6/31.
[174] N.A., Kew CRIM 6/30.
[175] In January 1925 *The Times* reported on the case of Dorothy H., an eighteen-year-old shop assistant who had been found guilty of infanticide. According to the paper, Dorothy H. was discharged having undertaken to stay in a home for a period of six months. The institution Dorothy would spend six months in was not named but it was noted that a home would be found for her by the court missionary. Similarly, Margaret B., who pleaded guilty to concealment of birth at the Old Bailey in January 1925, 'expressed her willingness to go into a home for six months.' (*The Times*, 16 Jan. 1925). Florence R. pleaded guilty to infanticide in January 1925. The *Times* noted that 'Mr Justice Slater said he should like the girl to go to a home for six months, and if she was willing to do that he was prepared to bind her over.' (*The Times*, 16 Jan. 1925). Mr Justice Slater tried all three cases and all three women agreed to spend time in homes.

Table 5:2 Outcomes in the English cases

Outcome	Percentage
Murder	7.6
Manslaughter	7.6
Concealment of birth*	30.7
Unlawful neglect of child	3.8
Infanticide	38.4
Not guilty	11.5

* This includes one case of attempted concealment of birth

All single women convicted of child murder or concealment of pregnancy in the Scottish sample served their sentences in prison. Fifteen women (57.6%) received prison sentences that ranged in length from two months to eighteen months. The average length of time single women convicted of child murder or concealment of pregnancy in Scotland served was nine months. Sentencing patterns were much more uniform and less varied in Scotland than in England or Ireland during the period under review. From the cases in the sample studied, it would appear that single women convicted of child murder or concealment of pregnancy in Scotland were not considered for placement in religious institutions as an alternative to serving a prison sentence.

In Ireland, evidence of the long-term involvement of the father with the woman charged often worked in favour of the single women suspected of infanticide. If the father of the infant agreed to marry a woman charged with infanticide she could often avoid serving a prison sentence. Seven women convicted of the manslaughter or concealment of birth of their illegitimate infants were released from custody in southern Ireland between 1922 and 1950 following their marriage to the putative fathers of their illegitimate infants. This practice seems to have been far less common in England during the first half of the twentieth century. When Eileen H. [E. 31] was tried for infanticide in January 1934 she called Jack C., the father of her deceased infant, to give evidence in court. Jack stated that he was 'prepared to marry the accused as soon as possible.'[176] A letter from Eileen's

[176] N.A., Kew, CRIM 1/691, 1934.

solicitor to the Clerk at the Central Criminal Court noted that she had married Jack C. on 26 December 1933 shortly before she stood trial. Eileen was convicted of infanticide and released on entering into a recognizance of ten pounds. That Eileen was dealt with leniently may have been partly due to the fact that the father of her deceased infant agreed to marry her. This was an isolated case.

None of the women in the English sample for whom information is available were deemed insane. One woman was admitted to an institution because she was certified as feeble-minded. A verdict on insanity was returned in one child-murder case (3.8%) in Scotland. Elizabeth B. [S. 26] was found to have been insane when she was tried for child murder in November 1929 and was sentenced to be imprisoned at His Majesty's pleasure. Elizabeth B. was held in an asylum until her conditional release in October 1934. It is not clear why Elizabeth B. was deemed insane but a note in her file referred to the fact that 'safeguards' needed to be devised in order 'to protect the woman from her own sexual proclivities.'[177] This raises the question about whether the authorities considered Elizabeth B.'s sexual promiscuity to be a sign of mental imbalance.

Table 5:3 Sentencing patterns in the English cases

Sentence	Percentage
Sentenced to death and commuted	7.6
Imprisoned	46.1
Non-custodial sentence	30.7
Certified as feeble-minded and sent to an institution	3.3
Acquitted	11.5

[177] N.A.S, AD15/29/77.

5.8 Irish immigrants and infanticide cases in Britain, 1900 - 1950

Research by Earner-Byrne and Garrett has demonstrated that single expectant Irish women left Ireland for England in considerable numbers during the first half of the twentieth century. Although there are no comprehensive figures for the numbers of unmarried pregnant Irish women who emigrated to Britain between 1900 and 1950, various sources attest to the high level of prenatal emigration from Ireland.[178]

While most single pregnant Irish immigrants in Britain had their babies adopted or placed with foster mothers, a small number of unmarried Irish immigrants were charged with infanticide. This chapter will examine ten such cases. The group is based on the records of five cases where single Irish women were charged in England with infanticide,[179] two where single Irish women were charged in England with the murder of their illegitimate infants, and three cases where unmarried Irish women stood trial for child murder in Scotland.[180]

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[178] Stanley Lyon's 'Report on Survey Covering the Employment, Social and Living Conditions of Irish Emigrants (First Generation) in Great Britain' which was prepared for the Commission on Emigration in 1948, indicated that large numbers of single pregnant Irish women left Ireland for Britain annually. Lyon interviewed Fr. Harold, the superior at St Joseph's Retreat, Highgate who told him that 'very many Irish girls of the 24/28 years age group came to London pregnant.' Similarly, the Mother Superior of the Convent of the Sacred Hearts at Chigwell said that 'a considerable number of Irish girls come to England in a pregnant condition.' During the 1920s and 1930s the N.C.U.M.C. tried to obtain statistics that would indicate how many unmarried Irish mothers were in Britain. However, such figures were unobtainable 'owing to the fact that the address from which the mother enters the hospital or infirmary for confinement is usually that of a friend or relative, or even a home for unmarried mothers, so that there is no public record of the mother's native place.' The Council felt that 'any figures which could be given would therefore be incomplete and misleading.' The British based charities and organisations that dealt with single pregnant Irish women seeking assistance included: the Liverpool and County Catholic Aid Society, West Derby Union, Manchester Union, St Vincent's Home, Manchester, Leeds Diocesan Rescue and Protection Society, St Pelegia's Home, London (check spelling of home), the Catholic Women's League Rescue Committee, London, Guardian Angel's Home, London, Crusade of Rescue, London, Central Council for the Social Welfare of Girls and Women, London, the National Council for the Unmarried Mother and her Child, Catholic Women's League of Scotland, Catholic Enquiry Office, Edinburgh. (Lyon, Stanley, 'Report on Survey Covering the Employment, Social and Living Conditions of Irish Emigrants (First Generation) in Great Britain,' (1948), Marsh papers, MSS 8297, Trinity College Dublin).

[179] Belinda R. [I.B. 4] was charged with both infanticide and concealment of birth in December 1947. (N.A., Kew, ASSI 52/635, 1948).

[180] While a considerable amount of information exists on the plight of single Irish mothers in England, little is known about the experience of unmarried Irish mothers in Scotland. This is due to the fact that fewer sources capable of shedding light on the experience of unmarried Irish mothers in Scotland seem to have survived. Furthermore, young pregnant Irish women seem to have emigrated to London and other large English cities in greater numbers. However, the existing sources indicate that the emigration of single pregnant Irish women to Scotland was considered problematic by members of the Catholic Church there. Concern was also expressed about the numbers of single Irish women who became pregnant while resident in Scotland. During the late 1920s and throughout the 1930s a number of Catholic organisations in Scotland also expressed a deep sense of unease regarding the number of unmarried pregnant Irish girls who had moved from Ireland to Scotland, as well as the growing number of young Irish female emigrants who

Seven of this group who stood trial for infanticide in Britain were originally from the South and three were from the North.[181] While recent scholarship has explored the experiences of unmarried women who left the Irish Free State for Britain because they were pregnant, the experiences of single pregnant women who left Northern Ireland for Scotland and England has not been explored: they seem to have shared similar experiences in Britain.[182]

Earner-Byrne has suggested that single pregnant Irish women were motivated to emigrate 'in large part by the social hostility to their plight.'[183] This is borne out by the statements of several Irish women charged with infanticide in Britain. Belinda R. [I.B. 4] seems to have emigrated to England in order to hide her 'shame.' In her statement she said that 'being a single girl [she] was afraid of the disgrace and kept it to [herself].'[184] Emily M. [I.B. 7] told Detective Sergeant Bailey that '[her] mother knows nothing about it.'[185] When he asked Emily for her parents' names and their address in Ireland she said that she did not want them to know what had happened. It is hardly surprising that single Irish women living in Britain would have cited the overwhelming sense of shame associated

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became pregnant soon after they arrived in Scotland. The annual reports of the Catholic Enquiry Office in Edinburgh referred to the numbers of Irish female immigrants assisted by the organisation. In 1929 Providence House, a shelter for girls that was run by the Catholic Enquiry Office, admitted two hundred and five women, twenty-three of whom were originally from Ireland. (Scottish Catholic Archives [hereafter S.C.A.] Edinburgh, DE 122/17, Catholic Enquiry Office, Annual report for 1929). Some, but not all of these women were unmarried mothers. As more detailed records have not survived it is unclear how many of the Irish women who sought refuge in Providence House were single mothers. This was a phenomenon that persisted well into the 1950s. Files held at the Scottish Catholic Archives in Edinburgh relating to Catholic children that were put up for adoption in the 1950s highlight the fact that the mothers of some of these children were from Northern Ireland and Éire. Further research is necessary in order to reach a more accurate assessment of the pattern of pre-natal female emigration to Scotland.

[181] An examination of criminal trials that came before the courts in Scotland during the nineteenth century would probably bring many more cases involving single Irish women who were suspected of having killed their illegitimate infants to light. Between 1872 and 1896 at least three unmarried Irish women and one married Irish woman who was living apart from her husband and had a child by another man were charged with child murder or concealment of pregnancy in Scotland.

[182] Although the National Council for the Unmarried Mother and her Child (N.C.U.M.C.) came into contact more frequently with single mothers from the Irish Free State than single expectant mothers from Northern Ireland, unmarried pregnant women from Northern Ireland also wrote to the council from the North of England or from their homes in Northern Ireland. 'The Irish mothers with whom the Council most frequently comes into direct touch, are from the Irish Free State, but in the North of England and in Scotland the problem of the girl from Northern Ireland is found, and sometimes she too writes to the Council's office.' (Women's Library, London Metropolitan University, N.C.U.M.C., Annual report for 1931.)

[183] Earner-Byrne, Lindsey, 'Moral Repatriation': The Response to Irish Unmarried Mothers in Britain, 1920s – 1960s, in Duffy, Patrick J., (ed.), *To and From Ireland: Planned migration Schemes 1600 – 2000*, p155.

[184] N.A., Kew, ASSI 52/365, 1948.

[185] N.A., Kew, ASSI 52/404, 1928.

with single motherhood as one of the reasons which prompted them, firstly to conceal their pregnancy from everyone they knew and, secondly, to kill their illegitimate newborns. Many single women who stood trial for the murder of their illegitimate infants in Ireland also referred as we have seen to the sense of shame associated with unmarried motherhood in their statements. Shame was evidently a motivating factor in cases involving unmarried mothers in many jurisdictions. In her study of infanticide cases prosecuted in Chicago between 1870 and 1930 Oberman has argued that the stigma associated with out-of-wedlock births may have prompted many single American women to commit infanticide.[186]

As the N.C.U.M.C. noted, there were two classes of single pregnant Irish women in Britain that 'present particular difficulty.'[187] There was the woman who ran away from Ireland 'to hide in England or Scotland, trusting that she may be able to return home without the child' and women already employed in Britain who get 'into trouble either in the place of her employment or, as commonly happens, whilst on holiday in Ireland.'[188] A great deal of concern was raised during the 1930s in the Irish press and in Catholic Lenten pastorals about innocent vulnerable Irish 'girls' who were, as Ryan put it, 'believed to be dazzled by city lights, consumerism, fast living, and all sorts of bodily desires' and became pregnant shortly after arriving in Britain.[189] However, as Gertrude Gaffney noted in the *Irish Independent* in December 1936, many Irish 'girls' were already pregnant before they arrived Britain.[190] Earner-Byrne has pointed to the fact that while there were no official statistics regarding the actual numbers of single pregnant Irish women who left Ireland for Britain between 1920 and 1960, 'the preponderance of oral testimony pointed to the fact that the majority of Irish unmarried mothers in Britain became pregnant after emigration.' [191] Most single Irish immigrants charged with infanticide in this small sample also became pregnant after they had emigrated. Only two of the ten appear to have emigrated because they were already pregnant. When she was

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[186] Oberman, Michelle, 'Understanding infanticide in context: mothers who kill, 1870-1930 and today,' in *Journal of Criminal Law and Criminology*, vol. 92, nos. 3 & 4, (2002), pp722-723.
[187] Women's Library, London Metropolitan University, N.C.U.M.C. annual report for 1931.
[188] Ibid.
[189] Ryan, Louise, 'Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s,' in *Women's Studies International Forum*, Vol.25, No.1, (2002), p52.
[190] *Irish Independent*, 15 Dec. 1936.
[191] Earner-Byrne, Lindsey, '"In Respect of Motherhood": Maternity policy and provision in Dublin city, 1922-1956,' Unpublished PhD Thesis (N.U.I., History Department, University College Dublin, 2001), p255.

arrested and charged with infanticide in December 1947, several weeks after she had given birth, Belinda R. [I.B. 4] told police that she knew she was pregnant when she arrived in Manchester in April 1947. It is not clear how long Emily M. [I.B. 7] had been in Liverpool before she gave birth but it is probable that, like Belinda R., Emily M. went to England in order to conceal her pregnancy from her family and friends at home.[192]

While groups and individuals who came into contact with unmarried Irish mothers in Britain expressed their concerns about single Irish women who became 'illegitimately pregnant'[193] shortly after they arrived in Britain, five of the seven Irish women charged with murder or infanticide in England between 1929 and 1950 had been employed in Britain for several years before they were charged with infanticide.[194] Two of the three single Irish women who were charged with child murder in Scotland had been employed there for some time before they were arrested and charged.[195] The eight other single Irish women who were charged with infanticide or child murder in England and Scotland between 1900 and 1950 became pregnant while they were in Britain and dealt with the prospect of single motherhood in a manner that mirrored the way in which unmarried domestic servants in similar circumstances dealt with an unplanned pregnancy, both in Ireland and in Britain. They concealed their pregnancy from everyone they knew, gave birth in secret without assistance and killed their illegitimate infants shortly after they were delivered.

In 1938 the N.C.U.M.C. noted that 'the impression still appears to prevail, both in Northern Ireland and in Eire, that an Irish girl may get help during her confinement, and

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[192] N.A., Kew, ASSI 52/404.

[193] Dublin Diocesan Archives, McQuaid Papers Emigrant's Welfare 1 General Correspondence 1939-1961. AB8/B/XXIX, Letter from Cardinal Hinsley to de Valera, 25 May 1939.

[194] Lily F. [I.B. 1] had been living in England for approximately five years when she was convicted of the murder of her illegitimate infant. (N.A., Kew, MEPO 3/1656, 1930). Rosemary B. [I.B. 2] had also been living in England for five years when she was charged with infanticide. (N.A., Kew, CRIM 1/1270, 1940).Nora T. [I.B. 3] had been living in England for just under three years when she was charged with infanticide. (N.A., Kew, CRIM 1/1931, 1948). Mary Ellen M. [I.B. 5] had been living in England for at least two years at the time of her arrest. Margaret D. [I.B. 6] left Ireland in June 1946 and had been living in Britain for approximately four years when she was arrested and charged with causing the death of her infant by a wilful act in May 1950. (N.A., Kew, ASSI 13/207, 1950). It is not clear from the available evidence if Emily M. [I.B. 7] left Ireland for England when she realised she was pregnant or whether she became pregnant while she was working in Liverpool. (N.A., Kew, ASSI 52/404, 1928).

[195] Kathleen L. [I.B. 8] had moved to Scotland with her cousin four years prior to her pregnancy. (N.A.S., AD15/21/171, 1921). Margaret M. [I.B. 10] had been working as a farm servant in Scotland for just over a year when she was arrested. (N.A.S., AD15/19/61, 1919). It is not clear from the records how long Helen T. [I.B. 9] had been living in Scotland prior to her arrest. (N.A.S., AD15/14/103, 1914).

adoption for her child, in England...'[196]. While the vast majority of single pregnant women left Ireland not only to conceal the disgrace of a pre-marital pregnancy but also to avail of superior social services in Britain, a small number of women failed to seek assistance in Britain, gave birth secretly without assistance and subsequently killed their illegitimate newborns. Although some unmarried Irish women who were charged with infanticide in Britain may have been aware of the social services available to single mothers and their children, they chose to terminate the lives of their infants rather than dealing responsibly with the problem and seeking assistance. Belinda R. [I.B. 4][197] and Emily M. [I.B. 7][198] left Ireland because they were pregnant, but there is no evidence in their case files to suggest that either woman had made inquiries about having their infants adopted or had approached any societies seeking assistance. Belinda R. told police that although she left Ireland for England because she was pregnant, she 'never went to a doctor or midwife' in Manchester and 'kept it to [herself]' because she was 'afraid of the disgrace.'[199] She had made no preparations for the birth of the baby. When she was arrested and charged, Belinda admitted that '[she] had not bought any baby clothes or arranged for the baby being born.'[200] Irish women charged with infanticide or child murder who had been living in Britain for some time before they became pregnant also acted as if there were no other options available to them in Britain. They may have been unaware of the options that were available to single mothers in Britain or may have committed infanticide in order to avoid taking responsibility for their illegitimate infants. Mary Ellen M. [I.B. 5] received some offers of assistance before the birth of her baby. She was discharged from the Auxiliary Territorial Service when it became known that she was pregnant. However, some of her former colleagues seem to have been helpful and understanding. In her statement Mary Ellen said that 'only for the A.T.S. officers [she] should have been out of [her] mind.'[201] One woman met her several times after she was discharged and told her that her mother 'would be willing to give a house to her and her baby when born.'[202] Mary Ellen refused the offer and her baby's body was found in a canal a few weeks after its birth. It is impossible to account for such patterns of behaviour. However it is clear that many of these women were under severe mental strain

[196] Women's Library, London Metropolitan University, N.C.U.M.C. annual report for 1938.
[197] N.A., Kew, ASSI 52/635, 1948.
[198] N.A., Kew, ASSI 52/404, 1928.
[199] N.A., Kew, ASSI 52/635, 1948.
[200] Ibid.
[201] N.A., Kew, ASSI 65/46/6, 1942.
[202] Ibid.

at the time. Mary Ellen told police that she was 'ill and stupid with worry' after the birth of her son.[203]

Like unmarried women charged with infanticide or concealment of birth in Ireland or Britain during the period under review, the typical Irish immigrant who stood trial for infanticide or concealment of birth in Britain was unmarried, from a working-class background and employed as a domestic servant. Lily F. [I.B. 1], who was charged with the murder of her illegitimate infant in Croydon in June 1930, was from such a working-class background. According to the R.U.C. County Inspector for Co. Fermanagh, Lily's parents, who belonged to the 'labouring class,' were in 'poor circumstances.'[204] Following her death while lighting a fire in Aylesbury prison in July 1931, the St Vincent de Paul Society wrote to the Home Office requesting financial assistance for Lily's parents. Prior to her arrest, she had sent her parents a small monthly allowance. Mary Ellen M. [I.B. 5] was also from a working-class background. Her widowed mother was financially dependent on her. Mary Ellen told police that her mother 'thought the world of [her] as [she] gave her all [her] money from when [she] was able to work.'[205]

A number of Irish women in Britain were unable to cover the costs of their trials. Helen T. [I.B. 9], who was charged with the murder of her illegitimate infant in October 1914, was unable to pay a medical witness to provide testimony for her defence regarding 'the evidence of the doctors for the Crown as to strangulation and also on the question of premature birth.'[206] As an agent for the poor, Cecil Thomson applied for a medical witness for Helen T. as 'the accused has no money.'[207] A note in Nora T.'s [I.B. 3] file read 'legal aid to be arranged.'[208] Emily M. [I.B. 7], who was tried with the murder of her newly born female infant in June 1928, would probably not have been able to pay members of the legal profession to represent her in court. Emily was initially employed as a domestic servant in Liverpool but by the time she gave birth in April 1928 she was assisting a woman who described herself as a cripple. Although Emily received board and lodgings, she was not paid and only occasionally received pocket money.

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[203] Ibid.
[204] N.A., Kew, MEPO 3/1656.
[205] N.A., Kew, ASSI, 65/46/6, 1942.
[206] N.A.S., AD15/14/103, 1914.
[207] Ibid.
[208] N.A., Kew, CRIM 1/1931, 1948.

Many unmarried working-class women may have felt unable to provide for their infants. Economic circumstances were clearly one of the main motivating factors in the case I.B. 1. Lily F. [I.B. 1] claimed that she killed her illegitimate infant because she had been abandoned by the baby's father and lacked the financial means to raise the baby on her own. In her statement Lily said that she had been 'left destitute in London seeking a night shelter in the Church Army Home' the night before she killed her baby.[209] Rosemary B. [I.B. 2] had been employed as a domestic servant in London for several years before she became pregnant. She had not been feeling well in August 1940 and left her job. When she was questioned Rosemary informed police that since she left her job she had been sleeping in public air-raid shelters at night. During the day she went to a friend who gave her food. Although Rosemary B. said that she had 'a few shillings of [her] own' she must have been practically destitute.[210] She eventually gave birth in a disused café over an air-raid shelter in November 1940. Economic circumstances may also have been a key motivating factor in Rosemary's case. As she was already paying for the upkeep of her three-year-old daughter who was being raised by a foster mother in Surrey, Rosemary may have felt unable to cope with the birth of a second illegitimate child.

Although only one single Irish woman charged with infanticide in Britain during the period referred to a sense of fear of family members in her statement, it seems likely that women like Belinda R. [I.B. 4] left Ireland because they were afraid how family members would react towards single maternity.[211] Margaret M. [I.B. 10], who stood trial for the murder of her infant in Glasgow in July 1919, was clearly anxious to prevent her father from learning about her pregnancy. Although she confided in her mother, Margaret told her employer that 'she would not like to go home as her father did not know anything about it, and [she] could not say how he would take it.'[212] Margaret's mother also said that her daughter was 'very frightened about her father getting to know of her condition, and he was not told then.'[213] Both Ryan and Lambert have argued that many Irish families were unsupportive of unmarried relatives who became pregnant. Ryan has claimed that parents in Ireland 'rarely agreed to take their daughters home after they became pregnant' and that some parents forced their daughters to emigrate when it

[209] N.A., Kew, H.O. 144/16260.
[210] N.A.., Kew, CRIM 1/1270, 1940.
[211] N.A., Kew, ASSI 52/635, 1948.
[212] N.A.S., AD15/19/61, 1919.
[213] Ibid.

became known that they were pregnant.[214] In her study of Irish women's emigration to England between 1922 and 1960, Lambert has argued that 'many single pregnant Irish women were forced to emigrate rather than bring shame upon their families at home.'[215] Some of the Lancashire-based Irish female immigrants she interviewed for her study had concealed their pregnancies from their families and emigrated to Britain, while others had left with the assistance of their families.

A woman's relationship with the man responsible for her pregnancy could in some cases, particularly if it was an unstable or abusive relationship, contribute to her decision to take her infant's life. Lily F. [I.B. 1] appears to have been in an abusive relationship. A report in a Home Office file on the case noted that 'the prisoner has evidently been very badly treated by [Frederick] E,'[216] the father of her infant. In her statement Lily F. claimed that while she was pregnant he had given her 'stuff to get rid of it.'[217] She also told police that he 'knocked her about.'[218] She had reported him to the police on at least one occasion prior to the birth of her baby. Fred had assured Lily that he would make arrangements to have the baby adopted, but he failed to do so and following an argument he told Lily that he would 'have nothing more to do with her.'[219] The next day Lily sat down under a hedge and having fed her baby, strangled it with a napkin.

Single mothers would have been aware that the birth of an illegitimate child would have an adverse effect on their own lives. Margaret D. [I.B. 6] may have been motivated to kill her illegitimate infant because she was afraid that it would jeopardise her relationship with her boyfriend, who was not the baby's father. When she was questioned she that she 'didn't dare tell [her] boyfriend in case he gave [her] up'[220] and insisted that he 'knows nothing about it.'[221]

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[214] Ryan, Louise, 'Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s,' in *Women's Studies International Forum*, Vol.25, No.1, (2002), p61.
[215] Lambert, Sharon, 'Irish Women's Emigration to England, 1922-60: The Lengthening of Family Ties,' in Hayes, Alan and Urquhart, Diane (eds.) *Irish Women's History*, p157.
[216] N.A., Kew, HO 144/16260.
[217] N.A., Kew, HO 144/16260.
[218] N.A., Kew, HO 144/16260.
[219] N.A., Kew, MEPO 3/1656.
[220] N.A., Kew, ASSI 13/207, 1950.
[221] Ibid.

Several single Irish women who were charged with infanticide in Britain seem to have been uncertain about the identity of their infants' father. Some women, like Nora T. [I.B. 3], had had more than one sexual partner in the recent past and were unable to identify the man responsible for the pregnancy. The fathers of two illegitimate infants whose deaths were investigated by the police in Britain were Irish. Belinda R. [I.B. 4] told police that she had 'been intimate with a boy named Michael B. at home.'[222] Emily M. [I.B. 7] said little about the man who was responsible for her condition but she told the detective who questioned her that her infant's father was called O'Brien.[223] She assumed his surname in Liverpool and witnesses who were interviewed said they knew her as Eveline O'Brien.

Information on the outcome and sentence is not available in all infanticide cases in the samples for England and Scotland where the defendant was an unmarried Irish immigrant.[224] Information relating to outcome and sentence is available for two of the Irish women who stood trial for the murder or concealment of birth of their illegitimate infants in England. Lily F. [I.B. 1][225] was convicted of the murder of her baby and Belinda R. [I.B. 4][226] was convicted of concealment of birth. Information relating to outcome and sentence is available for all three of the Irish women who stood trial for child murder or concealment of pregnancy in Scotland during the period under review. Kathleen L. [I.B. 8] was convicted of culpable homicide.[227] It is not clear however whether Helen T. [I.B. 9][228] and Margaret M. [I.B. 10][229] were convicted of concealment of pregnancy or child murder. As the terms of imprisonment they received were quite short, it seems probable that both women were convicted only of the lesser charge of concealment of pregnancy.

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[222] N.A., Kew, ASSI 52/635, 1948.
[223] N.A., Kew, ASSI 52/404, 1928.
[224] As stated previously, some of the files that contain information relating to the verdict and sentence in these are currently inaccessible because they contain sensitive personal data.
[225] N.A., Kew, MEPO 3/1656, 1930.
[226] N.A., Kew, ASSI 52/635, 1948.
[227] N.A.S., AD15/21/171, 1921.
[228] N.A.S., AD15/14/103, 1914.
[229] N.A.S., AD15/19/61, 1919.

Lily F. [I.B. 1] was convicted of the murder of her illegitimate infant at the Surrey summer assizes in July 1930 and sentenced to death.[230] Her sentence was later commuted to penal servitude for life. The three Irish women who stood trial for child murder or concealment of pregnancy in Scotland were sentenced to serve between five and fifteen months in prison. Helen T. [I.B. 9] may not have actually served her five-month prison sentence as the words 'not called' were recorded in her file.[231] An analysis of sentencing patterns in Northern Ireland has revealed that the practice of sending single women convicted of infanticide to serve their sentences in religious run institutions was not uncommon. It was a practice that also existed in England. Belinda R. [I.B. 4] was tried at the Lancashire Winter Assizes in February 1948. She was found guilty of concealment of birth and ordered to 'obey the lawful orders and to place herself under the supervision of the Mother Superior of the Home of the Good Shepherd at Blackby' for two years.[232] A Catholic social worker may have taken an interest in Belinda's case and suggested that she be sent to a convent, or the judge who tried her case may have felt that time spent in a convent would be preferable to serving a prison sentence.

Unmarried Irish immigrants who committed infanticide in Britain were perhaps even more socially isolated than British women who found themselves in similar circumstances. It is clear from the records of infanticide trials that single Irish women who concealed their pregnancies in Britain would have felt extremely isolated and lonely. This is particularly true, no doubt, of recent immigrants who may not have had any support network or access to financial resources. For some women, such feelings may have been compounded by the prospect of serving their sentences in a prison in a strange country. Lily F. [I.B. 1], a native of Co. Fermanagh, who served her sentence in Aylesbury prison, had no relations in England and did not receive any visits when she was in prison. In fact, the governor of Aylesbury prison sent Lily's mother five pounds so that she could come to see her daughter, but Lily died in prison before her mother arrived. Both the inspector of police at Cupar and a detective sergeant recalled that Kathleen L. [I.B. 8], who was charged with the murder of her infant daughter in July 1921, had inquired whether she would 'get to do her time in an Irish prison.'[233] Kathleen

[230] N.A., Kew, PCOM 9/285. Information relating to the case is also contained in files MEPO 3/1656 and HO 144/16260
[231] N.A.S., AD15/14/103, 1914.
[232] N.A., Kew, ASSI 52/635, 1948.
[233] N.A.S., AD15/21/171, 1921.

seems to have grown distressed when she learned that she would be imprisoned in Scotland. She started to cry and said she 'did not mean to kill it' when she was informed that she would not be able to serve her sentence in Ireland.[234]

The single Irish women in this study who served time in British prisons were convicted of a crime that was quite common in post-independent Ireland. Although single expectant women would have had more options in dealing with an unplanned pregnancy in Britain than in Ireland during the period, a small number of single Irish women failed to make preparations for their confinement and took the lives of their infants. While unmarried Irish women may have been motivated to kill their infants in order to avoid the shame and disgrace associated with single motherhood, few seem to have considered the consequences of their actions or the disgrace of a trial, conviction and imprisonment. Some women may not perhaps have realised that the murder of newborn infants by their mothers was a crime that was dealt with seriously by the police and the courts.

In her study of Irish women's emigration to England between 1922 and 1960 Lambert noted how immigrants brought values and traditions from their original country with them when they emigrated to England.[235] The outlook and behaviour of single pregnant Irish women who committed infanticide in Britain would no doubt have been influenced by their upbringing in Ireland where there was a great degree of intolerance towards unmarried mothers and their illegitimate children. In Ireland single pregnant women were often ostracised by family, neighbours and friends. However, unmarried English and Scottish women also committed infanticide during the first half of the twentieth century. It was a crime associated both in Britain and in Ireland with young, single women who worked as domestic servants.

Given the numbers of single pregnant Irish women in Britain, it is hardly surprising that unmarried Irish women appear in trial records in England and Scotland as defendants in infanticide, child murder or concealment of pregnancy cases. In most respects their behaviour was consistent with the actions of working-class class women who found themselves in the same predicament both in Britain and in Ireland during the period

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[234] Ibid.

[235] Lambert, Sharon, 'Irish Women's Emigration to England, 1922-60: The Lengthening of Family Ties,' in Hayes, Alan and Urquhart, Diane (eds.) *Irish Women's History*, p152.

under review. Single, pregnant Irish women living in Britain between 1900 and 1950 were subject to the same kinds of pressure as unmarried pregnant British women, albeit with less immediate family surveillance and less access to social networks. Unmarried Irish women who committed infanticide faced the same dilemmas as their British counterparts, and while most single women of both nationalities boarded out or adopted their illegitimate infants, some felt compelled to terminate their infants' lives shortly after they gave birth secretly and without assistance.

5.9 Conclusion

The records of infanticide cases that came before the courts in Ireland, England and Scotland between 1900 and 1950 undoubtedly reveal a great deal about the murder of illegitimate infants by their mothers and the circumstances that prompted single women to commit such a serious criminal offence. They also provide a considerable degree of insight into the lives of working-class women. For the most part, single pregnant women in Britain and in Ireland seem to have dealt with the prospect of lone motherhood in much the same way. During the first half of the twentieth century most unmarried women in Britain and in Ireland took positive steps to deal with an unplanned pregnancy and had their illegitimate infants adopted, boarded out or placed in institutions and, where possible, they raised the children themselves. However, a minority of women in Ireland, England and Scotland attempted to conceal their pregnancies, made no preparation for the birth of their infants, shunned the responsibility of single motherhood and terminated the lives of their illegitimate newborns soon after delivery. While there may have been a greater degree social stigma attached to single motherhood in Ireland during the period and while single expectant women in Britain certainly had access to superior services, the similarities between the trial records of infanticide cases that came before the courts in Ireland, England and Scotland are more striking than the differences.

Infanticide cases involving single women in Ireland, both North and South, and cases tried in England and Scotland during the first half of the twentieth century shared many similar features. The same stories and similar patters of behaviour emerge from infanticide cases that came before the courts in all four jurisdictions. Single pregnant women in England and Scotland were subject to many of the same pressures and experienced many of the same difficulties as their Irish counterparts. However, while most infanticide cases that came before the courts in these jurisdictions are broadly

similar they differed in some respects, most noticeably perhaps, in terms of the level of family involvement in infanticide cases and with regard to sentencing patterns. The most striking differences were evident in the Scottish sample, where there were marked differences in the manner in which the putative fathers of illegitimate infants were treated during the course of investigations into suspected cases of infanticide when set against the cases tried in the other jurisdictions examined in this thesis. Sentencing patterns in the Scottish sample also differed from sentencing patters in the other jurisdictions. All women convicted of child murder or concealment of pregnancy in the Scottish sample were sentenced to terms of imprisonment. There was also a wider range of sentencing options in the non-Scottish samples. A higher proportion of women in post-independent Ireland were sent to spend time in religious run institutions for longer periods of time than unmarried women in any other sample.

This chapter has also uncovered further evidence of the emigration of single expectant Irish women to Britain during the first half of the twentieth century. Most unmarried expectant Irish women who emigrated to Britain and unmarried Irish immigrants who became pregnant in Britain sought help from organisations such as the National Council for the Unmarried Mother and her Child (N.C.U.M.C.) and various Catholic charitable groups in England and Scotland, but a minority responded to lone motherhood by taking their infant's life shortly after delivery. Traces of their experiences and insight into the desperate position in which they found themselves can be recovered in the records of the British criminal justice system. The personal experiences of single pregnant women who sought assistance from organisations in Britain that aided unmarried mothers are, for the most part, inaccessible. Few of these women left any records of their own and although they feature in the records of charitable groups, such records often reveal more about the ethos of individual organisations than the actual experiences of single expectant Irish immigrants. The voices of unmarried women who responded to the predicament in which they found themselves by committing a serious crime are more than adequately captured in the judicial records examined in this chapter. Research into the judicial records of infanticide cases tried in England and Scotland after 1950 would likely yield even more evidence of infanticidal Irish immigrants.

Chapter Six

'Girls of loose character'[1]: Single women and abortion in Ireland, 1900 –1950

Addressing the jury in the course of George J.'s trial for using an instrument with intent to procure the miscarriage of his girlfriend Carrie D. in June 1945, Mr. Justice McCarthy told the jurors that for the past ten or twelve years in Dublin 'crimes of passion of the worst character have come before the courts.'[2] The judge seems to have regarded abortion as a crime of passion, which 'reveal[ed] mankind at its worst.'[3] An editorial in the *Irish Times* the previous summer had also expressed a strong sense of horror and disgust at the number of abortion cases that had been before the courts. The editor reminded its readers that 'Dublin is probably no worse and no better than any other city of its size' and that the city's 'inhabitants are prone to all the many frailties of human kind. Vice lives check by jowl with virtue in our midst, and the mere fact that our people happen to be Irish does not endow them with any monopoly of either good or evil qualities.'[4] While Irish women may have been less inclined to resort to abortion to control their fertility than British women during the first half of the twentieth century, Irish men and women were, as the *Irish Times* suggested, 'prone to all the many frailties of human kind' and a number of abortion cases involving unmarried women came to light between 1900 and 1950.[5]

'Abortion for the purpose of fertility control,' as McAvoy has noted, 'was a criminal act' during the period under review and under Section 58 of the 1861 Offences Against the Person Act 'all parties to abortion, including the woman seeking the operation, faced penalties up to life imprisonment.'[6] Between 1900 and 1950 forty-two cases of criminal abortion were recorded as known to the police in the area of the Twenty-Six Counties.[7]

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[1] N.A.I., C.C.A., 23/1931.
[2] N.A.I., C.C.A., 60/1945.
[3] N.A.I., C.C.A., 60/1945.
[4] *Irish Times*, 2 Aug. 1944.
[5] Ibid.
[6] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', pp233 –224.
[7] O'Donnell, Ian, O'Sullivan, Eoin, Healy Deirdre, (eds.), *Crime and Punishment in Ireland 1922 to 2003: A Statistical Sourcebook*, pp2 – 11. A mere three cases of abortion were recorded as being known to the police in Ireland between 1900 and 1920. Four cases came to the attention of the Gardaí during the 1920s and five abortion cases were recorded as being known to the Gardaí in the 1930s. Thirty cases were

By contrast, there were nine hundred cases of murder where the victims were aged one year or under and concealment of birth were recorded as known to the police in Ireland between 1900 and 1919 alone. One hundred and forty-one cases where infants aged one year and under were murdered were recorded as known to the Gardaí between 1927 and 1950 and in the same period eight hundred and sixty-eight cases of concealment of birth were recorded as known to the Gardaí in southern Ireland. While it is probable that many instances of infanticide and abortion went undetected during the period under review, judging by the number of infanticide and abortion cases that came before the courts, it would appear that significantly larger numbers of single Irish women committed infanticide. Far fewer single women seem to have used abortion as a means of controlling their fertility. The termination of Irish pregnancies through induced abortion is, as Rose has argued, 'a historically rare event.'[8] Rose has also shown that while Ireland had a lower rate of abortion than other jurisdictions across the British Isles, there was a higher rate of infanticide, concealment of birth and abandonment of children under two years of age in Ireland.[9] Indeed abortion accounted for only four percent of what might be regarded as reproductive crime in Ireland between 1927 and 1950.

This study will draw on a sample of thirty-six cases involving thirty-four women that came to light between 1915 and 1950.[10] This chapter does not aim to provide a comprehensive history of abortion in Ireland during the first half of the twentieth century. Rather, by examining the judicial records of abortion cases this chapter seeks to explore another set of responses by single women to unplanned pregnancy in Ireland. The research here is based on the records of thirteen cases tried in Northern Ireland and twenty-one cases that came before the courts in the Twenty-Six Counties between 1900

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recorded as being known to the police between 1940 and 1949. Detailed criminal statistics are not available for Northern Ireland from 1920 – 1950.

[8] Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), p140.

[9] Ibid., pp173 – 174.

[10] Carrie D. [A. 11] and Karmel M. [A. 12] had both aborted twice. In each instance a different man seems to have been responsible for the pregnancy. Dr James A. and Edward Cecil F. were both charged with using an instrument to procure the miscarriage of Mary (also known as Carrie) D. on an unknown date in 1941. They were also charged with using an instrument to procure the miscarriage of Karmel M. on unknown dates in October and November 1941. John S., Olatunde M., Francis S., Dennis B. stood trial in June 1944 for using an instrument to procure the abortion of Karmel M. and George J. was tried in June 1945 with using an instrument with the intent to procure the miscarriage of Carrie D. on dates unknown about the months of November and December 1942.

and 1950.[11] The sample for this chapter includes cases of criminal abortion involving unmarried women that were tried at the Circuit Court, the Central Criminal Court and cases that went before the Court of Criminal Appeal, as well as catalogued abortion cases involving single women that are held in the Public Record Office of Northern Ireland. A further two cases quoted in this chapter were sourced in police files in the National Archives, Kew and involved Irish women who died as the result of abortions in London.

As McAvoy has observed, 'given the scale of emigration of women from Ireland to Britain...it is likely that there was a high level of awareness of the possibility of obtaining 'backstreet' abortions in England. For those with that knowledge and sufficient funds, or contacts they could visit in Britain, it was an option.'[12] Some Irish women who emigrated to Britain during the period under consideration were certainly aware of the abortion networks in existence there. At least one Irish woman died as the result of a backstreet abortion obtained in England during the period under review, and another died following an attempt to self-abort. In September 1929 Margaret R. [A. 33] was found dead on the pavement outside 16 King's Place in London.[13] Margaret was originally from Co. Wexford and had been living in London for five years when she died as the result of an abortion. In June 1938 Moira S. died in Manchester as the result of self-abortion.[14] She may have been Irish. The police had very little information on her, but one woman who read a report about police attempts to trace the girl's relatives contacted them to say that she had employed an Irish girl of that name and description as a maid a number of months before her death.[15]

According to McAvoy, 'abortionists and their clients inhabited a private sphere, rarely coming to the attention of state authorities, and unregistered among medical or criminal

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[11] Five of the cases tried in the Twenty-Six Counties were brought against the same Co. Laois woman but as they involved five different single women who sought terminations on five separate occasions, for the purposes of this thesis they have been counted as separate cases. They are however, all contained in the same file in the National Archives of Ireland. In October 1944 James A. and Edward Cecil F. were tried with using an instrument to procure the miscarriage of Louisa M. in September 1941. As Louisa M. was not Irish – she came from Italy to work for the Italian Legation in Dublin – this case has not been included in the sample for this chapter.

[12] McAvoy, Sandra 'Abortion in Mid Twentieth Century Ireland', pp153 – 154.

[13] National Archives, Kew, MEPO 3/412.

[14] N.A. Kew, MEPO 3/1028. As the information relating to Moira S. is quite scant, her case has not been included in the sample for this chapter.

[15] Although Rita N. died as the result of peritonitis in London in October 1925 she did not have an abortion in London. She left Dublin for London following an attempt to self-abort.

statistics.'[16] Brookes has drawn attention to the fact that abortion cases generally 'only came to light when the doctor was called, when the woman was admitted to hospital, or, if the complications resulted in death, on the coroner's table.'[17] The evidence given by a young unmarried woman in a case tried at the Circuit Criminal Court in Dublin in June 1944 highlights the fact that many incidents of abortion may have gone undetected and unprosecuted during the period. In June 1944 twenty-two year old Mabel C. gave evidence at the trial of the three Nigerian medical students charged with using an instrument on Karmel M. to procure abortion. She said that she had been 'keeping company' with a man named Mojid A. four years previously.[18] Mabel stayed overnight in his flat on a number of occasions and admitted that 'sexual intercourse took place.'[19] Mojid shared a flat with John S., one of the men tried for using an instrument on Karmel M. [A. 12] to procure abortion in June 1944. When she gave evidence, Mabel said that she had suspected that she was pregnant in October 1942. She said that she informed Mr A. at the time and claimed that 'as a result it was arranged that [she] should have an operation.'[20] Mabel recalled that 'about a week before Christmas 1942' it was arranged with John S. that she 'should come to the flat at 30 Upr. Mount St and he was to perform an operation.'[21] Mabel C. gave a detailed description in her deposition of the manner in which John S. carried out the termination. Charges were not brought against John S. or Mojid A. in relation to this case. This may have been due to the fact that Mojid A. had left the country. Mabel C. may have been called on to give evidence in the case because she seems to have helped put Karmel M. [A. 12] in touch with John S.

Addressing the jury in an abortion case in June 1945, Judge McCarthy referred to the fact that 'people die by reason of their attempts at birth control.'[22] Abortion was undoubtedly a dangerous procedure at the time. Some single Irish women became seriously ill following attempts to control their fertility by resorting to abortion during the period. Dr

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[16] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,', p238.
[17] Brookes, Barbara, *Abortion in England, 1900 – 1967*, p27.
[18] N.A.I., Dublin Circuit Court, 1944, ID 24 139. Mabel C. made a deposition in a case that was tried in the circuit criminal court in Dublin in June 1944. Four men were charged with procuring the abortion of Karmel M. [A. 12]. Mabel seems to have been suspected of introducing Karmel to the Nigerian student who allegedly carried out her abortion. When she was questioned by the Gardaí, Mabel referred to an abortion allegedly performed on her by the same Nigerian medical student in December 1942. Charges do not appear to have been brought against the men Mabel C. accused of having terminated her pregnancy.
[19] Ibid.
[20] Ibid.
[21] Ibid.
[22] N.A.I., C.C.A., 60/1945.

Peter O'Dwyer said that he found Lizzie S. [A. 34] 'in bed in a state of collapse, cold, clammy and pulseless' when he examined her in October 1916.[23] He said that she was 'suffering from the effects of an irritant poison.'[24] Dr O'Dwyer concluded that she was dying and he sent for a priest. Lizzie S. had consumed cantharides, which was, according to Dr O'Dwyer, a drug used to cause abortion. He stated that 'but for the large amount she vomited she would have died.'[25] In his deposition Dr Alex Spain, master of the National Maternity Hospital, stated that Ellen T. [A. 17] was 'gravely ill' when she was first admitted to hospital.[26] She was suffering from peritonitis following a 'backstreet' abortion, which was allegedly performed by Mary Anne Cadden in October 1944.[27] A total of seven single women in this sample died as a result of attempts to self-abort or as the result of abortions performed by others. Two cases where investigations were begun shortly before the women died came before the courts in Northern Ireland during the period under review. E - - - - - B. [A. 31] made a short statement to police 'having the fear of death before [her] and being without hope of recovery',[28] and a special court was held at A - - - - B.'s [A. 28] bedside before her death.[29]

Rose's 1976 doctoral study of Irish abortion attempted to assess the 'low frequency of induced abortion thesis in the Irish Republic.'[30] Rose analysed Irish abortion statistics from 1805 to 1974. He compared abortion crime rates known to the police in England and Wales, Northern Ireland, and Scotland during the years 1865 to 1974 as well as rates of infanticide, concealment of childbirth and abandonment of children under two years. One of the main achievements of Rose's thesis was to present abortion data in southern Ireland for the years 1920 to 1946. This data was obtained from individual proceedings in criminal court records. Between 1922 and 1946 the numbers of abortion cases that came to police attention were not included in statistical abstracts. Rose came to the conclusion that while instances of illegal abortion occurred less frequently in Ireland than in other parts of the British Isles, higher rates of infanticide and child abandonment had been recorded in Ireland. However, while Rose referred to abortion cases involving well-

[23] N.A.I., ID 39 139, Co. Clare, Crown Files at Assizes, 1916.
[24] Ibid.
[25] Ibid.
[26] N.A.I., Dublin Circuit Court, 1945, ID 27 11.
[27] Ibid.
[28] P.R.O.N.I., BELF/1/1/2/141/28.
[29] P.R.O.N.I., BELF1/1/2/126/5.
[30] Rose, R.S., 'An outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD thesis, University of Stockholm, 1976), p107.

known Dublin-based abortionists Christopher Williams, Mary Maloney, William Coleman and Mary Anne Cadden, he did not engage in a detailed analysis of the judicial files.

McAvoy's 1998 doctoral study on the state and female sexuality 1922-49 remains the most thorough and detailed study of illegal abortion in the Irish Free State to date. McAvoy explored the evidence for illegal abortion as a method of fertility control in the Twenty-Six Counties, examining statistical evidence as well as selected case material from state files arising from abortion cases prosecuted in the 1940s. She argued that while the statistical evidence of illegal abortion in Ireland may 'provide a basis for speculation' it is not reliable as a guide to the level of criminal abortion.[31] McAvoy suggested that the increase in prosecutions for criminal abortion in the 1940s did not reflect an actual increase in the numbers of illegal abortions being performed in Ireland, but rather that it may have been due instead to 'a more vigorous application of anti-abortion legislation.' [32] McAvoy's thesis examined abortion from a medico-legal perspective that was largely concerned with the state's response to the crime and less concerned with the experiences of single women who sought abortions between 1922 and 1949. McAvoy's study was confined to the Twenty-Six Counties and did not explore abortion as a fertility control method in Northern Ireland.

In 'Before Cadden: Abortion in Mid-Twentieth-Century Ireland', McAvoy has made use of several contemporary sources, including court files and newspaper accounts of trials, to discuss some of the reasons why Irish women aborted and the methods they chose between 1931 and 1956. She also explored aspects of the 'legal, ethical and political context within which the attitudes of legislators and medical professionals to abortion were shaped in the mid-twentieth century', and examined evidence of the use of abortifacients in Ireland, along with evidence of attempted self-abortion and the use of backstreet abortionists.[33] McAvoy argued that the reasons for women choosing abortion were varied. She suggested that some had previous experience of childbirth and realised that they faced life- or health-threatening complications, and decided to abort rather than risk their lives. Unmarried pregnant women, she argued, chose to abort because they

[31] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State,', p223.
[32] Ibid., p224.
[33] McAvoy, Sandra, 'Abortion in Mid-Twentieth Century Ireland', p148.

knew that single motherhood could lead to 'loss of employment and 'reputation,' ostracism and poverty, or loss of freedom involved in confinement in a convent.'[34] McAvoy also discussed the sentences imposed on convicted abortionists during the period under review and discussed the impact of the 1935 ban on contraceptives on the abortion rates in Ireland.

However, apart from these contributions, the history of abortion in Ireland during the first half of the twentieth century has received relatively little attention from historians. As most of the existing literature on unmarried motherhood in Ireland between 1900 and 1950 has focussed on official church and state responses to unmarried motherhood, relatively little is known about the personal experiences of women who faced unplanned pregnancies. The existing literature on unmarried motherhood in Ireland between 1900 and 1950 has neglected the single women who aborted or attempted to abort.

The records of abortion trials are useful to the researcher; particularly in terms of what case files reveal about abortion practices during the first half of the twentieth century. They also provide insight into the lives and lifestyles of unmarried women and their partners. In some instances the judicial files shed light on patterns of sexual behaviour and reveal how single women and in a number of cases, their male partners, responded to an unplanned pregnancy. Little is known about how couples dealt with the prospect of an unplanned pregnancy outside marriage in Ireland between 1925 and 1950 and studies on abortion have often overlooked the role played by men in cases that went to trial. A micro-level analysis of a relatively small number of abortion cases can perhaps provide a greater understanding of the level of male involvement in abortion cases in Ireland during the period.

This chapter will explore the records of a sample of abortion cases that were tried in Ireland between 1900 and 1950 from the standpoint of single women who aborted. Where possible, the actions and attitudes of the male partners of single women who sought abortions will also be examined. While the voice of the single women that emerges from the statements taken by the police and in the transcripts of trials in Irish abortion cases during the first half of the twentieth century is one that is controlled to

[34] Ibid., pp159 – 160.

varying degrees by the investigator and the prosecutor, in many cases the words of the women involved are quoted extensively.

By focussing on the judicial records of abortion trials, this chapter will explore the attitudes and experiences of single Irish women who chose to abort rather than to carry an unplanned pregnancy to term. The actions and attitudes of single women who aborted will be compared and contrasted with the experiences and behaviour of unmarried women who were charged with the murder or concealment of birth of their illegitimate infants during the same period. Unlike unmarried women who stood trial for the murder or concealment of birth of their illegitimate infants between 1900 and 1950, single women who aborted or attempt to abort an unplanned pregnancy were generally not prosecuted, even though they were, for the most part, like Karmel M. [A. 12], 'a fully consenting party in all that was done to her.'[35] However, as their evidence was crucial to a successful prosecution, single women who had undergone abortions during the period under review or had been provided with abortifacient drugs by their male partners were questioned at length in court.

Why did some single women attempt to terminate an unwanted pregnancy in its early stages while others gave birth secretly and unassisted and took their infants' lives shortly after delivery? What do the records reveal abut the single women who terminated their pregnancies? What prompted them to seek illegal abortions? How did they manage to locate men or women who were willing to perform illegal abortions and how did they pay for the procedure?

6.1 The stigma associated with pregnancy outside marriage in Ireland, 1900 – 1950

Unmarried women who were charged with infanticide and single women who aborted in Ireland between 1900 and 1950 were usually desperate to avoid the stigma associated with single motherhood. According to a report in the *Irish Times* in June 1944, Karmel M. [A. 12] had 'begged' medical student John S. 'to remove the dead foetus because she

[35] N.A.I., C.C.A. 72/1944. As McAvoy noted, the Sabatino C. case appears to be the only abortion case tried in the Twenty-Six Counties 'in which the woman who had the abortion was charged with conspiracy.' McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p269. Sabatino C. a Dublin-based businessman and his employee Margaret M. [A. 18] were both charged with conspiring together to procure Margaret's miscarriage and with unlawfully inciting a doctor in Dublin to procure the miscarriage of the said Margaret M. on separate dates in June and July 1948. Margaret was acquitted.

was unmarried and did not want to go to hospital.'[36] John S. said that he 'had urged her to go to hospital, but she refused, as she was not married.'[37] Karmel's reluctance to seek medical attention in a maternity hospital is perhaps understandable in light of the attitudes towards unmarried mothers held by members of hospital committees, hospital staff and patients in Ireland at the time. Indeed there is plenty of evidence to suggest that members of some hospital committees and county health boards were hostile towards single expectant women who sought admittance to maternity wards. It is clear from the records of infanticide trials that single women charged with murder or concealment who gave birth in county homes and hospitals often lied about their marital status and registered as married women.

The records of criminal trials are undoubtedly a rich historical source. However the evidence in some of the cases quoted in this chapter is quite complex and in a small number of cases the woman's and the man's versions of events were completely at odds with each other. For instance, while Sheila D. [A. 8] alleged that her employer, Harold M., had sexual intercourse with her on a regular basis, advised her to take abortifacients and sent her to England to seek an abortion, Harold denied all involvement in the affair and claimed that Sheila had told 'a pack of lies' in court.[38] In October 1949 Margaret A. [A. 7] alleged that brothers Robert and John T. had given her abortifacient drugs in order to cause her to miscarry, and a Garda investigation followed.[39] However, it later emerged that there was no substance to the allegations and Margaret admitted that she had been motivated to bring charges against the brothers in order to gain revenge as she had been insulted and rejected by Robert T., the man she claimed was responsible for her pregnancy. Both men were found not guilty by direction in the Central Criminal Court in February 1950. Therefore, a considerable degree of caution must be exercised when dealing with these records.

Testifying in an abortion trial in Dublin in 1931, Dr. Paul Carton said that single women 'go mad when they are pregnant' and are inclined to 'do anything.'[40] In case A. 10 Dr O'Donnel Browne asserted that practically every single girl who becomes pregnant 'is in

[36] *Irish Times*, 10 June 1944.
[37] *Irish Times*, 9 June 1944.
[38] N.A.I., C.C.A., 50/1950.
[39] N.A.I., C.C.C., ID 29 4, Dublin, 1950.
[40] N.A.I., C.C.A., 23/1931.

a state of great mental disturbance.'[41] The prospect of lone motherhood would undoubtedly have been extremely stressful and worrying for single Irish women who found themselves pregnant during the first half of the twentieth century, particularly for women whose partners were not supportive or understanding of their predicament. It is clear from the cases in this sample that single women became extremely anxious when faced with an unplanned pregnancy and were often willing to take considerable risks in order to seek an abortion. Judith M. [A. 9] told the court that she had consulted two doctors in order to determine if she was pregnant. She said that she made an appointment with a second doctor because she felt that she would not get the result from the first doctor quickly enough. She did this, she said, 'because [she] was very nervous about it and [she] was rather frightened and [she] wanted to know quickly.'[42] Dennis B. recalled how Karmel M. [A. 12] 'seemed to be in a semi-hysterical condition wanting something done about it' shortly after she realised that she was pregnant.[43] As Mr McGilligan pointed out in court, Karmel M. was 'undoubtedly in distress' when she realised that she was pregnant and began taking ergot which made her ill.[44] She was in danger of losing her job. If she carried her pregnancy to term she would have had to leave her job 'without being in a position to earn anything.'[45] In March 1947 Josephine M. [A. 3] asked Kathleen G. 'to do something for her to get rid of her pregnancy.'[46] She allegedly said that she would drown herself if Mrs G. refused to assist her. Most women in this sample would have found it extremely difficult to raise an infant on their own limited means and many single women who tried to terminate their pregnancies would have been anxious to avoid the shame associated with single motherhood. Some women may have feared that they would lose their jobs if their employers learned that they were pregnant. Women such as Bridie K. [A. 13][47] and Margaret B. [A. 10][48], who had already given birth, would have known from experience how difficult it was to raise an infant on their own limited means. Women who had already given birth outside wedlock may also have been reluctant to tell their relatives and friends that they were pregnant for a second or third time. While some families may have been willing to accept one child born outside

[41] N.A.I., C.C.A., 8/1937.
[42] N.A.I., C.C.A., 83/1944.
[43] N.A.I., C.C.A., 72/1944.
[44] Ibid.
[45] Ibid.
[46] N.A.I., C.C.C., ID 29 7, 1948, Co. Laois.
[47] N.A.I., C.C.A. 23/1931.
[48] N.A.I., C.C.A. 8/1837.

wedlock, they may not have been prepared to accept a second transgression. This may well have motivated single pregnant women to seek an abortion.

6.2 What the judicial records reveal about unmarried Irish women and abortion

As Arnot and Usborne noted in their study on gender and crime, the records of criminal trials often 'give precious insights into private relations usually hidden from history because they are deemed too intimate to be openly discussed.'[49] This is certainly true of abortion cases that were tried in Ireland between 1900 and 1950. The records of abortion cases that came before the courts during the period under review contain detailed information about the private lives of unmarried couples. Single women who had sought abortions were often the main witnesses for the state when the cases went to trial. As Mr Moore pointed out in an abortion case that came before the courts in 1944, 'it was not customary to prosecute a woman on whom an abortion had been performed.'[50] McAvoy has noted that 'women traced by police, whose depositions are in State files, and who appear to have given evidence for the prosecution, were presumably advised that they might avoid prosecution by co-operating.' [51] In many instances, women who had undergone illegal abortions were subject to lengthy and detailed cross-examination in court. Bridie K.'s [A.13] cross-examination was 'of a most comprehensive and testing character and extended over many hours.'[52] When Carrie D. [A.11] was asked to describe how the abortionist carried out the procedure she turned to the judge to enquire if she was obliged to answer the question. Carrie was clearly uncomfortable as 'there [were] men on the balcony.'[53] Judith M. [A. 9] said that it was 'very disagreeable' for her to have to give evidence in court.[54] It is perhaps understandable that Judith M. would have found it disagreeable to give evidence in court given that she was questioned about intimate aspects of her private life. During the course of her cross-examination Judith was asked when she first began having sexual intercourse with her fiancé Alphonsus M., whether they used contraceptives, if they ever had sexual intercourse 'in the precincts of Trinity College' and whether she practised her faith.[55] The barristers who defended those

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[49] Arnot, Margaret L., Usborne Cornelie, 'Why gender and crime? Aspects of an institutional debate' in Arnot, Margaret L., Usborne Cornelie, (eds.), *Gender and Crime in Modern Europe*, p22.
[50] N.A.I., C.C.A., 18/1945.
[51] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p244.
[52] *The Irish Reports*, (1932), 'The Attorney-General v Hyman L.,' p166.
[53] N.A.I., C.C.A. 60/1945.
[54] N.A.I., C.C.A., 18/1945.
[55] N.A.I., C.C.A., 83/1944.

charged with procuring abortion clearly attempted to discredit single women who had had illegal abortions and who were called on to give evidence against their clients in court.

According to Detective-Inspector Martin O'Neill, Dublin based abortionists Christopher Williams and Mary Moloney were 'visited at their various addresses by girls particularly of the better class type from the country and city.'[56] Given that Williams and Maloney usually charged between twenty-five and thirty-five pounds, it is hardly surprising that their clients may have been 'of the better class type.'[57] However, most of the single women in the cases quoted in this chapter were from working-class backgrounds and did not match O'Neill's description. In fact, in terms of class, there seems to be little to differentiate unmarried women who were charged with the murder or concealment of birth of their illegitimate infants and those who chose to abort. Judith M. [A. 9], who was a student in Trinity College Dublin when she sought an abortion in March 1944 is an exception. For the most part, however, single women who sought abortions in Ireland during the period under review were from working-class backgrounds. Like single women who committed infanticide, many were employed as domestic servants. The occupations of eighteen single women in this sample were recorded in the judicial files. A total of eleven women worked as domestic servants. Two women worked as shop assistants and one woman was employed as a cosmetics demonstrator.[58] Two women were employed as waitresses. Another woman was employed as a dancing teacher. Judith M. [A. 9] studied Spanish and English in Trinity College Dublin and she also had a part-time position as a shop assistant in the Country Shop on St Stephen's Green. Most of the women in this sample were employed in unskilled and low-waged jobs. Some seemed to have experienced economic hardship. Twenty-year-old Bridie K. [A. 13] was penniless by the time her former lover Marks R. was brought to trial for using an instrument to procure her miscarriage in December 1931.[59]

Addressing the jury during George J.'s trial in June 1945, Judge McCarthy noted that most of the 'girls on whom operations have been performed' were 'young girls in the

[56] *Irish Times*, 30 Oct. 1943.
[57] Ibid.
[58] Sheila D. [A. 8] was employed as a shop assistant but she also had an additional source of income. She got paid to sing in dance bands in various country towns in Ireland. Sheila said that she gave her mother all the money she earned singing as well as a percentage of her wages.
[59] N.A.I., C.C.A., 23/1931.

main, - unmarried girls, perhaps in the main...'[60] The age of seventeen women in this sample was recorded. The average age of single women in the abortion cases quoted in this chapter was twenty-one. All the women in this sample were unmarried when they sought abortions or attempted to self-abort.[61]

A number of women charged with the murder or concealment of birth of their illegitimate infants seem to have had difficulty expressing themselves. Many women charged with infanticide during the period under review had received very little, if any, formal education. Some were illiterate. None of the single women implicated in abortion cases between 1900 and 1950 were illiterate. In fact, judging by the records of cases that went before the Court of Criminal Appeal, several women were quite articulate and some appear to have been self-confident in court. In his closing speech to the jury Judge Davitt noted that Judith M. [A. 9] possessed 'a considerable modicum of self-assurance.'[62]

Judges, barristers and doctors often commented on the level of intelligence of women charged with infanticide. Unmarried mothers suspected of committing infanticide were sometimes perceived as stupid, ignorant or mentally defective. None of the women implicated in cases of criminal abortion during the period under review were considered feeble-minded or as being of low mental calibre. In fact, there were several instances where the authorities commented favourably on their level of intelligence. Some of the single women in this sample certainly appear to have been more educated and more confident and resourceful than most of the unmarried women who were charged with the murder or concealment of birth of their newborn infants in Ireland between 1900 and 1950. Harold M., who was charged with procuring the miscarriage of Sheila D. [A. 8] in January 1950, told the court that Sheila 'has considerable intelligence and verve...she is definitely lively and intelligent and has talent in the things she does.'[63] Harold stated that Sheila 'always evinced great interest in theatrical shows.'[64] She read a number of theatrical papers each week. He also admitted that her intelligence attracted him to a certain extent. '...she was interested in the theatre, intelligent and witty to talk to.'[65] Judith M. [A. 9] was well educated and self-assured. In court she admitted to being a

[60] N.A.I., C.C.A., 60/1945.
[61] Three women in this sample were married by the time the case went to court.
[62] N.A.I., C.C.A., 18/1945.
[63] N.A.I., C.C.A., 50/1950.
[64] Ibid.
[65] Ibid.

lapsed Catholic who made up her own mind about questions of morality. She said that she was capable of learning things quite quickly when she was questioned during William Coleman's trial in June 1944.[66] As a second-year student, she had considered sitting the scholarship examinations in Trinity College before she became pregnant.

6.3 Abortion, urban areas and female networks

In his study on infanticide, child abandonment, and abortion in Imperial Germany, Jeffrey Richter suggested that abortion was a phenomenon associated with cities. 'Women living in cities and employed in industrial or service occupations apparently were,' he argued, 'better able to locate and pay abortionists than others were; they did not have to carry out their pregnancies as often.'[67] Abortions also appear to have been carried out more frequently in cities than in rural areas in Ireland during the first half of the twentieth century. Twenty of the twenty-nine single women in this sample who had abortions lived in cities and most abortions were carried out in urban areas.[68] In fact, a total of twenty-three abortions were performed in urban areas.[69] Six abortions were carried out in rural areas. Five of these abortions were performed by the same Co. Laois woman. Three of the single women in this sample who had abortions lived in rural areas but managed to obtain abortions in cities. However, none of the woman made contact with the abortionist herself. Bridie K. [A. 1],[70] had an abortion in Cork city in 1939, and both L - - - S. [A. 27][71] and E - - - - - B. [A. 31][72] had abortions in Belfast in 1943 and 1945 respectively. In all three cases contact was made with the abortionists by the woman's lover. Like their German counterparts, single Irish women living in urban areas also seem to have been better able to locate and pay abortionists than women living in rural areas. It is also plausible that single Irish women who lived in cities also found it easier to purchase abortifacient drugs. Eleven of the thirteen unmarried women who took abortifacient pills lived in urban areas. However, as McAvoy has observed, 'there is little

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[66] N.A.I., C.C.A., 18/1945.
[67] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p545.
[68] Twenty-nine women in this sample had illegal abortions. Six women took abortifacient drugs only and of the twenty-nine women who underwent abortions, seven also consumed abortifacients. One woman attempted to self-abort by injecting glycerine into her womb.
[69] One abortion took place in Cork city. Ten abortions in this sample were carried out in Dublin, ten abortions took place in Belfast and two abortions were carried out in London. Of the six rural cases referred to, five took place in Co. Laois and one was carried out in a field in Co. Down.
[70] N.A.I., C.C.C., ID 11 95, Cork, 1939.
[71] P.R.O.N.I., Belf/1/1/2/131/10, 1943.
[72] P.R.O.N.I., Belf/1/1/2/141/28, 1945.

reliable information on how easily accessible such drugs were to the general public (particularly after 1935, when the enforcement of the Poisons and Pharmacy Acts became a police matter) or the extent to which women knew how to use them as abortifacients.'[73]

In her study of abortion in England from 1900 to 1967 Brookes uncovered evidence of a 'female subculture' where 'working-class women shared information and helped each other procure abortion when necessary.'[74] According to Brookes 'the reputations of amateurs and doctors who 'helped' women spread quickly.'[75] She argued that there seemed to have been a 'freemasonry amongst women'[76] as workmates, friends or neighbours often knew a 'woman who knows another woman' with whom they could get in touch.[77] From the records of abortion cases tried in Northern Ireland during the first half of the twentieth century it is evident that such a female subculture also existed in Belfast. For instance, when Mrs G. heard that one of her neighbours was pregnant by a man other than her husband, who was serving in the R.A.F. at the time, and saw her crying at her doorstep, she told her 'about Mrs M. being a handy woman at helping anyone like her who was in trouble' and took her to see Mrs M.[78] S - - - - B. [A. 20] told police that when she realised that she was pregnant in March 1930 someone she knew referred her to I - - - - - M. She said 'in consequence of what another person told me I went to...276 C. Street...on the 29 March 1930 where I met I - - - - - M,' the Belfast-based abortionist.[79] In April 1937 H - - - - R. [A. 21] told the police that she had been brought to M - - - - - - - R.'s house in Belfast by a woman she knew.[80] In their study of abortion and fortune-telling in Germany and the Netherlands in early twentieth-century, de Blécourt and Usborne suggested that many, if not most, women who wanted to terminate their pregnancies 'turned to a local network of information and support, often dominated by women, which would very frequently lead to a lay practitioner.'[81] This also seems to have been the case in Belfast. Working-class women 'in trouble' often turned to female friends for assistance and advice. There is less evidence of a similar female

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[73] McAvoy, Sandra, 'Abortion in Mid Twentieth Century Ireland', pp155 – 156.
[74] Ibid., p3.
[75] Ibid., p34.
[76] Ibid.
[77] Ibid., p35.
[78] P.R.O.N.I., BELF/1/1/2/126/6.
[79] P.R.O.N.I., BELF/1/1/2/94/11, 1930.
[80] P.R.O.N.I., BELF/1/2/2/47/96, 1937.
[81] de Blécourt, Willem, Usborne, Cornelie, 'Women's Medicine, Women's Culture: Abortion and Fortune-Telling in early Twentieth-Century Germany and the Netherlands' in *Medical History*, vol. 43, no. 3, (1999), p383.

subculture in southern Ireland but McAvoy has noted how a 1948 Co. Laois abortion case offered 'insight into a rarely documented rural, working-class women's culture in which women assisted each other in pregnancy and childbirth without reference to the medical profession and in which the knowledge that it was possible to terminate pregnancies passed by word of mouth.'[82]

There is only one case in this sample where a woman who sought an abortion succeeded in making contact with an abortionist with the assistance of a female friend, although it is possible that Karmel M. [A. 12] may also have been assisted by a female friend in arranging to have her pregnancy terminated by John S., a Nigerian medical student.[83] Maureen F. [A. 15] was employed as a waitress in the Savoy restaurant on Dublin's O'Connell Street. When she confided in her fellow employee, Elizabeth T., about her unwanted pregnancy, Elizabeth put her in contact with George Ian M. who in turn introduced her to abortionist Christopher Williams. 'He talked about his being able to introduce her to some one who would help and also talked about some money which she would need to have,' Elizabeth T. stated in her evidence.[84] In her statement Maureen admitted that 'the purpose of the meeting in the Pearl Bar was that something was to be done for [her] as [she] didn't want to have a baby.'[85] Usborne found that in Weimar Germany 'an unwanted pregnancy constituted a crisis that activated single-sex networks' and that 'if women desired an artificial miscarriage they turned to a female network of information and support and they preferred a female to a male abortionist.'[86] This is not apparent from the cases examined in this chapter. Most single women who had abortions in Dublin during the period do not seem to have turned to a female network of information and support. It is possible that Irish women preferred female abortionists but such a preference is not evident in the trial records.

Judging by the records of infanticide cases that were tried in the Central Criminal Court in Dublin between 1922 and 1950 there was a higher incidence of infanticide in rural areas than in cities. Richter has argued that in Germany 'infanticide was particularly

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[82] McAvoy, Sandra 'Abortion in Mid Twentieth Century Ireland', p158.
[83] N.A.I., Circuit Criminal Court, Dublin, ID 24 139, 1944.
[84] N.A.I., Circuit Court, ID 24 141, Dublin, 1943.
[85] Ibid.
[86] Usborne, Cornelie, 'Wise Women, Wise Men and Abortion in the Weimar Republic: Gender, Class and Medicine' in Abrams, Lynn, Harvey, Elizabeth, (eds.), *Gender relations in German history: Power, Agency and Experience from the Sixteenth to the Twentieth Century*, p168.

common among women who were unaware of effective abortion methods...' [87] Infanticide seems to have been the one of the few methods of fertility control available for poorer women and in particular poor women who lived in rural areas. Some women seem to have regarded infanticide as a method of controlling their fertility and several women resorted to infanticide several times. At least three single Irish women killed several illegitimate newborns during the period under review. However, the judicial records for Northern Ireland suggest that it may have been less difficult for poor single women living in working-class areas of Belfast to establish contact with abortionists.

In her study of infanticide in Chicago between 1870 and 1930, Oberman noted that while 'a determined and resourceful pregnant woman could have identified an abortionist and borrowed the money needed to secure an illegal abortion...a more passive or socially isolated woman might have desired an abortion but have been unable to locate or afford one.'[88] Poor, single women living in rural areas of Ireland without the knowledge or financial means to seek an abortion and without partners to provide them with money or to make contact with abortionists on their behalf may have been more inclined to commit infanticide. Rose has noted that while Ireland had a relatively low rate of illegal abortion in comparison with Northern Ireland, Scotland, Wales and England, 'they have also had during the same period the highest rates of infanticide, concealment of childbirth and abandonment of children under two years of age, than has had any of the areas investigated in the British Isles.'[89]

6.4 Attitudes towards contraception and the use of abortifacient drugs

Few, if any single women charged with the murder or concealment of birth of their illegitimate infants seem to have used any form of contraception. Although many women charged with murder or concealment of birth were asked detailed questions about their sex lives, none referred to contraception.[90] In contrast to this, several women who

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[87] Richter, Jeffrey S., 'Infanticide, Child Abandonment, and Abortion in Imperial Germany' in *Journal of Interdisciplinary History*, vol. 28, no. 4, (1998), p535.

[88] Oberman, Michelle, 'Understanding infanticide in context: mothers who kill, 1870-1930 and today' in *Journal of Criminal Law and Criminology*, vol. 92, nos. 3 & 4, (2002), p721.

[89] Rose, R.S., 'An Outline of fertility control, focusing on the element of abortion, in the republic of Ireland to 1976' (PhD Thesis, University of Stockholm, 1976), p173.

[90] In fact, I have only found one reference to fertility control in the records of infanticide cases that were tried at the Central Criminal Court between 1922 and 1950 and in that instance a male suspect referred to fertility control. John M. [P. 16] was charged with the murder of his girlfriend's illegitimate infant in May

terminated their pregnancies during the period under review had used contraception on a regular basis. Judith M.'s [A. 9] fiancé said that he 'always used contraceptives except in the safe periods, immediately before and immediately after menstruations.'[91] Alphonsus M. usually purchased the contraceptives in Northern Ireland but he bought them from Northern students in Trinity College 'a couple of times.'[92] Margaret R.'s [A. 33] fiancé told police that 'every time [he] had intercourse with Miss R. [he] took precaution not to put her in the family way.'[93] He went on to explain that these precautions 'consisted of withdrawing and sometimes [he] used a French letter.'[94] In his statement he also mentioned the fact that Margaret used a whirling spray after intercourse.[95] When he was questioned in court Dennis B., referred to the fact that *coitus interruptus* was 'the usual practice' with Karmel M. [A. 12].[96] However, some couples in this sample did not use any form of contraception. In his general survey McLaren has noted, 'for some abortion was a primary, rather than a back-up, method of birth control.'[97] This is evident in a small number of cases in this sample. When asked if he adopted 'practices against conception' Marks R. admitted that he had adopted 'none whatsoever' even though he had sex frequently with Bridie K. [A.13].[98]

Thirteen women in this sample who aborted or attempted to terminate their pregnancy took abortifacient drugs. In contrast to this, only one unmarried woman charged with infanticide in the Twenty-Six Counties between 1922 and 1950 referred to the fact that she attempted to terminate her pregnancy by consuming abortifacient drugs: Mary C. [P. 166] was tried for infanticide and concealment of birth at the Central Criminal Court in Dublin in October 1941. In her statement she said that her boyfriend 'suggested getting [her] a bottle to get rid of [her] trouble.'[99] They shared the cost of the medication but it did not have the intended effect. It is of course possible that other women in Ireland may

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1949. In his statement he said that he had been having sex with Florence B. several times a week for a number of years but that he 'always withdrew before [he] discharged.' (N.A.I., C.C.C., ID 29 13, Co. Wexford, 1949).

[91] N.A.I., C.C.A., 83/1944.

[92] Ibid.

[93] N.A., Kew, MEPO 3/412.

[94] Ibid.

[95] N.A.I., C.C.A., 8/1937. According to Dr O'Donnel Browne, who gave evidence in a 1937 Dublin abortion case, a whirling spray was a vaginal douche. He said that it was usually used for 'contraceptive cases.' It was found in Margaret B.'s [A.10] bedroom.

[96] N.A.I., C.C.A., 72/1944.

[97] McLaren, Angus, *Twentieth-century Sexuality: A History*, pp 76 – 77.

[98] N.A.I., C.C.A., 23/1931.

[99] N.A.I., C.C.C., ID 11 97, Co. Meath, 1941.

have tried similar methods but did not refer to their attempts to terminate their unplanned pregnancies in their statements.

Overall, single women who aborted or attempted to abort in Ireland between 1900 and 1950 seem to have been more informed about pregnancy, contraception and abortifacents than unmarried women who committed infanticide. Women who had abortions usually realised that they were pregnant at an early stage in the pregnancy and took action to terminate the pregnancy within the first few months. Some women in this sample had had more than one abortion. At least three sexually active women resorted to abortion on more than one occasion when *coitus interruptus* or contraceptives failed. Carrie D. [A. 11][100], Karmel M. [A. 12][101] and Margaret R. [A. 33][102] all had previous experience of illegal abortion. At Dennis B.'s trial for abortion in June 1944 the judge remarked that though older, Booth was less experienced with regard to 'illegal operations' than Karmel M. [A. 12] who had previous experience of abortion.[103] In the evidence she gave at the trial of Dr James A. and Edward Cecil F. in October 1944, Karmel M. admitted that she 'had a second illegal operation in Jan 1944' and that she 'paid money twice for illegal operations.'[104] In contrast to this, a number of single women who committed infanticide do not seem to have been aware that they were pregnant until the latter stages of pregnancy and some seem to have been in denial about their situation until full term.

The social profiles of single women who aborted and of unmarried women who committed infanticide are however almost identical. But while there may not have been many differences between these women in terms of class background, occupation or income, several of the single women who aborted or attempted to terminate their pregnancies during the period under review seem to have been quite unconventional, certainly by the standards of the time. Indeed, the lifestyles of several single women in this sample would have been at odds with the prevailing socio-moral norms of post-independent Ireland. The judicial records indicate that some unmarried Irish women were clearly prepared to break the 'strict social conventions on sexuality.'[105] In fact,

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[100] N.A.I., C.C.A., 60/1945.
[101] N.A.I., C.C.A., 72/1944.
[102] N.A., Kew, MEPO 3/412.
[103] N.A.I., C.C.A., 72/1944.
[104] N.A.I., Circuit Criminal Court, Dublin, ID 24 143, 1944.
[105] Inglis, Tom, 'Origins and Legacies of Irish Prudery: Sexuality and Social Control in Modern Ireland' in *Éire Ireland*, vol. 40, nos. 3 & 4, (2005), p20.

several single women in this sample appear to have been independent and sexually proactive. Some had rejected Catholicism.

In December 1931 at a trial in which two men were charged with using an instrument to procure the miscarriage of a woman named Bridie K. [A. 13], Judge Davitt described Bridie, the principal witness for the state, as 'a girl who admittedly is of loose moral character.'[106] He drew the jury's attention to the fact that although only twenty years old and single, Bridie was by then pregnant for the third time. When asked if she was 'quite an innocent girl when [she] met R', Bridie K. admitted that she had had 'associations' with one other man before she met him.[107] She also admitted that she had had 'a good deal of experience of the world' for her age.[108] When cross-examined during George J.'s trial in June 1945 Carrie D. [A.11] admitted that she had associated with other men before she met J.[109] Counsel for George J. reminded the judge that Carrie was not anything like 'a girl who was betrayed for the first time. She had been previously betrayed', before he sentenced George J., the man charged with using an instrument to procure her miscarriage.[110] At least six single women in this sample had had more than one sexual partner. Five unmarried women in this sample had experienced previous pregnancies. Margaret B. [A. 10][111] had given birth twice previously and Bridie K. [A. 13][112] had given birth once previously. Three women in this sample had aborted more than once.

In her study of adolescent female sexuality in the United States between 1885 and 1920, Odem has noted that 'numerous young women had taken an active role in their romantic encounters.'[113] Many of the young working-class women in Odem's study 'formed casual acquaintances with men they met on the streets or in the workplace,'[114] 'flirted openly with young men on the street'[115] and picked up young men in dance halls. A number of the single women in the sample for this study also seem to have taken an

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[106] N.A.I., C.C.A., 23/1931.
[107] Ibid.
[108] Ibid.
[109] N.A.I., C.C.A., 60/1945.
[110] Ibid.
[111] N.A.I., C.C.A., 8/1937.
[112] N.A.I., C.C.A., 23/1931.
[113] Odem, Mary E., *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920*, p53.
[114] Ibid., p48.
[115] Ibid., p53.

active role in their romantic encounters. According to Marks R., Bridie K. [A. 13] initiated contact with him when they first met outside his business premises on Dublin's Dame Street in October 1930. He claimed that Bridie 'walked up past [him] two or three times and made eyes at [him] and walked up to talk to [him].'[116] At his trial for using an instrument to procure miscarriage in June 1944 Dennis B. alleged that Karmel M. [A. 12], a single woman eleven years younger than him, seduced him in her flat. At his trial Dennis B. maintained that twenty-one-year old Karmel was definitely 'the advancing party' on that particular occasion.[117] He claimed that she got into the lower bunk first and invited him to join her in bed. In court it was established that in September 1943 Karmel M. invited Dennis to her flat on Adelaide Road having told him that 'there was plenty of drink there at the flat.'[118] Karmel M. said that while her female friend was lying in the top bunk in her room 'she and Mr B. had sexual intercourse in the lower bunk.'[119] Several single women in this sample seem to have held views on premarital sex and contraception that were out of step with the practices and beliefs of most Irish Catholics at the time. Some single women in this sample clearly do not seem to have felt bound by the teachings of the Catholic church with regard to premarital sex and contraception.

6.5 Single women and married men

Four women in this sample had relationships with married men.[120] Twenty-year-old Bridie K. [A. 13] did not appear to have any moral scruples about having 'immoral relations' with a married man.[121] In fact, Bridie clearly benefited financially from her relationship with Marks R., a businessman who was thirty-two years her senior. Bridie was working as a housekeeper when she met Marks R. She may well have been attracted to him because of his wealth and social standing. Marks R.'s daughter suspected that Bridie had become involved with her father because she 'got clothes from him and money from him.'[122] Odem has argued that because their wages were so low, working-class American girls 'often depended on men to "treat" them if they wanted to take part

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[116] N.A.I., C.C.A., 23/1931.
[117] N.A.I., C.C.A., 72/1944.
[118] Ibid.
[119] Ibid.
[120] The man responsible for sixteen-year-old Bridie C.'s [A. 16] pregnancy was also a married man. However, as it is not clear whether Bridie consented to sex with her cousin's husband and given the fact that their association together was brief theirs cannot be regarded as a relationship for the purposes of this chapter and this case has not, therefore, been included in the above figure.
[121] N.A.I., C.C.A., 23/1931.
[122] N.A.I., C.C.A., 23/1931.

in urban recreations or enjoy a night on the town. In return, the men expected sexual favours, which could range from affectionate companionship to sexual intercourse.'[123] The records of abortion cases that were tried in Ireland during the first half of the twentieth century suggest that some unmarried working-class Irish women, like the working-class girls in Odem's study, may have formed relationships with men in order to attain additional economic support or to be taken to the theatre, the cinema or on excursions. Carrie D. [A. 11] said that she 'used to go to shows in the city with [George J.].'[124] Bridie's [A. 13] relationship with Marks R. lasted for just under a year and during that time she received several gifts from him. He also took her to the pictures and to the theatre 'now and again.'[125] Marks R. said that he 'always gave [Bridie] money and gave her clothes when she wanted them.'[126] When Bridie K. [A. 13] informed Marks R. that she was pregnant in January 1931 he allegedly advised her to leave her job as a housekeeper in Leeson park 'and to get a room and that he would get an illegal operation done and that he would pay the rent for [her].'[127] Marks R. covered the cost of the room Bridie rented in Ranelagh and provided her with enough money to support herself while she was out of work. Bridie became economically dependent on Marks R. When their relationship ended, Bridie demanded that he help her financially until she found another job. At the time she had no money and nowhere to live. Bridie said that she 'asked him what he was going to do as he knew well he had got [her] out of [her] job.'[128]

As Odem remarked in relation to adolescents involved in statutory rape cases in the United States between 1885 and 1920, 'a young woman's entire sexual past was put on display in the courtroom.'[129] The situation was similar in courtrooms in Ireland. One judge referred to the fact that 'nothing must be more harrowing and nothing must inflict more pain and anguish' on a single woman who had had an abortion 'than the ordeal of coming in here and telling this nauseating story.'[130] That Bridie K. [A. 13] was non-conformist in her attitudes to pre-marital sex and co-habitation became evident during the

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[123] Odem, Mary E., *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920*, p54.
[124] N.A.I., C.C.A., 60/1945.
[125] N.A.I., C.C.A., 23/1931.
[126] Ibid.
[127] Ibid.
[128] Ibid.
[129] Odem, Mary E., *Delinquent Daughters: protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920*, p69.
[130] N.A.I., C.C.A., 60/1945.

course of her cross-examination. In court Bridie admitted that she had been living with Marks R. as his wife and he affirmed that he had posed as her husband when she took a room on the South Circular Road. Bridie told her landlord that she was a married woman whose husband was away during the week. Marks R. gave Bridie the money for the rooms she rented. He also provided her with enough money to support herself. He visited her in her room in South Circular Road 'three or four times during the week' and dined with her occasionally.[131]

6.6 The lifestyles of single Irish women who sought abortions

According to her older sister, Margaret R. [A. 33] left Co. Wexford and 'came to England between 5 and 6 years' before her death.[132] During her time in England Margaret seems to have led an independent lifestyle and to have broken away from the social and moral constraints of life in rural Ireland. She had sexual relationships with men in England and had two abortions in London. Margaret R. also lived with her fiancé in his home for a short period of time. After Margaret's death, Frederick J. told police that they had spent a 'week together as man and wife.'[133] From then on the couple had 'intimate relations' once a fortnight.[134]

Some of the single women involved in abortion cases in Ireland during the period under review appear to have had more freedom than most of the single women who were charged with the murder or concealment of birth of their illegitimate infants. This was particularly true of women who lived in rented accommodation. Unlike women who lived with their employers or parents, single women who lived on their own seem to have led quite independent lifestyles. Karmel M. [A. 12] lived in rented accommodation on Adelaide Road in Dublin.[135] She seems to have entertained male and female friends there. When Bridie K. [A. 13] left her job as a housekeeper she lived at two different addresses as Marks R.'s mistress.[136] Although twenty-year-old Sheila D. [A. 8] lived with her mother, she seems to have enjoyed a considerable degree of freedom.[137] During Harold M.'s trial in June 1950 it emerged that Sheila had attended parties in the city

[131] N.A.I., C.C.A., 23/1931.
[132] N.A., Kew, MEPO 3/412.
[133] Ibid.
[134] Ibid.
[135] N.A.I., C.C.A., 72/1944.
[136] N.A.I., C.C.A., 23/1931.
[137] N.A.I., C.C.A., 50/1950.

centre that lasted until four or five am and that she had travelled to England on several occasions to meet with her single male friends. On one occasion she visited a man she was 'intimate' with on a trip to Manchester and had intercourse with him there.[138] Her work as a singer in a dance band also meant that she often travelled to country towns outside Dublin.

According to Judge Davitt, nineteen year-old Trinity student, Judith M. [A. 9], who was the main witness for the state in the case against William Coleman in July 1944 was 'perhaps, not the ordinary or quite ordinary type. She is not very conventional.'[139] Indeed the judge referred to Judith as 'an ultra-modern war product.'[140] Judith M. and her fiancé were 'both non-practising Roman Catholics.'[141] Alphonsus M. said that he had 'never known [his] wife to practise as a Catholic and [he] [has] known her since 1939.'[142] The Irish courts were perhaps unaccustomed to outspoken, self-confident women like Judith M., who, when asked if she thought it was morally wrong to get rid of a pregnancy, said that she did not consider it was an 'an immoral thing to do so for many reasons.'[143] Judith was an independent minded woman. During her cross-examination she said that she certainly thought about things and was not prepared to accept things 'if I am just taught them. I discriminate.'[144] Like Judith M., Bridie K. [A. 13] claimed that 'she had no religion.'[145] Indeed, it seems unlikely that religion played an important role in the lives of several other women in this sample.

Despite some obvious differences, a number of similarities existed between single women who were charged with the murder or concealment of birth of their illegitimate infants during the period under review and single women who sought to terminate an unplanned pregnancy. Judging by the records of cases that were tried at the Central Criminal Court in Dublin, most single Irish women who were charged with the murder or concealment of birth between 1922 and 1950 appear to have willingly engaged in sexual encounters with men of the same class background. Most single women who sought

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[138] Ibid.
[139] N.A.I., C.C.A., 83/1944.
[140] Ibid.
[141] Ibid.
[142] N.A.I., C.C.A., 18/1945.
[143] Ibid.
[144] Ibid.
[145] N.A.I., C.C.A., 23/1931.

abortions or consumed abortifacient drugs in Ireland during the period under review also appear to have been willing sexual partners. However, a small number of women who stood trial for the murder or concealment of birth of their illegitimate infants during the period under review told the police that they had not consented to sex.

Three unmarried women who had abortions in the sample for this chapter claimed that they had been raped. A - - - M. was charged with performing 'certain operations' on seventeen-year-old R - - - C. [A. 22] with intent to procure miscarriage in September 1936.[146] In her deposition, R - - - C. alleged that over three months previously she had been raped while she was in the countryside on her own. R - - - C. claimed that she tried to stop her attacker. She said she 'shouted but there was nobody there.'[147] She did not, however, report the incident to the police at the time. R - - - C.'s account of the rape may have been untrue. She lied to the police when she was apprehended and gave them a false name, and it is possible that she fabricated the account in a bid to secure more lenient treatment. In a small number of cases, single women charged with the murder or concealment of birth of their illegitimate infants said they had been taken advantage of by their male employers. For instance, L - - - - - M. [A. 23] was employed as a servant by Belfast-based doctor from November 1914 to February 1915. She told police that she was 'seduced' by her employer when his wife went away for several days in January 1915.[148] L - - - - - M. left her post and asked a nurse for assistance as soon as she realised that she was pregnant. A.S., the nurse she was acquainted with, 'said that she could put [L - - - - - M.] alright.'[149] Bridie C. [A. 16] said that sexual intercourse with her cousin's husband, Joseph R., took place without her consent. She alleged that on one occasion he had 'locked the door and had intercourse with her on the sofa.'[150] Bridie also stated that she 'was afraid of R. after it happened the first time.'[151] Joseph admitted to a friend that 'he interfered with Bridie all right.'[152] However, he also stated that 'it was as much her fault as mine.'[153]

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[146] P.R.O.N.I., DOW1/2B/43/7, 1936.
[147] Ibid.
[148] P.R.O.N.I., BELF/1/1/2/48/6, 1915.
[149] Ibid.
[150] N.A.I., Circuit Court, ID 24 140, Dublin, 1943.
[151] Ibid.
[152] Ibid.
[153] Ibid.

The records of abortion cases offer a considerable degree of insight into the sexual lives of single women in Ireland during the first half of the twentieth century. As Valiulis as argued, the ideal Irish Catholic woman as defined by the prescriptive ecclesiastical literature in the early years of the Free State was a 'self-sacrificing mother whose world was bound by the confines of her home, a woman who was pure, modest, who valued traditional culture...'[154] It is apparent, however, from the records of Irish abortion trials that some women clearly did not conform to the dominant construct of Irish Catholic womanhood that prevailed during the period under review. The actions and behaviour of single women who sought to terminate unplanned pregnancies reveal what Inglis has referred to as 'the other side of the face of Catholic Ireland.'[155]

6.7 Men and abortion

In his address to the jury in an abortion trial in the circuit criminal court in Dublin in June 1945, Judge McCarthy stated that: 'The woman who takes part in a matter of this kind is regarded by the law, by public opinion, by justice, with a very serious eye. In the woman it is bad. In the man it must be infinitely worse. He takes no risk. He submits to no operation. His life is not put in jeopardy at the hands of the Mrs Moloneys of this world with their needles; he merely supplies the money to hire the professional abortionist so that he can get rid of the responsibility he has brought upon himself and upon the girl as a result of his own shameful conduct.'[156] The judge clearly regarded men who covered the cost of their girlfriends' abortions with contempt and considered that their conduct was far more reprehensible than that of women who submitted to such illegal operations. How accurate was his assessment of the gender dynamics at play in these cases? Did the women who 'submitted' to such operations do so against their will? Were men who were anxious to get rid of the responsibility of a pregnancy outside marriage the driving force behind these criminal transactions? Many abortions in Ireland were carried out by women, and in some cases the trial records contain no references to the man who was responsible for a single woman's pregnancy. However, men were at the centre of a number of abortion trials that came before the courts during the period under review. Charges were brought against the boyfriends or fiancés of eleven single women in this

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[154] Valiulis, Maryann, 'Neither Feminist nor Flapper: the Ecclesiastical Construction of the Ideal Irish Woman,' in O'Dowd, Mary and Wichert, Sabine, *Chattel, Servant or Citizen: Women's Status in Church, State and Society*, p178.

[155] Inglis, Tom, 'Origins and Legacies of Irish Prudery: Sexuality and Social Control in Modern Ireland' in *Éire Ireland*, vol. 40, nos. 3 & 4, (2005), p28.

[156] N.A.I., C.C.A., 60/1945.

sample. Although the boyfriends or fiancés of three more women in this sample provided their pregnant girlfriends with financial assistance and helped them establish contact with abortionists, they were not charged.

Male involvement clearly varied considerably from case to case and their input ranged from advising their girlfriends to do exercises, to making arrangements with an abortionist. Margaret A. [A. 7] said that when she informed her boyfriend that '[her] periods were stopped' he allegedly advised her 'to get up on a table and jump off it and [she] would be all right.'[157] Sheila D. [A. 8] said that Harold M., her employer and the man allegedly responsible for her pregnancy, told her to take some quinine-sulphate tablets when she told him that she 'feared that [she] might be pregnant.'[158] He later told her to 'try a few really high jumps.'[159] John D. said that when he realised that Bridie K. [A. 1] was two months pregnant he made arrangements with a nurse 'to fix her up.'[160]

In some cases the attitudes and actions of the men they had been involved with seemed to have impacted on a woman's decision to seek an abortion. According to Brookes, between 1900 and 1967 English men frequently assisted their wives' efforts to abort. Brookes referred to the cases of Edith Daynes and Frances Smedley; they were both aided by men in their attempt to procure an abortion and argued that it was because of the men in their lives that both women had 'the knowledge and resources necessary to seek a 'backstreet' abortion.'[161] Brookes has asserted that 'in each of these cases...the woman's decision was influenced by the attitude of the man responsible for the pregnancy.'[162] It is surely significant that four single women who sought abortions in Dublin and Cork between 1939 and 1950 were having affairs with older, married businessmen who were in a position to provide them with money and contacts. Sabatino C., a Dublin-based businessman, and his employee Margaret M. [A. 18] were both charged with conspiring together to procure Margaret's miscarriage and with unlawfully inciting a doctor in Dublin to procure the miscarriage of the said Margaret M. on separate dates in June and July 1948. In his evidence, Dr Richard Henry Nightingale, who had a medical practice on

[157] N.A.I., C.C.C., ID 29 4, Dublin, 1950.
[158] N.A.I., C.C.C., ID 29 5, Dublin, 1950.
[159] Ibid.
[160] N.A.I., C.C.C., ID 11 95, Cork, 1939.
[161] Brookes, Barbara, *Abortion in England 1900-1967*, p30.
[162] Ibid.

the South Circular Road in Dublin, recalled how C. had asked him if he would do something for him 'seeing that he was a married man.'[163] On another occasion C. told the doctor that he had 'ample funds at [his] disposal' and asked him to operate.[164] Dr Nightingale's response however, was 'a very emphatic no.'[165] As McAvoy has observed in relation to the Sabatino C. case, 'those with financial means could access abortion in Britain.'[166] When he failed to persuade the doctor to terminate his employee's pregnancy in July 1948, both he and Margaret M. travelled to England together. Margaret's pregnancy was terminated by a doctor in London.

Access to financial assistance was essential for single women who wished to terminate an unplanned pregnancy. Although the evidence in a 1948 Co. Laois case and in several cases that came before the courts in Northern Ireland demonstrated that some abortionists catered for poorer women, the fees charged by Dublin-based abortionists such as William Coleman, Christopher Williams and Mary Moloney meant that abortions were out of reach for most single, working-class women when faced with an unwanted pregnancy. Convicted abortionists Moloney and Williams generally charged between twenty-five and thirty-five pounds and Alphonsus M. [A. 9] allegedly paid William Coleman sixty pounds to terminate his fiancée's pregnancy in March 1944.

Sixteen men in this sample of thirty-six cases provided their pregnant girlfriends with financial assistance. Such financial assistance was vital: most of the women who were implicated in these cases were not well-paid. A majority worked as shop assistants or domestic servants and presumably would not have been able to pay for an abortion or for abortifacient drugs on their own. When addressing the jury during Dennis B.'s trial, Judge Davitt noted that B., the man allegedly responsible for Karmel M.'s [A. 12] pregnancy, 'provided the means which were the only means of enabling the operation to take place. It couldn't take place without that money.'[167] This was true, not only in the Dennis B. case, but also in a number of other cases.

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[163] N.A.I., Circuit Court, ID 28 112, Dublin, 1950.
[164] Ibid.
[165] Ibid.
[166] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p245.
[167] N.A.I., C.C.A., 72/1944.

Some women were clearly dependent on their partners for financial assistance. Karmel M. [A. 12] was unable to cover the cost of an abortion herself and was reliant on Dennis B., a man she had slept with on a number of occasions, to provide her with the necessary money. Karmel M. wrote to Dennis shortly after she realised that she was pregnant to ask him if he could provide her with the money she needed to pay for a 'backstreet' abortion more quickly. 'Perhaps you will think the matter over in the meantime and let me know if there is any possibility of speeding things up,' she wrote.[168] The couple had already discussed the matter but Karmel appeared anxious to have her pregnancy terminated as soon as possible as it was affecting her ability to work. 'As I have been feeling desperately ill all week, I have been wondering whether it would be possible to get the operation done next Sunday afternoon,' she wrote.[169] Karmel was clearly afraid that she might lose her job. 'I have had to knock off work three times this week and of course there are questions being asked. I have been taking very strong doses of ergot and this has left me very weak – as I was warned it would do – and standing for eight hours a day doesn't improve matters;'[170] 'frankly I'm in dread of losing this job,' she added.[171] Karmel's final remark in her letter to Dennis B. underscored her sense of dependency on him. 'Needless to say, I'll fall in with any suggestion you make,' she remarked before signing off.[172] Karmel M. was clearly grateful to Dennis for the financial assistance he provided. Following a successful termination she wrote to him and thanked him for his help. 'Very many thanks for your help Dennis,' she wrote.[173] She told him that he had 'faced up to it decently' and wished him good luck.[174] However, it is also clear that if unmarried pregnant women whose boyfriends did not provide financial assistance were determined to terminate their pregnancies and had access to financial resources or useful contacts, then they would seek an illegal abortion.

When questioned in court during George J.'s trial in June 1945, Carrie D. [A. 11] said that she would have been unable to pay the fee that Mrs Maloney charged. Although Carrie worked in a furrier's shop at the time, she said she 'had no money and... would

[168] N.A.I., C.C.C., ID 24 139, Dublin, 1944.
[169] Ibid.
[170] Ibid.
[171] Ibid.
[172] Ibid.
[173] Ibid.
[174] Ibid.

not have been able to pay.'[175] Under cross-examination George J. admitted that 'no such job would enable her to pay for this operation out of her own earnings.'[176] It seemed more than likely that J. had paid for the cost of the procedure. The situation was similar in the Netherlands. In his study on cultures of abortion in The Hague in the early twentieth century, de Blécourt argued that 'on the whole...it was mainly lovers who felt responsible and found other men to perform the operation. They made the appointment, paid 50 or 100 or even 200 guilders for it.'[177]

Some men were undoubtedly glad to be relieved of the burden of having to pay for the maintenance of an illegitimate child and were content to pay towards the cost of backstreet abortions or abortifacient drugs. Before sentencing Dennis B. in June 1944, Judge Davitt noted that Dennis was not 'very young suddenly submitted to temptation but a young man who had taken his fun where he found it and was glad to pay his proportion of the cost' towards Karmel M.'s abortion.[178] In her study of women and reproduction in Britain between 1860 and 1939 Brookes referred to a case where the man responsible for a single woman's pregnancy 'was happy to pay her father for his part in her pregnancy rather than marry her.'[179] Part of the sum of money paid to her father, according to Brookes, seems to have gone towards the cost of an abortion. De Blécourt has argued that in The Hague in the early twentieth century, 'an unwritten rule on the abortion market appears to have been that the responsibility of boyfriends or lovers for pre- or extramarital pregnancies entailed a large sum of money, in contrast to the small sum women usually paid. It was expected on both sides as proper restitution of the woman's honour, at least as long as marriage was not considered.'[180]

Eight men in this sample bought abortifacient drugs for their girlfriends or gave them the money to purchase the drugs. Abortifacient drugs were often a first option for couples who wished to terminate a pregnancy. If the drugs failed to take effect, then couples often considered seeking an abortion. When Bridie K. [A. 13] told Marks R. that the pills she

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[175] N.A.I., C.C.A., 60/1945.
[176] Ibid.
[177] de Blécourt, Willem, 'Cultures of Abortion in The Hague in the Early Twentieth Century' in Eder, Franz X., Hall, Lesley A., and Hekma, Gert (eds.) *Sexual Cultures in Europe: Themes in Sexuality*, p207.
[178] N.A.I., C.C.A., 72/1944.
[179] Brookes, Barbara, 'Women and Reproduction c. 1860 – 1919' in Lewis, Jane, (ed), *Labour and Love: Women's Experience of Home and Family 1850 – 1940*, p161.
[180] de Blécourt, Willem, 'Cultures of Abortion in The Hague in the Early Twentieth Century' in Eder, Franz X., Hall, Lesley A., and Hekma, Gert (eds.), *Sexual Cultures in Europe: Themes in Sexuality*, p209.

had taken 'were not doing any good and were awful to take', he allegedly told her 'that there would be an illegal operation done.'[181] In January 1939 G - - - - - H. [A. 25] was charged with unlawfully supplying 'a noxious thing called Dr Raspail's Female Pills, containing steel, pennyroyal and bitterapple, knowing that the same was intended to be unlawfully used with intent to procure the miscarriage of a woman named A - - - - G...'[182] When he was arrested G - - - - - H. told police that he knew that 'the girl A - - - - G. was in trouble and in the family way.'[183] He also admitted sending her pills 'to help her out.'[184] He said he sent her 'a couple of bottles of them' in November or December 1938.[185] In her statement A - - - - G. said that when she realised that she was pregnant she wrote to G - - - - - H. and

> asked him if he could do anything for me. He replied stating that he would procure some pills which I should take to bring it away. About the end of that month I received from him by post about two dozen pills in a packet and he told me that he had purchased them in Mr P.'s Chemist shop, A. They were known as Dr. Raspail's Female Pills and bore that name in print on the outside of the packet. H. instructed me to take one of the pills three times daily after meals. I did as he directed and took all the pills but they had no effect on my condition.[186]

G - - - - - wrote several letters to his pregnant girlfriend in November and December 1938. The letters were later used as evidence against him in his trial. It is clear from G - - - - -'s letters that both he and A - - - - G. hoped that the abortifacient drugs he had sent her by mail would cause her to miscarry. The level of anxiety the couple experienced seemed to intensify in each letter, as it became increasingly unlikely that the pills would have the desired effect. In mid December 1938, about a fortnight after A - - - - had first started taking Dr Raspail's pills, G - - - - - began to discuss the possibility of A - - - - undergoing 'a slight operation.'[187] G - - - - - told A - - - - that he hoped that the tablets would be effective as 'the next remedy does not seem very pleasant.'[188]

A number of men implicated in abortion cases between 1925 and 1950 established contact with abortionists on behalf of their girlfriends or made inquiries about men or

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[181] N.A.I., C.C.A., 23/1931.
[182] P.R.O.N.I., Belf/1/1/2/119/7, 1939.
[183] Ibid.
[184] Ibid.
[185] Ibid.
[186] Ibid.
[187] Ibid.
[188] Ibid.

women who would be willing to terminate a pregnancy and subsequently put their girlfriends in touch with such people. The man Elizabeth H. [A. 2] had been keeping company with approached Kathleen G. in February 1947 when Elizabeth was two months pregnant. He said '[he] asked Mrs G. if she could do anything for a girl that was pregnant and she said she would if [he] would bring the girl up to her house.'[189] While Alphonsus M. did not pay for his fiancée's abortion – Judith M. [A. 9] approached a friend and told him that she was in 'a frightful jam' and needed seventy pounds – he supported her decision and arranged an appointment for her with abortionist William Coleman.[190]

In the letters he sent to his pregnant girlfriend, G - - - - - H. [A. 25] made it clear that he had made a number of inquiries about abortionists. He told his girlfriend that he 'saw W.J. on Saturday but he doesn't know anyone so he sent me to N.M. and she doesn't know anyone either [,] said drugs had no effect until after three months and that operation cost about 20 pounds.'[191] He also asked a chemist for advice. In his statement G - - - - - C. [A. 31] told police that he had discussed his girlfriend's pregnancy with 'a good few people' before he brought her to see a chemist in Belfast in September 1945.[192] He said that 'contact was made for [him]' with the chemist who performed the abortion.[193] G - - - - - C. said that his girlfriend, who subsequently died, 'did most of the talking' to the chemist when they got to Belfast.[194] However, it is clear that he had helped to organise the abortion.

Sheila D. [A. 8] told Gardaí that when the abortifacients she had taken failed to work, Harold M. arranged for her to visit a doctor in London. Sheila said that Harold gave her the address of a doctor to go to, as well as one hundred and twenty pounds to cover her travelling expenses, hotel costs and the doctor's fees. He also gave her a gold ring to wear. 'He said he had found a doctor who would put things right with me. When I said I didn't like the thoughts of this, - when I said that, he said it would be nothing at all, - just D.N.C. The D.N. I don't remember but the C. is for curette.'[195] Sheila travelled to

[189] N.A.I., C.C.C., ID 29 7, Co. Laois, 1948.
[190] N.A.I., C.C.A., 83/1944.
[191] P.R.O.N.I., Belf/1/1/2/119/7, 1939.
[192] P.R.O.N.I., Belf/1/1/2/141/28, 1945.
[193] Ibid.
[194] Ibid.
[195] N.A.I., C.C.A., 50/1950.

London by aeroplane on the 21st of January 1950 and took a taxi to the address Harold M. had given her.

At his trial for abortion in October 1944 Carrie D. [A. 11] said that she had been 'associating' with Cecil F. in 1941.[196] When she informed him that she was pregnant, he told her not to worry and arranged for her to see Mary Maloney. 'After telling him I had an appointment to meet him in Mrs Maloney's house. He brought me to Mrs Maloney's house from his flat at Merrion Square in his car,' she recalled.[197] Mary Maloney stated that when Cecil F. brought Carrie D. to her house he explained that 'she was in trouble [,] that he was responsible and he wanted to get her out of it and could [they] do something for her.'[198]

Men also provided what could be termed moral support by accompanying a woman to the abortionist and bringing her home afterwards. Six men in this sample accompanied their girlfriends to abortionists. Although none of the men were present when the abortion was being carried out, they waited until the abortionist had completed the procedure and in most cases they then accompanied their girlfriends home. Alphonsus M. [A. 9] said that after his fiancée[199] had had an abortion 'she appeared to be very shaken indeed when she came out of the dressing room. She was very pale and she was alarmingly weak. She could not walk. She just hopped over to where I was. She sat down at the desk when she came out of the dressing room, for four or five minutes, and when we went away I had to help her along the street.'[200] Charles W. brought Elizabeth H. [A. 2] to Mrs G.'s house and waited outside while Mrs G. attempted to cause her to miscarry.[201] Margaret R.'s [A. 33] fiancé Frederick J. accompanied her to the abortionist's house and waited outside for her.[202] Usborne uncovered evidence of similar forms of support and co-operation in the records of German abortion cases. Having studied the records of two hundred cases of criminal abortion in the Weimar Republic, Usborne noted that in most cases, men accompanied their pregnant partners to the

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[196] N.A.I., Circuit Criminal Court, Dublin, ID 24 143, 1944.
[197] Ibid.
[198] Ibid.
[199] Alphonsus and Judith M. were not officially engaged when Judith became pregnant but the couple claimed that they had been unofficially engaged for some time before Judith realised that she was pregnant.
[200] N.A.I., C.C.A., 83/1944.
[201] N.A.I., C.C.C., ID 29 7, Co. Laois, 1948.
[202] N.A., Kew, MEPO 3/412.

abortionist and some even provided assistance during the procedure. 'Most men accompanied women to the operation and at least 18 husbands and 7 lovers were also present during the operation, giving moral support and even practical help like holding the lamp.'[203]

There are other examples of the ways in which men assisted their girlfriends after an abortion. Two men seem to have disposed of the foetus once their girlfriends had miscarried. L - - - - - C. told police that A - - - - B. [A. 28], the woman he had been keeping company with, informed him when she miscarried and gave him a parcel and asked him to burn it. He said that '[he] took the parcel, brought it to Belfast with [him] and dropped it in the Lagan.'[204] Bridie K. [A. 13] claimed that after she had miscarried Marks R., the man who was responsible for her pregnancy, took the foetus away and burnt it.

> I told R. I had been in pain all night and that the baby had come away – that he would have to do something with it as I would not have anything to do with it. I showed it to him and he rolled it up in paper, and he put it in his pocket. I saw him the next day and asked him what he did with it and he told me that he burned it.[205]

After she had had a successful abortion Karmel M. [A. 12] wrote to the man who was responsible for her pregnancy and who had provided her with the money she needed in order to pay for an abortion, to inform him that she had 'ended up as an emergency case in Holles Street Hospital' but that she was no longer pregnant.[206] In one of the letters Karmel wrote to Dennis B., she remarked, 'you will be relieved I'm sure to know that everything is successfully over with...'[207]. Karmel told Dennis that the 'last four months have been like a horrible nightmare.'[208] 'I cannot tell you how relieved and happy I am to know that the worry and sickness is at an end,' she wrote.[209] The ordeal of an unplanned

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[203] Usborne, Cornelie, 'Wise Women, Wise Men and Abortion in the Weimar Republic: Gender, Class and Medicine,' in Abrams, Lynn, Harvey, Elizabeth, (eds.), *Gender Relations in German history: Power, Agency and Experience from the Sixteenth to the Twentieth Century*, p157.
[204] P.R.O.N.I., Belf1/1/2/126/5, 1941.
[205] N.A.I., C.C.A., 23/1931.
[206] N.A.I., C.C.C., ID 24 139, Dublin, 1944.
[207] Ibid.
[208] Ibid.
[209] Ibid.

pregnancy and an illegal abortion clearly put a strain on heterosexual relationships and could, as Usborne has observed, exacerbate 'existing tensions between partners.'[210]

Some men were deeply affected by the deaths of their partners following attempts to terminate an unplanned pregnancy. When Rita N. [A. 32], a twenty-one year old Irish woman died in London in October 1925 as the result of peritonitis following an abortion, the body of Darrell Figgis, the man who was responsible for her condition, was found in a gas-filled hotel room just over a week after her death. One newspaper noted that Figgis, the well-known writer, Sinn Féin activist and politician, 'was very upset at the death of the young woman.'[211] He was apparently unaware that she had injected glycerine into her womb until after her death. When one of the doctors who had treated Rita informed Figgis that his deceased girlfriend had used a syringe and glycerine in order to cause a miscarriage, he apparently 'looked very astonished, but said nothing and went away very excited.'[212] Rita joined Darrell in London after her attempt to self-abort in September 1925. She had informed him that she was pregnant and that she had experienced violent pains which she said she could not understand, but she never informed him that she had tried to self-abort. She had begun to miscarry by the time she reached London and was later hospitalised. Rita eventually told the doctor who treated her that she 'used a syringe with a long narrow nozzle which [she] got from a chemist's' in Dublin.[213] She said that 'there was glycerine in it and [she] disinfected the syringe before using it.'[214] The knowledge that Rita had tried to abort and her subsequent death is likely to have been a major factor in Figgis' suicide.

Some women did not refer to the men responsible for their pregnancies in their statements. Margaret B. [A. 10] did not name the man who was responsible for her pregnancy. She seems to have made arrangements to terminate her pregnancy on her own. She said that she went to see William Coleman in December 1936,'told him [she] was pregnant and asked him if he could do something for [her].'[215] Neither S - - - - B. [A.

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[210] Usborne, Cornelie, 'Wise Women, Wise Men and Abortion in the Weimar Republic: Gender, Class and Medicine,' in Abrams, Lynn, Harvey, Elizabeth, (eds.), *Gender Relations in German History: Power, Agency and Experience from the Sixteenth to the Twentieth Century*, p157.
[211] *The Times*, 30 Oct. 1925.
[212] N.A., Kew, MEPO 3/2578.
[213] Ibid.
[214] Ibid.
[215] N.A.I., C.C.A., 8/1937.

20][216] nor H - - - - R. [A. 21][217], who had had abortions in Belfast in 1930 and 1937 respectively, mentioned the men who were responsible for their pregnancies in their statements. Their boyfriends were not suspected of having been involved in the cases. In fact, both women seem to have approached other women for information about abortionists.

During Dennis B.'s trial in June 1944 Judge Davitt acknowledged the fact that Karmel M. [A. 12] had been 'an active agent.'[218] 'This matter was suggested by her and not by [B.],' he remarked.[219] Indeed, a number of unmarried pregnant women clearly took the decision to abort into their own hands. Five women in this sample bought abortifacient drugs themselves. During the course of the investigation into an illegal abortion that was allegedly carried out by William Coleman in Dublin in December 1936, it emerged that Margaret B. [A. 10] had taken steps to attempt to bring about a miscarriage before she went to see Coleman.[220] A search of Margaret's room revealed that she had taken glauber salts, two boxes of ergot powder and had purchased quinine tablets. A glass syringe was also found in her bedroom. Karmel M. [A. 12] had been taking large doses of ergot before her abortion was carried out.[221] Karmel approached Nigerian medical student John S. herself and asked him to operate on her. Judith M. [A. 9] seems to have been determined to terminate her pregnancy. Although her fiancé supported her, the decision to visit William Coleman and to seek an abortion seems to have been hers. When he was called on to give evidence in court, Alphonsus M. said that it 'was entirely up to [Judith].'[222] He maintained that she suggested the possibility of terminating the pregnancy to him and said that if he had not approved of her decision to seek an abortion 'she would have gone just the same.'[223] He told the court that she had secured financial assistance from a friend and she could have phoned Coleman and made the arrangements herself if he had refused to assist her. It is possible however that both Judith and Alphonsus may have deliberately downplayed his role in the case because they were concerned that he could be charged as an accessory. Alphonsus and Judith married the

[216] P.R.O.N.I., BELF/1/1/2/94/11, 1930.
[217] P.R.O.N.I., BELF/1/2/2/47/96, 1937.
[218] N.A.I., C.C.A., 72/1944.
[219] Ibid.
[220] N.A.I., C.C.A., 8/1937.
[221] N.A.I., C.C.A., 72/1944.
[222] N.A.I., C.C.A., 83/1944.
[223] Ibid.

day after Coleman was arrested; it was suggested during the course of the trial that the couple 'had married with the object of defeating the ends of justice.'[224]

Twelve women organised an appointment with an abortionist themselves. De Blécourt has noted that while the verdicts in abortion cases tried in The Hague in the early twentieth century 'do not disclose much about who took the initiative,' he suggested that 'it presumably came from the women.'[225] He cited one case where a lover insisted that his pregnant girlfriend have an abortion but noted that there was no further sign of lovers enforcing abortions and concluded that 'women's own agency is more apparent.'[226] While women's own agency is also apparent in Irish abortion cases, the actions and attitudes of the male partners of single women who sought abortions during the period under review was clearly an important factor in many cases.

The fiancé of Margaret R. [A. 33], Frederick J., was aware that Margaret wished to terminate her pregnancy and accompanied her to the residence of an abortionist on at least one occasion, but Margaret seems to have made most of the arrangements herself. She had had a successful abortion previously. Frances D., a chambermaid in the Russell Hotel where Margaret had been employed introduced Margaret to the woman suspected of having performed the abortion. The judge who tried the case said that while the evidence against Anne C. P. was 'very suspicious,' it was not 'definite.'[227] Aboritfacient pills were also found in Margaret's bedroom. According to her fiancé, Margaret began taking pills and powders several days before she died. During the trial it was also suggested that Margaret may have given herself a soapy injection before she went to C. P.'s house on September 10th 1929.

Catherine K. [A. 14] also purchased abortifacient drugs herself and organised her own abortion when she realised that she was 'in a certain condition' in late July or early August 1941.[228] She first went to a chemist's shop on Fownes St. where she spoke to Charles B. When Catherine told 'him [her] trouble he told [her] he would give [her]

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[224] *The Irish Reports* (1945), 'The People (at the suit of the Attorney General) v William H. Coleman,' p237.
[225] de Blécourt, Willem, 'Cultures of Abortion in The Hague in the Early Twentieth Century' in Eder, Franz X., Hall, Lesley A., and Hekma, Gert, (eds.), *Sexual Cultures in Europe: Themes in Sexuality*, p207.
[226] Ibid.
[227] N.A., Kew, MEPO 3/412.
[228] N.A.I., Circuit Court, ID 24 143, Dublin, 1944.

medicine. [She] got a bottle of medicine from him and [she] was to come back again to him if that was of no use.'[229] When it became apparent that the medication had had no effect B. 'said he would introduce [Catherine] to a man who would fix [her] up alright.'[230] Charles B. introduced Catherine K. to Christopher Williams and Williams took her to a house in Parkgate St. where Mary Maloney attempted to terminate her pregnancy.

Fifteen women in this sample managed to pay for abortions themselves or to secure loans from friends, and two of the women's mothers paid for their abortions. Some of the unmarried women whose pregnancies were terminated by Kathleen G. were unable to pay the fee she charged all at once. In her statement Josephine M. [A. 3] said that she paid Mrs G.'s two pound fee in weekly instalments at a rate of seven and six pence.[231] There were at least two cases where women who did not obtain financial assistance from the men responsible for their pregnancy approached friends instead and managed to persuade them to lend them money. Catherine K. [A. 14] borrowed forty-five pounds from her employer in order to pay for her abortion, which was carried out by Mary Maloney in August or September 1941.[232]

It was often assumed that single women who became pregnant would want to marry the man who was responsible for the pregnancy, if he was willing to do so. A closer analysis of the judicial records of abortion trials cases reveals that this was not always the case. A woman like Judith M. [A. 9], who was attending university may have had ambitions that extended beyond becoming a wife and mother, and an unplanned pregnancy would have put paid to such ambitions. Moreover, Judith apparently 'felt that if she married [Alphonsus] in these circumstances she would always feel there was an element of compulsion, that he was forced to marry her.'[233] Alphonsus M. told the court that 'quite a number of times I wished her to marry and I was quite emphatic about it.'[234] S - - - - M. [A. 20] said that when she told the man she had been keeping company with for the past

[229] Ibid.
[230] Ibid.
[231] N.A.I., C.C.C., ID 29 7, Co. Laois, 1948.
[232] N.A.I., Circuit Court, ID 24 143, Dublin, 1944.
[233] N.A.I., C.C.A., 83/1944.
[234] Ibid.

three years that she was pregnant, he said he wanted to marry her.[235] However, S - - - - M. refused his offer because they were of different religions.

Some of the women in this sample may never have intended to marry the men they were intimately involved with. As Brookes has noted in relation to abortion cases in England, 'some women preferred the risk of an abortion to that involved in a shotgun wedding.'[236] Other women may have preferred to have an abortion than to marry while pregnant. Some were clearly concerned about the shame associated with pre-marital pregnancy and were anxious to avoid upsetting their families. In October 1925 Darrell Figgis said that he told Rita N. [A. 32] that he thought the right thing to do would be 'to marry at once.'[237] He suggested wiring for Rita's family in order to explain the situation to them, but Rita made him promise that he would do nothing of the kind. According to Darrell 'the suggestion terrified her.'[238] She did not want her family to know that she had been pregnant. Extramarital conception was clearly considered shameful in Ireland, even when marriage followed.

Nevertheless, while it is evident that for some women, the decision to have an abortion was theirs, other women in this sample may have been pressured by their partners into undergoing an abortion or consuming abortifacient drugs. When seventeen-year-old M - - - C. [A. 19] told her boyfriend that she was pregnant in July 1930, C - - - - - W. assured her that 'he would get her something to make her all right.'[239] He later produced a bottle containing tincture of iron. Although M - - - C. was reluctant to take the liquid, she said that she eventually drank it because C - - - - - W. frightened her. She told police that 'he swore at [her] and told [her] that if [she] did not drink it he would throw it round [her].'[240] Soon afterwards M - - - C. became ill and her mother took her to see a doctor. C - - - - - W. was later charged with causing M - - - C. to take 'a certain noxious thing to wit Tincture of Iron with intent by means thereof to procure miscarriage.'[241]

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[235] P.R.O.N.I., BELF/1/1/2/118/6, 1938.
[236] Brookes, Barbara, *Abortion in England, 1900-1967*, p33.
[237] N.A., Kew, MEPO 3/2578.
[238] Ibid.
[239] P.R.O.N.I., BELF/1/1/2/93/61, 1930.
[240] Ibid.
[241] Ibid.

William B. was charged with administering 'a quantity of a certain noxious thing called Cantharides with intent thereby to procure the miscarriage' of Lizzie S. [A. 34] in October 1916.[242] According to Richard J. Moss, a fellow of the Institute of Chemistry in Dublin, and chemical analyst to the Royal Dublin Society, 'even one grain of the powder administered internally might produce dangerous symptoms.'[243] He stated that the drug William B. gave to Lizzie S. 'has often been used to procure abortion.'[244] Lizzie had had a sexual relationship with B. and they both believed that she was pregnant. It is not clear from the available records whether B. coerced her into consuming the abortifacient drug or whether she was as anxious as he was to terminate her unplanned pregnancy. Denis O. described how William B. prepared the drug and ordered Lizzie to 'gulp it up quickly at once.'[245] Denis O.'s description of Lizzie's reaction suggests that she was eager to consume the abortificaient. Lizzie S. allegedly took the brownish liquid up in her hand and drank it quickly. However, Denis O.'s evidence needs to be treated with caution as he was one of two individuals who offered Lizzie and her younger sister money not to give evidence against William B. in court.

Joseph R. [A. 16] was clearly anxious 'to have Bridie C. fixed up and relieved of her pregnancy.'[246] He told a friend that he was 'in a nice fix now' when he learned that she was pregnant in June 1943.[247] Sixteen-year-old Bridie was his wife's cousin and Joseph R. was responsible for her pregnancy. Although Bridie expressed some concern about the sinfulness of having an abortion performed, she does not seem to have objected to taking abortifacient drugs and given the circumstances in which she became pregnant, she may have been as eager as Joseph R. to have the pregnancy terminated. Joseph contacted Mrs R., a disqualified maternity nurse from Cabra 'who used to fix girls up who got into trouble' and she agreed to come to see Bridie.[248] According to Bridie, Mrs R. administered various abortifiacient drugs to her over a three-week period in the summer of 1943. In September 1931 Marks R. told an acquaintance that he had trouble with a girl named Bridie K. [A. 13]. Bridie was pregnant again and while Marks 'wanted a

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[242] N.A.I., ID 39 139, Co. Clare, Crown Files at Assizes, 1916.
[243] Ibid.
[244] Ibid.
[245] Ibid.
[246] N.A.I., Circuit Criminal Court, Dublin, ID 24 140, 1943.
[247] Ibid.
[248] Ibid.

second operation performed,' she would not consent to this.[249] Bridie K. claimed that Marks R. put her under pressure to have an abortion the second time she became pregnant but she refused to consent.

This pattern of behaviour is also evident in other European countries. In her study of abortion in the Weimar Republic Usborne noted that 'coercive abortion by men on their own mistresses was ... not uncommon.'[250] She also pointed to the fact that while the decision to seek an abortion could have an adverse affect on heterosexual relationships and led, in some instances, 'to manifestations of tension and even violent behaviour between men and women, both between husbands/lovers and their wives/mistresses or male abortionists and their women clients', there were as many if not more incidents where men and women co-operated.[251] This is also evident in the records of abortion cases that came before the courts in Ireland during the first half of the twentieth century. While an unplanned pregnancy caused tension and bad feeling within some relationships and even led to the breakdown of relations between couples, there were many instances where men and women co-operated and supported each other in seeking to terminate an unplanned pregnancy.

While there are few cases where the evidence implies that women were pressured by their partners into undergoing abortion or consuming abortifacient drugs, it could be argued that in most cases unmarried pregnant women were subject to other forms of pressure and were motivated to seek abortions because of the stigma associated with single motherhood, lack of financial resources and the lack of support from the man responsible for the pregnancy.

The compulsion to protect a family's sense of honour and reputation in the community was as we have seen particularly strong in Ireland during the first half of the twentieth century. In some instances the relatives of single, pregnant women collaborated in order to arrange an abortion so that the shame and disgrace of a birth outside marriage could be avoided. The evidence in a Belfast case suggests that one woman's mother put her under

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[249] Ibid.
[250] Usborne, Cornelie, 'Wise Women, Wise Men and Abortion in the Weimar Republic: Gender, Class and Medicine' in Abrams, Lynn, Harvey, Elizabeth, (eds.), *Gender Relations in German History: Power, Agency and Experience from the Sixteenth to the Twentieth Century*, p155.
[251] Ibid., p156

considerable pressure to consent to an abortion. Indeed, E - - - - F.'s [A. 26] mother made all the arrangements for the abortion. When she discovered that her daughter was four month's pregnant, E - - - - F.'s mother first invited the man responsible for her daughter's condition to her house to discuss the matter. However, when T - - - - - B. refused to marry her, saying that 'I cannot keep a wife', M - - - F. approached a woman she knew and asked her 'if she would give her [daughter] a soap injection to relieve her of her pregnancy or if she knew of any other person who could do so.'[252] Mrs F. was clearly anxious for her daughter to avoid the shame associated with single motherhood. E - - - - M. told the police that she heard her say that she was 'not going to have [her] daughter disgraced [,] she has got to be cleared.'[253] In his statement E - - - - F.'s boyfriend said that she was very upset the last time he saw her and told him that 'all those people downstairs except my grandmother want me to go to a woman and have threatened to bring her here to me.'[254] Although Mrs F. said she would never 'do anything to my wee girl', her actions led to her daughter's death.[255] Julia D.'s [A. 4] parents seem to have been aware that their unmarried daughter was pregnant and that she had asked Kathleen G. 'to get rid of the baby.'[256] In her statement G. said that she told Julia that she 'would open the womb with a handle of a teaspoon, and if the parents consented. Both parents were there and they agreed.'[257] Two days afterwards Julia's mother gave Kathleen G. a pound 'for what [she] had done for Judy.'[258] This type of family involvement was clearly not confined to Ireland. Usborne's research has shown that in Weimar Germany 'at least six mothers arranged abortions for their daughters and stayed there during the operation.'[259]

6.8 Conclusion

In their addresses to the juries in four of the cases in this sample, judges reminded the members of the juries that the courtrooms in which various abortion cases were tried were not courts of morals and impressed upon them the fact that they were required as

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[252] P.R.O.N.I., Belf/1/1/2/123/5, 1940.
[253] Ibid.
[254] Ibid.
[255] Ibid.
[256] N.A.I., C.C.C., ID 29 7, Co. Laois, 1948.
[257] Ibid.
[258] Ibid.
[259] Usborne, Cornelie, 'Wise Women, Wise Men and Abortion in the Weimar Republic: Gender, Class and Medicine' in Abrams, Lynn, Harvey, Elizabeth, (eds.), *Gender Relations in German History: Power, Agency and Experience from the Sixteenth to the Twentieth Century*, p158.

jurors to separate legal fact from morality. Yet, Judge McCarthy's comment in the Jackson case is particularly revealing. Summing up, he declared that this is not a court of morals before adding, 'perhaps one often wishes that it were.'[260] While Brookes' study has shown that juries in England were often reluctant to convict in abortion cases, it would appear, certainly from this sample, that Irish juries did not generally share the same sense of reluctance. According to Brookes, juries in England were 'usually sympathetic to the abortionist and appreciative of the heavy sentences' and as a result were often reluctant to convict.[261] Brookes has also noted that 'the anomaly of a law that inflicted severe penalties for an act to which everyone involved consented raised comment from the bench.'[262] There was little popular sympathy with abortionists in southern Ireland during the period under review. Despite the fact that several women involved in the abortion cases in this sample had instigated the crime, they were not prosecuted, whereas a number of men who had provided them with the means of paying the abortionist's fee were convicted and sentenced to terms of imprisonment. Women like Karmel M. [A. 12], as Judge Davitt observed, were 'fully consenting [parties] in all that was done to [them].'[263] Yet jurors seem to have been unmoved by the fact that Karmel M. appeared as a state witness even though she 'had been aborted on a previous occasion and who on her own admission, had taken ergot, and had permitted the use of an instrument on her.'[264] During the trial of three Nigerian medical students who were charged with using an instrument to procure Karmel M.'s abortion in June 1944, Mr Fahy referred to this as 'a strange justice.'[265] McAvoy has argued that during the 1940s the state seemed determined 'to use existing law to the full to destroy the abortion trade' and Sections 58 and 59 of the 1861 Offences Against the Person Act were more strictly applied in the Irish Free State during the 1940s than in previous decades.[266] The state pursued both abortionists and accessories to abortions during this period and heavy sentences were imposed on those convicted. However, men in Northern Ireland were perhaps less likely to be charged with procuring abortion in cases where they provided their girlfriends or fiancées with financial assistance.

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[260] N.A.I., C.C.A., 60/1945.
[261] Brookes, Barbara, *Abortion in England, 1900 – 1967*, p28
[262] Ibid., p37.
[263] N.A.I., C.C.A., 72/1944.
[264] Ibid.
[265] *Irish Times*, 10 June 1944.
[266] McAvoy (Larmour), Sandra, 'The State and Female Sexuality in the Irish Free State', p244.

There was a tendency among some Irish judges to engage in gender stereotyping and to regard single women who had had abortions as hapless victims who had been heavily influenced by their male partners into terminating their pregnancies. During George J.'s trial the judge told the jury that 'the whole purpose [of abortion] is to get rid of the result of the unbridled passion of some man who has wronged the girl.'[267] He referred to women who sought abortions as 'unfortunate girls' and praised their 'splendid courage' in coming to court to give evidence 'when they realise the full enormity of their offence and expose themselves to the shame and disgrace of being associated with this event and make an attempt to undo the result of their misconduct and to point out to others who may be tempted to do likewise the evil of their own ways.'[268]

A closer reading of abortion trials in Ireland between 1925 and 1950 reveals that the reality was somewhat more complex. It is clear from the records of abortion cases that came before the courts in Ireland, both North and South, during the period under review that single women who sought to terminate their pregnancies were not, for the most part, unfortunate victims. Many of the women who gave evidence in these cases appear to have been willing sexual partners. A number of women had had abortions before or had previously given birth. Several had had more than one sexual partner, but it was often assumed in Irish courtrooms that the decision to have a sexual relationship and to seek an abortion in the event of an unplanned pregnancy rested with the man. It seems highly unlikely that any woman gave evidence in court in order to attempt to undo the 'evil' of her misconduct or to act as warning for others. In fact, Carrie D. [A. 11] appears to have been reluctant to make a statement against her former boyfriend George J. However, she had little choice but to give evidence against J. as the Gardaí took her identification card and residence permit which she required in order to return to her home in Belfast.

The records of abortion trials in Ireland reveal much about gender dynamics in Ireland between 1900 and 1950. An analysis of the roles played by both men and women in abortion cases that came before the courts reveals both what contemporaries refused to acknowledge – that the decision to seek an abortion was often the result of joint decision made on the part of the couples involved or reflected a woman's own choice – and confirms what contemporaries were more willing to accept – that some women were

[267] N.A.I., C.C.A., 60/1945.
[268] Ibid.

pressured or threatened by their male partners into taking abortifacient drugs or terminating an unplanned pregnancy.

The records of abortion cases tried in Ireland during the first half of the twentieth century also provide further insight into the experiences of single women faced with an unplanned pregnancy. The judicial files suggest that women often took the initiative to terminate an unwanted pregnancy themselves, but also point to the fact that in many instances the attitude and actions of their male partners could be a key factor in a woman's decision to seek an abortion. This study has suggested that women living in urban areas were more likely to have considered abortion as a fertility control option than single women who resided in rural areas. Single women who aborted and single women suspected of killing their illegitimate infants or concealing the birth of their newborns were motivated to break the law for similar reasons. Whether they terminated their pregnancy at an early stage or carried the pregnancy to term and took their infants' lives shortly after self-delivery seems to have depended on the knowledge available to them, on whether they had access to money and useful contacts, and on the outlook of their male partners.

The judicial files certainly shed new light on single Irish women who sought abortions, on unmarried women who were often either castigated in court as 'girls of loose character' and 'girls who had fallen by the way', or pitied as 'unfortunate girls.' The records reveal that while some women may have been victims, others were the instigators of criminal activity. Their experiences certainly appear to have been more complex than contemporary discourses on single motherhood in Ireland acknowledged.

Thesis conclusion

The history of unmarried mothers in Ireland during the first half of the twentieth century, like the history of many aspects of Irish women's lives in the past, is a fragmented one. In chapter one, some of the existing gaps in the historiography were identified and discussed. Although this thesis has attempted to fill some of those gaps, the history of unmarried mothers in Ireland during the first half of the twentieth century is still being charted. Much research remains to be done. However this thesis has provided a more complete picture of the history of the crime of infanticide in Ireland during the first half of the twentieth century than previous studies. This is the first study to date that explores criminal cases of infanticide and abortion involving unmarried mothers in Ireland both North and South before and after independence. The study of infanticide cases that were tried in Ireland before 1922 is crucial for our understanding of long-term patterns of behaviour especially in terms of verdict and sentencing trends. This is also the first study that examines abortion cases involving single women on an all island basis between 1900 and 1950. This thesis brought to light a small but significant number of infanticide cases tried in England and Scotland where the defendants where single Irish immigrants. It also uncovered the records of cases where unmarried Irish women died in London following attempts to abort. These cases add yet another dimension to the history of Irish women's emigration to Britain and along with the records National Council for the Unmarried Mother and her Child, demonstrate that a wealth of material relating to Ireland's single mothers is held in British archives.

The experiences of the unmarried mothers who feature in the judicial records of infanticide and abortion trials have largely been overlooked by historians. Often misrepresented and subjected to unfair treatment during the course of their own lifetimes, their voices, perspectives and personal experiences need to be reinstated to the history of single motherhood in Ireland. This thesis has attempted to piece together some of their experiences by providing a detailed analysis of a considerable number of the judicial records of infanticide and abortion cases tried in Ireland between 1900 and 1950. In so doing, this thesis has also engaged with the history of the family, the history of medicine and issues relating to social class, patterns of sexual behaviour, policing methods and other criminal offences such as rape and incest.

The judicial files provide only a partial record of the history of single women and the crimes of infanticide and abortion. The testimonies contained in the trial records are constrained and distorted to varying degrees. Nonetheless they provide invaluable insights into the lives of unmarried working-class women. They offer 'a slice of history from below'.[1] The records of infanticide and abortion trials involving young, unmarried women are a rich source, capable of adding colour and depth to the history of single motherhood in Ireland during the first half of the twentieth century. Many of the same themes were explored in each of the chapters that dealt with unmarried mothers and infanticide. This meant that cases tried in several different jurisdictions could be compared and contrasted over a fifty-year period.

This case-by-case analysis of the trial records of infanticide and abortion cases involving unmarried Irish women, their partners and relatives has resulted in the most comprehensive social profile of women who committed infanticide or sought abortions in Ireland between 1900 and 1950 to date. While previous studies have thrown some light on infanticidal women in southern Ireland between 1922 and 1950, little was known about unmarried women who committed infanticide or sought abortions in Ireland prior to 1922 and still less was known about unmarried women from Northern Ireland who were charged with infanticide or suspected of having sought abortions during the first half of the twentieth century. We now know that the unmarried Irish woman who committed infanticide between 1900 and 1950 was likely to have been in domestic service and in her mid twenties. As there was a strong Belfast bias in the Northern sample, women in the infanticide sample for chapter four were more likely to have lived in urban areas. Poverty is evident in many infanticide cases. Most women, North and South, throughout the period, were from poor backgrounds. In the south the fathers of many women in the samples studied were employed as labourers. Some women and their families experienced serious financial hardship. A number of women charged with infanticide came from broken homes. One woman's father was an alcoholic who often turned his wife and children out on the road.

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[1] Arnot, Margaret L., 'The murder of Thomas Sandles: meanings of a mid-nineteenth-century infanticide' in Mark Jackson (ed.), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p149.

Where possible the dynamics of relationships between unmarried couples who had to deal with an unplanned pregnancy were discussed in this thesis. Men have generally been treated as peripheral to the study of single motherhood in Ireland during the first half of the twentieth century. This is largely due to the nature of the sources that most historians of single motherhood have used. However, this thesis has shown that case studies of infanticide and abortion trials can reveal a great deal about the manner in which Irish men responded to unplanned pregnancy during the first half of the twentieth century. The part Irish men played in infanticide and abortion cases was more complex than previous studies have suggested. Men responded to unplanned pregnancy in various different ways. Some came forward to marry the female defendants in cases tried between 1900 and 1950 after they had been charged and in some instances after the women had been tried and sentenced. Other men chose to ignore the plight their former girlfriends found themselves in, while others clearly colluded with the women who feature in these cases, by arranging abortions or committing infanticide. While the male relatives of single pregnant women were less likely to have been involved in infanticide cases than their female relatives, it is clear that the close male relatives of unmarried Irish women in the samples referred to throughout this thesis also responded to the prospect of the birth of an illegitimate infant in a variety of ways.

The men responsible for the pregnancy of single Irish women charged with infanticide are only referred to in any detail in a relatively small number of cases and as a result it was not possible to compile a detailed social profile of the typical male partner of the infanticidal woman. However, it is possible to make some observations about the male partners of Irish women who stood trial for infanticide during the period under review. Firstly, the typical male partner of the unmarried infanticidal Irish woman was likely to have been of the same class background as the woman and secondly, he was likely to have been of a similar age, although there were one or two notable exceptions. It is hoped that as a result of such detailed case-by-case research and analysis, our knowledge of unmarried women who committed infanticide, their relatives, partners and the contexts in which they committed the crime is less impressionistic and is now more rounded, and perhaps also more nuanced.

This thesis has drawn attention to the links between suicide and unplanned pregnancy in Ireland between 1900 and 1950. Unplanned pregnancy had profound and, in some instances, tragic effects on the lives of men and women during this period. The case of John P. was highlighted in chapter one. Conflicting interests between his pregnant girlfriend and family seem to have led the twenty-two year old to take his own life. Darrell Figgis committed suicide in London in October 1925 shortly after his girlfriend had died as the result of peritonitis following an attempt to cause a miscarriage by injecting herself with glycerine. The mental strain that concealing a pregnancy and committing infanticide shortly after giving birth unassisted had on the women who feature in the samples on which this thesis is based was all too apparent. A small number of women attempted suicide and others may well have contemplated taking their own lives. The records of inquests may well reveal instances of unmarried pregnant women who took their own lives. Very few Irish women in the cases examined in this thesis were deemed insane.

This thesis has contributed to historical understanding of the way in which Irish families responded to unplanned pregnancy and the manner in which they colluded in infanticide cases between 1922 and 1950. Many Irish families reacted angrily to the news that an unmarried female relative was pregnant. Some women were threatened and intimidated by their fathers. However, this is only part of the picture. The close readings of a large number of infanticide cases has shown that some Irish families were willing to accept one transgression and that some single women's illegitimate infants were raised in the family home. However when some of these women found themselves pregnant for a second time they took their infants' lives. There may well have been limits to a family's tolerance of illegitimate births.

One of the most salient features of infanticide cases tried in southern Ireland between 1900 and 1950 was the degree to which the relatives of single women were involved in the death of an illegitimate infant and the disposal of its body. Relatively little was known about family involvement in Irish infanticide cases. This thesis has shown that many Irish women seem to have come under sustained pressure from their relatives to kill their illegitimate infants and to conceal all evidence of their existence from the wider community. Some women were turned out of the family home, only allowed to return if

they came back without the baby. It is possible that the relatives of some women took the decision to kill their infants for them. The birth mothers may have acquiesced in this, relieved perhaps to have been rid of an unwanted burden. In some cases there appears to have been a somewhat curious combination of concern for the birth mother and ruthlessness in killing a newborn infant and disposing of its body. The relatives of single women who gave birth in the family home in southern Ireland both before and after independence colluded in the crime to a degree that was not matched in cases tried in Northern Ireland, Scotland or England during the same period. In the North the female relatives of unmarried pregnant women may well have been more likely to collude in procuring an abortion than in committing infanticide. One such case was discussed in chapter six.

This thesis has also added to historical understanding of the relationship between fathers and daughters. If historians of infanticide in Ireland referred to the father-daughter relationship in their work at all it was generally to emphasise the menacing, intolerant and unsympathetic father. There is no doubt that many fathers of single pregnant women who were later charged with infanticide did threaten them once their suspicions were aroused. Some fathers turned their daughters out of the family home and at least one father saw to it that his daughter was incarcerated in a convent following her conviction. However it is also clear from the cases studied in this thesis that the fathers of unmarried Irish women charged with infanticide reacted in various different ways. Some men appear to have been kindly, compassionate and forgiving. The fathers of some women gave evidence in court on their behalf. At least one man wrote to the judicial authorities to appeal to the trial judge to treat his daughter leniently. Another woman's father went to considerable lengths to keep his daughter from being detained in an institution. The mothers of infanticidal women were more likely to have colluded with their daughters and a pregnant woman was more likely to confide in her mother than her father. Nonetheless there were instances where women referred to their fear of their mothers in their statements.

The level of influence senior family members exerted on younger people, both men and women, during the period is evident in the trial records of infanticide cases. Several men in the cases examined in this thesis came up against parental disapproval in their choice of spouse. John P.'s family made it clear that they disapproved of his relationship with a

woman of a different religious denomination. Patrick M.'s [P.178] mother refused to give her consent to her son's marriage to his pregnant girlfriend in the summer of 1945. Edward C. [P. 187] said that his mother objected to his keeping company with Margaret S. He told the Gardaí who questioned him that on one occasion his mother told him that 'she didn't wish [him] to be with Peggy S. She gave [him] a lecture then over it.'[2] Although Edward said that he 'kept away then for a while' he later resumed contact with Margaret but refused to marry her when she told him that she was pregnant.[3]

Jackson has argued that the historical continuities in cases of suspected child murder in the courtroom across many centuries are striking.[4] He also suggested that 'in a wider context, many of the social, legal, political and cultural concerns related to the supposed murder of new-born children also demonstrate remarkable historical constancy'[5] and noted that 'within the history of infanticide more generally, there are equally conspicuous parallels across space. As a number of detailed historical studies have shown, the central features of English trials for infanticide have been mirrored in cases from many other geographical settings. Thus, the prosecutions of women for killing their new-born children in France, Germany, North America, Ireland and Poland have shared significant features with cases from England throughout the early modern and modern periods.'[6] This thesis has argued that while some of the main features of infanticide trials involving unmarried mothers in the Twenty-Six Counties were mirrored in cases tried in England, Scotland and Northern Ireland during the first half of the twentieth century, there were a number of significant differences between the various jurisdictions over time.

The unmarried women who featured in the infanticide cases examined for Northern Ireland, England and Scotland came from similar socio-economic backgrounds to the women in the groups of Irish cases analysed in chapters two and three. Most unmarried women charged with infanticide in all four jurisdictions were employed as domestic servants. The majority were in their twenties. Parallels were also identified in terms of

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[2] N.A.I., C.C.C., ID 29 3, Dublin, 1948.
[3] Ibid.
[4] Jackson, Mark, 'The trial of Harriet Vooght: continuity and change in the history of infanticide' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p3.
[5] Ibid.
[6] Ibid, pp4-5.

motivation, coping mechanisms and the kinds of relationships in which single women charged with infanticide had engaged. A striking degree of continuity was also found in infanticide cases tried in Ireland both before and after independence. The most significant difference that emerged from detailed analysis of individual cases tried both before and after independence was in terms of sentencing patterns.

A number of 'equally obvious changes across time and differences across space'[7] were also found in the samples of infanticide cases examined in this thesis. This was most noticeable perhaps in terms of the level of family involvement in infanticide cases, the treatment of the putative fathers of murdered infants by the police and in terms of sentencing patterns. There were some clearly discernable shifts and changes in the manner in which sexually active unmarried women convicted of the murder, manslaughter or concealment of birth of their newborn infants were dealt with in Ireland over the course of the fifty year period examined. This thesis has helped track this change. While historians who studied infanticide cases in the post-independence period assumed that convents were not used to detain Irish women convicted of the manslaughter or concealment of birth of their infants as often in the decades prior to independence as they were from 1922 onwards, this thesis has demonstrated that this was so by analysing a sample of ninety-five cases.

From 1922 onwards, there was a tendency to detain women convicted of manslaughter or concealment of birth in convents rather than in prisons. The period from 1922-1950 also saw single women convicted of concealment of birth in the Twenty-Six Counties serve longer sentences than women who had been convicted of the same offence in the pre-independence period. Prior to 1922 sentencing patterns for single women convicted of the murder, manslaughter or concealment of birth of their illegitimate infants was very much in line with practices in England and Scotland. Sentencing patterns in independent Ireland differed from sentencing patterns in Northern Ireland, Scotland and England, where women were generally not sent to religious-run institutions to serve their sentences. The tendency to send single women convicted of the manslaughter or concealment of birth of their illegitimate infants to convents rather than to prison may

[7]Jackson, Mark, 'The trial of Harriet Vooght: continuity and change in the history of infanticide' in Jackson, Mark, (ed), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000,* p9.

reflect increased concern about sexual morality in post-independent Ireland and the desire to stamp out sexually transgressive behaviour by dealing more severely with unmarried women convicted of these offences. In some instances the woman's family was keen to have her detained in a religious institution. The religious orders that ran the institutions where these women were sent, in some cases for several years, may have helped to shape this policy. They would have had a vested interest in detaining these women in their institutions, as they provided them with a cheap form of labour. It also provided the state with a less expensive way of detaining female criminals. Governments in post-independent Ireland would undoubtedly have been more receptive to the opinions of religious orders than the administration in the pre-independence period.

After 1922 the convent replaced the prison as the main site for the reformation and correction for unmarried sexually active criminal women. There they experienced an erosion of the rights that women had enjoyed in the pre-independence period such as the right to petition the authorities for a reduction in their sentences. Only the most determined and disruptive women incarcerated in convents between 1922 and 1950 managed to come to the notice of the authorities and request to be transferred to prison. Most women may not have been aware that if they had been held in prisons they would have been able to petition the Minister for Justice. This was something that at least one man, who was convicted of the concealment of birth of his illegitimate son, took advantage of.[8] Indeed, single women suspected of the murder of their illegitimate infants in Ireland may not have been aware of their rights during the pre-trial process. Very few would have had legal counsel when they were questioned by the Gardaí.

Yet while the sentences imposed on single women convicted of the manslaughter or concealment of birth if their illegitimate infants may have been harsher in the Twenty-Six Counties after 1922, there were nonetheless several instances where there was clearly a considerable amount of sympathy for female defendants at official level.

Chapter six explored the experience of unplanned pregnancy from the standpoint of unmarried Irish women who sought abortions in Ireland or England during the first half of the twentieth century. It complemented the preceding chapters by highlighting both

[8] See chapter three, p168 for a more detailed discussion of the case of Margaret M. [P. 138] and her uncle Laurence B.

the differences and similarities between unmarried pregnant women who sought terminations and those who carried a pregnancy to term and subsequently killed their illegitimate newborns. A number of the cases examined in chapter six had not previously been identified or analysed by historians. Existing studies on the history of abortion had overlooked cases that were tried in Northern Ireland and cases that came to light between 1900 and 1921. Chapter six redressed this imbalance by analysing the records of the small number abortion cases that were prosecuted between 1900 and 1921 and by widening the scope of historical inquiry to include abortion cases that were tried in Northern Ireland between 1922 and 1950. More unmarried Irish women seem to have resorted to infanticide in response to an unplanned pregnancy during the first half of the twentieth century; fewer unmarried expectant Irish women appear to have resorted to abortion as a means of controlling their fertility and yet the records of infanticide trials, particularly those that went before the Court of Criminal Appeal, contain a wealth of material relating to the predicament in which individual women and their partners found themselves.

Although women, both married and single, who had sought abortions in southern Ireland between 1922 and the mid 1950s have been the subject of recent scholarly research, chapter six of this thesis offered a fresh perspective on single women and abortion cases in Ireland. Chapter six paid close attention to the role men played in abortion cases involving single Irish women in Ireland, both North and South, and in England during the first half of the twentieth century. Male involvement in abortion cases has hitherto been a somewhat neglected aspect of the history of abortion in Ireland during the first half of the twentieth century. This thesis has shown that men often played a pivotal role in abortion cases. While some women may have been coerced into undergoing an illegal abortion by their partners, more often women and men faced with an unplanned pregnancy discussed their options together and both partners decided on how best to deal with the unexpected crisis. The records of abortion trials allowed for a more sustained analysis of the dynamics in relationships between men and unmarried women. This thesis was primarily concerned with infanticide and the number of infanticide cases examined far exceeded the number of abortion cases that were explored. However, even though the sample of abortion cases was much smaller, because many cases went before the Court of Criminal Appeal the recorded evidence was often more detailed than was the case in most records of infanticide trials. Moreover, as the male partners of single women who sought

abortions were usually called upon to give evidence in court, these cases provide a great deal of information on the sex lives of the couples involved.

Chapter six also provided a detailed social profile of single women who sought abortions, attempted to self-abort or were coerced by their partners or relatives into undergoing an illegal and risky termination. Women who sought abortions often lived in urban areas and while they usually came from the same class background as unmarried Irish women who committed infanticide, women who sought abortions tended to have a greater degree of personal freedom and appeared to have been more independently minded than unmarried women charged with infanticide. A number of the women who appear in the records of infanticide trials seem to have been poorly informed about sex, pregnancy and childbirth. The women who feature in the records of abortion trials, on the other hand, appear to have been far worldlier. Some appear to have consciously chosen to lead a lifestyle that went against the prevailing moral climate of post-independent Ireland. My research drew attention to the fact that unmarried Irish women who underwent abortions during the first half of the twentieth century were generally either involved with older, married men or had friends or acquaintances who could lend them the money they needed to pay an abortionist. Several of these men ran their own businesses in Dublin city and seem to have brought the women, most of whom were domestic servants or shop assistants on excursions. They treated them to trips to the cinema and to restaurants and some bought their girlfriends clothes and gave them other presents. These relationships would have provided the women involved with a means of supplementing their meagre incomes.

The chapter on single women and abortion also looked beyond Irish shores for evidence of women who went to England to seek abortions and Irish immigrants who underwent terminations in England during the first half of the twentieth century. These cases were few in number. Many more Irish immigrants may well have had terminations in England but successful abortions would, of course, have almost always gone undetected. One Irish immigrant who died in London in 1929 following an abortion, had previously had her pregnancy successfully terminated by a 'back-street' abortionist in England. This small sub-set of cases also highlights the fact that it would not have been that easy for Irish women to travel to England in order to procure an abortion without contacts and a considerable amount of money. It would certainly not have been a viable option for the

vast majority of women who committed infanticide in Ireland during the first half of the twentieth century. These women would simply not have had the financial means or the knowledge necessary to acquire an abortion in England.

Abortion and infanticide cases provide some insight into the use of contraceptives among couples in Ireland during the first half of the twentieth century. From the records of the infanticide and abortion cases examined in this thesis it would appear that most couples did not use contraceptives. A small number of couples said that they relied on *coitus interruptus*. One couple used contraceptives regularly. These they obtained from Northern students of Trinity College. This was exceptional however. The only other man who referred to use of contraceptives was English. Both he and his Irish fiancée lived in London, where contraceptives and information regarding their use were much more easily obtainable than in Ireland where they had been prohibited since 1935. Some Irish women may have been poorly informed about the possible consequences of engaging in sex without using contraceptives. However, women who had experienced previous pregnancies would have been aware of the potential risk but seem to have been prepared to run the risk of becoming pregnant again. Some women had several terminations and others committed infanticide on more than one occasion.

This thesis has also added to historical knowledge on patterns of sexual behaviour among unmarried working-class Irish women during the first half of the twentieth century. While extra-marital sexual relationships were certainly frowned upon in Ireland in this period, official and indeed non-official forms of disapproval certainly did not deter unmarried women from engaging in sexual relationships. In some cases single domestic servants became involved with men that they did not intend to marry. Some women had several sexual partners. A number of women seem to have become pregnant as the result of short-lived casual encounters, while others had been involved with a man of a similar age and from the same class background for a considerable length of time. These women may well have hoped that their partner would assume responsibility for the infant and offer to marry them once they learned that they were pregnant. This was certainly a source of friction between some couples. Some couples who wished to marry came up against parental disapproval while others were unable to secure housing. For the most part however, single women who became pregnant in this period do not seem to have informed the fathers of their unborn infants that they were pregnant. In many cases this

was simply not an option because the woman had lost contact with the man before she even realised that she was pregnant. While there were a small number of cases where women said they had become pregnant as the result of rape or incest, and a very small number of women may have been intimidated or forced into having sex with their employers, the overall picture is one of domestic servants in their twenties seeking relationships themselves and consenting to sex either with men they had been seeing for some time, or with men they may have met only once, men whose names they were unsure of, in some instances. A small number of couples in the sample for chapter three married in the later stages of the woman's pregnancy yet they still felt compelled to kill and conceal the infant that was conceived outside wedlock thus hiding all evidence of pre-marital sexual activity. Such instances indicate the level of disapproval of pre-marital sex in Ireland during the first half of the twentieth century, particularly in tight-knit rural communities.

As noted in previous chapters, many abortion and infanticide cases simply never came to light. During the hearing of an infanticide case in 1927 Mr Carrigan, K.C., drew attention to the fact that the proportion of infanticide cases that were prosecuted in the Irish Free State may only have constituted a small proportion of the actual number of infanticides committed in post-independent Ireland.

> Without wishing to exaggerate, he thought that it might be said that latterly, unfortunately – judging by the number of cases that came to Court – which could not be expected to bear any proportion to the cases that never reached Court – there was a great wave of infanticide, of the destruction of illegitimate children, in this country. Week after week there were paragraphs in the newspapers giving the results of inquests on infants. Then there were cases in Police Courts and in that Court, where unfortunate girls were charged with the murder of their illegitimate children.[9]

It is only possible to speculate about how many more infanticide cases may have gone undetected and unprosecuted between 1900 and 1950. The groups of cases analysed in this thesis have been based, for the most part, on the records of the higher courts, the Assize courts in the pre-independence period and the records of both the Central Criminal Court and the Court of Criminal Appeal in the post-independence period. Yet, as Ferriter noted, 'many cases were dealt with by the district courts, with the women

[9] *Irish Times*, 7 Dec. 1927.

charged with 'concealment of the birth of an infant', rather than in the central criminal courts as capital offences.'[10]A study of the records of the circuit courts would undoubtedly uncover many more concealment of birth cases where the defendants were young unmarried women.[11] Such a study might also shed light on changes and continuities in sentencing patterns in the lower courts before and after independence. A detailed study of the trial records of the lower courts in Ireland between 1900 and 1950 would allow historians to examine the levels of family involvement in concealment of birth cases and to explore the role played by the fathers of illegitimate infants whose deaths were investigated. The records of child abandonment cases have yet to be explored in depth. It is probable that many women charged with child abandonment in Ireland during the first half of the twentieth century were unmarried women. The records of child abandonment would in all likelihood be capable of shedding more light on the history of single motherhood in Ireland.

This thesis examined the records of a number of infanticide cases involving single women tried in England and Scotland during the first half of the twentieth century. This helped to put the Irish experience of infanticide more firmly into context and to compare the manner in which the newly independent Irish state dealt with the crime of infanticide and the manner in which infanticide was dealt with in England and Scotland. Comparative studies on infanticide in European countries with predominately Catholic populations might also contribute further to historical understanding of unmarried women and reproductive crime. Research on infanticide cases tried in England and Scotland revealed the records of infanticide and abortion cases involving unmarried Irish women that are held in British archives. This is an aspect of the history of Irish immigrants that needs more probing. Further research is required to assess the full extent of unmarried Irish immigrants and reproductive crime in Britain from the beginning of the twentieth century until the 1950s and beyond.

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[10] Ferriter, Diarmaid, *The Transformation of Ireland 1900-2000,* p423.

[11] Although Maguire referred to several concealment of birth cases that were tried in the circuit courts, in her doctoral dissertation it is unclear how many judicial files she examined or whether she relied solely on newspaper reports of the proceedings of cases tried in the circuit courts. Maguire, Moira Jean, 'The Myth of Catholic Ireland: Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century' (PhD thesis, American University, Washington D.C., 2000).

As Andrews noted in relation to infanticide scholarship, 'most of the existing literature, however, has confined itself primarily to the initial medico-legal and penal arbitration and disposal of offenders. Seldom have historians considered in much depth the longer-term disposal of infanticides, their evaluation whilst under detention within asylums (or prisons), and their discharge and restoration to families and communities.'[12] While the longer-term disposal of infanticides that Andrews referred to is beyond the scope of this thesis, further research using census data and where possible, interviews, might provide some degree of insight into the lives of the unmarried women who featured in the judicial records of infanticide and abortion trials. It is clear from the convict reference files of several women who were convicted of concealment of birth or manslaughter between 1900 and 1921 that the families of some unmarried women were willing to welcome them back to the family fold. Less is known about how single women convicted of murder, manslaughter or concealment of birth in Ireland between 1922 and 1950 fared following their release from prisons or convents. In cases where the evidence of a single woman resulted in the conviction of one or more of her relatives for the murder, manslaughter or concealment of birth of her illegitimate infant, it would be interesting to examine whether family life was returned to normal following their trial or discharge from prison or whether such cases led to the long-term or permanent severance of family ties.

As the preceding chapters have shown, the judicial records of infanticide and abortion cases are capable of shedding light on the history of single expectant women who chose to kill their newborn infants or terminate an unplanned pregnancy rather than live with the stigma associated with unmarried motherhood. The judicial records of infanticide and abortion cases also provide insight into various other aspects of the history of the lives of Irish women during the first half of the twentieth century, such as the working-conditions of domestic servants, family life and sexual relationships. Hearn's assertion that premarital sexual relations were fairly common among domestic servants in Ireland was borne out by this thesis. There are many cases in the samples on which this thesis is based that also point to the fact that there was often a gap between Catholic teaching on sexual morality in Ireland and the private lives of unmarried couples. Several women

[12] Andrews, Jonathan, 'The boundaries of Her Majesty's Pleasure: discharging child-murderers from Broadmoor and Perth Criminal Lunatic Department, c.1680 – 1920' in Mark Jackson (ed.), *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550 – 2000*, p217.

who sought abortions in Ireland during the 1930s and the 1940s stated that they were not practising Catholics.

Little is known about the history of female criminality in Ireland during the first half of the twentieth century. An analysis of the judicial records of all other trials that went before the Central Criminal Court between 1922 and 1950 where the defendants were women would be particularly useful. It would enable historians to assess the proportion of infanticide cases committed by women compared to all other serious crimes perpetrated by women. What motivated Irish women to commit murder? Were they treated differently from men within the criminal justice system? A detailed study of the records all other Central Criminal Court trials between 1922 and 1950 where the defendants were women would also make a significant contribution to many other aspects of the history of women's lives and Irish society between 1922 and 1950.

Seventeen-year-old Eily Q. [P. 182] was charged with murdering her infant daughter in December 1945. Eily gave birth at the City Home in Limerick in February 1944. She spent some time with her baby in the County Home in Newcastlewest and afterwards found a woman to look after the infant. Although Eily's father 'knew nothing about the existence of this child', her mother had agreed to pay a woman for the 'support and keep' of Eily's infant.[13] However, for reasons that are unclear, Eily's mother stopped making the necessary payments and the foster mother returned the child to Eily without warning in December 1945. Eily took her daughter to her parents' house but seems to have concealed her existence from them. She kept her daughter in her bedroom at the back of the house for several days while her mother was away before removing it to the garden shed where she covered it with bags and fed it bread and butter. The child eventually died from starvation and exposure and Eily was convicted of manslaughter at the Central Criminal Court. She was sentenced to serve five years in prison but this was suspended when Eily agreed to spend five years in the Good Shepherd Convent in Limerick instead. This was the longest period of time any woman in the cohort of cases tried at the Central Criminal Court between 1922 and 1950 was recorded as 'agreeing' to spend in a religious institution.[14] According to probation officer Elizabeth Carroll, 'the Nuns speak

[13] N.A.I., C.C.C., ID 29 8, Co. Limerick, 1946.
[14] Eily Q. [P. 182] was presumably sentenced to serve five years in the convent because her illegitimate daughter was a year and ten months old when she died.

very well of Eily Q., stating that she is a very good 'child' who has given no trouble whatever since going there.'[15] Eily Q's story, like the stories of many of the unmarried women examined in this thesis, ended behind convent walls. Aged only sixteen when she became pregnant outside wedlock, an unemployed and inexperienced seventeen-year-old when she attempted to deal with lone parenthood in a society that offered very little concrete support to single mothers, Eily would have spent the first five years of her adult life detained in a convent.

The murder of illegitimate children by their mothers was surely, as Judge Hanna noted in a speech delivered on the 17 March 1936, one of many 'dark spots' in the history of Ireland during the first half of the twentieth century.[16] Their treatment by the state, the Catholic church and indeed Irish society in general constituted another 'dark spot' or blind spot in the history of modern Ireland. The history of single motherhood, infanticide and abortion in Ireland between 1900 and 1950 is in many ways a painful history and a history that raises uncomfortable issues about the nature of Irish society during the first half of the twentieth century. The records of infanticide and abortion trials reflect hidden aspects of Irish life; the judicial files allow Irish people, to quote Joyce, to have 'one good look at themselves in [a] nicely-polished looking-glass.'[17]

This thesis draws to a close in 1950. The Infanticide Act had been passed the previous year. From then on far fewer single mothers suspected of causing the deaths of their illegitimate infants would be charged with murder. Once the Infanticide Act had been passed if it could be proven that 'the state of health of the accused mother effectively contributed to the act or omission constituting the offence alleged' then the suspect could be charged with infanticide which was not a capital offence.[18] As Maguire noted, 'few legislative initiatives prior to the 1960s specifically addressed unmarried mothers and their children'.[19] Earner-Byrne has argued that 'abortion proved the key' and that it was not until the late 1960s, after abortion had been legalised in Britain, that the Irish government began to re-assess the manner in which unmarried mothers and illegitimate children were treated in Ireland. 'Not until official statistics for Irish abortions in Britain

[15] Ibid.
[16] *Irish Times*, 18 Mar. 1936.
[17] Brown, Terence, 'Introduction' in Joyce, James, *Dubliners*, (London, 1992), pxv.
[18] N.A.I., Attorney General's Office, 2000/10/2923, Capital Punishment.
[19] Maguire, Moira Jean, 'The Myth of Catholic Ireland: Unmarried Motherhood, Infanticide and Illegitimacy in the Twentieth Century' (PhD thesis, American University, Washington D.C., 2000), p54.

filtered back to the Republic was a thorough re-evaluation of the treatment of the unmarried mother in Ireland undertaken'.[20] However, single mothers would have to wait until 1973 before they were entitled to a state allowance and contraception was not even partially legalised until as late as 1979.

In 1946 those changes were still a long way off for young women like Eily Q. Many more unmarried Irish women were to face trial and imprisonment or institutionalisation for manslaughter or concealment of birth convictions. Before probation officer Elizabeth Carroll signed off her letter to the county registrar at the Green Street courthouse in October 1946 she mentioned that she expected to travel to Limerick 'with another girl' the following week.[21] She may well have delivered another woman convicted of the manslaughter or concealment of birth of her illegitimate infant to the Good Shepherd Covent there. While a considerable amount of information about the experiences of unmarried mothers who stood trial for the murder or concealment of birth of their illegitimate infants can be recovered from the judicial records the history of their experiences in detention remains unrecorded.

[20] Earner-Byrne, Lindsey, 'Moral Repatriation': The response to Irish unmarried mothers in Britain, 1920s – 1960s' in Duffy, Patrick J., (ed), *To and From Ireland: Planned Migration Schemes c. 1600 – 2000* p172.
[21] N.A.I., C.C.C., ID 29 8, Co. Limerick, 1946.

Appendix A: Infanticide cases for Ireland, November 1920 – December 1921

Further information about infants who died in suspicious circumstances between November 1920 and December 1921 is contained in War Office files, WO 35/161A and WO 35/161B, which are held in the National Archives, Kew. A number of infanticide cases may have gone undetected during the War of Independence and Civil War period. It is clear from these files that in many instances where the bodies of newborn infants were found in suspicious circumstances, there were no suspects and a number of infanticide cases were not prosecuted. Between November 1920 and December 1921 courts of inquiry held by military personnel replaced inquests. There were thirty-seven cases where the body of a newborn infant was found in suspicious circumstances. The location where the body was discovered was recorded in thirty-two of the cases. The bodies of twelve infants were discovered in Dublin city while the body of one infant was found in Co. Dublin. Two bodies were discovered in Co. Kildare, three bodies were discovered in counties Waterford, Galway and Westmeath. Two bodies were found in Co. Limerick while the body of one infant was discovered in counties Cork, Donegal, Tipperary, Meath, Laois and Sligo. Inquiries were held to investigate the deaths of eighteen female infants and seventeen male infants. A further two cases were the sex of the infant was not determined were also investigated. Thirteen infants died due to neglect at birth or lack of skilled attention. In a number of cases the umbilical cord was still attached to the infants' bodies. Many of the mothers of these infants may well have been unmarried. They would probably have given birth alone and in secret and would not have received any skilled attention. Most of the other infants had been drowned, exposed or suffocated and some had clearly met with violent deaths. Enquiries were made in several cases but no suspects were found. There was a definite suspect in only one case in the War Office files. The owner of the property on Dublin's Wexford street where the body of a female infant was found in January 1921 said that a servant girl had had access to the room where the body was discovered.[1] He stated that he had suspected that she was pregnant when she was in his employment but she had denied it. When she left he noticed that the bed in which she had slept was blood stained. As the woman in question had resigned before the body was discovered she was probably never arrested or charged.

[1] N.A., Kew, WO 35/161B.

However, she seems to fit the profile of the typical infanticidal woman in that she was relatively young, single and worked as a domestic servant.

Appendix B1: Irish infanticide cases, 1900-1921 (Chapter 2)

Name	Index No.	Reference	Year of trial
Hannah K.	[1]	N.A.I., IC 28 11, Co. Dublin Crown Book 1894-1900 & CRF/1911/A 11[1]	1900
Kate B.	[2]	N.A.I., IC 28 7, Co. Dublin Crown Book 1894 – 1901 & *Freeman's Journal*[2]	1900
Anne L.	[3]	N.A.I., IC 14 13, Dublin, Crown Files at Quarter Sessions, 1900	1900
Mary M.	[4]	N.A.I., ID 37 198, Crown Book, Munster Winter Assizes 1900	1900
Margaret S. & Edward S.	[5]	N.A.I., ID 37 198, Crown Book, Munster Winter Assizes 1900 & *Cork Examiner*	1900

[1] Hannah K.'s file is listed in the National Archives of Ireland as CRF 1901/K55 but her file is not contained in file CRF 1901/K55. It is attached to Hannah A.'s [51] file CRF 1911/A11.
[2] Newspaper reports were used as an alternative source of information for cases in this sample where either the sentencing information or the trial records were not available.

Ellen A. [birth mother] & Mary A.	[6]	N.A.I., ID 38 81, Co. Cork Summer Assizes, 1900 & *Cork Examiner*	1900
Kate M.	[7]	N.A.I., ID 6 9, Co. Donegal, Crown Book, Summer Assizes 1889 – 1904 & IC 48 36, Co. Donegal Crown Files at Assizes 1900 – 1902	1900
Bridget M.	[8]	N.A.I., ID 6 9, Co. Donegal, Crown Book, Summer Assizes 1889 – 1904 & IC 48 36, Co. Donegal Crown Files at Assizes 1900 – 1902	1900
Bessie C.	[9]	P.R.O.N.I., BELF/1/1/2/3/5	1900
Sarah S.	[10]	N.A.I., IC 28 7, Co. Dublin Commission Crown Book 1894 – 1901 & *Freeman's Journal*	1901
Bridget N.	[11]	N.A.I., IC 38 133, Co. Limerick Crown Files at Assizes, 1901-1902 & ID 37	1901

		199, Crown Book at Munster Winter Assizes, 1901	
Minnie M.	[12]	N.A.I., IC 38 133, Co. Limerick Crown Files at Assizes, 1901-1902 & ID 37 199, Crown Book at Munster Winter Assizes, 1901	1901
Hannah C.	[13]	N.A.I., ID 38 84, Co. Cork, Crown Book at Summer Assizes 1901 & *Cork Examiner*	1901
Bridget S. & Dan S.	[14]	N.A.I., IC 38 133, Co. Limerick Crown Files at Assizes, 1901-1902	1901
Bridget L. [birth mother] & Mary M.	[15]	N.A.I., IC 47 67, Co. Donegal Crown Books at Assizes, 1892-1902 & IC 48 36, Co. Donegal Crown Files at Assizes 1900-02	1901
Lizzie W.	[16]	N.A.I., IC 14 15, Crown Files at Quarter Sessions, Dublin 1902	1902

Ellen C.	[17]	N.A.I., IC 38 134, Co. Limerick Crown Files at Assizes 1902	1902
Mary G. & Robert M.	[18]	N.A.I., IC 48 37, Co. Donegal Crown Files at Assizes, 1903-05 & ID 6 9, Co. Donegal Crown Book Summer Assizes 1889-1904	1902
Catherine O.	[19]	N.A.I., IC 67 1, Co. Louth Crown Book at Leinster Winter Assizes 1900-05	1902
A - - - - M.	[20]	P.R.O.N.I., BELF1/1/2/9/5	1902
Kate M.	[21]	N.A.I., ID 37 201, Crown Book at Munster Winter Assizes, 1903 & ID 39 126, Co. Clare Crown Files at Assizes	1903
Elizabeth W.	[22]	N.A.I., ID 38 89, Co. Cork Crown Book at Assizes, 1903 & *Cork Examiner*	1903

Nora C. [birth mother] & Catherine C.	[23]	N.A.I., ID 39 126, Co. Clare Crown Files at Assizes, 1903	1903
Hannah A.	[24]	N.A.I., IC 38 134, Co. Limerick Crown Files at Assizes, 1903	1903
Margaret O.	[25]	N.A.I., ID 39 127, Co. Clare Crown Files at Assizes, 1904	1904
Mary H.	[26]	N.A.I., IC 38 135, Co. Limerick Crown Files at Assizes, 1904-05	1904
Isabella K.	[27]	N.A.I., IC 48 37, Co. Donegal Crown Files at Assizes, 1903-05 & IC 47 66, Co. Donegal Crown Book at Winter Assizes, 1894-1908	1904
E - - - - B.	[28]	P.R.O.N.I., BELF/1/1/2/15/8	1904
Mary B.	[29]	N.A.I., CRF/1906/B 59, (Co. Westmeath)	1905

Margaret M.	[30]	N.A.I., IC 12 57, Co. Carlow Crown Files at Assizes, 1887-1906	1905
Margaret H. [sister of the birth mother]	[31]	N.A.I., ID 37 202, Crown Book at Munster Winter Assizes, 1905 & ID 39 128, Co. Clare Crown Files at Assizes, 1905	1905
Maria O. & John O.	[32]	N.A.I., IC 90 4, Co. Galway Crown Files at Assizes, 1905-06	1905
Margaret P.	[33]	N.A.I., CRF/1906/P17, (Co. Westmeath)	1906
Mary G.	[34]	N.A.I., IC 47 66, Co. Donegal Crown Book at Winter Assizes, 1894-1908 & IC 48 38, Co. Donegal Crown Files at Assizes, 1906-08	1907
L - - - - - F.	[35]	P.R.O.N.I., DOW1/2B/15/5	1907

C - - - - - - - - G.	[36]	P.R.O.N.I., Belf/1/1/2/24/10	1907
M - - - G.	[37]	P.R.O.N.I., BELF/1/1/2/25/5	1907
Margaret O.	[38]	N.A.I., ID 38 94, Co. Cork Crown Book at Assizes 1908 & *Cork Examiner*	1908
Kate H. [birth mother] & Margaret S.	[39]	N.A.I., IC 38 138, Co. Limerick Crown Files at Assizes, 1908-10 & IC 38 29, Crown Book at Assizes, 1908-1910	1908
Bridget O.	[40]	N.A.I., ID 45 33, Co. Louth Crown Book at Assizes, 1902-18 & *Dundalk Democrat*	1908
L - - - - - M.	[41]	P.R.O.N.I., DOW1/2B/15/5	1908
K - - - - - - - M.	[42]	P.R.O.N.I., ARM1/2D/9/6	1908

Hannah M.	[43]	N.A.I., CRF/1910/M52 & ID 37 205, Co. Cork Crown Book at Muster Winter Assizes 1909 & ID 38 95, Co. Cork Crown Book at Assizes, 1909	1909
Margaret D.	[44]	N.A.I., IC 38 138, Co. Limerick Crown Files at Assizes, 1908-10	1909
Margaret M.	[45]	N.A.I., IC 38 138, Co. Limerick Crown Files at Assizes, 1908-10	1909
Lizzie K.	[46]	N.A.I., IC 38 138, Co. Limerick Crown Files at Assizes, 1908-10	1909
Mary K. [birth mother] & Cassie K.	[47]	N.A.I., IC 52 83, Co. Donegal Crown Book at Assizes, 1909-15 & IC 48 39, Co. Donegal Crown Files at Assizes 1909-11	1909
K - - - M.	[48]	P.R.O.N.I., BELF/1/1/2/29/6	1909

E - - - - - - - - H.	[49]	P.R.O.N.I., BELF/1/1/2/33/6	1909
Maria H.	[50]	N.A.I., IC 70 13, Co. Dublin Crown Book 1910-17 & IC 42 54, Co. Dublin Crown Files at Leinster Winter Assizes, 1910	1910
Hannah A.	[51]	N.A.I., CRF/1911/A 11 & IC 55 78, Co. Limerick Crown Files at Assizes, 1910	1910
Alice K.	[52]	N.A.I., CRF/1911/K15, (Dublin)	1910
Margaret L.	[53]	N.A.I., IC 42 54, Co. Dublin Crown Files at Leinster Winter Assizes, 1910	1910
Margaret M.	[54]	N.A.I., IC 55 78, Co. Limerick Crown Files at	1910

		Assizes, 1910 & IC 38 29, Co. Limerick Crown Book at Assizes 1908-1910	
Sarah Jane B.	[55]	N.A.I., IC 52 83, Co. Donegal Crown Books at Assizes 1909-15 & IC 48 39, Co. Donegal Crown Files at Assizes, 1909-11	1910
Mary C. [birth mother] & Margaret C.	[56]	N.A.I., IC 67 2, Co. Louth Crown Books at Leinster Winter Assizes, 1906-10	1910
E - - - - A.	[57]	P.R.O.N.I., BELF/1/1/2/31/5	1910
Bridget R.	[58]	N.A.I., CRF R 26/1912 (Co. Wicklow)	1911
Winifred B.	[59]	N.A.I., CIF/1911/B 48 (Co. Limerick)	1911
L - - - - - B.	[60]	P.R.O.N.I., DOW1/2B/18/7	1911
L - - - - - C.	[61]	P.R.O.N.I., BELF/1/1/2/34/7	1911

Agnes M.	[62]	N.A.I., ID 37 208, Co. Clare Crown Book at Munster Winter Assizes, 1908 & ID 39 135, Co. Clare Crown Files at Assizes, 1912	1912
Bridget B.	[63]	N.A.I., IC 2 15, Co. Limerick Crown Books at Assizes, 1911-12 & IC 55 80, Co. Limerick Crown Files at Assizes, 1912	1912
Hannah O.	[64]	N.A.I., ID 39 135, Co. Clare Crown Files at Assizes, 1912	1912
Norah M.	[65]	N.A.I., ID 39 135, Co. Clare Crown Files at Assizes, 1912	1912
Bridget P.	[66]	N.A.I., ID 39 136, Co. Clare Crown Files at Assizes, 1913	1913
Margaret C.	[67]	N.A.I., ID 39 137, Co. Clare Crown Files at Assizes, 1914	1914

E - - - - - - - - C. [mother of birth mother] & G - - - - C. [grandmother of birth mother]	[68]	P.R.O.N.I., BELF1/1/2/42/5	1913
Ellen O. [birth mother] & Hannah O.	[69]	N.A.I., ID 38 100, Crown Book at Co. Cork Assizes, 1914 & ID 37 210 Crown Book at Munster Winter Assizes 1914 & *Cork Examiner*	1914
K - - - - F.	[70]	P.R.O.N.I., BELF/1/1/2/45/7	1914
Bridget W.	[71]	N.A.I., IC 2 89, Crown Book at Assizes, Co. Galway 1914-15 & *Irish Times*	1914
Minnie E. [birth mother] & Susan E.	[72]	N.A.I. IC 55 16, Co. Carlow Crown Book at Leinster Winter Assizes, 1915 & *Nationalist and Leinster Times*	1915
Julia S.	[73]	N.A.I., CRF S 2/1916, (Co.	1915

		Kerry)	
Bridget M.	[74]	N.A.I., ID 37 211, Co. Clare Crown Book at Munster Winter Assizes, 1915 & ID 39 138, Co. Clare Crown Files at Assizes, 1915	1915
Kate C.	[75]	N.A.I., ID 38 101, Co. Cork Crown Book at Assizes, 1915 & *Cork Examiner*	1915
Susan M.	[76]	N.A.I., IC 55 83, Co. Limerick Crown Files at Assizes, 1915	1915
E - - - - - - - - R.	[77]	P.R.O.N.I., DOW1/2B/22/5	1915
S - - - - G.	[78]	P.R.O.N.I., BELF/1/1/2/48/5	1915
N - - - - - G.	[79]	P.R.O.N.I., BELF/1/1/2/47/7	1915
Margaret M.	[80]	N.A.I, CRF M 35/1916,	1916

		(Belfast)	
Mary M.	[81]	N.A.I., CRF M 37/1916, (Co. Galway)	1916
Lilian G.	[82]	N.A.I., IC 70 12, City of Dublin Commission Crown Book, 1914-17 & IC 70 48, Dublin Crown Files at Commission, Leinster Winter Assizes, 1916	1916
Mary D.	[83]	N.A.I., ID 38 102, Co. Cork Crown Books at Assizes, 1916 & *Cork Examiner*	1916
Mary O.	[84]	N.A.I., ID 39 140, Co. Clare Crown Files at Assizes, 1916	1916
K - - - - - - - M.	[85]	P.R.O.N.I., DOW/1/2B/23/6	1916

Annie T. [birth mother] & Annie M.	[86]	N.A.I., IC 78 66, Co. Dublin Crown Book & IC 70 51, Crown Files at Commission, Leinster Winter Assizes, 1917	1917
M - - - - - - S.	[87]	P.R.O.N.I., BELF/1/1/2/53/7	1917
Ann H.	[88]	N.A.I., ID 41 137, Co. Limerick Crown Files at Assizes, 1918	1918
Mary B.	[89]	N.A.I., IC 71 72, Dublin Crown Files at Leinster Winter Assizes, 1919	1919
Eliza M.	[90]	N.A.I., IC 71 72, Dublin Crown Files at Leinster Winter Assizes, 1919	1919
Kate F. [birth mother] & Hannah C.	[91]	N.A.I., ID 38 105, Co. Cork Crown Books at Assizes, 1919 & *Cork Examiner*	1919

Kate N.	[92]	N.A.I., ID 39 142, Co. Clare Spring Assizes, 1920	1920
Mary C.	[93]	N.A.I., ID 6 11, Co. Donegal Crown Book at Assizes 1919 & ID 6 13, Crown Files at Assizes, 1919-21	1919
Catherine M.	[94]	N.A.I., IC 70 101, Dublin City Commission Crown Book 1918-21 & IC 71 75, Crown Files at Leinster Winter Assizes, 1920	1920
Margaret M.	[95]	N.A.I., ID 6 11, Co. Donegal Crown Book at Assizes 1917-21, ID 6 13, ID 6 13, Crown Files at Assizes 1919-21	1920

Appendix B2: Infanticide cases tried at the Central Criminal Court, 1922-1950 (Chapter 3)

Name	Index No.	Reference	Year of trial
Isabella S.	[P. 1]	N.A.I., C.C.C., ID 79 20, Co. Cavan	1924
Mary H.	[P. 2]	N.A.I., C.C.C., ID 79 20, Co. Clare	1923
Anne F.	[P. 3]	N.A.I., C.C.C., IC 79 21, Co. Cork	1923
Maggie R.	[P. 4]	N.A.I., C.C.C., IC 79 22, Co. Kildare	1923
Delia L.	[P. 5]	N.A.I., C.C.C., IC 79 22, Co. Galway	1924
Annie M. [birth mother] & Margaret H.	[P. 6]	N.A.I., C.C.C., IC 79 25, Co. Monaghan	1924
Mary Anne T. [birth mother] & Eliza T.	[P. 7]	N.A.I., C.C.C., IC 79 25, Co. Monaghan	1924
Catherine C.	[P. 8]	N.A.I., C.C.C., IC 79 22, Co. Donegal	1924

			1924
Mary O.	[P. 9]	N.A.I., C.C.C., IC 79 22, Co. Donegal	
Christina M.	[P. 10]	N.A.I., C.C.C., IC 88 118, Co. Dublin	1925
Mary Anne C. & Michael C.	[P. 11]	N.A.I., C.C.C., IC 90 15, Co. Longford	1925
Mary K.	[P. 12]	N.A.I., C.C.C., IC 90 26, Co. Westmeath	1926
Margaret R.	[P. 13]	N.A.I., C.C.C., IC 90 28, Co. Wicklow	1926
Elizabeth D.	[P. 14]	N.A.I., C.C.C., IC 90 28, Co. Wicklow	1926
Hannah K. & Nicholas K.	[P. 15]	N.A.I., C.C.C., IC 90 4, Co. Cork	1926
Bessie D. [sister of the birth mother]	[P. 17]	N.A.I., C.C.C., IC 90 7, Co. Donegal	1926
Mollie H.	[P. 18]	N.A.I., C.C.C., IC 88 122, Co. Dublin	1926

Annie D.	[P. 19]	N.A.I., C.C.C., IC 88 124, Dublin	1926
Nora K.	[P. 20]	N.A.I., C.C.C., IC 90 23, Co. Tipperary	1926
Bridget M. [birth mother], Mary K. & Peter K.	[P. 21]	N.A.I., C.C.C., IC 90 15, Co. Longford	1926
Josephine R.	[P. 22]	N.A.I., C.C.C., IC 90 26, Co. Westmeath	1926
Maggie L.	[P. 23]	N.A.I., C.C.C., IC 90 18, Co. Meath	1926
Mary T.	[P. 24]	N.A.I., C.C.C., IC 90 20, Co. Leix	1926
Johanna D.	[P. 25]	N.A.I., C.C.C., IC 90 14, Co. Limerick	1926
Mary L. [grandmother of the birth mother]	[P. 26]	N.A.I., C.C.A., 30/1928, Co. Cork	1928
Mary N.	[P. 27]	N.A.I., C.C.C., IC 90 2, Co. Clare	1927

Mary Anne M.	[P. 28]	N.A.I., C.C.C., IC 90 27, Co. Wexford	1928
Rebecca A.	[P. 29]	N.A.I., C.C.C., IC 90 7, Co. Donegal	1927
Mary D.	[P. 30]	N.A.I., C.C.C., IC 90 7, Co. Donegal	1927
Elizabeth H.	[P. 31]	N.A.I., C.C.C., IC 90 26, Co. Westmeath	1927
Sarah G.	[P. 32]	N.A.I., C.C.C., IC 88 126, Dublin	1927
Mary G.	[P. 33]	N.A.I., C.C.C., IC 88 127, Dublin	1927
Bridget C.	[P. 34]	N.A.I., C.C.C., IC 90 13, Co. Leitrim	1927
Mary B.	[P. 35]	N.A.I., C.C.C., IC 90 12, Co. Offaly	1927
Mary M.	[P. 36]	N.A.I., C.C.C., IC 90 9, Co. Kerry	1927
Nora C.	[P. 37]	N.A.I., C.C.C., IC 90 9, Co. Kerry	1927

Bridget U.	[P. 38]	N.A.I., C.C.C., IC 90 9, Co. Kerry	1927
Essie D.	[P. 39]	N.A.I., C.C.C., IC 88 129, Co. Dublin	1928
Annie H.	[P. 40]	N.A.I., C.C.C., IC 90 22, Co. Sligo	1928
Patrick C. & Myles D.	[P. 41]	N.A.I., C.C.C., IC 90 27, Co. Wexford	1928
Sabina C.	[P. 42]	N.A.I., C.C.C., IC 88 128, Co. Dublin	1928
Margaret S. & John L.	[P. 43]	N.A.I., C.C.C., IC 90 24, Co. Tipperary	1928
Eileen D.	[P. 44]	N.A.I., C.C.C., IC 90 18, Co. Meath	1928
Margaret M. [birth mother] & Mary M.	[P. 45]	N.A.I., C.C.C., IC 90 20, Co. Leix	1928
Mary D.	[P. 46]	N.A.I., C.C.C., IC 90 14, Co. Limerick	1928
Bridget D. [birth mother], Mary Kate C. & George C.	[P. 47]	N.A.I., C.C.C., IC 90 16, Co. Louth	1928

Margaret H.	[P. 48]	N.A.I., C.C.C., IC 90 9, Co. Kerry	1928
Bridget N.	[P. 49]	N.A.I., C.C.C., IC 90 9, Co. Kerry	1928
Ellen M.	[P. 50]	N.A.I., C.C.C., IC 94 54, Co. Cavan	1929
Christina K. [birth mother] & Ellen K.	[P. 51]	N.A.I., C.C.C., IC 94 57, Co. Galway	1929
Mary Ann S.	[P. 52]	N.A.I., C.C.C., IC 88 125, Dublin	1929
Gladys M.	[P. 53]	N.A.I., C.C.C., IC 94 76, Co. Wicklow	1929
Lucy B.	[P. 54]	N.A.I., C.C.C., IC 94 54, Co. Carlow	1929
Catherine A.	[P. 55]	N.A.I., C.C.C., IC 94 75, Co. Wexford	1929
Bridie F.	[P. 56]	N.A.I., C.C.C., IC 94 72, Co. Tipperary	1929
Esma M.	[P. 57]	N.A.I., C.C.C., IC 94 67, Co. Monaghan	1929
Mary M.	[P. 58]	N.A.I., C.C.C., IC 94 67, Co.	1929

		Monaghan	
Kathleen M.	[P. 59]	N.A.I., C.C.C., IC 94 67, Co. Monaghan	1929
Bridie C.	[P. 60]	N.A.I., C.C.C., IC 94 63, Co. Limerick	1929
Margaret B.	[P. 61]	N.A.I., C.C.C., IC 94 52, Co. Dublin	1930
Mary O. [birth mother] & Kate O.	[P. 62]	N.A.I., C.C.C., IC 94 54, Co. Clare	1930
Ethel D.	[P. 63]	N.A.I., C.C.C., IC 94 70, Co. Sligo	1930
Mary S.	[P. 64]	N.A.I., C.C.C., IC 94 72, Co. Tipperary	1930
Annie C.	[P. 65]	N.A.I., C.C.C., IC 94 58, Co. Galway	1930
Deborah S.	[P. 66]	N.A.I., C.C.C., IC 94 61, Co. Kerry	1929
Nora C.	[P. 67]	N.A.I., C.C.C., IC 94 55, Co. Cork	1929
Margaret F. [birth mother] & Bridget C.	[P. 68]	N.A.I., C.C.C., IC 94 54, Co. Clare	1930

Kate M.	[P. 69]	N.A.I., C.C.C., IC 94 74, Co. Westmeath	1930
Mary T.	[P. 70]	N.A.I., C.C.C., IC 94 68, Co. Leix	1930
Ellen D.	[P. 71]	N.A.I., C.C.C., IC 94 63, Co. Limerick	1930
Mary F.	[P. 72]	N.A.I., C.C.C., IC 94 66, Co. Meath	1931
Nora H.	[P. 73]	N.A.I., C.C.C., IC 94 73, Co. Waterford	1931
Margaret H.	[P. 74]	N.A.I., C.C.C., IC 94 66, Co. Meath	1931
Hannah B.	[P. 75]	N.A.I., C.C.C., IC 94 55, Cork	1931
Mary H.	[P. 76]	N.A.I., C.C.C., IC 94 68, Co. Leix	1931
Mary K.	[P. 77]	N.A.I., C.C.C., IC 94 63, Co. Limerick	1931
Rose Anne F.	[P. 78]	N.A.I., C.C.C., IC 94 64, Co. Louth	1931
Bridget M.	[P. 79]	N.A.I., C.C.C., IC 94 65, Co. Mayo	1931

Mary K.	[P. 80]	N.A.I., C.C.C., IC 94 60, Co. Kilkenny	1931
Bridget M.	[P. 81]	N.A.I., C.C.C., ID 33 65, Co. Limerick	1932
Bridget C.	[P. 82]	N.A.I., C.C.C., ID 33 64, Co. Galway	1933
Kate B.	[P. 83]	N.A.I., C.C.C., IC 95 71, Co. Cork	1932
Ena P.	[P. 84]	N.A.I., C.C.C., IC 95 71, Dublin	1932
Kate H.	[P. 85]	N.A.I., C.C.C., IC 95 72, Co. Mayo	1932
Annie M.	[P. 86]	N.A.I., C.C.C., IC 95 72, Co. Limerick	1932
Christina R.	[P. 87]	N.A.I., C.C.A. 24/1930, Co. Dublin	1930
Mary R.	[P. 88]	N.A.I., C.C.C., ID 44 43, Dublin	1933
Norah M. Jnr. [birth mother], Norah M. Snr. & Mary M.	[P. 89]	N.A.I., C.C.C., ID 33 62, Co. Clare	1933

Bridget C.	[P. 90]	N.A.I., C.C.C., ID 33 62, Co. Clare	1933
Kathleen M.	[P. 91]	N.A.I., C.C.C., ID 33 65, Co. Louth	1933
Teresa M.	[P. 92]	N.A.I., C.C.C., ID 44 47, Co. Offaly	1934
Mary Kate F.	[P. 93]	N.A.I., C.C.C., ID 44 42, Co. Cavan	1934
Teresa C.	[P. 94]	N.A.I., C.C.C., ID 44 42, Co. Clare	1934
Margaret W.	[P. 95]	N.A.I., C.C.C., ID 33 64, Co. Kildare	1933
Mary M.	[P. 96]	N.A.I., C.C.C., ID 33 67, Co. Tipperary	1933
Mary Anne K.	[P. 97]	N.A.I., C.C.C., ID 33 66, Co. Monaghan	1933
Bridget M.	[P. 98]	N.A.I., C.C.C., ID 33 66, Co. Offaly	1933
Balbina M.	[P. 99]	N.A.I., C.C.C., ID 44 43, Dublin	1934
Elizabeth C.	[P. 100]	N.A.I., C.C.C., ID 44 50, Co. Westmeath	1934

Elizabeth M.	[P. 101]	N.A.I., C.C.C., ID 44 43, Dublin	1934
Mary S. [mother of the birth mother]	[P. 102]	N.A.I., C.C.C., ID 56 23, Co. Meath	1935
Mary F.	[P. 103]	N.A.I., C.C.C., ID 44 45, Co. Louth	1934
Margaret F.	[P. 104]	N.A.I., C.C.C., ID 44 45, Co. Limerick	1934
Annie C.	[P. 105]	N.A.I., C.C.C., ID 56 17, Co. Cavan	1935
Mary T.	[P. 106]	N.A.I., C.C.C., ID 56 24, Co. Waterford	1935
Delia M. & John M.	[P. 107]	N.A.I., C.C.C., ID 56 23, Co. Mayo	1935
Bridie M.	[P. 108]	N.A.I., C.C.C., ID 56 23, Co. Offaly	1935
Susan D.	[P. 109]	N.A.I., C.C.C., ID 56 18, Co. Dublin	1935
Kathleen D.	[P. 110]	N.A.I., C.C.C., ID 56 31, Co. Waterford	1936
Kate Anne F.	[P. 111]	N.A.I., C.C.C., ID 56 31, Co. Sligo	1936

Mary Anne D. & Martin D.	[P. 112]	N.A.I., C.C.C., ID 56 30, Co. Mayo	1936
Mary S.	[P. 113]	N.A.I., C.C.C., ID 56 30, Co. Meath	1936
Elizabeth D.	[P. 114]	N.A.I., C.C.C., ID 56 28, Co. Limerick	1936
Margaret S.	[P. 116]	N.A.I., C.C.C., ID 60 65, Co. Tipperary	1937
Kathleen K.	[P. 117]	N.A.I., C.C.C., ID 60 68, Co. Wicklow	1937
Margaret M.	[P. 118]	N.A.I., C.C.C., ID 60 61, Co. Limerick	1937
Catherine M. [birth mother] & Rosanna M.	[P. 119]	N.A.I., C.C.C., ID 60 61, Co. Kilkenny	1937
Edith A.	[P. 120]	N.A.I., C.C.C., ID 60 58, Co. Donegal	1937
Elizabeth E. [birth mother] & Rose E.	[P. 121]	N.A.I., C.C.A., 13/1935 & N.A.I., C.C.C., ID 56 24, Co. Roscommon	1934 & 1935
Bridget B.	[P. 122]	N.A.I., C.C.C., ID 56 22, Co. Limerick	1935

Kate K.	[P. 123]	N.A.I., C.C.C., ID 56 22, Co. Limerick	1935
Margaret D.	[P. 124]	N.A.I., C.C.C., ID 56 22, Co. Limerick	1935
Annie Christina K.	[P. 125]	N.A.I., C.C.C., ID 11 94, Co. Roscommon	1940
Bridget C.	[P. 126]	N.A.I., C.C.C., ID 11 95, Co. Limerick	1940
Bridie B.	[P. 127]	N.A.I., C.C.C., ID 11 99, Dublin	1941
Mary M.	[P. 128]	N.A.I., C.C.C., ID 11 95, Co. Donegal	1940
James B., Jean B. [birth mother] & Annie B.	[P. 129]	N.A.I., C.C.C., ID 11 95, Co. Cavan	1940
Mary R.	[P. 130]	N.A.I., C.C.C., ID 11 95, Co. Cavan	1940
Mary M. [birth mother] & Margaret M.	[P. 131]	N.A.I., C.C.C., ID 11 93, Dublin	1938
Bridget D.	[P. 132]	N.A.I., C.C.C., ID 60 58, Co. Cork	1938

Mary S. [mother of the birth mother]	[P. 133]	N.A.I., C.C.A., 36/1938, Co. Monaghan	1938
Celia H.	[P. 134]	N.A.I., C.C.C., ID 60 52, Co. Mayo	1938
Bridget K.	[P. 135]	N.A.I., C.C.C., ID 60 62, Co. Monaghan	1938
Mary B.	[P. 136]	N.A.I., C.C.C., ID 11 93, Co. Tipperary	1939
Bridget C.	[P. 137]	N.A.I., C.C.C., ID 11 93, Co. Longford	1939
Margaret M. & Laurence B.	[P. 138]	N.A.I., C.C.C., ID 60 60, Co. Dublin	1938
Mary M.	[P. 139]	N.A.I., C.C.C., ID 11 93, Co. Wicklow	1939
Mary Kate M. & John M.	[P. 140]	N.A.I., C.C.C., ID 22 83, Co. Galway	1943
Margaret F.	[P. 141]	N.A.I., C.C.C., ID 22 84, Co. Mayo	1943
Mary G.	[P. 142]	N.A.I., C.C.C., ID 22 84, Co. Meath	1943
Eileen Q.	[P. 143]	N.A.I., C.C.C., ID 22 84, Co.	1943

		Tipperary	
Kathleen L.	[P. 144]	N.A.I., C.C.C., ID 22 84, Co. Tipperary	1943
Mary K. [mother of the birth mother]	[P. 145]	N.A.I., C.C.C., ID 22 84, Co. Offaly	1943
Norah C.	[P. 146]	N.A.I., C.C.C., ID 22 84, Co. Roscommon	1943
Sarah M.	[P. 147]	N.A.I., C.C.C., ID 22 84, Co. Limerick	1943
Kate O.	[P. 148]	N.A.I., C.C.C., ID 22 84, Co. Limerick	1943
Mary C.	[P. 149]	N.A.I., C.C.C., ID 22 83, Dublin	1943
Agnes D.	[P. 150]	N.A.I., C.C.C., ID 20 103, Co. Donegal	1943
Annie T.	[P. 151]	N.A.I., C.C.C., ID 20 101A, Dublin	1942
Kathleen M.	[P. 152]	N.A.I., C.C.C., ID 20 102, Co. Kildare	1942
Mary Ellen T.	[P. 153]	N.A.I., C.C.C., ID 20 101A, Dublin	1942

Nora M. [mother of birth mother]	[P. 154]	N.A.I., C.C.C., ID 20 102, Co. Waterford	1942
Margaret R.	[P. 155]	N.A.I., C.C.C., ID 20 102, Co Galway	1942
Kathleen L.	[P. 156]	N.A.I., C.C.C., ID 20 102, Co. Limerick	1942
Margaret R.	[P. 157]	N.A.I., C.C.C., ID 20 103, Co. Kilkenny	1942
Christina M.	[P. 158]	N.A.I., C.C.C., ID 11 96, Co. Dublin	1941
Bridget C.	[P. 159]	N.A.I., C.C.C., ID 11 96, Co. Galway	1941
Mary L.	[P. 160]	N.A.I., C.C.C., ID 11 96, Co. Dublin	1941
Mary M.	[P. 161]	N.A.I., C.C.C., ID 11 96, Dublin	1941
Máire ní C. [birth mother] & Cáit ní C.	[P. 162]	N.A.I., C.C.C., ID 11 96, Co. Galway	1941
Eithna M.	[P. 163]	N.A.I., C.C.C., ID 11 96, Co. Cork	1941
Nora C.	[P. 164]	N.A.I., C.C.C., ID 11 97, Co. Limerick	1941

Eileen R.	[P. 165]	N.A.I., C.C.C., ID 11 97, Co. Limerick	1941
Mary C.	[P. 166]	N.A.I., C.C.C., ID 11 97, Co. Meath	1941
Margaret H.	[P. 167]	N.A.I., C.C.C., ID 24 131, Co. Cork	1944
Joan C.	[P. 168]	N.A.I., C.C.C., ID 24 131, Co. Kerry	1944
Mary Bridget B.	[P. 169]	N.A.I., C.C.C., ID 24 131, Co. Leitrim	1944
Mary W. [birth mother] & Catherine W.	[P. 170]	N.A.I., C.C.C., ID 24 131, Co. Kilkenny	1944
Bridget D.	[P. 171]	N.A.I., C.C.C., ID 24 131, Co. Kilkenny	1944
John E.	[P. 172]	N.A.I., C.C.C., ID 24 131, Co. Meath	1944
Mary K.	[P. 173]	N.A.I., C.C.C., ID 27 5, Co. Wexford	1945
Jane M.	[P. 174]	N.A.I., C.C.C., ID 27 5, Co. Sligo	1945
Johanna W.	[P. 175]	N.A.I., C.C.C., ID 27 5, Co. Limerick	1945

Annie B.	[P. 176]	N.A.I., C.C.C., ID 27 4, Co. Clare	1945
Nora S.	[P. 177]	N.A.I., C.C.C., ID 27 4, Co. Cork	1945
Patrick M.	[P. 178]	N.A.I., C.C.C., ID 27 4, Co. Cork	1945
Annie R.	[P. 179]	N.A.I., C.C.C., ID 29 1, Co. Cavan	1946
Elizabeth D.	[P. 180]	N.A.I., C.C.C., ID 29 11, Co. Offaly	1946
Mary Elizabeth F.	[P. 181]	N.A.I., C.C.C., ID 29 11, Co. Sligo	1946
Eily Q.	[P. 182]	N.A.I., C.C.C., ID 29 8, Co. Limerick	1946
Elizabeth M.	[P. 183]	N.A.I., C.C.C., ID 29 8, Co. Limerick	1948
Mary C.	[P. 184]	N.A.I., C.C.C., ID 29 1, Co. Donegal	1947
Margaret H.	[P. 185]	N.A.I., C.C.C., ID 29 1, Co. Cork	1947
Kathleen M.	[P. 186]	N.A.I., C.C.C., ID 29 8, Co. Limerick	1947

Edward C.	[P. 187]	N.A.I., C.C.C., ID 29 3, Dublin	1948
Katherine N.	[P. 188]	N.A.I., C.C.C., ID 29 1, Co. Cork	1948
Mary Kate M. [sister of birth mother]	[P. 189]	N.A.I., C.C.C., ID 29 11, Co. Roscommon	1948
Bridget F.	[P. 190]	N.A.I., C.C.C., ID 29 10, Co. Mayo	1948
Margaret R.	[P. 191]	N.A.I., C.C.C., ID 29 8, Co. Limerick	1948
Mary M.	[P. 192]	N.A.I., C.C.C., ID 29 7, Co. Kilkenny	1948
Mary M. [birth mother] & Nan M.	[P. 193]	N.A.I., C.C.C., ID 29 11, Co. Tipperary	1949
Mary W.	[P. 194]	N.A.I., C.C.C., ID 29 11, Co. Offaly	1949
Frances B.	[P. 195]	N.A.I., C.C.C., ID 11 29, Co. Sligo	1949
John M.	[P. 16]	N.A.I., C.C.C., ID 29 13, Co. Wexford	1949
Margaret R.	[P. 115]	N.A.I., C.C.C., ID 29 13, Co. Wexford	1950

Appendix B3: Infanticide cases tried in Northern Ireland, 1921-1950 (Chapter 4)

Name	Index No.	Reference	Year of trial
J - - - - - - - - M.	[N. 1]	P.R.O.N.I., HA 5/569, (Belfast)	1928
E - - - - H.	[N. 2]	P.R.O.N.I., BELF/1/2/2/40/67	1930
A - - - - M.	[N. 3]	P.R.O.N.I., BELF/1/2/2/40/68	1930
S - - - - W.	[N. 4]	P.R.O.N.I., BELF/1/1/2/94/6	1930
J - - - M.	[N. 5]	P.R.O.N.I., BELF/1/1/2/91/6	1929
A - - - - - - - - H.	[N. 6]	P.R.O.N.I., BELF/1/1/2/98/6	1932
A - - - - M.	[N. 7]	P.R.O.N.I., BELF/1/1/2/97/5	1931
M - - - - - - - B.	[N. 8]	P.R.O.N.I., BELF/1/1/2/95/6	1930
M - - - M.	[N. 9]	P.R.O.N.I., BELF/1/1/2/117/5	1938
K - - - C.	[N. 10]	P.R.O.N.I., DOW1/2B/31/5	1923

M - - - - - K.	[N. 11]	P.R.O.N.I., DOW1/2B/31/7	1924
M - - - - - - - M.	[N. 12]	P.R.O.N.I., ARM1/2D/16/6	1928
S - - - - C.	[N. 13]	P.R.O.N.I., DOW/1/2B/36/6	1929
L - - - R.	[N. 14]	P.R.O.N.I., DOW/1/2B/36/6	1929
A - - - - R. [birth mother] & J - - - - - R.	[N. 15]	P.R.O.N.I., DOW1/2B/38/7	1931
L - - - M.	[N. 16]	P.R.O.N.I., DOW/2B/44/5	1937
F - - - - - - C.	[N. 17]	P.R.O.N.I., DOW1/2B/31/8	1924
M - - - - - - M. [father of infant]	[N. 18]	P.R.O.N.I., HA 9/2/4 (Co. Down)	1933
M - - - H.	[N. 19]	P.R.O.N.I., ARM1/2D/14/5	1920
K - - - - - - - M.	[N. 20]	P.R.O.N.I., BELF/1/2/2/56/4	1945

S - - - - M.	[N. 21]	P.R.O.N.I., TYR1/2B/47	1938
D - - - - - - G.	[N. 22]	P.R.O.N.I., BELF1/1/2/86/5	1927
S - - - - - M.	[N. 23]	P.R.O.N.I., BELF1/1/2/87/7	1928
S - - - - G.	[N. 24]	P.R.O.N.I., BELF 1/1/2/79/5	1926
E - - - - - S.	[N. 25]	P.R.O.N.I., BELF 1/1/2/77/5	1925
I - - - - - - - L.	[N. 26]	P.R.O.N.I., BELF/1/1/2/80/6	1926
M - - - B.	[N. 27]	P.R.O.N.I., BELF 1/1/2/73/7	1923
M - - - C.	[N. 28]	P.R.O.N.I., BELF1/1/2/74/5	1924
J - - - - - B.	[N. 29]	P.R.O.N.I., BELF1/1/2/76/5	1925
S - - - - - C.	[N. 30]	P.R.O.N.I., BELF/1/1/2/62/5	1920
N - - - - R.	[N. 31]	P.R.O.N.I., TYR1/2B/35	1926

A - - - - S.	[N. 32]	P.R.O.N.I., TYR1/2B/35	1926
C - - - - - K.	[N. 33]	P.R.O.N.I., TYR1/2B/35	1926
R - - - A - - - G.	[N. 34]	P.R.O.N.I., TYR1/2B/35	1925
J - - - - - V.	[N. 35]	P.R.O.N.I., TYR1/2B/40	1931
C - - - - - - - - W.	[N. 36]	P.R.O.N.I., TYR1/2B/37	1928
M - - - W.	[N. 37]	P.R.O.N.I., TYR1/1B/1/39	1930
J - - - M. [father of infant]	[N. 38]	P.R.O.N.I., TYR1/2B/34	1924

Appendix B4: Infanticide cases tried in England, 1900-1950 (Chapter 5)

Name	Index No.	Reference	Year of trial
Nellie B.	[E. 1]	N.A., Kew, ASSI 52/105	1901
Annie Alice P.	[E. 2]	N.A., Kew, ASSI 52/70	1902
Ellen T.	[E. 3]	N.A., Kew, ASSI 52/90	1903
Matilda A.	[E. 4]	N.A., Kew, ASSI 52/104	1905
Elizabeth E.	[E. 5]	N.A., Kew, ASSI 52/114	1906
Ann A.	[E. 6]	N.A., Kew, ASSI 52/122	1907
Alice S.	[E. 7]	N.A., Kew, ASSI/52/154	1909
Mary Ellen M.	[E. 8]	N.A., Kew, ASSI 52/160	1910
Ellen B.	[E. 9]	N.A., Kew, ASSI 52/173	1911
Maud B.	[E. 10]	N.A., Kew, ASSI 52/183	1912
Mary D.	[E. 11]	N.A., Kew, ASSI 52/200	1913
Mary S.	[E. 12]	N.A., Kew, ASSI 52/221	1914
Jessie M.	[E. 13]	N.A., Kew, ASSI 52/236	1915
Jane S.	[E. 14]	N.A., Kew, ASSI 52/255	1916

Mary M.	[E. 15]	N.A., Kew, ASSI 52/292	1917
Bessie S.	[E. 16]	N.A., Kew, ASSI 52/282	1918
Maud G.	[E. 17]	N.A., Kew, ASSI 52/289	1919
Mary O.	[E. 18]	N.A., Kew, ASSI 52/311	1920
Ellen B.	[E. 19]	N.A., Kew, ASSI 52/322	1921
Olive L.	[E. 20]	N.A., Kew, ASSI 52/335	1922
Mary M.	[E. 21]	N.A., Kew, ASSI 52/343	1923
Bridget T.	[E. 22]	N.A., Kew, ASSI 52/327	1921
Rose F.	[E. 23]	N.A., Kew, CRIM 1/330	1925
Emma P.	[E. 24]	N.A., Kew, CRIM 1/354	1926
Nellie A.	[E. 25]	N.A., Kew, CRIM 1/411	1927
Mary S. [birth mother] & Alice S.	[E. 26]	N.A., Kew, ASSI 52/347	1923
Jane A.	[E. 27]	N.A., Kew, ASSI 52/408	1929
Ann W.	[E. 28]	N.A., Kew, ASSI 52/327	1930
Olive H.	[E. 29]	N.A., Kew, CRIM 1/580	1931
Dorothy M.	[E. 30]	N.A., Kew, CRIM 1/592	1932

Eileen H.	[E. 31]	N.A., Kew, CRIM 1/691	1934
Ann G.	[E. 32]	N.A., Kew, CRIM 1/795	1935
Doris J.	[E. 33]	N.A., Kew, CRIM 1/869	1936
Margaret Mary H.	[E. 34]	N.A., Kew, CRIM 1/976	1937
Linda M.	[E. 35]	N.A., Kew, ASSI 52/479	1938
Agnes Maud H.	[E. 36]	N.A., Kew, CRIM 1/1110	1939
Ruth J.	[E. 37]	N.A., Kew, ASSI 52/507	1940
Lily H.	[E. 38]	N.A., Kew, CRIM 1/1283	1941
Edith B.	[E. 39]	N.A., Kew, CRIM 1/1403	1942
Daisy D.	[E. 40]	N.A., Kew, CRIM 1/1519	1943
Pamela B.	[E. 41]	N.A., Kew, CRIM 1/1676	1945
Ethel B.	[E. 42]	N.A., Kew, CRIM 1/1821	1946
Barbara C.	[E. 43]	N.A., Kew, CRIM 1/1867	1947
Margaret D.	[E. 44]	N.A., Kew, CRIM 1/1893	1948
Violet T.	[E. 45]	N.A., Kew, ASSI 13/191	1949
Elizabeth S.	[E. 46]	N.A., Kew, CRIM 1/2099	1950

Appendix B5: Infanticide cases tried in Scotland, 1900-1929 (Chapter 5)

Name	Index No.	Reference	Year of trial
Maggie B.	[S. 1]	N.A.S., AD14/1900/1	1900
Jemima R.	[S. 2]	N.A.S., AD14/1900/26	1900
Isabella C.	[S. 3]	N.A.S., AD15/01/107	1901
Jessie S.	[S. 4]	N.A.S., AD15/02/108	1902
Jane M.	[S. 5]	N.A.S., AD15/08/92	1908
Helen R.	[S. 6]	N.A.S., AD/15/08/126	1908
Mary B.	[S. 7]	N.A.S., AD15/09/98	1909
Annie F.	[S. 8]	N.A.S., AD15/10/166	1910
May B.	[S. 9]	N.A.S., AD15/11/153	1911
Agnes G.	[S. 10]	N.A.S., AD15/13/6	1913
Isabella C.	[S. 11]	N.A.S., AD15/14/37	1914
Marjory R.	[S. 12]	N.A.S., AD15/14/110	1914
Marion S.	[S. 13]	N.A.S., AD15/20/25	1920
Sarah B.	[S. 14]	N.A.S., AD15/20/96	1920
Margaret M.	[S. 15]	N.A.S., AD15/20/161	1920

Catherine M.	[S. 16]	N.A.S., AD15/21/184	1921
Margaret M.	[S. 17]	N.A.S., AD15/21/47	1921
Annie W.	[S. 18]	N.A.S., AD15/21/166	1921
Hannah M.	[S. 19]	N.A.S., AD15/22/38	1922
Barbara M.	[S. 20]	N.A.S., AD15/22/55	1922
Sarah H.	[S. 21]	N.A.S., AD15/24/66	1924
Margaret K.	[S. 22]	N.A.S., AD15/26/94	1926
Mary W.	[S. 23]	N.A.S., AD15/27/60	1927
Catherine F.	[S. 24]	N.A.S., AD15/27/97	1927
Elizabeth M.	[S. 25]	N.A.S., AD15/27/93	1927
Elizabeth C.	[S. 26]	N.A.S., AD15/29/77	1929

Appendix B6: Irish women charged with infanticide in England and Scotland, 1900-1950 (Chapter 5)

Name	Index No.	Reference	Year of trial
Lily F.	[I.B. 1]	N.A., Kew, PCOM 9/285 & MEPO 3/1656 & HO 144/16260	1930
Rosemary B.	[I.B. 2]	N.A., Kew, CRIM 1/1270	1940
Nora T.	[I.B. 3]	N.A., Kew, CRIM 1/1931	1948
Belinda R.	[I.B. 4]	N.A., Kew, ASSI 52/635	1948
Mary Ellen M.	[I.B. 5]	N.A., Kew, ASSI 65/46/6	1942
Margaret D.	[I.B. 6]	N.A., Kew, ASSI 13/207	1950
Emily M.	[I.B. 7]	N.A., Kew, ASSI 52/404	1928
Kathleen L.	[I.B. 8]	N.A.S., AD15/21/171	1921
Helen T.	[I.B. 9]	N.A.S., AD15/14/103	1914

Margaret M.	[I.B. 10]	N.A.S., AD15/19/61	1919

Appendix B7: Abortion cases tried in Ireland, 1900-1950 (Chapter 6)

Name	Index No.	Reference	Year of trial
Bridie K.	[A. 1]	N.A.I., C.C.C., ID 11 95, Cork	1939
Elizabeth H.	[A. 2]	N.A.I., C.C.C., ID 29 7, Co. Laois	1948
Josephine M.	[A. 3]	N.A.I., C.C.C., ID 29 7, Co. Laois	1948
Julia D.	[A. 4]	N.A.I., C.C.C., ID 29 7, Co. Laois	1948
Sarah F.	[A. 5]	N.A.I., C.C.C., ID 29 7, Co. Laois	1948
Josephine F.	[A. 6]	N.A.I., C.C.C., ID 29 7, Co. Laois	1948
Margaret A.	[A. 7]	N.A.I., C.C.C., ID 29 4, Dublin	1950
Sheila D.	[A. 8]	N.A.I., C.C.C., ID 29 5, Dublin & C.C.A., 50/1950.	1950
Judith M.	[A. 9]	N.A.I., C.C.A., 83/1944 & C.C.A. 18/1945	1944 & 1945

Margaret B.	[A. 10]	N.A.I., C.C.A., 8 /1937	1937
Carrie D.	[A. 11]	N.A.I., C.C.A., 60/1945 & ID 24 143, Circuit Court, Dublin	1945 & 1944
Karmel M.	[A. 12]	N.A.I., C.C.A., 72/1944 & ID 24 143, Circuit Court, Dublin, & ID 24 139, Circuit Court, Dublin	1944
Bridie K.	[A. 13]	N.A.I., C.C.A., 23/1931	1931
Catherine K.	[A. 14]	N.A.I., ID 24 143, Circuit Court, Dublin	1944
Maureen F.	[A. 15]	N.A.I., ID 24 141, Circuit Court, Dublin	1943
Bridie C.	[A. 16]	N.A.I., ID 24 140, Circuit Court, Dublin	1943
Ellen T.	[A. 17]	N.A.I., ID 27 11, Circuit Court, Dublin	1945
Margaret M.	[A. 18]	N.A.I., ID 28 112, Circuit Court, Dublin	1949
M - - - C.	[A. 19]	P.R.O.N.I., BELF/1/1/2/93/61	1930
S - - - - B.	[A. 20]	P.R.O.N.I., BELF/1/1/2/94/11	1930

H - - - - R.	[A. 21]	P.R.O.N.I., BELF/1/2/2/47/96	1937
R - - - C.	[A. 22]	P.R.O.N.I., DOW1/2B/43/7	1936
L - - - - - M.	[A. 23]	P.R.O.N.I., BELF/1/1/2/48/6	1915
S - - - - M.	[A. 24]	P.R.O.N.I., BELF/1/1/2/118/6	1938
A - - - - G.	[A. 25]	P.R.O.N.I., BELF/1/1/2/119/7	1939
E - - - - F.	[A. 26]	P.R.O.N.I., BELF/1/1/2/123/5	1940
L - - - S.	[A. 27]	P.R.O.N.I., BELF/1/1/2/131/9 & BELF/1/1/2/131/10	1943
A - - - - B.	[A. 28]	P.R.O.N.I., BELF1/1/2/126/5	1941
C - - - - K.	[A. 29]	P.R.O.N.I., BELF/1/1/2/132/5	1943
M - - - A - - M.	[A. 30]	P.R.O.N.I., BELF/1/1/2/140/58	1945
E - - - - - B.	[A. 31]	P.R.O.N.I., BELF/1/1/2/141/28	1945

Rita N.	[A. 32]	N.A., Kew, MEPO 3/2578	1925
Margaret R.	[A. 33]	N.A., Kew, MEPO 3/412	1929
Lizzie S.	[A. 34]	N.A.I., ID 39 139, Co. Clare, Crown Files at Assizes	1916

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