

'Done to Death'

Narratives of baby-farming and
infanticide in Australia,
1890 – 1904

X

Kate Bagnall

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Abbreviations

RCDB	Report of the Royal Commission on the Decline of the Birth-rate
SMH	<i>Sydney Morning Herald</i>

Introduction

The reports from Sydney of the finding of the bodies of 15 infants in suburban back yards capture the imagination, and give cause for a sigh for our much vaunted civilisation. In all the crime records of recent years it is difficult, if not impossible, to match the atrocity there revealed.¹

The imagination of the public is excited by the sensational and the melodramatic, by gruesome details, evil criminals and innocent victims. The more violent or unusual or unsettling a crime, the greater is the press and public interest in it. The Makin case of the 1890s demonstrates this. As the *Argus* notes, the discovery of numerous infant bodies buried in back yards fascinated, but at the same time alarmed, the reader, and shook their faith in society: "That ... the man or woman who dispatched the 15 Sydney babies could exist at this time of day is astounding, and proves how feeble society is, either to improve the moral tone of its members or to defend itself against such hideous wretches".² Despite, or perhaps because of, the alarming consequences of such discoveries, they were very exciting to read, and the stories were pushed to their limits in the press.

Melodrama and sensation were used by the press of the 1890s in their creation of narratives, criminal and otherwise. Melodrama, particularly domestic melodrama, was an important part

¹ The Melbourne newspaper, *Argus*, quoted in *The Echo*, 15 November, 1892.

² *ibid.*

of Victorian culture — of theatre and literature — and also the press. English newspaperman, W T Stead injected his new journalism with cultural forms such as melodrama and late-Victorian fantasy and the Gothic fairy-tale.³ His influence spread and his focus on the working-classes proved to be prudent. He wrote that “good copy is oftener found among the outcast and disinherited of the earth, than among the fat and well-fed citizens”.⁴ Working-class life and the people who lived it were an interesting and stimulating subject for journalistic reporting, more often filled with the crime and other ‘excitements’ which the readership enjoyed than middle-class life was. Melodrama was characterised by an “excess of emotion, disproportionate to the object, excessively simplified characters who appeal to each other and the audience by means of exaggerated expressions of right and wrong”.⁵ Using this cultural framework for their writing, the Sydney press presented a version of society in which good and bad were absolutes, and in which characters assumed actions — innocent or manipulative — according to their role.

In their examination of reproduction-related crimes and issues, Sydney press narratives of the 1890s presented a mediated image of ‘reality’, not reality itself. The press describes what women were doing, and the ways in which they negotiated sexuality and reproductive capacities, but does so through veils of paternalism and sensationalism. The women we see from the press reports and commentaries are constructed through these discourses. However, these narratives were based on the social fact that the law and economics ‘forced’ women to criminal activity to negotiate their pregnancies. Law and society operated on the assumption

³ Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*, University of Chicago Press, Chicago, 1992, page 84.

⁴ W T Stead, “Government by Journalism”, quoted in Walkowitz, *City of Dreadful Delight*, page 29.

⁵ Martha Vicinus, “‘Helpless and Unfriended’: Nineteenth-Century Domestic Melodrama”, *New Literary History*, Volume XIII, Number 1, 1981-82, page 127.

that women were able and willing to be wives and mothers. Those who differed from this assumption were considered deviant or even criminal. Criminological theory, dating back to Lombroso and Ferrero's *The Female Offender* in 1895, has linked female criminality to sexuality and failing to have a 'true' female nature. Susanne Davies writes that:

Throughout Australia's history, the criminalisation of women for reproduction-related offences has reflected and reinforced the common expectation that women should willingly bear and nurture offspring. Importantly, however, this expectation has consistently conflicted with the reality of many women's lives.⁶

Feminist historians such as Judith Allen, Shurlee Swain, Renate Howe and Kathy Laster have examined the reality of women's lives.⁷ Baby-farming and infanticide were ways through which women negotiated unwanted pregnancies. Baby-farming refers to a system where, most typically, a woman would adopt out her infant to another woman or family. She would pay either a weekly fee for the care of the child, or more usually a lump sum payment. In the 1890s this was between about £2 and £5. As will be examined further in this thesis, baby-farmers became characterised, sometimes with reason, as people who took in infants for profit and then neglected them until they died, or killed the infants outright. Baby-farming did not always result

⁶ Susanne Davies, "Captives of their own bodies: Women, law and punishment, 1880s-1980s", in Diane Kirkby, *Sex, Power and Justice: historical perspectives of Law in Australia*, Oxford University Press, Melbourne, 1995, page 105.

⁷ See Judith Allen, *Sex and Secrets: Crimes involving Australian women since 1880*, Oxford University Press, Melbourne, 1990. See also "Octavius Beale re-considered: Infanticide, baby-farming and abortion in NSW 1880-1930", in Sydney Labour History Group, *What Rough Beast? The State and Social Order in Australian History*, George Allen & Unwin, Sydney, 1982, and "The Trials of Abortion in Late Nineteenth and Early Twentieth Century Australia", *Australian Cultural History*, 1993, Number 12, pages 87-99; Kathy Laster, "Frances Knorr: 'She Killed Babies, Didn't She?'" in Marilyn Lake and Farley Kelly (eds), *Double Time: Women in Victoria - 150 Years*, Penguin Books, Ringwood, 1985, and "Infanticide: A Litmus Test for Feminist Criminological Theory", *Australia and New Zealand Journal of Criminology*, Volume 22, Number 3, September 1989, pages 151-166. Also see Shurlee Swain and Renate Howe, *Single Mothers and their Children: Disposal, Punishment and Survival in Australia*, Cambridge University Press, Melbourne, 1995.

in the death of children, however, and in many ways it was less obviously about killing a child than other methods of 'disposal'. Infanticide was a distinct legal category which referred to the murder of a child by its mother. Studies of infanticide and the criminal justice system have revealed that leniency was often involved in the sentencing of women, and from the lack of convincing evidence for murder, or sympathy for the woman's plight, the lesser charge of concealment of birth was often applied instead.⁸ The offences of abortion, abandonment and illegal adoption were other ways in which infants were 'disposed of'. All these offences carried quite severe sentences in New South Wales, ranging from a maximum two years imprisonment for abandoning or neglecting an infant to the death penalty for the murder of an infant.⁹ However, as Judith Allen has stressed, reproduction-related offences were tolerated earlier in the nineteenth century because they offered 'rational' solutions to "difficult problems of personal, sexual and economic survival".¹⁰

Michel Foucault has theorised that the nineteenth century was characterised by increasing surveillance and regulation of sexuality by a variety of agents including the state.¹¹ Similarly, Judith Allen and Kathy Laster have noted that during the late nineteenth century in Australia there was a transition from reproduction-related matters being considered 'women's business'. Rather, they became a focus of state concern and influence. Issues surrounding reproduction-related crimes became increasingly important to a range of groups in the 1890s. Not only the

⁸ See Shurlee Swain, "The Concealment of Birth in Nineteenth-century Victoria", *Lilith*, Number 5, Spring 1988.

⁹ Allen, *Sex and Secrets*, page 28.

¹⁰ *ibid.*, page 17.

¹¹ See Lynette Finch, *The Classing Gaze: Sexuality, class and surveillance*, Allen & Unwin, Sydney, 1993, for an examination of middle-class and official discourses on the working classes, including sexuality and reproduction-related issues.

government, but charitable institutions, feminists and the press all participated in debates which centred on reproduction, and through that, women's bodies. Laster has suggested that "a strong conservative push had succeeded in creating a 'moral panic'" about such issues, primarily infanticide.¹² This could be demonstrated, on a governmental level, by greater conviction rates for reproduction-related crimes, and changes in legislation, and on a social level through debates over Foundling Homes, illegitimacy, and the decline in the birth-rate. Feminists such as Rose Scott attempted to insert the rights of women into these debates: the right to autonomy over their own bodies and the right to control their own reproduction legally and safely. However, feminists had difficulties attempting to redefine the powerful discourses of class and gender. The press reflected these state and social concerns over reproduction-related issues, and contributed significantly to public feeling in these areas.

New South Wales had an abundance of newspapers in the nineteenth century, with each town and local area producing a publication of some kind. Sydney alone had fifty-three newspapers, published daily, weekly, fortnightly or monthly.¹³ This study focuses upon seven newspapers that were amongst the most widely read in the 1890s.¹⁴ Most examinations of the newspaper

¹² Kathy Laster, "Arbitrary Chivalry: Women and Capital Punishment in Victoria, 1842-1967", in David Phillips and Susanne Davies (eds), *A Nation of Rogues? Crime, Law and Punishment in Colonial Australia*, Melbourne University Press, Melbourne, 1994, page 171.

¹³ For a listing of the publications of each town and city, see, *Complete Newspaper Directory of Australasia*, Palmer & Rey's Pacific States Advertising Bureau, San Francisco, 1892, reprinted as *Australian Newspapers in 1892*, Riverina Archives, Wagga Wagga, NSW, 1987. For Sydney, see page 17 and 19. Ken Inglis also notes that in 1882 Great Britain had one newspaper title for every 18 000 people, while in the colonies of Australia the range was from one title for just under 6 000 people in Victoria to one for every 10 500 in Tasmania; Ken Inglis, "Questions about Newspapers", *Books, Readers, Reading: Australian Cultural History*, Number 11, 1992, pages 120-127.

¹⁴ The *Complete Newspaper Directory of Australasia*, pages 17 and 19, lists circulation figures for 1892 — The *Sydney Morning Herald* and the *Evening News*, 60 000; the *Daily Telegraph*, 40 609; *The Bulletin*, 22 500; the *Illustrated Sydney News*, 20 000; *The Truth*, 5000; and *The Echo*, 2250.

press question the extent to which the press leads, follows or represents public opinion. Narratives which emerge from press reporting are not precisely what people thought, rather they are readable accounts created by the press by combining sensationalist techniques with a perception of public interest. They do become, however, an authoritative basis of public 'knowledge'.

The press is subject to a wide range of influences, and hence does not so much report 'facts' as create narratives of events revealing various discursive influences. The manner in which the press constructs these narratives and the 'truths' which emerge from them are of interest to historians for the historical construction of their subject matter. Judith Walkowitz, drawing on the ideas of Hayden White, writes that "narratives of the 'real', such as history or news reporting, impose a formal coherence on events: they 'narrativize' data into a coherent 'well-made' tale, converting 'chaotic experience into meaningful moral drama'"¹⁵ As a result of this 'meaningful construction', what is written in the press is often taken as objective fact and is appropriated in the mind of the reader as 'truth'. These truths in turn become part of the public imagination as knowledge. The press may report the 'facts' but it also interprets them. My interest lies in the press' elaboration, commentary and creation of narratives.

The first chapter of this thesis, "Gruesome details of paramount importance" examines specifically the manner in which the press discussed the Makin baby-farming case. This case, from 1892, is used as the basis for an investigation into sensationalism in the press, and the justifications in terms of nationalist discourses which various newspapers offered for their

¹⁵ Walkowitz, *City of Dreadful Delight*, page 83.

sensationalist techniques. The press identified a 'need' for the public to know about the gruesome nature of the most notorious baby-farming cases by laying responsibility for stopping such crimes on the community as a whole.

Chapter two discusses press representation of a 'martyred' infant victim in cases of reproduction-related crime. The infant was, of course, the primary, most obvious 'victim' of such crimes and the press ascribed it a sacrificial place within society. Infants were seen as being 'sacrificed' to a false morality, to convention and to the whims of society. Society was depicted as unjust for its treatment of unmarried and deserted mothers, and in particular for illegitimacy laws which placed many infants at risk of desertion or infanticide. Late nineteenth-century concern about infant life and infant mortality rates as matters of national significance provide an additional context for the sentimental focus on 'these little baby martyrs'.

Chapter three, "More sinned against than sinning" examines the melodramatic characterisation of the adults involved in reproduction-related offences, primarily, the mother, the father and the baby-farmer. Narratives created in the press contain an assumption of good versus bad, naivety versus manipulation, but this distinction between guilt and innocence is not static, rather it can be transferred according to the particular circumstances of the narrative. The press differentiated between the abstract and the real. This meant that the same situation could be dealt with by the press in two entirely different ways, allocating guilt or innocence to a different character in each case.

Not all crimes involving infants provided the necessary elements to satisfy journalists' desire

for sensational crimes, innocent victims and sinister villains. But in 1892 the 'Makin case' in Sydney provided months of speculation, suspense and horror, centred around the activities of a pair of baby-farmers. This couple were easily demonised for their actions. The case won spectacular newspaper coverage in a decade characterised by sensational crime reporting and allowed for the articulation of the full range of narratives and platitudes. The Makin case therefore provides an opening and a continuing emblematic thread for this thesis.

CHAPTER ONE

Gruesome details of paramount importance: Baby-farming and sensationalism in the press

“Discovery of Dead Infants” announced *The Evening News* of 4 November, 1892. The headline, given maximum visual impact by its five sub-headings, heralded the beginning of the discovery of perhaps the largest case of systematic baby-farming in the colonies of Australia. All the major daily newspapers were to carry lengthy articles detailing this case for nearly two months. Both the sensationalist evening press and the typically more news-centred morning papers took great interest in reporting the discovery of a growing number of buried infant bodies, the investigations of the police, the reactions of the public and ultimately the coronial hearing and proclamation of guilt.

Australia’s most notorious baby-farming case began in late October, 1892, when drainmakers found the decomposed remains of two infants in the back yard of a terrace in the inner-city Sydney suburb of Macdonaldtown.¹⁶ The decomposition made it near impossible to determine a cause of death, but police later received information which warranted a more thorough search of the property. This search proved successful, the police disinterring another five infant bodies.

¹⁶ Details of the case are taken from the press coverage in November and December, 1892, by the Sydney papers, primarily from the *Sydney Morning Herald*.

Four arrests were made in connection to the case. Former residents of the terrace, John and Sarah Makin and two of their teenage daughters, Blanche and Florence, were arrested on suspicion of causing the deaths of the infants.

Coronial inquests soon began into the cause of death of the more recent discoveries. As with the two previous bodies, decomposition was advanced and the jury was forced to proclaim that no certain cause of death could be established in four out of the five cases. The other infant, referred to as No. 4, was less decomposed than the others. Its parents, and the midwife who delivered it, gave evidence at the inquest that ultimately resulted in Sarah and John Makin being charged with manslaughter.

While the inquests were taking place, the police were following up further leads. They set about searching the Makins' previous residences, and by 14 November, they had "unearthed"¹⁷ a total of fifteen bodies from the Makins' four most recent residences in inner-city Sydney. Once again decomposition was severe, but one body was 'certainly' identified, and more mothers came forward to testify against the Makins at the second round of inquests. These testimonies showed that the Makins had adopted many infants, usually for a lump sum paid by the child's mother. Several women claimed that the Makins took their infants and lied about where they lived, and hence, the women were separated forever from their children. The results of the second round of inquests were similar to the first, except this time the Makins were also charged with one count of wilful murder by starvation or neglect. Blanche and Florence Makin were not charged with any of the deaths.

¹⁷ *Evening News*, 4 November, 1892.

The cases went on to be tried in the criminal courts and John Makin was eventually hanged. Sarah was sentenced to fourteen years imprisonment. The Makin case was unusual in this regard as despite frequent discussion and debate on issues such as infanticide and baby-farming it was unusual for arrests and convictions to be made.¹⁸ It was often difficult to prove that murder had actually been carried out, and that the child had not in fact been stillborn or had died in infancy as was common. It is possible, indeed, that some of the infants buried in the Makins' backyards had died entirely of natural causes. But the Makins' lies and deceit suggested a more deliberate intention in this case. The police and authorities pursued a conviction with ferocity. This ferocity was similar to the treatment of Frances Knorr in Victoria. Medical testimony declared her insane, yet she was still hanged for conducting a similar baby-farming business that had resulted in the death of three infants.¹⁹ When the possibility of conviction was apparent, Australian society was determined that such crimes would not go unpunished. In the Makins' case, the widely held belief that they had committed some foul deed led to their conviction, even though much of the evidence could be considered circumstantial.²⁰

In summing up the case of Infant No. 4, the child of Minnie Davies and Horace Bothamley, the coroner, Mr Woore, stressed the great public importance of the case. He stated that the evidence was strongly suggestive of:

immorality and crime of the deepest dye. There had been disclosed a state of things

¹⁸ Allen, *Sex and Secrets*, page 34.

¹⁹ Kathy Laster, "Frances Knorr: 'She Killed Babies, Didn't She?'" , page 151.

²⁰ The evidence presented at the Inquests was often of a highly circumstantial nature. For instance, the court accepted the comparison of the hair colour of a sample taken from Infant No. 4 with that of Horace Bothamley and Minnie Davies as evidence that they were its parents.

which was a scandalous disgrace to a civilised community and would be an enduring blot upon the name of this fair city.²¹

Mr Woore's comments reflect a broader concern within the community. The exposure of such a baby-farming racket did not merely reveal the existence of individual criminals, but focused concern on the social problems which rendered baby-farming necessary at all. Government bodies, private philanthropists and the press were horrified by the Makins' baby-farming operations. The Makins' activities received a great deal of attention because commentators placed this case, and others like it, within discourses concerning issues of 'greater importance' than the deaths of a handful of illegitimate infants. Commentators placed baby-farming and infant deaths within discourses about the future of Australia. Baby-farming and infant deaths were thought to reflect badly upon Australia, and affect the way in which the country was seen overseas.

As outlined in the introduction, baby-farming was part of a system through which women dealt with children they did not want or could not afford to keep. Where family or friends were unable or unwilling to help, infants could be placed in the care of strangers. Some 'adoptions' were arranged through the midwives who had helped with the delivery, others through the local newspapers. No doubt many child care and adoption situations were legitimate, and children often died in these situations due to lack of nourishment, ignorance or incompetence. But those which resulted in tragedy gained most attention in the press of the time. The cases in which infant life was deliberately taken were seen to be crimes of the 'worst kind'. The thought of people taking the lives of infants for profit came to incense the populations of the Australian

²¹ *Sydney Morning Herald*, hereafter referred to as *SMH*, 29 November, 1892.

colonies.

The Makin case was perhaps the extreme situation, as there were few discovered cases which were quite so large or quite so well reported. The Makin case, therefore, was special. It was selected for wide discussion in the press because of the arresting nature of the story. The press coverage was suspenseful, and the news of the discovery of more and more bodies fed the morbid curiosity of the reader. The reports, from day to day, built the tension of the narrative, revealing macabre details which produced a cumulative picture of the horror of the events. Press coverage of other reproduction-related cases is neither so frequent nor so extensive as the major baby-farming cases. Infanticide, or child murder received some mention, and almost daily the press carried reports of abandoned infants. But here the focus was not on individual criminal cases so much as on related social issues, such as illegitimacy, the debate over the Foundling Home, and the decline in the birth-rate. The Makin case, and the suspenseful manner in which the details of the case became known, provided unsettling, but morbidly enthralling reading.

From the first reports of the Makin case the *Sydney Morning Herald* noted that “the interest of the public has been much excited by the details circulated as to the mystery”.²² The court where the inquests were taking place was crowded from the start and the crowds increased as the weeks passed. By mid-November the prisoners were no longer allowed to walk from the Coroner’s Court because the crowd outside, estimated at more than three hundred²³, threatened

²² *SMH*, 5 November, 1892.

²³ *SMH*, 22 November, 1892.

their safety. Instead they were conveyed in the police van to Darlinghurst Gaol. The sites of the diggings were also the subject of public curiosity, which at times impeded the police investigations. According to the press, the crowds were quite unruly, and on Saturday, November 12, 1892:

the operations of the constables were watched by a very large crowd of people, who broke down the fences in their eagerness to get to points of vantage where they could see all that was going on. There were a number of females present who were loud in their threats of vengeance against the supposed guilty persons.²⁴

Baby-farming and baby-murder gripped the imagination of the public. This was the most infamous case yet and was right on the doorsteps of many Sydneysiders, fuelling their inquisitiveness and macabre curiosity. For at least two months the major daily papers carried lengthy articles detailing the daily proceedings of the Coroner's Court and the investigations of the police and had revealed great detail on the case, including the addresses of the Makins' residences under investigation by the police. The press acted upon interest displayed by the public, applying sensationalism and other dramatic techniques to thrill them even more, and sell more papers.

Sensationalism in the press in England and the United States of America became successful in the mid-1880s under the guidance of men such as W T Stead and Joseph Pulitzer. Both these men realised the potential of the sensational to sell papers. They tapped into the methods and ideas of the popular Sensation novel in the manner in which they portrayed and reported news. The Sensation novel, most popular during the 1860s, was primarily characterised by its capacity

²⁴ *SMH*, 14 November, 1892.

to shock, excite and move audiences through a melodramatic focus on sex and crime.²⁵ Similar emphasis occurred in the sensationalist press. Beau Riffenburgh, in his study of press sensationalism and the myth of the explorer, has defined sensationalism as:

a full range of journalistic techniques used to interest, excite or emotionally grip a vast readership that, for one reason or another is more concerned with being entertained than being educated with potentially grey, lifeless topics — such as events in government or business.²⁶

Both the literary content and the style of display differentiated the sensationalist press from its more conservative counterparts. Parts of the Sydney press, notably the evening papers and the Sunday papers, adopted the sensationalist innovations. There was a greater emphasis on crime reporting, including sexual crimes, and on other 'scandalous' features such as divorce cases, rather than on the more mundane stories such as Local Council reports or other political news. The technical differences made by the sensational press included things to make the papers 'easier' to read, including larger headlines, and illustrations. *The Evening News*, the *Illustrated Sydney News* and later the *Daily Telegraph* used illustrations, and *The Bulletin* made frequent use of political and satirical cartoons as well as illustrations for articles. Headlines also became important. *The Truth*, for example, used large catchy headlines, such as:

²⁵ Ann Cvetkovich, *Mixed Feelings: Feminism, Mass Culture and Victorian Sensationalism*, Rutgers University Press, New Brunswick, New Jersey, 1992, page 13.

²⁶ Beau Riffenburgh, *The Myth of the Explorer: The Press, Sensationalism, and Geographical Discovery*, Oxford University Press, Oxford, 1994, page 4.

THE BABY-FARMING CASE

Proceedings at the Inquest

Sensational Occurrences

DISCOVERY OF BLOOD-STAINED NEEDLES

A MOTHER'S CURSE — HYSTERICAL SCENES²⁷

It also featured sub-headings throughout the text, such as “BONES WERE THOSE OF HUMAN BEINGS”, “THE BAD SMELLS”, “STRANGULATION, DROWNING”.²⁸ The sensationalist press strove to enable its audience to visualise the subject immediately, and respond with pleasurable excitement. Illustrations and graphic detail of place and atmosphere ensured this. Ann Cvetkovich notes similarly that the Sensation novel, borrowing from theatrical melodrama:

achieved its effects through spectacle. Sensational events often turn on the rendering visible of what remains hidden or mysterious, and their affecting power arises from the satisfaction or thrill of seeing.²⁹

The conventional historical narrative of press sensationalism differentiates between the sensational press, which aimed primarily at gaining circulation and at entertainment rather than education, and the ‘quality’ press, which aimed to produce more ‘fact’ driven stories, with little apparent passion or bias. The differentiation between ‘quality’ papers and the sensational press

²⁷ *The Truth*, 20 November, 1892.

²⁸ *The Truth*, 6 and 13 November, 1892.

²⁹ Cvetkovich, *Mixed Feelings*, page 24.

was often mentioned by the more 'respectable' papers themselves. *The Bulletin*, which obviously saw itself as one of the more intelligent and thoughtful journals, criticised other papers for the melodramatic style of their stories. The *Daily Telegraph* had claimed that the 'Macdonaldtown Discoveries' were the biggest system of baby-farming ever to occur in Australia, but *The Bulletin* rebuffed this, stating that there were probably many more rackets of similar sizes out there which had not yet been discovered. It even implied that the evening papers themselves assisted crimes of this nature, condemning them for running advertisements for baby-farmers, private adoptions and remedies to 'ladies problems'. *The Bulletin* was not alone in this condemnation. Philanthropists, such as George Ardill, knew of and disapproved of the ease with which illegal adoption could be arranged through the evening press, and even, much as W T Stead had done with "The Maiden Tribute", arranged such an advertisement to prove his point in the debate concerning the 1891-2 Children's Protection Bill.³⁰

The issues surrounding infanticide, child-murder, abandonment and baby-farming all lent themselves very well to the methods of the sensationalist press. The sensational was connected to the melodramatic, and the people involved in these dramas fitted the stereotypical characters very easily. The sensationalist press quickly picked up the Makin case and carried it as a leader for weeks. *The Truth*, in its first article on the subject, on 6 November, had already decided that events of the previous week indicated "beyond dispute the recent operation of a wholesale system of BABY-FARMING AND COLD-BLOODED SLAUGHTER of innocent lives"³¹ even though the inquests had only just begun. Even the 'respectable' papers such as the *Sydney*

³⁰ Allen, *Sex and Secrets*, page 35.

³¹ *The Truth*, 6 November, 1892.

Morning Herald were not immune to the sensational subject matter they had to deal with. The *Herald* included accounts of the progress of the inquest in several of their "News Summary for Europe" sections.³² The morning papers did deal with it in a more restrained manner, however, and were less quick to condemn the Makins.

The press was certainly not shy about reporting the case in all its gory detail, and in fact was eager to justify its use of the extreme description for 'higher purposes'. The *Sydney Morning Herald* carried a disclaimer about its detailed reporting of the cases. On 5 November it said:

There are some details which have come to light which it would be manifestly improper to mention at this stage, but there are other facts which it is not only permissible to publish, but the statement of which will tend to further the interests of justice.³³

It called for information to be given to Newtown Police and thus "in this connection it may be well to give descriptions of the bodies found as far as up to the present may be ascertained".³⁴ They seemingly continued with this motivation for many weeks to come, as more bodies were found and more 'gruesome details' were revealed. The *Herald*, in its own representation at least, was valiantly and responsibly trying to assist the police with their investigations, by notifying the public of the crimes and what they could do to assist in catching the perpetrators.

The *Illustrated Sydney News* also carried details of the case, mostly in the form of illustrations.

It justified them saying:

³² *SMH*, "News Summary for Europe", 28 November and 12 December, 1892.

³³ *SMH*, 5 November, 1892.

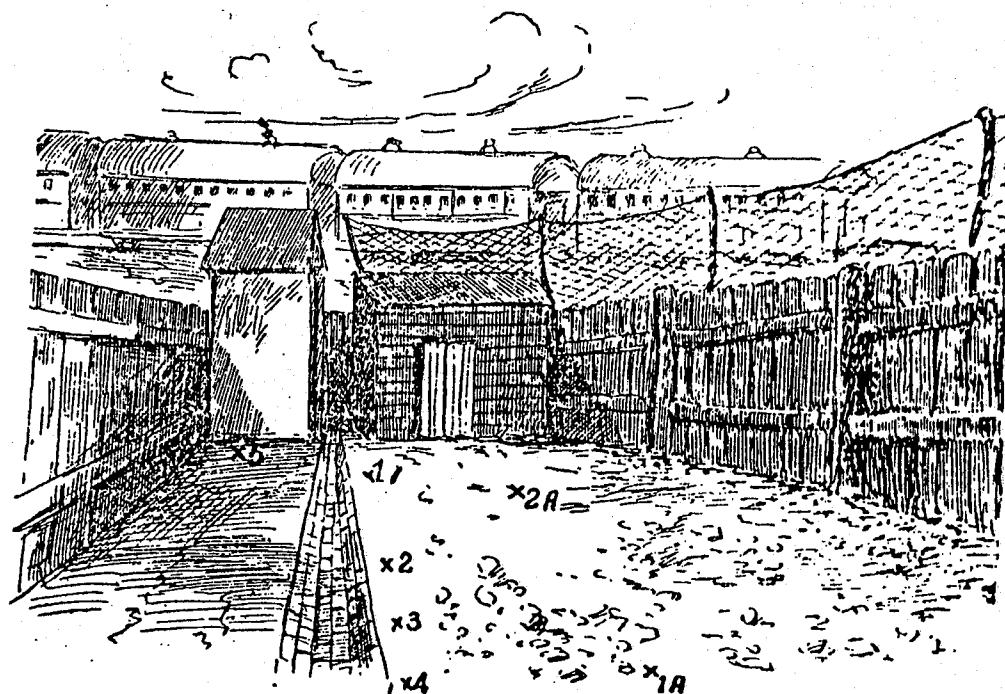
³⁴ *SMH*, 5 November, 1892. *The Echo* of the same day uses almost precisely the same words in justification of its detailed description of the bodies.

It is neither the object nor the desire of *The Illustrated Sydney News* to provide its readers with a chapter of gruesome details from the lowest ranks of criminal life in Sydney; but the subject is one of such paramount importance, and the peculiar species of crime is recurring so frequently, that it is time some drastic action was taken, and it is the duty of every influential journal, apart from any sensationalisation, to bring the matter vividly before its readers.³⁵

The *Illustrated Sydney News* stated that it was trying to make the public aware that a danger, “like a cancer, is eating its way through the various grades of Australian society”. They hoped that their coverage of the case would “carry with it a sufficiently severe lesson to teach our legislators some means of preventing recurrences in the future of such ghastly scandals”. The *Illustrated Sydney News* was not just aiding the police with their investigations on one case. It was attempting to invoke public indignation at the events of all child murder and baby-farming cases. It set itself up as a form of ‘moral police’ that was needed because the authorities were failing to take their tasks seriously enough. The worthy aims of the *Illustrated Sydney News* were apparently to be achieved through illustrations of the two main perpetrators, John and Sarah Makin, and the two policemen who uncovered the bodies, Senior-Constable James Joyce and Constable Brown. The terrace in Burren Street, Macdonaldtown in which the first discoveries were made was also shown. Perhaps the most interesting illustration was a detailed sketch of the back-yard, marking with an ‘X’ the locations of the discoveries of remains³⁶, providing for those who could not go there ‘the thrill of seeing’. Mr Williamson, the lawyer acting for the Makins, complained to the Coroner at one instance about the sensational articles

³⁵ *Illustrated Sydney News*, 12 November, 1892.

³⁶ See illustration on page 20. The illustrations discussed above were also published in the *Evening News*, 10 November, 1892.



The Back Yard of the House in Macdonaldtown—showing where the bodies of the Infants were buried.

1A.—The spot where the first baby was unearthed by the laborers when excavating for drainage purposes.

2A.—The place where the second body was discovered by the workmen.

1, 2, 3, 4, 5.—The spots where the bodies of the five infants, now lying in the morgue, were unearthed by Police-constables Joyce and Brown.

and cartoons appearing in some sections of the Sydney press. Mr Williamson feared that such publications might prejudice the interests of his clients.³⁷ The Sydney press, however, denied such accusations, fiercely stating that its reportage was merely for the common good and information. Joseph Pulitzer had similarly defended his sensational methods. He aimed, with his New York newspaper, *The World*, to achieve more than just financial success. He used sensationalism to entice the reader to pick up the paper, and then lead them to the editorial which was designed to educate and uplift them. He believed that the sensational press was “the

³⁷ *SMH*, 22 November, 1892.

most important agency for moral betterment of the nation".³⁸

The Sydney press, then, were not impartial observers and reporters of the progress of the police investigations and the coronial inquests. Indeed, at times they seemed to situate themselves as participants in the enquiry. Importantly, they took part in the creation of certain myths: of the wicked baby-farmer, the cruelly mistreated single mother and the naïve, innocent and valuable infant. They had an active role in the construction of certain discourses, such as the value of infant life, and in bringing the single mother and the baby-farmer into the realm of the public imagination. The press created an interest in the operation of the crime — who the victims were, and particularly who had committed the crime and why.

³⁸ Riffenburgh, *The Myth of the Explorer*, page 91.

'These little baby martyrs': the infant victim and the press

How many more innocent victims, how many more slaughtered infants does our vain god, Conventionality, demand to appease the offended majesty of its wrath at the want of 'law and order', with which the illegitimate child is tumbled into the world — a world that has not 'the shade of a shadow' of welcome for the uninvited little stranger? Oh it is pitiful when we think of it! These little baby martyrs — martyrs, let us remember, not to true Christianity, or true religion, or any grand, undying cause, but often only to the vulgar cant, hypocrisy, and selfish egotism of the *unco guid* among us.³⁹

The passion with which this piece was written for *The Truth* in 1893 by a Mrs A Sillars Hamilton demonstrates the emotion with which the situation of illegitimate and abandoned infants was discussed in the press. Although this letter by Mrs Sillars Hamilton was perhaps at the melodramatic extreme of the scale, many writers in the popular press gave the infant victim a particularly important place in the discourses of illegitimacy, crime and death. The stories of child murder and abandonment which arose from reproduction-related crimes possess a macabre fascination and it is clear from the press coverage of the Makin hearings, and others like it, that late nineteenth century Australians were fully aware of that fascination. The manner in which the press wrote about the infant victim in such cases shows the contradictions which presented themselves to the reader: between the romanticised image of the innocent foundling

³⁹ *The Truth*, 1 January, 1893.

and the gruesome remains of murdered children. The obvious concern which was felt by the public and the press at the plight of neglected and unwanted children was tempered with the seemingly callous way in which the bodies of dead and murdered infants were discussed.

The reporting of criminal cases such as the Makins presents a gruesome image of the infant. As mentioned in the previous chapter, the press covered such incidents for the supposed good of the community, to warn people and notify them of the abuses taking place. The metropolitan press, including the 'respectable' papers like the *Sydney Morning Herald* all caught up the dramatic tone of discovery, discussion and accusation.

The Victorian era was one in which death played a prominent part, in which even children were 'acclimatised' from an early age to what death meant. James Walvin, in his discussion of nineteenth-century English childhood, notes that moral and cautionary tales for children were sometimes "spelled out in ghastly and frightening detail".⁴⁰ It is not altogether surprising therefore that crime reports for adult audiences should feature a similarly gruesome approach. The manner in which the crimes were committed, such as by Frances Knorr in 1893, was described in detail:

the first infant had been strangled with a thin cord, tied in a reef knot. The ligature had been removed before burial, but there was a deep discoloured indentation on the neck, showing how cruelly the cord had been tied.⁴¹

⁴⁰ James Walvin, *A Child's World: A Social History of English Childhood 1800-1914*, Penguin Books, Harmondsworth, 1982, page 31.

⁴¹ *Evening News*, 7 September, 1893.

No detail was spared in discussions by the press of the 'gruesome discoveries'. The burial and decomposition of the infant bodies seemingly provided particulars of the horrific and gory circumstances of the infant's deaths. The *Evening News* reported one of the discoveries:

A great crowd of people watched the police at work, and about 5 o'clock Joyce [a policeman] unearthed the remains of an infant. All the flesh had disappeared, and although only the bones remained, they were clearly recognisable as human. The bones were all detached, but the hair still adhered to the skull.⁴²

Other press reports described the remains as "more mouldering bodies of infants" or as "being a mere pulp of decayed flesh".⁴³ It is almost as if the descriptions of the decomposition of the bodies were meant to imply that the infants had died particularly torturous or heartless deaths. The press realised the dramatic effect that descriptions such as these would have on the reader, and hence injected their articles with the full range of grisly adjectives. Horrific details of the infants' burials, if not their deaths, were part of the press' contribution to public indignation at a system that let an illegitimate infant die without ensuring that the death was registered and the child buried properly. Instead, the infant's carers were able "to keep things quiet, and bury the poor little baby, like a dog, in the back yard".⁴⁴

Central to discussions of the illegitimate infant was its sacrificial or martyred place in society, the implication being that the death of infants is not 'necessary', but comes as a result of society adhering to a set of conventions, to morals, which prejudice society against the innocent.

⁴² *Evening News*, 14 November, 1892.

⁴³ *The Truth*, 13 November, 1892; *Daily Telegraph*, 6 September 1893.

⁴⁴ *Daily Telegraph*, 29 November, 1892.

Morality was the reason behind not providing assistance for unmarried mothers, for not providing a Foundling Home, for preventing the availability of contraception and abortion, yet all of these factors jeopardise the life of the infant through social and economic pressures placed on the mother. The infant is a 'martyr' to these conventions, which, according to Mrs A Sillars Hamilton, were based on selfishness and hypocrisy rather than Christianity or any other undying cause. 'Morality' as instituted in law and many other parts of society was seen by the press as having lost much of its value, and had become a prejudicing and disabling code through which society operated. It did not help those who needed help and often worked in opposition to values of humanity and 'the good of the community'.

The emphasis on humanity comes from a re-evaluation, in part, of the true meaning of Christianity. Nominally, late nineteenth-century Sydney was a Christian community, and the press often evoked Christian discourses of forgiveness, humanity and charity in discussions of infanticide and baby-farming. The values which a Christian supposedly held dear were used as a justification for changing law and social behaviour. The life of Jesus Christ, in which "there was no infliction of suffering"⁴⁵ was held up as an example for Australians to follow. Christians were discussed in terms of their desire to help the helpless and their charity — mothers, for example, left their infants on doorsteps "in the hope that some Christian may find it and pity it".⁴⁶ When the idea of a Foundling Home was thought to promote immorality, the *Daily Telegraph* suggested that:

⁴⁵ *The Truth*, 1 January, 1893.

⁴⁶ *Daily Telegraph*, 6 September, 1893.

It should be sufficient for all Christians that such an institution would save much suffering, merited and unmerited, prevent much crime, save many innocent lives, and relieve the community from an intolerable stigma.⁴⁷

The press noted that the social and legal morality which emerged in the Christian colonies was no longer demonstrating the Christian values of charity and forgiveness, but rather prudery and a token morality. A redefinition of Christian values was expressed through press discussions of illegitimacy. Greater emphasis was placed on the behaviour of Christians and the humanitarianism they should display rather than the morality and doctrines they adhered to. Doctrinaire Christianity was seen by the press as less relevant and less helpful to those in need, such as the single mother and her child.

Reproduction-related crimes usually concerned working-class unmarried women faced with an unwanted pregnancy. The exception to this was abortion, which was also practised by middle-class and married women. Resources available to unmarried mothers were practically non-existent, and the plight of their infants was well-known and often discussed. Australian society did not provide an easy place in which an illegitimate child could grow up, metaphoric 'stones'⁴⁸ hitting the children when they were aimed at transgressing parents, particularly mothers. Discussions of the infant mortality rate, the declining birth-rate and the victims of reproduction-related crimes often feature the issue of illegitimacy and its effects. The illegitimate infant became the focus of much interest, for a variety of reasons. Calls for changes to legislation and social practices rested on the perceived value of the infant, but as one *Bulletin*

⁴⁷ *Daily Telegraph*, 8 September, 1893.

⁴⁸ Swain and Howe, *Single mothers and their children*, page 175.

commentator noted:

There are other reasons why the poor, wronged love-child should be cared for and dealt with tenderly, and to those who have the sap of human affection within them, one glance at the helpless mites, with their deep wondering eyes, dimpled hands and chubby feet, is more powerful than the arguments of many sages.⁴⁹

The infant as a helpless, naïve and innocent entity, for whom the utmost concern was shown rests somewhat uncomfortably with the gruesome images of death and decay, but it is this image which remains behind most discussions of the foundling. It was the live foundling, whose life was so entirely precarious, who evoked the primary sympathy from the press.

The infant mortality rate for illegitimate infants was much higher than that for legitimate infants. For the years 1895 to 1902, a comparison of the death-rates of legitimate and illegitimate infants from 0 to 5 years of age showed that under one year of age the death-rate of illegitimates was 2.75 times the rate of legitimate infants, and that in the second year the death-rate of illegitimates was 1.3 times that of legitimate infants.⁵⁰ As well as this, the press noted that the infant was carrying a burden it did not deserve. The fact that the illegitimate infant was more likely to die than its legitimate counterpart was "a fearful penalty which shows that the sins of the father are visited upon the children in the plainest sense of the term".⁵¹ The infant was disadvantaged and unfairly treated due to the fact that it was illegitimate; conventionality again making an infant's life more difficult.

⁴⁹ *The Bulletin*, 9 September, 1899.

⁵⁰ Royal Commission into the Decline in the Birth-rate, hereafter referred to as RCDB, paragraph 137, page 38.

⁵¹ *Daily Telegraph*, 7 March, 1904.

Certain legislation attempted to alleviate the social disadvantage of illegitimacy. The Illegitimacy Disability Removal Bill of 1893 proposed to remove the status of illegitimate from children whose parents had subsequently married. The bill met favourable reaction in the press, and from the public, as it was seen as 'immoral' to create divisions of legitimacy between children of the same parents. However, Mrs A Sillars Hamilton, the particularly vociferous commentator from *The Truth*, claimed that the bill did not go far enough, that it still placed the burden of illegitimacy on the "'little ones' still 'left out in the cold' who, not having the daily affectionate guardianship of both parents, can least afford that the law should leave the slur of illegitimacy upon them".⁵² She went on to condemn "every individual member of our Legislature" who perpetuated injustice by giving:

his sanction, directly or indirectly, to the continuance, or to passing of any law which would tend to point the cruel finger of scornful pity at any child, and throw the soul-murdering, spirit-crushing weight of undeserved shame upon any innocent young life.⁵³

Historians have debated whether the nineteenth century was a time of increasing care and concern for children, particularly as to whether child abuse and neglect had acceptable parts of both early modern and early industrial periods. Certainly in earlier periods in Britain, the state had been less concerned with the plight of infants, particularly illegitimate ones, leaving the responsibility for their care and upkeep with the parish. In Britain, the illegitimate child had no property rights, and was classified as *filius nullius* in terms of law.⁵⁴ Lloyd de Mause theorised

⁵² *The Truth*, 1 January, 1893.

⁵³ *ibid.*

⁵⁴ See Chapter XIX, "The Illegitimate Child", in Ivy Pinchbeck and Margaret Hewitt, *Children in English Society: Volume II, From the Eighteenth Century to the Children Act 1948*, Routledge and Kegan Paul, London, 1973.

that what we would today call child abuse and neglect were once common methods of child rearing, and that concern with the physical and mental well-being of children is a modern phenomenon.⁵⁵ However, the degree to which pre-industrial and early industrial parents mistreated their children has been questioned, for example by Linda A Pollock⁵⁶, whose research demonstrates that some parents have always mistreated their children, while others have treated their children with the utmost care. She theorises that there was no sudden change in the conception of childhood as a distinct state in human life, but that adults have always been concerned about the raising of children to adulthood.

What is specific to the nineteenth century, however, and particularly the late nineteenth century in Australia, is the amount of legislation which was enacted concerning the well-being of infants and children. Perhaps due to changes caused by industrialisation and urbanisation or perhaps due to philosophical and religious beliefs which created a heightened social awareness, children and their well-being became of real concern to the state in Britain and in Australia. Britain enacted its Infant Life Protection Act in 1873 after several discoveries of well-established baby-farming rings became public knowledge. The prosecution and execution of women baby-farmers such as Margaret Waters in 1870 precipitated the need for government involvement.⁵⁷ Following Britain's lead, the Australian colonies enacted legislation which aimed to protect the lives of infants, particularly illegitimate ones, and to ensure that they were not neglected or maltreated. First in Victoria in 1890, and then in New South Wales, governments felt it

⁵⁵ Lloyd de Mause, "The Evolution of Childhood", in Lloyd de Mause (ed), *The History of Childhood*, The Psychohistory Press, New York, 1974.

⁵⁶ See Linda A Pollock, *Forgotten Children: Parent-child relations from 1500-1900*, Cambridge University Press, Cambridge, 1983.

⁵⁷ Pinchbeck and Hewitt, *Children in English Society*, page 613.

necessary to involve themselves in the protection of infant life. The New South Wales Children's Protection Act of 1892 and its subsequent amendments at the turn of the century were the first measures taken specifically to deal with the protection of infants. Previously under criminal law child murder, concealment of birth and the maltreatment or starvation of children had been indictable offences, but the new laws extended the powers of the state even further, into regulation and surveillance of baby-farmers, the registration of infant deaths and the management of lying-in homes. Pinchbeck and Hewitt wrote of the British legislation, and it could equally apply to the Australian legislation, that:

these Acts were symptomatic of an increasing sensitivity to the needs of the unwanted child and a heightened awareness that the state had more positive responsibility to such children than previous generations had been willing to concede.⁵⁸

Other historians have suggested a conflicting view of this legislation.⁵⁹ The children's protection legislation was part of a wider range of social legislation concerning education, health and the family. This legislation allowed regulation and intervention by the state in families, and defined the neglected child in such a way that it could be removed from its family home and placed in state care. Although legislators may have had the 'interests of the children' in mind when they instituted such measures, these laws led to the break-up of working-class families and the institutionalisation of many children. These measures also contributed to the

⁵⁸ Pinchbeck and Hewitt, *Children in English Society*, page 604.

⁵⁹ See, for example, Anne O'Brien, *Poverty's Prison: The poor in New South Wales 1880-1918*, Melbourne University Press, Melbourne, 1988, and "Left in the Lurch: Deserted wives in NSW at the turn of the century", in J Mackinolty and H Radi (eds), *In Pursuit of Justice: Australian Women and the Law 1788-1979*, Hale & Ironmonger, Sydney, 1979; Stephen Garton, *Out of Luck: Poor Australians and Social Welfare 1788-1988*, Allen & Unwin, Sydney, 1990; and Robert van Krieken, "Towards 'good and useful men and women': The state and childhood in Sydney, 1840 - 1890", *Australian Historical Studies*, Volume 23, Number 93, October, 1989.

criminalisation of mothers for neglect and abandonment.

The press, in its discussion of issues concerning illegitimate infants, mentions the child protection legislation, usually in an unfavourable light. *The Bulletin*, in particular, was critical of the new legislation. When the Bill for the Better Protection of Children was proposed in 1891 *The Bulletin* wrote:

Attorney-General Simpson, of N.S.W., has again distinguished himself a little more than usual with his Bill for the better protection of children. Some of its provisions are good; many of them are old-womanish, grand-motherly and ridiculous... Australia is suffering from too many Acts of Parliament already. There are enough statutes in existence to tackle almost every vice under the sun, and if nobody uses them what can be gained by passing a lot more which will be left unused also?⁶⁰

Further discussion of baby-farming by *The Bulletin* reveals that many were of the opinion that there was a well-established system functioning which allowed many of the provisions of the new legislation to be by-passed or overlooked:

a discredited quack supplies the necessary certificate testifying that the deceased succumbed to inflammation — the said certificate being one of a large quantity that are furnished by the pound, and a cheap undertaker, with a large connection among similar establishments, either buries the deceased or disposes of it in some other way — possibly unauthorised cremations.⁶¹

The legislation failed, according to *The Bulletin*, in that it did nothing to redress the advertisement of adoption in the daily papers. *The Bulletin* suggested that both the placing of

⁶⁰ *The Bulletin*, 3 October, 1891.

⁶¹ *The Bulletin*, 21 May, 1892.

such advertisements should be prohibited, and the proprietors of any publication allowing them should also be severely penalised.⁶² Similar complaints were later made about the publication of advertisements for contraceptives and abortifacients from the Royal Commission into the Decline of the Birth-rate.⁶³ It was not only the legislation which *The Bulletin* felt was neglecting the practice of placing newspaper advertisements, but the police also. In the investigation of the Makin case, the method of investigation taken by the police was questioned. *The Bulletin* suggested that instead of working from "the smell in a back-yard", the police should work forward from "the evening newspaper 'ad'" which might help them to "make some other discoveries in the angel-making business that would surprise them".⁶⁴

Although some believed that the child protection legislation was effective, and had produced excellent results in reducing infanticide, the problem continued, and was compounded by others. A correspondent to *The Bulletin* in 1897 wrote in reaction to a letter in the *Daily Telegraph* which held that the local child-protection legislation was effective. The *Bulletin* correspondent said that this form of 'social evil', that is, infanticide, could not be eliminated merely by repressive legislation and that while statistics may have proved that there was a marked diminution of recorded cases, this was most likely to be because of greater efforts at concealment. On top of that the "further reaching evil of abortion" was becoming more prevalent, prompting this commentator to state:

⁶² *ibid.*

⁶³ R B Walker, *The Newspaper Press in New South Wales 1803-1920*, Sydney University Press, Sydney, 1976, page 220.

⁶⁴ *The Bulletin*, 19 November, 1892

Repress post-natal infanticide — and the vendor of pills for female 'obstructions' and the manipulator of the deathful darning needle reap a golden harvest.⁶⁵

It seems therefore that the legislation was not felt to be overly successful in the reduction of infanticide and baby-farming, and that it prompted recourse to other forms of control of reproduction. Judith Allen notes that the legislation was not particularly effective, with only fifty-nine breaches of the Act charged by 1899, most of which were dismissed with a fine in the Sydney lower courts. The ways in which single women concealed their pregnancies, farmed out their infants and arranged private adoptions did not provide the initial information which was necessary for inspection to be commenced under the 1892 Act, and hence the effective operation of the Act was limited.⁶⁶

The idea of a Foundling Home was suggested on several occasions as a solution to the problems of abandonment, infanticide and baby-farming. The infant asylums and homes which were around were overcrowded, underfunded and also confronted high infant mortality rates. *The Bulletin* reported that in four years the Waitara Foundling Home received 529 children, 376 of whom had died in the same period.⁶⁷ However, the Foundling Home was held by many to be the only real solution to child murder. Little thought was given to the problems of running the existing facilities, such as the unsuccessful rates of infant care, by those who avidly supported it as an idea in the press. They did defend it against concerns that such institutions would encourage illegitimacy and immorality, arguing that scandalous revelations of baby-

⁶⁵ *The Bulletin*, 20 November, 1897.

⁶⁶ Allen, *Sex and Secrets*, page 36.

⁶⁷ *The Bulletin*, 3 January, 1903.

farming prompted the desire for any feasible solution:

The opposition to the establishment of such a hospital is based upon the supposition that it would encourage immorality, but it had never yet been reasonably shown that such would be the outcome. While on the one hand, therefore, it may be contended that illegitimacy would not necessarily increase, there is certainty that infanticide would diminish. And infanticide is murder in its most brutalising and demoralising shape.⁶⁸

The deaths of infants were described as graphic horror stories or pathetic incidents in Australian society. Whichever way they were presented, they were given a greater meaning and importance through their links to Australian society as a whole. The murder, neglect and abandonment of infants were crimes which had long histories in Australian society, but despite sympathy for the victims, these 'innocent infants', not a great deal had been done or said about it until the end of the century. By this time, however, the value of infant life was seen to be increasing as there was apparently less of it.

Concern and interest in infant mortality and its effects on the birth-rate and were heightened in the 1890s. The Depression meant that general standards of living were poor for many, particularly women, children or the aged and infirm. Traditional beliefs about many aspects of poverty and working-class life were now being questioned, as it was realised that many 'respectable' people were also affected through no fault of their own.⁶⁹ The prosperity of the country was seemingly threatened. T A Coghlan, the New South Wales statistician, set out a number of reports in the late-1890s which demonstrated the 'severity' of the decline in the

⁶⁸ Melbourne's *Argus* quoted in *The Echo*, 15 November, 1892.

⁶⁹ Garton, *Out of Luck*, page 84.

birth-rate and how it would affect Australia's future. Theories about the importance of infant life to the Australian nation abounded. Immigration was not effective in raising the colonies' populations, and racist ideas about the breeding potential of 'inferior' races, such as those in Asia, created great anxiety. Eugenicist ideas about the 'quality' of infants battled with the great desire for more and more children as fear of national inferiority or invasion were suggested.

In this light, the loss of illegitimate infant life became an increasingly important issue. *The Bulletin*, in particular, was vocal about the 'wastage' of infant life because of illegitimacy and other related problems. The stigma of illegitimacy was standing in the way of a solution to the death and abandonment of babies, but with proper care illegitimate infants could be of benefit to Australia:

The offspring of romance has a lot of difficulties to contend with, chief of which are the careless preparation of artificial food ..., and the ghastly fact that it is to the individual interest of everybody connected with him that he should die. But it is in the interest of Australia that he should live and grow up to be a good and well-equipped citizen.⁷⁰

Many Australians believed that with the declining birth-rate greater use should be made of the infants who were born, whether they were illegitimate or not. Swain and Howe note that the legislation concerning the protection of infant life was "evidence of the discursive shift which saw the problematic illegitimate child transformed into a potential citizen".⁷¹ The value of such infants was that, if not alive and well, they were *alive*, and there was an increasing determination to ensure that they stayed that way.

⁷⁰ *The Bulletin*, 9 September, 1899.

⁷¹ Swain and Howe, *Single mothers and their children*, page 112.

The mounting concern prompted the Royal Commission into the Decline in the Birth-rate and on the Mortality of Infants in New South Wales, which was set up to establish whether, in fact, there had been a decline in the birth-rate, when the decline had commenced, what were its characteristics, and whether New South Wales was singular with regard to its conditions of population. The Commission was further charged with investigating the mortality of infants, and, importantly, what effect the decline in the birth-rate and the mortality of infants had upon 'the well-being of the community' and 'the prosperity of the State'.

The Royal Commission focused primarily on contraception and abortion as the main preventable reasons behind the decline in the birth-rate. Women were vilified for their family-limiting techniques, as will be discussed in greater detail in the following chapter. The Royal Commission noted that the mortality of infants was threatened by factors such as improper artificial foods, chemical preservatives in milk, preventable epidemic disease, insufficient public hospital accommodation for the treatment of sick infants or for parturient women of the poorer classes.⁷² It detailed another list of factors which operated primarily on illegitimate infants, which featured among others, the defective management of Foundling and Infant Homes, the secret adoption of infants for gain, and infanticide and "foeticide of viable infants".⁷³

The interest shown by the Royal Commission and the press indicates the high value of infant in late nineteenth century New South Wales. New legislation, select committees and Royal Commissions had been established to discover and then hopefully solve the problems associated

⁷² RCDB, paragraph 142.

⁷³ RCDB, paragraph 143, page 39.

with neglect, abandonment, child murder and the declining birth-rate. This still leaves the question of why there was so much concern for what happened to children, and infants in particular. The answer in part relates to the conception of the infant as an asset to the state. The members of the Birth-rate Commission and others like them valued the infant as a crucial part of the future of the Australian nation. The Royal Commission report began its discussion of infant mortality by stating that the declining birth-rate and its likely continuation into the future "render it of paramount importance to the future welfare of the State that the lives of the children that are born shall be preserved".⁷⁴ This sentiment was echoed throughout the popular press, and also in more specialised discussion such as those by the medical profession.

The infant, legitimate or illegitimate, was seen as a necessary and valuable part of the country's future. In a debate current in the *Intercolonial Medical Journal* in 1904 the problem of the birth-rate was discussed and the value of the infant assured. W McLean, government statistician of Victoria, and John B Trivett, Actuary of Friendly Societies in NSW, debated the cause of the declining birth-rate, but both concluded that it was a problem of national importance.

McLean wrote:

If the declining birthrate is of so grave a character as we are led to believe — endangering the stability of our race, or leading up either to the loss of our heritage in this country, or inability to raise it to a position of equality amongst the great nations of the world — then it is incumbent upon the State or the community to take steps beyond those suggested to preserve infantile life.⁷⁵

⁷⁴ RCDB, paragraph 141.

⁷⁵ W McLean, "Alleged Artificial Restriction of Families", *Intercolonial Medical Journal*, August 20, 1904, page 395.

The report of the Royal Commission stressed that individuals were to blame for the decreasing birth-rate, that it was particularly women who were putting their own interests first. Obviously many, like McLean, felt that government intervention was not forceful enough, particularly if the situation was as grave as was so often supposed. *The Bulletin*, for instance, found government efforts to secure population, such as state-aided immigration and free land grants, 'pathetic'. It stated that the only reason that the population rate as a whole did not decline was because of the low death rate.⁷⁶

It was generally seen by those in authority that the greater number of infants each couple had was an advantage to the state. They blamed the limitation of family size on the selfishness and lack of morals of the population, demonstrating "the desire of the individual to avoid his obligation to the community".⁷⁷ The report of the Royal Commission stated:

The reason almost invariably given by the people for restricting procreation is that they cannot conveniently afford to rear more than a certain number of children. In some instances we believe the people are sincere in stating this as their reason; and that they honestly, though mistakenly, believe that want of adequate means to be a sufficient justification for interference with the course of nature.⁷⁸

However, the reactions to the report in the popular press demonstrate that citizens themselves felt 'the want of adequate means' was an entirely appropriate reason for limiting family size. Letters frequently criticised the middle classes, rejecting the notion that it was the workers who were to blame. They blamed high medical costs and the lack of government assistance to the

⁷⁶ *The Bulletin*, 11 November, 1899.

⁷⁷ RCDB, paragraph 84.

⁷⁸ RCDB, paragraph 83.

poor, all focusing on the fact that children cost money to raise. One *Daily Telegraph* correspondent wrote:

I think, with others, that under decent living conditions the happiness of the married is particularly constituted by always having a baby in the house, if possible, and that the voices and mannerisms of little children go a long way to compensate for the worries of the day ... yet where people are living under such conditions as some of the people live in our slum areas, is it to be wondered at that the man who works hard all day, and comes home to a house full of babies, seeks a refuge in a gin palace, presenting to him greater attractions than the home he neglects? Should it be further cause to wonder that the woman declines to take up the burden assigned to her by Nature, when her lot is hardly bearable as things then are?⁷⁹

The national interest, as constructed by the state authorities, was placed above individual circumstances. The Royal Commission did not really take into consideration the financial constraints on child rearing, calling what would now be seen as common sense in limiting family size, selfishness. Personal needs and feelings were to be outweighed by the 'needs' of the state.

Despite the increasing concern for the preservation of infant life, and the measures taken by governments and individuals alike, there were continuing contradictions concerning reproduction-related crimes and their impact on the mortality of infants. Although not particularly numerous, and not, by far, the largest killer of infants, infanticide and baby-farming continued into the twentieth century. Court records studied by Judith Allen indicate that the indictment rate for infanticide and concealment of birth was low and conviction rates were even

⁷⁹ *Daily Telegraph*, 8 March, 1904.

lower,⁸⁰ and despite legal initiatives, baby-farms and illegal adoption of infants were also difficult to prosecute. Infant life was valued, but real measures taken by the government were not effective. This was related to the underlying social problems that 'necessitated' reproduction-related crimes and that it was easier for authorities to overlook the death of an illegitimate infant than it was to radically alter the social system; distinction between legitimacy and illegitimacy, government assistance for unmarried mothers, maintenance by fathers of illegitimate children, Foundling Homes and other social attitudes towards reproduction. The infant was seen as a martyr to the conventions of Victorian morality and society, but while everyone talked about the shameful waste of infant life, it was difficult to change the underlying structure of society. The reaction of the press to those who committed the crimes demonstrates the distinctions which were made according to social situation and even if solutions could not be found to the greater problems, allowances could be made for some.

⁸⁰ Allen, *Sex and Secrets*, page 33.

CHAPTER THREE

'More sinned against than sinning': the mother, the baby-farmer and the father

*Many helpless sufferers, often more sinned against than sinning, and bearing a burden of shame and sorrow undeserved...*⁸¹

One of the dominant images in discussions of illegitimacy and reproduction-related offences is that of the innocent young mother who has been seduced and abandoned. As an image, she evoked enormous sympathy from the metropolitan press in New South Wales in the late nineteenth century. The single mother was cast primarily in the role of the passive, victimised woman, lacking agency. She was portrayed as one who was innocent of sexual knowledge and hence, was not responsible for her trouble. This image draws on the conventions of melodrama, the popular nineteenth century dramatic form. Melodrama presented a binary world — a world divided into a series of oppositions, good/bad, proud/humble, rich/poor.⁸² Characters were placed in these oppositions, the story was divided between the virtuous hero[ine] and the efforts of the villain to destroy this virtue. Melodrama made the moral visible: good and bad battled together through the characters themselves. In the press coverage of reproduction-related issues, characters similarly assumed a series of oppositions — the desperate single mother and the malevolent baby-farmer, the trusting naïve girl and her seducer, and the struggling single mother and the selfish, family-limiting mother. The powerless woman (and her

⁸¹ *Daily Telegraph*, 8 September, 1893.

⁸² Vicinus, "Helpless and Unfriended", page 128.

even more powerless child) are the real heroes. This chapter will examine the way in which these overly emotional presentations of oppositional characters were used in the Sydney press to create, first of all, 'good copy' and second, a critique of society and motherhood.

Theories about motherhood, and what made up a 'good' or 'bad' mother were being clarified at the turn of the century. Women, in general, were assumed to desire to bear and raise children. Women's links to their children were not confined merely to physical care, however. Mothers were thought and spoken of as all that was good and pure and right in society, possessing a special and loving bond with their children that could not be broken. The Royal Commission into the Decline in the Birth-rate also played a part in the conception of what a mother should be, and where Australian women were lacking. While a mother who killed her child out of desperation and poverty could be forgiven, the woman who planned to control the size of her family for economic and familial reasons was vilified and condemned for her selfish nature. The Royal Commission attempted to define the faults of women, in particular mothers, and offer solutions to these problems in order to improve society. The mother, as seen by the Birth-rate Commission, put her own desires above those of the state. She 'selfishly' limited her family size both before conception and afterwards through the use of abortion. 'Most people' gave the economic reasons for not wanting to have large families, but the witnesses to the Commission offered a differing list of 'true' reasons:

- i. An unwillingness to submit to the strain and worry of children ;
- ii. A dislike of the interference with pleasure and comfort involved in child-bearing and child-rearing ;
- iii. A desire to avoid the actual physical discomfort of gestation, parturition, and lactation; and

iv. A love of luxury and of social pleasures, which is increasing.⁸³

Women were clearly 'at fault' in the majority of these cases. Not only did they not want to be mothers, according to the Birth-rate Commission, but those who did become mothers lacked the appropriate skills to be successful mothers. The Australian colonies lacked 'domestic culture', this was demonstrated by the high infant mortality rates. Measures were suggested in order to improve the birth-rate. The majority of these were aimed at women, and included lessons on child-rearing and infant feeding. One area in which women were seen to be at fault was their "erroneous belief that infants may be separated from their mothers without injury to the infants".⁸⁴ The value of mothering was seen to be important in the raising of a child, and women were meant to improve on their 'natural' abilities for the good of the country. Mothers had some innate bond with their child, and this was supposed, in itself, to ward off infant death. One witness, Mrs R Graham, Matron of the Benevolent Society's Institutions said:

I have come to the conclusion that there is nothing for the child but motherly care... Why I think so is that I have sometimes had mothers who were most careless, dirty and filthy — and the word 'filthy' is not too strong — and yet their babies would be fat and healthy [despite not being breast-fed]... and yet, if I had another baby without the mother's care, no matter how kind the nurse might be to it, that child would perhaps die. This makes me think that there is a great deal between the mother and the child, apart from the natural nourishment.⁸⁵

The ideal mother was supposedly the ultimate in love and sacrifice. But the Birth-rate

⁸³ RCDB, paragraph 83.

⁸⁴ RCDB, paragraph 142 (iv(f)).

⁸⁵ RCDB, paragraph 146 (v).

Commission saw that women, as wives and mothers, were 'bad' and selfish. Women who were limiting their family size through legal means such as birth-control and abstinence were seen to be as guilty as women who were having abortions. Part of their guilt arose from their separation of sex and reproduction. These women were different from the seduced and deserted young mother, primarily as a result of knowledge and sexuality. Innocence and betrayal could be claimed on the behalf of the 'seduced' woman, and the results of this betrayal and rugged introduction to sexual knowledge was her desperation — hence her crime was forgivable. Women who managed their reproductive capacities through birth-control or abortion were seen as being older, more worldly-wise, and in particular more sexually knowledgeable. They could not claim innocence and betrayal. *The Bulletin* wrote that in comparison to those women, and men, who artificially limit their family size, "the worst girl ever betrayed into motherhood, who bore unflinchingly her human burden, stands a saint of dazzling purity".⁸⁶

Sympathy for the plight of the unmarried mother draws its strength from the creation of another form of mother as inherently good and naive, and undeserving of the trouble she was going through. Her love and care of her child were rarely questioned, although they may have been overwhelmed by her circumstances. In fact, the mother's love for the child is sometimes given as a reason why she resorted to infanticide. She would rather put her own life at risk than make her illegitimate child face the torture of growing up in a society where illegitimacy was a curse:

May not the very intensity of the mother's self-sacrificing nature impel her to become a murderess, and imperil even her immortal soul rather than her child should live to

⁸⁶ *The Bulletin*, 11 November, 1899.

suffer as she has suffered.⁸⁷

Maternal nature was assumed to be strong, and only the most desperate of situations would negate those feelings — *The Bulletin* states that the single mother must have little affection for her helpless infant, but only because “under such circumstances as these, the maternal instinct is nullified by the mother’s shame, and misery to the helpless offspring is a necessary consequence”.⁸⁸ It is not, therefore, her fault that she is ‘lacking’, as her desperate situation overcame her.

The social circumstances of illegitimacy and single motherhood are acknowledged in the press, although once again they are portrayed in rather a melodramatic light. The expectant single mother, according to the *Daily Telegraph*, faced a time where there were no helping hands or kind words and where she was ‘tortured’ with the thought of her coming shame and degradation. On a more practical note, she had no money for ordinary expenses, let alone for the emergency which was about to overtake her.⁸⁹ Financial distress and the inability or unwillingness to prosecute the putative father for maintenance and confinement expenses meant that women were driven to desperate measures. The story of Maggie Heffernan, a rural Victorian girl working as a domestic servant, who drowned her infant son in 1900, is typical of the manner in which the press approached the issue. Titled ‘A Pathetic Incident’, the report by the *Daily Telegraph* states “her story is a pathetic one. She tried a couple of philanthropic institutions, which refused her admission”. After that she walked until she found herself by the

⁸⁷ *The Truth*, 1 January, 1893.

⁸⁸ *The Bulletin*, 29 April, 1882.

⁸⁹ *Daily Telegraph*, 14 September, 1893.

edge of the Yarra River: "Up and down the bank she walked for two hours, irresolute and despairing" before she dropped her child into the water and walked away.⁹⁰ It was the lack of help provided by those who should have been able to help which drove her to dispose of her own child. Her fiancé had withdrawn his offer of marriage⁹¹ and her final resort, the philanthropic institutions, failed to help her either.

The image of the seduced and abandoned woman (and her defenceless child) was used by commentators to initiate discussion on a variety of issues, primarily concerning the status of illegitimacy and the need for building a Foundling Home. The pathetic image of the mother and her child, "two human creatures peculiarly and pitifully helpless, without alternative between cruel suffering, the frenzy of despair, and crime"⁹² was used as evidence that the situation concerning illegitimacy, the Foundling Home and other reproduction-related issues should be changed. They were evidence of the failure of the system as it currently existed, and encouraged changes which would "give relief to many helpless sufferers, often more sinned against than sinning, and bearing a burden of shame and sorrow undeserved".⁹³ The blame is cast away from the mother (and child) as their situation and society are made to take some of the responsibility. Martha Vicinus has observed that throughout the melodramatic piece the hero[ine] is perfectly virtuous, "though sometimes [s]he might become discouraged or even

⁹⁰ *Daily Telegraph*, 22 January, 1900.

⁹¹ Swain and Howe, *Single mothers and their children*, page 98.

⁹² *Daily Telegraph*, 8 September, 1893.

⁹³ *Daily Telegraph*, 8 September, 1893.

destroyed by [her] enemies. But the faults lie not in [her] but in society, which must change".⁹⁴ The villain acts in a society which presents few opportunities for the heroine to escape her trouble legitimately.

The pathetic character of the abandoned single mother gains much sympathy from the press, similarly to melodrama which always sided with the powerless. Acknowledgement of the difficulties confronting the single mother is apparent, but she was still not totally free from blame. She has done wrong, but her fall from grace just heightens the pathos of her situation. Patrick Joyce notes that in melodrama, all can be virtuous, but it is those most friendless and helpless who were often 'closest' to virtue: "the triumph of the helpless meant the truest of all restitutions of virtue, for only with the low made morally high could the victory of virtue be assured".⁹⁵ The single mother had first sinned by having sexual relations before marriage, and second by behaving contrary to the laws of motherhood by abandoning, adopting out or killing her child. However, her situation was forgiven and excuses were made for her behaviour. Sympathy meant that single mothers could be absolved of blame for their actions, but then there must be a villain who was guilty of the deferred crime. The single mother became a victim — of society's harsh rules and condemning glances, of her seducer's misguidance and of the baby-farmer's greed. The supposed sexual naïvety and innocence with which the woman became pregnant, and her desperation afterwards, weighed heavily in her favour when discussion turned to her 'seducer'.

⁹⁴ Vicinus, "Helpless and Unfriended", page 135.

⁹⁵ Patrick Joyce, *Democratic Subjects: The self and the social in nineteenth-century England*, Cambridge University Press, Cambridge, 1994, page 179.

When men feature in reproduction-related narratives it is primarily in the role of seducers, the ones who led the young girls astray. It is interesting to compare this with other conceptions of male/female sexual relations outside marriage in late nineteenth-century Australia. For example, in cases of rape, the character of the abused woman was assumed to be tarnished, or feminine vindictiveness was supposedly apparent. Judith Allen writes: "that women would knowingly consign to the gallows men to their acquaintance, even men they loved, to save their reputation, to force marriage, to avenge rejection, or to forestall a work reprimand, apparently were plausible propositions".⁹⁶ In the notorious Mt Rennie case, 1886-7, *The Bulletin*, in particular, questioned the character of the young woman who was gang-raped, and attempted to shift the blame from the young working-class rapists to other groups in society, including the upper-class seducers and the girl herself. In other situations, including the debate over the age of consent laws, the teenager and young woman's sexuality worked against her, as she was seen as leading men into trouble, as being powerful in her ability to lay false claims against the men she slept with. However, when discussions turned to illegitimacy and reproduction-related crime, the man was cast in the role of the villain. He was assumed to have been the aggressor, the seducer and the one who abandoned his lover and his child.

Men played little obvious part in the majority of narratives as presented in the press. It was assumed that the women involved in infanticide and illegal adoptions were acting alone, without the support or input of the putative fathers of their children. The part they did play, however hidden it may have been, was the reason that women needed to resort to reproduction-related crimes. This was realised and felt to be one of the great injustices of the current legal and social

⁹⁶ Allen, *Sex and Secrets*, page 57.

situation. Society currently placed all the blame on the woman, but the man was “an equally guilty participator in the wrong”⁹⁷ and yet got off scot free. Men, rather than just being an equally guilty party, were also seen as “the authors of their [the single mothers’] trouble”, “the chief cause of this wrong”.⁹⁸ One letter written to the *Daily Telegraph*, by ‘Citizen’, outlined the kind of man who was responsible for these actions. He set out to ‘ruin’ some unfortunate girl, who loved him “not wisely, but alas too well”:

These men, after their purpose has been gained, hug themselves with the thought that society or our laws do not hold them guilty, and there is not fear of their having to take their place in the dock beside the unfortunate creatures they have wilfully and cruelly wronged and then deserted.⁹⁹

Criticism was made of the current system regarding maintenance and support for single mothers. With no system of pensions or child support allowances, it was up to the woman concerned to take legal measures to ensure that the putative father was made accountable. One suggestion was made that the Foundling Home, as well as providing care for illegitimate children, could also assist women in bringing the fathers to justice: “others, again deserted ... and unable through the lack of means or knowledge to make them share the responsibility, will have the assistance of the officials of the home in taking legal measures to compel them to pay the cost of the children’s maintenance”.¹⁰⁰

⁹⁷ *Daily Telegraph*, 14 September, 1893.

⁹⁸ *Daily Telegraph*, 8 and 14 September, 1893.

⁹⁹ *Daily Telegraph*, 14 September, 1893.

¹⁰⁰ *Daily Telegraph*, 8 September, 1893.

The press acknowledged the injustices of the system, that women were left with the unwanted child and with the financial burden of maintenance while the father generally was left with few, if in fact any, responsibilities. Women were seen to be doubly punished, first by the unwanted child and then by the unjust legal system. "Should the young mother abandon her child the police are immediately on her track, while the seducer escapes punishment", wrote the *Sydney Morning Herald* in 1890.¹⁰¹ Solutions to this unfair system of blame were suggested. The correspondent, 'Citizen', quoted above, wrote that the man should be made equally criminal and guilty with the woman if she should kill or abandon her child. However, this was on the proviso that it was proven that he deserted her without the "protection and care that common humanity requires should be extended to those in her unfortunate condition".¹⁰²

The overwhelming number of examples in the press follow this pattern of seduction and desertion. However, unlike the English melodrama, where the seducer was a wealthy, upper-class man, and the woman was from the working-class, often a domestic servant, the Australian equivalent, in the abstract, seemingly functioned without this cross-class division. The press was highly critical, in the abstract, of the seducer, and the callous nature of his actions. However, when the situation was removed from the abstract, and names were named, the situation changed tremendously, for example, in an *Evening News* report of "A Serious Accusation: Alleged Immorality in Melbourne", in which a fifteen year old girl brought an accusation of paternity against a Melbourne councillor named Hartley. She had been previously employed as a domestic servant in his house, and had recently given birth to a child, the father

¹⁰¹ *SMH*, 14 September, 1890.

¹⁰² *Daily Telegraph*, 14 September, 1893.

of which she claimed to be Hartley. Here, instead of following the narrative so often presented in press coverage of seduction and abandonment, the girl was presented as a hussy, while "much sympathy [was] felt for Hartley, who [was] a young married man and [was] much respected".¹⁰³ The tale focused not on the alleged seduction, but on the lies and misrepresentation of the young woman. The narratives of seduction and abandonment are comfortable egalitarian melodramatic tales in the abstract, but the 'reality' produced a different reaction from the press. Their essentially middle-class stance is revealed when the stories become 'real'. The crucial part of this narrative was naming the man — he was removed from the anonymous category of 'seducer', a bad type of man, because he was a respectable man of position within the community. *The Evening News* instantly sided with the man and assumed that he could not have been the father. It is likely that women knew and understood this hypocrisy, and hence were not more eager in pursuing paternity suits.

The seducer/father/deserter was presented primarily in an unfavourable light. He was seen as untrustworthy and scheming, taking advantage of the innocence and the trust of the young mother. The majority of the stories of the mothers who appeared in the Makin hearings reinforce the power of the abandonment narrative. There was only one notable exception to this. Minnie Davis and Horace Bothamley had jointly placed their child with the Makins for 10s a week and paid it weekly visits on Saturday evenings. They were both involved in finding the placement with the Makins, with making the payments, and ultimately in making arrangements on the infant's death. The stories of the other women suggest that the part Horace Bothamley played in his child's short life was far from typical. No mention was made by the other mothers

¹⁰³ *Evening News*, 8 September, 1893.

of the fathers of their children. The fathers, however, were not vilified in the Makin narrative because they fade from view in comparison with an even greater evil, the baby-farmer.

The baby-farmer came to occupy a place of particular horror in the press in late nineteenth-century New South Wales. As there were no blood ties between the infant and the baby-farmer the only motivation that was apparent to the press was financial, and to commit murder, even if only by neglect, for money was abhorrent. Baby-farmers were seen to prey on the situation of innocent girls, to take their money and then their children. The press made direct comparisons between the baby-farmer and the desperate single mother, as they were seen to be antithetical to one another. *The Bulletin* compared the situations of Bella Ferguson and baby-farmer Selina Davies. Ferguson was sentenced to death for murdering her four-week-old child, and was the subject of protests by feminist groups in Victoria in 1890. Her sentence was commuted to ten years penal servitude. *The Bulletin* wrote:

It is hard for hot, spurting, indignant blood to speak meekly of BELLA FERGUSON'S case, when it is contrasted with that of the cold-blooded, murderous, baby-farming woman, SELINA DAVIES, who, for the sake of gold, cast out helpless babyhood to almost certain death. The calculating deliberate DAVIES gets off with 18 months; FERGUSON, the distracted, delirious, desperate mother, who loved her infant, but has had her reason wrecked, gets 10 years.¹⁰⁴

Seemingly, there could not be two more different types of people in the world. Baby-farmers, primarily women, were capable of 'fiendish deeds', of 'cold blooded slaughter of innocent

¹⁰⁴ *The Bulletin*, 19 April, 1890.

lives'¹⁰⁵ and were not struck by the wrong which they were doing. Perhaps this was because they were receiving financial gain which overcame any sentiments they may have felt. As opposed to the infanticidal mother, baby-farmers were seen as hardly human, in fact, they were seen as some form of monster, as "monstrosities in human form"¹⁰⁶ because their act, the murder of infants, was seen as one of the most diabolical and evil things possible. There was little debating that baby-farmers were just plain bad. Pinchbeck and Hewitt quote an English ditty about a baby-farmer named Mrs Dyer, who in the mid-1890s strangled infants and threw them into the Thames:

The old baby-farmer 'as been executed,
It's quite time she was put out of the way,
She was a bad woman, it isn't disputed,
Not a word in her favour can anyone say.¹⁰⁷

Similarly, little good was said of baby-farmers who were spoken of in detail in the Sydney press in the 1890s. Frances Knorr and John and Sarah Makin supposedly possessed similar characteristics and lifestyles which were given as evidence of their faintly inhuman nature. Stead's comment that the 'outcast and disinherited of the earth' often made the best copy held true here, as the baby-farmer was a favourite subject of the popular imagination in the late nineteenth century. The respectable (and not so respectable) reader of the papers was to be shocked at the manner in which these people lived, carried on their personal and business lives, these details embellishing the horror of the baby-farmers' activities. The sensationalism with

¹⁰⁵ *Daily Telegraph*, 10 September, 1892, and 6 November, 1892.

¹⁰⁶ *The Truth*, 1 January, 1893.

¹⁰⁷ Pinchbeck and Hewitt, *Children in English Society*, page 597.

which their lives were presented possibly also functioned to 'remove' the reader from the society in which the baby-farmer lived. The idea that the baby-farmer was responsible because of a peculiar lifestyle or temperament would perhaps be easier to deal with than believing that society held total responsibility. The 'abnormality' and 'strangeness' of the baby-farmers were therefore stressed.

Both the Makins and Knorr moved around a great deal, perhaps not such an unusual feature of life for the poor who rented property until they fell behind in their payments and had to move on. It was made out, however, that this demonstrated that they were untrustworthy and deceitful, and unstable. Part of the 'respectable poor' they certainly were not. The press reckoned that the activities carried on in baby-farms were those of hardened people. Bodies found at one of the houses inhabited by the Makins, in George Street, were located near a police station. *The Truth* wrote that "The audacious manner in which the bodies were put here out of the way, almost within the very precincts of the police station, proves that the wrongdoers have been so hardened with the constant success of their schemes as to be fearless of results".¹⁰⁸ Frances Knorr, among other things, was reputed to froth at the mouth when speaking hurriedly. She held rowdy parties, that were "said to have been attended by a number of fast young men and women, and questionable practices were alleged to have been carried on"¹⁰⁹ and she was in debt.

Similarly the Makin family was presented as far from the domestic ideal. They fought amongst

¹⁰⁸ *The Truth*, 13 November, 1892.

¹⁰⁹ *Evening News*, 8 September, 1893.

themselves, sometimes particularly bitterly and in public (even in the courtroom). The family did not live together: several of the younger children resided with their elder sister who disliked their mother. Although the papers conceded that Blanche and Frances Makin were 'well-conducted' and dressed appropriately according to their station in life, and that John and Sarah Makin were not drunkards, the Makin family was far from perfect in the eyes of the press. John Makin was "not an industrious man"¹¹⁰, and despite inheriting property from his mother and receiving payments for baby-farming, the family always seemed to be 'miserably poor'. The nature of baby-farmers was therefore proven to be idle, greedy, dishonest and above all, peculiar.

The baby-farmer is in effect demonized and blamed for the entire system of baby-farming and illegal adoption. In discussions of baby-farming alone little comment is made on illegitimacy, poverty and lack of child care as reasons why baby-farming was necessary. The baby-farmers' greed and avaricious nature are dominant. There is little realization that situations such as the Makins and Frances Knorr were probably at the extreme end of the scale. Meredith Sussex argues that there were undoubtedly more baby-farmers who were "discreet, or successful or honest enough to escape public attention"¹¹¹. Not every woman who adopted children or took them into care was neglecting them or murdering them. From the regularity with which a small number of larger baby-farming cases was discussed in contemporary sources it is likely there

¹¹⁰ *SMH*, 14 November, 1892.

¹¹¹ Meredith Sussex, *The Victorian Infant Life Protection Act 1890*, BA (Hons) thesis, University of Melbourne, 1973, page 4-8, quoted in Swain and Howe, *Single mothers and their children*, page 225.

were few baby-farms on such a large scale.¹¹² The sensational cases became the benchmark against which others were compared.

The baby-farmer was assumed to grow fat on the profits they made from their activities, yet both the Makins and Frances Knorr and her husband Rudolph seemed locked in a continual cycle of poverty. In the press, baby-farmers were presented as greedy and exploitative people but they can equally be seen as people who were attempting to deal with the desperation of poverty. It would have been very difficult to keep an infant healthy and well on the amounts that baby-farmers were given for their care, and the temptation to nudge along death, which frequently happened anyway, must have been great. There was no acknowledgment in the press that the baby-farmer, in general, was providing a legitimate and well-needed service.¹¹³ The argument for the construction of a Foundling Home demonstrated that the need for child care was apparent. However, baby-farming was not seen as a temporary or partial solution to this problem, but a large part of the problem itself.

The desperate mother and the baby-farmer were discussed in direct opposition to each other, one as good and one as evil. The basic assumptions made about the nature of these two groups of people were radically different. The way in which the baby-farmers operated demonstrated their lack of regard for human life and feelings. Opposed to this was the mother whose only thought was for the wretched life her illegitimate child would face, and how unbearable that

¹¹² Swain and Howe, page 225. They note that major baby-farming scandals in Australia were very small in comparison with the number in Britain.

¹¹³ Kathy Laster notes however, that this was how baby-farmers regarded themselves — as a service to the public: John Makin before his execution, remarked, "That's what a man gets for obliging people." Kathy Laster, "Frances Knorr: 'She Killed Babies, Didn't She?'" , page 153.

would be. There was also no thought in the press that when a woman gave her child to a baby-farmer that she may have desired for her infant to be disposed of. Pinchbeck and Hewitt note that "mothers, with deliberate knowledge, would pay the baby-farmer a lump sum totally inadequate for the child's long-term maintenance, with the result that it very soon languished and died through starvation and neglect".¹¹⁴ However, this notion was given no credence in the Sydney papers.

The Makin hearings used the testimonies of the mothers as a crucial part of their evidence, and the pathetic stories, and the 'abuse' suffered at the hands of the Makins, made for sensational reading in the press. The mother's story was taken as the truth and the Makins were shown to be absolutely deceitful, creating a distinct construction of the good and the bad. The *Daily Telegraph* reported the situation of one mother whose child had been placed with the Makins:

A pitiful story is the case of another mother who gave a child to the Makins to be cared for. She frequently visited them for the purpose of seeing her baby, but was put off time after time...and she has not seen her child since. When she was apprised through the press of the discoveries at Macdonaldtown she at once communicated with the police and informed them of what she knew. She has since gone into mourning for her child.¹¹⁵

The deceit which faced these mothers evoked enormous sympathy. Within the Makin hearings are many references to the manner in which the Makins deceived women, told them false names and addresses, and made false promises of love and care for the children. It was stressed that the Makins had made each mother feel that her child was wanted and needed, in some cases as

¹¹⁴ Pinchbeck and Hewitt, *Children in English Society*, page 597.

¹¹⁵ *Daily Telegraph*, 10 November, 1892.

a replacement for a (fictional) dead infant child of their own. The mothers' efforts, as presented in the hearings, to locate their children, and the care which they appeared to demonstrate in choosing the adoptive parents of the children worked in their favour. The baby-farmer was taking advantage of the good nature and honesty of these wronged women. The stories of these women and the thought of their dead children spurred *The Truth* to say "it is to be trusted that the ruthless slayers of so many helpless beings will be brought to that justice which they should receive for their evil doings".¹¹⁶

Negotiation of who was criminal, and where the crime lay in reproduction-related issues took place in the press. The woman who limited the size of her family, although committing no real crime, was vilified for her actions. Conversely, the woman who did abandon or murder her child was in many cases forgiven her crime. When she was vindicated, it was necessary to shift the blame and the crime onto an alternative villain, the father or the baby-farmer. There is the creation of a melodramatic series of opposites of good and bad, with the single mother as helpless heroine. Judith Walkowitz writes that the late nineteenth-century feminist adoption of melodrama for political propaganda meant that the conception of women was "severely constrained by a melodramatic vocabulary of female victimization".¹¹⁷ The single mother was 'virtuous' precisely because she was a victim. Those women who actively attempted to prevent pregnancy, or to help other women care for unwanted children were vilified. These women, who demonstrated their agency, were seen as 'bad'. To be good and uncorrupt women had to be helpless, suffering and wronged. Hence, the blame for the single mother's actions are placed

¹¹⁶ *The Truth*, 13 November, 1892.

¹¹⁷ Walkowitz, *City of Dreadful Delight*, page 92.

elsewhere, on the multitude of villains who emerged from the narratives — selfish, uncaring women, society, baby-farmers, and men.

Conclusion

Women have played a central role in reproduction-related offences, but most discussions about them are not by women, but rather by men. Late nineteenth-century feminists such as Rose Scott certainly wrote and discussed all sorts of issues relating to women, including the problems of illegitimacy, desertion and unwanted pregnancy. However, the press was dominated by men, and it is overwhelmingly their opinions that we hear, particularly in journals such as *The Bulletin*. Progressive measures suggested by the newspapers, such as for the construction of a 'real' Foundling Home, where women could anonymously leave their infants, seem like positive responses to problems faced by women. However, if such institutions were available, men would need to face none of the responsibility of their sexual actions, as the problem would be easily and 'painlessly' solved. The suggestions by the press and the images they created were gendered. The press created a set number of roles in which women could participate in their narratives of seduction and desertion. Primarily, single mothers were assigned the place of the melodramatic heroine: innocent and badly treated, she is the victim of society and of the greed of other people. It has only been recently that feminist historians such as Judith Allen have been able to reassess the social background to reproduction-related crime, and have provided a different interpretation, that is, that women always have managed and always will manage to negotiate their own reproductive capacities, despite social or legal sanction.

Melodrama and sensationalism featured in press responses to reproduction-related crimes. The press used emotion and shock, invoking pathos and pity, or horror and abhorrence at a variety of crimes and offences, relating primarily to women. Melodramatic reporting made 'good copy', but contained certain contradictions. One such contradiction was in the images they created, for instance, the image of the pathetic, deserted, illegitimate infant and the gruesome description of the infant bodies dug up from the front yards of the Makins. The press justified this use of gruesome detail by placing the narratives of infant death within a wide scope. They created a need for the public to know. Another contradiction appeared in their treatment of single mothers. In the abstract, the press was most concerned for the way women were 'seduced' and abandoned, but when named were named the press made excuses for the man's behaviour. Gender and class assumptions were evident.

Reproduction-related crime was rarely discussed in the press in isolation. It was connected to larger issues which were felt to have a bearing on the prevalence of reproduction-related offences. The offences were seen as the outcome of a society that had problems, from which crimes. The stigma of illegitimacy, the lack of a Foundling Home, and the inability of the charitable institutions to deal with the increasing numbers of people requiring assistance during the 1890s Depression were all highlighted as areas in which society needed to accept some responsibility for the crimes that resulted. However, while accepting that elements within society needed to change, the press placed the blame for reproduction-related crime on a number of stereotyped characters, and the flaws which made them so bad: the selfishness of women who limited their family size, the callous nature of men who seduced and abandoned young women, and the greed and incredible heartlessness of the baby-farmer who disposed of infant lives for profit. It was in many ways easier for the press to blame individual personality

faults than to accept that society was to blame. One problem stood in the way to this, however, and that was the frequency with which such events were occurring. Instead of being individual aberrations from the moral, upstanding citizens most colonials were, the seducer, the baby-farmer and the woman who limited her family-size were growing in numbers, clear indications that as time neared the turn of the century, society was losing its 'high moral standard'.

While press narratives of the 1890s do not reveal precisely what people thought, they do reveal certain issues and anxieties and impressions of Australian society. These narratives reveal how a society was questioning itself and its values — the precise meaning of its morality based on the tenets of Christianity, and the manner in which those in authority carried out their duties and the effect this had on the 'common' people. Press narratives also reveal the ways in which the reality of a situation, such as single motherhood, could be effectively limited to one particular story, that of seduction, desertion and helplessness, for example. The press withheld the complexities of such situations in their search for a good story, complete with the necessary qualities of pathos or horror or excitement. For despite the sympathy or horror they displayed, or the questioning of social values evident in press reports, the press confined reproduction-related issues to a narrow scale, bound by the conventions of melodrama and journalistic style. The press used the same narratives time and again; they were 'done to death' like the infants society was trying to protect.

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