Bastardy and Baby Farming in Victorian England

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This paper was selected by the Department of History as the Outstanding Paper for the 1989-1990 academic year.

A many years ago
When I was young and charming
As some of you may know
I practiced baby-farming.

-- Buttercup <1>

Illegitimacy had always been stigmatized in English Society. Since the 17th and the 18th centuries, the negative attitude toward bastards was evident in legislation which denied them assistance from the poor rates. Justices were merely to see that the parents supported their child, not to enforce morality. Rates being administered in a more benevolent manner than intended, a rise in illegitimacy, and an increase in the number of forced marriages all collided with the Evangelical and Utilitarian philosophies of Victorian England; in 1834 the Poor Laws were reformed. Poverty and illegitimacy were moral issues which needed to be remedied, and the New Poor Law was designed to restore virtue and stimulate thrifty, industrious workers. The Bastardy Clause absolved the putative father of any responsibility for his bastard child and socially and economically victimized the mother in an effort to restore female morality. Its enactment fomented the growth of a modern and murderous form of an old institution, baby farming, which preyed on the infants of these humiliated and alienated mothers. Despite the tremendous toll it took on the lives of innocent children, the Victorians' fear of government intervention into social reform and the Victorian ideal of the inviolability of the family prevented its reform until the end of the 19th century.

Prior to the 19th century, the Poor Law of 1733 stipulated that the putative father was responsible for the maintenance of his illegitimate child. If he failed to support the child, the mother could have him arrested on a justice's warrant and put in prison until he agreed to do so. Local authorities issued public funds to maintain the mother and her child until the father could do so. Those public funds were to be reimbursed by the putative father, though this rarely happened. In an attempt to stem the rising costs of poor relief, the local authorities attempted to reduce their liability for illegitimate children by forcing the fathers to marry the mothers. <2>

In the 1833 Poor Law Report, the Commission Report on Bastardy, appointed the previous year to investigate the situation, revealed that the Poor Laws encouraged licentiousness and illegitimacy because parish relief was so readily accessible for bastards and their mothers. <3> More relief was issued to maintain illegitimate children than to support legitimate children. Not only were the mother and child given relief, but costs were rising because mothers were shipped back to their original parishes to avoid long term responsibility for their illegitimate children. Young men, accused solely on the
word of the mothers and unable to pay the surety, were, innocent or guilty, forced into early and unsuitable marriages which the commission felt were detrimental to the country.

Their recommendations formed the basis of the Bastardy Clause in the New Poor Law of 1834. All illegitimate children (after the act of 1834) were to be the sole responsibility of their mothers until they were 16 years old. The mothers of bastard children were placed in the same category as widows for poor relief. They were expected to support themselves and their offspring. If they were unable to do so they would have to enter the workhouse in their parish. There would no longer be any penal sanctions against either the mother or the father for non support of their illegitimate children; the putative father for the first time was absolved of any responsibility for his illegitimate offspring. <4>

On February 25, 1834, the London Times echoed the Victorians' moral and fiscal outrage over the state of poor relief. It was adamant that poor relief should be for the destitute and that, at present, relief to mothers of illegitimate children had reached "a pitch extremely oppressive to the parishes, and grievously detrimental to female morals throughout England." <5> Thomas Carlyle denounced the old law for putting a "bounty on unthrift, idleness, bastardy and beer drinking." <6> The New Poor Law Amendment would rightly place the responsibility for the support of the bastard on the "vicious mother" thus relieving parish funds and would, moreover, end the "great offence against the sacrament of marriage. " <7> The Lord Chancellor in the House of Lords denounced "the lazy, worthless, and ignominious class who pursue their self-gratification at the expense of the earnings of the industrious part of the community." <8>

Promiscuity had to be punished in the most efficient and least costly manner possible and the Commission exploited social and economic censure of fallen women in the hopes of reforming this immoral behavior. The new law singled out women alone to face the humiliation of illegitimacy, a fate that some lawmakers admitted was undesirable, but necessary. Their guilt was evident, and the method of forcing young men into marriage had proven ineffective and costly. Social and economic ostracism of women would be a more effective and less expensive means of enforcing social discipline. "We trust that as soon as it has become as burdensome and disgraceful, it will soon become as rare as it is among those classes in this country who are above parish relief." <9> This idea was reinforced by Lord Althorp's remark that making the "victims of the seducer's art maintain their own bastard children is a 'boon to the female population'," <10> They would serve as examples to others and inspire virtue thus putting an end to the birth of illegitimate children.

The Lord Chancellor justified this course of action by maintaining that Parliament had merely followed the "ancient course" with regard to punishing only the mother in cases of illegitimacy. He maintained that it was the established principal on which Parliament and moralists had acted since James I. As an article in the London Times pointed out, the Lord Chancellor was in error. Elizabethan Poor Law clearly stated that although having an illegitimate child was not punishable under common law, failure to support the child was an offence punishable on both parents. The justice's only duty was to see that both
parents maintained their bastard child. Through the years the statute had been strengthened against the father, not repealed or softened. A leading moralist and expert on the Poor Law, Dr. Paley, also disagreed with the Lord Chancellor. In the chapter, "Seduction," in his treatise *Moral Philosophy* his opinion of the seducer is quite clear -- "not one half of the crimes for which men suffer death by the laws of England are so flagitious as this is." <11> Others argued that allowing the seducer to escape liability or punishment for his actions would only encourage him to continue producing more bastards. <12> Mr. Hardy and Mr. Robinson (MPs) heartily agreed that allowing the father to escape responsibility would not stop licentious behavior and would increase not decrease the number of illegitimate children. An increase that might well cost the state dearly. <13>

The result of these arguments led to a clause being added to the new law which stipulated that if the child became chargeable on the rates because the mother could not support it, the guardians of the child-not the mother -- could apply to Quarter Sessions for a maintenance order against the father for any bastard under the age of 7. If the order was granted, they could proceed against his wages or property for the support. It was a near useless clause due to the cost of litigation and the need for a witness who could corroborate the mother's claim of paternity. Despite further arguments against the measure, the Lord Chancellor's argument, though incorrect, insured acceptance of the Bastardy Clause intact to the detriment of unwed mothers and illegitimate infants. <14>

A prime example of Victorian society's view of unwed mothers and their infants can be seen in their reaction to Elizabeth Gaskell's novel, *Ruth*. Few novels dealt with the subject of illegitimacy, but those that did strongly condemned it. Mrs. Gaskell's novel was very sympathetic toward the poor victimized mothers of bastard children and blamed society as the real cause of illegitimacy. The novel was met with a great deal of hostility; middle class mothers forbade their daughters to read the book because it was considered to be unsuitable reading. <15>

Unwed mothers and their infants were an affront to morality. They were spurned and ostracized both by the public relief and charitable institutions. Muller's Orphan Asylum in Bristol in 1836 refused illegitimate children; they accepted only "lawfully begotten" orphans. Children conceived in sin had no doubt inherited their parents' lack of moral character and would contaminate the minds and morals of legitimate children in their care. Although there were a few orphanages opened to accommodate illegitimate children, the majority of the institutions adhered to the policy of denying them entry, despite the fact that the largest number of orphans were illegitimate. <16> In 1842, the Poor Law Commissioner issued orders that loose women ought to be kept away from women and girls of good character in the workhouses. <17>

Even family and friends could not be depended on to offer comfort and aid. If a young woman became pregnant while still living at home, she was forced to leave in disgrace and move to an area where she was not known. She was scorned by family, friends, and employer alike. Laura Clarke, a young unwed mother from the rural village of Cornwall, is a typical example. Uprooted by pregnancy, she was forced to leave her home in
disgrace and move to another town where she was unknown. After her child was born, she was forced to farm it out in order to enter domestic service. The infant soon died and she drifted into prostitution. <18>

There were limited employment opportunities for young single women who were pregnant or who had illegitimate infants. The majority of them turned to factory or domestic service or embroidery, lace making, and trim work on ladies clothing -- "fancy work." All of these forms of employment kept them under the close scrutiny of their employers. It was impossible to conceal their condition in the latter stages of pregnancy, and they were fired immediately when it was discovered. <19> Young mothers were forced to look for new employment after the baby was born, but their efforts were hampered because they could not return to work with an illegitimate child in tow. <20>

Childbirth brought fear of starvation for the mother and her child, alienation from family and friends, and censure from society, relief agencies, and employers. <21> In desolation and shame, young unwed mothers placed their infants in workhouses where their survival was questionable, <22> committed infanticide, or turned to baby farmers, who specialized in the premeditated and systematic murder of illegitimate infants. <23>

Baby farmers, the majority of whom were women, ran ads in newspapers which catered to working class girls. On any given day a young mother could find at least a dozen ads in the Daily Telegraph, <24> and in the Christian Times, <25> soliciting for the weekly, monthly, or yearly care of infants. <26> All these advertisements were aimed at the mothers of illegitimate babies who were having difficulty finding employment with the added liability of a child. <27> A typical ad might read:

NURSE CHILD WANTED, OR TO ADOPT -- The Advertiser, a Widow with a little family of her own, and moderate allowance from her late husband's friends, would be glad to accept the charge of a young child. Age no object. If sickly would receive a parent's care. Terms, Fifteen Shillings a month; or would adopt entirely if under two months for the small sum of Twelve pounds. <28>

This ad may have been misleading to the general public, but it read like a coded message to unwed mothers. The information about the character and financial condition of the person soliciting for nurse children appears to be acceptable at first glance, but no name and no address is given. No references are asked for and none are offered. The sum of 15s a week to keep an infant or a sickly child was inadequate, and a sickly child and an infant under two months were the least likely to survive and the cheapest to bury. Infants were taken no questions asked and it was understood that for 12 pounds no questions were expected to be asked. The transaction between the mother and the babyfarmer usually took place in a public place, on public transportation, or through a second party. No personal information was exchanged, the money was paid, and the transaction was complete. The mother knew she would never see her infant alive again.

Twelve pounds was a great deal of money for a young girl on her own, but baby farmers were interested in only one thing, "How much money have you got; or, how much can you get from the father of the child." <29> Oftentimes the man who had seduced her was
forced to supply her with the fee. Usually, but certainly not exclusively, <30> the seducers were sons of working class families, or perhaps the son of a butcher, a baker or some other tradesman. Some of them may well have been husbands or sons in the homes where the young women were employed as domestic servants. Paying the twelve pounds was certainly preferable to the exposure of the affair and an unwanted bastard child. When the desperate young mother asked for help from her seducer, she may well have received the twelve pounds and a copy of an ad like the one before mentioned. The problem would be taken care of once and for all; it would not cause him any future embarrassment. They were released from a shameful burden and the innocent infant was condemned to death. <31>

The primary objective of professional baby farmers was to solicit as many sickly infants or infants under two months as possible, because life was precarious for them and their deaths would appear more natural. They would adopt the infants for a set fee and get rid of them as quickly as possible in order to maximize their profits. The infants were kept drugged on laudanum, paregoric, and other poisons, and fed watered down milk laced with lime. They quickly died of thrush induced by malnutrition and fluid on the brain due to excessive doses of strong narcotics. The costs of burial was avoided by wrapping the naked bodies of the dead infants in old newspapers and damping them in a deserted area, or by throwing them in the Thames. <32>

Older infants were also lucrative. These babies, whose young mothers struggled to support and to visit them on a regular basis, were the ones who suffered a slow and agonizing death. Babies accepted under these conditions had to be healthy and robust. They were profitable because they could withstand the most abuse before they finally succumbed; the longer they lasted, the longer the weekly fees were paid. To insulate maximum profits the farmers would slowly starve the infants to death. The mothers continued to work night and day to support their infants believing they were being well cared for only to watch them slowly waste away. <33>

For older children neglect, abuse, and hunger were a way of life. Little Frederick John Wood, a sickly fourteen-month-old, was farmed out to a Mrs. Savill of 24 Swayton Rd., Bow. His mother visited him every week and believed he was being well cared for. Ten months later he died. The coroner’s report revealed that he had died from fluid on the brain, that he had a malformed chest, and that his hip had been broken for some time. When questioned Mrs. Savill admitted that while taking the child upstairs to bed she stumbled and fell on the boy. Though the child cried, she simply put him to bed in an egg crate filled with straw; a crate so narrow he could not turn over in it. At the time of little Frederick's death she had 11 children in her care and 5 had already died. Based on Dr. Atkins' testimony that the boy's death had been of natural causes, the jury had little choice but to return a verdict of death by natural causes, but they were not convinced. They requested that a censure against Mrs. Savill be added to the verdict; the coroner refused. Mrs. Savill went free and the incident was forgotten until the next child in her care died. <34>
The outcome of this inquest was not an exception, it was the rule. There were vigilant laws against mistreatment of animals, even strict licensing laws for cow-keepers, but, until 1872, there were no such laws to govern baby farmers. Anyone could be a baby farmer; there were no regulations to adhere to, no qualifications to be met, no supervision of their facilities or the care their small charges received. They neglected, abused, and slowly starved innocent infants to death with comparative impunity. Adopters were confident that society's momentary outrage over the horror of their trade and the ease with which they circumvented the law would have little effect on Parliament; children had no rights-no legal status-and even the worst abuse was beyond comment and intervention. Reform moved slowly for fear of violating the Victorian ideal of the sanctity of the family, and their abhorrence of government regulation and its involvement in social reform, both of which infringed on the rights of the individual.

Prior to the latter half of the 19th century, any reform measures such as the 1844 amendment to the Bastardy Clause, dealt with giving the mother legal recourse against the putative father for support of their child. But like the 1834 clause, the necessity of an acceptable corroborative witness to the child's paternity rendered the measure nearly useless. It was not until the early 1860s that a group of young doctors, who had been investigating the causes of infanticide, became alarmed at the virtual slaughter of innocent infants at the hands of baby farmers and began a concerted effort for reforms that would safeguard their lives. From 1861 to 1865 agencies such as the Association for the Preservation of Infant Life and the National Society and Asylum for Prevention of Infanticide launched the first, though uncoordinated and ineffective, attack on child murder. In 1865, the sensational trial of Charlotte Winsor brought baby farming to national, as well as international, attention and roused a great public outcry for reform.

On February 15, 1865, the body of Mary Jane Harris' four-month-old son was found wrapped up in a copy of the Western Times beside a road in Torquay. Miss Harris had farmed out the child to Mrs. Winsor for 3s a week, and, at first, resisted Mrs. Winsor's offer to dispose of the child. When the burden of its support became too much she stood by and watched Charlotte Winsor smother her son and wrap his naked body in an old newspaper; the body was later dumped on the roadside. Testimony revealed that Mrs. Winsor conducted a steady trade of boarding illegitimate infants for a few shillings a week or putting them away for a set fee of 3 to 5 pounds. The public pressure for reform, however, died down soon after Winsor was sent to prison. Dr. John Brendon Curgenven and Ernest Hart, along with a group of their associates in London's Harveian Society, remained outraged, however, and committed their organization to the fight for reform.

On May 16, 1866, Curgenven proposed that the Harveian Society investigate and expose the causes of child murder. The society gathered information from doctors, charitable institutions, public records, and researched the care of illegitimate children on the continent. On January 3, 1867, they compiled 20 recommendations, 3 of which called for the compulsory registration of all births, the registration and supervision of all persons hired to care for illegitimate babies, and a revision to the Poor Law of 1844 making the
father more responsible for his offspring. Curgenven and 45 of his colleagues presented the recommendations to Walpole whose attention was, unfortunately, on franchise reform.

Curgenven and Hart continued the fight, and baby farming continued to be brought to the attention of the public and Parliament. On March 18, 1867, Curgenven read a paper, "The Waste of Infant Life," to the Health Department of Social Science Association and gained its support for the recommendations he and his associates had made to Walpole. His paper was important because it, for the first time, introduced the idea that the central government was responsible for the welfare of infants and that it had neglected that duty for far too long. Ernest Hart, editor of the *British Medical Journal*, was determined to use the journal to expose the evils of baby farming. In January 1868, he placed an advertisement in a newspaper looking for a nurse for an unwanted infant. He received 333 responses, and managed to track down one of the women. The results of his investigation were published in 5 leading articles between January 25 and March 28, 1868. On January 31, 1868, The *Pall Mall Gazette* exposed yet another adopter. Mrs. Jagger of Tottenham, whose ads for childcare and confinement services could be found in the *Daily Telegraph*, was reported to have had from 40 to 60 infants in her care in the past three years, the majority of whom had died of starvation.

Baby farming was also intruding into the literature of the day. Lady Wood's *Sorrow of the Sea* (1868) was about an evil Essex baby farmer. James Greenwood included an entire chapter on baby farming in his book, *The Seven Curses of London*.

Despite all the attention focused on baby farming, Parliament remained unmoved, and Hart approached Lord Shaftesbury for his support. On July 29, 1868, Lord Shaftesbury asked the Lord President of Council, the Duke of Marlborough, to initiate an inquiry into baby farming. The Lord President agreed to focus attention on a method of registration and supervision for baby farms and lying-in houses, such as the one run by Mrs. L. Martin, who boasted of having disposed of 555 fetuses and infants in a 10 month period. Parliament's attention was once more drawn to more pressing matters—the Irish problem and education reform—and until July 1870 the baby farming matter was dropped.

In July 1870 the Brixton horrors perpetrated by Mrs. Waters filled the newspapers. In a matter of a few weeks, she had drugged and starved approximately 16 infants to death, wrapped their emaciated bodies in old rags and newspapers, and dumped them on deserted streets. Nine infants in precarious condition were removed from her home and taken to the Lambeth Workhouse; the majority died from thrush and fluid on the brain shortly thereafter. This and the story of Mrs. Harnett in Greenwich, who, for a fee, took a newborn from the lying-in house of Mr. Stevens and fed it watered down sour milk, arrowroot and corn flour until it succumbed from starvation 18 days later, led to the formation of the Infant Life Protection Society (hereafter called the ILPS) by Curgenven, Hart, and their associates. Through their dedicated efforts, and those of Mr. Charley and Mr. Robinson (MPs), The Infant Life Protection Bill 1871 -- aimed at protecting the lives of bastard children—was drawn up.
The Bill contained a clause which required the registration and supervision of nurses in the manufacturing districts who cared for children on a daily basis, and, much to the ILPS' amazement, it enraged members of the suffrage movement. Lydia Becker, editor of the *Women's Suffrage Journal* and leader of the Manchester branch of the National Society of Women's Suffrage, blasted the clause. Her journal reeked of the laissez-faire attitudes of the day, "officialism, police interference, and espionage," would oppress the ratepayers and infringe on the rights of the individual. She also objected to the entire registration and supervision process being handled entirely by men. <49>

Adversaries in the House of Commons saw it as an infringement on the rights of parents, stating, "The responsibility for the child in infancy as in later life, lies with them [parents], and we emphatically deny that the State has any right to dictate to them the way it shall be fulfilled." <50> In lieu of reform, the ILPS were forced to settle for yet another commission to investigate baby farming.

The commission's investigation included the testimony of Sergeant Relf, investigator in the Brixton case, which revealed facts in the case of Mary Hall, a lying-in house owner. Neighbors reported a steady stream of young pregnant women entering her home, but infants were never heard crying or seen leaving the premises. Those infants that lived long enough were farmed out, those that did not were buried in the backyard or dumped on some dark street. Neighbors reported seeing Mr. Hall feeding small bloody lumps (believed to be aborted fetuses) to his cats. When Mrs. Hall was finally arrested, she had 800 pounds in her possession; evidence of just how lucrative her murderous business was. The Metropolitan Police Superintendent testified to the difficulty of apprehending and prosecuting baby farmers. On July 10, 1871, the Select Committee on the Protection of Infant Life recommended the registration of all births and deaths, compulsory registration and supervision of lying-in houses and baby farms, all of which were included in the Infant Life Protection Act of 1872. <51>

The 1872 Act was a dismal failure because it did not include a comprehensive plan for the registration and supervision of nurses and their homes. The authority responsible for implementing the Act was the Metropolitan Board of Works which oversaw widening of the streets and the maintenance of the drains and sewers. Their best efforts to enforce the measure were ineffective and in 1872 they registered only 5 houses. In 1873 the Metropolitan Board informed Home Secretary Bruce that evasion of the Act was rampant, but he refused to take appropriate action to rectify the situation. In 1878 they appointed Samuel Babey as inspector of nurse children. In 1878 he found 284 illegitimate children in unregistered homes, 324 in in 1897, and 339 in 1880. Baby farming was alive and well, and doing business as usual, a fact made painfully clear in the 1896 case of Mrs. Dyer of Reading. She had been in and out of mental institutions for several years and had deep emotional problems, yet she had no problem procuring infants to care for. She was apprehended when she was caught throwing the bodies of babies she had strangled to death into the Thames. <52> The facts in this case led to the amendment of the Infant Protection Act in 1897. The new act empowered the local authorities to actively seek out baby farms and lying-in houses, to enter homes suspected of abusing children, and to remove those children to a place of safety. It also redefined improper
care of infants; "no infant could be kept in a home that was so unfit and so overcrowded as to endanger its health, and no infant could be kept by an unfit nurse who threatened, by neglect or abuse, its proper care and maintenance." <53>

Reform of the Bastardy Laws paralleled the fight for the protection of infant life, and in 1872 they were amended to make the putative father equally liable for the support of the illegitimate child until the age of 16, and it enabled the poor law boards to aid mothers in obtaining support for their children. This law served as the basis of dealing with the financial management of illegitimate children until 1957. <54>

At the close of the Victorian era, Curgenven and members of the Harveian Society, supporters in the House of Commons and in the House of Lords had tenaciously battled for the protection of infant life and a more equitable law regarding the financial security of illegitimate children for almost 40 years. The Victorians heightened sense of social conscience in the latter half of the 19th century certainly recognized the need for reform, but their laissez faire attitudes toward social and economic matters caused the wheels of change to turn slowly. An appeal made before The Society for the Prevention of the Cruelty to Animals in 1881, is indicative of how slowly. Their appeal for the organization of a Society for the Prevention of Cruelty to Children took 8 years (1889) to come to fruition, 65 years after the establishment of the Royal Society for the Prevention of Cruelty to Animals. <55>

Notes


4 Pinchbeck and Hewitt, p. 588.


6 Himmelfarb, p. 526.

7 *London Times*, April 19, 1834, p. 5, col. 2.

8 *London Times*, June 23, 1834, p. 4, col. 3.

9 Pinchbeck and Hewitt, p. 590.

10 *London Times*, June 20, 1834, pg. 2, col. 5.

12 *London Times*, June 23, 1834, p. 4, col. 3.

13 Pinchbeck and Hewitt, p. 589.


15 Pinchbeck and Hewitt, p. 591.

16 Pinchbeck and Hewitt, p. 587.


20 Walkowitz, p. 18.

21 Henry Fawcett, pp. 583-588.


23 Woodward, p. 596.

24 "Baby Farming," *Pall Mall Gazette*, January 31, 1868, p. 5.x


26 Greenwood, p. 23.

27 Greenwood, p. 23.


29 "Baby Farming, To the Editor of the Times," *London Times*, July 14, 1870, p. 4, col. 2.

30 "Baby Farming, To the Editor of the Times," *London Times*, July 14, 1870, p. 4, col. 3.
32 Greenwood, p. 27.
33 Greenwood, pp. 30-31.
34 Greenwood, p. 38.
36 Pinchbeck and Hewitt, p. 611.
37 Pinchbeck and Hewitt, pp. 591-593.
38 Behlmer, p. 16.
39 Behlmer, p. 19.
40 Behlmer, p. 21.
42 Behlmer, pp. 23-27.
43 *Pall Mall Gazette*, January 31, 1868, p. 5.
44 Greenwood.
45 Behlmer, pp. 23-27.
46 Behlmer, pp. 30-31.
49 Behlmer, p. 33.
50 Pinchbeck and Hewitt, p. 618.
51 Behlmer, p. 37.
53 Pinchbeck and Hewitt, p. 620.
54 Behlmer, p. 41.

55 Behlmer, p. 40.

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