She-Butchers: Baby-Droppers, Baby-Sweaters, and Baby-Farmers

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Preamble

The Editors, to maintain the spirit of “conversation” in this volume, reflect as follows on the wider context of this chapter: Issues of child-care have always substantial potential for creating moral panic. For Victorian’s, women having children outside marriage was a major problem, as they stood to lose their respectability. True, in an age when many single working women were in domestic service, recent work has shown that many mistresses could be sympathetic to girls seduced after promises of marriage. But their help to arrange child-care could touch only a small percentage of those “in trouble.” The resources of such concerned individuals or supportive philanthropic societies were too slender to permit them to help more than a fraction of those in need. Serious and difficult decisions, therefore, had to be made by the rest. Such predicaments were not new, but what was new for those not taking the road of infanticide was an increased potential for anonymity of action to hide “inconvenient” children, especially through the resources of the burgeoning print media. “Baby-farming” became a widespread child-care practice as a result of the implicit promise of anonymity in the “conversation” arranging the contract. But it also became notorious (despite genuine establishments) for disposing of children. The first important “criminal conversation” on baby-farming was that covering the case of Charlotte Winsor, executed in 1865 for killing children committed to her care. If today the need for anonymity has gone, conversations about child-care and criminality continue through high-profile media reportage of cases like Louise Woodward, tried in 1997 for the death of her charge, Matthew Eappen. Child-care for working mothers thus remains a key issue, with fears focused on the parental eyes, indicating an enduring social inability to resolve this dilemma.
Introduction

Baby-farming was one of the great unresolved scandals of the Victorian period. Its roots lay in the powerful economic pressure upon working-class women to work, especially if single, and in the difficulties which those considered not respectable faced in getting and keeping employment. This chapter examines the practice of baby-farming, how it was represented in the press and dealt with in the criminal justice process, and the consequences to those involved in such operations as well as the implications for women and unplanned motherhood generally. The dialogue surrounding official responses and measures to control the practice and implement monitoring and registration schemes constituted one of the major media debates of the last half of the nineteenth century.

A Widespread and Notorious Practice

In Victorian England, one way in which poor women could supplement their income was by taking in children to nurse. There was never a shortage of nurse-children. Each year thousands of women, many young girls in domestic service, were forced by harsh economic reality to give their illegitimate offspring for adoption or board them out. To a single woman, pregnancy was generally a disaster. As news of her condition got out she would, if a domestic, be likely to be dismissed, thus at a stroke losing both accommodation and income. To stave off dismissal, girls commonly concealed their condition as long as they were able. Most, however, were found out and, if turned out of work or family, their options were few. From the father little could be expected: the Poor Law Amendment Act 1834 had made bastardy orders hard both to obtain and enforce. If a man had money he might be prepared to pay for an abortion or to provide the cash premium demanded by a would-be adopter, but not all would do this. A girl with no support from her employer or her family (if she had one) faced stark choices: to have the child secretly and kill it at birth, or to give birth in the workhouse or whatever lodgings she could find, and then get back to work as soon as possible. Getting back to work (a necessity with not only herself but also a child to support) meant that some arrangement for the child’s care had to be made, since working women, whether domestics or factory workers, could not take their offspring to work. Yet many scarcely earned enough to support themselves, let alone a child.

To some, infanticide (often easily concealed in a city the size of London by dumping the body in an area remote from that in which the mother lived or
by obtaining a false certificate of stillbirth from a compliant midwife) seemed the only answer. “I determined . . . to kill it, poor thing,” explained seventeen-year-old Mary Morgan, hanged in 1805 for cutting the throat of her newborn child, “being perfectly sure that I could not provide for it myself.” A less desperate solution was to part with the child, either temporarily or for good. Servants were not the only class of women who had children they wished to be rid of; others included prostitutes, married women carrying children conceived in adultery, and single women of good family whose reputations and marriage prospects would be seriously harmed if it became known that they were pregnant.

In the second half of the century the easiest way of funding a person to adopt or board a child was through newspaper advertisements. The abolition of stamp duty on newspapers in 1855 had led to the appearance of popular national and local sheets, retailing for as little as a penny, most of which by the late 1860s carried daily advertisements from persons offering to take children for a weekly payment or a lump sum. Where a lump sum was sought it was usually on the basis that there should be no further contact between parent and child. Some of those placing advertisements were childless couples genuinely anxious to adopt a baby. Many, however, were repeat advertisers taking babies for the money to be made from them. Such persons usually took great pains to conceal their identity, using false names, representing themselves to be married, childless, and in comfortable circumstances and using letter-drops at post offices to communicate with those answering their advertisements. In London the handover of the child in such cases often took place at railway stations. In law, transactions such as these were ineffective to divest the mother of parental rights (until 1926 adoption was a concept unknown in English law). But where the mother wished to have no more to do with the child, these arrangements worked as a *de facto* transfer of custody which, because of the defective state of the law as to registration of births, it would often prove impossible later to upset.

Not all those who put their children out to adoption dealt with the adopter direct. In some cases, the placing would be done by a midwife. Alongside advertisements for adoption could often be found ones offering private lying-in facilities for pregnant women. These were expensive but, for a single woman of means or a married woman pregnant by a man other than her husband, they offered a means of disposing of her unwanted child without scandal. Leaving home on the pretext of a trip to London or to see friends, she would visit the lying-in house and deliver her child, which would then be put out for adoption or to nurse by the proprietor of the house, it being understood on all sides that there should be no further contact between mother and child.
In the 1860s, a group of London doctors decided to carry out an investigation into “baby-farming,” as it had been dubbed. In 1866 a committee appointed by the Harveian Society, after correspondence with doctors and charitable institutions, reported that baby-farming was carried on to a great extent in towns and manufacturing districts and that mortality among nurse-children was very high. It recommended, \textit{inter alia}, that persons taking in children to nurse be subject to supervision. In 1868 Ernest Hart, editor of the \textit{British Medical Journal}, commissioned Dr. Alfred Wiltshire to conduct an enquiry into abortion and baby-farming. Wiltshire placed two advertisements in the \textit{Clerkenwell News} offering two children for adoption. He received no less than 330 replies which he proceeded to follow up. His findings were summarized by the Earl of Shaftesbury:

The system [may] be divided into two parts. One . . . was the baby nursing, where infants were placed out to nurse by persons who really looked after them to some extent; the other part was the baby-farming, where infants were put out for the sole purpose of being got rid of altogether, or of never being heard of again by the parents. To this class . . . belonged Mrs. Winsor.

In 1869 James Greenwood took up the subject, asking:

Was there no remedy for [the modern and murderous institution known as baby-farming]? Would it not be possible, at least, to issue licences to baby-keepers as they are at present issued to cow-keepers? It may appear a brutal way of putting the matter, but it becomes less so when one considers how much at present the brutes have the best of it.

The practice of baby-farmers deliberately murdering, by starvation or worse, children entrusted to their care was, in fact, not new. In 1724 Defoe had written of the “unfortunate mother” of an illegitimate child having the “dreadful affliction” of either losing her job and starving, or “seeing the poor infant packed off with a piece of money to some of those she-butchers who take children off their hands,” who then “starve ’em and murder ’em.”

Potentially disturbing cases featuring baby-farming had been regularly mentioned throughout the 1860s but (despite a small panic surrounding the Charlotte Winsor case) had not caused sustained concern. Equally, while the results of the investigations by Wiltshire, Greenwood, and the Harveian Society did not pass unnoticed, neither did they provoke widespread clamor for reform. What served to bring baby-farming to the notice of the general public was the trial of Margaret Waters.
The Case of Margaret Waters

Waters, fifty-four at the time of her execution, had once been in comfortable circumstances. She and her husband had settled in Newfoundland, where they had prospered. In 1864, they came to Britain on a visit. In Glasgow her husband died. After winding up his estate in Newfoundland, she returned to England with £300 capital, took premises in Clerkenwell, and started a collar-making business. This quickly failed, swallowing up most of her capital. She resorted to taking in lodgers, particularly women about to be confined. Very soon the premises were being operated as a lying-in house, Waters taking the babies off their mothers’ hands for payment. Her financial situation deteriorated further and she began to advertise for, and take in, children. In 1868 she opened up a new line of the business. Knowing from the string of adoption advertisements regularly found in the Clerkenwell News that there were plenty of local women willing to take in nurse-children, she contacted these advertisers and placed with them children whom she had herself obtained by advertisement. Such placements usually cost her no more than two weeks’ payments in advance, far less than the premium she had herself been paid for taking the child. Having no intention of making any further payments, she took care to ensure she could not be traced. This fraud could not of course be perpetrated on the same baby-farmer twice, and eventually she began to resort to even more desperate and despicable ways of turning adoption premiums into profit. She would take a child got by advertisement into the streets, and when she saw a group of youngsters at play, she would call one over and say, “Oh, I am so tired! Here, hold my baby and here is sixpence [to get yourself something from] the sweet-stuff shop.” Then while the boy or girl was in the shop, she would make off. How many children passed through Waters’s hands during her career as a baby-farmer can only be guessed but, on her arrest, she was prepared to admit to forty in four years.

The events which led to her apprehension smack of carelessness, bad luck, or both—and realization of the implications of this was responsible for much of the resultant panic. By late May 1870 the Metropolitan Police were becoming concerned at the number of dead children’s bodies turning up on the streets of Brixton, and Sergeant Relf was given the task of tracing the persons responsible. “Baby-dropping” was common enough in Victorian England: mothers of stillborn or dead children commonly left the bodies in the streets and places such as parks, sometimes to conceal crime but, as often as not, to save the cost of burial. In 1870, 276 children were found dead in the streets of the capital. But the number of bodies turning up in Brixton that May was abnormally high: sixteen in a matter of weeks. On Sunday 12 June two more were discovered. Around midday, two children found a parcel
under some logs of timber; when it was opened it was found to contain the badly decomposed body of a child, wrapped in a piece of blue cloth and tied up in brown paper. On the paper, in a female hand, was written “Mrs. Waters.” Later that day, the body of a seven-week-old child was found by a lamplighter underneath a railway arch in Peckham. It too was wrapped in brown paper.

By the time these bodies were found, Waters and her sister Sarah Ellis were already in custody. Suspecting that a lying-in house was the source of the crop of corpses, Relf had begun, in late May, to keep watch upon an establishment in Camberwell Road run by a Mrs. Castle. One young woman seen leaving this address was seventeen-year-old Janet Cowen. Having discovered where she lived, Relf called and spoke to her father, who explained that his daughter, seventeen, had become pregnant following a rape, that he had arranged for her to have her child at Mrs. Castle’s premises, that the child had been born on 14 May, and that on 7 June he had handed it over at Walworth railway station to a woman giving the name of Willis. Being anxious to find a home for the child, he had answered an adoption advertisement which he had seen in *Lloyds’ Newspaper*. After an exchange of letters he had met the woman, who claimed to be married and in respectable circumstances, at Brixton station. She had declined to disclose her address, saying that she and her husband desired to avoid any risk of the child being taken back in the future.

Relf had meanwhile himself replied to a similarly worded advertisement in *Lloyds’ Newspaper* and had arranged to meet the advertiser at Camberwell station. The meeting took place on 8 June, with Cowen waiting close by. Cowen did not recognize the woman who turned up (who was in fact Ellis) but noticed that she was wearing the same dress as Willis had been wearing the day before. Relf agreed terms with Ellis and arranged to meet her the following night to hand over a child. When she left, he followed and traced her to an address at Gordon Grove, Brixton. On 9 June, Relf went there with Mr. Cowen and his housekeeper and demanded to see Cowen’s grandchild. After some prevarication, Ellis let them in and the child was produced. Plump and healthy when handed over, John Walter Cowen was now little more than skin and bone. In another downstairs room, Relf found five more children. All were dirty, emaciated, and like the Cowen child appeared to be drugged. In the yard were another five children. These were in a much better physical condition. Asked why they were so much healthier than the others, Waters replied, “We have so much a week for them.”

The Parish Medical Officer was sent for. He seized a bottle smelling of laudanum and arranged for Cowen’s grandchild to be placed immediately with a wet nurse. The following day Waters and Ellis were arrested for neglect and the remaining children taken to the Lambeth workhouse. On 24 June, the
Cowen child died. A postmortem examination established that death was due to want of sufficient food and the administration of narcotics. An inquest jury returned a verdict of manslaughter against Waters who was committed for trial at the Old Bailey. Reporting the verdict, The Times observed, “Manslaughter appears a mild expression for a woman . . . proved to have traded for some miserable gain in the lives of unprotected infants,” predicting that Waters would probably have to meet “not only this charge but others of equal enormity.” Given that by 4 July four of the children taken from Gordon Grove had died and two more would die within the week, this was an accurate prophecy.

The case was by now attracting huge press interest, with every inquest hearing and every appearance of the two accused before the Lambeth magistrates fully reported, along with any other cases relating to possible baby-farming. In mid-July Waters and Ellis were committed for trial at the Old Bailey, but their trial was postponed until the September Session. It was not open to the Crown to try all the murder charges at the same time. The indictment they elected to proceed with first was that charging both with the murder of John Walter Cowen. That five other children had died was by then notorious, making it a matter which the jury was likely to have difficulty putting out of their minds, however much they might be enjoined to do so by counsel and judge.

The trial took three days. At the end of the prosecution case, the judge, Lord Chief Baron Kelly, ruled that there was no evidence upon which the jury could convict Ellis of murder and directed her acquittal. The jury were urged by counsel for Waters to find that she had never intended that John Cowen should die; true he had been found in a weakly condition, but this was due to his having contracted diarrhea and thrush. Evidence was produced on the amount she spent weekly on milk and to show that she had called in a doctor. Some of the most difficult evidence for the defense to rebut concerned the drugging of the boy. Waters had denied that she had administered any sleeping medication to the children, but a bottle of laudanum had been recovered, and the doctors were adamant that, when found, Cowen and his five small companions were all exhibiting signs of being under the influence of narcotics. The coup de grâce was administered by a doctor, called on behalf of the defense, who conceded readily that opium killed children “like a shot.” The all-male jury retired on the third day. They were back forty-five minutes later with a verdict of guilty. Waters having been sentenced to death, Ellis was brought back up, pleaded guilty to the conspiracy indictment, and was sentenced to eighteen months’ hard labor.

Waters’s conviction was greeted in the press with almost universal rejoicing. Yet there were some who felt uneasy. Waters continued to protest her
innocence, claiming that the Cowen child had been intended for a couple in affluent circumstances who wanted a male child and that his death, which she had never desired, had been a pecuniary loss to her, not gain. She had done her best but he had simply failed to thrive. Particularly difficult to reconcile with the thesis of murder for gain was the fact that she had, when the boy was handed over, initially refused to take any money from Mr. Cowen and, in the end, would only accept two guineas, half the agreed premium. From a medical point of view the evidence was not strong. Babies deprived of mother's milk often failed to thrive and then contracted disease. As for the administration of narcotics, soothing syrups for children containing opiates could be bought over the counter and were sold in huge quantities in working-class districts. The *Daily Telegraph* reported the claim that it had been Ellis who had administered the laudanum, not Waters. Certainly Dr. Edmunds, who saw Waters in the death cell, came away convinced she had no intention of murdering any of the children. The reality, however, was that she never had the slightest hope of acquittal: the pretrial press publicity had been too damaging for that. Nor were her prospects of reprieve any better; she was hanged at Horsemonger Lane Gaol on 11 October, her death intended as a warning to other baby-farmers.

The Public Response

In 1872 Mr. Charley, the MP for Salford, had claimed that Waters's execution "had had the effect of breaking up many criminal establishments in the metropolis." Certainly for a time there was a dropping off of adoption advertisements, with some newspapers refusing to accept them. But the impact was short-lived. Although the conviction in August 1871 of a Manchester babyfarmer called Rodgers for attempting to murder a child which she had been paid £8 to take off its mother's hands kept the subject before the public eye, the public was losing interest. As Greenwood put it: "the fierce indignation . . . quickly settled down. . . . [I]t is hardly too much to say that our overwrought sympathies as regards baby neglect and murder fell so . . . flat that little short of a second edition of Herod's massacre might be required to raise them again." Adoption advertisements were soon as common as ever. The wider social realities were simply too pressing to permit this panic and its associated moral outrage to produce an enduring change in attitudes toward single mothers and their unfortunate offspring.

The only organization displaying any desire to tackle the problem was the newly founded Infant Life Preservation Society. In November 1870, a month after its inaugural meeting, its chairman, Charley, led a widely reported
deputation to the Home Office to press for legislation. He was given a courteous hearing, assured that government would not seek to obstruct a private member’s bill on the subject, and urged to include in such a bill a clause for the suppression of clandestine lying-in houses. In February 1871, Charley introduced his Bill. Based upon proposals which Curvegen, Secretary of the Harveian Society, had placed before the Social Science Association Congress in 1869, it provided that all persons taking in children to nurse, including day-nurses, must be licensed by a justice of the peace and regularly inspected by the Poor Law Medical Officer. Licensees were to be restricted as to the number of children they could take and under a legal obligation to notify the coroner of death of any nurse-child in their care. There were to be exemptions for persons taking in children for less than twenty-four hours, for boarding schools, public orphanages, and for persons looking after children whose parents were resident abroad. Far from being welcomed, the Bill drew a torrent of criticism down upon the heads of its promoters. Becker, editor of the Women’s Suffrage Journal, suggested that they would do better addressing the root causes of infanticide: the iniquitous bastardy laws, prejudice against employing unwed mothers, and basic maternal ignorance. Particularly objected to was the inclusion of day-nurses. Child minding represented an indispensable source of income to many honest poor women and provided a vital service for single women. Others were scandalized by the burden which registration and inspection would place on public funds. Realizing that the Bill had little chance of becoming law, Charley agreed to withdraw it in return for a Select Committee inquiry into the subject.

The Select Committee first met in July 1871. With Charley as Chairman, it sat for thirteen days, taking evidence from twenty witnesses’ conclusions. It mirrored those of the 1866 Harveian Society report. It found that the vast majority of cases where children were put out to nurse were to enable the mother to work. In manufacturing towns in Lancashire and Yorkshire, the usual practice was placing children with day-nurses, but in other areas the child was left with the nurse full-time. Most children placed out to nurse were illegitimate. Their mothers had generally no wish that they should be harmed, the high mortality amongst children under one year being due in most cases to such causes as lack of a mother’s care, ignorance, dirt, improper feeding, use of opiates to make children sleep, and sleeping a large number under one roof, not to criminal neglect. However, there were also criminal establishments (principally in London but also in Edinburgh, Glasgow, and Greenock) which took children with whom the mother desired no further connection, usually for a lump sum or at a weekly rate wholly inadequate for their support. These turned a profit by making sure that the child did not survive long, acquiring their babies either from lying-in houses or through newspaper or
circular advertisement. Much of the difficulty which the police experienced in bringing criminal baby-farmers to book was due to the great secrecy in which the trade was conducted (women who gave birth in lying-in houses generally refused information to the police) and their lack of a right of entry. The Committee's recommendations had a familiar ring to them: lying-in houses should be licensed and women taking in two or more nurse-children under one year of age should be required to register; all illegitimate children should be under the supervision of the Poor Law Medical Officer for the district and registration of births and deaths should be made compulsory.

Press reaction to the report was generally favorable, but with the government showing no inclination to act, it was left to Charley to take the matter up again. In 1872 he introduced the Infant Life Protection Bill. In order to get it through he found himself obliged to make concession after concession. Because of alleged difficulties in drafting, lying-in houses were left untouched. So that the Bill should not impose any burden on public funds, it contained no provision for the inspection of baby-farms. The 1872 Act made it a criminal offense to receive for hire or reward more than one child under a year for more than twenty-four hours, unless the house in which it was received had been registered with the local authority. Local authorities were given power to refuse and to cancel registration. Exempted from the Act's provisions were relatives, guardians, and persons with whom children were boarded out by Poor Law authorities.

The Act's Shortcomings

Even before the Act reached the statute book there were press predictions that it would be easy to evade and would turn out to be a dead letter. And so it proved. In its first two months, just five houses had been registered in London, and the number still stood at five in 1877. Outside London, no houses were registered at all. These pitifully low figures were taken by some as confirmation of the Act's effectiveness. In March 1876 it was stated, in the course of a hearing at Greenwich police court, that the Act had virtually abolished baby-farming. In the same month the British Medical Journal announced that this was also the view of the Ladies' Committee of the Infant Life Preservation Society: "Nearly all the baby-farms have been broken up . . . the Act has been the means of protecting infants from systematic violence." What the low registration figures in fact showed was that the Act was having little or no impact.

There were two problems. The first was the lack of enforcement machinery. In 1878, the Metropolitan Board of Works, the registration authority for
London, which had, up until then, taken no steps to implement the Act other than maintaining a register, was persuaded by the Home Office to introduce a system of inspection. A retired police sergeant, the aptly named Samuel Babey, was appointed. By replying to adoption advertisements and acting on tip-offs from the police and others, he busied himself trying to track down unregistered houses. But the Board was the only authority prepared to act with such vigor. Outside London the Act went almost wholly unenforced, neither police nor local authorities being prepared to devote resources to seeking out unregistered baby-farms. Five years after the Act had come into force, the local authority in Newton Abbott, Devon, had not even troubled to set up a register. In 1896, the Reverend Benjamin Waugh, director of the National Society for the Prevention of Cruelty to Children (NSPCC), summed the position up: “The Act is not carried out [outside London] because local authorities do not appoint an inspector to do it. . . . In seven years . . . we have met with one and I think that was at Bristol.”

Second, the Act had no application where all, or all but one, of the children were aged one or over. Even before Babey’s appointment, it had been the belief of the Metropolitan Board that most baby-farmers would be found to be outside the provisions of the Act. Babey’s work simply confirmed this. Between 1878 and 1894 only 205 of 9,573 unregistered houses inspected by Babey and his fellow inspector were found to be within the Act. One of the most glaring deficiencies of the Act was that it did not apply at all to baby-sweaters, women who adopted children one at a time and then, once the premium had been paid, immediately passed the child on to another baby-farmer for a smaller premium or simply abandoned it: the ill-treatment of children “in single file” as the British Medical Journal called it.

How little the Act had done to deter the criminal baby-farmer was demonstrated by a clutch of horrific cases, which hit the headlines in the years 1877–79. In 1877, Sophie Todd, twenty-nine, was convicted of strangling a three-week-old child she had obtained by an adoption advertisement, the third who had died in her care. Two years later a Birkenhead couple called Barnes stood trial for the murder of a little girl who was but one of many they had obtained as a result of advertising for children. In the same year, Annie Took was convicted of murdering a handicapped child she had taken in return for payments. In poverty herself and with four children of her own to support, she had murdered the infant when the mother stopped making the weekly payments. Of the four accused, only Took went to the gallows. Although sentenced to death, Todd was later reprieved, while in the Barnes’s case the jury convicted only of manslaughter. But there were immediate calls for the Act to be amended and extended.
In February 1880, a deputation from the *British Medical Journal* urged the introduction of stringent regulations for enforcement of the Act because, as the *Pall Mall Gazette* commented acidly, “A case tried at Chester this week shows that the arm of the law is not long enough or strong enough to deal effectually with the 'baby-farmers.'” In March, the Home Office wrote to the Metropolitan Board of Works asking for its recommendations. Its reply urged extension of the Act to cover single-child cases, raising of the age limit from one to five years, and outlawing “lump sum” adoptions. However, the General Election turned the Conservatives out of office and the incoming Liberal administration showed no interest in the question. The steady trickle of reporting of cases, and criticism of the legislation, continued.

In 1888 baby-farming was again in the news. A coroner’s inquest exposed to public gaze the activities of Arnold, a baby-sweater who had been dealing in children on a huge scale (twenty-four children were proved to have passed through her hands in short order; police suspicion was that these represented merely the tip of the iceberg). Later that year boys playing football on waste ground in Edinburgh were horrified when the bundle of rags they were using as a ball spilled open to reveal a body of a dead boy. The child was traced to Jessie King who lived nearby. She had adopted it days previously in return for a small premium. The lad was in fact the third nurse-child she had murdered. Expecting but a small sentence, she was hanged for murder.

Reaction to the two cases was immediate. In early December, the Home Office sent out a circular letter to local authorities requesting their opinion on the need for new legislation. In 1890 two Bills were introduced, one by the Home Office and a more far-reaching measure sponsored by the NSPCC. Both proposed to extend the 1872 Act to all cases where a child under five was taken in for hire or reward for more than twenty-four hours. On its second reading, the government Bill met with a storm of opposition. It was, declared one MP, a Bill for the persecution of honest poor families. “As the Bill stands,” declared another, “if a widower moves in search of work and leaves his child with his mother, married sister or some other relative [she] must have her house registered as a baby-farm.” Again, the Bill was referred to a Select Committee. Evidence was called to the effect that, unless there was an exemption for those to whom children were boarded out by charitable organizations like the Foundling Hospital, such bodies would find it difficult to find suitable families to take children, since respectable people had a great antipathy to, and would not submit to having to register as though they were, baby-farmers. In the face of the objections, both Bills were withdrawn.

Baby-farming cases, however, continued to catch the headlines in the press. In 1891 a woman named Reeves was convicted of the manslaughter of a child...
(the evidence revealed that out of twelve children placed in her care eight had
died).50 Also tried at the Old Bailey that year were Joseph and Annie Roadhouse, a pair of baby-sweaters. They had obtained children by advertising in the press and, like the Barneses, had induced parents to pay the premiums asked by misrepresenting their status and making false claims as to the kind of home they would provide; no less than thirty-five children had been obtained in this way and immediately farmed out. Convicted of obtaining by deception, they were sentenced respectively to eighteen and twelve months’ imprisonment.51

In 1895, a Bill drawn in similar terms to the government Bill of 1890, was introduced by Lord Onslow, but again a general election intervened to prevent its further progress. After the election the matter was taken up by the Earl of Denbigh who, in 1896, introduced a Safety of Nurse Children Bill. Drawn in particularly stringent terms, it was referred to a Select Committee, where the evidence given was a rehash of that in 1871 and 1890.52 It was asserted by Babey and other witnesses that, if baby-sweaters and others presently outside the Act were to be subjected to control, it would be essential for it to be amended to require registration in any case in which a child under five was received for more than twenty-four hours for hire or reward, and for registered houses to be inspected regularly. As in 1890, however, there was no shortage of witnesses willing and anxious to spell out the harm which a blanket extension would do to the work of charitable bodies. The need to regulate lying-in houses, described by Benjamin Waugh as “a great source of infanticide and the [places] from which baby farmers got the material for their trade,” was also stressed by a number of witnesses.53 The evil of adoptions for lump sums was returned to, although it was emphasized that a child taken in return for weekly payments was often in as much danger. If the payments stopped the child would be at great risk of being either starved or abandoned. It was also pointed out that baby-dropping was as prevalent as ever. Essentially the message was the same as before. The present Act was a dead letter.

While the Committee was sitting, Amelia Dyer stood trial for murder at the Old Bailey.54 Aged fifty-seven, with a history of mental illness, she had been taking in babies for years. She first came to the notice of the authorities in 1879 when she was prosecuted for failing to register her house and jailed for six months. On discharge, she quickly returned to her old trade. She took one child at a time and few survived long. In April 1896 the bodies of two children were found in the Thames; both had been strangled and both were traced to her. While in custody she made a confession telling the police they would be able to tell which were hers by the ribbons around their necks. Tried by Mr. Justice Hawkins, with his customary unfairness, she was convicted and executed. The press, the country, and the Queen all rejoiced.
at the hanging. It was the highest profile baby-farming case since that of Margaret Waters, and this time legislation quickly followed, taking immediate advantage of the furor. In 1897 Lord Denbigh’s Infant Life Preservation Bill reached the statute book although only after being much cut about in Committee.

Yet like the 1872 Act which it replaced, it was unfortunately a poor thing. It imposed on all persons receiving two or more children under five for hire or reward, for longer than twenty-four hours, a duty to notify the local authority within forty-eight hours, and also to notify the local authority if any such child was removed and the coroner if it died. Local authorities were required to provide for the execution of the Act and given power to appoint inspectors to enforce it. Inspectors were given the right to apply for a justice’s warrant if refused entry or inspection, and local authorities had the power to remove to the workhouse or a place of safety any child kept in unfit premises or by a person unfit to have its care and maintenance. Exempted from the obligation to notify were relatives and guardians, hospitals, convalescent homes of institutions established for the protection and care of infants, and persons with whom infants were boarded out by the Poor Law authorities. The most glaring shortcoming of the Act was its failure to deal with baby-sweaters, a defect which would attract future press criticism on an annual basis. Once again lying-in houses had been ignored, presumably because of the alleged difficulties of definition, while the provision concerning lump sum payments was next to worthless.

In Australia, as the 1896 Select Committee had been made aware, the problem was, by contrast, being tackled with far greater vigor. In 1890 the State of Victoria had enacted its own Infant Life Protection Act. This, like its English counterpart, imposed upon any person receiving a child under two for nursing or maintenance, a duty to register with the police and likewise to register the premises where the child was to be kept; registration was to be for one year and could be refused or revoked for good cause. The Act also required any person adopting or taking in a child under three to give notice of the fact. The police were given power to inspect any premises or child registered under the Act, accompanied, if necessary, by a doctor. Significantly, lying-in houses were required to be registered as private hospitals and the occupier of any premises where an illegitimate child was born was required to give notice of its birth to the Registrar of Births, Deaths, and Marriages or the police within three days of the birth. The death of a child in a registered house was likewise to be notified within three days as was the death of any illegitimate child under five. Also, no child who died within a registered house was to be buried without a burial certificate. In England it would take another quarter of a century to put in place a similarly rigorous regime.
Conclusion

While the 1897 Act was an improvement upon that of 1872, few can have expected that it would mean the end of criminal baby-farming, nor did it. In the first decade of the twentieth century four baby-farmers were hanged for murder.59 It is impossible to estimate how many infants were deliberately done away with by such women during the nineteenth century. Few baby-farmers resorted to strangulation or violence. Neglecting a baby was just as effective a method of killing and far safer, such a death commonly wearing the appearance of, and being treated as, due to natural causes. Cases such as those of Margaret Waters and Amelia Dyer caused huge anger at the time, but they were seen as atypical and once the perpetrators had been hanged, the public forgot about baby-farming until the next case hit the headlines.

By the start of the Second World War the evil of baby-farming was no more. Had Parliament in Victoria’s day shown the same determination to grapple with the problem as it did during the years 1910–1939, many young innocents could have been saved, but the political will was never there. The crimes of Waters, King, and Dyer shocked Victorian society, but once they had been convicted and executed, the public, press, and politicians quickly lost interest because the moral outrage was not sustained, due to the realities of the need for easy and cheap solutions to providing for bastard children and getting working-class mothers back to work. But as recent child-minding cases have shown, a society with large numbers of working mothers is always vulnerable to such abuses, and to panics made short-lived by the practical pressures of requirements for child care.

The passing of the Acts of 1872 and 1897 created the illusion that action was being taken to deal with the evil. But, as those interested in the subject knew, they were little more than window-dressing. Rooting out the evil would have required a comprehensive scheme or registration and the creation of an army of public officials armed with wide ranging powers of inspection and entry, and for that politicians and public alike had little enthusiasm. As Prime Minister Lord Salisbury put it in 1896, “People do not like being registered or to have their homes inspected by a government official by day or by night and he desired to see [measures] framed in conformity with the liberty of the subject and the rights of persons who are acting in perfect innocence.”60

Notes


3. It was not a straightforward case, as reportage made plain. See *Pall Mall Gazette*, 2 August 1865; R. S. Lambert, *When Justice Faltered* (London: Methuen, 1935), 92ff.

4. After 1834 such an order could only be made where there was evidence to corroborate the allegation of paternity.

5. Even home workers could not easily have a child with them, if single.


7. Adoption of Children Act 1926.

8. First used in the 1840s to describe Drouett’s so-called Infant Pauper Asylum in Tooting, where children were boarded out by Poor Law authorities in large numbers, the term “baby-farm” had come to mean a house where nurse-children were taken in for money.

9. The Herveian Society was a London-based medical society with an interest in social matters.

10. In 1867 their recommendations were endorsed by the Social Science Association Congress.

11. See *British Medical Journal*, 25 January, 75; 8 February, 127; 22 March, 175; 28 March 1868, 301.


16. See OBSP 72 (1870), 539 ff.


19. See, for example, *Daily Telegraph*, 15 June; 23 June; 9 July; 6 August; 15 August 1870.


21. Leader, *The Times*, 24 September 1870: “A heavy blow has been struck at one of the greatest iniquities of our day . . . society may be thankful that such a crime has been brought home to one of its perpetrators.”


23. *Select Committee on the Preservation of Infant Life* 1871, Evidence, Curvengen; Evidence, Herford.


25. See for example *The Times*, 23 June 1870, which saw fit to opine, “The evidence conclusively proves foul play.”


29. The Times, 10 November 1870; Daily Telegraph, 10 November 1870.
30. PP II, 1871 (49), 483.
32. PP VII, 1871 (372), 607.
33. PP II, 1872 (6), 269.
34. Pall Mall Gazette, 30 October 1872.
35. Daily Telegraph, 20 March 1876.
37. See Lush J’s observations in R v Binmore, The Times, 22 March 1875.
40. The Times, 30 July 1877.
41. The Times, 29 October 1879; 30 October 1879.
42. The Times, 23 July 1879.
43. Pall Mall Gazette, 6 February 1880.
44. The Times, 5 October 1888.
46. PP V, 1890 (142), 523.
47. Hansard, 342, 1890 col. 1083.
48. Ibid., col. 1084.
49. For its proceedings, see PP XIII, 1890 (346), 623.
50. OBSP, 1890–91, 113, 643.
51. The Times, 8 May 1891; 9 May 1891.
52. PP X 1896 (343), 225.
54. The Times, 22 May 1896; 23 May 1896; OBSP 1896, 124, 725.
55. F. W. Ashley, My Seventy Years in the Law (London: Bodley Head, 1936), 128: “[Mrs. Dyer’s] execution was said to have afforded Queen Victoria more than ordinary satisfaction.”
57. See, for example, Letter, Francis Zanetti, The Times, 20 January 1903.
58. Five years after the coming into force of the Victoria Act, in the case of Makin v AG for New South Wales, Judge Stephen, an Australian judge and cousin of Sir James Fitzjames Stephen, had taken a bold stance when confronted with an issue as to the admissibility of similar fact evidence in a baby-farming murder case. In Waters Kelly LCB had refused to admit such evidence but, in Makin, Stephen J held it admissible, a decision upheld on appeal by the Supreme Court of New South Wales and finally by the Judicial Committee of the Privy Council ([1894] AC 57), thereby becoming one of the leading authorities on the law of similar fact evidence.
59. They were Ada Chard Williams (hanged 8 March 1900), Amelia Sach, Annie Walters (hanged 3 February 1903), and Rhoda Willis (hanged 14 August 1907).
60. Hansard 38, 1896, col. 418.