

December 2014

# "Murderous Mania": Gender and Homicide in Milwaukee Newspapers, 1840-1900

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“MURDEROUS MANIA”: GENDER AND HOMICIDE IN MILWAUKEE  
NEWSPAPERS, 1840-1900

by

Kadie K. Seitz

A Thesis Submitted in  
Partial Fulfillment of the  
Requirements for the Degree of

Master of Arts  
in History

at

The University of Wisconsin – Milwaukee

December 2014

ABSTRACT  
“MURDEROUS MANIA”: GENDER AND HOMICIDE IN MILWAUKEE  
NEWSPAPERS, 1840-1900

by

Kadie K. Seitz

The University of Wisconsin-Milwaukee, 2014  
Under the Supervision of Professor Rachel Ida Buff

This study examines the ways in which Milwaukee’s newspapers used gender norms to make sense of acts of murder during the nineteenth century. First, women victims of men’s violence are examined, particularly through the lenses of ethnicity, class and race. Women victims who did not fit into middle class gender norms were less likely to be portrayed as “beautiful female murder victims.” Then, women perpetrators of violence (not exclusively against men) are discussed, including a specific examination of women’s use of an insanity defense. Newspaper tropes used to describe women’s motivations for filicide are also examined, and found to vary based on the class of the women involved as well as their abilities to fulfill middle class gender norms. Last, the connection between anti-abortion rhetoric and newspaper coverage of Milwaukee infanticides is discussed. This section argues that newspaper rhetoric explicitly denouncing infanticide as equivalent to the murder of adults did not emerge in Milwaukee’s newspapers until the mid-1870s, simultaneous to the growth of popular support for the anti-abortion movement.

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## ACKNOWLEDGEMENTS

I am incredibly grateful to the large number of people who have helped, supported and challenged me through the completion of this project, and would like to thank a few of them here. My advisor, Dr. Rachel Buff, encouraged me when I needed it and challenged me to think of the bigger picture and not rest on my laurels. Professors Joseph Rodríguez and Carolyn Eichner served admirably as my committee members and provided me with helpful guidance and feedback. Dr. Nan Kim also provided me with a great amount of support and understanding in the stressful final months of this project.

Many thanks are also due to my family and friends. My parents simultaneously showered me with unwavering positivity and the drive to push ahead. My brother acted as both an intellectual and emotional sounding board throughout this process, for which I am exceedingly grateful. My partner, Jacob Kornely, supplied me with daily reassurances, support, encouragement, humor and love, and without him this project would likely not have been completed. Last, many thanks to Dewey, to whom I am nothing more than a warm lap.

## Introduction

A historian's work, at its core, is that of a detective. Not unlike Sherlock Holmes, historians use even the smallest pieces of information to discover their broader implications. Historians and detectives both use evidence to create the most likely narrative. Both, ultimately, are fallible. This study is my attempt to read the clues left behind – often unknowingly – in newspaper accounts of homicide to reconstruct the cultural environment of Milwaukee in the nineteenth century. In this study, I examine how women involved in homicides as victims or as perpetrators were portrayed in Milwaukee's newspapers between 1840 and 1900.

The aim of this study is to tease out some of the coded meanings behind nineteenth century newspaper coverage of the intersection between violence and gender. Violence generally – and homicide specifically – illustrated the fractures in an intricate web social norms and expectations, norms which were often based on gendered behavioral constructs. Popular culture such as newspapers interpreted aberrant acts of violence for a fearful public, comforting consumers by fitting nonnormative behaviors into familiar narratives. These popular narratives allowed consumers to safely speculate what would happen if they stepped outside of normative behavior, and to simultaneously condemn those who did perform taboo acts.

Media narratives, such as those created in newspapers, simultaneously created, reinforced and complicated broader conceptions of gender, race, class and ethnicity. Interpreting the cultural connotations of individual words or phrases used in newspaper articles, while at times challenging, provides a more complete image of the cultural and

social world inhabited by both those involved in violent acts as well as the consumers of media reports of violence. While nineteenth century newspaper articles revealed, at least in part, the social-cultural environments of their readership, they simultaneously pulled from other cultural productions (such as broadsheets, dime novels, evangelical literature and popular theater) to create gendered narrative categories of victimizers, victims and paternalistic protectors. However, the burgeoning newspaper industry grasped on to crime narratives in a particularly unique way. As Carol Stabile argues:

Nowhere is the cultural production of victims as evident as it is in crime news narratives, where victims of all sorts have long been abundant and the lines between the victimized and victimizer have been strictly policed. Crime news, the premier human-interest story, is a cultural form that depends on the presence of victims for its affective and rhetorical force.<sup>1</sup>

In an effort to define and reinforce firm categories of victimhood versus victimizers, then, newspapers frequently turned to notions of gender roles, and racial and ethnic identities to make sense of violent actions.

Violent criminal behavior violated the boundaries of gender, class and race, which legal structures fought strongly to enforce. For this reason, these categories “are among the most important sites for struggles over the historical meanings assigned to deviance.”<sup>2</sup> Crime reporting, then, functioned as a lens through which readers were able to comprehend, define and punish victimizers and deviant criminals. Therefore, crime reporters represented the voice of dominant social norms, and not necessarily the voice of the victim or the victimizer.

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<sup>1</sup> Carol Stabile, *White Victims, Black Villains: Gender, race and crime news in US culture* (New York: Routledge, 2006), 4.

<sup>2</sup> *Ibid.*, 5.



This study examines the dark underbelly of Milwaukee's history, its frayed edges, to better understand its entirety. How the seemingly aberrant violence documented in these pages was interpreted through newspaper coverage provides an insight into what was and was not considered normal, acceptable behavior on the part of Milwaukee's men and women. When an act of violence broke free of the mold of normative behavior, media narratives struggled to make sense of it, fitting it into understandable narratives of deviance. Crime reporters did this, in part, by emphasizing gender, racial, ethnic and class difference. Further, they used abnormal behaviors to act as morality tales, thereby discouraging future defiance of gender, racial, ethnic or class roles.

### **Setting the Scene: Nineteenth Century Milwaukee**

Milwaukee serves as an intriguing case study for this study due to its place as a predominantly immigrant city, born as a frontier outpost which gradually became a Midwestern urban industrial center. Between Milwaukee's founding in 1836 and 1848 when Wisconsin gained statehood, the city's Euro-American population grew from 125 to 16,521.<sup>3</sup> Like other frontier cities during this period, the population was a mix of French traders and early Yankee settlers, "British adventurers, Irish navies, [and] would-be farmers from the states of the German Confederation."<sup>4</sup> By 1848, nearly sixty percent of Milwaukee's population was foreign-born. The trend of majority foreign-born residents continued for several decades.

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<sup>3</sup> Kathleen Neils Conzen, *Immigrant Milwaukee, 1836-1860: Accommodation and Community in a Frontier City* (Cambridge, MA: Harvard University Press, 1976), 15.

<sup>4</sup> *Ibid.*, 15.

Milwaukee became particularly attractive to German immigrants starting in the 1850s, which led to its reputation as the “German Athens.” Pamphlets, guidebooks and letters advertised Wisconsin’s “excellent soil, good transportation, healthy climate, light tax load, and inexpensive land.”<sup>5</sup> Religious leaders also encouraged German settlement in the city, with both the Lutheran and Catholic leadership of the city being of German origin. These early German immigrants became, along with wealthy Easterners, the city’s elites. German immigrants and their children created uniquely German cultural institutions, including multiple German-language newspapers. The German-language *Banner*’s high subscription rates made it second only to the English-language *Sentinel* by 1850.<sup>6</sup>

However, there were factions among German immigrants, largely along religious lines. Almost a third of German immigrants were Catholic by 1850, and the church proved to be a main source of community among German Catholics, “as parishes became fundamental cells of community life reflecting the geographical and ethnic divisions of the city.”<sup>7</sup> German Protestants were generally slower in developing communal institutions, due largely to the multitude of strains of Protestantism. Protestant churches then became a source of ethnic and religious division amongst German Protestants, as well as Protestants of other ethnicities. Religious divisions amongst immigrant groups infiltrated popular culture as well, with coded language used to imply one religion’s superiority or inferiority over another.

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<sup>5</sup> Ibid., 35.

<sup>6</sup> Ibid., 184.

<sup>7</sup> Ibid., 163.

Other ethnic groups made their mark on the city as well, settling largely along ethnic lines. Irish immigrants, who were largely Catholic, made up around fifteen percent of the city's population into the 1850s. By the late nineteenth century, Polish immigrants, who were also largely Catholic, formed the second largest immigrant group in the city behind Germans. Other groups of European immigrants such as the Italians and Czech similarly made their mark on the city, especially during the later nineteenth century.

Starting in the 1880s and continuing until the First World War, the city of Milwaukee witnessed massive numbers of European immigrants more than doubling the city's population from roughly 115,000 in 1880 to roughly 285,000 by 1900. Although the city's population remained smaller than many Eastern cities, immigrants and their children made up 86.4 percent of the total population, giving Milwaukee the reputation of being the most foreign city in the country.<sup>8</sup> In comparison, the national average of foreign-born population in 1890 was 33 percent.<sup>9</sup>

Although the occasional economic downturn caused some bumps in Milwaukee's economy, industry in the city remained fairly strong. The number of workers employed in traditional trades—such as dressmakers, seamstresses, tailors, blacksmiths and servants—declined, while retail and factory work, especially among women, rose.<sup>10</sup> Workplaces, like neighborhoods, frequently divided along ethnic lines. Since employers had the discretion to hire along whatever lines they desired; this often translated to workplaces

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<sup>8</sup> John Gurda, *The Making of Milwaukee* (Milwaukee, WI : Milwaukee County Historical Society Press, 1999), 170.

<sup>9</sup> Ibid.

<sup>10</sup> Bayrd Still, *Milwaukee: The History of a City* (Madison, WI : State Historical Society of Wisconsin, 1948), 412.

that were dominated by one ethnic or religious group over another.<sup>11</sup> The elites of the workforce were largely German, British or Americans, and the foremen and middle managers were almost exclusively male.<sup>12</sup> Although infighting among ethnic groups occurred, industry continued to succeed due in part to a large supply of available workers. Employers found hiring women and children, who worked for lower wages than their male counterparts, especially appealing. Women workers increasingly joined the industrial workforce of the city. With advances in technology, women who had previously worked in piecemeal operations based inside of their homes moved into workplaces outside of them.

With women migrating to the city in large numbers from Europe and rural regions of the state, and increasingly entering previously male-dominated areas of industry, middle class fears over what would happen to their morality were widespread. The River Street district of the city—conveniently close to city hall—featured gambling, saloons and brothels of all types. Reformers frequently targeted stall saloons, which provided private rooms for unmarried couples.<sup>13</sup> The city's brothels were famous throughout the region, attracting customers with a variety of budgets, from modest to extravagant; one such brothel contained forty-two different rooms, each decorated in a different style, from

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<sup>11</sup> See, for example, the case of Patrick Cudahy, who employed mainly Polish workers, believing workers of Mediterranean origin were “undesirables.” Robert C. Nesbit, “Making a living in Wisconsin, 1873-1893,” *Wisconsin Magazine of History* 69, no. 4 (1986) : 258.

<sup>12</sup> Ibid.

<sup>13</sup> Still, *Milwaukee*, 426.

a Japanese room to a Louis XIV room which featured a golden throne.<sup>14</sup> Much of the vice exhibited in the River Street district was politically sanctioned, or at least ignored, resulting in even more moral outrage among many in the middle classes.

The multitude of rapid changes that nineteenth century Milwaukee underwent including social expectations of women and changing expectations that women had for themselves; and the changes that rapid European immigration created in the form of an expanding economy, diverse religious practices, and an increased access to urban amenities (such as saloons, schools, and a police department) can be seen in newspaper crime reports of violence involving women. Fears over the effects of such rapid changes on the morality of the working classes occupied middle class thought and found its expression in part through crime reporting, a popular and growing practice.

### **Newspapers and the Rise of Crime Reporting**

Prior to the 1820s and 1830s, Americans interested in stories of salacious crimes would not turn to their local newspapers for the details. Newspaper editors prior to this period generally eschewed reporting news of criminal activities for several reasons including logistical restraints and moral concerns. Newspapers were generally published on a weekly basis, which meant that news of particularly interesting crimes had likely been thoroughly discussed amongst locals by the time that harried editors could report on them. Additionally, newspaper editors were concerned about the potentially negative effects of reporting on local crime: “along with their readers, they preferred not to publicize matters that could only embarrass their community, tarnish their image, and

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<sup>14</sup> Ibid., 427.

perhaps even corrupt weak-minded readers into taking up a life of crime themselves.”<sup>15</sup>

This latter reason indicates class-based concerns over interest in crime reports; middle and upper class newspaper editors feared that working-class readers who enjoyed crime reports would become morally corrupted by such stories. Even as crime reporting became popular among even the middle classes, some newspaper editors and readers feared the effects of such stories on impressionable minds.

Although Americans could not find details of crime in newspapers prior to the 1820s and 1830s, they could satiate their appetites through the large amount of ephemeral crime literature which had been published since the colonial period. These cheap and often-rushed broadsides and pamphlets served both religious and secular purposes. Crime ephemera served as a sort of morality tale, describing the regrets of soon-to-be hanged ne'er do wells and the perils of taking a sinful path. These pamphlets often detailed a sinner's redemption through God. Crime pamphlets simultaneously reveled in the details of particularly unusual crimes, “and a particularly audacious or clever rogue could find himself celebrated rather than condemned.”<sup>16</sup> The intense popular interest in tales of crime began to seep into urban newspapers with the development of a new type of newspaper known as the penny press.

While urbanization and industrialization was a source of near-constant struggle and concern for many Americans of all classes, both lead in part to the emergence of the penny press. The working classes were the perfect audience for these inexpensive, local

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<sup>15</sup> Andie Tucher, *Froth and Scum: Truth, Beauty, Goodness, and the Ax Murder in America's First Mass Medium* (Chapel Hill, NC: University of North Carolina Press, 1994), 10.

<sup>16</sup> *Ibid.*, 11.

newspapers: “these readers were literate enough to enjoy light reading, solvent enough to spare a penny a day for entertainment, and buoyed by the egalitarian sense that they deserved every civilized accessory the ‘better sort’ did.”<sup>17</sup> The demographics of which readers were most interested in the penny press’ coverage of crime reports remain rather difficult to ascertain. Cultural historian Michael Denning argues that the audience for dime novels and the penny press were “predominantly young, ‘lowbrow’, and internally divided by gender.”<sup>18</sup> Denning found that men and women were interested in different subjects, although men generally read more than women. Denning further describes the penny press’ audience: “it includes...the ‘producing classes’... encompassing German and Irish immigrants and ethnics but excluding Blacks and Chinese immigrants and ethnics.”<sup>19</sup> Thus, readership was clearly divided along ethnic lines, with some groups publishing and reading more of this type of literature than others. The readers of the penny press were not particularly interested in the subjects covered in the “sixpenny sheets” (the larger, more expensive urban newspapers), such as economics or dry international affairs. Instead, the penny presses incorporated many of the elements of popularity of crime pamphlets.

Crime reporting appealed to the editors of penny presses because it was relatively cheap to produce and appealed to its working class audience who were already familiar with crime pamphlets. Newspaper narratives of violent crime allowed readers to normalize abnormal violent behaviors. Those involved in specific acts of violence

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<sup>17</sup> Ibid., 12.

<sup>18</sup> Michael Denning, *Mechanic Accents: Dime Novels and Working-Class Culture in America, Revised Edition* (London : Verso, 1998), 30.

<sup>19</sup> Ibid..

became typecast into pre-existing traditional roles such as the villainous rogue or the fallen woman. By making seemingly aberrant behavior fit into traditional roles, a confusing world became less confusing:

It explains the curious, confusing, or troubling matters of everyday life in straightforward ways that satisfy people. These traditional explanations are resonant, familiar, intelligible. They make sense of difficult matters. They carry the weight of custom and the stamp of authority. They account for strangeness and change in calm, everyday terms. They offer the comforting assistance that everything necessary is known; everything possible is understood.<sup>20</sup>

Newspaper readers were curious about violent crimes; however, they equally desired traditional narratives that allowed them to make sense of violent behaviors.

The larger, more expensive urban dailies noticed the success of the penny press and adapted their own reporting techniques in order to entice a larger readership. The rise of news by telegraph beginning in 1844 drastically reshaped the newspaper industry, placing a new value on immediacy in news reporting. News by telegraph enabled the formation of the Associated Press in 1848, which controlled much of the use of telegraphed news, turning news into a commodity in a way never before seen. With news becoming ever more increasingly commodified, the mainstream press picked up the elements that had best worked for the penny press, including the ideal of the objective voice that lent authority to a reporter. Similarly, city newspapers jumped into the fray of crime reporting in an effort to build circulation, including in their coverage “lots of crime, scandal, and sensationalism, lots of self-promotion, lots of gaudy pictures...[and] lots of screaming banner headlines.”<sup>21</sup> Thus, crime and violence remained a main feature in

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<sup>20</sup> Andie Tucher, *Froth and Scum*, 63.

<sup>21</sup> *Ibid.*, 198.



newspaper reporting throughout the nineteenth century, even with the demise of the penny press.

### ***The Sentinel and the Journal***

While Milwaukee played host to a series of short-lived newspapers, the *Milwaukee Sentinel* and the *Milwaukee Journal* proved to be the city's most long-lived and among its most influential. Milwaukee's first Euro-American settler and its first mayor Solomon Juneau founded the *Sentinel* in 1837; it remains the oldest surviving newspaper in the state of Wisconsin. The *Journal* emerged much later, in late 1882, gaining popularity due to its coverage of a disastrous fire. The relationship between the *Sentinel* and the *Journal* played an important role in the political and cultural life of the city well into the twentieth century.

The *Sentinel* emerged out of Juneau's concern over the influence of the *Milwaukee Advertiser*, controlled by Juneau's chief rival land developer Byron Kilbourn. The *Sentinel*'s pioneer issues consisted of "little local news, no art, [and] some blank spaces."<sup>22</sup> Economic hardships punctuated the newspaper's early years, leading the paper's second editor, Harrison Reed, to trade advertising and printing services for flour.<sup>23</sup> During the *Sentinel*'s early years there were several shifts in political alliances; first in 1839, when Reed switched the paper's alliance from the Democrats to the Whigs, and then again in 1841, when the Democrats performed a "political coup,"

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<sup>22</sup> Robert A. Witas, "'On the Ramparts': A History of the Milwaukee Sentinel" (master's thesis, University of Wisconsin-Milwaukee, 1991), 3.

<sup>23</sup> *Ibid.*, 6.

replacing Reed with a Democrat editor. A short time later, Reed once again took control over the *Sentinel* until his departure in 1842. The paper continued to change hands, from Reed to Elisha Starr and then to partners David S. Keeler and John S. Fillmore. Keeler and Fillmore were both New Yorkers; their tenure as *Sentinel* owners “really put the *Sentinel* on the map as an established institution in the community and the Northwest.”<sup>24</sup> Additionally, Keeler and Fillmore established a daily edition of the *Sentinel* beginning on December 9, 1844, the second daily newspaper in the Northwest Territory, following the *Chicago Journal* by only eight months.

Rufus King took over as the *Sentinel*'s editor in September 1845, bringing even more Eastern influence to the paper. King, a native New Englander, used his connections with East Coast newspapers to “increase materially the *Sentinel*'s exchange list with other papers from New York and Washington became permanent features.”<sup>25</sup> Further connection with the East Coast was established with King's addition of a telegraph to the paper's resources, allowing for more up-to-date coverage of national and regional events. As a Whig paper, the *Sentinel* under King was an important force in adoption of Wisconsin's first state constitution; it also supported free suffrage, free school and the early feminist movement. With the advent of the state's anti-slavery movement and the birth of the Republican Party, the newspaper shifted its political allegiance from Whig to Republican.

Following Rufus King's departure as editor of the *Sentinel* in 1861, the newspaper once again hosted a series of short-lived editors. The size of the paper itself changed

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<sup>24</sup> *Ibid.*, 11.

<sup>25</sup> *Ibid.*, 16.

dramatically during this period, to roughly a yard and a half long and a yard wide, and then again to a smaller size.<sup>26</sup> Similarly, the placement of local news varied depending on the editor, moving from the end of the newspaper to the front page, and back to the end again. Prominent local Republican Horace Rublee took over ownership and editorship of the paper in 1882 and remained editor until 1896. He had served as Republican party chair for many years, and was “a staunch advocate of non-interference in the private lives of citizens by government.”<sup>27</sup> Rublee was also an advocate of Social Darwinism until 1893, when he rather abruptly shifted his position.<sup>28</sup>

The *Sentinel* became increasingly involved with political and corporate intrigue during the last quarter of the nineteenth century. Varying parties vied for ownership and editorship of the paper, and increasing competition from other local papers – including the nascent *Journal* – required better, more aggressive reporters and correspondents. Technology changed drastically during this period as well, with the emergence of the typewriter (which was, coincidentally developed in Milwaukee by a former editor of the *Sentinel*, Christopher Sholes).<sup>29</sup>

From its inception, the *Journal* posited itself as opposed to the overt politics of the *Sentinel*. In the first edition of the paper, published in late 1882, editor Lucius Nieman argued that his newspaper would be “independent and aggressive...it will oppose every

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<sup>26</sup> Ibid., 42.

<sup>27</sup> Ibid., 47.

<sup>28</sup> Ibid., 47-48.

<sup>29</sup> Ibid., 37.

political ‘machine’ and cabal...it will be the people’s paper.”<sup>30</sup> However, it was not until the Newhall House fire that the *Journal* gained a solid foothold in Milwaukee’s newspaper market.

In the early morning of January 10, 1883, the Newhall House hotel caught on fire. Firemen were unable to reach many of the guests and employees trapped inside the building, and by the time the fire was extinguished, eighty people had died. The *Journal* took a strong editorial stance, firmly placing the blame for the fire on the owners of the Newhall house as well as its stockholders. The *Sentinel*’s response, in contrast, appeared to blame the victims for causing a panic and causing their own deaths. The response of the *Sentinel* to the tragedy angered many Milwaukeeans, who believed that the paper’s response was due to a conflict of interest, as a stockholder in the *Sentinel* was also the head of the Newhall House Association.<sup>31</sup>

After its early success in coverage of the Newhall House fire, the *Journal* posited itself as a champion of the common man, waging several editorial campaigns against what the editor saw as abuses of power in the city and state. Although it maintained its claims of independence until 1889, the *Journal* further positioned itself in opposition to the Republican *Sentinel* by endorsing Democrats. It became an official organ of the Democratic party in 1889, and remained as such until 1896, when it reacted strongly against the alliance between the Democrats and the Populists, what some considered the political party of the common man.

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<sup>30</sup> Will C. Conrad, Kathleen F. Wilson and Dale Wilson, *The Milwaukee Journal: The First Eighty Years* (Madison, WI: The University of Wisconsin Press, 1964), 9.

<sup>31</sup> *Ibid.*, 12.

While the *Sentinel* and the *Journal* were rivals, both ultimately subscribed to socially established boundaries of proper behavior for women. Although their political affiliations influenced their approach to certain topics, including early feminism and race, they both worked to reinforce the boundaries of acceptable behaviors for Milwaukeeans. So while the differences between the two newspapers are noteworthy, ultimately they both functioned together to emphasize normative behavior and establish the categories of victim and victimizer.

### **Women and Criminality in the Nineteenth Century**

Nineteenth century middle class white women were expected to behave modestly, which generally meant avoiding overtly political or sexual behaviors in public. Wives were expected to be industrious and to keep a clean home, while unmarried women were expected to gain an education in relevant subjects and to stay virginal until marriage. While women challenged these gender expectations in their daily lives, when a woman became the subject of public scrutiny – such as that imposed on women involved in a criminal act – the propriety of her behavior became incredibly important. Criminal behaviors inherently challenged nineteenth century middle class conceptions of proper gender behaviors. Crime reports were often forced to grapple with individual acts that defied gender expectations for both women and men. However, as violence was a fundamental proving ground for masculinity, men involved in criminal behaviors – while still generally frowned upon – were much more expected than women involved in criminality. Indeed, even the female victim could find her reputation damaged from an association with criminality. For this reason this section will briefly examine the

intersection between women and criminality, both in terms of female victimhood and the female criminal.

The nineteenth century female homicide victim was largely conceptualized in the form of the “beautiful female murder victim” literary trope, the origins of which can be traced back to between the late sixteenth to early nineteenth centuries. Daniel A. Cohen summarizes the outlines of the beautiful female murder victim:

The most basic components are, of course, explicitly laid out in that phrase: a beautiful female is murdered. In addition, that woman, as depicted in the popular literature, is generally young, unmarried, and is most often murdered by, or at the instigation of, a young unmarried man in the context of some sort of romantic relationship or sexual encounter. Additional common elements of the motif... were assertions of the early virtue or innocence of the victim; the strong implication that the woman’s death was the direct or indirect result of a sexual ‘fall’; and graphic (and occasionally erotic or pornographic) descriptions of the victim’s corpse.<sup>32</sup>

While different iterations of the beautiful female murder victim tweaked this definition slightly, most newspaper narratives of female victims fit into this trope.<sup>33</sup> The prevalence of this portrayal of female murder victims obscures the experiences and agency of the victims themselves. Women who did not meet the expectations of the beautiful female murder victim or the social expectations for proper behavior for women were treated less kindly in crime reporting, and is further discussed in Chapter One.

Women who committed crimes, conversely, challenged gender expectations in a particularly distasteful way. Lucia Zedner argues that violent women who committed particularly transgressive crimes were considered the “very negation of the feminine

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<sup>32</sup> Daniel A. Cohen, “The Beautiful Female Murder Victim: Literary Genres and Courtship Practices in the Origins of a Cultural Motif, 1590-1850,” *Journal of Social History* 31, no. 2 (1997). p. 278.

<sup>33</sup> Many elements of the beautiful female murder victim type can be seen in Milwaukee newspapers, and will be discussed further in Chapter One.

ideal.”<sup>34</sup> The ideal woman, then, was inherently pure and morally superior to men, whose violent or deviant acts were conceptualized as a part of their natural masculinity. Women who defied these restrictive behavior expectations were considered not only morally degraded as compared with other women, but also morally degraded when compared with the rest of humanity.<sup>35</sup>

Early criminologists reinforced these views of criminal women, epitomized by the work of Cesare Lombroso and William Ferraro in their 1895 work *The Female Offender*. Lombroso and Ferraro subscribed to both Social Darwinism and atavism, which argued that “all anti-social or criminal elements in society are in fact biological throwbacks from an earlier evolutionary stage in human development.”<sup>36</sup> In *The Female Offender*, Lombroso and Ferraro measured the skulls and studied the appearances of prostitutes and other female criminal deviants. Based on their study, Lombroso and Ferraro determined that there were substantially fewer “born female criminals” than male criminals.<sup>37</sup> Additionally, they argue, “it is incontestable that female offenders seem almost normal when compared to the male criminal, with his wealth of anomalous

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<sup>34</sup> Lucia Zedner, “Wayward Sisters: The Prison for Women,” in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, eds. Norval Morris and David J. Rothman (New York, 1995), 320.

<sup>35</sup> L. Mara Dodge, “‘One Female Prisoner is of More Trouble than Twenty Males’: Women Convicts in Illinois Prisons, 1835-1896,” *Journal of Social History* 32, no. 4 (1999), p. 908.

<sup>36</sup> Carol Smart, *Women, Crime and Criminology: A Feminist Critique* (London : Routledge, 1976), 31.

<sup>37</sup> Cesare Lombroso and William Ferraro, *The Female Offender* (New York : D. Appleton and Company, 1895), 85.

features.”<sup>38</sup> Lombroso and Ferraro’s work indicates what a frightening figure the female criminal was for law-abiding citizens; even though female criminals were relatively rare, they appeared “normal” to others, making it more difficult to differentiate from other women, thereby indicating that any woman *could* have a deviant nature.

As can be seen in how female victims and victimizers were perceived in nineteenth century America, gender and gender performance was a major focal point for public understanding of criminal behavior. What often remained absent from these debates over gender and crime, however, were the voices of the women themselves.

### **Methodology and Historiography**

This study does not aim to chronicle the entire scope of violent criminal behavior in the city of Milwaukee during the nineteenth century. This would likely not be possible as most police records from the period were destroyed, and only a handful of data is available on crime rates during this period. Instead, specific illustrative cases are examined. For cases of male violence against women (Chapter 1), individual cases were chosen as representative of broader trends in newspaper coverage. In incidents of female perpetrators of violence (Chapters 2 and 3), nearly all cases are included, as they were generally more rare.

A broad range of articles were collected and examined for this study. This was achieved through several means. The physical index of the *Sentinel*, created during the 1930s and housed at the Milwaukee Public Library, was searched for all articles indexed under relevant terms such as “homicide” and “infanticide”. Additionally, the “Nineteenth

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<sup>38</sup> Ibid., 107.



Century U.S. Newspapers Database” served as an invaluable tool. All articles from all Milwaukee newspapers during the nineteenth century containing the word “murder” were examined, though articles referencing murders which took place outside of Milwaukee were excluded, as they were often reprinted from other newspapers and did not contain original content.

The *Sentinel*'s repeated name changes throughout the nineteenth century were particularly challenging. Between 1837 and 2014, the *Sentinel* changed names eleven different times, each including the word “Sentinel”.<sup>39</sup> For the purposes of this study, all iterations of the *Sentinel* are simply referred to as “the *Sentinel*” and are treated similarly in bibliographic notes. Likewise, the *Journal* was at times known as the *Daily Journal*, but here will be simply referred to as the *Journal*.

Although no similar study of newspaper portrayals of women involved in homicide in nineteenth century Milwaukee exists, this study is rooted in the work of many scholars. The historical analysis of violent crime has attracted scholars from a variety of fields, including historians, criminologists, feminists and sociologists. Several works on violent crime, gender and the news media inform this study, a selection of which will here be detailed briefly.

Historian Roger Lane's books *Murder in America: A History* (1997) and *Violent Death in the City: Suicide, Accident and Murder in Nineteenth-Century Philadelphia* (1979) provide both broad context and a specific case study useful for comparison with nineteenth century American trends in homicide. *Murder in America* chronicles both the changes to the American criminal justice system from colonial times until the present as

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<sup>39</sup> Witas, “On the Ramparts,” 4.

well as documenting the historical and social conditions that affected homicide rates.

*Violent Death in the City* studies trends in violent death – including homicides, suicides and accidental deaths – in nineteenth century Philadelphia. Lane’s work in *Violent Death in the City* greatly impacted studies of historical violence by asserting the importance of individual acts of violence studied collectively. Born out of his frustrations with the “law and order” debates of the 1960s and 1970s, as well as a strain of antiurbanism he located within sociological frameworks of urban development, Lane rallied against the Chicago School’s assertions that cities has an “inevitable tendency toward disintegration of social order” and that urban expansion inherently is “accompanied by excessive increases in disease, crime, disorder, vice, insanity and suicide.”<sup>40</sup> Lane’s study of violent death in Philadelphia revealed that changing standards for behavior as well as an increasingly efficient criminal justice system often obscured the fact that proportionally, incidents of violence went down in Philadelphia over the century, not up as antiurbanists had argued.

Further, Lane argued:

Nothing in the entire sixty-three years of historical experience [studied] was as important in shaping the characteristic suicide-murder ratio of each subgroup as the initial ‘given’ that defines it – sex, class, nativity, or race. But the changes in both suicide and homicide rates and in the allied indices for accident were all related to one complex event, the growth of the industrial revolution, whose progress directly or indirectly affected everyone in the city.<sup>41</sup>

Here Lane argues that sex, class, nativity and race dictated changes in violent crime more than urbanization by itself; however, the effects of industrialization also permeated the city and trends in violent crime. This study uses Lane’s argument as a foundation for

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<sup>40</sup> Roger Lane, *Violent Death in the City: Suicide, Accident and Murder in Nineteenth-Century Philadelphia* (Columbus, OH : Ohio State University Press, 1999), 4.

<sup>41</sup> *Ibid.*, 139.

understanding urban homicide as both an expression of gender, class, ethnicity and racial tensions and the general effects of the industrial revolution on the urban landscape.

Historian and criminologist Jeffrey Adler's studies of homicide in Chicago between 1875 and 1920 nuances Lane's earlier work, by presenting Chicago as a counterexample to the general downward trend of violence in the urban space during the nineteenth century. While Philadelphia and other East Coast cities generally saw downward trends in violent actions, Chicago became seemingly more violent. Adler's monograph, *First in Violence, Deepest in Dirt: Homicide in Chicago, 1875-1920* (2006) as well as a series of articles based on it, detail how the complex social and cultural shifts in gender norms, ethnic and racial expectations and Progressive thought influenced trends in violent crimes. Because of the often competitive relationship between Chicago and Milwaukee, and due to their close proximity geographically, Adler's work on Chicago serves as a major point of comparison with homicide trends and coverage in Milwaukee.

Historian James C. Mohr's seminal work, *Abortion in America: The Origins and Evolution of National Policy, 1800-1900* (1978), complicated the framework for considering the intersections between women, motherhood, criminality and the growth of bureaucracy throughout the nineteenth century. Mohr carefully traces the origins of the anti-abortion movement in the United States from 1800, when no anti-abortion statutes existed, to 1900, when nearly every American jurisdiction had anti-abortion statutes on the books, and abortion was widely considered to be a criminal act. Mohr details changes in cultural, social and medical understanding about the origin and value of infant life. He further argues that the anti-abortion movement largely emerged from efforts of "normal" physicians – those who attended prestigious medical schools – to eliminate the

competition of those claiming to be doctors who did not have formal education. The changes in thought around abortion practice and infancy that Mohr outlines greatly informed the understanding of infanticide presented in this study.

As gender and conceptualizations of femininity play a vital role in this study, the work of feminist scholars of criminality and media studies provides a useful reference point. Cultural studies scholar Belinda Morrissey's monograph *When Women Kill: Questions of Agency and Subjectivity* (2003) questions why the media and feminist scholars are reluctant to believe that homicidal women act with any sense of individual agency. Morrissey argues that while individual acts may be immoral, how they are portrayed in media and legal narratives has a great impact on conceptions of female agency more broadly, arguing, "cases where women are accused of acts considered wicked and inhuman...have a vital role in maintaining notions of feminine evil, just as those where women are portrayed as victims have importance in preserving ideas of female oppression."<sup>42</sup> Morrissey's conceptual framework of the differing tropes used in media and legal narratives of women who kill provides a basis for analyzing narratives of female killers in this study.

Histories of violence and newspapers further informed this work. Historian and journalist Andie Tucher's *Froth and Scum: Truth, Beauty, Goodness, and the Ax Murder in America's First Mass Media* (1994) details the rise of the New York penny press through coverage of sensational cases of violent murders. Tucher argues that public interest in stories of crime fueled the early success of the penny press and "introduced

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<sup>42</sup> Belinda Morrissey, *When Women Kill: Questions of Agency and Subjectivity* (London: Routledge, 2003), 7.

American readers to a novel idea of what their relationship with the news ought to be.”<sup>43</sup>

While this study does not focus on the penny press, many of the reporting techniques developed by the early penny press, such as objectivity and a renewed interest in local stories of crime, were taken up by mainstream newspapers, such as the *Sentinel* and the *Journal*.

Historian Amy Gilman Srebnick examines the role of gender specifically in antebellum print coverage of a particularly sensational murder in *The Mysterious Death of Mary Rogers: Sex and Culture in Nineteenth-Century New York* (1995). Mary Rogers, a beautiful clerk at a tobacco shop, mysteriously disappeared and was found floating in the Hudson River in 1841. There was much speculation at the time surrounding who had committed the deed, or whether it was the product of a botched abortion. Srebnick uses the coverage of Rogers’ murder not to speculate on who committed the unsolved crime, but rather to examine “what it told about the connections between the genesis of American urban culture, violent crime – especially violent sexual crimes against women – and the sensational popular text.”<sup>44</sup> Srebnick examined newspapers, pamphlets, short stories and illustrations of the Rogers case to detail the ways in which Mary Rogers was no longer considered as an actual human victim of a crime, but a cultural construction, onto which consumers projected their own anxieties of the changing roles of women and sexuality in the increasingly urban United States.

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<sup>43</sup> Tucher, *Froth and Scum*, 2.

<sup>44</sup> Amy Gilman Srebnick, *The Mysterious Death of Mary Rogers: Sex and Culture in Nineteenth-Century New York* (New York: Oxford University Press, 1995), xiv.

Historian Patricia Cline Cohen's *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (1998) builds off of Srebnick's earlier work, taking a individual, highly-publicized murder case and examining its broader cultural impact. Helen Jewett, a New York City prostitute who served an upscale clientele, was found murdered in her bed in 1836. While there was much circumstantial evidence that pointed at her probable murderer (Richard P. Robinson) he was ultimately acquitted. Cohen clearly illustrates how Jewett's murder found such a captivated audience, arguing that it "touched a nerve in Jacksonian America, a nerve already exposed and sensitive to the issue of the moral supervision of youth."<sup>45</sup> While both Srebnick and Cohen focus on an individual homicide case, each effectively illustrate the impact of sensational homicide cases reflected and inspired anxieties among consumers of news media.

This study is divided into three main parts. As the majority of violent crimes at the time were perpetrated by men, Chapter 1 details Milwaukee newspaper coverage of masculine violence against women, examining case studies that hinge upon specific markers of ethnicity, class and race. The use of particular language cues in the *Sentinel* and the *Journal's* coverage of specific homicide cases illustrates some of the ethnic, racial and class tensions that were prominent in the city. Additionally, this chapter details how acts of violence were portrayed varied based on the gender performance of both the perpetrators of violence and the victims.

Women who committed homicide were of particular interest to nineteenth century newspaper readers, as they existed far outside the traditional bounds of femininity.

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<sup>45</sup> Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York: Alfred A. Knopf, 1998), 355.

Chapter 2 shifts focus to female perpetrators of violence, arguing that media narratives of homicidal women used three techniques to strip women of their agency:

vilification/monsterization, mythification and victimism. This chapter examines newspaper coverage of women who killed their husbands or their children as well as women deemed “insane”, and shifting conceptions of insanity.

Chapter 3 complicates narratives of female criminality and homicidal intent by examining the relationship between the anti-abortion movement of the late nineteenth century and its potential effects on how cases of infanticide were portrayed in newspapers. Chapter 3 hypothesizes that as the anti-abortion movement gained traction in the 1870s and 1880s, newspaper coverage of cases of infanticide became increasingly virulent, condemning the act in strong language not before seen in Milwaukee’s press. One potential reason for this shift in coverage can be found in shifts in how the value of infant life.

This study attempts to examine how Milwaukee’s newspapers interpreted, evaluated and reinforced middle class gender norms through reports of acts of violence. Only through a close reading of the language used in newspaper articles can a full understanding of the role of media narratives in constructing and enforcing gender norms be achieved.

## Chapter 1

### Race, Class, Ethnicity and Female Victimhood in Milwaukee's Press

*"I do not know of any single person of those who read newspapers who does not seem interested in reading murder cases. We may moralize as much as we please about depraved tastes, low moral standard, etc., it is, however, quite undeniable that the persons who do not read the particulars of celebrated murder cases are hard to find."*

Patrick Donnelly  
Letter to the Editor, *Milwaukee Journal*  
December 11, 1897

Nineteenth century cultural tropes frequently portrayed murdered women as the unwitting and innocent victims of brutal masculine violence. The concept of the "beautiful female murder victim" caught the attention of newspaper editors and readers in the early nineteenth century, ushering in what some scholars consider a "new era in American crime reporting."<sup>46</sup> Individual tales of lurid murders – such as those of Easterners Mary Rogers and Helen Jewett – spawned the growth of the penny presses through the production of hundreds of articles, novels and pamphlets. Through its coverage of infamous murders of women, "a new press, in the midst of finding a popular language to address its new and diverse audience, adopted a discourse of sensation that depended on images of death, of sexual violation and the decomposition of the female form."<sup>47</sup> Through increasingly extensive media coverage during the century, the figure of the beautiful female murder victim came to represent "the triumph of evil over good in the perpetual war between the competing forces of urban life," reinforcing middle-class

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<sup>46</sup> Cohen, "The Beautiful Female Murder Victim", 277.

<sup>47</sup> Srebnick, *The Mysterious Death of Mary Rogers*, 63.



fears over plebian urban violence.<sup>48</sup> The beautiful female murder victim titillated newspaper readers and reporters alike, becoming a figure that simultaneously represented purity and sexuality.

While images of women as victims of male violence resonated in nineteenth century American newspapers, the origins of male violence against women remained unclear. While violence was often a way for men to assert their masculinity, the boundaries of acceptable male violence could be difficult to discern. Newspapers played an important role understanding male violence: “crime narratives were central locations in which the often fine distinction between acceptable male violence and unacceptable male violence got worked out.”<sup>49</sup> Two general strains of thought can be applied to the relative normativity of male violence; the first argues that male violence against women is normative, pointing to power structures (such as marriage and the legal system) supporting male dominance through violence, as well as the high rates of male violence against women. Those in favor of the theory of normative male violence against women often find the roots of this violence in tensions between genders, “especially in men’s efforts to preserve masculine authority.”<sup>50</sup> The second suggests that male violence is nonnormative behavior in that it deviates from strong social norms protecting women

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<sup>48</sup> Ibid., 64.

<sup>49</sup> Stabile, *White Victims, Black Villains*, 15.

<sup>50</sup> Jeffrey S. Adler, “‘We’ve Got a Right to Fight; We’re Married’: Domestic Homicide in Chicago, 1875-1920,” *The Journal of Interdisciplinary History* 31, no. 1 (2006): 27.

from harm.<sup>51</sup> The concept of a norm protecting women “discourages would-be attackers and encourages third parties to intervene on behalf of women who are under attack.”<sup>52</sup>

Scholars who support the approach that male violence against women is nonnormative attribute the private, domestic nature of most male-on-female violence with the lack of intervention to protect women on the part of the legal system or other third parties.

By examining Milwaukee’s nineteenth century newspapers, as both reflections and shapers of cultural norms and morality, historians can achieve a more thorough understanding of how Milwaukeeans perceived both the female victim of male violence and the male perpetrators of violence against women. This chapter analyzes newspaper coverage of violent crimes perpetrated by men against women to determine how Milwaukee newspapers used the motif of the “beautiful female murder victim”, how male violence was conceptualized as well as what newspaper coverage of acts of violence against women can reveal about class, cultural and gender divides in Milwaukee during the nineteenth century. It further argues that female victims of male violence in Milwaukee who became the “beautiful female murder victim” met existing cultural standards of femininity; that is, the victim came from a respectable family, practiced temperance, and was young and beautiful. Although some deviation from this narrative was possible, the fault for that deviation lay not with the victim, but with a male aggressor. Male violence, on the other hand, could be excused as nonnormative by newspaper reporters if certain conditions were met; if the male perpetrator of violence was respectable, his victim of questionable respectability and he either practiced

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<sup>51</sup> Richard B. Felson, “The Normative Protection of Women from Violence,” *Sociological Forum* 15, no. 1 (2000): 91-92.

<sup>52</sup> *Ibid.*, 92.

temperance or drunk to the point of mental impairment his behavior was more easily excused in newspaper reports. However, a case of male-on-female homicide could not often suffer two sympathetic players; either the woman was cast as a “beautiful female homicide victim” type or the man’s behavior was considered a somewhat understandable response to abnormal behavior or family dynamics. Perceptions of ethnicity, race and class informed newspaper coverage of these homicides, thereby reinforcing existing cultural conceptions of particular racial, ethnic or class groups in the city.

This chapter begins with a general discussion of American attitudes towards violence against women during the nineteenth century both in terms of public trends in concern over domestic violence as well as actual rates of domestic homicide. Then, specific cases of violence against women in Milwaukee will be analyzed, divided by both the nature of the crime as well as common themes in newspaper coverage, including race, class and ethnicity.

### **Nineteenth Century Attitudes Towards Violence Against Women**

Men perpetrated a large proportion of homicides in which women were the victims during the nineteenth century; in the majority of these cases, the men were the husbands, lovers, or relatives of their female victim. While individual cases of violence result from very specific circumstances of those involved, when examined broadly, trends in violent crime can reflect cultural shifts and fractures. Trends in both the prosecution and criminalization of violence against women as well as homicide rates inform a broader understanding of how social values change over time.

Although domestic homicide was almost always criminalized, trends in attitudes towards domestic violence can reveal the borders of socially acceptable (or tolerated) violence, which were eventually crossed in cases of homicide. Middle class attitudes towards domestic violence directly reflected perceptions of the value of the family unit in solidifying the social order. In her sweeping history of criminal approaches to family violence from 1640 to 1980, Elizabeth Pleck argues:

A social atmosphere favorable to the criminalization of family violence results from many factors, the most important of which is that family violence must be defined and perceived not just as a threat to individual victims but also as a danger to the social order. However, among the many reasons for the lack of interest in criminalizing family violence, the most significant is the view that family violence is primarily a domestic matter.<sup>53</sup>

Thus, perceptions of domestic violence – which was largely performed as male violence against women – as a menace to society were directly informed by perceptions of the role of the family in public life. Pleck traces three periods of intense efforts to reform domestic and family violence, the first between 1640 and 1680, the second from 1874 to 1890 and the last from 1962 to the present. Looking specifically at the nineteenth century, Peck argues that between 1830 and 1874, Americans generally lacked interest in prosecuting family violence, due to “the growing distrust of government interference in the family, the increasing respect for domestic privacy, and the waning zeal for state enforcement of private morality.”<sup>54</sup> Although by the end of this period several states had laws criminalizing wife beating, prosecution of violators was limited, often due to the precarious position of the victims themselves, who relied on their husband’s income to

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<sup>53</sup> Elizabeth Pleck, “Criminal Approaches to Family Violence, 1640-1980,” *Crime and Justice* 11 (1989): 19.

<sup>54</sup> *Ibid.*, 30.

support themselves and their children. National efforts to criminalize domestic and family violence increased, Pleck argues, between 1875 and 1890, a trend she attributes to a “heightened interest in the state’s responsibility to enforce public morality” as well as a overall increase in fearfulness of crime and a “desire to reimpose a rural, Protestant morality on an urban-industrial society.”<sup>55</sup> The zeal to root out and prosecute domestic violence faded during the 1890s, as the urge for law and order was replaced by efforts towards rehabilitation of offenders and prevention of future crimes.<sup>56</sup>

While middle class perceptions of the morality and prevalence of domestic violence shifted in response to fears over an increasingly urban and immigrant America, its actual practice also changed in response to shifting ideas of masculinity. Historian Jeffrey Adler traces a shift in masculine violence between the 1870s and 1880s from the public to the domestic. Adler argues that in the immediate post-Civil War era, a masculine culture of honor centered in saloons and public houses developed among largely young, single, immigrant, unskilled laborers. As men lost the opportunities to advance economically by becoming skilled laborers, and single men were unable to find mates, one’s masculine honor became valued above all else. This encouraged men to fight over even the smallest slight to protect their reputations among their peers. By the end of the 1870s, however, campaigns to prevent saloon violence through regulation – lead in part by native, white middle class reformers with a nativist bent – as well as an increase in other venues for entertainment and an increased number of single women in

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<sup>55</sup> Ibid., 35-36.

<sup>56</sup> Ibid., 44.

combination with cultural pressures to marry and embrace family life worked together to publically pacify the previously violent male population.

Although public homicide amongst men was successfully reduced by the 1880s, Adler argues, actual rates of homicide did not drastically shrink. Instead, homicidal violence became much more prominent inside the home, as male honor refocused on the protection of and dominance over female family members. Thus, Adler found an increase in the numbers of domestic homicides after 1875 and a decrease in saloon-related brawl homicides.<sup>57</sup> Adler attributes this change to the effects of rapid urbanization and industrialization: “poverty and de-skilling undercut the authority of male breadwinners and drove women into the workforce; shifting social mores created conflicting expectations for dating, marriage and gender identity; and rapid population turnover generated new patterns of social relations.”<sup>58</sup> The effects of these elements differed, depending on one’s class, race and ethnicity. For example, in a comparative study of homicide rates between German immigrants, Italian immigrants and African Americans in Chicago, Adler found that German immigrants committed the fewest murders, but were more likely to kill family members, while Italian immigrants saw high rates of homicide, but were much less likely to kill family members.<sup>59</sup> African Americans saw some the highest homicide rates of all groups, and high family homicide rates.<sup>60</sup> Thus,

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<sup>57</sup> Jeffrey S. Adler, *First in Violence, Deepest in Dirt: Homicide in Chicago, 1875-1920* (Cambridge, MA: Harvard University Press, 2006), 59.

<sup>58</sup> Adler, “We’ve Got a Right to Fight; We’re Married”, 29.

<sup>59</sup> Adler, “We’ve Got a Right to Fight; We’re Married”

<sup>60</sup> *Ibid.*, 39.

while middle-class concerns over urban violence waxed and waned throughout the nineteenth century, domestic homicide rates increased; however, ethnic and racial communities experienced domestic homicide differently.

### **“Almost a murder”<sup>61</sup>: Responses to Domestic Violence Made Public**

While the focus of this study remains homicide, some attention must be paid to attempts at murder that proved unsuccessful. Cases of attempted murder serve to illustrate a pattern of violence towards women in the domestic sphere, which may, in some cases, have lead to homicide. Although the eventual outcomes of individual cases of attempted homicide are often unclear, an examination of the public response to these incidents indicates how Milwaukeeans may have viewed violence in the home made public.

Late in the evening of May 15, 1883, policemen witnessed to a scene of intense spousal violence. Near the corner of Grand Avenue and West Water Street, police found the “Second Hand Brute” Kane (who was presumably well-known enough in Milwaukee to warrant no first name in newspaper coverage of the incident) severely assaulting his wife, known as “Rickey” Kane. The policemen stopped the attack just as Kane raised a hatchet to “finish his work by braining his wife.”<sup>62</sup> Upon his arrest, Kane expressed “the utmost indifference at his work.”<sup>63</sup> The *Journal*’s coverage of the event indicated that the police frequently interacted with the Kanes, noting, “Kane and his wife are both well

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<sup>61</sup> “Almost a Murder,” *Milwaukee Daily Journal*, May 16, 1883.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

known to the police”, though whether this was due to domestic abuse or other reasons is unknown.<sup>64</sup> Ultimately, Rickey Kane refused to testify against her husband and he was released with a fine of \$25.

A similar case of attempted domestic homicide occurred later that same year. The *Journal* reprinted an article from *Der Herold*, a German-language newspaper, reporting a “sensational story” of an unnamed woman who cried for help from passers-by on the corner of Grand Avenue and Fifth Street, begging those on the street to save her life and crying murder.<sup>65</sup> This woman revealed that she lived on the predominantly German North Side of the city with her husband, Schaber. Her husband had driven her out of the house earlier in the evening with a butcher knife, threatening to kill her child if she ended the marriage and left him. Although divorce was legally possible, it was socially frowned upon, even in cases of domestic violence. Therefore, the unnamed woman, by attempting to leave her husband, was violating her duty as a wife and mother to stay with her husband.

As these cases indicate, incidences of attempted homicide stemming from domestic abuse were portrayed as distasteful, as they brought private violence into the public sphere in a jarring way. The distaste towards public displays of private violence can be seen through the newspaper portrayals of perpetrators and victims. In the case of the Kanes, the *Journal*'s note that both Kanes frequently interacted with local police heavily implies a pattern of socially unacceptable behavior, as middle class norms dictated against frequent run-ins with the police. It similarly brands them as bad seeds,

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<sup>64</sup> Ibid.

<sup>65</sup> “A Sensational Story,” *Milwaukee Daily Journal*, August 8, 1883.



implicitly blaming Mrs. Kane for her husband's abuse by associating them both as criminals. Further, by noting that she refused to press charges against her husband, the crime reporter was perhaps hinting at her own culpability for her husband's actions. Because of her criminal behaviors in the past, and her refusal to prosecute, Mrs. Kane was portrayed as an unsympathetic figure. In the second case, the identity of the woman under attack remains unclear, thus lending some skepticism to her story on the part of the *Journal*. Additionally, her attempt to leave her husband further removes her from social expectations for wives and mothers.

When domestic violence within wealthier families of higher social standing did occur and it escalated to the point of public scrutiny, response was somewhat different. In the case of Peter Schaffner's attempt to murder his wife and children, the incident was attributed to an "unbalanced" mind, "owing to excessive drinking of late." Even though it was "evident that he intended to carry out his threats," newspaper coverage of the incident described Schaffner as an "old and well-known resident of this city, [who] for several years held the office of superintendent of the poor."<sup>66</sup> This characterization of Schaffner attempted to render his actions more benign in a way not attributed to other cases of attempted spousal murder, most likely due to his relatively prominent standing in the community.

While in the first two cases – those of Kane and the unidentified woman – class was an instrument used against the victims, in Schaffner's case class acted as a protective barrier against blame or condemnation. Similarly, in Schaffner's case the voice of the

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<sup>66</sup> "Peter Schaffner's Attempt to Murder His Family," *Milwaukee Sentinel*, October 31, 1884.

victims is not heard, instead favoring Schaffner's version of events. The female victims in the first two stories are heard, however they are viewed with skepticism. These cases demonstrate how fluidly Milwaukee's newspaper editors and reporters perceived the normativity of male violence against women; when those involved in the violence originated from the lower classes, male violence was seen as the norm, while when violence originated from the middle or upper classes it was seen as nonnormative, an aberration in otherwise orderly behavior.

### **“INTEMPERANCE”<sup>67</sup>: Homicide and Alcohol**

Nineteenth century Americans loved to drink, both in public (at taverns, public houses and saloons) and in private. By 1830, Americans drank 7.1 gallons of alcohol per capita.<sup>68</sup> However, by the mid-nineteenth century, the twin forces of industrialization and urbanization changed the way Americans drank. Drinking at work, a common practice in the late eighteenth and early nineteenth century was increasingly frowned upon with the advent of factory work. Regulations on selling alcohol in grocery shops further reduced private access to alcohol, removing it from the home and relegating it to the male environment of the saloon. Saloons served as community centers for their patrons, who were often divided along class, ethnicity, race and occupational lines. Thus, middle class observers may have perceived saloons as a source of ethnic tension and a way for immigrants to avoid assimilation.

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<sup>67</sup> “Intemperance,” *Milwaukee Sentinel*, February 3, 1848.

<sup>68</sup> Jennifer Nugent Duffy, *Who's your Paddy?: Racial Expectations and the Struggle for Irish American Identity* (New York: NYU Press, 2013), 117.

Alcohol played a significant role in both the culture of Milwaukee and in newspaper coverage of cases of homicide. During both police investigations of murders as well as trials, the level of intoxication of the accused and, just as often, the victims were raised as the sources of acts of violence. This focus on drunkenness, especially in connection with the ethnicity of those involved, reflects the conflicting views on alcohol held by Milwaukeeans. Alcohol was simultaneously a venue for social and cultural interactions (for example, saloons and *biertgartens*) and a vice that drove men to kill their wives. These conflicting views on alcohol consumption become especially challenging when Milwaukee's reputation as a German beer capitol – which grew into the late nineteenth century – is considered.

The *Sentinel* reported the first documented case of the murder of a woman by her husband in Milwaukee on February 3, 1848, when the city was barely two years old. Under a headline of “INTEMPERANCE”, the *Sentinel* reported that an Irish woman, Valler (first name unknown), had been found dead in her bed, with severe bruises on her face and side.<sup>69</sup> Her husband, an Englishman named Joseph Valler, was known – according to the *Sentinel* – to be a heavy drinker, and the woman herself had a reputation of “drinking hard.”<sup>70</sup> Before he started drinking, the *Sentinel* reported, Mr. Valler was highly regarded by friends and neighbors. Joseph Valler denied attacking his wife, instead attributing her death to “the effects of Rum” and indicated that he was not interested in any further investigations into the topic.<sup>71</sup>

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<sup>69</sup> “Intemperance,” *Milwaukee Sentinel*, February 3, 1848.

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*

Although it was relatively common for women not to be identified by their first names in newspaper coverage, that her ethnicity was explicitly identified indicates that the *Sentinel* may have perceived her Irishness as integral to their coverage of her death. In fact, aside from a brief reference to some bruises on her face and side, “Irish” is the only adjective used to describe her at all. Similarly, her husband is described several times as “an Englishman” or “the Englishman”, thus asserting his ethnic identity as similarly important.<sup>72</sup> By indicating their differing ethnicities, the *Sentinel* may have been signaling a perceived unusualness in their pairing. It also works to place them in a cultural framework of perceptions of the drinking habits of the English and Irish.

A similar case of murder or intemperance, also involving a woman of Irish descent named Catherine Howley occurred less than a decade later. In this case, the witness – Howley’s 13-year-old daughter – first reported that Howley’s husband struck his wife during an argument, causing her death. Later, the witness changed her story, reporting that her mother died of cholera after a week-long bout of sickness. The outcome of the investigation into Howley’s death remained inconclusive.<sup>73</sup>

The *Sentinel*’s coverage of the Howley case began with a rumor “that an Irishman...had murdered his wife.”<sup>74</sup> The article continues, reporting the rumors as likely fact, writing that Mrs. Howley had returned home drunk from a neighbor’s house on a Sunday afternoon and quarreled with her husband. The article further described Mrs.

<sup>72</sup> Ibid.

<sup>73</sup> “Rumored Murder in the Fifth Ward,” *Milwaukee Sentinel*, October 17, 1854.

<sup>74</sup> Ibid.

Howley as of “drunken habits” and a “confirmed drunkard for a long time.”<sup>75</sup> Howley’s drinking habits, as well as her reported penchant for quarreling with her husband in public, made her an unsympathetic figure for middle class Milwaukeeans, and thus ineligible to fill the type of the “beautiful female murder victim.”

These two cases, though inconclusive, raise questions surrounding how different ethnic groups – specifically, the Irish – were perceived in the city. Irish immigrants did, in fact, have higher rates of alcohol-related deaths than other immigrant groups in major American urban centers. One study of 1890 census data revealed that Irish-Americans suffered higher rates of death due to “alcoholism” and “liver diseases” than other ethnic groups.<sup>76</sup> Alcohol consumption was indeed a part of Irish culture, particularly in response to the Great Famine between 1845 and 1852, which led both to a large influx of Irish immigrants to the United States and a increase in alcohol consumption.<sup>77</sup> However, alcohol consumption was also part of ethnic stereotypes (or racial hazing) of the Irish, especially Irish Catholics. Historian Jennifer Nugent Duffy argues, “caricatures of the apelike, drunk, dirty, lazy, and potentially violent ‘Paddy,’ both in Great Britain and in the United States, epitomized the racialization of the Irish as a separate, inferior race.”<sup>78</sup> Emphasis on the role of alcohol in the *Sentinel*’s coverage of these two potential homicides indicates the reinforcement of cultural tropes of Irish immigrants as alcoholics.

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<sup>75</sup> Ibid.

<sup>76</sup> Robin Room, “Cultural Contingencies of Alcoholism: Variations between and within Nineteenth-Century Urban Ethnic Groups in Alcohol-Related Death Rates,” *Journal of Health and Social Behavior* (1968) : 104.

<sup>77</sup> Duffy, *Who’s Your Paddy?*, 105.

<sup>78</sup> Ibid., 12.

While neither of the previous examples made it into the courts, the case of Margaret Higgins provides unique insight into how the court system approached the influence of alcohol on violent acts. Mrs. Higgins was found stabbed to death at the door of a shanty along the shores of Lake Michigan. Mrs. Higgins and her husband Michael had only recently arrived in the city and were staying with their cousin Martin Morrissey and his wife. Mrs. Higgins, her husband, Morrissey, Edward Dailey, and a fisherman named Edward Dawson fell into a heated argument after Mrs. Higgins accused Morrissey of abandoning his wife and children in Ireland. While all four men were brought up on murder charges, only Dawson and Mr. Higgins were found guilty of the crime. Before dismissing Morrissey and Dailey, though, Judge A. W. Randall spoke at length on the negative effects of alcohol: “[Randall] thought it his duty to give them some advice before they were discharged, and that was, as they had seen the ill effects of indulging too much in intoxicating drinks, and what it led to, he earnestly advised them, and hoped they would strictly abstain, for the future, from any further use of intoxicating beverages.”<sup>79</sup> Here, Randall’s words serve as the voice of middle class morality, sternly chastising those who stepped beyond the dictates of normative behavior.

In the Higgins case, the victim’s use of alcohol served to remove her from the ideal of the beautiful female murder victim. Little attention is paid to Higgins’ appearance, and her association with a group of men – including drinking with them, in a time when women were not welcomed in most saloons – raised questions of her innocence and femininity. Similarly, the argument that led to her death arose from her public chastisement of a man, an act that further removed her from proper middle-class

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<sup>79</sup> “Circuit Court – Jan. 17,” *Milwaukee Sentinel*, January 19, 1857.

gender roles. Thus, Higgins was an unlikely candidate for a beautiful female murder victim.

If an individual's alcohol use or abuse itself did not play a direct role in a violent attack, it was frequently used as a means of assessing morality. For example, in 1858 Patrick Bennett brutally murdered his wife Margaret with an axe and disfigured her body after her death. Whether either Bennett was intoxicated at the time of the attack was unknown. However, the *Sentinel* described Patrick Bennett as "one of the worst characters in the city", noting, "there is scarcely a drunken row, that ever happened here, that he has not had a hand in."<sup>80</sup> Patrick Bennett's frequent inebriation became an important factor in the trial, as the *Sentinel* reports: "many think...that the wretched man, Bennett, was insane from the effects of intemperance, and part of the testimony would incline one to that belief."<sup>81</sup> However, as Bennett made no attempts to protest his own guilt, he was found guilty.

Another case of murder attributed to the long-term effects of alcohol consumption appeared nearly twenty years later. In this case, David Spellan was charged with the murder of Maria Parker. Spellan's attorney argued that Spellan was suffering from delirium tremens at the time of the murder, and he believed that he was "defending himself against imaginary enemies."<sup>82</sup> Before the jury was sent to determine a verdict in the case, the presiding judge, James Mallory, instructed the jury: "drunkenness is no excuse for the commission of crime, unless its effects have gone so far as to impair the

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<sup>80</sup> "Horrible Murder," *Milwaukee Sentinel*, March 27, 1858.

<sup>81</sup> "The Wife Murderer, Bennett," *Milwaukee Sentinel*, March 29, 1858.

<sup>82</sup> "Municipal Court – Judge Mallory," *Milwaukee Sentinel*, April 15, 1876.

reason so far as to render him incapable of distinguishing between right and wrong.”<sup>83</sup> In this case, the jury found Spellan guilty, but of a reduced charge of manslaughter in the third degree.

The responses to the murders of Margaret Higgins, Margaret Bennett and Maria Parker indicate the conflicted feelings surrounding alcohol use in Milwaukee during the later nineteenth century. In the Higgins case, all of the accused were reportedly under the influence of alcohol, and said influence was reportedly the cause of Higgins’ murder; however, the defendants’ intoxication was not considered an acceptable defense of their actions. On the contrary, James Bennett and David Spellan’s “insanity” due to excessive drinking was considered a sympathetic defense for their actions. While both Bennett and Spellan were found guilty, the severity of the sentence may have been influenced by differing perceptions of culpability based on long-term effects of alcohol abuse. These cases indicate that while drinking itself was considered a vice (if only a mild one), and those that practiced it to excess were to be particularly abhorred, the effects of long-term alcohol abuse were ultimately considered pitiable.

### **“It Is Thought Probably That He Loved The Girl”<sup>84</sup>: Unrequited Love and Exoticism**

While all types of violent crime were fodder to an eager press and its readers, the nineteenth century press – and public – particularly relished narratives of love affairs gone sour. This was true elsewhere in the country as it was in Milwaukee, as newspapers re-printed particularly salacious stories from around the country in local newspapers.

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<sup>83</sup> Ibid.

<sup>84</sup> “Shot in Her Bed,” *Milwaukee Sentinel*, April 5, 1886.



Information about these often illicit love affairs both titillated readers with scandalous details of dangerous sexuality and acted as warnings against the same. Indeed, fears over working-class women's sexualities were abundant in coverage of female victims of violent crime beginning in the 1840s.

Nineteenth century working-class women gained increasing freedom from the direct oversight of male relatives or husbands due to increased access to independent wages, thus allowing them a modicum of control over their lives through limited economic freedom. These new freedoms raised middle class concerns not only about working women's comfort in the masculine world of the public sphere but also about their exposure to and freedom to indulge in sexuality. This could – and often did – lead newspapers to portray working-class female victims of love affairs gone sour as dangerous themselves; Amy Srebnick argues that female victims identified in newspaper coverage as “working class, single, sexually available, and apparently independent...raised middle-class fears about the dangers of city life to such an extent that [the victim] becomes therefore not the *victim* but the *danger* of the modern metropolis.”<sup>85</sup> However, a female victim could gain “beautiful female murder victim” status in newspaper coverage if she was not independent or overtly sexually available. In cases where the victim behaved in what was considered by the middle classes to be a socially acceptable way, newspaper coverage remained largely sympathetic.

Female victimhood became even more complex when issues of ethnicity, race and religion were raised. Over the nineteenth century, middle class white Americans increasingly racialized Jewish immigrants. While during the eighteenth and early

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<sup>85</sup> Srebnick, *The Mysterious Death of Mary Rogers*, 82. Emphasis in original.

nineteenth centuries American Jews were seen as different based solely on their status as un-Christian, as fewer German (and more “assimilable”) and Western European Jews immigrated, and more Yiddish-speaking Eastern European Jewish immigrants arrived, Jews were increasingly conceptualized as a unique race.<sup>86</sup> The artificial creation of a “Jewish race” was hinged directly upon physical characteristics, which reinforced perceived racialized character traits:

Visible Jewishness in American culture between the mid-nineteenth and mid-twentieth centuries represented a complex process of social value *become* perception: social and political meanings attached to Jewishness generate a kind of physiognomical surveillance that renders Jewishness itself discernable as a particular pattern of physical traits (skin color, nose shape, hair color and texture, and the like)... The visible markers may then be interpreted as outer signs of an essential, immutable, inner moral-intellectual character; and that character, in its turn—attested to by physical ‘difference’—is summoned up to explain the social value attached to Jewishness in the first place.<sup>87</sup>

Thus, when newspaper articles and other cultural productions from this period mentioned the physical characteristics of Jewish people, they subtly reinforced both the notion of the “Jewish race” as a biological or natural construct and the character traits already associated with Jews. In reinforcing these concepts, though, they also worked to create and sustain them. Thus, an action perpetrated by one Jewish person becomes attributable to Jews as a racialized whole.

The emphasis on the physical characteristics of Jewish people merged with the sexualization of the “beautiful female murder victim” in the case of the Rosenstein murder. Isadore Seidenbaum, a young Jewish man of 18, spent many hours with the

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<sup>86</sup> Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA : Harvard University Press, 1999), 172.

<sup>87</sup> *Ibid.*, 174. Emphasis in original.

Rosensteins, teaching 15-year-old Annie Rosenstein Hebrew lessons almost every evening. On the evening of April 4, 1886, Seidenbaum asked permission to stay with the Rosensteins, saying that he had no money to stay elsewhere. After the family retired to bed, Seidenbaum snuck into Annie Rosenstein's bedroom (which she shared with several sisters) and shot her, shooting himself immediately after. Although Seidenbaum provided no motive, speculation began immediately that he had been in love with his victim. In its coverage of the event, the *Sentinel* reported, "none of the relatives of the deceased could advance any theory as to the cause of the double tragedy."<sup>88</sup> Yet the paper felt that it was able to then report, "it is thought probable that he loved the girl, but had become disheartened through being out of employment."<sup>89</sup> In order to both demonstrate the likelihood of Seidenbaum's unrequited love for Rosenstein as well as their exotic nonwhite status, the *Sentinel* spent a large portion of its article on the murder describing Annie Rosenstein's appearance:

Although but 15 years old, she possessed a fine form of womanly symmetry, while her face was strikingly handsome. She lay with one small, well-shaped hand over the coverlet, while her head was close to the outer edge of the bed, while the thick clustering black curls were stained with the red stream that slowly oozed from the cruel hole in the side of her head. She looked so peaceful, her eyes hidden by the long, black eyelashes, and her features as quiet as through dreaming, that but for the sobbing of her older brother, add the scarlet evidence of the tragedy that dyed the pillow and sheet upon which she was reclining, she looked as though still sleeping. There was a slight blood stain on her upper lip, but that was all that marred its beauty.<sup>90</sup>

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<sup>88</sup> "Shot in Her Bed," *Milwaukee Sentinel*, April 5, 1886.

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

The imagery used to describe Rosenstein – her “black curls” stained red with blood, a slight blood stain on her otherwise pure lip – both sexualizes her and asserts her purity in the face of Seidenbaum’s heinous actions. It also serves to subtly remind readers of Rosenstein’s Jewishness by describing her hair (“thick clustering black curls” and “long, black eyelashes”) as well as the physical characteristics of her younger sisters (“three little black-eyed girls”), which were common racial signifiers of Jewishness.<sup>91</sup> While the motive for Seidenbaum’s act remained unknown, the *Sentinel*, through its speculation and vivid description of Rosenstein’s appearance was likely trying to create a narrative of the murder that would prove to be attractive to its readership by simultaneously placing Rosenstein in the role of the “beautiful female murder victim” and by exoticising her and her murderer. Further, by speculating that Seidenbaum’s actions were the product of unrequited love and sexual passion, the *Sentinel* reinforces white fears over nonwhite sexual impulsivity. Thus, middle class whites may have interpreted Seidenbaum’s violence as a normative response by nonwhite men to sexual frustration.

**“Heir to a big fortune”<sup>92</sup>: Financial gain**

Newspaper coverage of murders committed for financial gain provided Milwaukeeans with a venue to parse out conflicting views of the peril and wonders of an increasingly urbanizing environment and the large shifts that urban industrial centers wrought on class structures. Throughout the nineteenth century, and increasingly by the end of the century, immigrants and those from rural farms, towns and villages alike

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<sup>91</sup> Ibid.

<sup>92</sup> “Heir to a Big Fortune,” *Milwaukee Journal*, October 8, 1883.

flocked to urban centers such as Milwaukee to compete for higher paying jobs. Women also joined the workforce in increasing numbers. As money was often a driving factor for laborers to move to Milwaukee, the middle classes expressed concerns over the extremes that a growing culture of materialism could lead amongst the working classes, even though they themselves often profited from such materialism. Consumption could indeed be conspicuous among the middle and upper classes; however, amongst the poor and working classes – and especially working women – it could be dangerous.

In early October 1883, August Elstermann murdered his wife at the Clinton Street Hotel by striking her with an iron bar bought from the shipyard and quickly thereafter absconded to Germany. A man thought to be Elstermann was caught in Michigan City, Indiana, but was quickly revealed to be West side tailor leaving his wife, who was very much alive. While some police officers speculated that Elstermann had committed suicide, others speculated that the act was deliberate, as he changed his shirt, washed his hands and locked the door to their room. The reasons for Elstermann's actions became clear after reports that Elstermann had become heir to a fortune in Bismarck, Germany surfaced. According to police theory, Elstermann "committed the murder to avoid the necessity of returning to his old home with the woman [his wife]."<sup>93</sup>

Elstermann was not captured until three years later, in 1886, when he was found not in Germany but in St. Louis. In its 1886 follow-up of the case, the *Daily Journal* reported further details of the crime not indicated earlier, including details of the woman who had been found murdered in 1883. Although her name was not provided, she was

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<sup>93</sup> Ibid., Elstermann was frequently referred to by his alias, Hoffman. However, I have chosen here to refer to him by his legal name.

described as “remarkably pretty, apparently not over 22 years old, dressed neatly and appeared to be devoted to [Elstermann].”<sup>94</sup> The couple checked into a Milwaukee hotel under an alias, and kept largely to themselves. When they did not check out, their room was inspected, only to find the woman’s “head beaten to a jelly and life extinct.”<sup>95</sup> Elstermann left a note in the room, which indicated that he had arrived in the United States with one thousand dollars and had none left; it also stated that “he and his wife had mutually decided to die, and that he had killed her and taken his own life.”<sup>96</sup> However, this was proven to be false when he was located in St. Louis, living with his actual wife and children. Elstermann had, in fact, brought his mistress to Milwaukee, killed her, and escaped to rejoin his family.

Elstermann’s case so captured the newspaper’s attention not only because of the brutality of the crime committed, but also because of its supposed motivations. The reality of the mysterious inheritance or even the one thousand dollars brought to the United States from Germany is certainly questionable; in fact, it appears to be a falsehood deliberately spread by Elstermann to throw investigators off of his trail. The indication that Elstermann likely knew that the mention of a mysterious fortune would distract investigators and crime reporters implies that large amounts of money were inherently fascinating and seen as a potential source of violence. The early rumors that Elstermann had killed his wife after hearing of a large inheritance waiting for him in Germany in order to, presumably, marry a woman more fitting his new status implied that working

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<sup>94</sup> “Old Time Murder Traced,” *Milwaukee Journal*, February 24, 1886.

<sup>95</sup> *Ibid.*

<sup>96</sup> *Ibid.*

class or impoverished people such as Elstermann may have been considered by the middle classes to be unable to handle large amounts of money in a proper manner and would more easily succumb to greed. Thus, the early rumors surrounding the case could have implied that male violence emerged from working class men with aspirations to join the middle class, thus defying class-based hierarchies.

At about 9 o'clock on the night of February 2, 1892, Minnie Niedeck and her twelve-year-old daughter returned home from visiting friends. Less than two hours later, Niedeck's daughter awoke to her mother and father, Frederick, fighting. Fredrick pushed Minnie against the wall and "pulled a razor from his pocket and drew it across her throat."<sup>97</sup> Minnie managed to escape her husband's attack, making her way to a nearby saloon. The *Sentinel* described her entrance in the saloon using graphic imagery: "Only in a night dress, the whiteness of which had been dyed a deep red with her life blood, bare footed and with disheveled hair, the agony of death upon her face, the woman entered. ... 'My husband cut my throat' was all she said."<sup>98</sup> Upon her death, the "men in the saloon left, awed by the presence of death."<sup>99</sup> Police searched the Niedeck home for Minnie's assailant, and found that he had committed suicide in the same manner in which he had killed his wife.

While Frederick exhibited several positive traits, ultimately his attitudes towards money and his relationship with his wife – not the brutality of his actions – enabled his demonization. The *Sentinel* described him as "a sober and industrious man, [who] was

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<sup>97</sup> "Murder and Suicide," *Milwaukee Sentinel*, February 3, 1892.

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*

not known to use liquor.”<sup>100</sup> He had held the same job, as a teamster at a tannery, for over thirty years. Frederick was deemed by the *Sentinel* to be “well-to-do”, as in addition to his work, he also owned several houses, which he rented out for supplemental income.<sup>101</sup> However, the *Sentinel* revealed Frederick, for all his industriousness, was “very greedy”, and would limit the amount of money his wife was allowed to spend on personal goods. Niedeck’s daughter reported to the newspaper, “Pa and ma often quarreled and it was always over money matters. Pa was very close and did not like to give Ma much money.”<sup>102</sup> The daughter further reported that Frederick had been physically assaulting his wife over money problems.

By emphasizing Frederick’s stingy behavior in providing money to his wife and child, the *Sentinel* implied that he was not fulfilling his duties as a male breadwinner, and thus as a man. As a relatively wealthy man, Frederick should have been able to provide Minnie with all of the comforts of a middle class lifestyle. Indeed, the *Sentinel* described Minnie as a “faithful, hard-working woman”, thereby fulfilling gendered expectations for wives. Thus, Frederick is presented as defying gendered norms for male behavior both in his violent actions and his inability to properly care for his family, despite his wealth.

Concerns over the possible fluidity of class status as well as the proper use and role of money in the household are clearly reflected in newspaper portrayals of homicide cases such as those of Elstermann and the Niedecks where finances became a major issue. While money enabled increased access to the trappings of a middle class lifestyle,

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<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.



these cases reflect fears that the behaviors of the newly middle class would not meet normative standards of behavior. Thus, these cases serve as warnings for those who sought to enter the middle classes but were unprepared to fulfill middle class norms.

**“The Colored People’s Day in Court”<sup>103</sup>: Race and the Thompson Murder**

Although Milwaukee’s black population remained relatively small throughout the nineteenth century, it began to grow in the last decades of the century. In 1870, the city’s black population numbered only 176, making up 0.2 percent of the city’s overall population. In 1880, the number grew to 304, nearly a 74 percent increase; by 1890 the black population number just under 450, nearly a 50 percent increase over 1880.

Milwaukee’s black population nearly doubled between 1890 and 1900, to 862, though blacks made up only .3 percent of the overall city population.<sup>104</sup> Most black migrants to the city arrived for economic advancement, engaging in “the city’s expanding domestic, personal service, and common laborer positions.”<sup>105</sup> In fact, nearly all of Milwaukee’s black population worked in one of five occupations: cooks, waiters, common laborers, porters and servants.<sup>106</sup> European immigrants competed with blacks for jobs, essentially shutting off most black workers from industrial work. Whites also competed with blacks

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<sup>103</sup> “Twelve Men Secured,” *Milwaukee Sentinel*, March 30, 1892.

<sup>104</sup> Joe William Trotter, Jr., *Black Milwaukee: The making of an industrial proletariat, 1915-45* (Urbana, IL: University of Illinois Press, 1985), 5.

<sup>105</sup> *Ibid.*, 9.

<sup>106</sup> *Ibid.*

for housing, which resulted in the black community living largely next to the River Street vice district, under poor housing conditions.<sup>107</sup>

By the 1890s, Milwaukee's growing black population faced increasing racial discrimination. This discrimination became apparent in "matters of public amusements (theaters, hotels, and restaurants), interracial social relations (particularly marriage), and a variety of other instances."<sup>108</sup> However, Milwaukee remained divided on issues of racial segregation. After Bijou Theater owner Jacob Litt refused entry to Owen Howell in 1889, a black railway porter, many prominent Milwaukee whites, including the editors of the *Journal* and the *Sentinel* "reacted vigorously against efforts to segregate blacks."<sup>109</sup> Litt lost his case in Wisconsin circuit court, which ruled "a person could not be excluded from equal access to places of public amusements upon the grounds of race, color, or previous condition of servitude."<sup>110</sup> In 1891, a civil rights bill was introduced to the Wisconsin state legislature that fined those who refused service to blacks in places of "accommodation and amusement"; after facing rejection for several years, the bill passed in 1894.<sup>111</sup> Although the Litt case and the civil rights bill demonstrated that efforts were made to prevent formalized segregation in Milwaukee, the populace remained largely racially prejudiced, and blacks faced increasing levels of harassment from police as well as white storeowners.

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<sup>107</sup> Ibid., 24.

<sup>108</sup> Ibid., 25.

<sup>109</sup> Ibid., 26.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

As the city grappled with both increasing racial prejudice and efforts to protect basic civil rights, John H. Thompson stood trial for the murder of his mother-in-law, Elizabeth Jackson. Thompson, according to the *Journal*, was a relatively well-known figure to politicians at the state capitol in Madison, as he had operated his own bootblack stand – “a thriving business” – at the state capitol building in 1889.<sup>112</sup> While in Madison he met his wife, who was described in the *Journal* as “a belle in colored society there.”<sup>113</sup> After moving to Milwaukee, Thompson worked as a porter at a local barbershop. Jackson came to Milwaukee from Madison to live with her daughter and son-in-law.

On the night of January 17, 1892, Thompson returned home from work, sober. That night, Thompson and his wife got into a heated quarrel, resulting in his wife retiring to Jackson’s room, rather than their marital bed. An “enraged” Thompson grabbed his revolver from its drawer, entered Jackson’s room and “began shooting.”<sup>114</sup> Thompson’s wife escaped with minor injuries, running for help from a neighbor. Jackson was not so lucky; after being shot, Thompson bludgeoned her and slit her throat with a razor. After murdering Jackson, Thompson attempted to remove his wife from the neighbor’s home in which she had sought shelter, but was thwarted.

The *Sentinel* and *Journal* presented conflicting portrayals of Thompson’s character. The *Sentinel* described Thompson in slightly more compassionate terms, emphasizing his sobriety, noting that at the time of the murder, “he had not been drinking

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<sup>112</sup> “Plea of Self-Defense,” *Milwaukee Sentinel*, January 20, 1892.

<sup>113</sup> “Will Answer for Murder,” *Milwaukee Journal*, March 28, 1892.

<sup>114</sup> “A Negro’s Awful Deed,” *Milwaukee Sentinel*, January 19, 1892.

and was perfectly sober”<sup>115</sup> and further reporting, “it is stated that Thompson was not a drinking man, and according to his own story he has not touched a drop in eight years.”<sup>116</sup> The *Sentinel* also included some of his other positive personal attributes in their coverage, praising his character (“his friends say he has hitherto borne a good character”<sup>117</sup> and “was considered a quiet, inoffensive fellow while he lived here”<sup>118</sup>) and his education (“Thompson speaks English and German”).<sup>119</sup> Both the *Sentinel* and the *Journal* devoted much of their initial coverage to Thompson’s own words on the attacks, though their reports differed in one particular area. The *Journal* included the following passage, attributed to Thompson, which was not included in the *Sentinel*’s accounts of the same event: “I belong to a race that never commit suicide, and if I did not I might have ended my troubles by killing myself.”<sup>120</sup> While the racial and cultural basis for Thompson’s assertion are somewhat questionable, at least one survey of homicide practices between racial and ethnic groups during the late nineteenth century has demonstrated that suicide attempts were rare amongst African Americans who committed homicide.<sup>121</sup>

The case so captured the attention of Milwaukeeans that the lawyers trying the case had difficulty finding jurists who had not already formed an opinion. W.J. Kershaw,

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<sup>115</sup> Ibid.

<sup>116</sup> Ibid.

<sup>117</sup> Ibid.

<sup>118</sup> “Plea of Self-Defense,” *Milwaukee Sentinel*, January 20, 1892.

<sup>119</sup> Ibid.

<sup>120</sup> “Sorry He Did Not Kill Her,” *Milwaukee Journal*, January 19, 1892.

<sup>121</sup> Adler, “We’ve Got A Right To Fight, We’re Married”, 42.

the defense attorney, “asked every talesman [sic] if he was prejudiced against the defendant because he was a negro.”<sup>122</sup> Even the early stages of the trial attracted great attention from the city’s black community: “Every seat in the court room was taken yesterday and the majority of the spectators were colored men and women.”<sup>123</sup> As the trial continued, the black community’s interest in the case intensified, leading the *Sentinel* deem it “the colored people’s day in court.”<sup>124</sup> Although the *Sentinel*’s report that “every colored man and woman in the city who could be present at the trial occupied a seat in the court room” was somewhat dubious, it is clear that the case attracted great attention from both the black community and white spectators. By focusing on the interest of black Milwaukeeans in the case, the *Sentinel* further racialized the case, presenting it as an issue within the black community as a whole, rather than an isolated case of violence.

Thompson pleaded self-defense, with his lawyer arguing that his mother-in-law “was a disturbing element in the family and that the home life of the Thompsons was not as pleasant as it might have been.”<sup>125</sup> By emphasizing his unhappiness with his home life Thompson asserted the right to style his home life on norms established by middle class whites. White bourgeois values of happiness found through private life largely ignored the working class and nonwhites. In asserting his unhappiness in his family’s inability to fulfill his emotional needs Thompson was challenging boundaries placed on black family life.

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<sup>122</sup> “On Trial for Murder,” *Milwaukee Sentinel*, March 29, 1892.

<sup>123</sup> Ibid.

<sup>124</sup> “Twelve Men Secured,” *Milwaukee Sentinel*, March 30, 1892.

<sup>125</sup> Ibid.

During the trial, it was revealed that Jackson had threatened Thompson on numerous occasions. According to the *Sentinel*, “it was doubtless this one fact which saved him from a life sentence.”<sup>126</sup> While the prospect of threats against Thompson provided further evidence of his claims of self-defense, it also demonstrated the seemingly imbalanced gender roles in the Thompson household. Jackson’s presence in the household challenged Thompson’s role as the male head of the house. Thompson claimed that Jackson “interfered with his domestic affairs”, thereby undermining his masculine authority.<sup>127</sup> Additionally, because of her behavior towards the male head of household, as well as her age and possibly her race, Jackson was not portrayed as the “beautiful female murder victim”. In fact, she received little attention and little pity from newspaper coverage, which was more centered upon Thompson’s home life.

Likely due in part to his mother-in-law’s domineering behavior, Thompson was found guilty of third degree murder, which newspapers deemed a “light penalty.”<sup>128</sup> Based on the story as reported in the *Sentinel* and the *Journal*, it is possible that if the verdict had been determined based exclusively on racial prejudice, it likely would have been much harsher; rather, it is possible that the verdict was lighter due to the unbalanced gender roles presented in the case and because of the victim’s lack of white, middle-class femininity through her domineering behavior towards her son-in-law. Thus, even with the added element of racial difference, men’s violence towards women was portrayed as a normative response to nonnormative behavior on the part of a woman.

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<sup>126</sup> “Gets a Light Penalty,” *Milwaukee Sentinel*, April 1, 1892.

<sup>127</sup> *Ibid.*

<sup>128</sup> *Ibid.*

## **Conclusions**

Though examining these case studies of violence by Milwaukee men towards women in the nineteenth century, it is possible to discover racial, ethnic, class and gender tensions at play in the city. Newspaper portrayals of guilt or innocence, normativity or aberration depended on middle class social narratives of idealized family and gender roles. When a perpetrator or victim of violence did not match gender ideals – whether on account of class, race, ethnicity or alcohol consumption – how newspapers portrayed them changed. Thus, while the specific circumstances of individual acts of violence varied, Milwaukee's newspapers fit them into preexisting social narratives of right and wrong, feminine and masculine, normative and nonnormative.

## Chapter 2

### Violent Women, Insanity and Milwaukee's Press

*“So year by year the throng of mankind rushes on and day by day weak and diseased men and women are trampled under foot or dashed against the walls. They are criminals, but they are also men and women and have souls—perhaps. What shall be done with them, especially with the women? That is the eternal question of life which finds no solution.”*<sup>129</sup>

*Milwaukee Sentinel*

August 4, 1888

While women as innocent victims of the brutalities of men played directly into nineteenth century patriarchal attitudes, women who perpetrated violence themselves challenged contemporary conceptions of gender. Sociologist Belinda Morrissey argues, “legal and media narratives of murders committed by women indicate that these acts are also generally more traumatic for heteropatriarchal societies than those of men. For the fear of women, of their power to generate life and to take it away, runs deep in male dominated societies.”<sup>130</sup> Morrissey’s argument relates strongly to Milwaukee in the nineteenth century, which was dominated by men domestically, economically, politically and socially.

Women who committed murder in the nineteenth century provoked a wide range of responses from the news media and legal officials. Morrissey argues that two defense mechanisms can be found in legal and media discourses in the aftermath of a female-perpetrated murder: projection and regression. By responding through projection, Morrissey argues, the media finds it “safer to turn murderesses into monsters than to face

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<sup>129</sup> “Women in Crime,” *Milwaukee Sentinel*, August 4, 1888.

<sup>130</sup> Morrissey, *When Women Kill*, 2.



the savagery at the core of ‘the law’ and media. ... Vilification operates to displace the offender from her society, to insist on her otherness, thereby avoiding the knowledge that she is produced *by* that society.”<sup>131</sup> Nineteenth century Milwaukee newspapers frequently used language that denied or questioned a woman murder’s womanly attributes. For example, an article detailing an 1875 case of infanticide blared the headline “AN UNNATURAL MOTHER”, thereby immediately displacing the accused murder from her societal role as a mother, while ignoring social factors that may have contributed to her so-called unnatural behavior.<sup>132</sup>

The second discursive response to women who kill detailed by Morrissey – regression – is somewhat subtler than projection. Regression “expresses the desire to resort to an earlier stage of development in order to escape the fear trauma brings.”<sup>133</sup> This response places women in more conventional roles in response to male power, portraying female killers as victims of male aggressors. While this discursive reaction to female violence was less culturally present in the early nineteenth century – when husbands were seen as having the right to beat their wives as they saw fit – by the end of the nineteenth and into the early twentieth centuries the narrative shifted to allow women who were in fear of their lives from abusive husbands to literally get away with murder. Historian and criminologist Jeffrey S. Adler, in his study of female murderers in turn-of-the-century Chicago, found that “of the eighty white husband killers in the city [Chicago] from 1875 to 1920, only two were found guilty and sentenced to prison terms of more

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<sup>131</sup> Ibid., 24. Emphasis in original.

<sup>132</sup> “An Unnatural Mother,” *Milwaukee Sentinel*, April 1, 1875.

<sup>133</sup> Morrissey, *When Women Kill*, 24.

than one year.”<sup>134</sup> This was not due to a lack of evidence that the women committed the crimes, but rather a patriarchal response on the part of the all-male jury to protect these women, and thereby return them to their more acceptable social role as victims to male aggression. Adler argues that this desire to protect women from their violent husbands – even if it meant not sending a murderer to prison – was the result of a “new” unwritten law, which emerged in the late nineteenth century and granted a wife the right to use lethal force to protect herself against a violent husband.<sup>135</sup>

Both projection and regression responses to female killers serve to take away these women’s agency. Morrissey also suggests that they serve to “confirm that female aggression has no place in our culture.”<sup>136</sup> Morrissey further argues that three techniques are used in media and legal discourse to deny murderous women their agency: vilification/monsterization, mythification and victimism.<sup>137</sup> Vilification/monsterization portrays female killers as inhuman monsters, describing the woman as evil and outside of respectable society, thereby removing their agency in their actions by implying that their acts were almost a natural part of their inhuman natures. Mythification, similar to vilification/monsterization, compares female killers to supernatural creatures – such as witches or vampires – in order to further alienate her from general society. Victimism removes the female murder’s agency by making her the victim of outside forces,

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<sup>134</sup> Jeffrey S. Adler, “‘I Loved Joe, but I Had to Shoot Him’: Homicide by Women in Turn-of-the-Century Chicago,” *Journal of Criminal Law and Criminology* 92, no. 3/4 (2002) : 884.

<sup>135</sup> *Ibid.*, 882.

<sup>136</sup> Morrissey, *When Women Kill*, 25.

<sup>137</sup> *Ibid.*

emphasizing victimhood over any possible agency. When victimism is employed on murderous women to its furthest extent, becomes “difficult to regard them as ever having engaged in an intentional act in their lives.”<sup>138</sup>

This chapter examines newspaper portrayals of women who killed in Milwaukee during the nineteenth century, locating vilification/monsterization, mythification and victimism in the discourses surrounding violent women, and examining how the development of Adler’s “new” unwritten law may have affected the female murders of Milwaukee in both media narratives of violence as well as the trial process. This chapter is divided into three distinct sections. First, Milwaukee wives who killed their husbands will be discussed. Next, women who killed their children – not including infants – will be examined. Then the intersection between women and insanity in Milwaukee during this period is analyzed.

### **SHE PURCHASED THE PISTOL: Where are the husband killers?**

*“It is learned that the wife left the husband some time ago, as a result of trouble over a mutual friend and she returned recently only upon condition that he make over his property, valued at \$3,000 to her. It is also learned that she purchased the revolver with which he was shot.”<sup>139</sup>*

Women who murdered their husbands or lovers were defied of the most basic tenants of patriarchal authority in the nineteenth century, to obey one’s husband. Throughout much of the nineteenth century, men had the prerogative to physically confront their wives (within limits) as they saw fit. And though the middle classes frowned on overt and public displays of domestic violence (see Chapter 1), what

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<sup>138</sup> Ibid.

<sup>139</sup> “Evidence of Foul Murder,” *Milwaukee Sentinel*, May 14, 1892.

happened within the bounds of the private sphere was ultimately the responsibility of the husband. While male authority remained present throughout the century, during the last quarter of the nineteenth century, women increasingly challenged this authority by entering the industrial workforce. Simultaneously, work increasingly became de-skilled as the century continued, leaving men in positions of less respectability and financial stability. Expectations for marriage also changed during the nineteenth century, with increasing numbers of both women and men seeking companionate marriages and questioning marriages that did not fit the ideals of such. This volatile mix of social and cultural changes contributed to an overall increase in violence within the home by the end of the nineteenth century, often involving women as perpetrators.

Although limited statistics are available for homicide in Milwaukee during this period, a comparison with neighboring Chicago can provide insights into overall trends among female killers in the region. Generally, women tended to kill relatives and lovers in the home. A study of female killers in turn-of-the-century Chicago revealed that some eighty percent of victims of female killers during the period were relatives or lovers.<sup>140</sup> Similarly, seventy-seven percent of these homicides were committed in the home.<sup>141</sup> These statistics reflect women's position in nineteenth century society: focused on the home and interacting largely with family members. This is especially true when considering the socio-economic class of many female killers. In his study of Chicago's female killers, Adler found that two-thirds of women who killed their husbands came

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<sup>140</sup> Adler, "I loved Joe", 870.

<sup>141</sup> Ibid.

from households in which the breadwinner was a white-collar, professional or skilled worker, making them relatively wealthy.

One of the earliest instances of a charge of husband murder brought against a wife occurred in November 1845, nearly three years before Wisconsin became a state and several months before Milwaukee was officially established as a city. In the case Mary Nulton was accused of poisoning her husband. Though few details of the case remain, Nulton was acquitted due to lack of evidence.<sup>142</sup> Poison, commonly considered the most common tool for murder among women, declined in popularity as the century continued and handguns became more accessible. In fact, by the end of the century, Adler found that more than seventy five percent of husband killers used firearms, as they compensated for physical or size disadvantages between men and women.<sup>143</sup>

While husband killers were prevalent in Chicago, local newspapers covered relatively few cases of wives killing their husbands in Milwaukee. As statistics are unavailable, one cannot definitively determine the prevalence of women killing their husbands in Milwaukee as compared with Chicago, except that Milwaukee's newspapers covered many fewer incidents of husband murder. It is indeed possible that few wives killed their husbands in Milwaukee, based on newspaper coverage. A study of homicide in Chicago in the late nineteenth century found that local newspapers covered over ninety

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<sup>142</sup> Acquittal during the nineteenth century did not necessarily indicate that the defendant was not guilty of murder. White women rarely went to trial, and when they did only small minorities were found guilty and served jail time.

<sup>143</sup> Adler, "I loved Joe," 879.

percent of murders in the city.<sup>144</sup> It is entirely likely, based on a similar geographic location and smaller population, that Milwaukee's newspapers covered a similarly large percentage of local murders.

Only two cases of wives killing their husbands in Milwaukee during the nineteenth century – the Nulton case in 1845, and a later case, the murder of Landelin Harter – appear in newspaper coverage. This is possibly due to several factors. First, murder rates overall in the city were low, and continued to decline in the later nineteenth century. In the period of 1837 to 1851 – some 14 years – only 25 individuals served jail time on the charge of murder.<sup>145</sup> And while the specific crimes committed by women are unavailable, for the same period, 951 males were committed to jail to 50 females, meaning women made up less than 5 percent of the county's jailed population between 1837 and 1851.<sup>146</sup> In 1858, only two individuals were jailed for murder (genders unknown), and women made up 12 percent of the overall jailed population.<sup>147</sup>

Second, the number of women who committed murder during this period was a small fraction of the overall number of murders committed. While statistics for Milwaukee are unavailable, in Chicago, women committed fewer than ten percent of

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<sup>144</sup> Jeffrey S. Adler, “‘My Mother-in-Law is to Blame, but I’ll Walk on Her Neck Yet’: Homicide in Late Nineteenth-Century Chicago,” *Journal of Social History* 31, no. 2 (1997): 255.

<sup>145</sup> “Milwaukee County Jail,” *Milwaukee Sentinel*, January 3, 1851.

<sup>146</sup> *Ibid.*

<sup>147</sup> “Annual Report of Milwaukee County Jail,” *Milwaukee Sentinel*, January 1, 1859.

homicides between 1875 and 1920.<sup>148</sup> The Chicago statistics are similar to those reported in other cities during the period.

It is further possible that murderous Milwaukee wives simply evaded detection through the use of poisons or outside help. While exact reasons for the dearth of husband killers in this period remain unclear – or, at the very least, the lack of newspaper coverage of the city’s husband killers – sets Milwaukee somewhat apart from other cities in the country. Although Milwaukee newspapers lacked coverage of women who killed their husbands, cases of mothers who killed their older children received extensive coverage.

### **BUTCHERED: Murder, Mothers and the Media**

*“On the east side of Sixth, a few doors north of Vliet street, is a cosy [sic] two-story brick cottage.... The house looks neat and clean from the outside, even down to the new shoemaker’s sign at the south corner of the building, swinging in the crisp, cold wind. ... The back room of this kitchen was the scene of one of the most atrocious murders ever committed in this community – a crazy mother literally BUTCHERING HER THREE LITTLE CHILDREN.”<sup>149</sup>*

Women who killed their children made up another sizeable group of murders committed by women in the nineteenth century.<sup>150</sup> This section examines the discourse surrounding women who murdered their older children. While infanticide and neonaticide possibly made up the largest proportion of murders perpetrated by women, they present unique cases, quite different from mothers who killed their older children. Newspaper coverage of cases of infanticide and neonaticide in Milwaukee during this

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<sup>148</sup> Adler, “I loved Joe”, 869.

<sup>149</sup> “Butchered,” *Milwaukee Sentinel*, January 24, 1883. Emphasis in original.

<sup>150</sup> According to Adler, more than 20 percent of women who killed in Chicago between 1875 and 1920 killed their children – not including infanticides. (Adler, “I loved Joe”, 871.)

period are discussed further in Chapter 3. For the purposes of this section, only the murders of children older than one year will be considered.

Mothers who murdered their children were often portrayed as benevolent victims of circumstances outside of their control. The reasons behind the killing of children often centered around the health of the mother or the child. If a child was sick, the mother was portrayed as mercifully ending the poor child's pained existence; if the mother was sick, she was sparing the child the difficulty of living without a mother.

The 1874 case of Maria Wagner illustrates the types of narratives that circulated in cases of filicide. Wagner poisoned her 13-year-old son and killed herself. The *Sentinel* reported the case as a tragic tale, and yet attempted to uncover as many salacious details as possible, reporting:

The family was plunged into a state of the deepest grief...and the task of extracting from them details of the tragedy was a most delicate and unpleasant duty from which the reporter would gladly have escaped. Still, high and low alike, as they are equally victims of sorrow and misfortunes, must with equal equanimity endeavor to submit to necessary investigations, when such appalling events transpire in the family circle as those it is the painful but imperative obligation of the journalist to chronicle this morning.<sup>151</sup>

By acknowledging the pain of the grieving family and yet justifying the invasive nature of the journalist's questions, the *Sentinel* allowed its readers to engage in the salacious gossip around the case while still feeling morally sound.

Wagner's story was portrayed as a tragic fall from grace. Wagner and her sister married partners in a successful cigar business. After the business broke up, Wagner moved with her husband and young son to Missouri, but soon returned to Milwaukee a divorced woman. After a lengthy illness, Wagner became a "confirmed invalid", who did

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<sup>151</sup> "Mother and Son," *Milwaukee Sentinel*, November 10, 1874.



not have long to live and determined that “she must die a lingering and painful death.”<sup>152</sup> Upon learning of her immanent death, Wager decided that suicide was the best option, though she did not wish to lose her son. None of the rhetoric used to describe either Wagner or her actions was vilifying. In fact, the *Sentinel* engaged in victimism, implying that the incident was in fact the fault of Wagner’s former husband for abandoning his wife. In its report of the events, the *Sentinel* stated, “threats of lynching John Stieren [Wagner’s ex-husband] were freely made in the neighborhood of the tragedy.”<sup>153</sup> This strong reaction to Wagner’s desertion of his manly duties to his wife and child on the part of the neighbors and the *Sentinel* condemns Stieren’s abandonment of normative masculinity and reinforces Wagner’s femininity as the abandoned wife. The *Sentinel* did not condone mothers killing their children, if the act was seen as one of mercy, with its roots in illness. It was portrayed as a motherly act, especially if the woman was seen as respectable, or from a respectable family.

Sympathy towards mothers who killed their children was not always the case, however. The case of Mrs. Zempirek (first name unknown) demonstrates that if the mother murdered her children due to poverty, and was a recent immigrant, media discourse would not be as forgiving as in the case of Maria Wagner. Zempirek, a 22-year-old mother of three, immigrated with her family to Milwaukee from Bohemia and lived in a Bohemian neighborhood in a tenement house. In January 1883, Zempirek stabbed her the children to death and attempted to hang herself afterwards, but failed. A journalist for the *Sentinel*, who entered the scene shortly after the attack, described the poor

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<sup>152</sup> Ibid.

<sup>153</sup> Ibid.

conditions of the Zempirek home: “the whole surroundings were exceedingly squalid. The bare floor looked as if it had not seen a cleaning-brush for months; ... [in the front room], the whitewashed walls [were] adorned with a few cheap imprints of Catholic saints. Poverty and uncleanliness alike gave these rooms a dreary look.”<sup>154</sup> By describing the Zempirek home as dirty and impoverished, the *Sentinel* sought to imply that Zempirek had failed in her womanly duties to maintain a clean living space. The description also made sure to note the presence of images of Catholic saints, perhaps alluding to perceptions of Catholic immigrants as being poor and potentially morally bankrupt. In contrast to Zempirek’s failures in the domestic sphere, her husband was described as an “industrious workman” and machinist, who earned a decent income.<sup>155</sup> Neighbors informed the *Sentinel*’s reporter that Zempirek had been abandoning her wifely duties for some time, instead spending days reading her prayer book and crying, and forcing her husband to cook for the children himself. By ignoring her duties as a woman and allowing her husband to engage in tasks normally relegated to women, Zempirek was further defying middle class norms for women as wives and mothers. Although Zempirek’s husband was engaging in typically feminine tasks, the *Sentinel* did not overtly condemn his masculinity.

When asked for her reason for killing her children, she stated, “You see, I had to do it; it stood in the good book. I killed them because it was my duty, and somebody will kill me now.”<sup>156</sup> Zempirek also stated that she was sick, and had been for some time,

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<sup>154</sup> “Butchered,” *Milwaukee Sentinel*, January 24, 1883.

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*

however rather than pitying her for her unfortunate medical condition, as the press had done in the case of Wagner, the *Sentinel* simply deemed her “undoubtedly insane,” though it also noted that “the officials say she is more to be pitied than condemned.”<sup>157</sup> However, most of the newspaper’s pity lay with the husband, whose poverty was portrayed as noble, while his wife’s was a moral deficit. After detailing a short history of himself and his wife, John Zempirek stated, “I am so poor that I can’t even bury my little ones” and the *Sentinel* described his emotional reaction: “here the poor fellow broke down, and he hid the tears streaming over his smoke-begrimed features by covering his face with his hands.”<sup>158</sup> Although described as dirty (“smoke-begrimed”) in order to remind the readers of his poverty, the dirt can also be used to conjure images of a hard-working father and male provider. Whereas a dirty home was a slight on the woman tasked with keeping it clean, dirty hands were a sign of a working-class man fulfilling his societal duty to care for his wife and children.

While the Wagner and Zempirek cases present only two incidents of mothers murdering their children, the differences between how the two were covered reveals how class, immigrant status and religion affected perceptions of female culpability in Milwaukee during this period. While the background of Wagner and her family previous to marriage is unclear, both Wagner and her sister married prosperous merchants and business partners. Coverage of the Wagner murder-suicide also indicated that Wagner’s sister was able to afford sending her own child to Germany for education, and that she

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<sup>157</sup> Ibid.

<sup>158</sup> Ibid.

urged Wagner to do so as well.<sup>159</sup> This indicates that the Wagners led at least a middle class lifestyle. The Zempireks, on the other hand, were clearly impoverished, though John Zempirek did have steady work. While little detail was given about the inside of the Wagner house, coverage of the Zempirek murders dwelled extensively on the squalid living conditions of the family.

Both families were of recent immigrant origin: the Wagners from Germany and the Zempireks from Bohemia (the modern day Czech Republic). That both families were either recent immigrants or second-generation immigrants was not unusual for Milwaukee. By the end of the 1870s and 1880s (the decades of the murders), nearly thirty percent of Milwaukeeans were natives of Germany. The Bohemian population of the city was quite a bit smaller, with Milwaukee County home to roughly 1,500 native Bohemians in 1870 and 1880.<sup>160</sup> Unlike the Germans, who had a wide social network through which to conduct business and support each other economically, the Bohemian population of the city was much smaller, and likely lacked the extensive support networks of the Germans. German was widely spoken in the city, and coverage of the Zempirek murders indicated that the reporter for the *Sentinel* spoke in German to Zempirek. As Germans were a dominant ethnic group in the city – both in terms of population and in terms of wealth – it is possible that they were seen in a more favorable light than the Bohemians, who lacked similar representation in the upper echelons of Milwaukee society.

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<sup>159</sup> “Mother and Son,” *Milwaukee Sentinel*, November 10, 1874.

<sup>160</sup> Karel D. Bicha, “The Czechs in Wisconsin History,” *Wisconsin Magazine of History* 53, no. 3 (1970).

Religious differences in both cases are somewhat less overt, as it is unclear what the religious practices of Wagner and her family were. In the Zempirek case, it was clearly indicated that the Zempirek family was Catholic. While much of Milwaukee's population during the late nineteenth century was Catholic, a strong Protestant contingent was also present. Anti-Catholicism among Protestants was prevalent throughout the country during the nineteenth century as well; this strain of thought often perceived Catholics as impoverished, pagan, primitive and disloyal to the United States. By noting the Catholicism of the Zempirek – or, at the very least, the Catholicism of Mrs. Zempirek – the *Sentinel* was trading in common Protestant understandings or perceptions of Catholics during the period.

Class, immigrant status and religion all clearly came into play when detailing the crimes of mothers who murdered their older children. While Milwaukee newspapers were more than willing to engage in victimism of wealthier, more integrated murdering mothers, those that were poor and did not fully participate in the norms of middle class motherhood were seemingly less likely to be seen as victims of a cruel situation out of their control, and appear to have been more likely to be deemed completely responsible for their actions. Responsibility for violent actions often came under further scrutiny in Milwaukee newspapers when violent women were deemed “insane”.

### **MURDEROUS MANIA: Women and the Insanity Defense**

*“And if this story were not true; if doubts hung over the relations between the prisoner and Lace; if no adequate proof existed of the seduction, pregnancy, abortion and abandonment so freely charged, -- and certainly there was no such proof in the case -- then how much more aggravated the evil, and how irresistible the conclusion that the*

*jury, in listening to the promptings of their hearts, had done violence to their consciences ... The law demanded vindication and that it has failed to obtain.*"<sup>161</sup>

When Milwaukee women deviated from murdering their children or husbands, local media discourse scrambled to either find justification for the deed or evidence to dismiss the actions as those perpetrated by a madwoman.

The question of culpability among murderers considered mentally ill was in flux during the mid-nineteenth century. The M'Naughten Rules of 1843 emerged out of England in response to criminal insanity, defining in what situations one might be deemed not guilty by reason of insanity. Americans borrowed from the Rules, defining insanity as "at the time of committing the act the party accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing, or as not to know what he was doing was wrong."<sup>162</sup> An insanity defense became increasingly popular among defense lawyers and defendants after Albert J. Tirrell's notorious "somnambulism" defense and acquittal. Tirrell, accused of murdering Maria A. Bickford in Boston by slitting her throat and setting her on fire, argued that he suffered from a sleepwalking disorder and must have murdered Bickford in his sleep. While sleepwalking and insanity seem completely unrelated, the Tirrell case opened the door to unconventional defenses. And though eventually the insanity defense and legal insanity became better defined and understood, in the first decades of its use under the M'Naghten Rule it remained somewhat novel.

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<sup>161</sup> "Kate Noonan – Mary Ann Wheeler," *Milwaukee Sentinel*, December 31, 1877.

<sup>162</sup> "Daniel M'Naghten's Case," *United Kingdom House of Lords Decisions*. Accessed 10/31/2014, <http://www.bailii.org/uk/cases/UKHL/1843/J16.html>. See also Roger Lane, *Murder in America*, 99 – 100.

At about 10 o'clock the morning of Thursday, October 14 1852, John M. W. Lace peered into the window of Hopkins' bookstore on Wisconsin Street, studying images on display. As Lace examined the images, Mary Ann Wheeler – who was walking along Wisconsin Street – calmly approached Lace from behind, drew a pistol from under her shawl and shot Lace point-blank in the back of the head. Wheeler made no attempt to flee the scene, reportedly saying, "I have killed John Lace and I am proud of it."<sup>163</sup> As soon as the story was reported in the *Sentinel*, Lace's sexual promiscuity (including a "long catalogue of women, led astray, neglected, and, in desperation, taking the law into their hands") was posited as a potential motivation for the crime.<sup>164</sup> After making this allusion to a possible motive, however, the *Sentinel*, quickly backtracked, stating "we forbear comments, preferring to let the evidence, properly obtained, tell the story," thereby giving their reporting – including the questionable character of the victim – an air of impartiality.<sup>165</sup>

As details of the affair between Mary Ann Wheeler and John Lace emerged, however, newspaper coverage of the event was anything but impartial. Like other high-interest murder trials of the time, details of testimonies of both the Coroner's Inquest and subsequent trial were fully reported by the *Sentinel*, thereby granting the reading public access to all of the salacious details of the crime. The Coroner's Inquest, held the day following the murder, revealed that Wheeler had been planning the murder for some

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<sup>163</sup> "Death of John M. W. Lace – Coroner's Inquest," *Milwaukee Sentinel*, October 16, 1852.

<sup>164</sup> "Dreadful Tragedy," *Milwaukee Sentinel*, October 15, 1852.

<sup>165</sup> *Ibid.*

time, purchasing a pistol some six weeks in advance of the act, claiming to need it for protection during a forthcoming trip to Ohio. While the Inquest gave no specific information on a possible motive for the killing, a serving girl overheard Wheeler saying that Lace was a “mean low lived [sic] fellow.”<sup>166</sup> In its reporting of the Coroner’s Inquest, the *Sentinel* described the act as “one of the most daring and deliberate murders ever committed by man or woman, done in open day, in a crowded street, and with a dozen or more people standing within ten feet of the spot.”<sup>167</sup> The language used by the *Sentinel* indicates that opinion seems to have shifted from in favor of Wheeler – who had, the day before, been implied as a potential victim of Lace’s sexual impropriety – to Lace’s favor. This is further indicated by the *Sentinel*’s assertion, “in many respects, too, it places a different aspect upon the case, as regards the relations between the prisoner and the deceased, and we are glad to note the fact, for the latter was a man who, with all his faults, was full of generous impulses, and will be missed by hundreds of our citizens, whom he had served in innumerable ways.”<sup>168</sup> Sympathy for Lace, however, did not last long.

The *State of Wisconsin vs. Mary Ann Wheeler* began on May 17, 1853.<sup>169</sup>

Wheeler, the *Sentinel* noted, was accompanied by her father and uncle, thus symbolically

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<sup>166</sup> “Death of John M. W. Lace – Coroner’s Inquest,” *Milwaukee Sentinel*, October 16, 1852.

<sup>167</sup> “The Murder of Thursday,” *Milwaukee Sentinel*, October 16, 1852.

<sup>168</sup> *Ibid.*

<sup>169</sup> This was a somewhat lengthy amount of time between the event and trial. According to historian Roger Lane, during the antebellum decades, nearly all murder cases were completely settled within ten months of the crime occurring. (Roger Lane, *Murder in America*, 115-116).



placing her under the protection of two male authority figures, in addition to the implicit male authority of the court. The *Sentinel* reporter then describes her appearance and bearing in some detail:

The prisoner appears calm and self possessed [sic]. An air of subdued madness rests upon her features. Her general appearance betokens her to be a woman of strong feelings, and of a firm determined will. Tho' [sic] she may be guilty of the deed charged to her, and though no circumstances should be elicited in the trial which would go far to lessen the enormity of the crime, still we shall adhere to our opinion that she is far from bearing the resemblance of that most deranged personification of vice, a *she devil*, or to speak in more refined language, 'a fallen angel.' If we were to draw in our minds eye, a picture of a cruel, deliberate, unprovoked, wanton murderess, we would portray a countenance far different from Miss Wheeler's. It is a true saying, however, that looks are often deceitful, and it may be so in this case.<sup>170</sup>

This description clearly indicates the *Sentinel's* lack of ability to believe that a woman – and certainly not a young, attractive, respectable white woman such as Mary Ann Wheeler – could be capable of shooting an innocent man in cold blood without remorse. Indeed, the *Sentinel* flatly refuses to apply the rhetoric of mythification to Wheeler, though it alludes to presumably familiar tactics of mythification used elsewhere. Instead, the *Sentinel* chooses the rhetoric of victimism.

District Attorney A.R.R. Butler opened the case, laying out the details found by the Coroner's Inquest. He then turned his attention to what would become the focal point of the trial: an insanity defense. This is of particular note, as no insanity defense had been successful in the state of Wisconsin at the time of the trial.<sup>171</sup> Butler argued, "I may presume that the defense will be one of insanity. . . . *Sanity* being the natural state of the human mind, the prisoner must be presumed to have been *sane* until the contrary is made

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<sup>170</sup> "Trial of Mary Ann Wheeler for the murder of John M.W. Lacey," *Milwaukee Sentinel*, May 17, 1853. Emphasis in original.

<sup>171</sup> "Trial for Murder," *Milwaukee Sentinel*, May 18, 1853.

clearly to appear.”<sup>172</sup> In detailing what he determined to be the “natural” state of mind and defining insanity as an “unnatural” state of mind, Butler asked jurors to determine if Wheeler was in a natural or unnatural state for a woman. Similarly, Butler addressed the issues that the presence of a female defendant may have raised for the all-male jury: “The prisoner at the bar, gentlemen, is a female. She is entitled to no more, and no less consideration on that account. . . . shut out from your minds as far as you possibly can the consequences that may result to the prisoner and her friends from the verdict.”<sup>173</sup> Here Butler addressed the possible bias afforded to a female defendant. The death penalty was still a legal option in Wisconsin until July 10, 1853, but juries across the country were notoriously uncomfortable to apply it to women. Butler, as the District Attorney, sought to encourage the all-male jury to set aside any paternalistic feelings towards Wheeler and remain open to punishing her as they would a man. However, it is likely that the jurors were not able to disengage from paternalistic feelings towards Wheeler as the trial moved forward. After interviewing many of the same witnesses that were presented during the Coroner’s Inquest, the prosecution rested its case.

The defense, helmed by attorney J.E. Arnold, then proceeded to make its case for insanity. Arnold acknowledged the novelty of an insanity plea, as well as a juror’s potentially wary attitude towards its use, arguing “this kind of defense is deemed by many as an ungracious one, and is received with but little favor by Courts and Juries. It is often deemed to be a subterfuge, to be a last resort which a defendant, who has

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<sup>172</sup> “Trial of Mary Ann Wheeler for the murder of John M.W. Lacey,” *Milwaukee Sentinel*, May 17, 1853. Emphasis in original.

<sup>173</sup> *Ibid.*

committed a palpable crime, resorts to with a view to escape the just punishment of the law.”<sup>174</sup> However, he argued, there were perhaps more truly “insane” people in prisons than those sane individuals who play on the sympathy of the jury to get away with their crimes. Arnold then indicated that he had known Wheeler for several years and could testify to the out-of-character nature of the murder. By establishing his previous relationship with Wheeler, Arnold used his status as a respectable man in order to paint Wheeler as Lace’s victim.

Arnold further argued that Wheeler was suffering not from a mental defect, or a deficit of intelligence, but rather from so-called moral insanity, which he defined as a state in which one knows what one is doing is wrong, but is compelled to do so by the heart, rather than the head. According to Arnold, Wheeler’s supposed state of moral insanity came about in response to Lace’s seduction of her and his subsequent cruel behavior towards her. Previous to her association with Lace, Arnold argued, “the character of Miss Wheeler had been entirely virtuous and beyond the fear of reproach.”<sup>175</sup> According to the picture painted by Arnold, Wheeler was a poor, but hardworking girl from a respectable but somewhat poor family, until she met Lace. After a brief courtship, Wheeler discovered that she was pregnant; Lace refused to have anything to do with her upon finding out. Wheeler then decided to get an abortion, which Arnold described hyperbolically as a “disgrace and humiliating sin...to free herself from guilt and

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<sup>174</sup> “Trial for Murder,” *Milwaukee Sentinel*, May 18, 1853.

<sup>175</sup> *Ibid.*

infamy.”<sup>176</sup> After the procedure, she sent Lace a detailed letter, asking for his financial support to pay for the abortion. Lace did not reply, instead “he went around in public places of this city – being a loafer that he was, doing scarcely anything – exhibiting the letter, reading it and procuring it to be read in the groceries and bar-rooms and streets of this city.”<sup>177</sup> Lace also made disparaging remarks about Wheeler’s sexual openness. In doing so, Arnold argued, Lace “had inflicted upon her the greatest injury that could be inflicted upon a woman of virtue, of pride and sensitiveness.”<sup>178</sup> Thus Arnold justified Wheeler’s actions by portraying Lace as a man who did not act in a way suitable for men: he did not work, he preyed upon virtuous women and he bragged about it publically. In fact, Arnold argues that the greatest sin perpetrated by Lace was not the seduction nor the abandonment, but rather, “parading the infamy accomplished by himself thro’ [sic] the public streets of the city.”<sup>179</sup> Seemingly for this reason, Wheeler needed a virtuous man to rectify the harm done to her reputation, and the jury was composed entirely of virtuous men who could fit this role. The first jury was split – though a majority of jurists considered Wheeler not guilty – and a second trial was held shortly after the first, containing the same evidence as the first. Wheeler was found not guilty by reason of insanity.

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<sup>176</sup> Ibid. Although Arnold uses very strong language here to condemn the practice of abortion, during this period women practiced abortions fairly commonly in the period before the fourth or fifth month of pregnancy. Arnold’s condemnation then could either be hyperbole intended to stir the emotions of the jury, or it could indicate that Wheeler’s abortion took place after the fourth or fifth month.

<sup>177</sup> Ibid.

<sup>178</sup> Ibid.

<sup>179</sup> Ibid.

Although throughout the trial newspaper coverage often portrayed Mary Ann Wheeler in a sympathetic light through victimism, public opinion shifted almost immediately upon the verdict. In an editorial published after the close of the second trial, the *Sentinel* rallied against what it saw as a case biased from the very beginning. The editors of the *Sentinel* believed that the jury entered the case with a desire to release Wheeler from jail, and were able to conveniently use the insanity defense to do so:

They could not pronounce Mary Ann Wheeler guiltless of Lace's death. They would not say that she did the deed and meant to do it. But they chose the only remaining alternative, and, under our statute, returned the unusual verdict of 'Not Guilty, by reason of insanity.' But was not this verdict like the plea itself, a mere cover?... Was it not, in short, a case in which sympathy controlled judgment and silence conscience, and where the Jury, however unwittingly, or however mercifully, did, in fact, violate their oaths, truly to determine the issue between the prisoner and the State?<sup>180</sup>

While the *Sentinel* was careful to distance itself from Lace's behavior – which it referred to as “wanton, cruel, unmanly, base in the extreme” – it argued that by failing to convict Wheeler due to its sympathies towards her as a woman, the jurors failed their duty to the State, which perhaps outranked their duty to uphold the honor of a woman.<sup>181</sup> Upon even further reflection, a short article in the *Sentinel* appeared ten days later, arguing:

Since the acquittal of Mary Ann Wheeler, public opinion, as regards to her case, has very much changed; sympathy for her sex, blinded the people to the enormity of her crime, and sober reflection now leaves few who are her apologists or defenders. It is said that had it been possible to introduce evidence of her former character, the murdered and murderess would have been shown to be much of the same piece.<sup>182</sup>

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<sup>180</sup> “The Wheeler Trials,” *Milwaukee Sentinel*, June 7, 1853.

<sup>181</sup> *Ibid.*

<sup>182</sup> “Since the acquittal,” *Milwaukee Sentinel*, June 18, 1853.

While the exact reasons for this response remain unclear, it is possible that Wheeler simply did not show enough remorse in the case, which led the public to feel that she had not adequately earned her way out of jail. Whatever the exact reasons for this shift in opinion, memories of the Wheeler case may have influenced the other major Milwaukee insanity defense case involving a woman during the nineteenth century, the murder of Dr. John E. Garner by Sarah J. Willner in 1876.

In the twenty-four years since the Mary Ann Wheeler case, the press seemingly had enough time to become more comfortable with the concept of insanity when applied to criminal behavior. The headlines following the murder of Dr. Garner read: “The Deed Perpetrated by an Insane Woman Named Willner”, possibly reflecting that by the 1870s the *Sentinel* was so familiar with the insanity defense that it could predict which cases were likely to use it.<sup>183</sup> However, this case differed from the Wheeler case in that its defendant appeared to be much closer to conventional ideas regarding what insanity looked like.

On the evening of March 2, 1876, a carriage approached Dr. Garner’s home on Jefferson Street as Joseph Hill was exiting. A woman of about 40 briefly stopped Hill, and inquired whether Dr. Garner was at home. Receiving an affirmative response, the woman exited the carriage, walked up the steps and rang the doorbell. The Garner’s servant girl quickly fetched Dr. Garner, who came to the door. Without a word, the woman – Sarah J. Willner – shot Dr. Garner, turned around, walked down the steps and got back into the carriage. Willner instructed the carriage driver to take her first to a lawyer and then to the Newhall House – a boarding house and hotel – where she ate

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<sup>183</sup> “Dr. Garner,” *Milwaukee Sentinel*, March 3, 1876.

dinner as if nothing had happened. Upon being confronted by the police, she stated: “Oh, I meant to do it. I couldn’t help it; he killed my husband, father, uncle and brother and has made my life a torment. I did it in self-defense. I had to defend myself, for he sent them to follow me everywhere.”<sup>184</sup> Willner – who resided in Ohio – appeared to be suffering from paranoia centered on Dr. Garner, who she had known during a brief time in which she had lived in Milwaukee.

However, the *Sentinel* immediately raised suspicions of the veracity of Willner’s insanity, reporting that Willner’s husband had died under suspicious circumstances some years previously. This was entirely based on the opinion of a Dr. Nauman, who had attended Willner’s husband on his deathbed. According to Dr. Nauman, Willner had a large insurance policy on he husband’s life – which she denied. Dr. Nauman described Willner as a “smart, cunning woman, and is of opinion that if she is insane it must have happened to her quite recently.”<sup>185</sup> By printing unsubstantiated rumors regarding Willner’s husband’s suspicious death, as well as Dr. Nauman’s views on her possible sanity, the *Sentinel* clearly questioned Willner’s insanity, even though most witnesses considered her to be insane at the time of the murder. The *Sentinel*’s reticence may have reflected the negative fallout from the insanity case raised against Wheeler twenty years previously.

Any doubts about Willner’s mental instability were quickly laid to rest as the *Sentinel* began the process of vilification. Details quickly emerged regarding Willner’s declining mental state, which began around the time of her husband’s death five years

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<sup>184</sup> Ibid.

<sup>185</sup> Ibid.

previously. Two or three years before the murder of Dr. Garner, Willner had sent threatening notes to another Milwaukee doctor. It appeared to be the consensus among Milwaukee's physicians that, "Mrs. Willner was generally known as an eccentric woman, and there was a general expression of surprise that she was not locked up in some insane asylum at the instance of the physicians she had assailed and whose reputations she had sought to blast by vile imaginings of a disordered intellect."<sup>186</sup> Although the consensus was that Willner was clearly mentally unstable, in attacking the reputations of men of high standing in the community, Willner's behavior could not be easily ignored.

However irreprehensible her actions, Willner commanded the public's attention. A *Sentinel* reporter himself was able to interview Willner only hours after the murder occurred. During her detention following the murder, Willner was visited by many acquaintances and interested onlookers. The public's eagerness to see the murderess herself led the police to have to restrict her visitors: "A morbid curiosity to see the murderess and converse with her possessed a number of ladies, and the Sheriff was obliged to refuse admission for fear that his turnkeys would be obliged to keep open doors for the accommodation of the callers."<sup>187</sup> The morbid curiosity expressed by the public seems to have presented itself in specifically gendered ways, with women reportedly visiting Willner in greater numbers than men. That the *Sentinel* felt the need to report the women's interest in the murderer may indicate that the amount of attention paid to Willner by Milwaukee women was unusual, perhaps in part due to the gender of the murderer.

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<sup>186</sup> "Murderous Mania," *Milwaukee Sentinel*, March 4, 1876.

<sup>187</sup> *Ibid.*



As the court case against Willner opened, the insanity defense was clearly the only defense that she had against the charges. District Attorney A.R.R. Butler – who had tried the Wheeler case – opened the case by warning the jury “not to be led away by any sensational or assumed conduct on the part of the defendant, and referred to the result in the case of Dan Sickles as illustrative of the baleful effects of impressions favorable to the theory of emotional insanity.”<sup>188</sup> By this, Butler argued that since the temporary (emotional) insanity defense was proven feasible, many accused murderers used it as a defense of their actions. While the Wheeler case was not directly mentioned, it is likely that it would not have been far from the minds of both Butler and the jurors as a case in which a professed female murderer walked away with no punishment. The defense based their insanity plea on the absence of a clear motive, arguing that “the absence of motive was conclusive proof of insanity”, despite Willner’s repeated claims that Dr. Garner had killed her male family members.<sup>189</sup> The Defense also dismissed the comparisons between the case and that of Sickles, arguing that Willner was not suffering from a temporary (emotional) insanity, but rather a long-lasting, permanent insanity, which was passed on to Willner by her father.

In closing arguments, Butler attempted to vilify Willner as a woman who had stepped outside of the bounds of middle class society. Butler stated, “he had often been called to the sad duty of prosecuting men for murder but had never before appeared

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<sup>188</sup> “Mrs. Willner,” *Milwaukee Sentinel*, May 12, 1876. Daniel Sickles, an antebellum politician, shot and killed Philip Barton Key II after he found out about Key’s affair with his wife. The case was the first successful use of temporary insanity in the United States.

<sup>189</sup> *Ibid.*

against a woman charged with this terrible crime.”<sup>190</sup> It is unclear why he failed to mention the Wheeler case; though, since Wheeler had been acquitted, perhaps he did not count her in this statement. Butler continued, stating, “it was a painful spectacle and his regard for true and noble women almost disqualified him for the part he had been solicited to take in the present case.”<sup>191</sup> By making this statement, Butler was attempting to separate Willner and her violent actions from true, “noble” womanhood, thereby implying that Willner was, in fact, almost inhuman. Butler further made this connection in his description of the events surrounding the murder, in which Dr. Garner was “suddenly torn from the bosom of his family, by the hand of a bloodthirsty demon.”<sup>192</sup> Here Butler has taken the step from vilification to mythification, turning Willner from a fallen woman to a vengeful demon. Butler’s arguments worked, and after a fifty-eight hour deliberation, Willner was found guilty.<sup>193</sup> However, the guilty verdict was overturned, and Willner was sent to an insane asylum.

The differences in punishment faced by Wheeler and Willner possibly reflect some of the changing attitudes of the public towards insanity pleas and women. While both women were deemed legally insane at the time of their crimes and not responsible for their actions, Wheeler was not placed in an insane asylum, and was allowed to return to her family in Ohio. Willner, on the other hand, was committed upon finishing her trial. Part of this difference is perhaps due to the arguments that Wheeler was suffering from a

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<sup>190</sup> Ibid.

<sup>191</sup> “Mrs. Willner,” *Milwaukee Sentinel*, May 19, 1876.

<sup>192</sup> Ibid.

<sup>193</sup> “Strange incidents connected with the murder of Dr. Garner,” *Milwaukee Free Press*, April 16, 1905.

temporary “moral” insanity, while Willner appeared to have been ill for some time. Wheeler also benefitted from the relative novelty of a “moral” insanity defense, as well as a victim who was deemed less-than-respectable. The novelty of the insanity defense, as well as the novelty of a woman murderer had seemingly worn off by the time of Willner’s case.

### **Conclusions**

Although Morrissey’s categories of media and legal discourse were written to apply to modern media narratives of female killers, this examination of newspaper coverage of Milwaukee’s female murderers indicates that many of the same techniques were present in the nineteenth century as well. While overall rates of Milwaukee women who killed were most likely low, newspaper coverage of their crimes was extensive, likely due to public perceptions of female violence as nonnormative and abnormal, thus attracting intense public interest. Responses to each woman varied, depending on her class, ethnicity, immigrant status, and religion as well as her relationship with her victim(s). Insanity was occasionally ascribed to women who committed homicide; however, depending on individual circumstances, female insanity could be attributed in newspaper narratives to male behaviors that defied middle class gender norms. Thus, media and legal narratives of women who committed homicide largely ignored female agency in favor of creating understandable narratives for their readership.

### Chapter 3

#### Infanticide and Abortion in Milwaukee's Press

*“From every quarter comes the sad testimony that actual foeticide [abortion] is common, and most certain it is that many misguided mothers contemplate the crime, desire its consummation, brood over it in secret without actually committing it, and thus stamp a destructive spirit into the tender tissue of the infant brain, that in the ripening of years will harden into a laboratory of bloody deeds”<sup>194</sup>*

*Milwaukee Sentinel*  
June 6, 1871

The practice of infanticide complicated newspaper narratives of murder and gender during the nineteenth century. While the murder of adults or older children was widely condemned throughout the century, infanticide and neonaticide appear to have been viewed in more complex ways until the anti-abortion movement gained popularity in the 1870s.<sup>195</sup> This is not to say that infanticide and neonaticide were approved of in public discourse; rather, both were practiced under a veil of secrecy and perpetrators were rarely brought up on charges or punished in the legal system. However, prior to an upsurge in public opinion against abortion in the decades following the 1880s, coverage of infanticide and neonaticide in Milwaukee's newspapers was quite limited.

Infanticide and neonaticide are not necessarily directly comparable to murder of adults or older children, because of their intimate link with unwanted pregnancies, abortion and contraceptives as well as a lower assessment of value in the lives of newborns, who were highly susceptible to early deaths due to accidents or disease. Unlike the murders of adults and older children, infanticide and neonaticide could be seen

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<sup>194</sup> “Teaching Murder,” *Milwaukee Sentinel*, June 6, 1871

<sup>195</sup> Neonaticide can be defined as the murder of a newborn infant within twenty-four hours of its birth. In the context of this study, I define infanticide as the murder of an infant under one year old.

as a response – direct or indirect – to the poverty and shame often associated with single mothers during the nineteenth century. In this context, infanticide – and, to a greater extent – neonaticide could be considered a form of a very late term abortion, which mainly women in the most desperate circumstances resorted to.

While the topic of abortion and its relationship with infanticide may be controversial to modern readers, it is important to remember the differing values and attitudes towards pregnancy, birth and the inception of life in the nineteenth century United States. During the mid-nineteenth century, abortions became seemingly ubiquitous among especially middle and upper class American women, due to a lack of stigma on the practice, the desire to control family size and a multitude of advertisements in newspapers, making access to abortifacients easy for many women.

Although abortion rates were high, infanticides continued to occur during this period. One would expect – and indeed it has been posited by some scholars of infanticide – that when easy access to abortion is available, the numbers of infanticides would drop. However, this does not appear to be the case, with studies indicating that rates of infanticide remained largely stable during the nineteenth century, albeit with variances attributable to a particular environment and the nature of an individual community. However, the response to infanticide in Milwaukee's newspapers changed starting in the 1870s, at the same time that abortions became much more highly regulated, restricted and publicly condemned. What, exactly, shifted the press' rhetoric surrounding infanticide from minimal coverage to extensive coverage, similar to coverage performed for high-profile murder trials? As abortions at any stage, but especially at later stages, were increasingly restricted, and the press' rhetoric surrounding abortion increasingly

used terms like “murder” to describe the act, the line of where human life began – or at least what was considered murder – appears to have shifted. This shift certainly affected abortion legislation as well as the practice of abortion, but its effects can also be seen in narratives surrounding infanticide. So, while rates of infanticide appear to have varied little over the nineteenth century, the rhetoric used when discussing it did, due perhaps in part to shifts in rhetoric around abortion.

While men did occasionally participate in infanticide or neonaticide, the overwhelming majority of those accused, and likely those who practiced, the act were women. Many women who committed neonaticide concealed their pregnancies from lovers, neighbors, employers and family. These women were likely to give birth alone and kill the infant shortly afterwards. Men who killed their children were more likely to kill older children, rather than infants.<sup>196</sup> Therefore, the practice of infanticide and neonaticide, so intimately linked with sexual reproduction, was a predominantly female crime. Further, newspaper coverage of infanticide contributed to cultural narratives around criminality and femininity, especially taking into account the reproductive functions of the women themselves that ultimately lead to the act.

While much has been written regarding the British response to infanticide and neonaticide during the nineteenth century, American historians have focused largely on the colonial period. An examination of the response of American newspapers to cases of infanticide in the nineteenth century is largely absent from historical literature. This chapter seeks to rectify this gap in the scholarship by examining infanticide and neonaticide cases in Milwaukee throughout the nineteenth century in the context of

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<sup>196</sup> Adler, *First in Violence, Deepest in Dirt*, 94.

shifting views on abortion. First, a broad overview of the historical circumstances facing women who were sexually active outside of marriage during the nineteenth century is provided. Second, the history of abortion practices in the United States and Wisconsin during this period is detailed, focusing both on both political policy and popular opinion. Third, infanticide and neonaticide in the United States is discussed broadly. Finally, Milwaukee newspaper coverage of cases of neonaticide and infanticide is examined in depth, linking the media narratives around other types of violent crime and women discussed in previous chapters with media narratives around infanticidal women.

### **Infanticide and Neonaticide in Context**

While an individual women's reasons for committing infanticide or neonaticide were often deeply personal and largely unknown to historians, an understanding of the general context of options for Milwaukee's pregnant women in the latter part of the nineteenth century can inform our understanding of the motivations behind these acts as well as the contexts in which newspaper reporters discussed them. This period saw the rapid expansion of Milwaukee's industries, a large population growth, and increasing numbers of single women entering the low-wage workforce. Wages for women remained much lower than those for men, as employers often assumed – correctly or incorrectly – that they were not the primary breadwinners in a given household, and thus required less income than their male coworkers.<sup>197</sup> This wage disparity meant that single women living

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<sup>197</sup> Michelle Oberman, "Understanding Infanticide in Context: Mothers Who Kill, 1870-1930 and Today," *The Journal of Criminal Law and Criminology* 92, no. 3/4 (2002), 719.

apart from their family often struggled to cover their own expenses, let alone those of a child or multiple children.

While some urban women gained increasing amounts of limited independence through employment, sexual norms changed little during this period. The preservation of virginity until marriage remained an important value for most families. As urbanization continued throughout the United States and young women moved to the cities alone, fear arose in the popular imagination over the seduction of innocent and virginal young women by predatory men. It was feared that these women would be seduced into giving up their virginity – and, by extension, their virtue – and subsequently abandoned in the city with no ties and no means to make money. Sometimes the women in these narratives resorted to prostitution, thus making their fall from grace and middle class society complete. In these narratives, the predatory man was considered the villain, while the woman was the object of pity. However, in reality, nineteenth century women pregnant outside of marriage often found scorn, not pity, directed toward them.

If a woman was to find herself pregnant with an unwanted child, her options became even slimmer. Adoption during the nineteenth century was a near impossibility for most children. Historian Michelle Oberman describes that adoption until the mid-twentieth century in the United States were “poorly recorded and viewed as the ‘last resort’ for social workers.”<sup>198</sup> Informal adoptions were much more common than legally formalized adoptions (which did not exist until the first adoption law passed in 1851). Oberman argues, “during this era, adoptions were largely unregulated, socially disfavored and stigmatizing. Most child-placing organizations refused children if they had any

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<sup>198</sup> Ibid., 721.



family.”<sup>199</sup> This meant that a woman in nineteenth century Milwaukee who wanted to conceal her pregnancy and give her child away without alerting family, friends and neighbors to her plight, had limited options to do so other than abortion or infanticide.<sup>200</sup>

### **Abortion in 19<sup>th</sup> Century America**

Attitudes towards abortion among Americans shifted drastically during the course of the nineteenth century. During the early decades of the century – before Milwaukee had many Euro-American settlers – Common Law (the set of laws inherited by the United States from Britain) stated that abortion before quickening was not considered a criminal act. Quickening refers to the first time a woman can detect movement in a fetus, and occurs around the fourth or fifth month of pregnancy.<sup>201</sup> Prior to quickening, it was difficult to determine if a woman was pregnant, and thus abortion before detectable movement was difficult to prosecute and prove. Even those who condemned abortion in the early nineteenth century did not equate it with murder. According to historian James C. Mohr, “the crime was qualitatively different from the destruction of a human being, however, and punished less harshly.”<sup>202</sup> An unquickened fetus was generally not considered to be alive, and thus would not be held in the same regard as a human life.

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<sup>199</sup> Ibid., 721.

<sup>200</sup> It is possible that a woman in this situation could resort to abandonment, however with a lack of resources or guaranteed support for the infant this likely resulted with the infant’s death.

<sup>201</sup> James C. Mohr, *Abortion in America: The Origins and Evolution of National Policy, 1800-1900* (Oxford: Oxford University Press, 1978), 3.

<sup>202</sup> Ibid., 3-4.

The first abortion legislation in the United States was passed in the 1820s and 1830s in ten states (Wisconsin, not yet a state, was not among them). This legislation was largely inconsistent across the states that did have it, with some banning abortion at any stage, while others banned it after quickening. Legislators did not intend this legislation to protect the “human” life of a fetus – the crux of later abortion debates – but rather, the legislation was aimed at controlling the practice of medicine and protecting women from untrained doctors. Mohr found that “every one of the [abortion] laws passed between 1821 and 1841 punished only the ‘person’ who administered the abortifacient or performed the operation; none punished the woman herself in any way.”<sup>203</sup> This indicates that legislators were attempting to control doctors and medical practitioners rather than women seeking abortions.

The 1840s through the 1870s – the early years of Milwaukee’s growth from a small frontier outpost to a firmly established city – saw a drastic rise in the numbers of abortions sought by middle class American women. Although exact figures on abortions are difficult to determine, due to the personal and secretive nature of the act, multiple American physicians during this period reported that around twenty percent of all pregnancies were being aborted.<sup>204</sup> Advertisements for different cures for “menstrual blockages” were commonly found in newspapers around the country beginning in the 1840s. Similarly, medical books aimed at women – such as Buel Eastman’s *Practical Treatise on Diseases Peculiar to Women and Girls* (1845) and Charles R. Lohman’s (alias A. M. Mauriceau) *The Married Woman’s Private Medical Companion* (1847) –

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<sup>203</sup> Ibid., 43.

<sup>204</sup> Ibid., 79.

contained veiled or clear directions on what herbs to ingest to induce a miscarriage.<sup>205</sup> According to Mohr, the majority of women who sought abortions in this period were white, middle-class, native-born Protestants.<sup>206</sup> There were many reasons for this, including the high cost of abortions (at least during the antebellum period), and the desire to control family size. While abortion rates for specific geographic areas – such as the Milwaukee area – during this period are difficult to ascertain, Mohr found that abortion was widespread across the country by the 1870s, occurring with equal frequency in both rural and urban areas.<sup>207</sup>

While abortion rates rose in the 1840s through the 1870s, Wisconsin legislators tried to constrict the practice, often at the behest of so-called regular doctors (that is, those doctors with formal degrees from medical colleges, who were almost entirely men). Wisconsin's first law addressing abortion in 1849 was included in the criminal code, rather than in legislation, where it would have possibly faced debate from legislators. The state made the practice of abortion illegal on a "woman pregnant with a quick child."<sup>208</sup> This law, modeled after similar laws in New York and Massachusetts, was aimed at those performing abortions rather than the woman receiving an abortion. The law stipulated that abortion was only illegal after quickening, which was notoriously difficult to prove in court as it required the woman and doctor to both admit to wrongdoing.

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<sup>205</sup> Ibid., 62-65.

<sup>206</sup> Ibid., 86.

<sup>207</sup> Ibid., 99-100.

<sup>208</sup> *The Revised Statutes of the State of Wisconsin, Passed at the Second Session of the Legislature, 1849* (Southport : C.L. Sholes, 1849): 683-684.

A much more stringent change to the state's criminal code came in 1858, adding "a section that made 'every woman who shall take any medicine, drug, substance, or thing whatever, or who shall use or employ any instrument, or shall submit to any operation or other means whatever, with intent to procure a miscarriage' subject to criminal action."<sup>209</sup> Unlike the 1849 law, this extension greatly expanded the fault from the doctor or individual performing the abortion to include the woman who received it as well. However, the language of the law was much less punitive against a woman who procured an abortion than the punishment attributed it would make it appear: the woman who received the abortion faced only one to three months in jail or a fine of no more than \$300, while the abortionist faced second-degree manslaughter charges.<sup>210</sup> This disparity indicates that the woman was still considered less culpable than the abortionist. While abortion at any stage of pregnancy was made illegal in Wisconsin in 1858, even the man attributed with the strong changes to the state's criminal code – Henry Brisbane of Arena, Wisconsin – admitted that it was unlikely to be enforced, stating: "It is not probable that any law could be enforced in such cases [abortion]."<sup>211</sup> This early law was essentially toothless without a substantial cultural movement against the practice of abortion, as women who received abortions were as unlikely to consider themselves criminals as abortionists were.

The growth of a true anti-abortion movement in the United States did not occur until regular doctors began an organized campaign to ban its practice. While the origins

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<sup>209</sup> Mohr, *Abortion in America*, 140.

<sup>210</sup> *Ibid.*

<sup>211</sup> *Ibid.*

of this campaign lie in the late 1850s and 1860s, public support for the movement was slow to emerge. Leaders of the anti-abortion movement sought allies among their own ranks (regular doctors and organizations of regular doctors, such as the American Medical Association), the press, religious leaders and anti-obscenity advocates. The movement eventually was able to woo the press to its cause, and starting on the East Coast in the early 1870s and moving outwards, “active opposition replaced relative indifference as the usual attitude of the American press toward the practice of abortion in the United States.”<sup>212</sup> The anti-abortion movement faced more reticence on the part of the religious community, which generally did not overtly endorse the outright ban on abortion, due in part to the reticence of many religious leaders to condemn a practice that they knew many in their congregations were practicing. The anti-obscenity crusaders, lead by Anthony Comstock (the head of the New York Society for the Suppression of Vice, proved to be much more receptive to attempts to ban abortion. The 1873 Comstock Law (also known as The Act for the Suppression of Trade in and Circulation of, Obscene Literature and Articles of Immoral Use) made it a federal offense to:

Sell, or ... give away or ... have in ... possession with intent to sell or give away, an obscene or indecent book, pamphlet, paper, advertisement, drawing, lithograph, engraving, wood-cut, daguerreotype, photograph, stereoscopic picture, model, cast, instrument, or other article of indecent or immoral nature, or any article or medicine...for causing abortion, except on a prescription of a physician in good standing,...or...advertise the same for sale, or...write or print, or cause to be written or printed, any card, circular, book, pamphlet, advertisement, or notice of any kind, stating when, where, how, or of whom, or by what means, any of the said obscene or indecent articles...can be purchased or obtained.<sup>213</sup>

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<sup>212</sup> Ibid., 182.

<sup>213</sup> The Comstock Act 17 Stat. 598

This law especially targeted abortionists advertising in newspapers. After 1873, abortionists ceased to openly advertise their services in newspapers, turning to more private means of communication with potential customers. By banning abortionists from advertising their services in print, the Comstock Law also served to remove abortion from the public eye and thereby denormalizing it.

Prior to the 1880s, abortionists were rarely taken to court, as it was difficult to prove that an abortion had occurred. However, starting in the 1880s and lasting well into the twentieth century, “state courts all around the country [began] systematically put[ting] the burdens of evidence, proof, and interpretation on the accused in abortion cases.”<sup>214</sup> This may indicate that abortionists suddenly faced highly publicized and harshly critical trials. Women who received abortions, however, remained somewhat more immune to prosecution, and often provided the testimony that convicted their abortionists.

The severely limited access to abortions from the 1870s until well into the twentieth century changed the demographics of women receiving abortions. While in earlier periods, most women who received abortions were middle class, white and American, by the 1880s, women seeking abortions were largely young, working class, single immigrants. This indicates that middle and upper class women had found other ways to control family size through contraceptives, but that these techniques may not have been as common among working class families.<sup>215</sup> The shift in who obtained abortions during the 1880s and 1890s further contributed to its denormalization in middle

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<sup>214</sup> Mohr, *Abortion in America*, 230-231.

<sup>215</sup> *Ibid.*, 242-243.

class American culture, rendering it a last resort of poor, nonnative, fallen women, not the conscious choice made by wealthy, native-born women.

### **Infanticide and Neonaticide in 19th Century America**

Attitudes and accessibility of abortions for women in the nineteenth century likely affected their attitudes towards neonaticide and infanticide. From the beginning of the nineteenth century until the 1870s, abortions were widely available to American women. Yet, neonaticide and infanticide continued to be practiced by women during this period. An examination of the history of the practice of infanticide and neonaticide in the United States can help to contextualize newspaper coverage of these acts.

The practice of infanticide and neonaticide has a long history in the West, tracing its roots back to Roman and Greek societies.<sup>216</sup> Though throughout Western history public concern was often shown about infanticide, governments often faced an uphill battle in stemming the practice. In the United States, the practice of infanticide and neonaticide varied based on the nature of a particular community. Historian Kenneth H. Wheeler studied infanticide in two Ohio counties during the nineteenth century and found that infanticide rates varied depending on the nature of the community. In one county, “where religious, linguistic, and geographic barriers created insular communities”, standards were enforced that largely limited infanticide, though infanticides did occur.<sup>217</sup> However, the second county examined had higher rates of infanticide, which Wheeler

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<sup>216</sup> For more on the historical background of Infanticide in the West, see William L. Langer, “Infanticide: A Historical Survey,” *History of Childhood Quarterly: The Journal of Psychohistory* 1, no. 3 (1974), 353-365.

<sup>217</sup> Kenneth H. Wheeler, “Infanticide in Nineteenth Century Ohio,” *Journal of Social History* 31, no. 2 (1997), 407.

attributed to its more diverse and transient population. Wheeler argued that the second county's urban environment encouraged fewer ties between neighbors and the transient nature of its population meant that women who committed infanticide could quickly enter and leave the area, undetected, leading to higher rates of infanticide and neonaticide.

The variable rates of infanticide across space based on community make-up, as found by Wheeler, indicate that urban environments likely saw much higher rates of infanticides than those found in rural communities. This was due to the ethnic, racial, class and religious diversity often found in urban centers as well as the transient nature of urban populations. In communities where neighbors did not share a common religious, ethnic, racial or class background (or even the same language), women were able to conceal unwanted pregnancies more easily, and thus to commit infanticide with a limited threat of detection from friends or neighbors.<sup>218</sup> Wheeler found that many women suspected of infanticide worked as domestic help. These women frequently changed employers and moved between neighborhoods. According to Wheeler, a female domestic servant could often be fairly successful in hiding a pregnancy: “after hiding her baby and disposing of it she then left her job and moved to another locale, without the economic burden of having to support two people and with no stain upon her reputation.”<sup>219</sup> Although the transient nature of these women often enabled them to conceal a pregnancy and birth, it may have made it more difficult for them to seek abortions. A woman who lived with her employer (as a domestic servant) or at a boarding house with many others would likely not be able to order abortifacients through the mail, lest they be intercepted

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<sup>218</sup>Ibid., 410-411.

<sup>219</sup> Ibid., 411.



by a nosy employer or boarding house owner. A woman who moved between towns and neighborhoods frequently may have had a more difficult time in locating a doctor who would discreetly and cheaply perform an abortion for her.

Although men were much more likely overall to commit murder than women, infanticide and neonaticide were largely committed by women. Unlike women who sought abortions – who were largely white, native-born and middle class – the majority of women who were caught or suspected of committing infanticide or neonaticide during the nineteenth century were poor or working class. In historian Jeffrey Adler’s study of murder in Chicago between 1870 and 1920, he found that “in the overwhelming majority of cases, those who killed their newborn children were either desperately poor women who murdered infants they felt themselves unable to support or single women who had been abandoned by the men who fathered the children.”<sup>220</sup> Adler also found that many of the women who committed infanticide were young, the average age being just under twenty-eight, compared with women who committed filicide, whose average age was thirty-three.<sup>221</sup> The young age of women who committed infanticide further indicates the desperate nature of their situation – they risked losing family economic support as well as the chance at a respectable marriage.

When the body of a dead infant was found, a Coroner’s Inquest would be formed. These Inquests were composed of a group of men, usually from the neighborhood, and

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<sup>220</sup> Adler, *First in Violence, Deepest in Dirt*, 92-93.

<sup>221</sup> *Ibid.*, 93.

often from the scene of the crime itself.<sup>222</sup> These often unscientific inquiries were tasked with determining whether the infant had been born dead or alive and whether foul play was involved. One often-used measure to determine this was whether or not the infant had air in its lungs through autopsy. This was difficult to determine, as doctors around the country fought over the accuracy of various methods, arguing that gasses naturally found in the body during the process of decomposition could make it appear that the lungs had been filled and the child had been born alive, when in fact it had not. The Coroner's Inquest also questioned any witnesses, often those found on the immediate scene of the crime. If the infant was determined to have been alive when born and killed by foul play, the Coroner's Inquest would then request that the suspect be arrested and taken to court.

Only a handful of infanticide cases made it past the Coroner's Inquest stage of an investigation. Even if the Inquest determined that the infant had been born alive and indicated that the mother was responsible for the infant's death, it was quite difficult to prove in court that the intent of the mother was her child's death. One quite unscientific measure of intent was whether or not a woman had been preparing for the arrival of her baby. If she had not, the courts reasoned, she had likely intended to commit infanticide. Of the very few cases of infanticide brought before a judge, punishments were generally weak; even in notorious cases where the mother was found guilty, jail time was minimal, and often was time served. Thus, while infanticide and neonaticide were widely condemned, punishments were fairly lenient, perhaps due to the gender, age and circumstances of the perpetrators as well as the difficulty in determining intent.

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<sup>222</sup> Katie M. Hemphill, "'Driven to the Commission of This Crime': Women and Infanticide in Baltimore, 1835-1860," *Journal of the Early Republic* 32 (2012).

Exact rates of infanticide during the nineteenth century remain difficult to calculate for a number of reasons. First, natural and accidental death rates of infants during this period remained largely high, thereby enabling infanticidal parents to fairly easily conceal the death of an infant by attributing it to natural causes. By the late nineteenth century roughly twenty percent of infants and young children died before the age of five.<sup>223</sup> The high rates of infant mortality often lead to different attitudes towards infants than towards more grown children. Until they reached childhood, newborn babies – alive or dead – were “not necessarily treated as members of the family or even as human beings.”<sup>224</sup> This meant that even infants who died from natural causes or accidents were not always provided formal burials and were disposed of with some regularity in alleys, gutters, trash heaps, roadsides and privies.<sup>225</sup>

Additionally, law enforcement tended to pay little attention to infanticide cases. According to Adler’s study of homicide in Chicago during the late nineteenth century, “law enforcers usually ignored infanticides, [and] the killers were identified in a small proportion of these homicides.”<sup>226</sup> Law enforcement often lacked the medical and technical skills to determine whether an infant had died naturally or under suspicious circumstances in many cases. Adler argues that “the harsh realities of childhood in the late nineteenth and early twentieth centuries conditioned law enforcers to ask few, if any

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<sup>223</sup> Similarly, Adler reports that in Chicago in 1900, “one child in eight died before the age of one, and one in four died before the age of five.” (Adler, *First in Violence, Deepest in Dirt*, 227.)

<sup>224</sup> Adler, *First in Violence, Deepest in Dirt*, 228.

<sup>225</sup> *Ibid.*

<sup>226</sup> *Ibid.*, 93.

questions, when infants died.”<sup>227</sup> It often seemed safer for police officers to avoid questioning parents than to implicate them in the death of their child.

### **Infanticide and Neonaticide in Milwaukee**

While infanticide and neonaticide were certainly present in communities across the United States during the nineteenth century, examining newspapers’ responses to these acts in Milwaukee proves to be a useful case study in the rhetoric and common narratives surrounding these acts. Milwaukee, like many cities in the Midwest, saw large increases in population during the nineteenth century, due largely to European immigration as well as migration, particularly from the Northeast. However, unlike its rival city, Chicago, Milwaukee remained somewhat mid-sized, with an 1880 population of nearly 120,000 to Chicago’s 500,000. In this way, it provides a valuable intersection between large metropolitan areas and small villages and rural towns and inviting both transient populations and ethnically-bound enclaves of European immigrants.

Milwaukee newspapers covered suspected cases of infanticide and neonaticide starting in the 1850s, however they appear to have warranted little attention until several decades later. In cases of neonaticide and infanticide that gained the attention of Milwaukee’s news media, the bodies of infants were often found in conspicuously public places. For example, one of the earliest cases of infanticide recorded by the *Milwaukee Sentinel* in 1854 involved a child being found in the Milwaukee river by some local boys.<sup>228</sup> Similar cases involved infants being found in saloon sinks, beer hall bathrooms,

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<sup>227</sup> Ibid., 227.

<sup>228</sup> “Child Found in the River,” *Milwaukee Sentinel*, April 17, 1854.

hotels, and breweries.<sup>229</sup> This indicates that during the 1850s, 1860s and early 1870s, infanticides and neonaticides only warranted public commentary from newspapers if the acts were overtly brought to the public's attention. Even in cases where newspaper coverage was present, these articles consisted of only a few lines of text. The handful of articles addressing infanticide or neonaticide cases between 1854 (when the first such article appears) to 1875 totaled only 280 words, averaging 56 words per article.

Milwaukee's infanticide-related newspaper articles prior to 1875 largely avoided the use of inflammatory language. Because of the overtly gendered notions of infanticide and neonaticide, the mother of the child was often assumed responsible for the crime. The article detailing the body of an infant found in the Milwaukee River described the child's death as "caused by gross carelessness, or criminal intention, on the part of the mother."<sup>230</sup> Here was clearly assumed that the crime was committed by the infant's mother, thus firmly reinforcing the connection between infanticide and women. While the reporter is clearly not condoning the mother's actions in committing infanticide, he also is not overtly vilifying her as occurred in articles covering women who murdered adults or older children.<sup>231</sup> Another article entitled "Inquest" from 1859 reported that an infant "probably came to its death by strangulation, by the hands of some person or persons

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<sup>229</sup> "Infanticide," *Milwaukee Sentinel*, January 24, 1859.  
 "Inquest," *Milwaukee Sentinel*, January 31, 1859.  
 "In cleaning of a vault," *Milwaukee Sentinel*, May 29, 1874.  
 "Supposed Infanticide," *Milwaukee Sentinel*, March 31, 1875.

<sup>230</sup> "Child Found in the River," *Milwaukee Sentinel*, April 17, 1854.

<sup>231</sup> See Chapter 2 for examples of vilification of Milwaukee women who murdered.

unknown.”<sup>232</sup> In this article, too, no strong language is used by the author to vilify the perpetrator, even though an act of infanticide was determined to have taken place. It is unlikely that the authors chose not to use strong language to vilify the unknown perpetrator of infanticide because he was not allowed to use such language by an editor, as coverage of the murders of adults and older children was replete with examples of such language, even in cases where a suspect was eventually found not guilty. For example, the *Sentinel* headlines for an 1883 article on a mother who murdered her three children blared: “BUTCHERED. Three Young Children Cut to Pieces Yesterday by Their Insane Mother.”<sup>233</sup> Rather, the muted language used by newspaper reporters was likely due to a more lax attitude towards infanticide and neonaticide. While not condoning these acts, Milwaukee reporters from 1854 to 1874 portrayed infanticide as a less serious offense than the murder of adults or older children.

While infanticide and neonaticide certainly occurred in Milwaukee before the 1870s, major cases of infanticide and neonaticide did not capture the attention of the city’s newspaper editors until 1875. The timing of this shift coincides with the rise of the anti-abortion movement throughout the United States and Wisconsin, which did not attract much popular attention until the 1870s. The expansion of coverage of infanticide coincides with the passage and implementation of the Comstock Act, which strongly limited access to abortion and contraceptives. Additionally, during the 1870s and into the 1880s, states were quickly dismantling any quickening exceptions in their anti-abortion legislation. Although Wisconsin’s legislation had banned all abortion some years

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<sup>232</sup> “Inquest,” *Milwaukee Sentinel*, January 31, 1859.

<sup>233</sup> “Butchered,” *Milwaukee Sentinel*, January 24, 1883.

previously, this period saw the growth of popular understanding that quickening was not a significant milestone in the pregnancy process, thus leading to further questions regarding when fetuses were considered to be alive. Thus, the sudden shift in newspaper coverage of infanticide from a handful of sentences to large columns coincided with large shifts in how human life was conceptualized.

The first case of infanticide that was given significant media attention in Milwaukee was that of Mary Schneider, in 1875. Under a headline stating “SUPPOSED INFANTICIDE”, the *Sentinel* reported that the body of an infant had been found in a barrel at the Plankroad brewery. The article uses somewhat superfluously narrative language, writing that once he had heard that a body had been found, “Detective Beck immediately set out and convinced himself of the truth of the story....The detective learned that the discovery was made on Monday evening by following a trail of blood that had excited attention.”<sup>234</sup> The reporter used similar, almost novelesque language throughout the article. By reporting the events surrounding the case as if it were a fictional story, the reporter simultaneously distanced readers from the reality of an infanticide while also attempting to sway them towards viewing the act as particularly heinous. For example, the author describes how the infant’s body had been disposed of: “the body of the infant had been thrown into the barrel and covered with an old coffee-sack.”<sup>235</sup> While the author was unlikely to know in exactly what manner the infant was placed into the barrel, the vivid description of it having been “thrown” implies that the

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<sup>234</sup> “Supposed Infanticide,” *Milwaukee Sentinel*, March 31, 1875.

<sup>235</sup> *Ibid.*

accused perpetrator of this action should be considered particularly monstrous for her callous actions.

The reasons behind the vilification of Mary Schneider become clear as the article continues. Schneider, a domestic servant working for the owner of the brewery, had been “accused of improper conduct,” implying that she had been engaging in sexual relations outside of marriage.<sup>236</sup> As a working-class woman, Schneider already challenged the notions of middle-class female propriety by working outside of the home. For her to also be sexually active outside of marriage perhaps indicated loose morals, thereby further condemning her. It was initially unclear who her suspected paramour was, and Schneider herself denied the accusations at first, even denying having been pregnant. She is described as a “tall woman, unprepossessing in appearance and seems to be as ignorant as she is ungainly.”<sup>237</sup> This harsh descriptive language, as well as the mention of her potentially improper sexual behavior, acts to vilify Schneider in a way not necessarily seen with other women who committed homicide in the city during this time. Women who murdered other adults or older children rarely found their sexual behavior extensively debated, except to afford them some paternalistic pity, nor was their relative unattractiveness described in such detail. Schneider receives no such pity in initial reports of the crime, however the language used as more details emerged shifted back to a reliable narrative: seduced and abandoned.

A Coroner’s Inquest was held on the scene, and a doctor initially determined that the child had been born alive; though no mention is made of what method he used to

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<sup>236</sup> Ibid.

<sup>237</sup> Ibid.



come to his conclusion. Details of the testimony provided at the Inquest revealed that a man named Michael Micholet seduced Schneider and promised to marry her, but instead married another woman. Schneider informed Micholet of her pregnancy and he gave her money to procure an abortion. It is unclear whether Schneider attempted to get an abortion and was unsuccessful or if she instead kept the money. Here Micholet is clearly portrayed as the villain of the story, and this is emphasized by his efforts to induce Schneider to get an abortion. While Schneider's act of infanticide is certainly not condoned by the *Sentinel*, the author appears to be indicating that Micholet is just as monstrous as Schneider by encouraging the use of abortion. Despite the dramatic language used in the *Sentinel's* coverage of Schneider's case, the judicial system was much less inclined to punish her harshly for her actions; although Schneider pleaded guilty, the doctors consulted by the court refused to positively state that Schneider's infant had been born alive and she was allowed to go free, "after a promise of future good behavior."<sup>238</sup>

Mary Schneider's case warmed up the city's press for a second, more high profile infanticide case later in the same year. On the night of November 3, 1875, Elise Frank, a servant at Bechtel's Mansion House Hotel, told her employer that she felt ill, and asked to stay with her parents while she recovered.<sup>239</sup> Frank was allowed to leave, and few paid attention to the request until one of her coworkers entered her room and found it in disarray. Evidence found in her room indicated that she had recently given birth and the body of an infant was found in a trunk. In describing the scene, the *Sentinel* again uses

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<sup>238</sup> "In the case of Mary Schneider," *Milwaukee Sentinel*, April 15, 1875.

<sup>239</sup> "Supposed Infanticide," *Milwaukee Sentinel*, November 4, 1875.

vivid imagery similar to that found in the Schneider case in order to illustrate the depravity of the act, writing that the “body of an infant...had been thrust into an old trunk.”<sup>240</sup> While attempts were made to arrest Frank that evening, she was deemed to be too ill and was allowed to stay at her family home.

The *Sentinel*'s coverage of the Frank case the following day took a more decisive turn against Frank's favor. While the initial article on the discovery of the child – entitled “Supposed Infanticide” – described only the crime scene, the second article – much more strongly titled “Killed Her Baby” – describes Frank herself. The author describes her as “a robust young woman, about 29 years of age.”<sup>241</sup> Unlike the Schneider case, the physical description of Frank provided by the *Sentinel* does not overtly vilify her based on appearance. Rather, the paper's vilification of Frank centers on her attitude, which the author describes as “quite indifferent as to the result of [the] crime.”<sup>242</sup> In Schneider's case, her tale of seduction and abandonment indicated, perhaps, that she had suffered enough and that the true fault of the crime could be found in her seducer. However, Frank refused to reveal who the father of her baby was, and therefore took the brunt of the media's scorn. Similarly, Frank did not appear remorseful for her actions, stating that “she did not care for the child” and thus pity could not be directed towards her.<sup>243</sup>

Due to Frank's lack of overt remorse, witnesses brought before the Coroner's Inquest speculated as to the possibility of her having suffered some sort of post-partum

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<sup>240</sup> Ibid.

<sup>241</sup> “Killed Her Baby,” *Milwaukee Sentinel*, November 5, 1875.

<sup>242</sup> Ibid.

<sup>243</sup> Ibid.

insanity. According to one witness, “the labor itself creates excitement, but whether this can be termed excitement or insanity, is open to discussion. There may be cases of temporary insanity.”<sup>244</sup> The question of post-partum sanity was frequently raised in cases of infanticide throughout the country and was hotly debated by American physicians.<sup>245</sup> However, little agreement had been reached and Frank appeared to witnesses to be sane, thus an insanity defense was ultimately rejected. Unlike the Schneider case, Frank was found guilty and was sentenced to six months in the House of Correction.<sup>246</sup>

Beginning in the 1880s, Milwaukee newspapers used increasingly stronger language to describe acts of infanticide, specifically referring to infanticide as “murder.” This does not necessarily indicate that prior to this period Milwaukee’s newspaper reporters did not consider infanticide to be a form of murder; rather, it demonstrates that infanticide and neonaticide had begun to gain more media attention in the mid-1870s, and that the dialogues surrounding it became increasingly stringent, placing it on equal ground with the murder of adults and older children.

The first use of the term “murder” to describe an act of infanticide used in the *Sentinel* appeared in the headline for the 1884 case of Franciska Stachoska, a seventeen-year-old recent German immigrant. Stachoska, like other infanticidal mothers, had reportedly been seduced and abandoned by an unnamed wealthy man in Germany. Unlike previous cases of infanticide covered in Milwaukee’s press, however, Stachoska came

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<sup>244</sup> Ibid.

<sup>245</sup> Simone Caron, “‘Killed by its mother’: infanticide in Providence County, Rhode Island, 1870 to 1938,” *Journal of Social History* 44, no. 1 (2010): 213-237.

<sup>246</sup> “Elise Frank,” *Milwaukee Sentinel*, December 13, 1875.

from wealth. She was described as “the daughter of very respectable and well-to-do people.”<sup>247</sup> Stachoska’s family’s wealth sets her apart from most infanticidal mothers, who were generally poor or working class. The brutal method of infanticide used by Stachoska also sets her apart from earlier cases reported in Milwaukee. She is described as having “thrust the sharp blade of a pair of scissors deep into the front of the infant’s neck, and afterwards climbed into the attic of the house and placed the babe between the ceiling and floor, where it slowly bled to death.”<sup>248</sup> In describing Stachoska’s method of killing her infant so vividly, the *Sentinel* very clearly delineated her actions as cold-blooded murder, and not the last resort to a poor working girl that had nowhere else to turn. The *Sentinel* further indicated that it considered Stachoska’s actions to be murder by titling the article: “A Mother’s Cruel Murder of Her New-Born Babe”, thus contextualizing its entire coverage in the idea of infanticide as murder. Stachoska’s high class status, juxtaposed with the brutality of her crime, may have caused an even stronger response from the *Sentinel* than in cases where the mother was poor or working class and used a less overtly violent method of infanticide, and thus lead to the use of the term “murder” to describe her act.

Newspaper coverage of infanticide and neonaticide in Milwaukee prior to 1875 did not explicitly name perpetrators. There are a number of potential reasons for this, the most likely being that due to a lack of serious investigations into infanticides before the 1870s, most perpetrators remained unknown to law enforcement and newspapers.

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<sup>247</sup> “A Mother’s Cruel Murder of Her New-Born Babe,” *Milwaukee Sentinel*, December 13, 1884.

<sup>248</sup> *Ibid.*

Between 1875 and 1900, twelve suspects – eleven women and one man – were named in the *Sentinel*, the *Daily Republican Sentinel* and the *Milwaukee Daily Journal* in connection with infanticides. Of the eleven women named, eight were either explicitly identified in the papers as German or have a noticeably German surname.<sup>249</sup> Of the remaining three, one is named only under her husband's name (Mrs. Thomas Wendling) and two others were found not guilty (Eva Rowe Mill and Julia Conroy). The overwhelmingly German make-up of women publicly accused of infanticide in Milwaukee newspapers raises questions as to the role that immigrant status and ethnicity played in the prosecution of infanticides. It is difficult to speculate as to the meaning of this without more data. It could be simply a reflection of the large German population in the city (with more individuals of German descent than other groups, one would expect a larger percentage of crimes to be committed by Germans than other groups). It could also indicate the relative closeness of other ethnic groups in the city as compared with Germans; as Wheeler's study of infanticide rates demonstrated, communities with closer ties saw lower rates of infanticide. Ideas about gender and infant life could have been substantially different in Milwaukee's German community than among other ethnic groups. The disparity could also be a reflection of biases on the part of newspaper editors and reporters in the city. The connections between ethnicity and infanticide rates certainly require future scholarship.

## Conclusions

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<sup>249</sup> The women either explicitly identified as German or have German surnames are as follows: Mary Schneider, Elise Frank, Minnie Kramer, August Juddes, Anna Masch, Franciska Stachoska, Paulina Middelstaedt and Emma Rietz.

The rhetoric used by Milwaukee newspapers to describe cases of infanticide and neonaticide shifted dramatically during the nineteenth century, reflecting a similar shift in the national rhetoric surrounding abortion which happened simultaneously. While it is probable that other factors influenced the shift in the amount of coverage as well as the nature of the coverage of infanticide during this period, the influence of abortion debates as they related to the value of infant life cannot be ignored. Prior to the 1870s, when abortion was commonly and openly practiced, newspaper coverage of infanticides and neonaticides in Milwaukee was limited to a handful of short articles. This could indicate that before strong anti-abortion rhetoric became prevalent, infant life was deemed less important than that of adults or older children. With the advent of stronger anti-abortion legislation and rhetoric, questions of when life began and at what point fetus or infant life should be valued equally to adult life were much more prevalent. This likely affected how infanticide was seen; hence, the shift in Milwaukee's newspaper narratives from "suspected infanticide" to "murder."

While this study focuses on Milwaukee's newspapers, in order to more fully determine the effects of changes in rhetoric on abortions on changes in rhetoric on infanticide, further case studies of other cities or comparative studies across states are necessary. Within Milwaukee, examining newspaper coverage of abortion in depth in comparison with coverage of infanticide would prove fruitful for future researchers.

Infanticide and neonaticide, being largely crimes committed by women, further nuance scholarly understanding of the cultural narratives around criminality, women and newspapers. Unlike adult homicides, which were condemned throughout the nineteenth century, infanticides and neonaticides proved to be much more ambiguous. Thus, in

studying how women who committed infanticide and neonaticide were portrayed in newspapers, historians can locate the creation and shift of new narratives of the violent female criminal.

## Conclusion

As this study demonstrates, nineteenth century newspaper crime reporters worked diligently to make sense of moments where women and violence intersected. Newspaper narratives of female victims and female victimizers reflected efforts to emphasize the gender status quo and brand those who stepped outside of restrictive gender norms as deviants or morally deficient. Female victims were judged harshly if they violated the feminine ideal, with crime reporters in these cases implying that the fault may have lain in large part with the victim. And yet, when female victims did meet gender expectations, they could become overtly sexualized. In either case, female homicide victims rarely were allowed a voice in print. Likewise, female victimizers were similarly denied agency by newspaper narratives which described their actions largely as outside of their direct control, whether as a response to unfortunate life circumstances or to so-called insanity. Cases of infanticide further complicated newspaper narratives of female victimizers, as ongoing debates in the nineteenth century over the value of infant life changed how women who killed their infants were perceived. Milwaukee newspapers' reports of infanticide further illustrated the entirely constructed nature of nineteenth century media narratives, as they so clearly shifted in response to the anti-abortion movement of the time. The agency of women who committed infanticide during this period is also lost, as crime reports seemed entirely focused on the broader social meanings of infant life. Because agency is almost entirely denied to female victims and victimizers, it is apparent that the women themselves essentially did not matter to crime reporters; rather, what their



actions (or the actions meted upon them) said about what femaleness meant was more important.

Markers of race, class, religion and ethnicity further served to deny agency to female victims or victimizers. Crime reporters subjected female murder victims to scrutiny based on their racial, class, religious and ethnic backgrounds in order to determine if they shared some of the blame for their victimhood. Male and female victimizers alike found their actions analyzed not only in terms of their performance of gender norms, but also for how their race, class, religion and ethnicity may have further driven them to homicide. The coded language used by crime reporters confirmed middle class conceptions of racial, class, religious or ethnic differences which was heavily implied to have influenced instances of homicide. Thus, crime reporting served to reinforce and continually create social differences along a multitude of lines, reasserting normalcy in the face of the “other.”

How newspapers historically interpreted and reported homicide and gender is an area which requires further academic attention. Further studies could be completed comparing smaller cities such as Milwaukee with each other or with larger urban centers. Likewise, comparative studies of crime reporting in urban centers and rural areas could prove enlightening on changing conceptions of gender, race, class, religion and ethnicity in rural areas. Within Milwaukee, comparing the English-language press’ coverage of homicides with that of the city’s many foreign-language newspapers could further illuminate gender, racial, class, religious and ethnic tensions seen in this study. Additionally, taking one of the individual case studies presented in this study and exploring it in even more depth could prove quite revealing. The Thompson case, in

particular, as one of the first murders within Milwaukee's black community, could be compared with later cases of homicide to track the changes in how crime reporting viewed race.

Understanding the role that crime reporting had in delineating acceptable behavior for nineteenth century Milwaukee women furthers scholarly understandings of how gender norms were created and enforced. Violent behaviors can further illustrate where social norms failed, and crime reporting on these incidents demonstrates how culture creators attempted to understand those failures. The study of narratives of homicide, then, captures structures of normativity in motion.

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