

## Chapter Eight

### **‘It’s one of the saddest stories one could imagine’<sup>1</sup>: Infanticide, cultural narratives and the case of Daisy Lord, c.1908-1912.**

On 11 February 1908, the body of a baby girl was found in the room of Daisy Lord,<sup>2</sup> an unmarried 21-year-old laundry worker in Thornton Heath, Surrey. Lord, who had herself been an illegitimate child,<sup>3</sup> confessed to having killed her infant shortly after giving birth. Upon her conviction for murder on 20 July 1908, she was sentenced to death. Immediately after the trial Mr. Justice Jelf wrote to the Home Secretary, informing him that ‘The jury accompanied their verdict with a strong recommendation to mercy which I most earnestly join’.<sup>4</sup> The ruling was commuted four days later by the Home Secretary to penal servitude for life.<sup>5</sup> This in itself was not unusual, since convictions of women for newborn child murder had steadily dropped since the middle of the nineteenth century from their already low levels,<sup>6</sup> and the last execution of a woman for killing her newborn had been in 1849.<sup>7</sup> Equally, while certainly not matching

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<sup>1</sup> TNA HO 144/1026/167981/56 [2] Unattributed American newspaper clipping ‘A Story of British “Justice”’ by Jessie C. Carter, extensively discussing the Lord case, enclosed in a letter by Mr. Fred A. Binney, a British man living in San Diego, 7 May 1909. I have unfortunately not been able to discover which paper it was from. However, I feel the fact that British emigrants settled in both the United States, in Binney’s case, and in Canada wrote to the Home Office to complain at Lord’s sentence hints that it took on an international dimension. See also TNA HO 144/1026/167981/64 [2]. Letter from Mrs. W. Richmond, Victoria, Canada to Home Secretary, 21 March 1910.

<sup>2</sup> TNA ASSI 31/49. See 20 July 1908, p20; TNA HO 144/1026/167981; *R. v. Lord* (1909) 1 Cr. App. R. 110.

<sup>3</sup> TNA HO 144/1026/167981/6. Civil service note on file, 23 July 1908.

<sup>4</sup> TNA HO 144/1026/167981/1 [1] Letter from Judge Arthur N. Jelf to Home Secretary, 20 July 1908. Emphasis in original.

<sup>5</sup> TNA HO 144/1026/167981. Letter from Governor of HMP Holloway to Undersecretary of State, confirming acknowledgement of Lord’s commuted death sentence.

<sup>6</sup> Arnot, ‘Gender in Focus’.

<sup>7</sup> Watson, ‘Religion, Community.’

the so-called ‘infanticide panic’ of the 1860s, contrary to the claims of R. Sauer<sup>8</sup> newspaper reports of the crime were by no means unknown or unusual in the early twentieth century.

What *was* unusual was the significant amount of public attention and outrage Lord’s sentence at the Surrey Assizes provoked.<sup>9</sup> Just as Sarah Barringer Gordon has argued in her analysis of the American infanticide case of Hester Vaughan in 1868, ‘What had looked in the courtroom like a depressingly quotidian, if underprosecuted, crime, became a battle over women’s rights in the press.’<sup>10</sup> The trial sparked off a series of letters and articles which appeared in a wide cross-section of radical, local and national newspapers. Immediately after her conviction in July 1908, a huge number of letters from across Britain & Ireland were sent to the Home Office pleading on her behalf for her immediate release from jail.<sup>11</sup>

On 14 September, the suffragette organisation the Women’s Freedom League (WFL) arranged a demonstration in Trafalgar Square for supporters of the Lord appeal.<sup>12</sup> Less than a month later, a petition organized by Julia Dawson<sup>13</sup> in the

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<sup>8</sup> Sauer has alleged that ‘Stories of infanticide had largely disappeared from the popular press by 1900’. R. Sauer (1978) ‘Infanticide and Abortion in Nineteenth Century Britain’ in *Population Studies*, Vol. 32, No.1, pp81-93. See p90. Copious evidence to the contrary will be found throughout the footnotes of this thesis.

<sup>9</sup> TNA ASSI 31/49. See 20 July 1908, p20. Unfortunately, indictments & depositions for the South-Eastern Assize Circuit 1905-1913 have been destroyed so it is not possible to garner any information on Lord’s case from these.

<sup>10</sup> Sarah Barringer Gordon (2006) ‘Law and Everyday Death: Infanticide and the Backlash against Woman’s Rights after the Civil War’ in Austin Sarat, Lawrence Douglas & Martha Merrill Umphrey (eds) *Lives in the Law*. Ann Arbor: University of Michigan Press, pp55-82. See pp56-57. I am grateful to Graham Chester for this reference. On the trial of Hester Vaughan see also Galley, ‘Infanticide’, pp192-199.

<sup>11</sup> TNA HO 144/1026/167981. These are too numerous to list individually- please see whole file.

<sup>12</sup> *Daily News*, 14 September 1908, p8; ‘The Case of Daisy Lord’, *The Times*, 14 September 1908, p10, Issue 38751, col. D.

pages of socialist periodicals *The Clarion* and *The Woman Worker* had obtained a record-breaking 79,633 signatures that were presented to Parliament calling for Lord's release.<sup>14</sup> Lord was also one of the first convicts to submit an application to the newly formed Court of Criminal Appeal, which had been established that very year.<sup>15</sup>

The Home Secretary, Herbert Gladstone, was unsettled enough by the volume of such missives that he made a public statement in late September that Lord's treatment was in accordance with an established Home Office policy for infanticide cases.<sup>16</sup> His evident hope that this would mean agitation around Lord would quickly fade away was disappointed, since less than a month after authorising a letter to the *Times* he was asked in Parliament about her case by Fred Jowett, the radical MP for West Bradford and frequent *Clarion* contributor.<sup>17</sup> This also added weight to a recent private recommendation by Gladstone and senior civil servants to the Lord Chancellor that an additional clause be added to the Children's Bill, abolishing the death penalty for those

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<sup>13</sup> 'Julia Dawson' was the pen-name of journalist Mrs. D.J. Myddleton-Worral. From 1895 Dawson was responsible for the women's section of *The Clarion* and contributed frequently to *The Woman Worker* from its beginnings in June 1908. See Logie J.W. Barrow (1975) 'The Socialism of Robert Blatchford and the "Clarion", 1889-1918'. Unpublished PhD thesis, Birkbeck College, University of London, p55; & 'The Portrait Gallery: Julia Dawson', *The Woman Worker*, No. 9, 31 July 1908, p227.

<sup>14</sup> TNA HO 144/1026/167981/44. Monster petition gathered by the socialist journals *Clarion* and *Woman Worker* delivered to Parliament.

<sup>15</sup> *R. v. Lord* (1909) 1 Cr. App. R. 110; TNA HO 144/1026/167981/18 [5]. Notice of application for leave to appeal against sentence, 3 August 1908; & *The Times*, 15 August 1908, p14, Issue 38726, Col. B. On the history of the Court of Criminal Appeal see Rosemary Pattenden (1996) *English Criminal Appeals 1844-1994*. Oxford: Clarendon Press, Chapter One, 'The Making of the Court of Criminal Appeal', pp5-33.

<sup>16</sup> 'The Home Office and Infanticide', *The Times*, 24 September 1908, p4, Issue 38760, Col. E. For further discussion of Home Office policy regarding infanticide convictions, see Chapter Two.

<sup>17</sup> *Hansard*, 21 October 1908, Vol. 194, p1143.

convicted of newborn child murder.<sup>18</sup> While the proposed amendment failed,<sup>19</sup> it, and the attention the case received, reflects its wide-ranging impact in the popular imagination. Yet despite the influence of the Lord agitation, especially in socialist and feminist circles, historians have all but ignored this brief but important campaign.<sup>20</sup>

A microhistorical study of the Daisy Lord trial and its aftermath provides a fascinating insight into Edwardian narratives of femininity and violence.

Microhistory was originally developed as a methodological approach during the 1960s, initially fuelled by the rise of social history as a newly acceptable topic for academic research and one of a series of investigative tools developed in response to a growing uneasiness amongst historians as to how useful quantitative approaches to crime history were.<sup>21</sup> The majority of microhistorical

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<sup>18</sup> TNA HO 45/16068/168048/1. Grading of murder file. See civil service note proposing this move, 5 August 1908.

<sup>19</sup> *Hansard*, 12 November 1908, Vol. 196, pp484-490. This is discussed further in Chapter Two.

<sup>20</sup> The suffragette campaign to free Lord has been very briefly touched upon in biographies of Charlotte Despard, President of the WFL from 1909-1918. See Andro Linklater (1980) *An Unhusbanded Life: Charlotte Despard; Suffragette, Socialist and Sinn Feiner*. London: Hutchinson p122; & Margaret Mulvihill (1989) *Charlotte Despard: A biography*. London: Pandora, p85. There are also short mentions of Lord in other work on the WFL. See Claire Eustance (1993) "'Daring to be free": The evolution of women's political identities in the Women's Freedom League, 1907-1930'. Unpublished PhD thesis, University of York, p233; Hilary Frances (1996) 'Our job is to free women': the lives of four Edwardian feminists from 1910 to 1935'. Unpublished PhD thesis, University of York, p154; Hilary Frances (2000) "'Dare to be free!": the Women's Freedom League and its legacy' in June Purvis & Sandra Stanley Holton (eds) *Votes for Women*. London: Routledge, pp181-202. See p198. Edith Hall also refers to Sylvia Pankhurst's 1931 retrospective mention of the Lord case in Edith Hall (1999) 'Medea and British Legislation before the First World War', in *Greece & Rome* Vol. 46, No. 1, pp42-77. See p47.

<sup>21</sup> For essential discussions of the quantitative/qualitative debate in crime history; see Margaret L. Arnot & Cornelia Osborne (1999) 'Why gender & crime? Aspects of an international debate' in Margaret L. Arnot & Cornelia Osborne (eds) *Gender & Crime in Modern Europe*. London: UCL Press, pp1-43; Clive Emsley (2002) 'The history of crime and crime control institutions' in Mike Maguire, Rod Morgan & Robert Reiner (eds) *The Oxford Handbook of Criminology*, 3<sup>rd</sup> edition. Oxford: Oxford University Press, pp203-230; & Clive Emsley (2005) *Crime and Society in England, 1750-1900*, 3<sup>rd</sup> edition. London: Longman, Chapter Two, 'The Statistical Map', pp20-55.

research has been based in the analysis of crime in early modern Europe.<sup>22</sup>

However, the method has also proved useful to historians researching a variety of topics and geographical regions.<sup>23</sup> It is an interdisciplinary approach that draws heavily on ideas and methods more commonly utilised in the social sciences, especially those of social anthropology. Ethnographic studies such as those of anthropologist Clifford Geertz, in particular his classic article 'Deep Play: Notes on a Balinese Cockfight,'<sup>24</sup> have provided historians with useful examples of how one might broaden out analysis of a specific, individual incident, and draw from it conclusions and insights that are applicable to society as a whole. What Geertz referred to as 'thick' readings of simple acts, phrases and movements he has observed requires the breaking down of these symbols and deciphering their significance in wider cultural contexts.

I am particularly guided here by Meg Arnot's seminal investigations of Victorian child murder. Her microhistorical interpretations of the cases of

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<sup>22</sup> Examples include Jeremy Boulton (2007) 'Microhistory in early modern London: John Bedford (1601-1667)' in *Continuity & Change*, Vol. 22, No. 1, pp113-141; Judith C. Brown (1986) *Immodest Acts: The life of a lesbian nun in Renaissance Italy*. Oxford: Oxford University Press; Natalie Zemon Davis (1983) *The return of Martin Guerre*. Cambridge: Harvard University Press; Robert Darnton (1984) *The Great Cat Massacre and Other Essays in French Cultural History*. London: Harmondsworth; Gilbert Geis & Ivan Bunn (1997) *A Trial of Witches: A Seventeenth-century Witchcraft Prosecution*. London: Routledge; Carlo Ginzburg (1980) *The cheese and the worms: the cosmos of a sixteenth century miller*. London: Routledge & Kegan Paul.

<sup>23</sup> See Arnot, 'The murder of Thomas Sandles'; Bourke, *The Burning of Bridget Cleary*; Michael S. Foldy (1997) *The trials of Oscar Wilde: Deviance, morality and Late-Victorian society*. London: Yale University Press; V.A.C. Gatrell (1994) *The Hanging Tree: Execution and the English People, 1770-1868*. Oxford: Oxford University Press, Chapter Seventeen, 'The Rape of Elizabeth Cureton: A Microhistory', pp447-493; Hager, 'Compassion and Indifference'; Guarnieri, *A case of child murder*; Putnam, 'To study the Fragments/Whole'; Amy Gilman Srebnick (1995) *The mysterious death of Mary Roger: Sex and culture in Nineteenth-century New York*. Oxford: Oxford University Press; Richard M. Tristano (1998) 'Holy Family Parish: The Genesis of an African-American Catholic Community in Natchez, Mississippi' in *Journal of Negro History*, Vol. 83, pp258-283; Watson, 'Religion, Community'; Weisenburger, *Modern Medea*.

<sup>24</sup> Clifford Geertz (1973) *The interpretation of cultures*. New York: Basic Books, Chapter Fifteen, pp412-454.

Elizabeth Cornwell in 1847,<sup>25</sup> Hannah Sandles<sup>26</sup> in 1849 and Margaret Waters<sup>27</sup> in 1870 provide fascinating illustrations of how infanticidal women were variously located, coerced and interpreted in a psychic network of ‘creativity, fantasy and fear,’<sup>28</sup> and how their personal stories were read, written, and *rewritten* by their contemporaries. This chapter on Daisy Lord likewise seeks a drawing out of key themes, and to act ‘as a focal point for exploring the meanings that were woven around her circumstances by...commentators’.<sup>29</sup> It makes frequent reference to press coverage of the campaign for her release, which was published regularly between July and October 1908 in *The Clarion*, *Christian Commonwealth*, *Daily News*, *The Times*, *Votes for Women*, and *The Woman Worker*. The richest source, however, has proved to be Daisy Lord’s Home Office file, which comprises over 30,000 words.<sup>30</sup> Despite only covering a five year period, with the vast majority of correspondence and notes referring to the first year following her conviction, this file has provided an invaluable and detailed account of the case.

By tracing Lord’s experiences of the criminal justice system in this manner, from her arrest in February 1908 through to her eventual release from the probationary requirement to report to police in September 1912, it is possible to explore a number of issues in more depth than might be possible through reference to several case studies in place of a single close reading. Firstly, examining the trial notes of Mr. Justice Jelf allows a rare opportunity to recreate

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<sup>25</sup> Arnot, ‘Understanding women’.

<sup>26</sup> Arnot, ‘The murder of Thomas Sandles’.

<sup>27</sup> Arnot, ‘Infant death’.

<sup>28</sup> Margaret L. Arnot (2004) ‘The mind, the gendered body & the criminal justice system: Infanticide in modern Britain’. Unpublished seminar paper, Roehampton University, June 2004.

<sup>29</sup> Arnot, ‘The murder of Thomas Sandles’, p149.

<sup>30</sup> TNA HO 144/1026/167981.

a detailed account of Lord's place in her community of Thornton Heath, Surrey, including her prior status as a respectable and hard-working single woman and how this history impacted on her trial. Secondly, interrogating Lord's confession to police at her arrest allows a rare chance to investigate how a woman accused of newborn murder represented herself and the crime, rather than just being discussed by others.

The third section of this chapter analyses the representation of masculinity in discussions of the case, a discourse which centred on the belief that the anonymous father of the child was escaping a punishment which should rightly be shared with Lord. For socialist men such as Robert Blatchford who contributed to the campaign for her release from prison, this gave them an opportunity to contrast their own adherence to standards of manly honour and chivalry which could be contrasted with that of the rake imagined to have seduced and abandoned her. Likewise, the ways in which femininity was negotiated in discussions of Lord's actions sheds much light on both the construction of appropriate and deviant womanhood and narratives of violence in Edwardian England. The final section of this chapter examines the key role of the militant suffragette groups the Women's Freedom League and the Women's Social and Political Union (WSPU) to the agitation on Lord's behalf, and the degree to which it did (or, indeed, did not) influence future policy decisions about other feminist campaigns in the run-up to the First World War.

**From parturition to conviction: Analysing the trial notes of Mr. Justice Jelf<sup>31</sup>**

On the morning of 10 February 1908, Mrs. Emily Roarke went upstairs to the bedroom of her young lodger, Daisy Lord. The two women appear to have shared a fairly close, if still formal, relationship since Lord had moved into 34 Penwith Road the previous September, and Roarke was concerned that she had not left for work as usual. Laundry work was a particularly arduous occupation,<sup>32</sup> and since Lord was accustomed to going in every day only special circumstances could force her to take time off. When Roarke entered the bedroom, all the blinds were closed, and Lord ‘said she had a bad influenza cold and she could not go to work that day’.<sup>33</sup> At ten am, Roarke returned with a cup of tea, and finding the room still swathed in darkness she attempted to draw the blind, only to be stopped by Lord claiming the light would make her headache worse. She refused Roarke’s offer of something to eat and remained in bed all day with the increasingly worried landlady returning twice more by early evening to check on her welfare. Just before 8pm that night, Mary Luscombe, a friend of Lord’s who also worked at the Bradford Laundry, Upper Norwood, called to see her. Like Roarke, Luscombe was surprised by Lord’s uncharacteristic absence from the laundry and wanted to ask what the matter was. After being assured by Lord it was a mild bout of ‘flu and she would return

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<sup>31</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf. These provide the only surviving record of Lord that discusses the events leading up to her conviction.

<sup>32</sup> On laundry work in our period see Gerry Holloway (2005) *Women and Work in Britain Since 1840*. London: Routledge, pp96-100; Patricia E. Malcolmson (1986) *English Laundresses: A Social History*. Chicago: University of Illinois Press; Arwen P. Mohun (1999) *Steam Laundries: Gender, Technology and Work in the United States and Great Britain, 1880-1940*. London: John Hopkins University Press.

<sup>33</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

to work the next morning, Luscombe stayed briefly to chat about other matters and then left.

Only a fortnight earlier, Emily Roarke confronted Lord with a rumour that she was pregnant, an allegation which Lord angrily denied: 'Early in Feb I told prisoner I had heard something was wrong and she said it was wicked to say such things about her and she would go and tell the lady who she had thought said so.'<sup>34</sup> Yet at this point Roarke did not reconsider the persistent neighbourhood gossip which had suggested the possibility. Instead, she was still convinced that Lord was suffering with influenza. Indeed, after Lord's denial in early February she had gone so far as to tell her husband outright that Lord was not pregnant. It is probable that the lack of suspicion at this point on Roarke's part, even after the scandalous whispers, was directly related to Lord's behaviour as a lodger and worker. Roarke stated at the trial 'While with me I found her a respectable and decent woman.'<sup>35</sup> The notion of 'respectability' in the nineteenth and early twentieth century has been heavily debated by historians. While Judith Walkowitz has suggested that 'respectability' was a hierarchical mode of oppression formulated and perpetuated by the middle class,<sup>36</sup> to take this view ignores its implications in everyday working-class culture. Sociological and historical research on the concept of respectability in Britain has demonstrated that this was an unstable category, and one which was both highly prized and carefully policed in working-class urban and rural areas by the community itself, rather than simply imposed from above by middle-class

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<sup>34</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>35</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>36</sup> Judith R. Walkowitz (1980) *Prostitution and Victorian Society: Women, Class and the State*. Cambridge: Cambridge University Press.

philanthropists.<sup>37</sup> Moreover, as Shani D’Cruze has explained, ‘the attribution of reputation, as well as the exchange of information and the oiling of the wheels of support networks, was an integral function of neighbourhood gossip.’<sup>38</sup> Since to her knowledge Lord had always conducted herself respectably, Roarke saw no reason not to take her at her word.

The discussion after Luscombe’s departure on the night of 10 February between Emily and Herbert Roarke about Lord’s illness also made no mention of pregnancy, although Emily anxiously insisted to him that she would call a doctor in if Lord had not fully recovered by the following morning. From 10pm, before retiring, Roarke spent half an hour talking to Lord and asked her to call out for help in the night if she felt worse. Early next morning, she was brought a cup of tea by Lord, who told her she was feeling much better and left for work on time. Roarke had no suspicions that anything more than a brief bout of illness had occurred until shortly after entering Lord’s room at 11:30, when on opening the window ‘as I turned round I saw behind the bed a pool of blood- I turned the bed over. I noticed a patch of blood on the mattress’.<sup>39</sup> Further examination of the room detected a missing bed sheet, a fur rug that was stuck together and looked to have been recently washed, and a blood stained rag at the bottom of the closet, where Lord’s grey coat was hanging. While Roarke then left the room, something about the shape of the coat evidently nagged at her because she quickly returned to search it- only to find that the distended coat sleeve ‘was

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<sup>37</sup> Ellen Ross (1985) “‘Not the sort that would sit on the doorstep’”: Respectability in pre World War I Working Class Neighbourhoods’ in *International Labor and Working Class History*, Vol. 27, pp39-59; Ross, *Love & Toil*; Beverley Skeggs (1997) *Formations of Class & Gender*. London: Sage, Chapter Three, ‘Historical Legacies: Respectability and Responsibility’, pp41-55.

<sup>38</sup> Shani D’Cruze (1998) *Crimes of outrage: Sex, violence and Victorian working women*. London: UCL Press, p18.

<sup>39</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

very heavy and had something hard in it'.<sup>40</sup> By now thoroughly disconcerted, Roarke ran for a neighbour – Mrs Louise Linscoll, from No. 31- and after a cursory examination of the coat and room by Linscoll, they swiftly agreed they should fetch their local general practitioner, Dr. Addison.

After being summoned by Roarke and Linscoll at approximately 1pm, Addison stopped off at Thornton Heath police station *en route* to Penwith Road, and so brought with him Detective Sergeant William Sharpe and Metropolitan PC Herbert Kingham. On arriving back at Penwith Road, the police officers and Louise Linscoll watched as Dr. Addison first removed bloodstained underwear from the left sleeve of Lord's coat; and then reached into the right sleeve and withdrew the relatively large body of a female newborn child, wrapped in a flannelle petticoat. Addison testified that the infant's body had been cold and clean on discovery, and that there had been a torn strip of cloth tied tightly in a bow around the neck. The body was then taken to the police station to be examined by the divisional surgeon, Dr. Charles Fowler, who confirmed the child had probably been murdered.

Following the autopsy, at around 5pm on 11 February 1908, Lord was arrested at her workplace and taken to Thornton Heath police station by Sgt. Sharpe and Superintendent Charles Bastable. Evidently worried that others might be blamed in conspiring to hide the baby's body, Lord immediately confessed to the murder and insisted she was the only person responsible. Although the police were careful to state at her arrest that anything she said could be used against

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<sup>40</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

her, and Bastable actually repeated this, Lord initially seems to have been willing, even eager, to confess her guilt. That evening, she was examined by Dr. Fowler, who observed all the medical signs that Lord had given birth recently. She was then sent to the infirmary where Dr. Wilson, the doctor on duty, backed up Fowler's opinion that Lord had recently had a child. After this, Lord was sent to Holloway prison to await trial at the South Eastern Circuit Summer Assizes, and she was indicted by a grand jury at Guildford on 16 July 1908.<sup>41</sup>

Medical evidence given by Dr. Fowler proved central in securing Lord's conviction. He showed in his autopsy report not only that the baby had been fully developed (only 2oz below the average birth weight) and so was definitely not a miscarriage or premature birth, but crucially for Lord's case that the child '...had breathed well and had absolutely a separate circulation of its own and an independent existence. Cause of death asphyxia due to cord round child's neck'.<sup>42</sup> This was a key development, since the major part of proving newborn child murder in court rested on the immense difficulties faced in providing *legal* evidence of 'separate existence' between mother and newborn.<sup>43</sup> Without such proof, any possible charges were limited to concealment of birth rather than murder or manslaughter.

Fowler admitted he personally had never come across a case of newborn child murder before, and he was guided purely by reading textbook examples: 'I have not in my personal experience known an instance of a woman killing a child in

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<sup>41</sup> *The Times*, 16 July 1908, p4, Issue 38700; Col. E.

<sup>42</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf, emphasis in original.

<sup>43</sup> See Chapter Three.

act of delivery. But I have read of such cases'.<sup>44</sup> But he *was* definite that the child had died quickly and as a result of deliberate action, and there was no way that it could have bled to death from a poorly tied umbilical cord, as had been briefly suggested in his cross examination and that of Dr. Addison. His evidence also destroyed the possibility the jury might be able to reach a verdict of 'guilty, but insane.' While Fowler acknowledged that childbirth was a traumatic process, especially in the conditions Lord had faced, he did not believe that puerperal insanity – a psychotic episode precipitated by pregnancy or giving birth- afflicted women until two or three days after parturition.<sup>45</sup> While his evidence for this claim was vague, merely that '[there are]...very few cases in which any unhooking of mind continues for a while after parturition. I am talking all cases...[in] general experience and general teaching',<sup>46</sup> it is interesting that after Fowler's statement the defence counsel specifically rejected the possibility of an insanity defence plea.<sup>47</sup> In his analysis of the insanity defence in English law from the middle of the nineteenth century to the interwar period, Tony Ward has argued that this was resorted to 'either when this was the only way to translate a woman's personal and economic hardship into a legally acceptable defence, or when the killer, whether male or female, acted without a socially intelligible motive'.<sup>48</sup>

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<sup>44</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>45</sup> On puerperal insanity as a defence in infanticide cases, see Arnot, 'Gender in Focus', Chapter Five, 'Gendered Responsibility: The Insanity Defence in Infanticide Trials', pp171-200; Marland, 'Getting away with murder?'; Marland, *Dangerous Motherhood*; Quinn, 'Images and impulses'; Ward, 'Psychiatry', Chapter Seven, 'Gender and Infanticide', pp165-192. See Chapter Four for more discussion of this subject.

<sup>46</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>47</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>48</sup> Ward, 'Psychiatry', p179.

For the general public, however, the crime of infanticide was considered almost synonymous with mental illness. Edith Hall has noted that when the first unabridged translation of Euripedes' tragedy *Medea*<sup>49</sup> was performed at the Savoy Theatre in 1907, some theatre critics complained that presenting Medea's killing of her children as a deliberate act, rather than the violence of a madwoman, was impossible to take seriously.<sup>50</sup> As I demonstrate throughout this thesis, the dominant popular view of infanticide in late Victorian and Edwardian England was that the crime could only really be explained through madness on the part of the defendant – although whether such madness fitted legal definitions of insanity was another matter.<sup>51</sup> When the *Christian Commonwealth* wrote that Lord killed her daughter 'In a fit of madness... madness from the suffering and the shame and the desperation',<sup>52</sup> it was putting forward a reason for her actions that was immediately understandable to its readership. Lord's confession to the police, her social position and circumstances as both having been an illegitimate child herself, and a single woman with no family network living locally to draw support from, all made her actions eminently explicable - and even provoked sympathy- in both the press and the courtroom. While Lord was found guilty at a time when it was a rarity for women accused of newborn child murder to be convicted and sentenced to death, Mr Justice Jelf assured the court he would make a strong recommendation to mercy on her behalf. Given how important Lord's confession was in evoking this sympathetic response and locating her in the radical press campaign for her release, I explore it below in some detail.

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<sup>49</sup> Euripedes [431 B.C.E.] (1998) *Medea and other plays*. Oxford: Oxford University Press.

<sup>50</sup> Hall, 'Medea', p46.

<sup>51</sup> See Chapter Four.

<sup>52</sup> 'A Case for Every Church', *Christian Commonwealth*, 26 August 1908, p820.

## Confessional auto/biography<sup>53</sup> in the courtroom

[A] problem of authorship is that there are question marks over the texts of women's depositions themselves. Women's depositions...were inscribed by a (male) clerk who may have altered them with the addition of legal jargon and in other and more substantial ways.<sup>54</sup>

In comparing representations of early modern and twentieth century witchcraft, Diane Purkiss has outlined the major reason that any attempt to critically engage with Lord's statements is a fraught and problematic enterprise. In fact, it is even difficult to verify to what extent they are actually her words, rather than a convenient reinterpretation by a journalist or campaigner. In common with the subjects of other radical campaigns in the nineteenth and early twentieth century, Lord was generally spoken *for* and *about*, rather than being invited to provide her own version of the events leading up to her trial. Our record of her speaking is almost solely available through witness testimony of an arresting police officer, and includes a single refrain sometimes slotted into newspaper reports for added emotive impact: 'I thought I would put an end to it so that it should not have the trouble that I had'.<sup>55</sup> As Lyndal Roper has explained, such legal sources 'are the constructed record of a conversation where the differences of power are highly visible, and the distance of the record from memory cannot

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<sup>53</sup> Liz Stanley has pointed out that the traditional formalised distinctions between autobiography and biography are in fact rather artificially divided, hence this reworking of the term as 'auto/biography', a convention that since has become widely –though not unanimously- used in studies of life-writing. See Liz Stanley (1992) *The Auto/biographical I*. Manchester: Manchester University Press.

<sup>54</sup> Diane Purkiss (1996) *The Witch in History: Early Modern and Twentieth Century Representations*. London: Routledge, p92.

<sup>55</sup> This sentence makes a frequent reappearance in newspaper accounts of the case.

be overlooked'.<sup>56</sup> Without exception we see Lord, and hear her, through the eyes and ears of her contemporaries- never entirely from her own perspective.

Nevertheless, as Louise Jackson has argued with reference to witchcraft trials in seventeenth-century England, exploring such mediated confessions 'can help lead us to a greater understanding of women's subjectivities and experiences'.<sup>57</sup> With this in mind, I analyse PC Bastable's interpretation of her statements in some detail. I endeavour here to avoid the 'dissolution of the self'<sup>58</sup> that is a common feature of studies on infanticide, the unwitting end result of which is often reducing the accused mother to a one-dimensional caricature of her as either 'mad' or 'bad'.<sup>59</sup> Drawing on interdisciplinary methods and theories<sup>60</sup> used by feminist scholars, I argue that by investigating Lord's verbalised construction of events following the birth, we can garner a deeper meaning about the case from this example of auto/biography than might otherwise be possible.

In her study of 'pardon tales', a French style of early modern narrative where an individual admits criminal culpability at the same moment as he<sup>61</sup> makes a plea for judicial mercy, Natalie Zemon Davis has argued:

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<sup>56</sup> Lyndal Roper (1994) *Oedipus and the Devil: Witchcraft, sexuality and religion in early modern Europe*. London: Routledge, p55.

<sup>57</sup> Louise Jackson (1995) 'Witches, Wives and Mothers: witchcraft persecution and women's confessions in seventeenth-century England' in *Women's History Review*, Vol. 4, No. 1, pp63-83. See p64.

<sup>58</sup> Meg Arnot, personal communication, October 2003.

<sup>59</sup> Ward, 'The sad subject of infanticide'.

<sup>60</sup> An excellent account of interdisciplinarity and auto/biography is Tess Cosslett, Celia Lury & Penny Summerfield (2000) 'Introduction' in Tess Cosslett, Celia Lury & Penny Summerfield (eds) *Feminism and Autobiography: Texts, Theories, Methods*. London: Routledge, pp1-21.

<sup>61</sup> Davis makes the important observation that in France at that time '...the two capital crimes most associated with women- witchcraft and infanticide- were not pardonable'. See Natalie

Seeking mercy rather than justice had its risks. The supplicant had, after all, freely confessed to committing the act, there was now no chance to claim he had really been somewhere else, even if there had been no witnesses to the homicide.<sup>62</sup>

By crafting their own version of events and extenuating circumstances, Davis' case studies attempted to reweave their story to evade punishment, and in some instances to even present themselves as the righteous avenger of a wrong done to them.<sup>63</sup> While Lord specifically ensures in her account that nobody else is blamed for the baby's death, beginning her confession with the words 'I put it there- there was no-one else in the room. I am the mother of the child',<sup>64</sup> to what extent does the rest of her own 'pardon tale' function simply as an attempt to escape from judicial sanction? Or is it better understood as the cathartic process of trying to come to terms with a traumatic event? While bell hooks has made reference to such catharsis and its potential for emotional healing being located in *written* auto/biographical descriptions,<sup>65</sup> rather than oral ones, I think this provides a compelling interpretation for Lord's confession. Both Lyndal Roper's exploration of the case of Appolonia Mayr in 1686<sup>66</sup> and Meg Arnot's discussion of the confession Elizabeth Cornwell in 1847<sup>67</sup> suggest that admissions of guilt by women who had killed their children were prompted by a need to share the burden of remorse and pain they bore.

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Zemon Davis (1988) *Fiction in the Archives: Pardon tales and their tellers in Sixteenth-Century France*. Cambridge: Polity Press, p85.

<sup>62</sup> Davis, *Fiction*, p11.

<sup>63</sup> Davis, *Fiction*, p11.

<sup>64</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf, emphasis in original.

<sup>65</sup> bell hooks (1999) *Remembered rapture: the writer at work*. New York: Henry Holt.

<sup>66</sup> Roper, *Oedipus*, pp1-3.

<sup>67</sup> Arnot, 'Understanding women'.

Only a fortnight before giving birth, Lord had angrily denied to Emily Roarke any hint that she might be pregnant. While she had bought flannelle that same week, a material which *could* have been made into baby clothes,<sup>68</sup> she had not in fact prepared any, instead using it to sew herself a new petticoat and sending the rest to her mother in the north of England. It is possible that Lord did not in fact know herself to be pregnant, since physiological and contraceptive knowledge were so poor in the nineteenth and early twentieth century. Research into nineteenth century sexuality notes that with the spread of evangelical morality and new notions of what constituted ‘inappropriate’ discussion, there had actually been a drop during the Victorian period in the sexual knowledge of both middle-class and working-class women.<sup>69</sup> As Sally Alexander has demonstrated, even in the 1930s ‘A silence covered women’s bodies and their functions in everyday speech’.<sup>70</sup> However, Lord never outright suggested that she did not realise she was pregnant. Rather, I would argue her actions leading up to the birth are best explained by reference to the theory of ‘splitting’ developed by psychoanalyst Melanie Klein.<sup>71</sup> Klein suggested that in high stress situations, one potential response was the process of ‘splitting’ where the mind refuses to accept reality and instead constructs a fantasy alternative explanation. Examples of splitting appear to be common in both historical and contemporary cases of

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<sup>68</sup> I am grateful to Clare Rose for this information.

<sup>69</sup> Arnot, ‘Understanding women’, p60; Hera Cook (2004) *The Long Sexual Revolution: English Women, Sex and Contraception 1800-1975*. Oxford: Oxford University Press, Chapter Four, ‘“One Man is as Good as Another in that Respect”, pp90-121; Angus McLaren (1984) *Reproductive Rituals: The Perception of Fertility in England from the Sixteenth Century to the Nineteenth Century*. London: Methuen; Angus McLaren (1978) *Birth Control in Nineteenth-Century England*. London: Croom Helm.

<sup>70</sup> Sally Alexander (1996) ‘The mysteries and secrets of women’s bodies: Sexual knowledge in the first half of the twentieth century’ in Mica Nava & Alan O’Shea (eds) *Modern Times: Reflections on a century of English modernity*. London: Routledge, pp161-175. See p163.

<sup>71</sup> Melanie Klein (1988) *Envy and Gratitude and Other Works, 1946-1963*. London: Virago. On Klein’s work and her influence in psychoanalysis see Janet Sayers (1991) *Mothering Psychoanalysis*. London: Penguin, Chapter Five, ‘Melanie Klein’, pp205-260; Janet Sayers (2000) *Kleinians: Psychoanalysis Inside Out*. Cambridge: Polity Press.

child murder.<sup>72</sup> By claiming that her labour pains were a stomach ache caused by flu or drinking water that was too cold, Lord could continue to subconsciously deny (to herself; as well as to others) that she was pregnant- let alone in the throes of delivery. This denial even continued part of the way into her statement to police, where she stated simply ‘I was not at work yesterday as I felt ill’.<sup>73</sup> Discussed as merely an illness, her pregnancy was rewritten as an inconvenient passing phase with uncomfortable symptoms, rather than a life-changing event.

Her repetition of sole responsibility for the crime throughout - ‘None to blame but me: I did it all’<sup>74</sup> - is interesting. Rather than evading punishment, Lord’s main concern in telling her story seems to have been directing any possible accusations away from others, especially Mrs Roarke, who was in the house at the time she was giving birth: ‘Mrs Roarke came up 2 or 3 times, she knows nothing about the baby: she did not see it’. Lord also seems to have been anxious that either the father of the baby – her former employer, Mr. Parry, who ran the nearby Albion Laundry and who she had been living with prior to taking up lodging at the Roarkes’ - or her unnamed current romantic partner might have been held by the authorities to have assisted in the murder, since she takes pains to explain ‘[Mr. Parry] is getting old, I don’t want any trouble for him. It is not

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<sup>72</sup> Arnot, ‘Understanding women’; Laura J. Miller (2003) ‘Denial of Pregnancy’ in Margaret G. Spinelli (ed) *Infanticide: Psychosocial and Legal Perspectives on Mothers Who Kill*. London: American Psychiatric Publishing, pp81-104; Julie Wheelwright (2002) ‘Nothing in between: Modern cases of infanticide’ in Mark Jackson (ed) *Infanticide: Historical Perspectives on Child Murder and Concealment, 1550-2000*. Aldershot: Ashgate, pp270-285.

<sup>73</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>74</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

my young man, I have tried to keep them apart and keep this from them. It is Mr Parrys’.<sup>75</sup>

The most tragic part of Lord’s testimony, unsurprisingly, related to her daughter. Lord continued the denial of her pregnancy even in her confession, by referring to the infant as ‘it’ throughout. The only exception to this is at the beginning of her account when she stated ‘I am the mother of the child’, arguably much more to avoid anyone else being blamed than to strengthen a mental or emotional link with the deceased infant. The child was never given a gender, name or face, and even in Lord’s retelling of the birth and afterwards it remained silent:

...it was born about 11:30am. It lay there beside me on the bed for hours. I scarcely know what I did. I do not know if it was alive or dead as it made no sign or cry all the time.<sup>76</sup>

The murder itself was never directly mentioned by Lord, only alluded to. She did, however, describe her overriding impulse in her confused state as being ‘I thought I would put an end to it so that it should not have the trouble that I had’.<sup>77</sup> It was this statement, as I have already mentioned, that was to become the rallying cry taken up by her supporters and repeated in countless newspaper stories. In these few words, the massive trauma and pain of giving birth unaided and alone- apparently sufficiently quietly to avoid suspicion by the other occupants of the house- killing her daughter, and disposing of the body by stuffing it into a coat sleeve, were summed up. Her plaintive final words to the

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<sup>75</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf, emphasis in original.

<sup>76</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

<sup>77</sup> TNA HO 144/1026/167981/6. Copy notes of the Hon. Mr Justice Jelf.

arresting officers, 'It is Mr Parrys', hint that perhaps even then, immediately after her confession, she had not fully registered or understood killing the child.

**'Where is the man who brought her to this?'<sup>78</sup> : Masculinity and its critics in the Lord appeal**

A major part of discussions of the Daisy Lord case in the press was given over to the construction of different types of masculinity: specifically the opposing figures of the rake and the honourable man. In depicting Lord as a victim of male sexual licence, driven to desperate actions by the combination of shame and the trauma of childbirth, it was possible for commentators to not only explain away her actions in a manner which invoked sympathy, but also to set out an alternative vision of proper manly conduct in the early twentieth century. While certainly not absent from feminist analyses of the Lord case, this critique of masculinity held a special appeal for two other groups attempting to reshape constructions of manhood in England: the Men's League for Women's Suffrage (MLWS) and the socialist activists who wrote for and read the influential *Clarion* newspaper. Here, I analyse how these positive and negative aspects of masculinity were represented in the campaign for Lord's release.

For the judge, jury and witnesses at Daisy Lord's trial, the identity of the child's father was clear: her former employer, Mr. Parry of the Albion Laundry, who Lord had lived with for a time. Yet this was certainly not the case for the correspondents who wrote in to protest at her treatment by the criminal justice

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<sup>78</sup> *Daily News*, 28 August 1908, p4.

system or for the journalists and radicals who covered the campaign. A frequent feature of these letters and articles, in common with practically all public commentary on the subject of infanticide between 1880 and 1922, was that the father of the infant was escaping his ‘just’ punishment. The narratives of masculinity (or indeed, *masculinities*) that were used in the appeal for Lord’s release can be seen as fitting into part of a wider attempt by feminists, socialists and social purity activists (and, of course, those who were part of all three groups<sup>79</sup>) to rework notions of what constituted appropriate manhood in the early twentieth century.

These critiques of male behaviour did not, of course, spring out of the ether in 1908 but had a much longer history, stretching back to at least the late eighteenth century. Challenges raised in the 1790s to traditional double standards of sexuality by feminist writers included Mary Wollstonecraft’s condemnation of gallantry,<sup>80</sup> and Mary Hays’ radical treatment of rape in her novels.<sup>81</sup> Similar criticisms were made by Owenite socialists and feminists in the 1830s.<sup>82</sup> Even if, as Hera Cook has suggested, the middle of the nineteenth

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<sup>79</sup> On the relationship between eugenics and feminism in England see Angelique Richardson (2003) *Love and Eugenics in the Late Nineteenth Century: Rational Reproduction and the New Woman*. Oxford: Oxford University Press; Angelique Richardson (2004) ‘The birth of hygiene and national efficiency: Women and eugenics in Britain and America 1865-1915’ in Ann Heilmann & Margaret Beetham (eds) *New Woman Hybridities: Femininity, feminism and international consumer culture, 1880-1930*. London: Routledge, pp240-262. An interesting comparison with feminist eugenics in English-speaking Canada during our period is Cecily Devereaux (2005) *Growing a Race: Nellie L. McClung and the Fiction of Eugenic Feminism*. London: McGill-Queens University Press.

<sup>80</sup> Barbara Taylor (2005) ‘Feminists versus Gallants: Manners and Morals in Enlightenment Britain’ in Sarah Knott & Barbara Taylor (eds) *Women, Gender and Enlightenment*. Basingtoke: Palgrave Macmillan, pp30-52.

<sup>81</sup> Sarah A. Oliver (2007) ‘The rape of Mary Raymond: A radical view of rape in Mary Hays’s *The Memoirs of Emma Courtney* and *The Victim of Prejudice*.’ Unpublished PhD thesis, University of Plymouth.

<sup>82</sup> Laura Schwartz (2005) ‘Religion, Feminism and Freethought in the Work of Emma Martin, 1830-1851’. Unpublished MSt thesis, University of Oxford, pp16-23; Barbara Taylor (1983) *Eve and the New Jerusalem*. London: Virago.

century was also ‘the apogee of the double standard of sexual morality’,<sup>83</sup> this was not uncontested. Feminist protests in the 1870s and 1880s against the Contagious Diseases Acts,<sup>84</sup> legislation which had attempted to formally demarcate ‘unrespectable’ working-class women as prostitutes, led to the acts being repealed in 1886. Thus, by 1885, when the scandal of the so-called ‘Maiden Tribute of Modern Babylon’ was published in the *Pall Mall Gazette* and drew attention to the problem of girls being forced into juvenile prostitution,<sup>85</sup> there were already longstanding demands by radical men and women for a new code of conduct applicable to both sexes.

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<sup>83</sup> Cook, *The Long Sexual Revolution*, p92.

<sup>84</sup> For discussion of the Contagious Diseases Acts of 1864, 1866, 1869 and their repeal in Britain and Ireland in 1886 see Daniel J.R. Grey (2003) “‘A Grave Question for Englishwomen’: Whiteness and the Campaign of the Ladies National Association for the Repeal of the Contagious Diseases Acts’ Unpublished MA thesis, University of York; Catherine T. Lee (forthcoming) ‘The Regulation of Prostitution and the Contagious Diseases Acts in Kent, 1855-1880’. Unpublished PhD thesis, Open University; Sung-Sook Lee (2002) ‘Victorian feminism and “fallen” women: The campaign to repeal the Contagious Diseases Acts in Britain, 1869-1886’. Unpublished PhD thesis, University of Sussex; Maria Luddy (2007) *Prostitution and Irish Society, 1800-1940*. Cambridge: Cambridge University Press, pp142-155; Paul McHugh (1980) *Prostitution and Victorian Social Reform*. London: Croom Helm; Mary Spongberg (1997) *Feminizing Venereal Disease: The body of the prostitute in nineteenth-century medical discourse*. London: Macmillan; Walkowitz, *Prostitution*. On the implementation of the CD Acts in the British Empire, see Philippa Levine (2003) *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire*. London: Routledge.

<sup>85</sup> Alyson Brown & David Barrett (2002) *Knowledge of Evil: Child prostitution and child sexual abuse in twentieth century England*. Cullompton: Willan, Chapter Two, ‘Debating late nineteenth-century child prostitution’, pp13-37; Louise A. Jackson (2000) *Child sexual abuse in Victorian England*. London: Routledge, pp 15-16, p42, p111; Judith R. Walkowitz (1992) *City of Dreadful Delight: Narratives of Sexual Danger in Late Victorian London*. London: Virago Press, Chapter Three, “‘The Maiden Tribute of Modern Babylon’”, pp81-120 & Chapter Four, “‘The Maiden Tribute’: Cultural Consequences’, pp121-134.

As the social purity movement grew in strength from the mid-1880s,<sup>86</sup> demands increased that rather than male sexual license being excused, men as well as women should also stay chaste until marriage and be expected to remain faithful after it.<sup>87</sup> Given that almost all those with decision-making power over Daisy Lord's case were men, as were a substantial number of correspondents and protesters against her sentence, an analysis of how masculinity was described, critiqued and ultimately reasserted by the participants in the Lord campaign can give a greater understanding of not just the events surrounding the appeal itself, but the broader identity politics of gender towards the end of the 'long nineteenth century'.

It is interesting, given their close relationship with the WFL, to see how tiny the part played by members of the Men's League for Women's Suffrage (MLWS) in the Lord campaign was. As Angela John & Claire Eustance have documented, there were a range of societies formed by male supporters of the women's suffrage movement, but the MLWS, founded in 1907, was

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<sup>86</sup> Paula Bartley (2000) *Prostitution: Prevention and Reform in England, 1860-1914*. London: Routledge; Lesley A. Hall (2004) 'Hauling Down the Double Standard': Feminism, Social Purity and Sexual Science in Late Nineteenth Century Britain' in *Gender and History*, Vol. 16, No. 1, pp36-56; Sue Morgan (1999) *A Passion for Purity: Ellice Hopkins and the politics of gender in the late-Victorian church*. Bristol: Centre for Comparative Studies in Religion and Gender; Sue Morgan (2000) "Writing the Male Body": Sexual Purity and Masculinity in *The Vanguard, 1884-94*' in Andrew Bradstock, Sean Gill, Anne Hagan & Sue Morgan (eds) *Masculinity and Spirituality in Victorian Culture*. Basingstoke: Palgrave Macmillan, pp179-193. A useful comparison with the Canadian social purity movement is given by Mariana Valverde (1991) *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925*. Toronto: McClelland & Stewart.

<sup>87</sup> On feminist views of sexuality in this period, see Lucy Bland (1995) *Banishing the Beast: English Feminism & Sexual Morality, 1885-1914*. London: Penguin; Margaret Jackson (1994) *The Real Facts of Life: Feminism and the politics of sexuality, c.1850-1940*. London: Taylor & Francis, Chapter Four, "'Sex Freedom" or Female Sexual Autonomy? Tensions and Divisions within Feminism in the Late Nineteenth and Early Twentieth Century', pp80-105; Sheila Jeffries (1997) *The spinster and her enemies: Feminism and sexuality, 1880-1930*, 2<sup>nd</sup> ed. Melbourne: Spinifex; Schwartz, 'Infidel Feminism', Chapter Six, 'Free Thought and Free Love'.

unquestionably the most prominent.<sup>88</sup> The majority of its members were lawyers, teachers and academics, and the society ‘prided itself on being independent, non-party and non-political’.<sup>89</sup> Only two such letters were apparently received by the Home Office, both from members of the Manchester MLWS branch.<sup>90</sup> Mr E.G. Taylor, a private tutor and MLWS member, made reference to the circumstances surrounding infanticide in George Eliot’s famous novel *Adam Bede*,<sup>91</sup> but in other respects his letter was very much of a standard type. Like other correspondents, Taylor urged the Home Secretary to remit Daisy Lord’s sentence in light of the circumstances of the case.<sup>92</sup>

The letter by Sam Brooks, however, is rather more intriguing. Brooks used florid language and repeatedly referred to Lord as his ‘sister’. It is of course probable that this was merely a linguistic convention aimed to emphasise the socialist fraternity of all those from a working-class background (unlike Taylor, Brooks’ missive makes no note of his profession or class background) and to incite sympathy. However, it is the only letter, of the vast numbers the Home Office received about Daisy Lord from across Britain and Ireland, which makes such a familiar appeal. Indeed, the scribbled notations on the file by civil servants who received the letter make clear they were themselves unsure whether this was a rhetorical device, or Brooks really was Lord’s sibling.<sup>93</sup>

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<sup>88</sup> Angela V. John & Claire Eustance (1997) ‘Shared histories- differing identities: introducing masculinities, male support and women’s suffrage’ in Angela V. John & Claire Eustance (eds) *The Men’s Share? Male Support for Women’s Suffrage in Britain, 1890-1920*. London: Routledge, pp1-37.

<sup>89</sup> John & Eustance, ‘Shared histories’, p10.

<sup>90</sup> TNA HO 144/1026/167981/27 [20]. Letter from Mr EG Taylor, 1 September 1908 & TNA HO 144/1026/167981/23. Letter from Mr Sam Brooks, 18 August 1908.

<sup>91</sup> George Eliot [1859] (2005) *Adam Bede*. Peterborough, Ont.: Broadview Press.

<sup>92</sup> HO 144/1026/167981/27 [20]. Letter from Mr EG Taylor, 1 September 1908.

<sup>93</sup> TNA HO 144/1026/167981/23. Letter from Mr Sam Brooks, 18 August 1908.

Rather than the MLWS, it was members of the Independent Labour Party (ILP) and, in particular, Robert Blatchford,<sup>94</sup> editor of *The Clarion*, who were the main male proponents of the call for Lord's release. The ILP had from its inception been a somewhat tentative supporter of women's rights. While the party leader, Keir Hardie,<sup>95</sup> was certainly a feminist, the majority of the ILP members were rather more reserved. Indeed, when Emmeline and Christabel Pankhurst (themselves originally ILP members) had set up the WSPU in 1903 it was largely in response to the unwillingness of the ILP as a whole to put women's rights on the main agenda, regardless of Hardie's views.<sup>96</sup> However, male support for the Daisy Lord campaign – overwhelmingly presented by both sexes as the heroic championing of a defenceless young girl- meshed perfectly with what Laura Ugolini has defined as the ILP's 'overwhelming emphasis on a working-class, masculine, trade unionist "Labour"'<sup>97</sup> identity. By demonstrating chivalrous support for Lord, socialist men could claim themselves as protectors against oppressive capitalist forces, without ever having to locate themselves as supporters of women getting the vote.

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<sup>94</sup> Robert Peel Blatchford (1851-1943) had originally been a soldier, leaving the Army as a sergeant-major in 1878. He then found a job reporting for the *Chronicle* in 1884 and it was during his time as a journalist that Blatchford became increasingly fascinated by Marxist ideas, formally declaring himself a socialist in 1889. The *Clarion* was set up by Blatchford and colleagues in the Fabian Society in 1891 and found instant popularity among its lower middle class/upper working class readership. Articles included not only political and news stories, but literary and dramatic reviews, fiction serials, and both a women's section and a children's page. See Barrow, 'The Socialism of Robert Blatchford'.

<sup>95</sup> James Keir Hardie (1856-1915), socialist, feminist and pacifist, had co-founded the ILP in 1893 with Dr. Richard Pankhurst and had become the country's first socialist MP in 1892. Defeated in the 1895 election, he then concentrated on attempting to build an international socialist network. See Elizabeth Crawford (2001) *The Women's Suffrage Movement: A Reference Guide, 1866-1928*. London: Routledge, pp271-274.

<sup>96</sup> Sandra Stanley Holton (1986) *Feminism and Democracy: Women's suffrage and reform politics in Britain, 1900-1918*. Cambridge: Cambridge University Press.

<sup>97</sup> Laura Ugolini (2000) "It is Only Justice to Grant Women's Suffrage": Independent Labour Party Men and Women's Suffrage' in Claire Eustance, Joan Ryan & Laura Ugolini (eds) *A Suffrage Reader: Charting directions in British Suffrage history*. London: Leicester University Press, pp126-144. See p134.

Robert Blatchford's evident personal interest in the Daisy Lord case probably goes some way to explaining its popularity not just in the *Clarion* and *Woman Worker* but also, given his high standing in the radical community, helps us to understand its broader public attraction. His was the first media article on Lord to go into some detail. Writing just four days after sentence of death was passed, Blatchford raged against 'the brutal system which compels the judge to pass such an awful sentence'<sup>98</sup> and demanding 'what of the man who has caused the disaster? Shall he go scot-free?'<sup>99</sup> This concentration on the joint culpability of the father, which it could be argued Blatchford initiated in the appeal for Lord's release, was reiterated in innumerable accounts of the case. That the fathers of murdered infants escaped judicial punishment was a regular complaint made in press accounts of women's infanticide trials between 1880 and 1922, since commentators who were sympathetic to the defendant argued he was equally responsible even if the killing was done alone. These complaints had a long history, since Mark Jackson and Meg Arnot have demonstrated this focus on the culpability of the father stretched back throughout the eighteenth and nineteenth centuries.<sup>100</sup> But the extent of popular support for Lord's release meant that both journalists and the general public gave substantially more detail in their letters and articles than was normally the case to constructing an image of her seducer which probably bore little resemblance to the reality of an affair with her middle-aged (and probably married) employer.

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<sup>98</sup> 'Modern Civilisation', *Woman Worker*, 24 July 1908, No 8, p223.

<sup>99</sup> 'Modern Civilisation', *Woman Worker*, 24 July 1908, No 8, p223.

<sup>100</sup> Arnot, 'Gender in focus'; Jackson, *New-born Child Murder*; Mark Jackson (2002) 'The trial of Harriet Vooght: continuity and change in the history of infanticide' in Mark Jackson (ed) *Infanticide: historical perspectives on child murder and concealment, 1550-2000*. Aldershot: Ashgate, pp1-17.

One correspondent who called for Lord's release went so far as to suggest to the Home Secretary 'that you empanel...a Jury of 15 (Seven being members of the Salvation Army Social Service boys and seven being members of the Wesleyan Brotherhood of Croydon)',<sup>101</sup> in order to locate 'the seducer'.<sup>102</sup> The same writer demanded that if it were not possible for this special jury to formally charge him with being an accessory to the infant's murder then the father of the child should be required to contribute to Lord's upkeep in prison. While other letter writers did not go quite this far,<sup>103</sup> a recurrent theme in both personal letters and newspaper reports was outrage that the father of the child was not also being punished for his actions. Frequently, it was warned, the heartless rake who had taken advantage of Lord's naivety might be '...enjoying himself somewhere, is perhaps tempting another girl, he has nothing to suffer'.<sup>104</sup> Some writers even provided detailed descriptions of how they imagined such a seduction may have begun, hinting that the father was an unscrupulous member of the middle or upper classes:

...someone with money and time who began to bring a little brightness into the dull evenings. Then came walks, music-halls, theatres, Sundays out in the country; there were pretty presents, all sorts of winning little attentions, and bit by bit he made his way.<sup>105</sup>

This man with 'money and time' bore a good deal of similarity to the image of the predatory, decadent aristocrat painted by social purity campaigners during

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<sup>101</sup> TNA HO 144/1026/167981/28 [10]. Letter from Mr. David de Pury, 10 September 1908.

<sup>102</sup> TNA HO 144/1026/167981/28 [10]. Letter from Mr. David de Pury, 10 September 1908.

<sup>103</sup> The Home Office considered David de Pury a crank: notes on the section of the file containing his letter state he was '...an old corresp[ondent]; not to be ack[nowlege]d'. See HO 144/1026/167981/31, civil service note on file 21 September 1908.

<sup>104</sup> TNA HO 144/1026/167981/8 [1]. Letter from Mrs E. Leighton, 27 July 1908.

<sup>105</sup> TNA HO 144/1026/167981/56 [2] Unattributed American newspaper clipping 'A Story of British "Justice"' by Jessie C. Carter, extensively discussing the Lord case, enclosed in a letter by Mr. Fred A. Binney, a British man living in San Diego, 7 May 1909.

the 'Maiden Tribute' scandal mentioned above. It was urged that for the safety of all women, such men must be singled out of the crowd and openly vilified: 'All other girls should be made to know him as plainly as if he were branded. He should never be allowed to cross the door of any house which contained women'.<sup>106</sup> The 'cruelty and cowardice of a man who goes unpunished'<sup>107</sup> was evoked as a continuing threat to other women and girls, which only the combined efforts of women and men working together could successfully defeat.

This critique of masculinity in the Lord campaign, made in the same year that the definition of incest formally changed from being a sin to a criminal offence,<sup>108</sup> would have struck an intimate chord with male and female readers. Such challenges offered a window on both their darkest fears of atavistic societal breakdown, where degenerate men preyed on young women, and the hope that a new and better order might arise from the crisis.

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<sup>106</sup> 'Our Woman's Letter', *The Clarion*, No. 872, 21 August 1908, p9.

<sup>107</sup> 'Help for Daisy Lord', *The Clarion*, No. 874, 4 September 1908, p9.

<sup>108</sup> 1908 8 Edw. 7 c.45. On child sexual abuse in our period see Brown & Barrett, *Knowledge of Evil*; Jackson, *Child sexual abuse*; Claire A. McQuoid (2004) 'Gender, Violence, and the Victorian City: Crimes of Violence against the Person and community Law in Sunderland, 1851-1901'. Unpublished PhD thesis, University of Sunderland, pp245-255; Carol Smart (2000) 'Reconsidering the Recent History of Child Sexual Abuse, 1910-1960' in *Journal of Social Policy*, Vol. 29, No. 1, pp55-71. An invaluable comparative perspective is Stephen Robertson (2005) *Crimes Against Children: Sexual Violence and Legal Culture in New York City, 1880-1960*. London: University of North Carolina Press.

**‘One of the most shameless tragedies of our modern existence’<sup>109</sup>:**

### **Edwardian femininity and penal responses to infanticide**

One of the most fascinating aspects of this case is how early twentieth century notions of femininity, as well as masculinity, were played out in the campaign on Daisy Lord’s behalf. Those who pleaded for her release argued that a prison sentence would do irreparable damage to her character and thus harm any chance of regaining her place in society. Conversely, the Home Office contended that the experience of imprisonment, in conjunction with the reforming work of lady prison visitors and ideally a stint in a rescue home, was the key to transforming Lord from a murderess and fallen woman back into a respectable worker. Commentators on both sides, however, were continually forced to debate what the most appropriate punishment was for women who killed their children and how best to deal with cases such as Lord.

Despite her undoubtedly traumatic experiences, Lord was evidently not the helpless fragile flower her campaigners unanimously assumed. Within ten days of the death sentence upon her being commuted to penal servitude for life, she had written to the new Court of Criminal Appeal,<sup>110</sup> complaining bitterly ‘That I did not wilfully kill my child and the verdict of the jury was harsh many having been only found guilty of concealing the birth & receiving light sentences’.<sup>111</sup> Her feelings of injustice at being imprisoned – understandable given the low conviction rate for cases of newborn child murder- can only have been

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<sup>109</sup> *Daily News*, August 28 1908, p4.

<sup>110</sup> *R. v. Lord* (1909) 1 Cr. App. R. 110.

<sup>111</sup> TNA HO 144/1026/167981/18 [5]. Notice of application for leave to appeal against sentence, 3 August 1908.

exacerbated by the Lord Chief Justice's decision that 'the [Criminal Appeal] Act of 1907 did not interfere with the prerogative of mercy'.<sup>112</sup> In the court's view, since the Home Secretary had already commuted the death sentence to that of penal servitude for life, she therefore could not be granted leave to appeal.<sup>113</sup>

Yet, while even one of the civil servants who dealt with her case felt obliged to include his opinion on the file 'She is a hard worker and must be possessed of considerable pluck';<sup>114</sup> the overwhelming majority of accounts featuring Lord- regardless of whether these were written by prison officials, activists on her behalf, journalists or governmental figures- relied on reifying her as helpless, and emphasising an imagined inability to either care or speak for herself responsibly. This, too, was a common feature in the depiction of infanticidal women in England between 1880 and 1922. Sympathy for Lord, as with other infanticide cases in our period, was double-edged as it rested on this presumption of victimhood: that she was unjustly treated by her lover, by society, and by the state.

It should be noted that a small proportion of those who wrote to the Home Office felt a personal connection to Lord based in their own experiences, and this compelled them to plead on her behalf with the authorities. Mrs. Ada Pritchard also lived in Thornton Heath, and had been raised in a local orphanage. Comparing their backgrounds as working-class women, she wrote with despair that had Lord (incorrectly described as an orphan in the press) not been illegitimate, 'she might have had the fortune to be placed in a school...

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<sup>112</sup> *The Times*, 15 August 1908, p9, Issue 38726, Col. A.

<sup>113</sup> *R. v. Lord* (1909) 1 Cr. App. R. 110.

<sup>114</sup> TNA HO 144/1026/167981/6. Cover sheet of file, civil service notes made 23 July 1908

[with] the protection of those in charge'.<sup>115</sup> Likewise, the fact that Lord had given birth alone, at a time when even very poor women would generally be able to draw on a network of assistance in their neighbourhood; lasting not only for parturition but for help in the home during a lying-in period of about a week,<sup>116</sup> inspired widespread horror. It was this horror that provoked Mrs. E. Leighton, despite their class differences, to draw direct parallels between Lord's and her own experiences of childbirth: 'When most of us cannot get out of bed for nearly a fortnight & then our head is in a whirl, it's hard [enough] for us that have the attention of a husband'.<sup>117</sup>

For the most part, though, such auto/biographical comparisons in letters were rare. Far more frequent was the rhetoric of protectiveness, of a need to look after Lord and to help her reform, not just enact punishment. The rhetoric of reform was not limited to those who protested on her behalf, but was a key feature of government and prison reports on Lord's status. As Lucia Zedner has noted, the driving policy of nineteenth-century women's prisons was to encourage a sense of genuine repentance through 'an uneasy mix of coercion, encouragement, and manipulation'.<sup>118</sup> Even the private decision by the Home Office to reply to the appeal against her sentence but refuse to make any further alteration to it was couched in these grounds: 'Nothing of course will satisfy Mrs Cobden-Sanderson<sup>119</sup> & the *Daily News* but her immediate release: but that is obviously

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<sup>115</sup> TNA HO 144/1026/167981/28 [14]. Letter from Mrs. Ada Pritchard, 12 September 1908.

<sup>116</sup> Sue Bruley (1999) *Women in Britain since 1900*. London: Macmillan, pp9-13.

<sup>117</sup> TNA HO 144/1026/167981/8 [1]. Letter from Mrs E. Leighton, 27 July 1908.

<sup>118</sup> Lucia Zedner (1995) 'Wayward Sisters: The Prison for Women' in Norval Morris & David J. Rothman (eds) *The Oxford History of the Prison: The Practice of Punishment in Western Society*. Oxford: Oxford University Press, pp329-362. See p345.

<sup>119</sup> Anne [Julia Sarah] Cobden Sanderson (1853-1926), from a prominent political family, had joined the WSPU in 1906 but followed other pro-democracy suffragettes into the WFL, which she campaigned for tirelessly. See Crawford, *The Women's Suffrage Movement*, pp615-617.

unreasonable and could not be in the girl's own best interest'.<sup>120</sup> For many correspondents- and indeed for the civil servants who dealt with it, and for Herbert Gladstone himself- the main issue was the injustice of passing a mandatory death sentence that would never be carried out. This theme was covered in all of the media accounts of the case, and prompted Gladstone to start an internal inquiry as to how the law might be amended in cases such as Lord's.<sup>121</sup> As the Home Office itself noted:

It has come out clearly that public opinion is shocked by the passing of a sentence of death which is never meant to be carried out in cases where the circumstances are usually so distressing as to excite sympathy with the criminal rather than indignation at the crime.<sup>122</sup>

If execution (even hypothetically) of women who killed their children was regarded with horror, the question arises as to what those who took an interest in Lord's case considered the most appropriate punishment? Although one or two of those who wrote to the Home Office considered penal servitude for life the most fitting penalty for such a grave offence and urged that Lord not be released, this was very unusual.<sup>123</sup> For the overwhelming majority of correspondents, the preferred alternative to either execution or prison, if Lord was not to be instantly released as so many asked, was that she be swiftly transferred to a reform home. Indeed, this was a view that Gladstone and his colleagues in the prison service had great sympathy with –although he was suspicious that many letter-writers and journalists pleading for this view seemed

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<sup>120</sup> TNA HO 144/1026/167981/29. Home Office notes on Trafalgar Square demonstration by WFL, 15 September 1908.

<sup>121</sup> TNA HO 144/1026/167981/29[4]. Memorandum on the Law Relating to Child Murder.

<sup>122</sup> TNA HO 144/1026/167981/29[4]. Memorandum on the Law Relating to Child Murder.

<sup>123</sup> TNA HO 144/1026/167981/37 [2]. Letter from Mrs. Sydney Maxwell, 14 September 1908.

to be neglecting the fact that a serious crime had been committed by Lord and others like her.<sup>124</sup> As he explained in his public statement on the matter, such sentences were commuted to ‘penal servitude for life’ rather than a fixed time period, in order to assess the prisoner and her progress. Gladstone was careful to stress that a life sentence was never the intention, and that:

...the term of detention, save in exceptional circumstances, rarely exceeds three years, and it may be shorter if the prisoner is of previous good character, or if she responds readily to wholesome influences...or a home can be found where she can be received and cared for.<sup>125</sup>

He also argued that the system of lady visitors for prisons provided incalculable benefit to the inmates, and in particular this had an impact on female convicts. Articles in the *Clarion*,<sup>126</sup> *Daily News*<sup>127</sup> and *Woman Worker*,<sup>128</sup> however, scoffed at Gladstone’s claim that women prisoners had access to individual moral guidance and training by prison officers that would help to improve their lives upon release. Feminists who had been imprisoned as part of the government’s crackdown on militant suffrage campaigning were particularly incensed by this statement.<sup>129</sup> Even before the legitimised torture of the 1913

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<sup>124</sup> ‘The Home Office and Infanticide’, *The Times*, 24 September 1908, p4, Issue 38760, Col. E.

<sup>125</sup> ‘The Home Office and Infanticide’, *The Times*, 24 September 1908, p4, Issue 38760, Col. E.

<sup>126</sup> ‘Pride and Patriotism’, *The Clarion*, No. 878, 2 October 1908, p3.

<sup>127</sup> *Daily News*, 24 September 1908, p4.

<sup>128</sup> ‘Reply to Mr. Gladstone’, *The Woman Worker*, No 19, 9 October 1908, p465.

<sup>129</sup> On prison experiences of suffragettes in the early twentieth century see Alyson Brown (2002) ‘Conflicting Objectives: Suffragette Prisoners and Female Prison Staff in Edwardian England’ in *Women’s Studies: An Interdisciplinary Journal*, Vol. 31, No. 5, pp627-644; Seán McConville (2003) ‘Hearing, Not Listening: Penal Policy and the Political Prisoners of 1906-1921’ in Lucia Zedner & Andrew Ashworth (eds) *The Criminological Foundations of Penal Policy: Essays in Honour of Roger Hood*. Oxford: Oxford University Press, pp237-268; June Purvis (1995) ‘The Prison Experiences of the Suffragettes in Edwardian Britain’ in *Women’s History Review*, Vol. 4, No. 1, pp103-134.

Prisoners (Temporary Discharge for Ill-health) Act,<sup>130</sup> which authorised force-feeding of hunger striking militants, such statements seemed nothing less than perverse. Jailed suffragettes sent to Holloway Prison in 1906 had been so disgusted by inadequate sanitary arrangements that following their release they write a damning article for the *British Journal of Nursing*<sup>131</sup> which sparked an official enquiry into hygienic conditions there.<sup>132</sup> Edith Rigby<sup>133</sup> of the WSPU was able to comment in her letter on the system of lady visitors Gladstone had also alluded to from the dual perspective of visitor and prisoner: ‘You speak of the services of the Lady Visitors (and for a brief period I have also had the opportunity from that point of view), these with the best will in the world are but amateurs’.<sup>134</sup>

Amateur or not, between their beginnings as Elizabeth Fry’s Newgate-based ‘Ladies Association for the Reformation of Female Prisoners’ set up in 1817,<sup>135</sup> and establishment as a national organisation in 1901 under the auspices of Adeline, Duchess of Bedford, the Lady Visitor was a major figure in British

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<sup>130</sup> 1913 3 Geo. 5. c.58.

<sup>131</sup> ‘A plea for Trained Nurses in Prisons’, *British Journal of Nursing*, 12 October 1907, pp291-292.

<sup>132</sup> TNA HO 45/11050/149309. Reports into sanitary conditions at Holloway Prison, 1908-1922.

<sup>133</sup> Edith Rigby (1872-1949) had joined the WSPU in 1904, and at the time of writing she was the local secretary for the Preston branch of the WSPU. See TNA HO 144/1026/167981/40. Letter from Miss Edith Rigby, 24 September 1908; Crawford, *The Women’s Suffrage Movement*, pp98-99.

<sup>134</sup> TNA HO 144/1026/167981/40. Letter from Miss Edith Rigby, 24 September 1908.

<sup>135</sup> On Elizabeth Fry and early nineteenth century women’s prison visiting see Annemieke von Drenth & Francisca de Haan (1999) *The Rise of Caring Power*. Amsterdam: Amsterdam University Press, Chapter Three, ‘Elizabeth Fry: Life and Work, Religious Inspiration, Caring Power’, pp51-80; Anne Schwan (2005) ‘Representing Female Prisoners: Women and Crime in England, c.1813-1870’. Unpublished PhD thesis, Birkbeck College, University of London. See Chapter One, ‘Female Reform and Prison Visiting: Elizabeth Fry, Mary Carpenter and Flora Tristan’, pp36-91.

prisons.<sup>136</sup> By 1908, when she became involved with Lord's welfare, Bedford had been running the National Association of Lady Visitors for seven years and had been working as a Visitor at Aylesbury Prison since its opening in 1896.<sup>137</sup> She had also established and run a set of private reform homes for women and girls who had 'fallen'.<sup>138</sup> Like her friend Lady Constance Battersea,<sup>139</sup> Bedford was one of a small number of aristocratic women who were highly respected by the civil service for their philanthropic work and whose opinions were actively sought regarding cases of women prisoners.<sup>140</sup> She was very much against the idea of Lord being freed as the petitions on her behalf demanded, dismissing feminist campaigners as 'well-intentioned but ill-judged efforts of ladies who have no experience in such matters'.<sup>141</sup> It is illuminating, in the light of her involvement with Lord and her comments, to consider Bedford's surviving earlier annual reports at Aylesbury, which date from 1896-1898.<sup>142</sup> There were a high proportion of women convicted of actual or attempted newborn child murder, baby-farming, or child abuse and/or neglect singled out by Bedford as being appropriate candidates for entry to a reform home: 7 out of 16 women in the 1897 report, and 4 out of 10 women in the 1898 report.<sup>143</sup>

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<sup>136</sup> Sir Evelyn Ruggles-Brise (1921) *The English Prison System*. London: Macmillan and Co., Limited, pp116-118; Maria Luddy (1995) *Women and Philanthropy in Nineteenth-Century Ireland*. Cambridge: Cambridge University Press, Chapter Five, 'Prison Work', pp149-175; Seán McConville (1995) *English Local Prisons, 1860-1900: Next Only to Death*. London: Routledge, pp344-348; Zedner, *Women*, pp116-124.

<sup>137</sup> TNA PCOM 7/174. Formation of Lady Visitor's Association, 1900-1910.

<sup>138</sup> Bartley, *Prostitution*, p26.

<sup>139</sup> Constance Battersea (1922) *Reminiscences*. London: Macmillan and Co, Chapter XXII, 'Prison Work: Work Connected with the Female Convict Prison at Aylesbury', pp443-454.

<sup>140</sup> See Chapter Two.

<sup>141</sup> TNA HO 144/1026/167981/38. Letter from Adeline, Duchess of Bedford to Dr. Donkin, Governor of Aylesbury Prison, 23 September 1908.

<sup>142</sup> TNA PCOM 7/173. Report of the Lady Visitor at Aylesbury Prison, 1896-1898.

<sup>143</sup> TNA PCOM 7/173. Report of the Lady Visitor at Aylesbury Prison, 1896-1898.

Part of the reason for Lord's supposed suitability for entering a Home is likely to have been her conduct, which was consistently rated as being good, with the approving notation 'she is very industrious'.<sup>144</sup> Another factor was probably her age –both Louise Jackson and Paula Bartley's discussion of reform homes in the nineteenth and early twentieth century note a distinct preference for admitting young women, ideally in their early twenties.<sup>145</sup> Furthermore, by the time this transfer was suggested, Lord had been in prison for two years, (including the time spent awaiting trial at Holloway). This was significant because the women's branch of the Salvation Army, which was very involved in rescue and welfare work and whom the Home Office had specifically consulted about Lord's case,<sup>146</sup> recommended that there be a waiting period between sentencing and being considered as a candidate for a reform home.<sup>147</sup> Daisy Lord therefore met all these criteria. However, a major deciding factor was the *type* of offence Lord had committed.

When the Duchess of Bedford first suggested to the Home Office in 1897 that certain women prisoners should be released on license to reform homes, she had specifically singled out those convicted of infanticide. These women, she believed, were 'in most cases open to reclaiming influences and should if possible, be restored as soon as may be to normal surroundings on leaving the

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<sup>144</sup> TNA HO 144/1026/167981/57. Report on Lord's conduct at Aylesbury Prison, 16 July 1909.

<sup>145</sup> Bartley, *Prostitution*; Jackson, *Child sexual abuse*.

<sup>146</sup> Louise Jackson notes that the Salvation Army's first reform home for children was set up in 1901. See Louise A. Jackson (2000) 'Singing Birds as well as Soap Suds': the Salvation Army's Work with Sexually Abused Girls in Edwardian England' in *Gender and History*, Vol. 12, No. 1, pp107-126. On the Salvation Army see Pamela J. Walker (2001) *Pulling the Devil's Kingdom Down: The Salvation Army in Victorian Britain*. London: University of California Press.

<sup>147</sup> TNA HO 144/1026/167981/29 [8] Letter to the Home Office from Caroline Gregg, Secretary to Mrs Florence Booth, 14 September 1908.

Prison'.<sup>148</sup> By 1910, when she was reflecting on fifteen years' work with women prisoners for an article in *Nineteenth Century and After*,<sup>149</sup> Bedford was convinced that the key to her success in rehabilitating the 'thirty or forty'<sup>150</sup> women she had dealt with who were convicted of infanticide was their entering into a Home for the last nine months of their sentence. Contrastingly, some women were considered unsuitable for entry into a home by virtue of the offence they had committed. In 1922, for example, the Lady Visitor to Liverpool Prison requested a conditional license for Annie Houghton, a middle-aged abortionist. The Home Office was horrified, believing 'Mrs Houghton is a source of danger; not a poor woman in need of protection from danger'<sup>151</sup> and promptly vetoed the application. Although Lord was initially extremely reluctant when this idea was first recommended to her in February 1910,<sup>152</sup> by June she had changed her mind and requested that the Duchess of Bedford find a place for her.<sup>153</sup> On 22 October 1910, she entered the House of Compassion at 63 Sutherland Street, Pimlico, London.

While, as Louise Jackson has pointed out, the hierarchical structure of reform homes, with their emphasis on penitence and being 'saved' could be punitive, to assume all such institutions and reform workers were more concerned with the appearance than the reality of compassionate reform work denies 'the agency

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<sup>148</sup> TNA PCOM 7/173. Report of the Lady Visitor at Aylesbury Prison, 1896-1898. See Report for 1897.

<sup>149</sup> Adeline M. Bedford (1910) 'Fifteen Years' Work in a Female Convict Prison' in *Nineteenth Century and After*, Vol. 68, October, pp615-631.

<sup>150</sup> Bedford, 'Fifteen Years' Work', p619.

<sup>151</sup> TNA HO 45/216238. See Civil Service note on file, 1 May 1922.

<sup>152</sup> TNA HO 144/1026/167981/60. Report on proposal for Daisy Lord to be released on license, subject to entering a reform home, 23 February 1910.

<sup>153</sup> TNA HO 144/1026/167981/64 [1]. Report from Aylesbury Prison on Lord's conduct, 3 June 1910.

and subjectivities'<sup>154</sup> of those involved. Certainly, Lord seems to have found comfort in the sense of sisterhood at the House of Compassion. At the end of her six month stay, Rachel Pann, the home's honorary secretary, wrote to the Home Office to ask that Lord's place there be funded until after Easter, in order to celebrate her recent baptism,<sup>155</sup> which the civil service agreed to do.<sup>156</sup>

**'A protest against the iniquity of this sentence'<sup>157</sup>: Feminist campaigns on behalf of Daisy Lord**

Although a number of organisations with broadly feminist sympathies contributed to the campaign for Lord's release, such as the Women's Trade Union League,<sup>158</sup> some of the most successful and intensive agitation between July and December 1908 in support of Daisy Lord was carried out by militant

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<sup>154</sup> Jackson 'Singing Birds', p108.

<sup>155</sup> TNA HO 144/1026/167981/66 [5] Letter from Rachel Pann, honorary secretary of the House of Compassion, to the Home Secretary, 6 March 1911.

<sup>156</sup> TNA HO 144/1026/167981/66. Civil service note on this file records '...let the payments for her maintenance continue for 4 weeks after the 22<sup>nd</sup> till Wednesday in Easter week. After that the question of her continued residence at the Home is to be settled between her and the authorities of the Home', 11 March 1911.

<sup>157</sup> 'Penal Servitude for Life', *Women's Franchise*, Vol. 2, No. 11, 10 September 1908, p114.

<sup>158</sup> TNA HO 144/1026/167981/38 [4] Letter to Home Secretary from Gertrude Robertson, 20 September 1908; TNA HO 144/1026/167981/62 [1]. Letter from Mary R. Macarthur to Winston Churchill, 24 February 1910.

suffragettes.<sup>159</sup> This marked an important break from previous feminist silences on the subject in England during the late nineteenth and early twentieth century, despite the willingness of several important members of the women's movement to address this issue in the 1870s.<sup>160</sup> Unlike Germany, where Ann Taylor Allen has demonstrated feminists actively debated the relationship between and best means of dealing with both abortion and infanticide,<sup>161</sup> there had not been any

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<sup>159</sup> The literature on British feminism in the late nineteenth and early twentieth century is vast. Some key examples include Olive Banks (1981) *Faces of Feminism: A Study of Feminism as a Social Movement*. Oxford: Martin Robertson; Christine Bolt (1993) *The Women's Movements in the United States and Britain from the 1790s to the 1920s*. Hemel Hempstead: Harvester Wheatsheaf; Christine Bolt (2004) *Sisterhood Questioned? Race, Class, and Internationalism in the American & British women's movements, c. 1880-1970s*. London: Routledge; Barbara Caine (1997) *English Feminism 1780-1980*. Oxford: Oxford University Press; Calvini-Lefebvre 'Feminism and the Challenge of War'; Krista Cowman (2007) *Women of the Right Spirit: Paid Organisers of the Women's Social and Political Union (WSPU), 1904-18*. Manchester: Manchester University Press; Delap, *The Feminist Avant-Garde*; Carol Dyhouse (1989) *Feminism and the Family in England, 1880-1939*. Oxford: Blackwell; Holton, *Feminism and Democracy*; Sandra Stanley Holton (1996) *Suffrage Days: Stories from the Women's Suffrage Movement*. London: Routledge; Linda Gordon Kuzmack (1990) *Woman's Cause: The Jewish Woman's Movement in England and the United States, 1881-1933*. Columbus: Ohio State University Press; Cheryl Law (1997) *Suffrage and Power: The Women's Movement, 1918-1928*. London: I.B. Tauris; Philippa Levine (1990) *Victorian Feminism, 1850-1900*. Gainesville: University Press of Florida; Jill Liddington & Jill Norrris (1978) *One Hand Tied Behind Us: The Rise of the Women's Suffrage Movement*. London: Virago; Jill Liddington (2006) *Rebel Girls: Their Fight for the Vote*. London: Virago; Leah Leneman (1995) *A Guid Cause: The Women's Suffrage Campaign in Scotland*, 2<sup>nd</sup> ed. Edinburgh: Mercat Press; Schwartz, 'Infidel Feminism'; Angela Smith (2005) *Suffrage Discourse in Britain during the First World War*. Aldershot: Ashgate; Jo Vellacott (2007) *Pacifists, Patriots and the Vote: The Erosion of Democratic Suffragism in Britain During the First World War*. Basingstoke: Palgrave Macmillan.

<sup>160</sup> There is sadly not space to fully explore this issue here, but for some key examples of these earlier feminist critiques see Committee for Amending the Law in Points Wherein it is Injurious to Women (1871) *Infant Mortality: Its Causes and Remedies*. Manchester: CALPWIW; Lydia E. Becker (1871) 'Editorial' in *Women's Suffrage Journal*, Vol. 2, No. 18, 1 August 1871, pp83-84; 'To the Right Honourable James Stansfeld, MP, President of the Poor Law Board', *Women's Suffrage Journal*, Vol. 2, No. 18, 1 August 1871, pp85-86; 'The Child Murder and Suicide at Kingsland', *The Shield*, No. 77, 2 September 1871, pp639-640; 'The Child Murder and Suicide at Kingsland', *The Shield*, No. 80, 23 September 1871, p663; 'Terrible Suicide in Herefordshire', *Women's Suffrage Journal*, Vol. 2, No. 20, 1<sup>st</sup> October 1871, pp105-106; 'A Grave Question for Englishwomen', *Women's Suffrage Journal*, Vol. 2, No. 21, 1 November 1871, p121; 'A Grave Question for Englishwomen', *Women's Suffrage Journal*, Vol. 3, No. 21, 1 January 1872, pp10-12; Lydia E. Becker (1872) 'Baby Farming', *Women's Suffrage Journal*, Vol. 3, No. 31, 2 September 1872, pp118; Vigilance Association for the Defence of Personal Rights (hereafter VADPR) (1877) *Seventh Annual Report of the Vigilance Association for the Defence of Personal Rights. Presented at the Annual Meeting of the Association, December 14<sup>th</sup>, 1874*. London: Frederick Bell & Co, pp5-6; VADPR (1878) *Eighth Annual Report of the Vigilance Association for the Defence of Personal Rights. Presented at the Annual Meeting of the Association, December 10<sup>th</sup>, 1878*. London: Frederick Bell & Co, pp4-5 & p8.

<sup>161</sup> Ann Taylor Allen (1991) *Feminism and Motherhood in Germany, 1800-1914*. New Brunswick, NJ: Rutgers University Press. See Chapter Ten, 'Motherhood as Choice: The Campaign for Reproductive Rights, 1908-1914', pp188-205.

public critique of infanticide and its treatment in the criminal justice system by British feminists since a brief paper by Elizabeth Wolstenholme Elmy in 1880 which had challenged the misogynistic principles underlying several aspects (including infanticide) of the 1879 draft Criminal Code Bill.<sup>162</sup>

Action taken by members of the Women's Social and Political Union (WSPU) and the Women's Freedom League (WFL) was integral to the call for Lord's release. The relationship between these two groups was complicated. Although both were militant suffragette organisations which frequently shared methods and goals, the Lord case represented a cautious alliance between the two while they ran parallel campaigns, rather than pooling their resources to fight jointly. The reluctance to do so is unsurprising, as the Women's Freedom League had formed in October 1907 as a direct result of fierce discontent among members of the Women's Social and Political Union (WSPU) at the increasingly autocratic leadership style of Christabel and Emmeline Pankhurst.<sup>163</sup>

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<sup>162</sup> Elizabeth Wolstenholme Elmy (1880) *The Criminal Code in its Relation to Women: A Paper read before the Dialectical Society, March 3<sup>rd</sup> 1880*. Manchester: Alex, Ireland & Co. Elizabeth Wolstenholme Elmy (1833-1918) was a major figure in the British and international feminist movements, serving as a key member of over 20 organisations from the 1860s until her death. She also has the distinction of being the only British feminist I have found willing to publicly critique infanticide and its judicial treatment between 1880 and 1907. On the significance of her life and work, see Maureen S. Wright (2007) 'Elizabeth Wolstenholme Elmy: A Biography'. Unpublished PhD thesis, University of Portsmouth.

<sup>163</sup> Teresa Billington-Greig, Charlotte Despard and Edith How Martyn led the objections and support for a democratic constitution, the result of which was the splitting away of twelve WSPU branches to form a pro-democracy coalition. While what would become the WFL initially attempted to hold on to the title of the WSPU, it soon became apparent this was untenable and in November 1907 the group renamed itself. See TWL 2/WFL Report of Second Annual Conference of the Women's Freedom League, formerly the Women's Social and Political Union; Eustance, "'Daring to be free'"; Claire Eustance (1998) 'Meanings of militancy: the ideas and practice of political resistance in the Women's Freedom League, 1907-14' in June Purvis & Maroula Joannou (eds) *The Women's Suffrage Movement: New feminist perspectives*. Manchester: Manchester University Press, pp51-64; Frances, "'Our job is to free women'"; Frances, "'Dare to be free!'"; Laura E. Nym Mayhall (2003) *The Militant Suffrage Movement: Citizenship and Resistance in Britain, 1860-1930*. Oxford: Oxford University Press.

Both suffragettes and suffragists engaged in a variety of ways with the images and discourses of womanhood utilised by their contemporaries: in drama, poetry, novels, art, crafts, and the media, representations which were meant not just to entertain (though certainly that was a consideration), but to act as propaganda for women's rights.<sup>164</sup> It was Lord's usefulness as such a symbol to call for full citizenship rights which made her an attractive subject for feminist campaigners. While all those involved in the suffrage cause contributed to these creative endeavours, I would suggest that for the fledgling WFL, struggling to stay financially afloat and establish a separate identity for itself, these were especially important- they made the difference in whether or not the League could survive as an entity in its own right. Yet, paradoxically, at the same time their assistance to Lord's campaign was troubled by the fact that they were simultaneously caught up in constant internal wrangling<sup>165</sup> and that until 1909 they did not have their own periodical but were forced to share small amounts of space in other journals. The League's agitation for Lord in print was seriously hampered by these constraints.

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<sup>164</sup> See Maroula Joannou (1998) 'Suffragette fiction and the fictions of suffrage' in June Purvis & Maroula Joannou (eds) *The Women's Suffrage Movement: New feminist perspectives*. Manchester: Manchester University Press, pp101-116; Mayhall, *The Militant Suffrage Movement*; John Mercer (2005) 'Media and Militancy: propaganda in the Women's Social and Political Union's campaign' in *Women's History Review*, Vol. 14, No. 3 & 4, pp471-486; Deborah Tyler-Bennet (1998) 'Suffrage and poetry: radical women's voices' in June Purvis & Maroula Joannou (eds) *The Women's Suffrage Movement: New feminist perspectives*. Manchester: Manchester University Press, pp117-126.

<sup>165</sup> Martin Pugh has commented that the main benefit to the Pankhurst's autocracy was that it quelled lengthy discussion and 'the WSPU leaders could switch tactics quickly so as to respond to or anticipate changing conditions'. See Martin Pugh (2000) *The March of the Women: A revisionist analysis of the campaign for women's suffrage, 1866-1914*. Oxford: Oxford University Press, p179. In stark contrast, Claire Eustance, Hilary Frances and Laura E. Nym Mayhall all note that the down side to the democratic principles and constitution of the WFL meant debates were continuous, prolonged and covered practically every issue imaginable, ranging from what sort of action was actually defined as 'militancy' to strategies for protest or raising the group's profile. See Eustance, "'Daring to be free'"; Eustance 'Meanings of militancy'; Frances, "'Our job is to free women'"; Frances 'Dare to be free'; Mayhall, *Militant Suffrage*.

While the League's campaign was reported on by the mainstream press and the *Clarion* and *Woman Worker*, and members wrote various letters to the Home Secretary on Lord's behalf, they were only able to get two articles printed themselves. The first such article was a report *Women's Franchise* announcing their mid-September demonstration in Trafalgar Square, and the second a tart rebuke of the Home Secretary by Charlotte Despard in the *Woman Worker*, criticizing his suggestion that in defining Lord as a victim of male oppression the League was ignoring the fact a baby had been murdered.<sup>166</sup> It is probable that the difficulties faced by the League in publishing (and publicizing) their work on Lord's behalf was a contributing factor in the push to develop a paper of their own. Certainly, the question of how the League might afford to publish a journal began to be raised by Committee of the WFL in November 1908, towards the end of the intensive four month burst of activism calling for Lord's release.<sup>167</sup> Although it could be argued that the League would have in any case sought to set up their own periodical as a part of raising its profile and to bring it in line with other women's suffrage organisations, the difficulties it faced in getting its news printed, including its views on Lord, would have spurred on the process.

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<sup>166</sup> TNA HO 144/1026/167981/28 [13] Letter from Charlotte Despard to Home Secretary, 14 September 1908; TNA HO 144/1026/167981/29. Civil service notes on Trafalgar Square demonstration by WFL, 15 September 1908; TNA HO 144/1026/167981/41. Letter from Charlotte Despard to Home Secretary, 1 October 1908; TNA HO 144/1026/167981/50, Petition of Glasgow branch of WFL, 30 November 1908; TNA HO 144/1026/167981/52, Further petition of Glasgow branch of WFL, 8 December 1908; 'Penal Servitude for Life', *Women's Franchise*, Vol. 2, No. 11, 10 September 1908, p114; & 'Reply to Mr. Gladstone', *The Woman Worker*, No 19, 9 October 1908, p465.

<sup>167</sup> TWL 2/WFL/6/1/20. Minute Book of the Women's Freedom League Press Subcommittee, 18 November 1908-19 April 1910. At the first meeting of this committee, on 25 November 1908 '...The secretary was requested to find out from [the] Banker the cost of printing a weekly paper which would be suitable for distribution amongst members' (See pp4-5).

As late as February 1909, the WFL press committee were reporting back the frustrating blocks faced by its journalists, even amongst onetime allies:

Mrs H. Martyn reported refusal by Julia Dawson of her first paragraph for “Woman Worker” on the ground that they contained allusions to militant methods & the subsequent substitution of milder views. Appealed to try sending militant news once more and if that should be refused to inform Julia Dawson that the League should not waste her space and the time of its members by supplementing her newspaper with inadequate and unreal reports in future.<sup>168</sup>

While Dawson masterminded the radical media campaign on Lord’s behalf and thus had previously worked to a degree in concert with the League, she was not in favour of women’s suffrage- maintaining that global socialism was the real goal, and that would provide women with all the rights and freedom they needed.<sup>169</sup> June Hannam and Karen Hunt have noted the difficulties faced in negotiating ‘the woman question’ by women socialists between 1880 and 1930, as both socialist and feminist activists could be hostile towards left-wing women concerned with gender inequality.<sup>170</sup> Bearing in mind Lucy Delap’s argument that feminism on both sides of the Atlantic in the early twentieth century was not necessarily concerned with obtaining the vote,<sup>171</sup> and the concern with women’s issues which is demonstrated by Dawson’s writing, it is probably correct to describe her as a socialist feminist.

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<sup>168</sup> TWL 2/WFL/6/1/20. Minute Book of the Women’s Freedom League Press Subcommittee, 18 November 1908-19 April 1910. Meeting 10 February 1909, pp9-10.

<sup>169</sup> A good example of Dawson’s characteristic polemics on the subject was made in the *Clarion*, just before media support for Lord took off. In an open letter to her colleague Robert Blatchford, she stated: ‘Personally, I don’t care a rap for the vote...and I grudge the strength of the good men and women I know being squandered in this agitation’. See *The Clarion*, No 871, 14 August 1908, p7.

<sup>170</sup> June Hannam & Karen Hunt (2002) *Socialist Women: Britain, 1880s to 1920s*. London: Routledge; Karen Hunt (1996) *Equivocal Feminists: The Social Democratic Federation and the Woman Question, 1884-1911*. Cambridge: Cambridge University Press; Carolyn Steedman (1990) *Culture, Childhood and Class in Britain: Margaret Macmillan, 1860-1931*. London: Virago, Chapter Six, ‘Women’, pp121-140.

<sup>171</sup> Delap, *The Feminist Avant-Garde*, p5.

However, given Dawson's antipathy to women's suffrage activism, she was bound to clash sooner or later with the League over their tactics in the campaign for Lord's release. Given the tendency for the WFL to reiterate in their press releases that the treatment of Lord was exemplary in demonstrating that women needed the vote and the right to serve as jurors, it is unlikely Dawson was keen to publish their statements even on an issue where their goals were shared. Indeed, Dawson actually went so far as to directly contradict the assertion by the WFL that no woman would have convicted Lord of murder, arguing in one article that Lord's fate would have been *worse* had women the power to make or change laws.<sup>172</sup>

In a striking contrast to the limited number of direct WFL writing about Daisy Lord, the comparable case of Daisy Turner in 1911 - when writers had access to the pages of *The Vote*- garnered much more commentary by the League.<sup>173</sup> Explicitly drawing parallels with their earlier support for Lord (the first article by the League about Turner actually ran under the headline 'Another Daisy Lord'<sup>174</sup>) they extended the critique of judicial responses to infanticide that they had begun in 1908. Despite the differences between the cases and their outcome, the arguments and language used in both cases by the WFL were extremely similar. Unlike Lord, whose child was the result of a consensual relationship and who was convicted of murder, Turner, a nineteen-year-old domestic servant, had

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<sup>172</sup> 'The Case of Daisy Lord- And Others', *The Clarion*, No 876, 11 September 1908, p1.

<sup>173</sup> Articles on 'The Unmarried Mother' and the Turner campaign ran regularly in *The Vote* between July and October 1911.

<sup>174</sup> 'Another Daisy Lord Case', *The Vote*, Vol. 4, No. 92, 29 July 1911, p169.

become pregnant after being raped by a married man.<sup>175</sup> As they had done three years earlier with Daisy Lord, members of the WFL wrote to the Home Office and organised public meetings, arguing ‘whether innocent or guilty the treatment of unmarried mothers and their helpless children is a scandal and a disgrace to our civilisation’.<sup>176</sup>

Charlotte Despard, the WFL President, not only wrote a lengthy article on Turner’s behalf demanding better rights for unmarried mothers and their children as a whole,<sup>177</sup> but arranged lectures in Gloucester and Cheltenham on the same issue in an effort to drum up support.<sup>178</sup> Turner was tried on 31 October 1911 at the Gloucester Assizes for the murder of her newborn son, but like the majority of infanticide defendants between 1880 and 1922 she was instead found guilty of concealment of birth, and sentenced to five days imprisonment.<sup>179</sup> Since she would have already spent this time awaiting trial, it is likely this sentence meant she was released immediately after the verdict was pronounced, which may partly explain the League’s delighted claim ‘It is with the utmost feeling of thankfulness and relief that we are able this week to chronicle the acquittal of Daisy Turner at Gloucester’.<sup>180</sup>

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<sup>175</sup> ‘The Case of Daisy Turner’, *The Vote*, Vol. 4, No. 92, 29 July 1911, p171.

<sup>176</sup> ‘The Daisy Turner Case’, *The Vote*, Vol. 4, No. 95, 19 August 1911, p206.

<sup>177</sup> ‘The Unmarried Mother’, *The Vote*, Vol. 4, No. 102, 7 October 1911, pp294-295.

<sup>178</sup> ‘The Problem of the Unmarried Mother’, *The Vote*, Vol. 4, No. 103, 14 October 1911, p302; ‘Mrs. Despard in Cheltenham and Gloucester’, *The Vote*, 28 October 1911, p2.

<sup>179</sup> TNA ASSI 2/49. See 31 October 1911, p303. Unfortunately, depositions and indictments for the Oxford Circuit have not survived for this period.

<sup>180</sup> ‘Leniency Towards Men’, *The Vote*, Vol. 5, No. 107, 11 November 1911, p34.

Contrastingly, although the WSPU did not in general have the same broad focus on challenging the criminal justice system, which I would argue was always a cornerstone of WFL policy,<sup>181</sup> their access to a periodical allowed much more substantial coverage of their response to the Lord case than was possible for the League. The first such reference in *Votes for Women* appeared on 23 July 1908, with Emmeline Pethick Lawrence arguing as part of a broader article on the need for the vote that Lord's case and others like it were a direct result of sexual inequality, and such tragedies could only be halted by making women full citizens.<sup>182</sup> It is unlikely that Pethick Lawrence could have predicted this would be the first in a series of articles and letters by WSPU members on the case that would continue until early October.

On 6 August, a second, more subtle reference was made to Lord's case in *Votes for Women*. During an interview with suffragettes recently released from prison, Marion Wallace Dunlop referred to having met in Holloway infirmary two 'young, but bright and pretty'<sup>183</sup> women, one of whom had already been sentenced to death and the other was awaiting trial for infanticide. Although anonymous, it is clear from the context that the woman on remand was Daisy Lord. For Dunlop, as with Pethick Lawrence, and indeed their counterparts in the Women's Freedom League, such cases were to be pitied and emphasised the need for women to have the vote: 'It made one fiercely anxious to come out and

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<sup>181</sup> The League made so many complaints shortly before the First World War at the exclusion of women from criminal proceedings that the civil service allocated these letters their own file. See TNA HO 45/24634. Complaints by Women's Freedom League at female exclusion from courts, 1912-1914. Broader context for these arguments is given by Anne Logan's fascinating account of feminist criminology at the end of our period and after in England and Wales. See Anne Logan (forthcoming) *Feminism and Criminal Justice: A Historical Perspective, England and Wales c.1920-70*. Basingstoke: Palgrave Macmillan. I am very grateful to Dr. Logan for giving me access to a copy of the manuscript prior to publication.

<sup>182</sup> 'How It Works Out', *Votes for Women*, No. 20, 23 July 1908, pp328-329.

<sup>183</sup> 'Our Released Prisoners', *Votes for Women*, No. 22, 6 August 1908, p358.

help this cause'.<sup>184</sup> It was this second article which moved Edith Kerwood, a WSPU member from near Birmingham, to write in to *Votes for Women* giving her own recollection of meeting Lord while recovering from influenza at the infirmary in Holloway Prison.

Kerwood had been impressed at their meeting in March with the other woman's 'iron nerve and strong physique, which her manner and appearance denoted.'<sup>185</sup> Claiming that Lord had been 'moved by some strange impulse' to share her life story and confess her crime, Kerwood assured her fellow suffragettes that Lord was 'no vicious girl, but somewhat rough and hard' as a result of growing up as an illegitimate child.<sup>186</sup> Emphasising Lord's history as a hard-working poor woman and reiterating that her baby had allegedly died to save it from a life of shame and hardship, Kerwood asked each member of the WSPU, 'not relaxing their efforts to obtain the vote for one moment, still to spare a thought for this unhappy girl.'<sup>187</sup>

In addition to spearheading the WSPU section of the campaign for Lord's release, writing a further three letters to *Votes for Women* to garner support and collecting signatures from around the country for a petition on Lord's behalf,<sup>188</sup> Kerwood was particularly persistent in trying to force the civil service to take action. To the horror of Harry Butler Simpson, the Assistant Secretary to the

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<sup>184</sup> 'Our Released Prisoners', *Votes for Women*, No. 22, 6 August 1908, p358.

<sup>185</sup> 'The Case of Daisy Lord', *Votes for Women*, 20 August 1908, No. 24, p391.

<sup>186</sup> 'The Case of Daisy Lord', *Votes for Women*, 20 August 1908, No. 24, p391.

<sup>187</sup> 'The Case of Daisy Lord', *Votes for Women*, 20 August 1908, No. 24, p391.

<sup>188</sup> 'The Case of Daisy Lord', *Votes for Women*, No. 26, 3 September 1908, p420; 'The Case of Daisy Lord' in *Votes for Women*, No. 28, 17 September 1908, p454; 'The Case of Daisy Lord' in *Votes for Women*, Vol. 2, No. 30, 1 October 1908, p6.

Home Office,<sup>189</sup> Kerwood actually arrived in person at Whitehall on 28 July demanding an audience to discuss Lord's case.<sup>190</sup> When this was refused, she not only wrote to the Home Office but promptly asked her Member of Parliament, J.A. Pearce, if he would ask a question in the Commons about Lord's case.<sup>191</sup>

It seems that neither the WFL nor the WSPU considered the Daisy Lord case so integral to their campaigning that they saw any need to debate or consider it formally. There are no references to Lord in the minute books of the WFL for during or after Autumn 1908, or any discussion of ways the popular pressure for her release might be used to gain new supporters to the struggle for the vote.<sup>192</sup> But the influence of feminists on the Daisy Lord case, and their ability to use it to garner more widespread support for the cause of women's rights, should not be underestimated. Reflecting back on her work for the women's movement in 1931, Sylvia Pankhurst argued Daisy Lord's conviction had been one of a handful of cases before the First World War that feminists 'seized upon to point the moral of women's inferior social status'.<sup>193</sup> She argued the public perception that Lord had suffered unjustly at the hands of the criminal justice system had been instrumental in gaining recruits to the suffrage movement.<sup>194</sup> While public pressure could not force the Home Secretary to

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<sup>189</sup> Stephen Cretney notes Simpson held this position between 1884 and 1925. See biographical note in Stephen Cretney (2003) *Family Law in the Twentieth Century: A History*. Oxford: Oxford University Press, p807.

<sup>190</sup> TNA HO 144/1026/167981/17. See civil service note on file, 5 August 1908.

<sup>191</sup> TNA HO 144/1026/167981/17 [3]. Letter from Mrs. Edith Kerwood to Mr. J.A. Pearce, 29 July 1908.

<sup>192</sup> 2/WFL/6/1/1. Minute Book of Women's Freedom League National Executive Committee, November 1909- September 1910.

<sup>193</sup> E. Sylvia Pankhurst (1931) *The Suffragette Movement: An intimate account of persons and ideals*. London: Longmans, Green & Co, p225.

<sup>194</sup> Pankhurst, *The Suffragette Movement*, p225.

release Lord from prison immediately, the campaign on her behalf was sufficiently associated in the popular imagination with feminist sympathies that more than one set of women petitioners felt the need to add to the dry and formulaic language of an appeal for clemency the words ‘we are not suffragettes’.<sup>195</sup>

## Conclusions

From the time she left the House of Compassion on 19 April 1911 to 27 September 1912, Daisy Lord found employment through the House as a parlour maid to a Miss Saint, living at ‘the Rectory’, Wapping.<sup>196</sup> Given an excellent reference, she then found a job as a laundress at High Wood School, Brentwood, Essex, and was to start her new post on 28 October 1912. Since her new employers were not aware of her previous conviction, Lord feared losing her place if she continued to report to local police. Given this and the personal stability provided by her engagement ‘...to a Sergeant in the “Irish Guards”, who thinks she is more to be pitied than blamed’,<sup>197</sup> the assistant police commissioner recommended to the Home Secretary, (a post at that point held by Winston Churchill), that she no longer be required to do so. From the inferences made in the letter, it seems that Lord had been able to reconstruct a normal life after leaving prison and her stay in a rescue home, including returning to her former trade and establishing a romantic relationship. Such information provides

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<sup>195</sup> TNA HO 144/1026/167981/28 [4]. Petition received 9 September 1908, no address or date of writing given. A number of similar examples are scattered elsewhere throughout Lord’s Home Office file.

<sup>196</sup> TNA HO 144/1026/167981/67, Letter from the assistant commissioner of police in the Convict Supervision Office to the Home Secretary, 27 September 1912.

<sup>197</sup> TNA HO 144/1026/167981/67, Letter from the assistant commissioner of police in the Convict Supervision Office to the Home Secretary, 27 September 1912.

a more nuanced picture of infanticide defendants at the end of the ‘long nineteenth century’ than has been given by Helena Wojtczak’s claim that mid-Victorian women convicted of newborn murder became social pariahs destined for a life of prostitution and alcohol abuse.<sup>198</sup>

This letter from the police to the Home Office in 1912 marks a turning point, in that here Lord vanishes back into obscurity as abruptly as she appeared in the historical record. In attempting to trace Lord’s story from 1908 to 1912 –despite its limitations- I have mapped out not only a brief biographical sketch, but some of the key themes in how Edwardian narratives of masculinity and femininity interacted with the popular cultural perception of women who committed newborn child murder. Constructions of gender and respectability influenced cases of infanticide right from the arrest of the perpetrator to their trial, and, if convicted, continued to impact on their chances of release from prison and probation.

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<sup>198</sup> Helena Wojtczak (2003) *Women of Victorian Sussex: Their Status, Occupations and Dealings with the Law 1830-1870*. Hastings: Hastings Press, p199.