

## Choosing Death: Suicide and the 18<sup>th</sup>-century English State by Katherine Rickert

### Introduction

In 1721, accused of highway robbery, William Spiggot chose to accept *peine forte et dure* or “the press” rather than plead innocent or guilty to the Old Bailey court. The Ordinary<sup>1</sup> assigned to Spiggot begged him to not submit to having stones gradually placed upon his chest because “he would destroy his Soul as well as Body, by such an obstinate Kind of Self-Murder.”<sup>2</sup> Since Spiggot did not waiver, the Ordinary witnessed officials slowly stack 400 pounds onto the accused’s chest. The Ordinary described;

[Spiggot] sometimes lay silent, as if Insensible of Pain; then [he] would fetch his Breath very quick and fast. Two or three Times, he complained that they had laid a cruel Weight on his Face; tho' nothing was upon his Face, but a thin Cloth; That was however remov'd and laid more light and hollow; but he still complain'd of the prodigious Weight they had laid upon his Face; which might be occasion'd by the Blood being flush'd and forc'd up into his Face, and pressing as violently against the Veins and small Tendrills there, as if the Pressure upon them had been externally on his Face.<sup>3</sup>

Eventually Spiggot gave into “the press” and pled guilty to the accusation of highway robbery. Appalled by his legal choices, the Ordinary ascertained from the prisoner that Spiggot had endured “the press” so that “he might preserve his Effects, for the use of his Family; [and] That it might not be urged to his Children, that their Father was hanged.”<sup>4</sup> This testimony indicates Spiggot had actively chosen his own method of death as a way to protect his and his family’s reputation and to prevent the court from seizing his property after execution.

---

<sup>1</sup> “The Ordinary of Newgate was the chaplain of Newgate prison, and it was his duty to provide spiritual care to prisoners who were condemned to death.” Clive Emsley, Tim Hitchcock and Robert Shoemaker, "The Proceedings - Ordinary of Newgate's Accounts," Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 22 April 2016).

<sup>2</sup> Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.2, 05 April 2016), Ordinary of Newgate's Account, February 1721 (OA17210208).

<sup>3</sup> Ibid.

<sup>4</sup> Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.2, 05 April 2016), Ordinary of Newgate's Account, February 1721 (OA17210208).

Although Spiggot was not before the court because he had attempted suicide, his case is important to the study of understanding contemporary reactions to suicide. What is significant about this case is the manner in which the Ordinary viewed and publicly characterized Spiggot's actions: as "self-murder." Spiggot's choice not to plea was technically within his rights. Contemporary common English law was not supposed to permit the use of torture for confessions. However, *peine forte et dure* was an exception because it was used to "push" obstinate defendants into a plea in order to prevent stalls in the proceedings of the legal system. Spiggot's actions and the Ordinary's commentary then raise the question, what relationship did Spiggot have with the state if he was willing to endure 400 pounds of torture in an effort to choose his manner of death? Therefore, this case provides historians with a unique chance to observe the threat suicide could pose against the English State's power.

To better understand why the Ordinary chose to describe Spiggot's actions as "self-murder" historians must properly grasp the contemporary definition of the term. The modern online Oxford English Dictionary defines suicide as "the action of killing yourself deliberately" or "A person who commits suicide."<sup>5</sup> This term is "from Latin *sui* 'of oneself' + *caedere* 'kill';" however, "suicide" did not come of use until the mid-seventeenth century.<sup>6</sup> The common contemporary terms for suicide "used reflexive phrases such as 'self-murder,' self-slaughter,' or 'self-homicide,'" which emphasized the victim's responsibility in the action.<sup>7</sup> Additionally, Latin phrases like "*felo de se*," (a felon of himself) and "*non compos mentis*" (not of the right mind) were used to describe the varying degrees of agency in the act.<sup>8</sup> Understanding these different

---

<sup>5</sup> *Oxford English Dictionary*, online ed. s.v. "suicide."

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

<sup>7</sup> R. A. Houston, *Punishing the Dead? Suicide, Lordship, and Community in Britain 1500 – 1830* (Oxford: Oxford University Press, 2010), 23-24.

<sup>8</sup> *Ibid.*

contemporary labels is vital because suicide was a punishable crime in early modern England and the severity of the punishment dealt increased in relation to the perceived prominence of the victim's role in the act. In summation, the act of defining suicide in early modern England boiled down to establishing the agency of the person: did he/she want to die, did he/she chose to die, and did he/she take action to facilitate this death? In Spiggot's case, the reader can see that the Ordinary may have labeled Spiggot a self-murderer because Spiggot's self-aware choices were the leading cause of his death.

However, submitting to *peine forte et dure* was only one way suicide could be used to manipulate the legal system. Many convicted criminals would kill themselves in their cells to avoid the horrors of a public execution; others who were suicidal, but did not want to risk damnation, would purposefully commit a crime in which they knew they would receive the death sentence, as this allowed them to die and still have time to ask god for forgiveness. Together, these suicides created an atmosphere in which the English state's power to maintain order was undermined, causing these "chosen" deaths to have been targets of both legal and verbal attacks.

### **Primary Sources and Methodological Issues**

The primary sources used in this research consist of twenty-two ordinary accounts and trials from the online published proceedings of the Old Bailey Criminal Court.<sup>9</sup> These cases have been narrowed to records that discuss persons who were labeled to have had suicidal thoughts, attempted suicide, or committed suicide between the years 1721 – 1796.

When utilizing records from the Old Bailey court, it is important to recognize the dual nature of these sources, for although they are legal records they were also published in

---

<sup>9</sup> "Old Bailey Online - The Proceedings of the Old Bailey, 1674-1913 - Central Criminal Court," n.d., <http://www.oldbaileyonline.org/>.

collections. The Old Bailey Online database notes the publishing of these court records underwent an intense commercial expansion between 1729 and 1778, so this sample of cases represent what contemporaries believed would enthrall a wide readership.<sup>10</sup> This is an important cultural production issue to keep in mind since it limits the types of cases published and therefore available to historians.

The majority of the records used are ordinaries' accounts. The Old Bailey Online database warns that ordinary accounts "even more than any other criminal biography ... had the explicit moral purpose of teaching readers the wages of sin."<sup>11</sup> This allowed harsh language to creep into the description of these suicide victims and their acts; therefore these cases may represent an extreme, rather than a normative view. Additionally, Ordinaries had the right to publish and sell their account of the defendants.<sup>12</sup> This is important for historians to keep in mind because an ordinary may attempt to exaggerate his accounts in order to make a higher profit.

Due to these cultural production issues, historians must be cautious in taking these accounts at face value. For example, Spiggot's reasoning for his actions were only known to him. Although the Ordinary claimed Spiggot relayed his reasoning, a historian does not know what sorts of pressures (both literally and figuratively) were placed on Spiggot to make these statements, nor does a historian know how accurately the Ordinary was able or wanted to record Spiggot's answer. Therefore, to avoid the impossible task of understanding how and why a person committed suicide, I focused my thesis on analyzing the public perception of suicide.

---

<sup>10</sup> Clive Emsley, Tim Hitchcock and Robert Shoemaker, "The Proceedings - Publishing History of the Proceedings," Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 20 April 2016 ).

<sup>11</sup> Clive Emsley, Tim Hitchcock and Robert Shoemaker, "The Proceedings - Ordinary of Newgate's Accounts," Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 06 April 2016 ).

<sup>12</sup> Ibid.

The largest methodological issue that I have encountered in my research is making sure I identified all the records pertaining to suicide from 1721–1796, for this term was not used consistently in these records. As discussed before, “suicide” did not come of use until the mid-seventeenth century.<sup>13</sup> Therefore, when using the Old Bailey website I have had to conduct four different searches: suicide, *felo de se*, self-murder, and self-murder to have a more complete sample of the records. However, I have noticed that these cases are skilled at avoiding all four of these terms and I cannot be certain that I have all suicide records between 1721–1796, due to my search method.

### **Historiography**

It appears in the study of suicide that a historian cannot discuss the subject’s history without first mentioning the work of distinguished sociologist, Émile Durkheim. Durkheim’s methodology in *Le Suicide* (1897) utilizes the statistics of suicides committed to illuminate trends that expose causes of the social problem.<sup>14</sup> Olive Anderson, in *Suicide in Victorian and Edwardian England* (1987), uses a Durkheimian analysis to argue the Industrial Revolution in England increased the rate of suicide for those in occupations non-industrial in nature.<sup>15</sup> Subsequent historians and sociologists have rejected this Durkheimian treatment of sources in understanding early modern examples. For, contemporary legal systems often had varying qualifications for labeling a death as a suicide, and records are often not complete, leaving a large number of self-murders unaccounted.<sup>16</sup> These critiques have led historians away from

---

<sup>13</sup> *Oxford English Dictionary*, online ed. s.v. “suicide.”

<sup>14</sup> Émile Durkheim, *Suicide: A Study in Sociology*, ed. George Simpson, trans. John A. Spaulding and George Simpson (New York: Free Press, 1966), 37-38.

<sup>15</sup> Olive Anderson, *Suicide in Victorian and Edwardian England* (Oxford: Clarendon Press, 1987), 96 - 97.

<sup>16</sup> Michael MacDonald and Terence R. Murphy, *Sleepless Souls: Suicide in Early Modern England* (Oxford: Clarendon Press, 1990), 319.

solely looking at official court records, to instead engage with additional sources like newspaper articles, personal diaries, popular literature, and even plays. This broadening of sources has allowed historians to shift their research to focus more on contemporary reactions to suicide.

Until recently, historians have unanimously agreed that the early modern period was an important transition in the history of suicide, asserting that England's secularization during this period caused attitudes to transform from harsh to a more "modern" benign. The most referenced historians on suicide in early modern England, MacDonald and Murphy, led the way for this argument in their book, *Sleepless Souls: Suicide in Early Modern England*. MacDonald and Murphy found a transition away from penalties like forfeiture and desecration of corpses, to simply having solemn funerals and denying Christian burials.<sup>17</sup> Additionally, they found the contemporary literature on suicide transitioned from a tone of condemnation to pity, as these self-murders were characterized as victims of melancholy.<sup>18</sup> Therefore, MacDonald and Murphy argue the harsh treatment of suicide in the sixteenth and early seventeenth centuries was due to the influence of a strong Tudor government and the Protestant reformation; and after 1660, severity towards suicide in England decreased because the Enlightenment pushed the ideals of secularization on the upper and middle classes.<sup>19</sup>

George Minois similarly critiques the influence of the church in *History of Suicide: Voluntary Death in Western Culture* (1995), for he argues the Christian church was responsible for originally turning European opinions of suicide hostile. Minois describes medieval Europe as

---

<sup>17</sup> Ibid., 109.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid., 5.

a period in which stoicism and Christianity went toe-to-toe, with pagan elites promoting tolerant ideals of suicide and Christian theologians promoting hostile ones.<sup>20</sup>

In 2004, Jeffrey Watt contributed a medical understanding of the secularization of suicide in *From Sin to Insanity: Suicide in Early Modern Europe*. Watt argues since suicides were no longer portrayed as acts of the devil, but rather as acts of melancholy or insanity; there was a better, more scientific understanding and therefore, a more judicial treatment of the victims.<sup>21</sup> In summary, the historiography generalized treatments of suicide in early modern England as continually progressing forward from the harsh, religious treatment to the “modern” benign and sympathetic understanding.

In 2010, R. A. Houston published *Punishing the Dead? Suicide, Lordship and Community in Britain*, in which he boldly rejects previous attempts at generalizing attitudes towards suicide through the concept of secularization. Contrary to previous assertions, Houston finds in the beginning of the early modern period forfeiture penalties were hardly implicated in practice, and the desecration of suicide corpses was up to local custom, rather than law.<sup>22</sup> Therefore, Houston argues that the legal system in the first half of the early modern period, although not promoting suicide, was not emotionless and “the sharp edges of law and religion were rounded off by palpable and enduring practicality and humanity.”<sup>23</sup> Houston purports that “attitudes did not change from harshness to leniency between the early sixteenth century and the mid-nineteenth century, but manifested varying forms of ambivalence.”<sup>24</sup> Consequently,

---

<sup>20</sup> Georges Minois, *History of Suicide: Voluntary Death in Western Culture*, trans. Lydia G. Cochrane (Baltimore and London: The Johns Hopkins University Press, 1995), 52-53.

<sup>21</sup> Jeffrey Watt, “Introduction: Towards a History of Suicide in Early Modern Europe,” in *From Sin to Insanity: Suicide in Early Modern Europe*, ed. Jeffrey Watt, 1-8. (New York: Cornell University Press, 2004), 6.

<sup>22</sup> R. A. Houston, *Punishing the Dead? Suicide, Lordship, and Community in Britain 1500 – 1830* (Oxford: Oxford University Press, 2010), 75.

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

<sup>24</sup> *Ibid.*, 372.

Houston's argument is important to the historiography because it distorts the traditional narrative of suicide's "modernization" throughout early modern England.

### **Suicide to Avoid Execution**

Among the suicide records I have collected, the most common case, making up twelve of my twenty-two cases, were attempts by convicted criminals in jail. This makes sense given that ordinaries' jobs functioned within the criminal justice system and the agency they had in choosing the accounts published. Legal officials often characterized these victims as "impatient" and "cowardly," for these self-murderers were attempting to challenge both god and the king's will by choosing an earlier death than the one prescribed by the state.<sup>25</sup> This negative characterization is telling of how the contemporary English legal system was unhappy with criminals attempting to avoid public execution. Prisoners' unwillingness to be publicly executed likely stemmed from the stigmatized nature of this death, for it was reserved for criminals and was gruesome. This concept is clearly emulated in Jonah Burgess' testimony. Convicted for stealing, he was sentenced to hang in 1722.<sup>26</sup> Burgess allegedly professed, "he would never indulge" his enemies in the pleasure of witnessing him hang, right before he slit his throat in his prison cell.<sup>27</sup> Unfortunately for Burgess, he did not have a quick death and contemporary surgeons were able to sew up his "wind-pipe," so that Burgess could proceed with the planned execution the next day.<sup>28</sup>

---

<sup>25</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), Ordinary of Newgate's Account, December 1724 (OA17241207).

<sup>26</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), Ordinary of Newgate's Account, February 1722 (OA17220208).

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

To a modern reader saving a man just to kill him the very next day is contradictory, allowing historians to analyze the impact suicides had in challenging the power of the state. For, public executions were a tool used by the state to establish a fear of breaking the law to preserve their legal authority. Therefore, if people like Burgess successfully took their own life, they deprived the state of this power and officials like ordinaries then had to do their best to emphasize the horrors of dying in the “incorrect” time and manner.

This agenda was often achieved when ordinaries spoke generally of the horrors of self-murder at the beginning of their accounts. One manner ordinaries went about this was to define what suicide was and use this definition to explain why the act was so terrible. An example of this can be seen when one ordinary emphasized that suicide had “degrees” of sin.<sup>29</sup> The Ordinary elaborated that there was a danger in this “unobserved,” or lesser degree of suicide because it required more diligence not to commit, for one who fasted too much was guilty of self-murder.<sup>30</sup> He claimed this was a form of self-murder because the “Person [was] no longer able to serve his Religion, Country or Family, which Duties are required at our Hands by God.”<sup>31</sup> This particular definition was crucial to the understanding of the relationship between the state and suicide because it characterized the act as a human being deliberately making oneself no longer useful to society. With this understanding of suicide, the state had justification in condoning it, for the act took away useful workers from its structure.

Another manner in which the state achieved its agenda was by intimidating criminals with religious and social threats. An example of a religious threat was when one ordinary warned a criminal who had potentially considered suicide, “certain it is, that Self-murtherers deprive

---

<sup>29</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), Ordinary of Newgate's Account, April 1721 (OA17210403).

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

themselves of all Time and Means of Repentance, and therefore they are not allow'd the Privilege of christian Burial, but are thrown out into the open Fields or Highways like Dogs.”<sup>32</sup> In regards to social threats, one ordinary warned a prisoner not to commit suicide for the delinquent would “contribute yet more to bring down the grey hairs of a worthy father with sorrow to the grave.”<sup>33</sup> These threats are important, for they portray the state’s continued use of religious ideals in the late early modern period to legitimize its agenda.

However, the idea that the state should be particularly concerned with the suicides of criminals is not a new concept. For example, the Romans were lenient on criminalizing this act because their legal system prevented posthumous trials.<sup>34</sup> Therefore, many Romans suspected of crimes committed suicide to avoid legal penalties, like forfeiture.<sup>35</sup> The Roman state, to protect itself from having its legal and economic power diminished, made it unlawful for those suspected of a crime to commit suicide; therefore allowing a unique opportunity for a post-humus trial.<sup>36</sup> However, there were still no penalties against non-criminals who killed themselves.<sup>37</sup> This is an important historical precedent for understanding why a state could feel threatened by suicide, in particular that of the criminal nature.

The fact that the majority of the suicide cases discussed in the Old Bailey records revolved around suicidal prisoners emphasizes the concept that public execution was a tool used by the state to assert its legal authority. However, these statistics by no means represent the

---

<sup>32</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), Ordinary of Newgate's Account, September 1731 (OA17310924).

<sup>33</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), July 1786, trial of ANN CHAPMAN (t17860719-13); Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), January 1787 (o17870110-3); Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), January 1787 (s17870110-1).

<sup>34</sup> Machiel Bosman, “The Judicial Treatment of Suicide in Amsterdam” in *From Sin to Insanity: Suicide in Early Modern Europe*, ed. Jeffrey Watt, 9-24 (New York: Cornell University Press, 2004), 10.

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

actual portion of suicides made against the state, for these cases were hand selected by an ordinary or another legal official to be published, as discussed before. So although these cases cannot be used to express whether there was a rise in prisoner suicides at this time, these cases can indicate legal officials' anxiety over the idea that these suicidal criminals were diminishing their judicial power. Therefore, it was advantageous for officials to publicly disparage suicide and exaggerate the act's harsh consequences in comparison with the consequences of public execution.

### **Utilizing the Court System for Suicide**

The state's stance against suicide was rich in irony; for example, Mary Hindes used the court system's execution of criminals to facilitate her own self-murder. Hindes found herself in a state of deep grief after her husband forced her to abandon their children at the Fondling hospital and then subsequently left her.<sup>38</sup> Not knowing whether her husband was dead or alive, Hindes claimed, she was "wearied of my life a long time, I had rather die than live."<sup>39</sup> One day while Hindes was watching her neighbors' and friends' seventeen-month-old son, she was reminded of her husband and then drowned the child in a nearby river.<sup>40</sup> The court appeared shocked by her actions and repetitively asked witnesses to Hindes' character, "Did you take her to be out of her mind?" or "Was there any thing more particular in her than in other people?"<sup>41</sup> However, all of the witnesses insisted that there was nothing "insane" about Hindes, the only explanation they could offer to her actions was possibly liquor, and even then they insisted that she was not a

---

<sup>38</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), May 1768, trial of Mary, wife of John Hindes, otherwise Mary Jones (t17680518-39).

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

heavy drinker.<sup>42</sup> After listening to given testimonies, the court was only able to explain Hindes' murder of the child as an attempt to end her life through execution.<sup>43</sup> To modern readers of this trial, the first question one baffles over is, why did Hindes kill the infant and not just drown herself?

Historian of suicide in Stockholm, Arne Jansson reveals that Mary Hindes' actions can be explained by a contemporary understanding of damnation.<sup>44</sup> In early modern Europe, suicide was understood as immediate damnation, for if one took his/her own life then one did not have time to ask for god's forgiveness before death and was ultimately damned.<sup>45</sup> Therefore, Hindes's choice to drown the infant, rather than herself, can be understood as an attempt to reach salvation before death, while ultimately still ending the life she no longer wanted to live. Jansson also provides an explanation for Hindes' choice to kill an infant. Jansson explains that in Stockholm these suicidal murder victims were often children because of the contemporary belief that children after baptism were ultimately innocent and would go straight to heaven.<sup>46</sup> Therefore, Hindes' choice to kill an infant could be understood as a means to commit suicide without anyone being submitted to damnation.

Hindes' method of self-murder is important to the analysis of the relationship between suicides and the state because she was able to use the state's original crime deterrent intentions as the agent of her death. However, Hindes is not unique, in that she is one of five cases that appeared in my twenty-two cases of persons who committed suicide utilizing the court system. Although five may seem like a modest number, this was the only method to be repeated in such a

---

<sup>42</sup> Ibid.

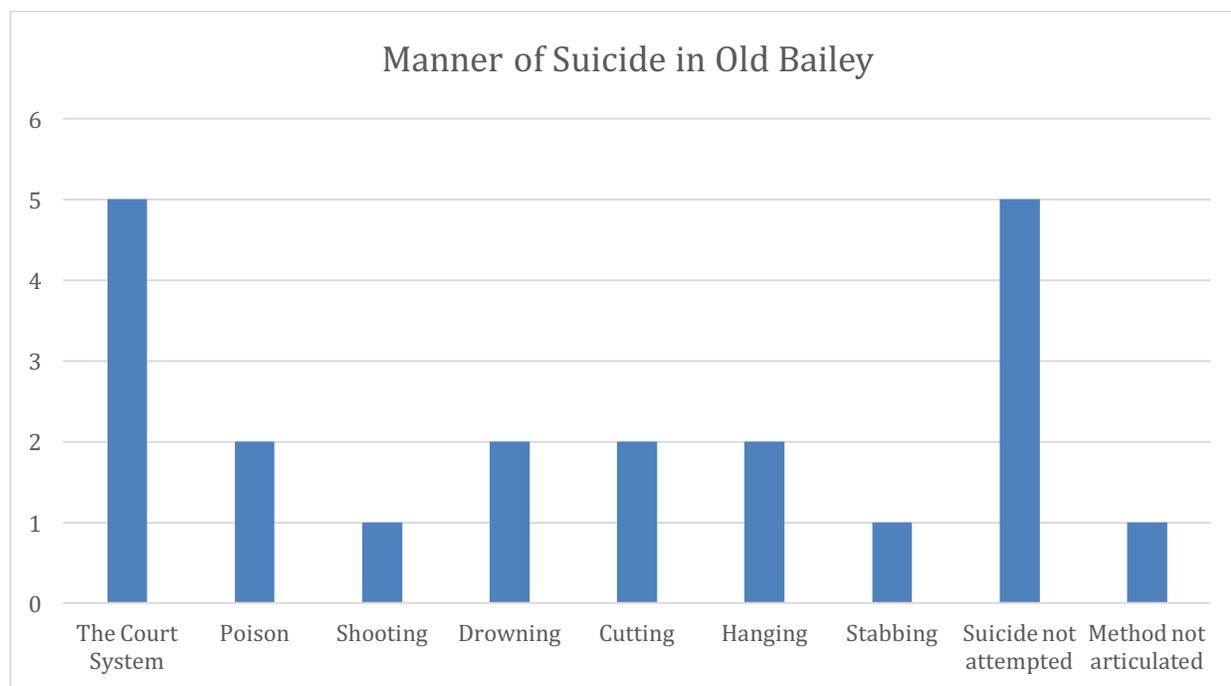
<sup>43</sup> Ibid.

<sup>44</sup> Arne Jansson, "Suicidal Murders in Stockholm" in *From Sin to Insanity: Suicide in Early Modern Europe*, ed. Jeffrey Watt, 81-99 (New York: Cornell University Press, 2004), 82.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

high number in my database, as explored in Figure 1 below. This dominance of court system suicides again produces an image of self-murder in the late early modern period as being at odds with the goals of the state.



**Figure 1** : Bar Graph of the Manner of Suicide<sup>47</sup>

Once the court concluded Hides committed the murder with the intention to be put to death, the court was challenged with how best to assert their authority to deter others from committing this crime.<sup>48</sup> In the end, the court decided to execute Hides. The court's reasoning may potentially stem from the fact that Hides did murder another human being, and it would undermine the authority of the state if one could get away with murder whenever one pleased, as long as suicidal intentions were the cause. This concept can be seen in the fact that four out of

<sup>47</sup> Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al., *The Old Bailey Proceedings Online, 1674-1913* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 24 March 2012).

<sup>48</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), May 1768, trial of Mary, wife of John Hides, otherwise Mary Jones (t17680518-39).

the five cases of court system suicides were sentenced to death.<sup>49</sup> The only record in which the suicidal victim was not clearly executed was the case of Samuel Burt. Samuel Burt was found guilty of forgery and sentenced to death, however, the king had “lessened” certain sentences and Burt’s sentence was changed to transportation.<sup>50</sup> In the end Burt refused the sentence change and this is where the records stop, therefore I was unable to identify if Burt’s refusal was granted.<sup>51</sup>

In all of these court system suicides the state was conflicted on how to handle these cases, for the traditional sentence of execution no longer held its deterrent power over persons who viewed religious salvation higher than a legal one. However, the state did choose to assert that these men and women were “Person[s] of an evil Disposition.”<sup>52</sup> In the end, the state appeared to view the execution and continued defamation of suicide as the best means of asserting and protecting its power.

## Conclusion

Although not all suicides in early modern England intended to contest state power, these are the types that dominate the records in the Old Bailey database. Of my twenty-two cases, eighteen, or eighty-one percent, were suicides that were either a *peine forte et dure*, a prisoner suicide, or a court system suicide. Most suicides did not take place during the legal process, so it is unusual that 81 percent of these suicides fit this category. However, what is important to note

---

<sup>49</sup> Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al., *The Old Bailey Proceedings Online, 1674-1913* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 24 March 2012).

<sup>50</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), July 1786, trial of ANN CHAPMAN (t17860719-13); Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), January 1787 (o17870110-3); Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 20 April 2016), January 1787 (s17870110-1).

<sup>51</sup> Ibid.

<sup>52</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 22 April 2016), June 1738, trial of John Wright (t17380628-7).

about this statistic is that legal officials, like ordinaries, were sensitive to this type of suicide and frequently interpreted these deaths as a challenge to the state's judicial system.

This prevalence of suicides that opposed the state was a shocking find after reading the historiography, which emphasized secularization as the cause for a more benign treatment of suicide in the eighteenth century. The large presence of this type of suicide indicates the current historiographical trend purported by historians like Watt, Minois, Macdonald, and Murphy oversimplifies the complex nature of contemporary self-murder. The Old Bailey court's records illustrate that the late early modern English State targeted, both legally and verbally, suicides, specifically those that jeopardized its power. Therefore, the rise in state's power and subsequent lessening of the church's did not indicate an automatic transition towards perceiving suicide benignly, since the state had its own reasons to vilify the act.

In conclusion, these records indicate a more complicated historiographical approach like Houston's is the best manner for historians to accurately analyze attitudes towards suicide in early modern England. Although the works of English suicide historians prove punishments in general lessened in harshness in courts like the coroners' inquisitions, the Old Bailey records indicate suicides that challenged state power made up a specific genre, which continued to receive harsh responses late into the early modern period. This argument then compliments Houston's assertion that "attitudes did not change from harshness to leniency between the early sixteenth century and the mid-nineteenth century, but manifested varying forms of ambivalence."<sup>53</sup> These volatile perceptions can reconcile for historians the fact that Great Britain did not nullify the criminalization of suicide until 1966.<sup>54</sup>

---

<sup>53</sup> Houston, *Punishing the Dead*, 372.

<sup>54</sup> *Suicide Act 1961*, Elizabeth II. Chapter 60. London: Her Majesty's Stationery Office, 1961. Accessed March 28, 2016. <http://www.legislation.gov.uk/ukpga/Eliz2/9-10/60>.

## Bibliography

### **Primary**

*Suicide Act 1961*, Elizabeth II. Chapter 60. London: Her Majesty's Stationery Office, 1961.

Accessed March 28, 2016. <http://www.legislation.gov.uk/ukpga/Eliz2/9-10/60>.

Tim Hitchcock, Robert Shoemaker, Clive Emsley, Sharon Howard and Jamie McLaughlin, et al.,  
The Old Bailey Proceedings Online, 1674-1913 (www.oldbaileyonline.org, version 7.0,  
24 March 2012).

### **Secondary**

Anderson, Olive. *Suicide in Victorian and Edwardian England*. Oxford: Clarendon Press, 1987.

Bosman, Machiel. "The Judicial Treatment of Suicide in Amsterdam." In *From Sin to Insanity: Suicide in Early Modern Europe*, edited by Jeffrey Watt, 9-24. New York: Cornell University Press, 2004.

Clive Emsley, Tim Hitchcock and Robert Shoemaker, "The Proceedings - Ordinary of Newgate's Accounts", Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 06 April 2016 ).

Clive Emsley, Tim Hitchcock and Robert Shoemaker, "The Proceedings - Publishing History of the Proceedings", Old Bailey Proceedings Online (www.oldbaileyonline.org, version 7.0, 20 April 2016 ).

Durkheim, Émile. *Suicide: A Study in Sociology*. Edited by George Simpson. Translated by John A. Spaulding and George Simpson. New York: The Free Press, 1966.

Emsley, Clive, Tim Hitchcock and Robert Shoemaker. "The Proceedings - Publishing History of the Proceedings." Old Bailey Proceedings Online. Accessed March 30, 2016.  
www.oldbaileyonline.org.

Houston, R.A. *Punishing the Dead? Suicide, Lordship, and Community in Britain 1500 – 1830*.

Oxford: Oxford University Press, 2010.

Jansson, Arne. “Suicidal Murders in Stockholm.” In *From Sin to Insanity: Suicide in Early*

*Modern Europe*, edited by Jeffrey Watt, 81-99. New York: Cornell University Press, 2004.

MacDonald, Michael and Terence R. Murphy. *Sleepless Souls: Suicide in Early Modern*

*England*. Oxford: Clarendon Press, 1990.

Minois, Georges. *History of Suicide: Voluntary Death in Western Culture*. Translated by Lydia

G. Cochrane. Baltimore and London: The Johns Hopkins University Press, 1995.

“Old Bailey Online - The Proceedings of the Old Bailey, 1674-1913 - Central Criminal Court”,

n.d., <http://www.oldbaileyonline.org/>.

*Oxford English Dictionary*, online ed. Oxford: Oxford University Press, 2016. Accessed March

05, 2016. [http://www.oxforddictionaries.com/us/definition/american\\_english/suicide](http://www.oxforddictionaries.com/us/definition/american_english/suicide).

Rule 11, Pleas, Arraignment and Preparation for Trial, *Federal Rules of Criminal Procedure*,

title 4, [https://www.law.cornell.edu/rules/frcmp/rule\\_11](https://www.law.cornell.edu/rules/frcmp/rule_11).

Watt, Jeffrey. “Introduction: Towards a History of Suicide in Early Modern Europe.” In *From*

*Sin to Insanity: Suicide in Early Modern Europe*, edited by Jeffrey Watt, 1-8. New York:

Cornell University Press, 2004.