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# Taking the Trade: Abortion and Gender Relations in an Eighteenth-Century New England Village

Cornelia Hughes Dayton

**I**N 1742 in the village of Pomfret, perched in the hills of northeastern Connecticut, nineteen-year-old Sarah Grosvenor and twenty-seven-year-old Amasa Sessions became involved in a liaison that led to pregnancy, abortion, and death. Both were from prominent yeoman families, and neither a marriage between them nor an arrangement for the support of their illegitimate child would have been an unusual event for mid-eighteenth-century New England. Amasa Sessions chose a different course; in consultation with John Hollowell, a self-proclaimed “practitioner of physick,” he coerced his lover into taking an abortifacient. Within two months, Sarah fell ill. Unbeknownst to all but Amasa, Sarah, Sarah’s sister Zerviah, and her cousin Hannah, Hollowell made an attempt to “Remove her Conception” by a “manual operation.” Two days later Sarah miscarried, and her two young relatives secretly buried the fetus in the woods. Over the next month, Sarah struggled against a “Malignant fever” and was attended by several physicians, but on September 14, 1742, she died.<sup>1</sup>

Most accounts of induced abortions among seventeenth- and eighteenth-century whites in the Old and New Worlds consist of only a few lines in a private letter or court record book; these typically refer to the taking of savin or pennyroyal—two common herbal abortifacients. While men and women in diverse cultures have known how to perform abortions

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<sup>1</sup>The documentation is found in the record books and file papers of the Superior Court of Connecticut: *Rex v. John Hollowell et al.*, Superior Court Records, Book 9, 113, 173, 175, and Windham County Superior Court Files, box 172, Connecticut State Library, Hartford. Hereafter all loose court papers cited are from *Rex v. Hollowell*, Windham County Superior Court Files, box 172, unless otherwise indicated. For the quotations see Security bond for John Hollowell, undated; Deposition of Ebenezer Grosvenor, probably Apr. 1746; Indictment against John Hollowell and Amasa Sessions, Sept. 20, 1746; Deposition of Parker Morse.

by inserting an instrument into the uterus, actual descriptions of such operations are extremely rare for any time period. Few accounts of abortions by instrument have yet been uncovered for early modern England, and I know of no other for colonial North America.<sup>2</sup> Thus the historical fragments recording events in a small New England town in 1742 take on an unusual power to illustrate how an abortion was conducted, how it was talked about, and how it was punished.

We know about the Grosvenor-Sessions case because in 1745 two prominent Windham County magistrates opened an investigation into Sarah's death. Why there was a three-year gap between that event and legal proceedings, and why justices from outside Pomfret initiated the legal process, remain a mystery. In November 1745 the investigating magistrates offered their preliminary opinion that Hollowell, Amasa Sessions, Zerviah Grosvenor, and Hannah Grosvenor were guilty of Sarah's murder, the last three as accessories. From the outset, Connecticut legal officials concentrated not on the act of abortion per se, but on the fact that an abortion attempt had led to a young woman's death.<sup>3</sup>

The case went next to Joseph Fowler, king's attorney for Windham

<sup>2</sup> One such abortion was reported in *Gentleman's Magazine* (London), II, No. 20 (August 1732), 933–934; see Audrey Eccles, *Obstetrics and Gynaecology in Tudor and Stuart England* (London, 1982), 70. On the history of abortion practices see George Devereux, "A Typological Study of Abortion in 350 Primitive, Ancient, and Pre-Industrial Societies," in Harold Rosen, ed., *Abortion in America: Medical, Psychiatric, Legal, Anthropological, and Religious Considerations* (Boston, 1967), 97–152; Angus McLaren, *Reproductive Rituals: The Perception of Fertility in England from the Sixteenth Century to the Nineteenth Century* (London, 1984), chap. 4; Linda Gordon, *Woman's Body, Woman's Right: A Social History of Birth Control in America* (New York, 1976), 26–41, 49–60; and Edward Shorter, *A History of Women's Bodies* (New York, 1982), chap. 8.

For specific cases indicating use of herbal abortifacients in the North American colonies see Julia Cherry Spruill, *Women's Life and Work in the Southern Colonies* (New York, 1972; orig. pub. Chapel Hill, N. C., 1938), 325–326; Roger Thompson, *Sex in Middlesex: Popular Mores in a Massachusetts County, 1649–1699* (Amherst, Mass., 1986), 11, 24–26, 107–108, 182–183; and Lyle Koehler, *A Search for Power: The "Weaker Sex" in Seventeenth-Century New England* (Urbana, Ill., 1980), 204–205. I have found two references to the use of an abortifacient in colonial Connecticut court files. Doubtless, other accounts of abortion attempts for the colonial period will be discovered.

<sup>3</sup> Abortion before quickening (defined in the early modern period as the moment when the mother first felt the fetus move) was not viewed by the English or colonial courts as criminal. No statute law on abortion existed in either Britain or the colonies. To my knowledge, no New England court before 1745 had attempted to prosecute a physician or other conspirators for carrying out an abortion.

On the history of the legal treatment of abortion in Europe and the United States see McLaren, *Reproductive Rituals*, chap. 5; Gordon, *Woman's Body, Woman's Right*, chap. 3; James C. Mohr, *Abortion in America: The Origins and Evolution of National Policy, 1800–1900* (New York, 1978); Michael Grossberg, *Governing the Hearth: Law and the Family in Nineteenth-Century America* (Chapel Hill, N. C., 1985), chap. 5; and Carroll Smith-Rosenberg, "The Abortion Movement and the AMA, 1850–1880," in *Disorderly Conduct: Visions of Gender in Victorian America* (New York, 1985), 217–244.

County. He dropped charges against the two Grosvenor women, probably because he needed them as key witnesses and because they had played cover-up roles rather than originating the scheme. A year and a half passed as Fowler's first attempts to get convictions against Hallowell and Sessions failed either before grand juries or before the Superior Court on technical grounds. Finally, in March 1747, Fowler presented Hallowell and Sessions separately for the "highhanded Misdemeanour" of attempting to destroy both Sarah Grosvenor's health and "the fruit of her womb."<sup>4</sup> A grand jury endorsed the bill against Hallowell but rejected a similarly worded presentment against Sessions. At Hallowell's trial before the Superior Court in Windham, the jury brought in a guilty verdict and the chief judge sentenced the physician to twenty-nine lashes and two hours of public humiliation standing at the town gallows. Before the sentence could be executed, Hallowell managed to break jail. He fled to Rhode Island; as far as records indicate, he never returned to Connecticut. Thus, in the end, both Amasa Sessions and John Hallowell escaped legal punishment for their actions, whereas Sarah Grosvenor paid for her sexual transgression with her life.

Nearly two years of hearings and trials before the Superior Court produced a file of ten depositions and twenty-four other legal documents. This cache of papers is extraordinarily rich, not alone for its unusual chronicle of an abortion attempt, but for its illumination of the fault lines in Pomfret dividing parents from grown children, men from women, and mid-eighteenth-century colonial culture from its seventeenth-century counterpart.

The depositions reveal that in 1742 the elders of Pomfret, men and women alike, failed to act as vigilant monitors of Sarah Grosvenor's courtship and illness. Instead, young, married householders—kin of Sarah and Amasa—pledged themselves in a conspiracy of silence to allow the abortion plot to unfold undetected. The one person who had the opportunity to play middleman between the generations was Hallowell. A man in his forties, dogged by a shady past and yet adept at acquiring respectable connections, Hallowell provides an intriguing and rare portrait of a socially ambitious, rural medical practitioner. By siding with the young people of Pomfret and keeping their secret, Hallowell betrayed his peers and elders and thereby opened himself to severe censure and expulsion from the community.

Beyond depicting generational conflict, the Grosvenor-Sessions case dramatically highlights key changes in gender relations that reverberated through New England society in the eighteenth century. One of these changes involved the emergence of a marked sexual double standard. In the mid-seventeenth century, a young man like Amasa Sessions would have been pressured by parents, friends, or the courts to marry his lover. Had he resisted, he would most likely have been whipped or fined for the crime of fornication. By the late seventeenth century, New England

<sup>4</sup> Indictment against John Hallowell, Mar. 1746/47.

judges gave up on enjoining sexually active couples to marry. In the 1740s, amid shifting standards of sexual behavior and growing concern over the evidentiary impossibility of establishing paternity, prosecutions of young men for premarital sex ceased. Thus fornication was decriminalized for men, but not for women. Many of Sarah Grosvenor's female peers continued to be prosecuted and fined for bearing illegitimate children. Through private arrangements, and occasionally through civil lawsuits, their male partners were sometimes cajoled or coerced into contributing to the child's upkeep.<sup>5</sup>

What is most striking about the Grosvenor-Sessions case is that an entire community apparently forgave Sessions for the extreme measures he took to avoid accountability for his bastard child. Although he initiated the actions that led to his lover's death, all charges against him were dropped. Moreover, the tragedy did not spur Sessions to leave town; instead, he spent the rest of his life in Pomfret as a respected citizen. Even more dramatically than excusing young men from the crime of fornication, the treatment of Amasa Sessions confirmed that the sexually irresponsible activities of men in their youth would not be held against them as they reached for repute and prosperity in their prime.<sup>6</sup>

The documents allow us to listen in on the quite different responses of young men and women to the drama unfolding in Pomfret. Sarah Grosvenor's female kin and friends, as we shall see, became preoccupied with their guilt and with the inevitability of God's vengeance. Her male kin, on the other hand, reacted cautiously and legalistically, ferreting out information in order to assess how best to protect the Grosvenor family name. The contrast reminds us yet again of the complex and gendered

<sup>5</sup> The story of the decriminalization of fornication for men in colonial New England is told most succinctly by Carol F. Karlsen, *The Devil in the Shape of a Woman: Witchcraft in Colonial New England* (New York, 1987), 194–196, 198–202, 255. Laurel Thatcher Ulrich describes a late eighteenth-century Massachusetts jurisdiction in *A Midwife's Tale: The Life of Martha Ballard, Based on Her Diary, 1785–1812* (New York, 1990), 147–160. For New Haven County see Cornelia Hughes Dayton, "Women Before the Bar: Gender, Law, and Society in Connecticut, 1710–1790" (Ph.D. diss., Princeton University, 1986), 151–186. See also Zephaniah Swift, *A System of Laws of the State of Connecticut*, 2 vols. (Windham, Conn., 1795–1796), I, 209. A partial survey of fornication prosecutions in the Windham County Court indicates that here, too, the local JPs and annually appointed grand jurymen stopped prosecuting men after the 1730s. The records for 1726–1731 show that 15 men were prosecuted to enjoin child support and 21 single women were charged with fornication and bastardy, while only 2 women brought civil suits for child maintenance. Nearly a decade ahead, in the 3-year period 1740–1742, no men were prosecuted while 23 single women were charged with fornication and 10 women initiated civil paternity suits.

<sup>6</sup> Such also was the message of many rape trials in the mid- and late 18th century. See Dayton, "Women Before the Bar," 112–143; trial of Frederick Calvert, Baron Baltimore, as reported in the *Connecticut Journal*, New Haven, June 10, 1768, and in other colonial newspapers and separate pamphlets; and the Bedlow-Sawyer trial discussed by Christine Stansell in *City of Women: Sex and Class in New York, 1789–1860* (New York, 1986), 23–30.

ways in which we must rethink conventional interpretations of secularization in colonial New England.

Finally, the Grosvenor case raises more questions than it answers about New Englanders' access to and attitudes toward abortion. If Sarah had not died after miscarriage, it is doubtful that any word of Sessions's providing her with an abortifacient or Hallowell's operation would have survived into the twentieth century. Because it nearly went unrecorded and because it reveals that many Pomfret residents were familiar with the idea of abortion, the case supports historians' assumptions that abortion attempts were far from rare in colonial America.<sup>7</sup> We can also infer from the case that the most dangerous abortions before 1800 may have been those instigated by men and performed by surgeons with instruments.<sup>8</sup> But both abortion's frequency and the lineaments of its social context remain obscure. Did cases in which older women helped younger women to abort unwanted pregnancies far outnumber cases such as this one in which men initiated the process? Under what circumstances did family members and neighbors help married and unmarried women to hide abortion attempts?

Perhaps the most intriguing question centers on why women and men in early America acted *covertly* to effect abortions when abortion before quickening was legal. The Grosvenor case highlights the answer that applies to most known incidents from the period: abortion was understood as blameworthy because it was an extreme action designed to hide a prior sin, sex outside of marriage.<sup>9</sup> Reading the depositions, it is nearly impossible to disentangle the players' attitudes toward abortion itself from their expressions of censure or anxiety over failed courtship, illegitimacy, and the dangers posed for a young woman by a secret abortion. Strikingly absent from these eighteenth-century documents, however, is either outrage over the destruction of a fetus or denunciations of those who would arrest "nature's proper course." Those absences are a telling measure of how the discourse about abortion would change dramatically in later centuries.

## THE NARRATIVE

Before delving into the response of the Pomfret community to Sarah Grosvenor's abortion and death, we need to know just who participated in

<sup>7</sup> For a recent summary of the literature see Brief for American Historians as *Amicus Curiae* Supporting the Appellees 5–7, *William L. Webster et al. v. Reproductive Health Services et al.*, 109 S.Ct. 3040 (1989).

<sup>8</sup> In none of the cases cited in n. 2 above did the woman ingesting an abortifacient die from it. If abortions directed by male physicians in the colonial period were more hazardous than those managed by midwives and lay women, then, in an inversion of the mid-20th-century situation, women from wealthy families with access to, and preferences for, male doctors were those most in jeopardy. For a general comparison of male and female medical practitioners see Ulrich, *A Midwife's Tale*, 48–66, esp. 54.

<sup>9</sup> Married women may have hidden their abortion attempts because the activity was associated with lewd or dissident women.

the conspiracy to cover up her pregnancy and how they managed it. The following paragraphs, based on the depositions, offer a reconstruction of the events of 1742. A few caveats are in order. First, precise dating of crucial incidents is impossible, since deponents did not remember events in terms of days of the week (except for the Sabbath) but rather used phrases like “sometime in August.” Second, the testimony concentrated almost exclusively on events in the two months preceding Sarah’s death on September 14. Thus, we know very little about Sarah and Amasa’s courtship before July 1742.<sup>10</sup> Third, while the depositions often indicate the motivations and feelings of the principals, these will be discussed in subsequent sections of this article, where the characters’ attitudes can be set in the context of their social backgrounds, families, and community. This section essentially lays out a medical file for Sarah Grosvenor, a file that unfolds in four parts: the taking of the abortifacient, Hallowell’s operation, the miscarriage, and Sarah’s final illness.

The case reveals more about the use of an abortifacient than most colonial court records in which abortion attempts are mentioned. Here we learn not only the form in which Sarah received the dose but also the special word that Pomfret residents applied to it. What the documents do not disclose are either its ingredients<sup>11</sup> or the number of times Sarah ingested it.

The chronicle opens in late July 1742 when Zerviah Grosvenor, aged twenty-one, finally prevailed upon her younger sister to admit that she was pregnant. In tears, Sarah explained that she had not told Zerviah sooner because “she had been taking [the] trade to remove it.”<sup>12</sup> “Trade” was used in this period to signify stuff or goods, often in the deprecatory sense of rubbish and trash. The *Oxford English Dictionary* confirms that in some parts of England and New England the word was used to refer to medicine. In Pomfret trade meant a particular type of medicine, an abortifacient, thus a substance that might be regarded as “bad” medicine, as rubbish, unsafe and associated with destruction. What is notable is that Sarah and Zerviah, and neighboring young people who also used the word, had no need to explain to one another the meaning of “taking the trade.” Perhaps only a few New Englanders knew how to prepare an abortifacient or knew of books that would give them recipes, but many more, especially young

<sup>10</sup> Conception must have occurred sometime in the months of January through March, most probably in late January. Sarah had been pregnant nearly 7 months at her delivery in early August, according to one version offered later by her sister.

<sup>11</sup> Hallowell’s trade may have been an imported medicine or a powder he mixed himself, consisting chiefly of oil of savin, which could be extracted from juniper bushes found throughout New England. For a thorough discussion of savin and other commonly used abortifacients see Shorter, *History of Women’s Bodies*, 184–188.

<sup>12</sup> Deposition of Zerviah Grosvenor. In a second deposition Zerviah used the word “Medicines” instead of “trade”; Testimony of Zerviah Grosvenor in Multiple Deposition of Hannah Grosvenor et al.: hereafter cited as Testimony of Zerviah Grosvenor. Five times out of 8, deponents referred to “the trade,” instead of simply “trade” or “some trade.”

women who lived with the fear of becoming pregnant before marriage, were familiar with at least the *idea* of taking an abortifacient.

Sarah probably began taking the trade in mid-May when she was already three-and-a-half-months pregnant.<sup>13</sup> It was brought to her in the form of a powder by Amasa.<sup>14</sup> Sarah understood clearly that her lover had obtained the concoction “from docter hollowel,” who conveyed “directions” for her doses through Amasa. Zerviah deposed later that Sarah had been “loath to Take” the drug and “Thot it an Evil,” probably because at three and a half months she anticipated quickening, the time from which she knew the law counted abortion an “unlawful measure.”<sup>15</sup> At the outset, Sarah argued in vain with Amasa against his proposed “Method.” Later, during June and July, she sometimes “neglected” to take the doses he left for her, but, with mounting urgency, Amasa and the doctor pressed her to comply. “It was necessary,” Amasa explained in late July, that she take “more, or [else] they were afraid She would be greatly hurt by what was already done.” To calm her worries, he assured her that “there was no life [left] in the Child” and that the potion “would not hurt her.”<sup>16</sup> Apparently, the men hoped that a few more doses would provoke a miscarriage, thereby expelling the dead fetus and restoring Sarah’s body to its natural balance of humors.

Presumably, Hollowell decided to operate in early August because Sarah’s pregnancy was increasingly visible, and he guessed that she was not going to miscarry. An operation in which the fetus would be removed or punctured was now the only certain way to terminate the pregnancy secretly.<sup>17</sup> To avoid the scrutiny of Sarah’s parents, Hollowell resorted to a plan he had used once before in arranging a private examination of Sarah.

<sup>13</sup> So her sister Zerviah later estimated. Testimony of Rebecca Sharp in Multiple Deposition of Hannah Grosvenor et al.

<sup>14</sup> After she was let into the plot, Zerviah more than once watched Amasa take “a paper or powder out of his pocket” and insist that Sarah “take Some of it.” Deposition of Zerviah Grosvenor.

<sup>15</sup> Deposition of John Grosvenor; Deposition of Zerviah Grosvenor; Testimony of Zerviah Grosvenor in Multiple Deposition of Hannah Grosvenor et al. “Unlawful measure” was Zerviah’s phrase for Amasa’s “Method.” Concerned for Sarah’s well-being, she pleaded with Hollowell not to give her sister “any thing that should harm her”; Deposition of Zerviah Grosvenor. At the same time, Sarah was thinking about the quickening issue. She confided to a friend that when Amasa first insisted she take the trade, “she [had] feared it was too late”; Deposition of Abigail Nightingale.

<sup>16</sup> Deposition of Zerviah Grosvenor; Testimony of Zerviah Grosvenor.

<sup>17</sup> Hollowell claimed that he proceeded with the abortion in order to save Sarah’s life. If the powder had had little effect and he knew it, then this claim was a deliberate deception. On the other hand, he may have sincerely believed that the potion had poisoned the fetus and that infection of the uterine cavity had followed fetal death. Since healthy babies were thought at that time to help with their own deliveries, Hollowell may also have anticipated a complicated delivery if Sarah were allowed to go to full term—a delivery that might kill her. On the operation and variable potency of herbal abortifacients see Gordon, *Woman’s Body, Woman’s Right*, 37, 40; Shorter, *History of Women’s Bodies*, 177–188; and Mohr, *Abortion in America*, 8–9.



Early one afternoon he arrived at the house of John Grosvenor and begged for a room as “he was weary and wanted Rest.”<sup>18</sup> John, Sarah’s thirty-one-year-old first cousin, lived with his wife, Hannah, and their young children in a homestead only a short walk down the hill but out of sight of Sarah’s father’s house. While John and Hannah were busy, the physician sent one of the little children to fetch Sarah.<sup>19</sup>

The narrative of Sarah’s fateful meeting with Hallowell that August afternoon is best told in the words of one of the deponents. Abigail Nightingale had married and moved to Pomfret two years earlier, and by 1742 she had become Sarah’s close friend.<sup>20</sup> Several weeks after the operation, Sarah attempted to relieve her own “Distress of mind” by confiding the details of her shocking experience to Abigail. Unconnected to the Grosvenor or Sessions families by kinship, and without any other apparent stake in the legal uses of her testimony, Abigail can probably be trusted as a fairly accurate paraphraser of Sarah’s words.<sup>21</sup> If so, we have here an unparalleled eyewitness account of an eighteenth-century abortion attempt.

This is how Abigail recollected Sarah’s deathbed story:

On [Sarah’s] going down [to her cousin John’s], [Hallowell] said he wanted to Speake with her alone; and then they two went into a Room together; and then sd. Hallowell told her it was necessary that something more should be done or else she would Certainly die; to which she replied that she was afraid they had done too much already, and then he told her that there was one thing more that could easily be done, and she asking him what it was; he said he could easily deliver her. but she said she was afraid there was life in the Child, then he asked her how long she had felt it; and she replied about a fortnight; then he said that was impossible or could not be or ever would; for that the trade she had taken had or would prevent it: and that the alteration she felt Was owing to what she had taken. And he farther told her that he verily thought that the Child grew to her body

<sup>18</sup> Testimony of Hannah Grosvenor in Multiple Deposition of Hannah Grosvenor et al. Hannah may have fabricated the account of Hallowell’s deception to cover her own knowledge of and collusion in Hallowell and Sessions’s scheme to conceal Sarah’s pregnancy.

<sup>19</sup> Deposition of Zerviah Grosvenor. Hallowell attended Sarah overnight at John Grosvenor’s house once in July; Multiple Deposition of Sarah and Silence Sessions.

<sup>20</sup> On Abigail’s husband, Samuel, and his family see Clifford K. Shipton, *Biographical Sketches of Those Who Attended Harvard College in the Classes 1731–1735* (Boston, 1956), IX, 425–428; Pomfret Vital Records, Barbour Collection, Conn. State Lib. All vital and land records cited hereafter are found in the Barbour Collection.

<sup>21</sup> Hearsay evidence was still accepted in many 18th-century Anglo-American courts; see J. M. Beattie, *Crime and the Courts in England, 1660–1800* (Princeton, N. J., 1986), 362–376. Sarah’s reported words may have carried special weight because in early New England persons on their deathbeds were thought to speak the truth.

to the Bigness of his hand, or else it would have Come away before that time. and that it would never Come away, but Certainly Kill her, unless other Means were used.<sup>22</sup> On which she yielded to his making an Attempt to take it away; charging him that if he could perceiveth that there was life in it he would not proceed on any Account. And then the Doctor opening his portmantua took an Instrument<sup>23</sup> out of it and Laid it on the Bed, and she asking him what it was for, he replied that it was to make way; and that then he tryed to remove the Child for Some time in vain putting her to the Utmost Distress, and that at Last she observed he trembled and immediately perceived a Strange alteration in her body and thought a bone of the Child was broken; on which she desired him (as she said) to Call in some body, for that she feared she was a dying, and instantly swooned away.<sup>24</sup>

With Sarah's faint, Abigail's account broke off, but within minutes others, who would testify later, stepped into the room. Hallowell reacted to Sarah's swoon by unfastening the door and calling in Hannah, the young mistress of the house, and Zerviah, who had followed her sister there. Cold water and "a bottle of drops" were brought to keep Sarah from fainting again, while Hallowell explained to the "much Surprized" women that "he had been making an Attempt" to deliver Sarah. Despite their protests, he then "used a further force upon her" but did not succeed in "Tak[ing] the Child . . . away."<sup>25</sup> Some days later Hallowell told a Pomfret man that in this effort "to distroy hir conception" he had "either knipt or Squeisd the head of the Conception."<sup>26</sup> At the time of the attempt, Hallowell explained to the women that he "had done so much to her, as would Cause the Birth of the Child in a Little time." Just before sunset, he packed up his portmanteau and went to a nearby tavern, where Amasa was waiting "to hear [the outcome of] the event."<sup>27</sup> Meanwhile, Sarah, weak-kneed and in pain, leaned on the arm of her sister as the young women managed to make their way home in the twilight.

After his attempted "force," Hallowell fades from the scene, while

<sup>22</sup> Twentieth-century obstetrical studies show an average of 6 weeks between fetal death and spontaneous abortion; J. Robert Willson and Elsie Reid Carrington, eds., *Obstetrics and Gynecology*, 8th ed. (St. Louis, Mo., 1987), 212. Hallowell evidently grasped the link between the 2 events but felt he could not wait 6 weeks, either out of concern for Sarah's health or for fear their plot would be discovered.

<sup>23</sup> A 1746 indictment offered the only other point at which the "instrument" was mentioned in the documents. It claimed that Hallowell "with his own hands as [well as] with a certain Instrument of Iron [did] violently Lacerate and . . . wound the body of Sarah"; Indictment against John Hallowell, endorsed "Ignoramus," Sept. 4, 1746.

<sup>24</sup> Deposition of Abigail Nightingale.

<sup>25</sup> Joint Testimony of Hannah and Zerviah Grosvenor in Multiple Deposition of Hannah Grosvenor et al.; Deposition of Hannah Grosvenor; Deposition of Zerviah Grosvenor.

<sup>26</sup> Deposition of Ebenezer Grosvenor.

<sup>27</sup> Deposition of John Grosvenor; Deposition of Hannah Grosvenor; Deposition of Ebenezer Grosvenor.

Zerviah and Hannah Grosvenor become the key figures. About two days after enduring the operation, Sarah began to experience contractions. Zerviah ran to get Hannah, telling her “she Tho’t . . . Sarah would be quickly delivered.” They returned to find Sarah, who was alone “in her Father’s Chamber,” just delivered and rising from the chamber pot. In the pot was “an Untimely birth”—a “Child [that] did not Appear to have any Life In it.” To Hannah, it “Seemed by The Scent . . . That it had been hurt and was decaying,” while Zerviah later remembered it as “a perfect Child,” even “a pritty child.”<sup>28</sup> Determined to keep the event “as private as they Could,” the two women helped Sarah back to bed, and then “wr[ap]ed . . . up” the fetus, carried it to the woods on the edge of the farmstead, and there “Buried it in the Bushes.”<sup>29</sup>

On learning that Sarah had finally miscarried and that the event had evidently been kept hidden from Sarah’s parents, Amasa and Hollowell may have congratulated themselves on the success of their operation. However, about ten days after the miscarriage, Sarah grew feverish and weak. Her parents consulted two college-educated physicians who hailed from outside the Pomfret area. Their visits did little good, nor were Sarah’s symptoms—fever, delirium, convulsions—relieved by a visit from Hollowell, whom Amasa “fetcht” to Sarah’s bedside.<sup>30</sup> In the end, Hollowell, who had decided to move from nearby Killingly to more distant Providence, washed his hands of the case. A few days before Sarah died, her cousin John “went after” Hollowell, whether to bring him back or to express his rage, we do not know. Hollowell predicted “that She woul[d] not live.”<sup>31</sup>

Silence seems to have settled on the Grosvenor house and its neighborhood after Sarah’s death on September 14. It was two and a half years later that rumors about a murderous abortion spread through and beyond Pomfret village, prompting legal investigation. The silence, the gap between event and prosecution, the passivity of Sarah’s parents—all lend mystery to the narrative. But despite its ellipses, the Grosvenor case

<sup>28</sup> Testimony of Hannah Grosvenor, Alexander Sessions, and Rebecca Sharp in Multiple Deposition of Hannah Grosvenor et al. In a second statement Hannah said that “the head Seemed to be brused”; Deposition of Hannah Grosvenor.

<sup>29</sup> Testimony of Rebecca Sharp, Hannah Grosvenor, and Alexander Sessions in Multiple Deposition of Hannah Grosvenor et al.; Testimony of Silence Sessions in Multiple Deposition of Sarah and Silence Sessions.

<sup>30</sup> Joint Testimony of Hannah and Zerviah Grosvenor in Multiple Deposition of Hannah Grosvenor et al.; Deposition of Parker Morse of Woodstock, Apr. 1746. Although Pomfret had had its own resident physician (Dr. Thomas Mather) since 1738, Sarah’s family called in young Dr. Morse of Woodstock, who visited twice (he later admitted he was not much help), and a Dr. Coker of Providence (who I assume was Theodore Coker). On Mather see Ellen D. Larned, *History of Windham County, Connecticut* (Worcester, Mass., 1874), I, 354. On Morse: Shipton, *Biographical Sketches*, IX, 424. On Coker: *ibid.*, VIII, 19, and Eric H. Christianson, “The Medical Practitioners of Massachusetts, 1630–1800: Patterns of Change and Continuity,” in *Medicine in Colonial Massachusetts, 1620–1820*, Publications of the Colonial Society of Massachusetts, LVII (Boston, 1980), 123.

<sup>31</sup> Deposition of John Grosvenor.

provides us with an unusual set of details about one young couple's extreme response to the common problem of failed courtship and illegitimacy. To gain insight into both the mysteries and the extremities of the Grosvenor-Sessions case, we need to look more closely at Pomfret, at the two families centrally involved, and at clues to the motivations of the principal participants. Our abortion tale, it turns out, holds beneath its surface a complex trail of evidence about generational conflict and troubled relations between men and women.

### THE POMFRET PLAYERS

In 1742 the town of Pomfret had been settled for just over forty years. Within its central neighborhood and in homesteads scattered over rugged, wooded hillsides lived probably no more than 270 men, women, and children.<sup>32</sup> During the founding decades, the fathers of Sarah and Amasa ranked among the ten leading householders; Leicester Grosvenor and Nathaniel Sessions were chosen often to fill important local offices.

Grosvenor, the older of the two by seven years, had inherited standing and a choice farmstead from his father, one of the original six purchasers of the Pomfret territory.<sup>33</sup> When the town was incorporated in 1714, he was elected a militia officer and one of the first selectmen. He was returned to the latter post nineteen times and eventually rose to the highest elective position—that of captain—in the local trainband. Concurrently, he was appointed many times throughout the 1710s and 1720s ad hoc town committees, often alongside Nathaniel Sessions. But unlike Sessions, Grosvenor went on to serve at the colony level. Pomfret freemen chose him to represent them at ten General Assembly sessions between 1726 and 1744. Finally, in the 1730s, when he was in his late fifties, the legislature appointed him a justice of the peace for Windham County. Thus, until his retirement in 1748 at age seventy-four, his house would have served as the venue for petty trials, hearings, and recordings

<sup>32</sup> I am using a list of 40 heads of household in the Mashamoquet neighborhood of Pomfret in 1731, presuming 5 persons to a household, and assuming a 2.5% annual population growth. See Larned, *History of Windham County*, I, 342, and Bruce C. Daniels, *The Connecticut Town: Growth and Development, 1635–1790* (Middletown, Conn., 1979), 44–51. Pomfret village had no central green or cluster of shops and small house lots around its meetinghouse. No maps survive for early Pomfret apart from a 1719 survey of proprietors' tracts. See Larned, *History of Windham County* (1976 ed.), I, foldout at 185.

<sup>33</sup> Leicester's father, John Grosvenor, a tanner, had emigrated from England about 1670 and settled in Roxbury, Mass., whence the first proprietors of Pomfret hailed. John died in 1691 before he could resettle on his Connecticut tract, but his widow, Esther, moved her family to their initial allotment of 502 acres in Pomfret in 1701. There she lived until her death at 87 in 1738, known in the community as a woman of energy and "vigorous habits," "skillful in tending the sick," and habitual in "walking every Sunday to the distant meeting-house." See Daniel Kent, *The English Home and Ancestry of John Grosvenor of Roxbury, Mass.* (Boston, 1918), 10–13, and Larned, *History of Windham County*, I, 353–355.

of documents. After retiring from public office, Grosvenor lived another eleven years, leaving behind in 1759 an estate worth over £600.<sup>34</sup>

Nathaniel Sessions managed a sizable farm and ran one of Pomfret's taverns at the family homestead. Town meetings were sometimes held there. Sessions was chosen constable in 1714 and rose from ensign to lieutenant in the militia—always a step behind Leicester Grosvenor. He could take pride in one exceptional distinction redounding to the family honor: in 1737 his son Darius became only the second Pomfret resident to graduate from Yale College, and before Sessions died at ninety-one he saw Darius elected assistant and then deputy governor of Rhode Island.<sup>35</sup>

The records are silent as to whether Sessions and his family resented the Grosvenors, who must have been perceived in town as more prominent, or whether the two families—who sat in adjoining private pews in the meetinghouse—enjoyed a close relationship that went sour for some reason *before* the affair between Sarah and Amasa. Instead, the signs (such as the cooperative public work of the two fathers, the visits back and forth between the Grosvenor and Sessions girls) point to a long-standing friendship and dense web of interchanges between the families. Indeed, courtship and marriage between a Sessions son and a Grosvenor daughter would hardly have been surprising.

What went wrong in the affair between Sarah and Amasa is not clear. Sarah's sisters and cousins knew that "Amasy" "made Sute to" Sarah, and they gave no indication of disapproving. The few who guessed at Sarah's condition in the summer of 1742 were not so much surprised that she was pregnant as that the couple "did not marry."<sup>36</sup> It was evidently routine in this New England village, as in others, for courting couples to post banns for their nuptials soon after the woman discovered that she was pregnant.

Amasa offered different answers among his Pomfret peers to explain his failure to marry his lover. When Zerviah Grosvenor told Amasa that he and Sarah "had better Marry," he responded, "That would not do," for "he was afraid of his Parents . . . [who would] always make their lives [at home] uncomfortable."<sup>37</sup> Later, Abigail Nightingale heard rumors that Amasa was resorting to the standard excuse of men wishing to avoid a shotgun

<sup>34</sup> Kent, *The English Home of John Grosvenor*, 10–13; Larned, *History of Windham County*, I, 200–202, 204, 208–209, 269, 354, 343–344; Charles J. Hoadly and J. Hammond Trumbull, eds., *The Public Records of the Colony of Connecticut, 1636–1776*, 15 vols. (Hartford, Conn., 1850–1890), V–IX; Inventory of Leicester Grosvenor, Oct. 29, 1759, Pomfret District Probate Court Records, II, 260.

<sup>35</sup> Larned, *History of Windham County*, I, 201, 204, 206, 208–209, 344; Ellen D. Larned, *Historic Gleanings in Windham County, Connecticut* (Providence, R. I., 1899), 141, 148–149; Francis G. Sessions, comp., *Materials for a History of the Sessions Family in America; The Descendants of Alexander Sessions of Andover, Mass., 1669* (Albany, N. Y., 1890), 34–35, hereafter cited as Sessions, *Sessions Family*. Nathaniel's inheritance from his father Alexander of Andover (d. 1687) was a mere £2.14.5.

<sup>36</sup> Deposition of Hannah Grosvenor; Deposition of Ebenezer Grosvenor; Deposition of Anna Wheeler, Nov. 5, 1745; Deposition of Zerviah Grosvenor; Testimony of Zerviah Grosvenor.

<sup>37</sup> Deposition of Zerviah Grosvenor; Testimony of Zerviah Grosvenor.

marriage—denying that the child was his.<sup>38</sup> Hallowell, with whom Amasa may have been honest, claimed “the Reason that they did not marry” was “that Sessions Did not Love her well a nough for [he] saith he did not believe it was his son and if he Could Cause her to gitt Red of it he would not Go near her again.”<sup>39</sup> Showing yet another face to a Grosvenor kinsman after Sarah’s death, Amasa repented his actions and extravagantly claimed he would “give All he had” to “bring Sarah . . . To life again . . . and have her as his wife.”<sup>40</sup>

The unusual feature of Amasa’s behavior was not his unwillingness to marry Sarah, but his determination to terminate her pregnancy before it showed. Increasing numbers of young men in eighteenth-century New England weathered the temporary obloquy of abandoning a pregnant lover in order to prolong their bachelorhood or marry someone else.<sup>41</sup> What drove Amasa, and an ostensibly reluctant Sarah, to resort to abortion? Was it fear of their fathers? Nathaniel Sessions had chosen Amasa as the son who would remain on the family farm and care for his parents in their old age. An ill-timed marriage could have disrupted these plans and threatened Amasa’s inheritance.<sup>42</sup> For his part, Leicester Grosvenor may have made it clear to his daughter that he would be greatly displeased at her marrying before she reached a certain age or until her older sister wed. Rigid piety, an authoritarian nature, an intense concern with being seen as a good household governor—any of these traits in Leicester Grosvenor or Nathaniel Sessions could have colored Amasa’s decisions.

Perhaps it was not family relations that proved the catalyst but Amasa’s acquaintance with a medical man who boasted about a powder more effective than the herbal remedies that were part of women’s lore. Hallowell himself had fathered an illegitimate child fifteen years earlier, and he may have encouraged a rakish attitude in Amasa, beguiling the

<sup>38</sup> Deposition of Abigail Nightingale. Contradicting Amasa’s attempt to disavow paternity were both his investment in Hallowell’s efforts to get rid of the fetus and his own ready admission of paternity privately to Zerviah and Sarah.

<sup>39</sup> Deposition of Ebenezer Grosvenor. Hallowell revealed this opinion in an Aug. 1742 conversation with Sarah’s 28-year-old cousin Ebenezer at Ebenezer’s house in Pomfret. In a study of 17th-century Massachusetts court records Roger Thompson finds evidence that when pregnancy failed to pressure a couple into marriage, it was often because love “had cooled”; Thompson, *Sex in Middlesex*, 69.

<sup>40</sup> Testimony of John Shaw in Multiple Deposition of Hannah Grosvenor et al.

<sup>41</sup> For one such case involving two propertied families see Kathryn Kish Sklar, “Culture Versus Economics: A Case of Fornication in Northampton in the 1740’s,” *The University of Michigan Papers in Women’s Studies* (1978), 35–56. For the incidence of illegitimacy and premarital sex in families of respectable yeomen and town leaders see Dayton, “Women Before the Bar,” 151–186, and Ulrich, *A Midwife’s Tale*, 156.

<sup>42</sup> Two years later, in Feb. 1744 (9 months before Amasa married), the senior Sessions deeded to his son the north part of his own farm for a payment of £310. Amasa, in exchange for caring for his parents in their old age, came into the whole farm when his father died in 1771. Pomfret Land Records, III, 120; Estate Papers of Nathaniel Sessions, 1771, Pomfret Probate District. On the delay between marriage and “going to housekeeping” see Ulrich, *A Midwife’s Tale*, 138–144.

younger man with the promise of dissociating sex from its possible consequences. Or the explanation may have been that classic one: another woman. Two years after Sarah's death, Amasa married Hannah Miller of Rehoboth, Massachusetts. Perhaps in early 1742 he was already making trips to the town just east of Providence to see his future wife.<sup>43</sup>

What should we make of Sarah's role in the scheme? It is possible that she no longer loved Amasa and was as eager as he to forestall external pressures toward a quick marriage. However, Zerviah swore that on one occasion before the operation Amasa reluctantly agreed to post banns for their nuptials and that Sarah did not object.<sup>44</sup> If Sarah was a willing and active participant in the abortion plot all along, then by 1745 her female kin and friends had fabricated and rehearsed a careful and seamless story to preserve the memory of the dead girl untarnished.

In the portrait drawn by her friends, Sarah reacted to her pregnancy and to Amasa's plan first by arguing and finally by doing her utmost to protect her lover. She may have wished to marry Amasa, yet she did not insist on it or bring in older family members to negotiate with him and his parents. Abigail Nightingale insisted that Sarah accepted Amasa's recalcitrance and only pleaded with him that they not "go on to add sin to sin." Privately, she urged Amasa that there was an alternative to taking the trade—a way that would enable him to keep his role hidden and prevent the couple from committing a "Last transgression [that] would be worse then the first." Sarah told him that "she was willing to take the sin and shame to her self, and to be obliged never to tell whose Child it was, and that she did not doubt but that if she humbled her self on her Knees to her Father he would take her and her Child home." Her lover, afraid that his identity would become known, vetoed her proposal.<sup>45</sup>

According to the Pomfret women's reconstruction, abortion was not a freely chosen and defiant act for Sarah. Against her own desires, she reluctantly consented in taking the trade only because Amasa "So very earnestly perswaded her." In fact, she had claimed to her friends that she was coerced; he "would take no denial."<sup>46</sup> Sarah's confidantes presented her as being aware of her options, shrinking from abortion as an unnatural and immoral deed, and yet finally choosing the strategy consistent with her

<sup>43</sup> Sessions, *Sessions Family*, 60; Pomfret Vit. Rec., I, 29.

<sup>44</sup> The banns never appeared on the meetinghouse door. Sarah may have believed in this overdue betrothal. She assured her anxious sister Anna that "they designed to mary as soone as thay Could and that Sessions was as much Concerned as she." Deposition of Zerviah Grosvenor; Testimony of Zerviah Grosvenor; Deposition of Anna Wheeler.

<sup>45</sup> Deposition of Abigail Nightingale. I have argued elsewhere that this is what most young New England women in the 18th century did when faced with illegitimacy. Their parents did not throw them out of the house but instead paid the cost of the mother and child's upkeep until she managed to marry. Dayton, "Women Before the Bar," 163–180.

<sup>46</sup> Deposition of John Grosvenor; Deposition of Abigail Nightingale. Amasa Sessions, "in his prime," was described as "a very strong man," so it is possible that his physical presence played a role in intimidating Sarah. See Sessions, *Sessions Family*, 31.

lover's vision of what would best protect their futures. Thus, if Amasa's hubris was extreme, so too was Sarah's internalization of those strains of thought in her culture that taught women to make themselves pleasing and obedient to men.

While we cannot be sure that the deponents' picture of Sarah's initial recoil and reluctant submission to the abortion plot was entirely accurate, it is clear that once she was caught up in the plan she extracted a pledge of silence from all her confidantes. Near her death, before telling Abigail about the operation, she "insist[ed] on . . . [her friend's] never discovering the Matter" to anyone.<sup>47</sup> Clearly, she had earlier bound Zerviah and Hannah on their honor not to tell their elders. Reluctant when faced with the abortionist's powder, Sarah became a leading co-conspirator when alone with her female friends.

One of the most remarkable aspects of the Grosvenor-Sessions case is Sarah and Amasa's success in keeping their parents in the dark, at least until her final illness. If by July Sarah's sisters grew suspicious that Sarah was "with child," what explains the failure of her parents to observe her pregnancy and to intervene and uncover the abortion scheme? Were they negligent, preoccupied with other matters, or willfully blind?<sup>48</sup> Most mysterious is the role of forty-eight-year-old Rebecca Grosvenor, Grosvenor's second wife and Sarah's stepmother since 1729. Rebecca is mentioned only once in the depositions,<sup>49</sup> and she was not summoned as a witness in the 1745–1747 investigations into Sarah's death. Even if some extraordinary circumstance—an invalid condition or an implacable hatred between Sarah and her stepmother—explains Rebecca's abdication of her role as guardian, Sarah had two widowed aunts living in or near her household. These matrons, experienced in childbirth matters and concerned for the family reputation, were just the sort of older women who traditionally watched and advised young women entering courtship.<sup>50</sup>

In terms of who knew what, the events of summer 1742 in Pomfret apparently unfolded in two stages. The first stretched from Sarah's discovery of her pregnancy by early May to some point in late August after her miscarriage. In this period a determined, collective effort by Sarah and Amasa and their friends kept their elders in the dark.<sup>51</sup> When Sarah fell

<sup>47</sup> Deposition of Abigail Nightingale.

<sup>48</sup> Like his wife, Leicester was not summoned to testify in any of the proceedings against Hallowell and Sessions.

<sup>49</sup> Zerviah testified that, a day or two after Sarah fell sick for the first time in July, the family heard "that Doctor Hallowell was at one of our Neighbors [and] my Mother desired me to go and Call him." Deposition of Zerviah Grosvenor.

Sarah's mother had died in May 1724, when Sarah was 11 months old. Perhaps Sarah and Zerviah had a closer relationship with their grandmother Esther (see n. 33 above) than with their stepmother. Esther lived in their household until her death in 1738, when Zerviah was 17 and Sarah 15.

<sup>50</sup> Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650–1750* (New York, 1982), chap. 5, esp. 98.

<sup>51</sup> In Larned's account, the oral legend insisted that Hallowell's "transaction" (meaning the abortion attempt) and the miscarriage were "utterly unsuspected by



seriously ill from the aftereffects of the abortion attempt and miscarriage, rumors of the young people's secret activities reached Leicester Grosvenor's neighbors and even one of the doctors he had called in.<sup>52</sup> It is difficult to escape the conclusion that by Sarah's death in mid-September her father and stepmother had learned of the steps that had precipitated her mortal condition and kept silent for reasons of their own.

Except for Hallowell, the circle of intimates entrusted by Amasa and Sarah with their scheme consisted of young adults ranging in age from nineteen to thirty-three.<sup>53</sup> Born between about 1710 and 1725, these young people had grown up just as the town attracted enough settlers to support a church, militia, and local market. They were second-generation Pomfret residents who shared the generational identity that came with sitting side by side through long worship services, attending school, playing, and working together at children's tasks. By 1740, these sisters, brothers, cousins, courting couples, and neighbors, in their visits from house to house—sometimes in their own households, sometimes at their parents'—had managed to create a world of talk and socializing that was largely exempt from parental supervision.<sup>54</sup> In Pomfret in 1742 it was this group of young people in their twenties and early thirties, *not* the cluster of Grosvenor matrons over forty-five, who monitored Sarah's courtship, attempted to get Amasa to marry his lover, privately investigated the activities and motives of Amasa and Hallowell, and, belatedly, spoke out publicly to help Connecticut juries decide who should be blamed for Sarah's death.

That Leicester Grosvenor made no public move to punish those around him and that he avoided giving testimony when legal proceedings com-

any . . . member of the household" other than Zerviah. *History of Windham County*, I, 363.

<sup>52</sup> Deposition of Parker Morse.

<sup>53</sup> Within days of Sarah's miscarriage, the initial conspirators disclosed their actions to others: Hallowell talked to 2 of Sarah's older male cousins, John (age 31) and Ebenezer (age 28), while Zerviah confessed to Amasa's brother Alexander (age 28) and his wife Silence. Anna Wheeler (age 33), Sarah's older sister, knew of Sarah's pregnancy before the abortion operation and thus must have guessed or secured information about the miscarriage. As we have seen, Sarah would soon confess privately to Abigail Nightingale, recently married and in her 20s. Others in the peer group may also have known. Court papers list 7 witnesses summoned to the trials for whom no written testimony survives. At least 4 of those witnesses were in their 20s or early 30s.

<sup>54</sup> The famous "bad books" incident that disrupted Jonathan Edwards's career in 1744 involved a similar group of unsupervised young adults ages 21 to 29. See Patricia J. Tracy, *Jonathan Edwards, Pastor: Religion and Society in Eighteenth-Century Northampton* (New York, 1980), 160–164. The best general investigation of youth culture in early New England is Thompson's *Sex in Middlesex*, 71–96. Thompson discusses the general ineffectiveness of parental supervision of courtship (pp. 52–53, 58–59, 69–70). Ellen Rothman concludes that in New England in the mid- to late 18th century "parents made little or no effort to oversee their children's courting behavior"; Rothman, *Hands and Hearts: A History of Courtship in America* (New York, 1984), 25.

menced are intriguing clues to social changes underway in New England villages in the mid-eighteenth century. Local leaders like Grosvenor, along with the respectable yeomen whom he represented in public office, were increasingly withdrawing delicate family problems from the purview of their communities. Slander, illegitimacy, and feuds among neighbors came infrequently to local courts by mid-century, indicating male householders' growing preference for handling such matters privately.<sup>55</sup> Wealthy and ambitious families adopted this ethic of privacy at the same time that they became caught up in elaborating their material worlds by adding rooms and acquiring luxury goods. The "good feather bed" with all of its furniture that Grosvenor bequeathed to his one unmarried daughter was but one of many marks of status by which the Grosvenors differentiated themselves from their Pomfret neighbors.<sup>56</sup> But all the fine accoutrements in the world would not excuse Justice Grosvenor from his obligation to govern his household effectively. Mortified no doubt at his inability to monitor the young people in his extended family, he responded, ironically, by extending their conspiracy of silence. The best way for him to shield the family name from scandal and protect his political reputation in the county and colony was to keep the story of Sarah's abortion out of the courts.

### THE DOCTOR

John Hallowell's status as an outsider in Pomfret and his dangerous, secret alliance with the town's young adults may have shaped his destiny as the one conspirator sentenced to suffer at the whipping post. Although the physician had been involved in shady dealings before 1742, he had managed to win the trust of many patients and a respectable social standing. Tracking down his history in northeastern Connecticut tells us something of the uncertainty surrounding personal and professional identity before the advent of police records and medical licensing boards. It also gives us an all-too-rare glimpse into the fashion in which an eighteenth-century country doctor tried to make his way in the world.

Hallowell's earliest brushes with the law came in the 1720s. In 1725 he purchased land in Killingly, a Connecticut town just north of Pomfret and bordering both Massachusetts and Rhode Island. Newly married, he was

<sup>55</sup> Helena M. Wall, *Fierce Communion: Family and Community in Early America* (Cambridge, Mass., 1990); Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, N. C., 1987).

<sup>56</sup> Leicester Grosvenor's Will, Jan. 23, 1754, Pomfret Dist. Prob. Ct. Rec., I, 146. For recent studies linking consumption patterns and class stratification see Richard L. Bushman, "American High-Style and Vernacular Cultures," in Jack P. Greene and J. R. Pole, eds., *Colonial British America: Essays in the New History of the Early Modern Era* (Baltimore, 1984), 345–383; T. H. Breen, "'Baubles of Britain': The American and Consumer Revolutions of the Eighteenth Century," *Past and Present*, 119 (May 1988), 73–104; and Kevin M. Sweeney, "Furniture and the Domestic Environment in Wethersfield, Connecticut, 1639–1800," in Robert Blair St. George, ed., *Material Life in America, 1600–1860* (Boston, 1988), 261–290.

probably in his twenties at the time. Seven months before his wife gave birth to their first child, a sixteen-year-old Killingly woman charged Hallowell with fathering her illegitimate child. Using the alias Nicholas Hallaway, he fled to southeastern Connecticut, where he lived as a "transient" for three months. He was arrested and settled the case by admitting to paternity and agreeing to contribute to the child's maintenance for four years.<sup>57</sup>

Hallowell resumed his life in Killingly. Two years later, now referred to as "Dr.," he was arrested again; this time the charge was counterfeiting. Hallowell and several confederates were hauled before the governor and council for questioning and then put on trial before the Superior Court. Although many Killingly witnesses testified to the team's suspect activities in a woodland shelter, the charges against Hallowell were dropped when a key informer failed to appear in court.<sup>58</sup>

Hallowell thus escaped conviction on a serious felony charge, but he had been tainted by stories linking him to the criminal subculture of transient, disorderly, greedy, and manually skilled men who typically made up gangs of counterfeiters in eighteenth-century New England.<sup>59</sup> After 1727 Hallowell may have given up dabbling in money-making schemes and turned to earning his livelihood chiefly from his medical practice. Like two-thirds of the male medical practitioners in colonial New England, he probably did not have college or apprentice training, but his

<sup>57</sup> Killingly Land Records, II, 139; *Rex v. John Hallowell and Mehitable Morris*, Dec. 1726, Windham County Court Records, Book I, 43, and Windham County Court Files, box 363. Hallowell paid the £28 he owed Mehitable, but there is no evidence that he took any other role in bringing up his illegitimate namesake. Just before his death, Samuel Morris, the maternal grandfather of John Hallowell, Jr., out of "parentiall Love and Effections," deeded the young man a 300-acre farm "for his advancement and Settlement in the World"; Killingly Land Rec., IV, 261.

<sup>58</sup> Hallowell was clearly the mastermind of the scheme, and there is little doubt that he lied to the authorities when questioned. According to one witness, Hallowell had exclaimed that "If he knew who" had informed anonymously against him, "he would be the death of him tho he ware hanged for it the next minit"; Letter of Joseph Leavens, Sept. 1727, Windham Sup. Ct. Files, box 170. The case is found in *ibid.*; Sup. Ct. Rec., bk. 5, 297–298; and *Public Records Conn. Colony*, VII, 118. One associate Hallowell recruited was Ephraim Shevie, who had been banished from Connecticut for counterfeiting four years earlier. See Kenneth Scott, *Counterfeiting in Colonial America* (New York, 1957), 41–45.

<sup>59</sup> The authority on counterfeiting in the colonies is Kenneth Scott. His 1957 general book on the subject emphasizes several themes: the gangs at the heart of all counterfeiting schemes, the ease with which counterfeiters moved from colony to colony (especially between Connecticut and Rhode Island), "the widespread co-operation between" gangs, "the readiness of [men of all ranks] . . . to enter such schemes," the frequent use of aliases, the irresistible nature of the activity once entered into, and "the extreme difficulty of securing the conviction of a counterfeiter"; *Counterfeiting in Colonial America*, esp. 123, 35, 10, 36. See also Scott's more focused studies, *Counterfeiting in Colonial Connecticut* (New York, 1957), and *Counterfeiting in Colonial Rhode Island* (Providence, R. I., 1960).

For an illuminating social profile of thieves and burglars who often operated in small gangs see Daniel A. Cohen, "A Fellowship of Thieves: Property Criminals in Eighteenth-Century Massachusetts," *Journal of Social History*, XXII (1988), 65–92.

skill, or charm, was not therefore necessarily less than that of any one of his peers who might have inherited a library of books and a fund of knowledge from a physician father. All colonial practitioners, as Richard D. Brown reminds us, mixed learned practices with home or folk remedies, and no doctor had access to safe, reliable pharmacological preparations or antiseptic surgical procedures.<sup>60</sup>

In the years immediately following the counterfeiting charge, Hallowell appears to have made several deliberate moves to portray himself as a sober neighbor and reliable physician. At about the time of his second marriage, in 1729, he became a more frequent attendant at the Killingly meetinghouse, where he renewed his covenant and presented his first two children for baptism.<sup>61</sup> He also threw himself into the land and credit markets of northeastern Connecticut, establishing himself as a physician who was also an enterprising yeoman and a frequent litigant.<sup>62</sup>

These activities had dual implications. On the one hand, they suggest that Hallowell epitomized the eighteenth-century Yankee citizen—a man as comfortable in the courtroom and countinghouse as at a patient's bedside; a man of restless energy, not content to limit his scope to his fields and village; a practical, ambitious man with a shrewd eye for a good deal.<sup>63</sup> On the other hand, Hallowell's losses to Boston creditors, his constant efforts to collect debts, and his farflung practice raise questions about the nature of his activities and medical practice. He evidently had clients not just in towns across northeastern Connecticut but also in neighboring Massachusetts and Rhode Island. Perhaps rural practitioners normally traveled extensively, spending many nights away from their

<sup>60</sup> Richard D. Brown, "The Healing Arts in Colonial and Revolutionary Massachusetts: The Context for Scientific Medicine," in Col. Soc. Mass., *Medicine in Colonial Massachusetts*, esp. 40–42. For detailed analysis of the backgrounds and training of one large sample of New England practitioners see Christianson, "Medical Practitioners of Massachusetts," in *ibid.*, 49–67, and Eric H. Christianson, "Medicine in New England," in Ronald L. Numbers, ed., *Medicine in the New World: New Spain, New France, and New England* (Knoxville, Tenn., 1987), 101–153. That the majority of colonial physicians made "free use of the title 'doctor'" (*ibid.*, 118) and simply "taught themselves medicine and set up as doctors" is reiterated in Whitfield J. Bell, Jr., "A Portrait of the Colonial Physician," *Bulletin of the History of Medicine*, XLIV (1970), 503–504.

<sup>61</sup> Hallowell's sons, baptized between 1730 and 1740, were named Theophilus, Bazaleel, Calvin, and Luther. Killingly Vital Records, I, 3, 24; Putnam First Congregational Church Records, I, 5–7, 14–15. Hallowell may have been one of the "'horse-shed' Christians" whom David D. Hall describes as concerned to have their children baptized but more interested in the men's talk outside the meetinghouse than in the minister's exposition of the Word. Hall, *Worlds of Wonder, Days of Judgment: Popular Religious Belief in Early New England* (New York, 1989), 15–16.

<sup>62</sup> Between 1725 and 1742, Hallowell was a party to 20 land sales and purchases in Killingly; he also assumed 2 mortgages. During the same period he was involved in county court litigation an average of 3 times a year, more often as plaintiff than defendant, for a total of 46 suits.

<sup>63</sup> For example, in early 1735 Hallowell made a £170 profit from the sale of a 60-acre tract with mill and mansion house that he had purchased 2 months earlier. Killingly Land Rec., IV, 26, 36.

wives and children.<sup>64</sup> It is also possible, however, either that Hallowell was forced to travel because established doctors from leading families had monopolized the local practice or that he chose to recruit patients in Providence and other towns as a cover for illicit activities.<sup>65</sup> Despite his land speculations and his frequent resort to litigation, Hallowell was losing money. In the sixteen years before 1742, his creditors secured judgments against him for a total of £1,060, while he was able to collect only £700 in debts.<sup>66</sup> The disjunction between his ambition and actual material gains may have led Hallowell in middle age to renew his illicit money-making schemes. By supplying young men with potent abortifacients and dabbling in schemes to counterfeit New England's paper money, he betrayed the very gentlemen whose respect, credit, and society he sought.

What is most intriguing about Hallowell was his ability to ingratiate himself throughout his life with elite men whose reputations were unblemished by scandal. Despite the rumors that must have circulated about his early sexual dalliance, counterfeiting activities, suspect medical remedies, heavy debts, and shady business transactions,<sup>67</sup> leading ministers, merchants, and magistrates welcomed him into their houses. In Pomfret such acceptance took its most dramatic form in September 1739 when Hallowell was admitted along with thirty-five other original covenanters to the first private library association in eastern Connecticut. Gathering in the house of Pomfret's respected, conservative minister, Ebenezer Williams, the members pledged sums for the purchase of "useful and profitable English books." In the company of the region's scholars, clergy, and "gentlemen," along with a few yeomen—all "warm friends of learning and literature"—Hallowell marked himself off from the more

<sup>64</sup> Evidence of Hallowell's widespread clientele comes from his 1727–1746 suits for debt, from his traveling patterns as revealed in the depositions of the abortion case, and from a petition written in 1747 on his behalf by 14 male citizens of Providence. They claimed that "Numbers" in Rhode Island "as well as in the Neighbouring Colonies" had "happily experienc'd" Hallowell's medical care. Petition of Resolved Waterman et al., Oct. 1747, Connecticut Archives, Crimes and Misdemeanors, Series 1, IV, 109.

<sup>65</sup> For a related hypothesis about the mobility of self-taught doctors in contrast to physicians from established medical families see Christianson, "Medical Practitioners of Massachusetts," in Col. Soc. Mass., *Medicine in Colonial Massachusetts*, 61.

In autumn 1745 Hallowell was in jail in Providence, for what reason (debt or crime) I have yet to discover. Counterfeiters, including a Killingly woman, were apprehended in Rhode Island in that year. See Scott, *Counterfeiting in Colonial Rhode Island*, 26–27, and Scott, *Counterfeiting in Colonial America*, chap. 6.

<sup>66</sup> These figures apply to suits in the Windham County Court record books, 1727–1742. Hallowell may, of course, have prosecuted debtors in other jurisdictions.

<sup>67</sup> In Dec. 1749, Samuel Hunt, "Gentleman" of Worcester County, revoked the power of attorney he had extended to Hallowell for a Killingly land sale. Hunt claimed that the physician had "behaved greatly to my hindrance [and] Contrary to the trust and Confidence I Reposed in him." Killingly Land Rec., V, 151.

modest subscribers by joining with thirteen prominent and wealthy signers to pledge a sum exceeding £15.<sup>68</sup>

Lacking college degree and family pedigree, Hallowell traded on his profession and his charm to gain acceptability with the elite. In August 1742 he shrewdly removed himself from the Pomfret scene, just before Sarah Grosvenor's death. In that month he moved, possibly without his wife and children, to Providence, where he had many connections. Within five years, Hallowell had so insinuated himself with town leaders such as Stephen Hopkins that fourteen of them petitioned for mitigation of what they saw as the misguided sentence imposed on him in the Grosvenor case.<sup>69</sup>

Hallowell's capacity for landing on his feet, despite persistent brushes with scandal, debt, and the law, suggests that we should look at the fluidity of New England's eighteenth-century elite in new ways.<sup>70</sup> What bound sons of old New England families, learned men, and upwardly mobile merchants and professionals in an expanded elite may partly have been a reshaped, largely unspoken set of values shared by men. We know that the archetype for white New England women as sexual beings was changing from carnal Eve to resisting Pamela and that the calculus of accountability for seduction was shifting blame solely to women.<sup>71</sup> But the simultaneous metamorphosis in cultural images and values defining manhood in the early and mid-eighteenth century has not been studied. The scattered evidence we do have suggests that, increasingly, for men in the more secular and anglicized culture of New England, the lines between legitimate and illegitimate sexuality, between sanctioned and shady business dealings, and between speaking the truth and protecting family honor blurred. Hallowell's acceptability to men like minister Ebenezer Williams and merchant Stephen Hopkins hints at how changing sexual and moral standards shaped the economic and social alliances made by New England's male leadership in the 1700s.<sup>72</sup>

<sup>68</sup> Larned, *History of Windham County*, I, 356–359.

<sup>69</sup> The petition's signers included Hopkins, merchant, assembly speaker, and Superior Court justice, soon to become governor; Daniel Jencks, judge, assembly delegate, and prominent Baptist; Obadiah Brown, merchant and shopkeeper; and George Taylor, justice of the peace, town schoolmaster, and Anglican warden. Some of the signers stated that they had made a special trip to Windham to be "Earwitnesses" at Hallowell's trial. The petition is cited in n. 64 above.

<sup>70</sup> For discussions of the elite see Jackson Turner Main, *Society and Economy in Colonial Connecticut* (Princeton, N. J., 1985), esp. 317–366, and Joy B. and Robert R. Gilsdorf, "Elites and Electorates: Some Plain Truths for Historians of Colonial America," in David D. Hall, John M. Murrin, and Thad W. Tate, eds., *Saints and Revolutionaries: Essays on Early American History* (New York, 1984), 207–244.

<sup>71</sup> Ulrich, *Good Wives*, 103–105, 113–117.

<sup>72</sup> Compare the 17th-century case of Stephen Batchelor (Charles E. Clark, *The Eastern Frontier: The Settlement of Northern New England, 1610–1763* [New York, 1970], 43–44) with 18th-century Cape Cod, where ministers retained their posts despite charges of sexual misconduct (J. M. Bumsted, "A Caution to Erring Christians: Ecclesiastical Disorder on Cape Cod, 1717 to 1738," *William and Mary Quarterly*, 3d Series, XXVIII [1971], 412–438). I am grateful to John Murrin for

## WOMEN'S TALK AND MEN'S TALK

If age played a major role in determining who knew the truth about Sarah Grosvenor's illness, gender affected how the conspiring young adults responded to Sarah's impending death and how they weighed the issue of blame. Our last glimpse into the social world of eighteenth-century Pomfret looks at the different ways in which women and men reconstructed their roles in the events of 1742.

An inward gaze, a strong consciousness of sin and guilt, a desire to avoid conflict and achieve reconciliation, a need to confess—these are the impulses expressed in women's intimate talk in the weeks before Sarah died. The central female characters in the plot, Sarah and Zerviah Grosvenor, lived for six weeks with the daily fear that their parents or aunts might detect Sarah's condition or their covert comings and goings. Depositing three years later, Zerviah represented the sisters as suffering under an intensifying sense of complicity as they had passed through two stages of involvement in the concealment plan. At first, they were passive players, submitting to the hands of men. But once Hallowell declared that he had done all he could, they were left to salvage the conspiracy by enduring the terrors of a first delivery alone, knowing that their failure to call in the older women of the family resembled the decision made by women who committed infanticide.<sup>73</sup> While the pain and shock of miscarrying a five-and-one-half-month fetus through a possibly lacerated vagina may have been the experience that later most grieved Sarah, Zerviah would be haunted particularly by her stealthy venture into the woods with Hannah to bury the shrouded evidence of miscarriage.<sup>74</sup>

The Grosvenor sisters later recalled that they had regarded the first stage of the scheme—taking the trade—as “a Sin” and “an Evil” not so much because it was intended to end the life of a fetus as because it entailed a protracted set of actions, worse than a single lie, to cover up an initial transgression: fornication.<sup>75</sup> According to their religion and the traditions of their New England culture, Sarah and Zerviah knew that the proper response to the sin of “uncleanness” (especially when it led to its visible manifestation, pregnancy) was to confess, seeking to allay God's

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bringing these references to my attention. For a prominent Northampton, Mass., man (Joseph Hawley) who admitted to lying in civil and church hearings in the 1740s and yet who suffered no visible damage to his career see Sklar, “A Case of Fornication,” *Mich. Papers in Women's Studies* (1978), 46–48, 51.

<sup>73</sup> See Ulrich, *Good Wives*, 195–201, and Cornelia Hughes Dayton, “Infanticide in Early New England,” unpub. paper presented to the Organization of American Historians, Reno, Nev., Mar. 1988.

<sup>74</sup> Burying the child was one of the key dramatic acts in infanticide episodes and tales, and popular beliefs in the inevitability that “murder will out” centered on the buried corpse. For two 18th-century Connecticut cases illustrating these themes see *ibid.*, n. 31. For more on “murder will out” in New England culture see Hall, *Worlds of Wonder*, 176–178, and George Lyman Kittredge, *The Old Farmer and His Almanack* . . . (New York, 1920), 71–77.

<sup>75</sup> Testimony of Zerviah Grosvenor.

wrath and cleanse oneself and one's community. Dire were the consequences of hiding a grave sin, so the logic and folklore of religion warned.<sup>76</sup> Having piled one covert act upon another, all in defiance of her parents, each sister wondered if she had not ventured beyond the pale, forsaking God and in turn being forsaken.

Within hours after the burial, Zerviah ran in a frenzy to Alexander Sessions's house and blurted out an account of her sister's "Untimely birth" and the burying of the fetus. While Alexander and Silence Sessions wondered if Zerviah was "in her right mind" and supposed she was having "a very bad fit," we might judge that she was in shock—horrified and confused by what she had done, fearful of retribution, and torn between the pragmatic strategy of silence and an intense spiritual longing to confess. Silence took her aside and demanded, "how could you do it?—I could not!" Zerviah, in despair, replied, "I don't know; the Devil was in us." Hers was the characteristic refuge of the defiant sinner: Satan made her do it.<sup>77</sup>

Sarah's descent into despondency, according to the portrait drawn in the women's depositions, was not so immediate. In the week following the miscarriage she recovered enough to be up and about the house. Then the fever came on. Bedridden for weeks, yet still lucid, she exhibited such "great Concern of mind" that Abigail, alone with her, felt compelled to ask her "what was the Matter." "Full of Sorrow" and "in a very affectionate Manner," Sarah replied by asking her friend "whether [she] thought her Sins would ever be pardoned?" Abigail's answer blended a reassuringly familiar exhortation to repent with an awareness that Sarah might have stepped beyond the possibility of salvation. "I answered that I hoped she had not Sinned the unpardonable Sin [that of renouncing Christ], but with true and hearty repentance hoped she would find forgiveness." On this occasion, and at least once more, Sarah responded to the call for repentance by pouring out her troubled heart to Abigail—as we have seen—confessing her version of the story in a torrent of words.<sup>78</sup>

Thus, visions of judgment and of their personal accountability to God haunted Sarah and Zerviah during the waning days of summer—or so their female friends later contended. Caught between the traditional religious ethic of confession, recently renewed in revivals across New England, and the newer, status-driven cultural pressure to keep moral missteps private, the Grosvenor women declined to take up roles as accusers. By focusing on their own actions, they rejected a portrait of themselves as helpless victims, yet they also ceded to their male kin responsibility for assessing

<sup>76</sup> Hall, *Worlds of Wonder*, 172–178.

<sup>77</sup> Testimony of Silence Sessions in Multiple Deposition of Sarah and Silence Sessions; Testimony of Alexander Sessions in Multiple Deposition of Hannah Grosvenor et al.; Testimony of Silence Sessions; Hall, *Worlds of Wonder*, 174. Alexander and Silence may have had in mind their brother Amasa's interests as a criminal defendant when they cast doubt on Zerviah's reliability as the star prosecution witness.

<sup>78</sup> Deposition of Abigail Nightingale.



blame and mediating between the public interest in seeing justice done and the private interests of the Grosvenor family. Finally, by trying to keep the conspiracy of silence intact and by allowing Amasa frequent visits to her bedside to lament his role and his delusion by Hallowell, Sarah at once endorsed a policy of private repentance and forgiveness *and* indicated that she wished her lover to be spared eventual public retribution for her death.

Talk among the men of Pomfret in the weeks preceding and following Sarah's death centered on more secular concerns than the preoccupation with sin and God's anger that ran through the women's conversations. Neither Hallowell nor Sessions expressed any guilt or sense of sin, as far as the record shows, *until* Sarah was diagnosed as mortally ill.<sup>79</sup> Indeed, their initial accounts of the plot took the form of braggadocio, with Amasa (according to Hallowell) casting himself as the rake who could "gitt Red" of his child and look elsewhere for female companionship, and Hallowell boasting of his abortionist's surgical technique to Sarah's cousin Ebenezer. Later, anticipating popular censure and possible prosecution, each man "Tried to Cast it" on the other. The physician insisted that "He did not do any thing but What Sessions Importuned him to Do," while Amasa exclaimed "That he could freely be Strip[p]ed naked provided he could bring Sarah . . . To life again . . . , but Doct Hollowell had Deluded him, and Destroyed her."<sup>80</sup> While this sort of denial and buck-passing seems very human, it was the antithesis of the New England way—a religious way of life that made confession its central motif. The Grosvenor-Sessions case is one illustration among many of how New England women continued to measure themselves by "the moral allegory of repentance and confession" while men, at least when presenting themselves before legal authorities, adopted secular voices and learned self-interested strategies.<sup>81</sup>

<sup>79</sup> Testimony of Zerviah Grosvenor; Deposition of John Grosvenor. Abigail Nightingale recalled a scene when Sarah "was just going out of the world." She and Amasa were sitting on Sarah's bed, and Amasa "endeavour[ed] to raise her up &c. He asked my thought of her state &c. and then leaning over her used these words: poor Creature, I have undone you[!]" Deposition of Abigail Nightingale.

<sup>80</sup> Deposition of Ebenezer Grosvenor; Testimony of John Shaw in Multiple Deposition of Hannah Grosvenor et al. See also Deposition of John Grosvenor. For discussions of male and female speech patterns and the distinctive narcissistic bravado of men's talk in early New England see Robert St. George, "'Heated' Speech and Literacy in Seventeenth-Century New England," in David Grayson Allen and David D. Hall, eds., *Seventeenth-Century New England*, Publications of the Colonial Society of Massachusetts, LXIII (Boston, 1984), 305–315; Dayton, "Women Before the Bar," 248–251, 263–283, 338–341; and John Demos, "Shame and Guilt in Early New England," in Carol Z. Stearns and Peter N. Stearns, eds., *Emotion and Social Change: Toward a New Psychohistory* (New York, 1988), 74–75.

<sup>81</sup> On the centrality of confession see Hall, *Worlds of Wonder*, 173, 241. The near-universality of accused men and women confessing in court in the 17th century is documented by Gail Sussman Marcus in "'Due Execution of the Generall Rules of Righteousnesse': Criminal Procedure in New Haven Town and Colony, 1638–1658," in Hall, Murrin, and Tate, eds., *Saints and Revolutionaries*, esp. 132–133. For discussions of the increasing refusal of men to plead guilty to

For the Grosvenor men—at least the cluster of Sarah’s cousins living near her—the key issue was not exposing sin but protecting the family’s reputation. In the weeks before Sarah died, her cousins John and Ebenezer each attempted to investigate and sort out the roles and motives of Amasa Sessions and John Hallowell in the scheme to conceal Sarah’s pregnancy. Grilled in August by Ebenezer about Sarah’s condition, Hallowell revealed that “Sessions had bin Interseeding with him to Remove her Conseption.” On another occasion, when John Grosvenor demanded that he justify his actions, Hallowell was more specific. He “[did] with her [Sarah] as he did . . . because Sessions Came to him and was So very earnest . . . and offered him five pounds if he would do it.” “But,” Hallowell boasted, “he would have twenty of[f] of him before he had done.” John persisted: did Amasa know that Hallowell was attempting a manual abortion at John’s house on that day in early August? Hallowell replied that Amasa “knew before he did anything and was at Mr. Waldo’s [a Pomfret tavernkeeper] to hear the event.”<sup>82</sup>

John and Ebenezer, deposing three or four years after these events, did not mention having thrown questions at Amasa Sessions at the time, nor did they explain why they did not act immediately to have charges brought against the two conspirators. Perhaps these young householders were loath to move against a male peer and childhood friend. More likely, they kept their information to themselves to protect John’s wife, Hannah, and their cousin Zerviah from prosecution as accessories. They may also have acted, in league with their uncle Leicester, out of a larger concern for keeping the family name out of the courts. Finally, it is probable that the male cousins, partly because of their own complicity and partly because they may have believed that Sarah had consented to the abortion, simply did not think that Amasa’s and Hallowell’s actions added up to the murder of their relative.

Three years later, yet another Grosvenor cousin intervened, expressing himself much more vehemently than John or Ebenezer ever had. In 1742,

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fornication (the most frequently prosecuted crime) from the 1670s on see Thompson, *Sex in Middlesex*, 29–33; Karlson, *Devil in the Shape of a Woman*, 194–196, 198–202; and Dayton, “Women Before the Bar,” 168–169. On the growing gap between male and female piety in the eighteenth century see Mary Maples Dunn, “Saints and Sisters: Congregational and Quaker Women in the Early Colonial Period,” *American Quarterly*, XXX (1978), 582–601. For the story of how the New England court system became more legalistic after 1690 and how lawyerly procedures subsequently began to affect religious practices and broader cultural styles see Mann, *Neighbors and Strangers*, and John M. Murrin, “Anglicizing an American Colony: The Transformation of Provincial Massachusetts” (Ph.D. diss., Yale University, 1966).

<sup>82</sup> Deposition of Ebenezer Grosvenor; Deposition of John Grosvenor. Although a host of witnesses testified to the contrary, Hallowell on one occasion told Amasa’s brother “That Sessions never applied to him for anything, to cause an abortion and that if She was with Child he did not Think Amasa knew it”; Testimony of Alexander Sessions in Multiple Deposition of Hannah Grosvenor et al.

John Shaw at age thirty-eight may have been perceived by the younger Grosvenors as too old—too close to the age when men took public office and served as grand jurors—to be trusted with their secret. Shaw seems to have known nothing of Sarah’s taking the trade or having a miscarriage until 1745 when “the Storys” suddenly surfaced. Then Hannah and Zerviah gave him a truncated account. Shaw reacted with rage, realizing that Sarah had died not of natural causes but from “what Hollowell had done,” and he set out to wring the truth from the doctor. Several times he sought out Hollowell in Rhode Island to tell him that “I could not look upon him otherwise Than [as] a Bad man Since he had Destroyed my Kinswoman.” When Hollowell countered that “Amasa Sessions . . . was the Occasion of it,” Shaw’s fury grew. “I Told him he was like old Mother Eve When She said The Serpent beguild her; . . . [and] I Told him in my Mind he Deserved to dye for it.”<sup>83</sup>

Questioning Amasa, Shaw was quick to accept his protestations of sincere regret and his insistence that Hollowell had “Deluded” him.<sup>84</sup> Shaw concluded that Amasa had never “Importuned [Hollowell] . . . to lay hands on her” (that is, to perform the manual abortion). Forged in the men’s talk about the Grosvenor-Sessions case in 1745 and 1746 appears to have been a consensus that, while Amasa Sessions was somewhat blame-worthy “as concerned in it,” it was only Hollowell—the outsider, the man easily labeled a quack—who deserved to be branded “a Man of Death.” Nevertheless, it was the stories of *both* men and women that ensured the fulfillment of a doctor’s warning to Hollowell in the Leicester Grosvenor house just before Sarah died: “The Hand of Justice [will] Take hold of [you] sooner or Later.”<sup>85</sup>

### THE LAW

The hand of justice reached out to catch John Hollowell in November 1745. The warrants issued for the apprehension and examination of suspects that autumn gave no indication of a single informer or highly placed magistrate who had triggered the prosecution so long after the events. Witnesses referred to “those Stories Concerning Amasa Sessions and Sarah Grosvenor” that had begun to circulate beyond the inner circle of Pomfret initiates in the summer of 1745. *Something* had caused Zerviah and Hannah Grosvenor to break their silence.<sup>86</sup> Zerviah provided the key to the puzzle, as she alone had been present at the crucial series of

<sup>83</sup> Testimony of John Shaw in Multiple Deposition of Hannah Grosvenor et al. One of these confrontations took place in the Providence jail, probably in late 1745 or early 1746.

<sup>84</sup> It is interesting to note that Sessions claimed to have other sources for strong medicines: he told Shaw that, had he known Sarah was in danger of dying, “he tho’t he could have got Things that would have preserved her Life”; *ibid.*

<sup>85</sup> *Ibid.* Shaw here was reporting Dr. [Theodore?] Coker’s account of his confrontation with Hollowell during Sarah’s final illness. For biographical data on Coker, see n. 30 above.

<sup>86</sup> Testimony of Rebecca Sharp, Zebulon Dodge, and John Shaw in Multiple Deposition of Hannah Grosvenor et al.; Deposition of Ebenezer Grosvenor.

incidents leading to Sarah's death. The only surviving account of Zerviah's belated conversion from silence to public confession comes from the stories told by Pomfret residents into the nineteenth century. In Ellen Larned's melodramatic prose, the "whispered" tale recounted Zerviah's increasing discomfort thus: "Night after night, in her solitary chamber, the surviving sister was awakened by the rattling of the rings on which her bed-curtains were suspended, a ghostly knell continuing and intensifying till she was convinced of its preternatural origin; and at length, in response to her agonized entreaties, the spirit of her dead sister made known to her, 'That she could not rest in her grave till her crime was made public.'"<sup>87</sup>

Embellished as this tale undoubtedly is, we should not dismiss it out of hand as a Victorian ghost story. In early modern English culture, belief persisted in both apparitions and the supernatural power of the guiltless victim to return and expose her murderer.<sup>88</sup> Zerviah in 1742 already fretted over her sin as an accomplice, yet she kept her pledge of silence to her sister. It is certainly conceivable that, after a lapse of three years, she could no longer bear the pressure of hiding the acts that she increasingly believed amounted to the murder of her sister and an unborn child. Whether Zerviah's sudden outburst of talk in 1745 came about at the urging of some Pomfret confidante, or perhaps under the influence of the revivals then sweeping Windham County churches, or indeed because of her belief in nightly visitations by her dead sister's spirit, we simply cannot know.<sup>89</sup>

The Pomfret meetinghouse was the site of the first public legal hearing into the facts behind Sarah Grosvenor's death. We can imagine that townsfolk crowded the pews over the course of two November days to watch two prominent county magistrates examine a string of witnesses before pronouncing their preliminary judgment.<sup>90</sup> The evidence, they concluded, was sufficient to bind four people over for trial at the Superior Court: Hallowell, who in their opinion was "Guilty of murdering Sarah," along with Amasa Sessions, Zerviah Grosvenor, and Hannah Grosvenor

<sup>87</sup> Larned reported that, according to "the legend," the ghostly visitations ceased when "Hallowell fled his country." *History of Windham County*, I, 363.

<sup>88</sup> For mid-18th-century Bristol residents who reported seeing apparitions and holding conversations with them see Jonathan Barry, "Piety and the Patient: Medicine and Religion in Eighteenth Century Bristol," in Roy Porter, ed., *Patients and Practitioners: Lay Perceptions of Medicine in Pre-Industrial Society* (Cambridge, 1985), 157.

<sup>89</sup> None of the depositions produced by Hallowell's trial offers any explanation of the 3-year gap between Sarah's death and legal proceedings. Between 1741 and 1747, revivals and schisms touched every Windham County parish except Pomfret's First Church, to which the Grosvenors belonged; see Larned, *History of Windham County*, I, 393–485, esp. 464.

<sup>90</sup> One of the magistrates, Ebenezer West, had been a justice of the county court since 1726. The other, Jonathan Trumbull, the future governor, was serving both as a county court justice and as an assistant. The fact that the 2 men made the 24-mile trip from their hometown of Lebanon to preside over this Inferior Court, rather than allow local magistrates to handle the hearing, may indicate that one or both of them had insisted the alleged crime be prosecuted.

as accessories to that murder.<sup>91</sup> The inclusion of Zerviah and Hannah may have been a ploy to pressure these crucial, possibly still reluctant, witnesses to testify for the crown. When Joseph Fowler, the king's attorney, prepared a formal indictment in the case eleven months later, he dropped all charges against Zerviah and Hannah. Rather than stand trial, the two women traveled frequently during 1746 and 1747 to the county seat to give evidence against Sessions and Hallowell.

The criminal process recommenced in September 1746. A grand jury empaneled by the Superior Court at its Windham session first rejected a presentment against Hallowell for murdering Sarah "by his Wicked and Diabolical practice." Fowler, recognizing that the capital charges of murder and accessory to murder against Hallowell and Sessions were going to fail before jurors, changed his tack. He presented the grand jury with a joint indictment against the two men not for outright murder but for endangering Sarah's health by trying to "procure an Abortion" with medicines and "a violent manual operation"; this time the jurors endorsed the bill. When the Superior Court trial opened in November, two attorneys for the defendants managed to persuade the judges that the indictment was faulty on technical grounds. However, upon the advice of the king's attorney that there "appear reasons vehemently to suspect" the two men "Guilty of Sundry Heinous Offenses" at Pomfret four years earlier, the justices agreed to bind them over to answer charges in March 1747.<sup>92</sup>

Fowler next moved to bring separate indictments against Hallowell and Sessions for the "highhanded misdemeanour" of endeavoring to destroy Sarah's health "and the fruit of her womb." This wording echoed the English common law designation of abortion as a misdemeanor, not a felony or capital crime. A newly empaneled grand jury of eighteen county yeomen made what turned out to be the pivotal decision in getting a conviction: they returned a true bill against Hallowell and rejected a similarly worded bill against Sessions.<sup>93</sup> Only Hallowell, "the notorious physician," would go to trial.<sup>94</sup>

<sup>91</sup> Record of the Inferior Court held at Pomfret, Nov. 5–6, 1745. Hallowell was the only one of the 4 persons charged who was not examined at this time. He was reportedly in jail in Providence. Apprehended in Connecticut the following March, he was jailed until the Pomfret witnesses could travel to Windham for a hearing before Trumbull and West. At the second hearing, the magistrates charged Hallowell with "murdering Sarah . . . and A Bastard Female Child with which she was pregnant" (emphasis added). See Record of an Inferior Court held at Windham, Apr. 17, 1746.

<sup>92</sup> Indictment against Hallowell, Sept. 4, 1746; Indictment against Hallowell and Sessions, Sept. 20, 1746; Pleas of Hallowell and Sessions before the adjourned Windham Superior Court, Nov. [18], 1746; Sup. Ct. Rec., bk. 12, 112–117, 131–133.

<sup>93</sup> Sup. Ct. Rec., bk. 12, 173, 175; Indictment against John Hallowell, Mar. 1746/47; *Rex v. Amasa Sessions*, Indictment, Mar. 1746/47, Windham Sup. Ct. Files, box 172. See William Blackstone, *Commentaries on the Laws of England* (Facsimile of 1st ed. of 1765–69) (Chicago, 1979), I, 125–126, IV, 198.

<sup>94</sup> Larned, *History of Windham County*, I, 363.

On March 20, 1747, John Hallowell stepped before the bar for the final time to answer for the death of Sarah Grosvenor. He maintained his innocence, the case went to a trial jury of twelve men, and they returned with a guilty verdict. The Superior Court judges, who had discretion to choose any penalty less than death, pronounced a severe sentence of public shaming and corporal punishment. Hallowell was to be paraded to the town gallows, made to stand there before the public for two hours “with a rope visibly hanging about his neck,” and then endure a public whipping of twenty-nine lashes “on the naked back.”<sup>95</sup>

Before the authorities could carry out this sentence, Hallowell escaped and fled to Rhode Island. From Providence seven months after his trial, he audaciously petitioned the Connecticut General Assembly for a mitigated sentence, presenting himself as a destitute “Exile.” As previously noted, fourteen respected male citizens of Providence took up his cause, arguing that this valued doctor had been convicted by prejudiced witnesses and hearsay evidence and asserting that corporal punishment was unwarranted in a misdemeanor case. While the Connecticut legislators rejected these petitions, the language used by Hallowell and his Rhode Island patrons is yet another marker of the distance separating many educated New England men at mid-century from their more God-fearing predecessors. Never mentioning the words “sin” or “repentance,” the Providence men wrote that Hallowell was justified in escaping the lash since “every Person is prompted [by the natural Law of Self-Preservation] to avoid Pain and Misery.”<sup>96</sup>

In the series of indictments against Hallowell and Sessions, the central legal question became who had directly caused Sarah’s death. To the farmers in their forties and fifties who sat as jurors, Hallowell clearly deserved punishment. By recklessly endangering Sarah’s life he had abused the trust that heads of household placed in him as a physician.<sup>97</sup> Moreover, he had conspired with the younger generation to keep their dangerous activities secret from their parents and elders.

Several rationales could have been behind the Windham jurors’ conclusion that Amasa Sessions ought to be spared the lash. Legally, they could distinguish him from Hallowell as not being *directly* responsible for

<sup>95</sup> Even in the context of the inflation of the 1740s, Hallowell’s bill of costs was unusually high: £110.2s.6d. Sessions was hit hard in the pocketbook too; he was assessed £83.14s.2d. in costs.

<sup>96</sup> Petition of John Hallowell, Oct. 1747, Conn. Archives, Crimes and Misdemeanors, Ser. 1, IV, 108; Petition of Resolved Waterman et al., *ibid.*, 109. Specifically, Hallowell and his supporters asked that his sentence be reduced to a fine in an amount “adequate to his reduced Circumstances.” Such requests for reduced sentences were increasingly submitted by convicted felons in 18th-century Connecticut, and some were granted. See *ibid.*, Ser. 1 and 2. I have not been able to peruse local Rhode Island records to see what became of Hallowell there after 1747. His name disappears from Connecticut records after 1749.

<sup>97</sup> Note Blackstone’s discussion of the liability of “a physician or surgeon who gives his patient a potion . . . to cure him, which contrary to expectation kills him.” *Commentaries*, IV, 197.

Sarah's death. Along with Sarah's male kin, they dismissed the evidence that Amasa had instigated the scheme, employed Hallowell, and monitored all of his activities. Perhaps they saw him as a native son who deserved the chance to prove himself mature and responsible. They may have excused his actions as nothing more than a misguided effort to cast off an unwanted lover. Rather than acknowledge that a culture that excused male sexual irresponsibility was responsible for Sarah's death, the Grosvenor family, the Pomfret community, and the jury men of the county persuaded themselves that Sessions had been ignorant of the potentially deadly consequences of his actions.

### MEMORY AND HISTORY

No family feud, no endless round of recriminations followed the many months of deposing and attending trials that engaged the Grosvenor and Sessions clans in 1746 and 1747. Indeed, as Sarah and Amasa's generation matured, the ties between the two families thickened. In 1748 Zerviah married a man whose family homestead adjoined the farm of Amasa's father. Twenty years later, when the aging Sessions patriarch wrote his will, Zerviah and her husband were at his elbow to witness the solemn document. Amasa, who would inherit "the Whole of the Farm," was doubtless present also.<sup>98</sup> Within another decade, the third generation came of age, and despite the painful memories of Sarah's death that must have lingered in the minds of her now middle-aged siblings, a marriage directly joining the two families finally took place. In 1775 Amasa's third son, and namesake, married sixteen-year-old Esther Grosvenor, daughter of Sarah's brother, Leicester, Jr.<sup>99</sup>

It is clear that the Grosvenor clan was not willing to break ranks with their respectable yeoman neighbors and heap blame on the Sessions family for Sarah's death. It would, however, be fascinating to know what women in Pomfret and other Windham County towns had to say about the outcome of the legal proceedings in 1747. Did they concur with the jurors that Hallowell was the prime culprit, or did they, unlike Sarah Grosvenor, direct their ire more concertedly at Amasa, insisting that he too was "a Bad man?" Several decades later, middle-class New England women would organize against the sexual double standard. However, Amasa's future career tells us that female piety in the 1740s did not instruct Windham

<sup>98</sup> Killingly Land Rec., III, 99; Estate papers of Nathaniel Sessions, 1771, Pomfret Prob. Dist. Although Zerviah bore five daughters, she chose not to name any of them after the sister she had been so close to. In 1747, the final year of the trials, Sarah's much older sister, Anna, gave birth to a daughter whom she named Sarah.

<sup>99</sup> Pomfret Vit. Rec., II, 67.

County women to expel the newly married, thirty-two-year-old man from their homes.<sup>100</sup>

Amasa, as he grew into middle age in Pomfret, easily replicated his father's status. He served as militia captain in the Seven Years' War, prospered in farming, fathered ten children, and lived fifty-seven years beyond Sarah Grosvenor. His handsome gravestone, inscribed with a long verse, stands but twenty-five feet from the simpler stone erected in 1742 for Sarah.

After his death, male kin remembered Amasa fondly; nephews and grandsons recalled him as a "favorite" relative, "remarkably capable" in his prime and "very corpulent" in old age. Moreover, local story-telling tradition and the published history of the region, which made such a spectacular ghost story out of Sarah's abortion and death, preserved Amasa Sessions's reputation unsullied: the *name* of Sarah's lover was left out of the tale.<sup>101</sup>

If Sarah Grosvenor's life is a cautionary tale in any sense for us in the late twentieth century, it is as a reminder of the historically distinctive ways in which socialized gender roles, community and class solidarity, and legal culture combine in each set of generations to excuse or make invisible certain abuses and crimes against women. The form in which Sarah Grosvenor's death became local history reminds us of how the excuses and erasures of one generation not unwittingly become embedded in the narratives and memories of the next cultural era.

<sup>100</sup> Carroll Smith-Rosenberg, "Beauty, the Beast and the Militant Woman: A Case Study in Sex Roles and Social Stress in Jacksonian America," *American Quarterly*, XXIII (1971), 562–584. There were branches of the Female Moral Reform Society in several Connecticut towns.

<sup>101</sup> Sessions, *Sessions Family*, 31, 35; Larned, *History of Windham County*, I, 363–364.