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FEMALE MURDERERS AND THE REPRESENTATION OF CRIME IN EXECUTION BROADSHEETS IN EIGHTEENTH CENTURY VIENNA

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Abstract

While crime broadsides were a prominent part of eighteenth and nineteenth century print culture in countries such as Great Britain and France, scholars working on crime in early modern Austria have relatively few sources to work from in comparison. However, researchers have recently discovered 180 execution broadsides in the archives of the Austrian National Library and the Vienna City Library. This paper discusses the digitisation, annotation, and forthcoming online publication of these sources by the Austrian Centre for Digital Humanities (ACDH).

Keywords: execution, Vienna, Austria, broadsides, early modern print culture, digital humanities

Introduction

Public executions were not an uncommon sight in the streets of eighteenth century Vienna. The inhabitants of the imperial city who, on 5 March 1738, purchased one of the circulating broadsheets announcing the upcoming beheading, would nevertheless gain the impression that the spectacle they were about to witness would be exceptional, and that the crime being punished had been a particularly gruesome one:

Geht dann schon die Welt zum Ende,
und zeigt sich der Untergang,
daß die Menschen schon behende,
fangen solche Laster an,

Is it the world come to its end
and its downfall drawing nigh
that's to blame for this new trend
of people taking up such vice?

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Claudia Resch studied German Language and Literature and Media Studies at the University of Vienna, where she obtained her Ph.D. with a dissertation on Reformation *ars moriendi*. She is a senior researcher and project leader at the ACDH. Current research focuses on German literature of the early modern period and the application of literary and linguistic computing in a corpus-based approach to textual issues. Key areas covered are historical linguistics, text stylistics, and annotation problems associated with non-standard varieties of Early Modern German.

die noch nicht gehöret worden,
die beschreiben man kaum kan,
von Meuchel= und Kinder=Morden
muß man jetzund schreiben schon.²

Crimes unheard of in this land
that can hardly be described
wicked killings, murdered children!
Is what we must report these days.³

Somewhere between wearied and outraged, with a peculiar tone of world pessimism and impending doom, the rhymed ballad comments on the child murder committed by 24-year-old Margaretha D. The broadsheet in which it was printed, and which offers not just moralising verses but also key information about Margaretha's executions and her crimes bears the title *The repelling example deterring from sins and vices, consisting in a Death Penalty which will be enforced today, Wednesday the 5th of March 1738, on a married woman named Margaretha D., born here in Wieden near Vienna, of Catholic faith and around 24 years old.*⁴ This publication is one of many similar broadsheets printed and sold in eighteenth century Vienna in the context of public executions. While this kind of execution broadsheet is well documented for other cities in Europe at the time,⁵ the small collection of 180 issues that have recently been rediscovered in Viennese libraries comprises the only set of their kind from Vienna. A research project that is currently being carried out at the Austrian Centre for Digital Humanities (ACDH) of the Austrian Academy of Sciences is dedicated to the digitisation, processing, online publication and study of these so called *Todesurteile* ('death sentences'). The small collection presents an interesting subject for investigation. Like in the case of Margaretha D., the broadsheets report and comment on public executions as well as the crimes that the condemned were convicted of, affording novel and otherwise hard-to-come-by glimpses into the world of crime and criminal justice in eighteenth century

² Todesurteil der Margaretha D. (1738)/ Death Sentence of Margaretha D. (1738), Vienna City Library (C-39975/1738,3).

³ Translation by the authors of this paper.

⁴ Original German Title: *Das Von Sünden und Lastern abhaltende Beispiel / bestehend in einer Todtes-Straff / Welche vollzogen wird heute Mittwoch den 5. Martij 1738. an einer verheyratheren Weibs=Persohn / Nahmens Margaretha D. Von hier auf der Wieden nächst Wienn gebürtig / Catholischer Religion / und bey 24. Jahr alt.*

⁵ For the situation in England, where such publications seem to have been particularly popular and have also received considerably scholarly attention see for example J. A. Sharpe, 'Last Dying Speeches: Religion, Ideology, and Public Execution in Seventeenth-Century England', *Past and Present* 107: 1 (1985), pp.144-167; V. A. C. Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* (Oxford: Oxford University Press, 1994); Andrea McKenzie, *Tyburn's Martyrs: Execution in England, 1675-1775* (London: Continuum, 2007); Richard Ward (ed.), *A Global History of Execution and the Criminal Corpse* (Basingstoke: Palgrave, 2015). For the German speaking regions of the continent see Karl Härter, 'Criminalbilder: Verbrechen, Justiz und Strafe in illustrierten Einblattgedrucken der Frühen Neuzeit,' in Karl Härter, Gerhard Sälter, and Eva Wiebel (eds.), *Repräsentationen von Kriminalität und öffentlicher Sicherheit. Bilder, Vorstellungen und Diskurse vom 16. bis zum 20. Jahrhundert* (Klostermann, 2010), pp.25-88 and particularly Gerhard Ammerer and Friedrich Adomeit, 'Armesünderblätter,' in Karl Härter, Gerhard Sälter, and Eva Wiebel (eds.) *Repräsentationen von Kriminalität und öffentlicher Sicherheit. Bilder, Vorstellungen und Diskurse vom 16. bis zum 20. Jahrhundert* (Klostermann, 2010), pp.271-307.

Vienna.⁶ As the first printed media that we know of which were specifically designed to distribute news stories about crimes and their punishment, they also present an interesting subject for literary scholarship, inviting questions regarding the representation of crime and punishment in this particular media genre, and the narrativisation processes involved.

In this paper, we present the ACDH's project and its approach to this little explored format of Early Modern print publication. While research into the Viennese 'Death Sentences' is still in its early phase, we discuss some of the perspectives on what we have to gain from working with them in their digitally processed and annotated form. As an example for the many directions into which research on the Viennese 'Death Sentences' may lead, we present a case study on a small but important subset of the criminal histories appearing in the collection and focus on investigating the specific case of female malefactors convicted of violent crimes. The case study demonstrates how the digital corpus can be used to make quantitative evaluations, but can also provide a starting point for qualitative analyses taking a more microscopical look at the texts themselves. This mixed approach, then, aims not only at enriching our knowledge about crime and criminal justice in eighteenth century Vienna (an endeavour that is necessarily subject to limitations), but also addresses the question how certain crimes, and in particular female delinquency and violence, along with the malefactors' characters, actions and motivations are framed within the specific genre of the 'Death Sentences' and the narratives constructed by them.

1 The Viennese 'Death Sentences' and their Significance as Sources

The documents under consideration are 180 printed single broadsheets with publication dates ranging from 1700 to 1797, variously housed in the Vienna City Library, the Austrian National Library and the Vienna Museum archives. Until recently, they garnered little attention, bound into volumes after having been donated to the libraries as part of collectors' estates, as loose documents in cardboard boxes or occasionally as single sheets tucked away between the pages of other books. As of yet, they have hardly been subject to systematic scholarly investigation. This can perhaps be explained with reference to the question of scholarly jurisdiction. While the source material in the collection would definitely present a rich field of study for literary studies, legal and social history and media studies

⁶ For the legal conditions and the organisation and practice of criminal courts in eighteenth-century Vienna, see for example, Friedrich Hartl, *Das Wiener Kriminalgericht, Strafrechtspflege vom Zeitalter der Aufklärung bis zur österreichischen Revolution* (Böhlau, 1973) and Gerhard Ammerer, 'Das Ende für Schwert und Galgen? Legislativer Prozess und öffentlicher Diskurs zur Reduzierung der Todesstrafe im ordentlichen Verfahren unter Josef II. (1781-1787)', *Mitteilungen des Österreichischen Staatsarchivs* 11 (2010).

alike, it can be observed that, up to now, neither one of those fields has adopted the topic or paid it any significant attention. Any in-depth investigation of the material would in fact require an interdisciplinary approach and a pooling of expertise and competences from various fields. Given that in German language literature, broadsheets of this type are variously known as *Armesünderblätter* (poor sinner's pamphlets),⁷ or *Hinrichtungsflugblätter* (execution broadsheets), and have been counted as examples of *Schafott-Literatur* (Gallows Literature) or simply of *Flugblätter* (flyers),⁸ confusion regarding terminology and inconsistency in labelling also make it difficult to locate and merge references mentioned in secondary sources.

Thus, the ACDH's 'Death Sentences' project, which was launched in 2016 in the context of a larger project dedicated to the digitization of Early Modern *Makaberliteratur*, seeks to open up the Viennese broadsheets to the wider academic community as well as an interested public and to lay the foundations for a more thorough and interconnected investigation. The team is currently working towards the processing of the data and its publication on an openly accessible online platform to provide optimal conditions for ongoing investigations and facilitate the steady expansion of our understanding in the field. Of course, a number of caveats must be acknowledged regarding the completeness and therefore the representativeness of the collection. As Ammerer and Adomeit have stated, *Armesünderblätter* first appear in Vienna around 1700 and reach their heyday in the course of the eighteenth century.⁹ This correlates with our data: publication dates are distributed over the course of the century with the earliest issue appearing in 1700 and the latest in 1794.¹⁰ An average of three issues per year are documented and the peak number of issues retained from a single year are the eight issues dated to 1761. However, we do not know if the 180 cases known to us are anywhere near the full number of 'Death Sentences' published. There is a rather conspicuous gap between 1700 and 1735, from which time period no broadsheet has been preserved. Comparison with the few other sources available to us has shown that executions did take place during that period, which goes to show that our sample cannot be entirely representative. Clearly, the broadsheets can only ever produce a fragmented picture. They do, however, take on special significance given the

⁷ Ammerer and Adomeit, 'Armesünderblätter'.

⁸ Schwerhoff, Gerd, 'Kriminalitätsgeschichte – Kriminalgeschichten: Verbrechen und Strafen im Medienverbund des 16. und 17. Jahrhunderts', in Rebekka Habermas and Gerd Schwerhoff (eds.) *Verbrechen im Blick. Perspektiven der neuzeitlichen Kriminalitätsgeschichte* (Campus, 2009) pp.295-322.

⁹ Ammerer and Adomeit, 'Armesünderblätter,' p.272.

¹⁰ While some execution broadsheets from the early nineteenth century have been preserved, they have not been included in this investigation.

relative paucity of alternative sources, compared, for instance, to cities like London, Paris or Amsterdam. Reports published in newspapers such as the *Wienerisches Diarium* and the records of a local mortuary confraternity ('Totenbruderschaft'), respectively, are the only other sources available to us that contain regular information on trials and executions taking place in the Austrian capital between 1700 and 1800.¹¹

At any rate, these complementary sources, where they overlap with our sources, also provide evidence that at the very least the basic data contained in the execution broadsheets – the dates and times of the executions and the personal data about the criminals – are factual, and that we are not dealing with works of fiction, unlike the more literary works such as Alexander Smith's *History of the Highwaymen*, which was published in German in 1720.¹² When it comes to information about the prints themselves – their production, distribution and reception – we have little hard evidence about who wrote or who bought and read the Viennese 'Death Sentences', and exactly under which circumstances. However, the sources do, to some extent, speak for themselves. Each execution broadsheet contains plenty of information and a rich ground for more structurally or textually oriented analyses – which also provide the starting point for the annotation work done by the ACDH.

2 Schematic of a Genre

Approaching the 'Death Sentences' as a collection, we see that they have a more or less consistent appearance, though some variations, as well as certain developments over time, are evident. All of the prints are in broadsheet format, printed on both sides and folded in half, to create a leaflet with four pages that are filled with text passages of varying font size as well as occasional graphic elements. Both with regards to layout and content, the broadsheets follow a somewhat formulaic structure, making use of recurring elements or modules and conforming to more or less fixed templates (Fig. 1).

¹¹ The paper's crime reports are the basis for Susanne Hehenberger's database for crime in Vienna from 1703 to 1803: Hehenberger, Susanne, <http://homepage.univie.ac.at/susanne.hehenberger/kriminaldatenbank/> Kriminalität in und um Wien 1703-1803 - Eine Datenbank (2010). (Accessed: Nov 30 2017)

¹² Smith, Alexander, *Leben und Thaten/ Der berühmtesten/ Strassen-Räuber/ Mörder/ Und/ Spitzbuben,/ So/ In denen letzten funffzig Jahren/ in dem Königreich England sind/ hingerichtet worden;/ Worinnen/ Ihre seltsame Aventure, listige Rän-/cke, theils lustige Begebenheiten, theils erschreckliche und grausame Thaten, nebst ihren/ traurigen Lebens-Ende, mit Historischer/ Feder beschrieben werden* (Frankfurt & Leipzig, 1720).

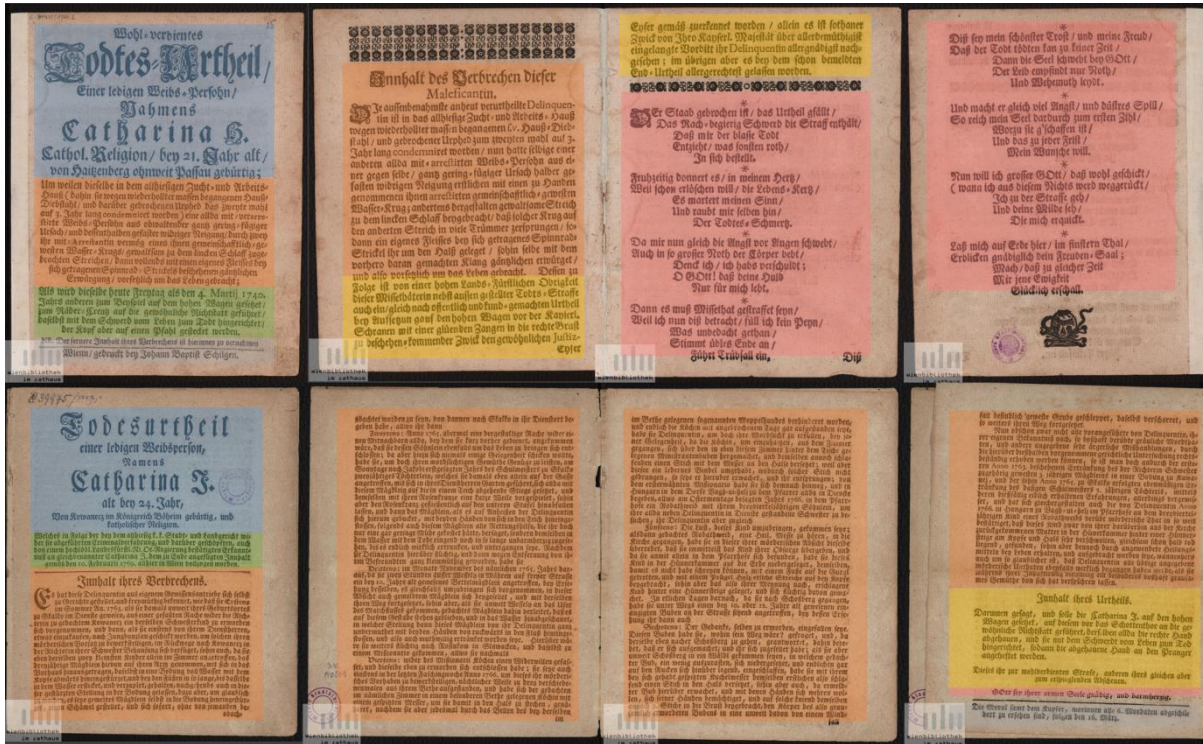


Figure 1: Layout of Two Typical Viennese Execution Broadsheets.
 Courtesy of Vienna City Library. (C-39975/1740,2; C-39975/1769,1)

The front page of each broadsheet is typically adorned with a title block in larger font, usually dominated by the heading *Todesurtheil* (death sentence), and occasionally decorated with a small graphic.¹³ This part also contains the proclamation of the sentence itself, in paraphrase, as well as a very brief profile of the malefactor, which conveys the most important personal data. These generally include malefactors' first names with the last name shortened to an initial, their age, birthplace, marital status, gender and sometimes their profession. For the purposes of digital processing, these profiles provide us with useful material for statistical evaluation. In the markup done by the ACDH according to the guidelines of the Text Encoding Initiative (TEI), they are included in the semantic markup of each death sentence, allowing future users to search according to each of these categories.¹⁴

¹³ cf. *Death Sentence of Elisabeth H.* (1744), Vienna City Library (C-39975/1744,1), p.1.

¹⁴ Resch, Claudia, Schopper, Daniel, Wissik, Tanja and Fasching, Daniela, 'Encoding Crime and Punishment in TEI: The Digital Processing of Early Modern Broadsheets from Vienna,' in *Journal of the Text Encoding Initiative 11* (forthcoming). For more information about the TEI and the newest version of their guidelines, see: <http://www.tei-c.org/Guidelines/> (Accessed: 30 Nov 2017)

Other recurring elements are longer passages of text that provide additional information on the crime the malefactor is being punished for. These narratives can include detailed descriptions of the *modus operandi* and/or of the injuries inflicted on the victims in case of violent crimes. Sometimes they include passages with medical jargon resembling coroners' reports. Other times we find references to confessions, usually presented in the context of passages expounding the legitimacy of the punishment. Occasionally these reports expand into more elaborate biographical narratives that attempt to trace the malefactors' careers of vice and crime back to their origins, or, as Richard Evans says, 'a moral curriculum vitae'.¹⁵ Beside these more factual accounts (which, judging from their diction and register, may have been taken over directly from official court reports), some of the broadsheets also contain passages of verse. Ballads or mourning songs (*Klagelieder*) may paraphrase the content of the prose text in lyrical ways, and are often written from the perspective of the malefactor themselves; they recount the sequence of events and transgressions that caused the malefactor to end up on the scaffold and directly address the readership, asking both for pity and forgiveness and cautioning them to avoid a similar fate by leading more moral lives. A related form with a slightly different focus is the moral speech, which seems to take the place of the mourning songs during the course of the century. As opposed to the earlier *Klagelieder*, these speeches are not told from the perspective of the delinquent, and focus less on the expression of contrition and the plea for pity, than the moral education of the addressees. Both text types have the effect of adding a moralizing and didactic dimension to the story, which is largely missing from the biographical prose accounts.¹⁶ Besides the narratives and verse passages, we characteristically find, either at the bottom of the front page or on the last page of the folder, an announcement of the execution event, often featuring detailed descriptions of the execution methods and other punishments the condemned will be subjected to. The way these passages are phrased supports the notion that the 'Death Sentences' were produced some time before and distributed on the day of the execution itself, serving as announcements or advertisements of sorts. The publication then usually concludes with a small symbolic image¹⁷, a banner of decorative letters ('ENDE' – 'end') or a prayer for the condemned.

¹⁵ Richard Evans, *Rituals of retribution: Capital Punishment in Germany 1600-1987* (Oxford: Oxford University Press, 1998), p.188.

¹⁶ The functions and significance of these forms have been explored (cf. Ammerer and Adomeit, 'Armesünderblätter'), but a closer examination of their meaning for the Viennese Death Sentences is still outstanding and could be the subject of a future study. Given that some of these text types assume the perspective of the delinquent, a comparative study with the popular Last Dying Speeches of the English-speaking world (cf. J. A. Sharpe, 1985) could be especially fruitful.

¹⁷ Cf. *Death Sentence of Josepha E.* (1745), Vienna City Library (C-39975/1754,3), p.4; *Death Sentence of Johann K.* (1739), Vienna City Library (C-39975/1939,2), p.4.



Figure 2: Skull Graphics (Details) from Viennese Execution Broadsides.

Courtesy of Vienna City Library. (C-39975/1754,3, p.4; C-39975/1744,1, p.1, C-39975/1939,2, p.4)

With regards to illustrations, we can note that while woodcut graphics adorn many of the 'Death Sentences', they generally do not play a particularly prominent role in the layout. Unlike in the German *Criminalbildergeschichten* in broadsheets from earlier centuries, which Karl Härter has studied,¹⁸ in the Viennese sources, text always outweighs the pictorial content, even when images are used on title pages. As in England at this time, graphics were not usually created for each individual broadsheet but used multiple times to serve a predominantly decorative purpose. Alternatively, they might function as a kind of iconic shorthand, rather than taking up and illustrating unique narrative elements from the individual cases. Among the motifs depicted, ornamental designs and classic vanitas symbols like skulls or candles occur most frequently (Fig. 2).¹⁹ Cases where images actually illustrate the content of the text or construct a pictorial narrative of their own are rare exceptions, a fact that differentiates the Viennese sources from analogous publications from Munich, which feature a greater variety of images, often with direct reference to the specific case. One such exception from Vienna is the print published in 1769 which details the execution of Catharina J., where an iconic depiction of her crimes was published as a separate print shortly after the 'Death Sentence' (Fig. 3).²⁰

The regularities as well as the variations within the execution broadsheets, which can be said to constitute an Early Modern print genre of their own, are an interesting aspect for computer-based analysis. The 'Death Sentences' appear as a kind of copy-and-paste work

¹⁸ Härter, Karl, 'Criminalbilder: Verbrechen, Justiz und Strafe in illustrierten Einblattgedrucken der Frühen Neuzeit,' in Karl Härter, Gerhard Sälter, and Eva Wiebel (eds.), *Repräsentationen von Kriminalität und öffentlicher Sicherheit. Bilder, Vorstellungen und Diskurse vom 16. bis zum 20. Jahrhundert* (Klostermann, 2010), pp.25-88.

¹⁹ On English broadsides see Gatrell, *op cit*.

²⁰ *Moralische Gedanken über die entsetzliche Mordthaten, und erfolgte Hinrichtung der im gegenwärtigen Kupfer vorgezeigten armen Sünderin Namens Catharina J.* (1769), Vienna City Library (C-39975/1769,1), p.9.

making ample use of formulaic passages and recurring structures. Some text passages appear almost verbatim in many issues, while other parts vary in content but stay consistent in terms of form and layout. These structural characteristics, and the patterns they form throughout the collection as a whole, constitute one of the aspects that is captured by the ACDH's digital encoding. With the help of the text encoding standard TEI, the digital transcripts are marked up, assigning each passage or paragraph to a structural or functional category. This allows researchers to discover some of the structural 'rules' of the genre, as well as possible variations and developments as they occur over the course of the century. The digital codification of some of the data included in the death sentences also provides the basis for a quantitative evaluation. As the following section takes a closer look at the female malefactors featured in the collection of Viennese 'Death Sentences', we will present some of the findings that statistic evaluation produces. Of course, for reasons outlined above, the representativeness of such analyses has its limits. The results of such quantitative queries can really only ever be the first step in an investigation that will eventually have to double back on the sources and add qualitative analysis as well.

3 Case Study: Female Malefactors in the Viennese 'Death Sentences'

As both popular and scientific discourses on crime show, criminal behaviour, and especially violent crime, is still mostly perceived as a phenomenon typically associated with men. Female crime, in turn, is often read as a somewhat uncharacteristic occurrence, an anomaly that requires additional explanation. While statistics in modern times generally seem to support the notion that men are more frequently convicted of crimes than women, the situation is not as clear in early modern Europe.²¹ Even if, from a statistical point of view, crimes committed by women turn out to have been uncommon, a closer look at the contemporary representation of female delinquents in the early modern period may be revealing, giving insight into perceptions and ideas at the overlap of gender, crime and criminal justice. From a methodological standpoint, gender is conveniently one of the variables in the Viennese execution broadsides that can be easily isolated and used to identify subcategories for statistical analysis. The gender of each malefactor is specified by referring to them as either 'Mannsperson' (man person) or 'Weibsperson' (woman person).

²¹ Manon van der Heijden, *Woman and crime in early modern Holland*. Trans. D. McKay, (Leiden: Brill, 2016). As recent studies on female crime in early modern times like Manon van der Heijden's research on the situation in Early Modern Holland show, a gender-oriented investigation of historical criminal records can yield surprising results, and preconceptions and generalisations like the notion that women were less likely to engage in criminal behaviour, much less violent crime, than men, deserve further scrutiny.

On the basis of these keywords, the TEI annotation sorts the convicts into two categories: 'male' and 'female'.

Out of the 180 broadsides in the collection, 26 of them report the execution of female offenders. If we assume our sample to be representative, that would mean that women made up 14% of the malefactors who were executed between 1700 and 1800. The women of the broadsides were in most cases between the ages of 20 and 31. The marital status of female offenders is also given, unlike the accounts of male felons which do not always specify this detail. The majority of the female malefactors in our sample were unmarried. A third of them were married and very few are listed widowed. Whereas the men's professions are stated in the offender's profile, female occupations are rarely listed. There are a few exceptions, however: we read of women who worked as domestic servants, scullery maids and nursemaids. On the other hand, we also learn when some of the convicted had not been engaged in steady employment, having instead survived on a combination of occasional jobs, begging, or petty crimes. The sources do, however, suggest quite unambiguously that the female criminals of the eighteenth century were drawn from the plebeian classes.

The broadsides usually give detailed information about the methods of execution: in the cases known to us, women were invariably executed by beheading with a sword, regardless of the crime they had committed. This is not quite in keeping with the execution methods recommended in the legal codes relevant to the timeframe. Both the criminal codes, the *Constitutio Criminalis Carolina*, the criminal code in force in Austria from 1532 until 1768, and the *Constitutio Criminalis Theresiana*, its follow-up valid until 1787, differentiate execution methods according to the specific crime for which the delinquent was sentenced. For example, murder cases warranted an additional punishment in the form of the malefactor's right hand being cut off which was often subsequently displayed on a stake. However, we can account for the seemingly light sentences when we consider that Austrian courts were free to act independently from the legislative texts in individual cases, and it seems that female convicts, in particular, tended to receive milder sentences or mitigations.²²

The sources also contain information on the crimes committed by the convicts. It is noteworthy that they do not state the crimes the delinquents stood on trial for in precise legal

²² For an English translation of the *Constitutio Criminalis Carolina* see the following: J. H. Langbein, *Prosecuting Crime in the Renaissance: England, Germany, France* (Cambridge MA: Harvard University Press, 1974), pp.259-308.

terms. Instead, the crimes are recounted as part of longer narratives which sometimes expand into elaborate criminal backstories, mentioning other crimes or tracing the moral decline of the delinquent. This is similar to contemporary criminal biographies in England which depict crime as a moral failing.²³ Finding a system of classification of the types of crimes valid for the entire span of the century, especially when it comes to finer legal distinctions, proves a methodological difficulty due to the imprecise and often inconsistent use of terminology, as well as the fact that definitions of crimes changed along with the legal codes that were in force.²⁴ For the purposes of the TEI annotation, an attempt has been made to arrive at a unified terminology and the execution broadsheets have been categorised according to the major crimes mentioned in the narratives. For our female cases, the following numbers can be observed: ten women out of 26 were convicted of robbery or stealing; one woman was convicted of arson; the remaining women, the majority, in fact, were convicted of murder, sometimes in combination with stealing or robbery. Another conspicuous pattern can be observed regarding the identities of the murder victims. Only in four cases, the victims were adults in full possession of their faculties. Three of these occurred in the context of robbery and home invasion, one was the outcome of a quarrel among inmates of a prison. In two more cases, the victims were elderly, hospitalised people. In nine of the 15 cases, the victims were children, and all of them, as far as we can ascertain, were under ten years old. These statistics raise further questions: what could have driven these women to murder young children or helpless invalids? What could they have stood to gain from crimes like these? What reasons, what rationale could have been behind these murders, which, the broadsheets go to great lengths to convince us, were almost invariably premeditated and sometimes meticulously planned? Of course, practical considerations must also be taken into account, namely the fact that it is easier to rob and/or murder frailer, weaker victims, but the above questions are worth dwelling upon in further detail.

4 Female Murderers and the Stories Told about Them

To investigate further, we must delve deeper into the narratives. As mentioned above, the texts provide a recount of the crime committed, sometimes reaching as far back into the delinquents life story to provide background information about their conduct and character.

²³ See Lincoln B. Faller, *Turned to Account: The Form and Function of Criminal Biography in Late Seventeenth- and Early Eighteenth-Century England* (Cambridge: Cambridge University Press, 1987).

²⁴ See Claudia Resch et al., 'Encoding Crime and Punishment in TEI: The Digital Processing of Early Modern Broadsheets from Vienna,' in *Journal of the Text Encoding Initiative* 11 (forthcoming).

From one broadsheet to the next, as well as within a single text, we tend to find considerable stylistic variation and fluctuations in the degree of detail, which suggests that portions of each text were taken from elsewhere. Passages that are full of medical vocabulary and detailed anatomical descriptions, for example, could derive from coroner's reports quoted during the trial. Frequently, we also find references to confessions, as well as torture, which may suggest that the information included in the text is often based on the delinquent's own testimony. Generally speaking, it can be said that the broadsheets have the aim of providing a factual report of the events and circumstances available. It is also noticeable that they are often syntactically quite complex, and contain many a specialised phrase or wording (there is a sense that whoever wrote the reports was not necessarily intent on making the texts palatable to an uneducated readership). In a similar vein, while not entirely devoid of evaluative language, the narratives make surprisingly little effort to rhetorically manipulate public opinion on the malefactors. While the crimes are clearly framed as contemptible the didacticism is not overt. At any rate, the crime reports in the 'Death Sentences' do not seem to have particularly high artistic or literary aspirations. This raises the question in how far these texts are to be read as 'stories': is a reader to expect a coherent plot with an inner logic, in which one event follows from the next in a pattern of consequence and causality? Can we assume that the texts will present a narrative charting a development from one state of the next, with the criminal as the protagonist at its centre? Will they allow us to identify different 'types' of criminals, based on the way their characters and motivations are framed in the text? These questions will be answered by taking a closer look at some of the exemplary cases. By doing so, we will be able to observe typical plotlines of criminal biographies.

If we look at the cases with (healthy) adult victims, we can immediately identify patterns: The cases of Elisabeth H.,²⁵ Catharina S.,²⁶ and Maria Anna R.,²⁷ are all murders that occur in the context of robberies. Elisabeth H., who is accused of killing a shopkeeper's daughter and stealing a whole list of their merchandise in order to re-sell it, is said to have needed the money to settle some debts she had with another vendor. In Maria Anna R.'s case, who is convicted for killing two women in order to steal and sell their clothes, the narrative elaborates on the malefactor's previous life, stressing her licentiousness and idleness, and suggests in indirect terms that she occasionally made her living as a prostitute. The case of Catharina S., on the other hand, is slightly different, since she becomes complicit in a crime

²⁵ *Death Sentence of Elisabeth H.* (1744), Vienna City Library (C-39975/1744,1).

²⁶ *Death Sentence of Catharina S.* (1753), Vienna City Library (C-39975/1753,1).

²⁷ *Death Sentence of Maria Anna R.* (1759), Austrian National Library (303.950-B.Alt-Adl. 21).

planned and carried out by a whole group of people, a band of robbers around a woman named Roberta E. who murdered a married couple with poison in their home with the ultimate aim of stealing their possessions. We can observe, then, that all three cases follow the straightforward 'plots' associated with violent robberies: The murders are clearly a means to an end. They are committed because, if undetected, they will ensure financial gain for the offenders. The fourth case with an adult victim, that of Catharina H. (see also Fig. 1), follows a slightly different logic.²⁸ Here we are told the story of a woman who is already looking back on a life of crime: she is arrested and sent to jail where she murders one of her inmates. The text does not elaborate on the background of the murder. It does, however, mention that the convict had resolved to commit the crime for a 'minor reason'. This phrasing suggests that some rationalisation would be expected for a murder, even if the malefactor's deed is represented as a disproportional reaction to whatever provocation she responded to.

Another type of murder represented in the Viennese 'Death Sentences' is infanticide. This crime, if defined as the act of a mother killing her own (newborn) child, can by rights be said to be a typically female crime, simply because it can 'by definition only be committed by a woman'. The term is closely linked with a particular background story, which is not only familiar from true crime narratives, but has also entered the world of fiction in the form of an often repeated trope. In this story, the woman faces an unwanted pregnancy and – for either societal and moral or economic reasons, or a combination of both – is absolutely unable to keep the child. The threat that motherhood constitutes to her own existence is so great that she is driven to despair, forced, by external pressure, to murder her own child, against her own motherly instincts. Manon van der Heijden's general observations on the topic reflect this very narrative:

The women who killed their children in the early modern period were in such dire straits that they saw no other means of escape. [...] Having a sexual relationship outside of marriage was a criminal act [...], and [the mother] was in danger of criminal prosecution if her relationship [...] was discovered. [P]regnancy made matters much worse, because it would inevitably reveal to the world that she was guilty of carnal intercourse. Even if she were not arrested, or if she were acquitted, the consequences would be grave. Becoming an unwed mother led to loss of honor and made it much more difficult to find a husband. Furthermore, she was very likely to be fired from her job at once and lose her income.²⁹

The rationale embedded in this narrative allows us to read the mother simultaneously as guilty of a heinous crime and as a victim of circumstances who acts not out of ill will but out

²⁸ *Death Sentence of Catharina H.* (1740), Vienna City Library (C-39975/1740,2).

²⁹ Van der Heijden, *Woman and Crime*, pp.51-52.

of intense desperation. Despite the tragic implications of the crime, then, the typical infanticide narrative provides a clear line of reasoning, enabling readers to comprehend how such an extreme act may come to pass.

The same infanticide 'plot' is reflected in the case of Anna Maria E., who was sentenced to death on August 18 1750, although the circumstances of her crime are different.³⁰ She is accused of killing her own newborn child by refraining from properly severing the umbilical cord. Besides making reference to a confession made under torture, the text states emphatically that Anna Maria could not have killed her child out of sheer ignorance because she had given birth before and would therefore have known about the necessity of cutting the cord. Moreover, the narrative explicitly provides a motive very much in keeping with what we know about the significance of sexual honour and damaged reputations. Widowed Anna Maria E., whose third child was conceived 'secretly' and would have been born out of wedlock, is said to have acted because she was fearful of the public shaming she was to expect from the neighbourhood should they learn of the illegitimate child.³¹

The case of Anna Maria E. is the only one of the Viennese 'Death Sentences' that matches the classic definition of a woman murdering her newborn child. However, there are other cases of women murdering children – both their own and ones they are not related to. Likewise, we see evidence in some of the murders of women acting out of despair in hopeless situations, in particular in connection to the shame and stigma connected to illegitimate pregnancies or other cases of lost honour. It is worth noting that the execution broadsheets do not identify the crimes systematically, and the concept of *Kindsmord* (murder of children) is not used consistently corresponding to the definition above but usually has a broader meaning. In the *Constitutio Criminalis Theresiana*, the murder of children is grouped together with patricide and spousal murder under the term *Vater-, Kinder- und Eheleutenmord*, a category covering the murder of immediate family members.³² The murder of newborn infants is grouped with a crime referred to as *Kinderverthun*, which, as a concept, may include abortion and wilful child abandonment as well as infanticide.³³ This distinction, however, is not reflected in the broadsheets.

³⁰ *Death Sentence of Anna Maria E. (1750)*, Vienna City Library (C-39975/1750,3).

³¹ For more information on infanticide in early modern Germany and Austria see the following: Joel F. Harrington, *The Unwanted Child: The Fate of Foundlings, Orphans, and Juvenile Criminals in Early Modern Germany* (Chicago: University of Chicago Press, 2009).

³² *Constitutio Criminalis Theresiana*, p.234.

³³ *Ibid*, p.236.

A puzzling case of infanticide, in the broader sense of the word, that we encounter in the sources is that of Elisabeth W.³⁴ Her story is one of a married woman who is sent by her husband, an unlicensed shoemaker, to go out and pawn a pair of slippers. Elisabeth, taking along her six-month-old son, spends the day trying to peddle the slippers, but remains unsuccessful. Then, according to her own confession, she falls into such despair over this fact that she decides to murder her own child. The narrative continues to describe Elisabeth's search for an appropriate instrument as well as a secluded location where she would not be observed. At last, she bashes the boy's head against a well pipe and leaves him for dead. What is striking about this account is the unexcited way in which it lists the course of events, without giving any indication that the murder of an infant would be deemed an unusual reaction to an unlucky business day. While the desperation over the unsold slippers is given as the ostensible reason for the decision to murder the boy, the text does not provide any further insights into the woman's reasoning which raises more questions than we can satisfactorily provide answers to: Are we to conclude that she had a pragmatic motivation for killing her son? Was the pawning of the slippers the last desperate attempt to stave off financial ruin, and did her failure to do so mean that she and her husband could no longer afford a third mouth to feed? Or is the implication that she was so distraught over the events of the day that she was effectively rendered *non compos mentis*, making the question of motive irrelevant? The text in this broadsheet does not offer any such empathic insights into the mind of the criminal and nor it does not raise the question of motive or reasoning at all. Similarly, there are cases related in these accounts in which women murder other people's children, and it is not immediately evident what the murderers were to gain from the crime, or what could have caused such extreme aggression against the victim. For example, Regina G. was executed on 24 October 1760. She was ostensibly driven to murder out of what appears to be a mixture of despair and vengefulness.³⁵ Her story relates that she was dismissed by her employer for getting pregnant and murdered his six month old daughter out of revenge. A similar revenge narrative is suggested by the first of six murders committed by one Catharina J. when she kills the niece of a country judge, although the story does not specify the nature of her grudge against this person.³⁶ Thus, the reason for the crime is not necessarily to be found in the relationship between victim and murderer.

But not all of the child murders can be explained in this manner. In a number of cases the execution broadsheets construct curious narratives of premeditated, but strangely

³⁴ *Death Sentence of Elisabeth W.* (1767), Vienna City Library (C-39975/1767,1).

³⁵ *Death Sentence of Regina G.* (1760), Vienna City Library (C-39975/1760,2).

³⁶ *Death Sentence of Catharina J.* (1769), Vienna City Library (C 39975/1769,1).

groundless murders or of violent urges that are only incidentally directed at a particular victim. Dorothea H.'s account from 1749, for example, constructs the story of a dispute about unpaid debts with a bonnet maker which triggers the malefactor's bloodlust.³⁷ Unable to take revenge on the bonnet maker herself, she instead sets out to find a child. The child she selects is a complete stranger who was in no way connected to the bonnet maker and she takes her frustration out on him.



Figure 3: Copperplate Depicting the Murders of Catharina J.
Courtesy of Vienna City Library. (C-39975/1769,1, p.13)

We find other examples of murderers directing their rage against completely innocent victims: Catharina J. (cf. Fig 3) was provoked into a murderous rage by neighbours and co-workers on several occasions and each time redirecting her aggressions at random children. A while after her first vengeful murder, which she successfully stages as an accident, her bloodlust is roused again by feelings of spite against a neighbour and former employer, but unable to find an occasion to murder their child, she turns on a random two-year-old girl that she finds wandering in the street alone. The broadsheet goes into some detail in describing the way Catharina tricked the child into trusting her, giving her rosary to play with, and then pushing it into a pond to drown. Similarly, her fourth murder is triggered by a grudge against

³⁷ *Death Sentence of Dorothea H.* (1749), Austrian National Library (303.950-B.Alt-Adl. 4).

her employer's cook, who she sets out to murder in her sleep. When Catharina J. is hindered from doing so by the pug sharing the cook's bed, she instead takes out her aggressions on an altar boy, who, though stabbed in the neck and wounded, manages to escape. If, from a present day perspective, these compensatory murders seem puzzling, the narratives, as well as the lack of court records for these women, frustrate the search for further explanation.

Another remarkable motivation for a murder to be found in an execution broadsheet is murder as a self-destructive act: One example is the crime of Clara K., executed on 24 November 1759. She found herself in a desperate state of mind after having been caught for a series of minor offences. Out of desperation, the text reveals, she resolves to commit a capital offence that will get her executed and free her from the predicament: She sets out to murder a child. Remarkably, such an act of indirect suicide would have seemed a fairly rational choice given the theological rules of the time. While both murder and suicide were considered a sin, the latter would have carried with it the threat of immediate damnation, while murder could lead to a conviction and execution, which, by punishing the malefactor's body, in theory restored order into the world by righting the wrong of the crime. Capital punishment could even facilitate the repentant sinner's admission into heaven.³⁸ Clara K.'s story presents this motivation in a rather matter-of-fact way, which suggests that such a course of action was not considered a wholly incredible act and may have played a decisive role in some other desperate cases, where the delinquent felt they had forfeit their life already. On the other hand, the sources also accept unmotivated fury and bloodlust as the only reason behind murder. The cases of Margareta D.,³⁹ or Maria Anna N.,⁴⁰ who murdered children who were completely unknown to them, are presented simply as random acts of depravity and no further explanation is offered. The notion of rising bloodlust that must be satisfied by all means necessary also appears in the story of the notorious Catharina J., who may have started her career as a serial killer with a relatively 'reasonable' revenge murder, but is soon depicted as killing simply for the sake of it. Catharina's, as well as some of the other longer criminal biographies, use of the familiar idea of immorality as a 'slippery slope' involving licentious and criminal behaviour appear almost as a kind of degenerative disease that slowly consumes its victims, ultimately rendering them helpless against violent urges and making murder (and the death sentence) the obvious and inevitable final consequence of all delinquency.

³⁸ Ammerer, 'Das Ende für Schwert und Galgen', p.229.

³⁹ *Death Sentence of Margareta D.* (1738), Vienna City Library (C-39975/1738,3).

⁴⁰ *Death Sentence of Maria Anna N.* (1764), Austrian National Library (303.950-B.Alt-Adl. 31).

Conclusion

Viennese execution broadsheets provide intriguing material for investigation. In our analysis, which is still in its early stages, of the representation of the lives and crimes of female murderers, we can find a number of different types of plots, each with their own inner logic. Prompted by the observation that the women in these narratives tended to commit violent crimes under very particular circumstances, we have classified the cases in order to further examine the backgrounds and motivations of female criminals. However, we also find that these accounts do not always follow clear lines of coherence and causality, and are generally unconcerned with the question of motive. The narratives make it clear that murders were done with intent but often do not attempt to explain what drove the offender to commit the murder. Even where the delinquent's biographies chart a causal development, the abbreviated style of the narratives requires reading between the lines in order to decode the story behind the crime. They do not offer didactic interpretations or explicit formulations of the moral of the story, nor are the narratives framed explicitly as cautionary tales. While the notion of immorality and lawless behaviour as a slippery slope, which can be said to inform some of the longer criminal biographies, lends itself well to didactic purposes, the task of a moral re-framing of the biographies is fulfilled to some extent by the mourning ballads and moral speeches, which complement the prose accounts in some of the execution broadsheets. These textual forms, which could not be discussed in detail within the scope of this paper, deserve further investigation of their own, and could yield more interesting insight into the functions of execution broadsheets in eighteenth century Vienna. Further research into the stylistic details of the broadsheets, as well as a broader scope of the investigation which would factor in similar formats from different regions also allow for the comparison of the 'Death Sentences' with additional contemporary sources, may also help to elucidate our findings on the subject. While we are still at the beginning of our exploration, the representation of malefactor subgroups in these broadsheets promises a fruitful field of study and illustrates the broad scope of qualitative study that the collection of executions broadsheets can sustain. The forthcoming publication of the digitally processed texts on a freely accessible online platform will open up the sources to further investigation from various scholarly perspectives, as well as an interested public.