

## REBECCA GENTLES

*Hector, 1835*

By Greg Burn

### Introduction

Rebecca Gentles, my great- great grandmother, was sentenced to 7 years in April 1835, by the Stirling (Scotland) Court of the Justiciary for stealing two shawls. The Female Convict Research Center's (FCRC) convict database shows her as 19 years old in October 1835 when she arrived in Tasmania.<sup>1</sup>

Rebecca did not attain a Level of Freedom until October 1845.<sup>2</sup> The status awarded was Free by Servitude. The 10 years and 6 months between being sentenced and attaining a Level of Freedom was extremely rare (three standard deviations) for actual time served by convicts sentenced to 7 years. According to a statistical analysis undertaken to examine Rebecca's history, the average time served by female convicts sentenced to 7 years was 5.0 years with a standard deviation of 1.63 years. Most achieved a Level of Freedom prior to 7 years. The statistical analysis concluded that less than 4% of female convicts sentenced to 7 years served longer than their full sentence. The fact that Rebecca served 10 years and 6 months is even more remarkable when it is compared to the results of a separate random sample of convicts sentenced to life for crimes that included murder and infanticide. They rarely served a full life sentence, achieving a Level of Freedom in an average of about 9 years and 6 months, about a year less than Rebecca served. The statistical analysis supporting these results is presented in the Appendix at the end of this narrative. As reviewed in the Appendix, Rebecca serving over 10 years on a sentence of 7 years was a "three standard deviation event" for female convicts. This reference describes an event that can be expected to occur only 0.003% (1/3 of 1%) of the time.

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<sup>1</sup> FCRC database records. LIB TAS: CON 19/1/13 Description List of Female Convicts

<sup>2</sup> FCRC database records. LIB TAS. CON 40. Convict Registers for Female Convicts

## Conclusion

The research concluded that the only plausible explanation for Rebecca's extended time served was her accusation of sexual assault against physician Dr. Willian Secomb. Various other possible factors such as her number of colonial offenses were well within standard norms for female convicts. Her accusation against Dr. Secomb was recorded as a colonial offense for "willfully, maliciously and falsely defaming Dr. Secomb's character."<sup>3</sup>

Female convicts faced the "strong possibility" of being raped in the in the male dominated environment.<sup>4</sup> The sexual abuse of female convicts was so widespread that the Crown undertook a formal inquiry in 1841.<sup>5</sup>

It is against this background that, family bias aside, logic dictates that Rebecca's accusations against Dr. Secomb made in early 1839 were more than likely true. She had been in Tasmania for over 3 years at the time she made the accusation. She would have known full well the wrath she would bring down on herself by making the accusation. She drew 12 months hard labor in the Launceston female factory for making the accusation.<sup>6</sup> Her willingness to make the accusation and pay the associated price is consistent with her defiant personality. Her colonial offenses included "impertinence to her master", "larceny under 5 pounds", "disorderly conduct", "clandestinely leaving her master's house at night", "pilfering 2 baby shirts", being "absent without leave", and "absconding" in addition to the "defaming" offense against Dr. Secomb. Her offenses were unremarkable aside from the defaming offense. Her other offenses were common for female convicts

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<sup>3</sup> FCRC database records. LIB TAS: CON 40/1/3 Image 292. Convict Registers for Female Convicts

<sup>4</sup> Alison Alexander, "Tasmania's Convicts – How Felons Built A Free Society", p. 63, Allen & Unwin, 2010

<sup>5</sup> Deborah J. Swiss, "The Tin Ticket", p. 209, Berkely Publishing, 2010

<sup>6</sup> FCRC database records LIB TAS: CON 40/1/3 Image 292. Convict Registers for Female Convicts

and did not prevent their usually achieving a Level of Freedom in less time than their full sentence, even for those with 20 or more offenses. The research therefore concluded that her 10 years and 6 months actual time served including lengthy periods of hard labor in the female factories were directly attributable to her accusation against Dr. Secomb.

### **Rebecca's Life Prior To Transportation (c. 1817-1835)**

Rebecca's trial papers in combination with several Ancestry.com descendant postings provide a limited overview of her life prior to her transportation. Rebecca had one older sister and two younger brothers. She worked as a house maid. Her trial was held April 14, 1835 in the Stirling Court of Justiciary. Rebecca declared that she was 17 years of age and the daughter of "Mary Dellahide or Gentles and of Matthew Gentles Customs Officer at Belfast".<sup>7</sup> Several Ancestry.com trees spell Gentles as "Gentiles" and almost always spell Dellahide as "Delahoyd". They also indicate that Rebecca's mother's name was Mary Ann versus just "Mary" as given in the trial papers.<sup>8</sup> Rebecca's mother Mary Ann was present at the trial, but her father Matthew was not. Several of the Ancestry.com postings indicate that Matthew died in April 1835 in Belfast, the same month as Rebecca's trial.<sup>9</sup>

Rebecca and her two brothers were living in Scotland together with their mother in January 1835 when the alleged theft of the two shawls from a person named Helen (also living in their house) took place. They lived in the Melton of Denny parish, a manufacturing town about 7 miles from Stirling and 26 miles from Glasgow. Her youngest brother Matthew declared at the trial that he was "about 10 or 11 years old" and had been living alone with his older brother William at

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<sup>7</sup> National Records of Scotland. Trial papers relating to Rebecca Gentles for the crime of theft and previous conviction. Tried at High Court Stirling. Reference JC26/1835/298.

<sup>8</sup> Ancestry.com. Various family trees

<sup>9</sup> Ibid

home since January when his sister was arrested and “cadged at Stirling gaol”. The day before the trial older brother William (14 years old) “went away and got a position on a steamboat”. Young Matthew stated that Rebecca and Helen left the house on a Sunday in January after attending church dressed in “shawls and bonnets”. They returned about 6:00 in the evening. He further stated that he had “no other knowledge of where they went or the specifics of their day”.<sup>10</sup> The court ruled against Rebecca and sentenced her to 7 years and transportation to Tasmania. There is little doubt that Rebecca’s 3 previous convictions for petty theft prior to her April 1835 trial weighed against her. She had served sentences of 8 days, 3 months and 6 months in Scotland on those convictions.<sup>11</sup>

Rebecca’s life prior to her transportation appears to have been very similar to the lives of most female convicts. Petty theft was one of the primary means of survival in the incredibly difficult conditions facing working class girls and women in England, Scotland and Ireland during the Industrial Revolution.<sup>12</sup>

### **Rebecca’s Records as a Female Convict (1835-1845)**

The convict ship *Hector* departed for Van Diemen’s Land June 11, 1835 with 134 female convicts, including Rebecca, on board. It arrived on October 20. Dr. Morgan Price, the ship’s surgeon stated that of the almost 200 total lives onboard all were all landed in a “clean and healthy state”. Dr. Price showed empathy for the convicts by noting that it was “rather extraordinary that no illness of any consequence onboard during the voyage” due to the very “indifferent manner the Prison and between Decks was ventilated.” He also specifically noted that the convicts from Scotland had suffered “severely” from a “very tedious voyage from Scotland in a small sloop and were consequently very crowded and their health had suffered

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<sup>10</sup> National Records of Scotland. Trial papers relating to Rebecca Gentles for the crime of theft and previous conviction. Tried at High Court Stirling. Reference JC26/1835/298.

<sup>11</sup> FCRC database. Trial and Transportation Records

<sup>12</sup> Deborah J. Swiss, “The Tin Ticket”, Introduction pg. XII. Berkley Publishing. 2010

greatly” while on their transfer journey from Scotland to Woolwich prior to ever boarding the *Hector*.<sup>13</sup>

Rebecca was described in her convict records as being age 19 on arrival. This conflicts by at least one year with her declaration at trial in April that she was 17 years old (assuming her birthday month was between April and October). Her “trade” was given as “house maid”, her height as 5-3, black hair, grey eyes and her complexion as “fresh freckled”.<sup>14 15</sup>

It is interesting to note that Dr. Price in his “Surgeon’s Report” on Rebecca provided the following comment: “very bad”.<sup>16</sup> However, Rebecca does not appear on the inventory of patients receiving treatment from Dr. Price during the voyage. It is plausible to conjecture that Rebecca exhibited the same defiant behavior during the voyage that would also mark her time after arrival. His comment in this context would not be medical in nature, but in reference to her behavior while onboard the *Hector*.

Records indicate that after arrival in Hobart Rebecca was assigned to the Williams household. It took less than 3 months for her to incur her first colonial offense for “clandestinely leaving her master’s house through the window last night”. She earned one month in “crime class” at the female factory as a result.<sup>17</sup> A summary of her 9 colonial offenses is given in Table I.

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<sup>13</sup> FCRC database. Convict Ships. Discovery.nationalarchives.gov.uk. ADM 101/32/9

<sup>14</sup> FCRC database. LIB TAS. CON 13/1/7 Image 109. Assignment Lists and Assorted Papers

<sup>15</sup> Credit and appreciation for identifying appropriate sources and conducting key research on Rebecca are given to Dr. Elisabeth Wilson, Public Trustee, Tasmania. It would have been impossible for an Oklahoman with no previous background in the depth and complexity of Tasmania’s history to accomplish the needed research tasks.

<sup>16</sup> FCRC database. “Trial and Transportation” Rebecca Gentles. Convict ID #6062

<sup>17</sup> FCRC database. LIB TAS: CON 40/1/3 Convict Conduct Records

**TABLE I**  
**A SUMMARY OF REBECCA GENTLES' COLONIAL OFFENSES**

*SOURCE(S): FCRC CONVICT DATABASE. LIB TAS: CON 40/1/3 CONVICT CONDUCT RECORDS*

Date	Offense Description	Sentence	Comment
January 1836	Left master's house through window at night	One month in crime class at female factory	First offense- less than 3 months after arrival
January 1838	Pilfered 2 baby shirts, 1 piece of silk and 2 ribbons	Sentence extended 2 years. No community assignment for 12 months. Launceston factory.	Rebecca's first child (William David) was born a few months prior
February 1839	Larceny under the value of 5 pounds	Sentence extended 1 year. Launceston factory.	Master was Dr. Gaunt
February 1839	Maliciously, willfully, and falsely defaming Dr. Secomb	12 months hard labor in the Female House of Corrections	She accused Dr. Secomb of sexual assault
September 1839	Disorderly conduct	Dismissed	-
December 1839	Impertinence to her master	Returned to Launceston factory	Master was Dr. Loane
October 1841	Larceny under the value of 5 pounds	Sentence extended 6 months	-
August 1843	Absent without leave	3 months hard labor Launceston Factory	Rebecca was married one month prior
August 1843	Absconding	Sentence extended 6 months	Rebecca was married one month prior

The conclusion is that Rebecca's extended actual time served was a direct result of her accusation against Dr. Secomb. This conclusion stands despite her sentence being extended for 2 years *prior* to her accusation. Rebecca was given several extensions to her sentence totaling 4 years and 3 months. Her original sentence of 7 years, therefore, was extended to more than 11 years. She actually served "only" 10 years and six months prior to being given Free by Servitude status in October 1845. This, however, was still harsh in comparison to the vast majority of other female convicts, including those who incurred sentence extensions. Over 95% of

female convicts, including those that were given sentence extensions, were awarded freedom prior to serving the length of their *original sentence* (see analysis in the Appendix). Specific examples are convicts Maria Armitage and Ellen Wood. Maria had 17 colonial offenses and was given a total of 3 years in various extensions added to her original 7 years. She was awarded a Ticket of Leave after only 6 years and 6 months. Ellen's original sentence was 14 years. She incurred an extension of 3 years after arrival. Her Ticket of Leave, however, was awarded in only 11 years.<sup>18</sup> As reviewed in the Appendix, Rebecca's actual time served on her sentence was an extremely rare three standard deviation event. The conclusion stands that this was the result of the accusation against Secomb.

Slightly less than 2 years after arrival, Rebecca's first child, William David Bailey was born on September 30, 1837.<sup>19</sup> The father was a free laborer William Bailey. Her theft of 2 baby shirts for her new son in January 1838 resulted in the harsh extension of 2 years to her sentence and 1 year in the Launceston female factory. Likely more important for Rebecca, however, is that the available records indicate that she never saw William David again. William David was taken in by the prominent sheep farming Gibson family of Tasmania and assumed their family name. William David Gibson's obituary in 1906 noted a long successful life and stated that he was "highly esteemed and universally respected". He left Tasmania at the age of 13 for NSW and built a prosperous career in mining and agriculture.<sup>20</sup>

Rebecca's second child was Edward, born September 1, 1841. The father was Edward Thomas Wootton (ETW), a non-convict ship builder from London. Rebecca and ETW were married almost two years later in July 1843. No record of ETW's arrival in Australia was found. The best guess is that he was a ship's carpenter who jumped ship sometime in the late 1830's upon arrival in Tasmania.<sup>21</sup> This was not an uncommon occurrence for sailors arriving in Australia during this period.

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<sup>18</sup> FCRC database. Colonial Offences. TAS LIB: CON 40/1/3

<sup>19</sup> Research provided by Dr. Elisabeth Wilson, Public Trustee, Tasmania. RGD32/2/2, 8677/1838

<sup>20</sup> LIB TAS. TROVE: Molong Argus (NSW: 1896-1921). Friday 28 September 1906, page 3

<sup>21</sup> Sources: *Daily Telegraph* Launceston 27 May 1904 and research conducted by Dr. Elisabeth Wilson, Public Trustee, Tasmania

Rebecca was pregnant with her third child (Mary Ann) when she and ETW were married July 5, 1843 in the York Street Baptist Chapel, Launceston by Henry Dowling, a well-known Baptist pastor.<sup>22</sup> However, records state that their marriage permission was “not approved on account of the women’s conduct”.<sup>23</sup> Mary Ann was born August 23, 1843 while Rebecca was back in the “Female House of Correction”.<sup>24</sup> She had been “absent without leave” from the home of her master Mr. Duncan of Launceston due to “absconding” to marry ETW during July and early August. She drew the harsh penalties shown in Table I as a result.

Rebecca was awarded Free by Servitude status in October 1845 and a Certificate of Freedom in May 1850.<sup>25</sup>

### **Rebecca’s Life After Achieving Free by Servitude Status (1845-1876)**

Rebecca and ETW would stay married until her death in 1876. Her obituary in the *Tasmanian* reads as follows:

“On the 3<sup>rd</sup> of April, at her residence, Bush Inn, West Tamar, after a long and painful illness, Rebecca, the beloved wife of Mr. E.T. Wootton, aged 55 years, deeply regretted by a large circle of friends.”<sup>26</sup>

Records indicate that Rebecca died of “phthisis” (tuberculosis).<sup>27</sup> The 55 years at death reference in her obituary does not reconcile with her other records. If she was 55 in 1876 her birth year was circa 1822. She would have been only 13 years old at her trial versus her trial declaration that she was 17. *Hector’s* records place her age as 19 upon arrival in October 1835.

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<sup>22</sup> LIB TAS: RGD 37/1/3, 1843/27. Research conducted by Dr. Elisabeth Wilson, Public Trustee, Tasmania.

<sup>23</sup> Ibid

<sup>24</sup> Ibid

<sup>25</sup> LIB TAS CON 40/1/3 Convict Records

<sup>26</sup> LIB TAS: TROVE: Tasmanian April 8, 1876

<sup>27</sup> LIB TAS: Australia Death Index 1787-1985. RGD 35/135, 1876/3002



Table II is a list of Rebecca's and ETW's children.

**TABLE II<sup>28</sup>**  
**CHILDREN OF REBECCA AND EDWARD THOMAS WOOTTON (ETW)**  
 (Table Does Not Include Rebecca's First Child William David Born 1837 Whose Father Was Free Laborer William Bailey.)

<b>CHILD</b>	<b>BIRTH</b>	<b>DEATH</b>	<b>COMMENT(S)</b>
Edward	September 1,1841	September 15,1858	Edward died in a drowning accident at Gravelly Beach Tamar at age 17
Mary Ann	August 23, 1843	November 9,1918	Married Henry Stratton 1865
Rebecca	1846	1848	Rebecca died as a young child
Jane	December 7,1846	August 8,1934	Married James Anderson Burn 1873
Ann	1847	?	No records found. Birth death possible
George	1849	January 7,1902	Married Mary Cadman 1893
Rebecca	1853	September 10,1926	Married Joseph Dixon 1874
Sarah Ann	September 4,1854	June 24,1889	Married Richard Miller 1879
William Edward	1863	November 29,1908	N/A

A good deal of what can be discerned about Rebecca's life after achieving her Free by Servitude status in 1845 comes from ETW's obituary in 1904.<sup>29</sup> His age in the obituary was given as 85 years old. He was described as "an active, energetic man, a splendid example of the hardy pioneer, and was highly respected by a large circle of friends". His main occupation was given as a "shipwright by trade" who had owned ship building yards at Gravelly Beach. He also had owned lumber yards ("paling trade") and ran them "for all he was worth". Later in life he owned and ran the Bush Inn at Gravelly Beach and the Exeter Hotel at Exeter. He was a "victualler"

<sup>28</sup> Table II is a good faith effort at compiling records from several sources. The various sources conflict in a few places. The sources include Australia Death Index 1787-1985, Australia Birth Index 1788-1922, Australia Marriage Index 1788-1950, Australia and New Zealand Find a Grave Index, research conducted by Dr. Elisabeth Wilson and several postings to Ancestry.com by Rebecca's descendants.

<sup>29</sup> LIB TAS: TROVE: Daily Telegraph (Launceston: 1883-1928) May 27, 1904, page 3

(liquor seller) as result of running the Inn and Hotel. He also farmed land he owned adjacent to the Exeter Hotel. He would have already owned the Exeter Hotel in 1876 at the time of Rebecca's death, her obituary describing her as a "licensed vicatuller's wife" (see footnote 26). Most interestingly, the obituary states that he "was attracted by the outbreak of gold in California, whither he went, and stayed three years".<sup>30</sup> There is little reason to doubt this account. Table II shows a break between 1849-1853 in children being born to Rebecca and ETW. The height of the California Gold Rush was during the late 1840's into the early 1850's.

ETW's obituary provides hope that Rebecca had significant periods of happiness and prosperity after earning her freedom. The conclusion drawn by looking at her records is that she was strong-willed and fought through incredible, unjust challenges. She deserved whatever good things did come to her during her life. But is clear, however, that her life after being granted freedom continued to have difficult and painful periods. Her namesake daughter, Rebecca, died at 2 years old in 1848. It also appears likely that she lost another daughter, Ann, at birth. ETW leaving for several years to find gold in California shortly after the birth of George in 1849 left Rebecca at home in Tasmania with 4 children aged between less than 1 year and about 8 years. Even if she supported his decision, that would have been several years on a difficult path. Finally, her first child with ETW, Edward, dying at age 17 in a drowning accident while cutting timber at Gravelly Beach Tamar River would have been terribly traumatic.

Rebecca's life in Tasmania after transport is one among the many thousands of female convict lives that add to the complex and multidimensional debate of "Were convicts better off in Van Dieman's land?"<sup>31</sup> From a lens almost 200 years later, it seems ludicrous that a teenager would receive what was, for all practical purposes, a life sentence of banishment several thousand miles away due to a petty theft. But against the backdrop of factors such as a 50% mortality rate for even making it to age 18 due to abysmal conditions for the working classes in cities like London or Glasgow during the Industrial Revolution, the debate is a valid one. With that granted, however, the systemic injustices Rebecca experienced as a result of her

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<sup>30</sup> Ibid

<sup>31</sup> Alison Alexander, "Tasmania's Convicts- How Felons Built A Free Society", pgs. 61-65, Allen & Unwin 2010

defiant will and making the accusation against Secomb stand on their own as purely wrong by any accounting.

*END OF NARRATIVE (THE STATISTICAL ANALYSIS APPENDIX FOLLOWS)*

# **APPENDIX**

## **VARIATIONS IN YEARS SENTENCED VERSUS ACTUAL TIME SERVED FOR TASMANIA'S FEMALE CONVICTS:**

### **THE CASE OF REBECCA GENTLES**

#### **OBJECTIVE**

The objective of this research project was to determine why Tasmanian female convict Rebecca Gentles served 10.5 years between her original sentence of 7 years in April, 1835 and her Free by Servitude status granted in October, 1845.

#### **METHODOLOGY**

The project extracted data from FCRC's 13,649 convict records to allow running various statistical tests to determine if Rebecca's 10.5 years to freedom was 1) in fact, out of the norm and 2) explore certain possible causal relationships provided by the data to explain her longer than normal time to achieving freedom.

Two random samples were taken. The first random sample was of 440 records taken from the full set of 13,649 records. In order to achieve an overall confidence level of 95% with a +/- 5% error rate the random sample must contain 374 records. The oversampling of 440 was done to ensure that enough records would be valid for the study due to factors such as missing data in some records or, more commonly, the death of the convict in passage or after arrival in Tasmania. The second random sample was of 305 FCRC convict records that received a life sentence. Since a total of 784 convicts received life sentences, this sample must contain 258 records to achieve the same standards as the first random sample. The oversampling of 305 records was accomplished for the same reasons as the first sample.

## RESULTS

The first random sample contained 406 records with complete data points of the 440 total to allow performing the desired statistical tests. A sentence of 30 years was assigned to the 33 records that appeared in the first sample with a life sentence. The 30 years is based on the research work of Kippen and MCalman concerning the life expectancy for Tasmania's female convicts. This sample of 440 had an average age upon arrival of 26.2 years, but with a standard deviation of 8.3 years reflecting the wide range in ages of the female convicts sent to Tasmania. The basic test used standard  $y=f(x)$  linear regression with the convict's sentence length as  $x$  and the number of years they actually served as  $y$ . The regression was run using the 406 records that had the necessary data points. The regression produced a surprisingly low  $r$ -squared of .259. Only slightly over one quarter of the variance in time served by the convicts is accounted for by the length of their sentence.

Traditional incarceration views hold that the length of time served by a convict is also related to their behavior while "in the system". A second standard regression was run, therefore, with the number of colonial offenses on a convict's record being the explanatory variable and their length of time served as the dependent variable. Based on the first sample, the average number of offenses by a convict was 5.55 but with a large standard deviation of 6.62 offenses. Ninety (20.6%) of the convicts had zero offenses, 41 (16.3%) had only one offense while 91 (20.6%) had 10 or more offenses. A total of 406 records qualified for the regression. The number of colonial offenses explains slightly over 8% ( $r$ -squared .084) of the variance in time served. It is therefore also a weak explanatory factor."

The actual length of time served for the 406 qualifying convict records is 5.69 years, with a standard deviation of 2.54 years. There were enough observations (281) in the 7-year sentence subset to qualify for a 90% confidence level on a stand-alone basis. It reflected an average of 5.0 years served with a standard deviation of 1.63 years.

Only 14 (4.0%) of the 347 qualifying non-life sentence convict records show the convict serving more time than their sentence. Two hundred and seventy-two (78.3%) served less time than their sentence, and 61 (17.6%) served their exact sentence time. Of the 14 non-life sentence convicts who served more time than their sentence, the extensions ranged from 1 month to 3.5 years. Rebecca is the 3.5 years data point. Her 10.5 years served is more than 3 standard deviations from the mean ( $5.0 + (3 \times 1.63) = 9.89$ ) for 7 year sentences, an outcome that occurs less than 1/3 of 1% of the time.

The second separate sample of 305 records of convicts with life sentence also provided results that speak to the unique and complex history involving Tasmania's female convicts. There were 261 qualifying records. The average time served by the 261 was 9.44 years, with a standard deviation of 4.05 years. It was rare that a life sentence resulted in a life without achieving freedom. As two dramatic examples, Catherine Henrys (ID #1899) served less than 3 years on a life sentence for robbery while Judith Murtagh (ID #3948) served just over 4 years on a life sentence for infanticide.

## **CONCLUSION**

There are no quantitative reasons that explain Rebecca Gentles 10.5 year journey to freedom. Her 9 colonial offenses are within one standard deviation of the mean for her sister convicts. Yet her 10.5 years served was a 3-standard deviation event for convicts who were given a 7-year sentence.

Rebecca's outcome is explained most directly by her 1838 offense for "willfully maliciously and falsely defaming Dr. Secomb's character" (CON 40). She accused him of sexual assault. She drew 12 months hard labor in the female factories as a result. Her accusation "marked" her in the system.

Key word searches for "defaming" and "defamation" in the colonial offenses section of the FCRC records show only 7 such events out of the 13,649 records. Four were defamation offenses by female convicts against other non-convict women. They drew hard labor sentences of 6 weeks to 3 months in 3 cases and only an admonition in the fourth. One alleged defamation of a clergyman by a female convict was dismissed. The other against Mr. Huxley drew a penalty of sitting in the stocks for one hour. Rebecca's penalty again stands out with 12 months of hard labor.

It is a mistake to view events 200 years ago through today's lens. However, it still is remarkable that Rebecca's accusation drew harsher treatment than that given to many convicts serving time for murder and infanticide.

*END APPENDIX*

