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ABSTRACT

Title of Document: THE FIRST SEXUAL REVOLUTION:
A COMPARATIVE STUDY OF
PREMARITAL PREGNANCY RATES IN
MARYLAND AND MASSACHUSETTS:
1700-1810

Samantha Marie Parker, Master of Arts, 2018

Directed By: Terry Bouton, History

This study tracks the rates of premarital pregnancy among couples in three Maryland church communities during the eighteenth century. Previous scholarship was based largely on studies of New England towns, which showed rates rising over the eighteenth century, eventually reaching high points where 30-40% of brides walked down the aisle pregnant. Scholars then used these findings to generalize about premarital rates and sexual behavior in all the colonies. My study calls into question those generalizations by showing how each Maryland church developed its own distinct pattern, all of which differ sharply from the New England model. My work also suggests that the different patterns of premarital pregnancy in the Maryland churches are likely attributable to a host of different factors, such as demography, changing laws, and the different ways colonies prosecuted sexual transgressions.

THE FIRST SEXUAL REVOLUTION: A COMPARATIVE STUDY OF
PREMARITAL PREGNANCY RATES IN MARYLAND AND
MASSACHUSETTS: 1700-1810

By

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Introduction

Forty years ago, historians discovered something shocking about colonial America: a significant number of young women were pregnant when they got married. This groundbreaking historical discovery was the result of various demographic studies, which revealed patterns, and rates of premarital pregnancy in early America. Undoubtedly, the most important entry in this scholarship was the 1975 article, “Premarital Pregnancy in America 1640-1971: An Overview and Interpretation,” by Daniel Scott Smith and Michael S. Hindus. This expansive demographic study was a synthesis of many smaller studies, which helps explain why the study was so comprehensive and influential. The purpose of this study was to chart premarital pregnancy rates across place and time in the colonies and then determine the factors that caused drastic fluctuations over time. Smith and Hindus are especially intrigued by the rise of premarital pregnancy rates during the eighteenth century. In the seventeenth century, premarital pregnancy rates were generally low, under 10 percent of first births were the result of premarital pregnancy. That changed in the eighteenth century when the rates rose, peaking in the second half of the eighteenth century at about 30 percent.¹

Those findings helped form the basis of Richard Godbeer’s *Sexual Revolution in Early America*, perhaps the most influential study of sexual practices in the colonial era. Godbeer builds on Smith and Hindus, adding his own research on New England that reaffirms the pattern. For example, he examines county court records

¹ Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America 1640-1971: An

from different Massachusetts towns, explaining that from 1700-1735, 53% of all criminal prosecutions dealt with illegitimate children. He adds to the data on premarital pregnancy rates by showing how in certain New England towns it rose to 30-40% during the eighteenth century.

All of these studies share a similar methodology in determining the rates of premarital pregnancy. Most historians who have written and conducted studies on this topic used church records, since they are relatively easy to obtain, and they chronicle the marriage and birth records of the parish members. Using the church records, the historian can compare the date of marriage with the date of birth of the child to determine whether the bride was probably pregnant when she walked down the aisle. Other than church records, a few historians have used early census records that included marriage and birth dates--a rare source for the era, which reveals even more details about a population than church records, such as the size of households, number of children per family, servants per family, the ages of first marriage, and finally the interval or time between marriage and birth of first child. Together, these works help form the foundation of the history of sex and sexuality in early America, giving other scholars demographic data that they have used to explain why this trend happened and what it tells us about colonial society.

The problem, however, is that historians have used these few studies to make all-encompassing generalizations about sex and sexuality throughout colonial America based on a handful of studies concentrated in the northern most colonies. Although the Smith and Hindus study and the Godbeer book are cited in countless secondary literature as applying to the all the colonies, the study's findings

are largely from Massachusetts and New England. The small New England town focus raises numerous issues. With such small sample sizes, there is a much higher prospect for sampling errors. The small town focus of the New England studies also creates the possibility that the data is not completely representative of the region, let alone the colonies as a whole. In addition, there are many other factors that could greatly affect the data, such as urban versus rural communities, religion, economy, social status of families, regional culture and norms, and the effect of institutions such as slavery (or lack thereof) which might shape the results. There are countless factors that make regions and colonies in the country unique, which is why the entire culture of a region has to be considered when discussing the reasoning behind changing rates in premarital pregnancy. These factors can vary greatly depending on the region that the study is conducted, and therefore they should be examined thoroughly.

The available non-New England evidence suggests that there might be different regional patterns. For example, a study of several churches in Lancaster County, Pennsylvania showed much lower rates of premarital pregnancy in the eighteenth century, with “only 4.6, 6.4, and 4.3 percent of the parents in the three marriage cohorts had their first children before nine months of wedlock had elapsed.”² Larger studies on colonial sexuality tend to treat non-New England studies like this one as outliers from a pattern set by New England—when then mention them at all.

The heavy New England focus and the presence of several dissenting studies located outside New England raises an important question: could it be that New

² Rodger C. Henderson. "Demographic Patterns and Family Structure in Eighteenth-Century Lancaster County, Pennsylvania," *The Pennsylvania Magazine of History and Biography* 114, no.3 (1990): 372.

England is the actual outlier and that the studies identified as “outliers” are actually representative of a different sexual reality (or realities) outside the northeast? Is the evidence from places like Lancaster, PA a true outlier or was it indicative of a separate pattern of sexuality that was the dominant one elsewhere? In short, by focusing on one region of the colonies and letting it stand for the whole, have historians missed other separate and distinct regional patterns of sexual behavior?

My Methodology and Project

This project adds data from an unstudied colony to see how it fits the pattern identified by Smith and Hindus and Godbeer: in this case, Maryland. My project is based on gathering and analyzing premarital pregnancy data from Maryland to develop a more complete understanding of trends and patterns that occurred in the United States during the eighteenth century. By comparing my own findings and data from Maryland to other demographic studies that have been conducted in other colonies and regions of the country, a more complete portrait of the trends and the possible causes of those trends can be realized.

In this study, I collected determined premarital pregnancy rates from three different Maryland churches throughout the eighteenth century. I selected the churches based on record availability, looking for complete record sets that fell within the period of roughly 1700-1800, the same time period as the other studies. The church records that I used for this study are located at the Maryland State Archives in Annapolis, Maryland. The church records, which contain birth, marriage and death records for each of the parishes have been converted to microfilm and are in the

Maryland State Archives online database, which can only be accessed at the archives. I had to search through the Maryland church records, which were separated by county in order to find the churches that had mostly complete records from the eighteenth century. I wanted to select records from Maryland and I knew that the archives had the most church records. In the end I selected the following Maryland churches: St. Thomas Parish in Owings Mills (Baltimore County), All Hallows Parish in Anne Arundel County, and St. Paul's Parish in Baltimore City, all Episcopal churches. I used the marriage and birth records from three different Maryland church communities to determine those rates. I compared the date of marriage to the date of birth of the couple's first child and used the same bench marks as the other studies for determining how many first-born children were conceived before couples were married. This method has been used in every major demographic study that has produced data on the rates of premarital pregnancy.

The findings from these churches reveal divergent patterns: One church shows decline, one shows consistently low rates, one shows numbers jumping around between 16-38%. The New England pattern is of rising rates of premarital pregnancy over the 18th century, peaking around the time of the American Revolution. This suggests that there may not just be differences between Maryland and New England, but that there are regional differences within Maryland.

The differences can probably be best explained by the distinct regional demographic patterns and the different legal ways that Maryland handled premarital pregnancy. New England's numbers are reflective of a largely native-born young adult population with a more equal gender ratio and churches and governments that

became increasingly lax about enforcing punishments on sexuality during the eighteenth century. By contrast, Maryland's white, twenty-something population had a higher concentration of indentured servants and convict laborers with a gender ratio heavily skewed toward men. More importantly, the decline in Maryland's premarital pregnancy rates followed changes in Maryland's laws and procedures punishing sexual behavior that increased the penalties on both men and women. Thus, just as lax enforcement of sexual behavior in New England led to an increase in premarital pregnancy so too did more stringent laws and enforcement in Maryland lead to a decline.

I tell this story in three chapters. Chapter one examines the existing New England-focused scholarship on premarital pregnancy, exploring the methodology, findings, and interpretations of the typically rising rates of premarital pregnancy. Chapter two reviews the methodology of my study, the research process, and the results of the study. Chapter three interprets my finding and tries to explain why premarital pregnancy were different in Maryland. Part of the answer, I believe, comes in the form of the peculiar demographics of the Chesapeake region with its comparatively large, young male-dominated population of indentured servants and convict labor. Most of the answer, however, can be attributed to the changing laws and procedures that increased the punishments for premarital sex and pregnancy.

Chapter 1: Studies of Premarital Pregnancy in Colonial America conducted by Historians

Premarital pregnancy in colonial America has been a subject of intense study since the 1970s and 80s, when quantitative history was in vogue and the histories of women and sexuality were just starting to take off. This chapter reviews that scholarship with three goals in mind. First, I want to discuss the methodology that historians have used to identify premarital pregnancy and compile the data series that form the basis of their work. Second, I will review the findings from these studies and discuss the patterns they have uncovered such as the rising rates of premarital pregnancy in the second half of the 18th century. Third, I will present the range of explanations historians have offered for the changes over time they have observed in premarital pregnancy rates, especially the often dramatic increase in premarital pregnancy during the later 18th century.

Methodology

The emergence of quantitative and women's history and sexuality studies resulted in demographic studies that were conducted during the 1970s and 1980s. The studies conducted on rates on premarital pregnancy required historians to use various records in their attempt to uncover the rates and trends. More than the different record types, there are different benchmarks used to determine what is considered a premarital pregnancy. Historians have used varying methods and resources in their studies.

Church records are a resource used by historians that help them calculate rates of premarital pregnancy. With church records, historians are looking for the birth, marriage, and baptism records of the parishioners. With this information, the marriage dates of the couples are compared to the date of birth of their first-born child to calculate the number of couples that had conceived a child prior to marriage.

Vital records such as census records are another valuable source that are used, when available, and at times can reveal more information than church records can. Census records can reveal information such as; the size of households, number of servants or slaves that families owned, and the ages of the family members when the census was taken. Therefore, although census records are a more rare record to have access to from the colonial period, it is clearly a valuable resource for demographic studies.

The scholars who have conducted demographic studies have used different benchmarks to indicate what they consider to be a premarital pregnancy. The benchmark of eight months is one unit of measurement used by scholars to determine if the first-born child was born within eight months of the date of marriage. The interval of eight months has been used in multiple studies to determine if a premarital pregnancy occurred. Eight months was chosen as the benchmark, as one scholar viewed it as a unit of measure that would include a more complete sampling of premarital pregnancies. Scholars have used the benchmark of eight months, as it was the time period that was used as the standard proof of guilt was the arrival of a baby within eight months of marriage.

Besides eight months, historians have used other benchmarks in their work to determine if a premarital pregnancy occurred. The benchmarks that were used were those births that occurred under 9, 8 ½, and 6 months from the date of marriage. Using three different benchmarks allows for more a greater understanding of how early the premarital pregnancy occurred. By using three different benchmarks in one study both, the data is broken down further.

Although different benchmarks are used, they are not without their problems. The benchmark that counts any pregnancy under nine months as a premarital pregnancy is problematic as it does not take into account that this could have been a premature or early delivery. Furthermore, although breaking the rates down among 9, 8 ½ months and 6 months may provide more data, it produces a less clear image of the trends than if the scholar was to use just 8 months as a benchmark. Since there are different benchmarks in different studies, this makes the comparison of the rates and trends more difficult.

Scholars of premarital pregnancy rates use the rates to add context and interpretation of the changing expectations and trends that are related to sexuality, courtship, marriage and pregnancy in early America. These various aspects that pertain to the history of sexuality is one of increasing interest and interpretation by historians. Historians have focused on both sexual ideology and sexual behavior in their work, and have examined how certain acts such as premarital sex and premarital pregnancy were viewed and dealt with not only by the courts, but also by churches and individual families. Scholars interested in certain aspects of sexual ideology and interpretations of sexuality in early America have compiled various records in order

to understand overall trends that occurred during this time. When examining changing courtship and sexual norms, there has been particular interest and analysis regarding the second half of the eighteenth century, as premarital pregnancy rose at a dramatic rate. Beyond collecting the data and overarching trends of premarital pregnancies, historians have added their own interpretations about the changing societal factors that led to this trend. There are a number of important demographic studies that contribute to the interpretation of the rates of premarital pregnancy in colonial America.

Before discussing the methodologies of the scholars in this field, the following section will examine the lack of knowledge and use of birth control methods by colonists. Therefore, if an accidental or unplanned pregnancy occurred, the woman would have the child. Obviously, since there was little understanding of birth control or abortions, these were not options for women of this time. Moreover, the separateness of men and women when it came to events such as childbirth will be explored.

Methods of birth control and the division of men and women separateness

Before discussing the methods of scholars on the topic of premarital pregnancy, it is important to understand the methods of birth control used by eighteenth century women. In addition, to understand the roles of men and women in obstetrics and gynecology and how women's morality and bodies were regulated by local colonial governments.

Historian Susan E. Klepp explores the various references to and uses of birth control during the eighteenth century. Before the late-eighteenth or early nineteenth century, there was no reference to any type of barrier method of contraception. In addition, the method of coitus interruptus as a contraceptive method was only discussed in the context of illicit sexual encounters, which Klepp explains has led scholars to believe that methods of contraception were not even thought of for married couples, and the practice of abstinence was not common for married couples. More effective methods of limiting family size during this time included, delaying the age of marriage and breastfeeding for a longer amount of time. Both were more effective methods of limiting the number of children before the nineteenth century.

Klepp makes it clear that events such as menstruation, childbearing, and fertility were the concern of only women. It was not deemed appropriate for a man to cross the boundary and be present or to have a full understanding of these events. The practice of this strict division began in England and made its way to the New World. Men were normally excluded, and they avoided events such as childbirth. Instead, female friends, neighbors and a midwife would be present for the birth. Klepp goes on to say, “childbirth and other gynecological events, particularly menstruation, were shameful to men and were supposed to remain female secrets. Contact was emasculating.”³ The result of this shame and ignorance on the part of men, in part, is that the male method of contraception, condoms, were largely unknown and unused by eighteenth-century colonists.

³ Susan E. Klepp, *Revolutionary Conceptions: Women, Fertility, and Family Limitation in America, 1760-1820* (Chapel Hill: The University of North Carolina Press, 2009), 217-218.

As it was the belief during this time that women, in this one particular matter, were more knowledgeable than men, on occasion judges and juries would call on a married woman's expertise in cases that involved adultery, bastardy, fornication, rape, and infanticide. In other words, crimes that concerned the violation or accusation of a woman, the case would benefit from the opinion of another woman that had an understanding of female anatomy. As there were very few people in the community who had an expansive understanding of female anatomy, the testimony of a married woman was more than reliable, nonetheless this "role allotted to respectable women in maintaining the status quo."⁴ In other words, although this was an important role in court, it did not afford women any societal or legal changes.

Ultimately, in a society entrenched in double standards and patriarchal attitudes and values, "it was men who made the final judgment about the value of women's testimony and the appropriateness of judicial access to their bodies."⁵ And in the sections that follow, the laws pertaining to bastardy and fornication speak to how women were perceived morally and in the eyes of the law.

Smith and Hindus Methodology

When discussing the ways in which scholars have attempted to determine premarital pregnancy rates, you must begin by looking at the landmark study on the subject conducted by Daniel Scott Smith and Michael S. Hindus.

Their study, "Premarital Pregnancy in America 1640-1970: An Overview and Interpretation," is a large-scale quantitative study that is aimed at explaining the

⁴ Ibid., 220.

⁵ Ibid., 220.

cyclical pattern of premarital pregnancy rates in white populations in America. In their article, they explain that children are a measurable result of intercourse, and that premarital pregnancy, “provides an index of change in sexual behavior.”⁶ They go onto say that measuring rates of premarital pregnancy has many advantages such as, “coverage (since nearly all adults marry), reliability (since the births are legitimate and more likely to be recorded than illegitimate births), objectivity (since its measurement depends on the matching of records collected for other purposes), and sensitivity to change in the underlying phenomenon.”⁷ They list a multitude of these reasons to emphasize why conducting a large quantitative study, specifically on the rates premarital pregnancy, is a reliable method that can explain changing sexual behavior and courtship norms throughout American history. What makes this vast study so influential is that it is comprised of many smaller demographic studies, primarily from New England. Using these studies, Smith and Hindus make the argument that there was a drastic increase in the rates of premarital pregnancy during the second half of the eighteenth century. The smaller demographic studies can be found in the appendix of the study.

The Appendix section of the study reveals how the authors organized their study, and what they consider to be a premarital pregnancy. The marriage periods are separated into forty-year periods, and the percent of first births that occurred under 6, 8 ½, and 9 months are recorded. The largest study is from Hingham, Massachusetts, however, other Massachusetts towns studied include; Watertown, Dedham, Topsfield,

⁶ Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America 1640-1971: An Overview and Interpretation,” *The Journal of Interdisciplinary History* 5, no. 4 (1975): 537.

⁷ *Ibid.*, 537.

and Andover. These make up the most complete studies out of Massachusetts, however, there are other studies based out of New England, which are not as extensive, in places such as Rhode Island and Connecticut. The data from these studies was obtained via vital records of marriages and baptisms.

It is clear that the authors are especially intrigued that rates of premarital pregnancy peaked during the second half of the eighteenth century, stating that the rates of reached a highpoint of about thirty percent during that time, the highest rate out of all the years that they studied. This study examines the “changing relationships between sexual behavior and the social mechanisms controlling it.”⁸ In order to explain why there are periods with high ratios of premarital pregnancies, Smith and Hindus consider various factors, or social mechanisms, in their study in order to account for periods when rates of premarital pregnancy are high. Specifically, this study analyzes, “individual behavior, the role of the family as the principal regulator of sexual expression, and the larger societal context.”⁹ They use various external societal and cultural factors in order explain the trends.

When trying to determine what factors caused high rates of premarital pregnancy during certain periods, the authors examine the age of the women who had a premarital pregnancy, and the data they used is from Hingham and Andover, Massachusetts. Another factor examined is the economic status, or the relationship between familial wealth and instances of premarital pregnancy, and it should be noted that this table displays the wealth of Hingham families, from 1721-1800. Also based

⁸ Ibid., 541.

⁹ Ibid., 541.

out of Hingham, the proportion of women pregnant in relation to the economic status of their parents is considered. And finally, church membership of both parents and their children are explored in relation to rates of premarital pregnancy. The authors use the parish list and records from Hingham to compile their data.

The aim of this extensive study is to highlight, what they consider to be, relevant societal factors that can help account for such high rates of premarital pregnancy during the second half of the eighteenth century. The authors are some of the only scholars in their field to conduct such an extensive demographic study on this topic, which is why it is worthy of thoughtful analysis, including appropriate critiques.

Problems or concerns with the methodology

The issue with the study done by Smith and Hindus is that although it is one of the largest quantitative studies conducted on this subject, its major focus and statistical analysis is predominately from towns in New England. Therefore, a major flaw of this study is the issue of representation. Part of the appeal of this study is that it was shocking to scholars, especially when this article was first published, that there were such high rates of premarital pregnancy, especially in the religious region of New England. Additionally, Smith and Hindus stress the figure of 30- 40% of brides that had a premarital pregnancy. However, that figure is from 1721-1800, a 79-year period, and the study never specifies if there were exact years or even decades when rates of premarital pregnancy increased. It also needs to be recognized that this study is a large study that references and is comprised of many smaller studies that have

been conducted on this topic. The broad and vague aspects of this study are a flaw of not only this study, but also of demographic history as a subfield of historical research and writing.

Furthermore, the lack of data from the middle and southern colonies makes it so there is a gap in the existing scholarship on this topic. More than simply a gap, there are simply a limited number of studies on this subject altogether. How can the figure of thirty percent, referring to the premarital pregnancy ratio, be representative of the entire United States when the study by Smith and Hindus was largely based out of Hingham, Massachusetts during the eighteenth century? These are all questions and problems with their methodology that need to be addressed and taken into consideration, especially since this is a relatively well-known and unique study. Another study that was cited by Smith and Hindus, is a small demographic study based out of Rhode Island that reveals straightforward yet interesting results and analysis.

Demos Methodology

It is important to recognize that although the Smith and Hindus study appears very large and groundbreaking, it is in fact a study that is comprised of many small, data producing demographic studies. In fact, one of the studies, conducted in 1968, showcases the most drastic changes in sexual norms during the eighteenth century. The study, based out of Bristol, Rhode Island, has a simple yet effective methodology when it comes to displaying the rates of premarital pregnancy in this town.

The author, John Demos, in his study, “Families in Colonial Bristol, Rhode Island: An Exercise in Historical Demography,” uses records to create a

demographic profile of the families of colonial Bristol, RI, including rates of premarital pregnancy. Demos explains that by the mid eighteenth-century, Bristol was a thriving commercial center, as there was whaling and fishing industries, and trade with the West Indies, as fish and produce was exchanged for goods such as sugar, molasses, and coffee. Establishing the context and characteristics of Bristol is important for the author, whose aim with this study was to create a complete "demographic profile."¹⁰ More specifically, Demos uses various types of records that are available to construct the demographic study of Bristol. The data comes from the vital records of Bristol, such as the birth, marriage, and death records, and the author explains that the data is was not recorded extremely carefully for certain years and is upfront about the fact that he is working with impartial data. However, not only are the vital records used by the author, but the census data beginning in 1689 was used as well, which is a rare record to have access to, especially from the seventeenth century. Understanding that vital records can be incomplete or not extremely detailed, Demos explains that by using the vital records and the census records "to supplement each other is what makes Bristol a particularly hopeful demographic prospect."¹¹

The overarching goal of this demographic study was to compile data that would allow for a more complete understanding of family structure in colonial Bristol, Rhode Island. The census data allowed the author to compile data and place it in tables, such as; the size of households, children per family, age of wives, size of households, ages of first marriage, etc. This allowed for a more complete picture of the residents of colonial Bristol. However, the most pertinent aspect of this study is

¹⁰ John Demos, "Families in Colonial Bristol, Rhode Island: An Exercise in Historical Demography," *The William and Mary Quarterly* 25. no. 1 (1968): 42.

¹¹ *Ibid.*, 43.

the last chart, in which Demos records the number of cases of premarital pregnancies among one hundred and twenty-seven couples in Bristol. His methodology for this part of the study was comparing the date of marriage against the date of birth for the first-born child. The purpose of this portion of the study is to "discover how many babies have been conceived *before* a formal ceremony of marriage, and thus develop some impression of possible changes in sexual mores of the community."¹²

In his study, Demos use the vital records, which include dates of birth and marriage dates. The date of birth of the first-born child and he compared them to the date of marriage of couples in Bristol. He describes that this was how he was able to determine the percentage of babies that were conceived prior to a formal marriage ceremony. The records indicate that from 1680-1700 and from 1700-1720, there were no instances of premarital pregnancies. This changes during 1720-1740, when 10% of couples had a premarital pregnancy during this time. The rates increase drastically during the period of 1740-1760, when the rates were 49%, and the rates remained high from 1760-1780, as the rates were 44%. Demos explains that the sharp increase of these rates are quite dramatic, and, “ would seem to indicate some significant loosening if sexual prohibitions as the eighteenth century wore on, but its specific meaning in the lives of the people directly involved is hidden from us.”¹³ The author realizes that the pattern is clearly dramatic, but he acknowledges that the data alone does not explain how the residents of Bristol interpreted and reacted to these dramatic changes.

¹² Ibid., 56.

¹³ Ibid., 56.

What is refreshing about this study is that the author openly admits that the sources used for this study were not always complete, but he used the sources that were available, to try and produce a demographic portrait of colonial Bristol, Rhode Island. This is an early demographic study, but it is a valuable as it uses vital records and census records, which are rare for the colonial era.

Data and Results from Previous Studies

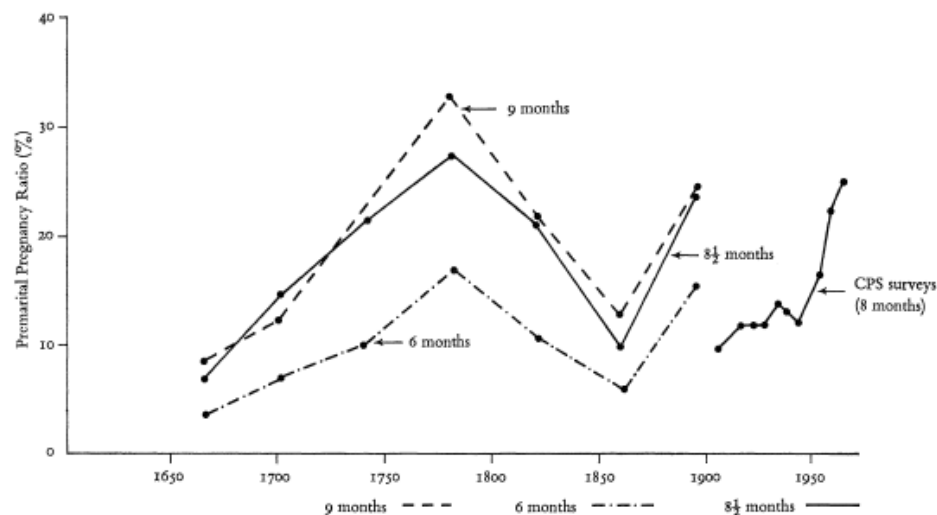
This section will focus on the data and overall trends that scholars on this topic have presented. When analyzing the results from these previous studies, it should be made clear that their findings are based on small sample sizes, and in some cases it can be difficult to analyze. With an understanding of the trends and figures, which are primarily from New England, they will offer a solid basis of comparison to the trends and findings from Maryland.

Smith and Hindus Data

Demographic Historians Daniel Scott Smith and Michael S. Hindus in their study, “Premarital Pregnancy in America 1640-1970: An Overview and Interpretation,” present the overarching trends, both the peaks and valleys in the rates of premarital pregnancy, beginning in 1640. Smith and Hindus are most often cited for their finding that the peak of premarital pregnancy rates was thirty percent during the second half of the eighteenth century. The figure of thirty percent from this study is referenced and cited in many subsequent academic journal articles related to the history of courtship and sexuality in early America. The first chart in their work, shown below, displays what Smith and Hindus call the “American Premarital

Pregnancy Record, ” which graphically displays the premarital pregnancy ratio, beginning in 1640. In addition, there are three individual lines, which represent the different benchmarks that the authors use to determine premarital pregnancy. In other words, each of the lines show the percentage of first-born children born within 6, 8 ½, and 9 months of marriage. Each of these three benchmarks peak during the second half of the eighteenth century, which supports their argument that the rates did peak during this time. The chart also showcases that the highest rates of premarital pregnancy reach upwards of thirty percent, which is the peak of the rates during the entire period, and it displays their argument in the graph below.

Table 1. The American Premarital Pregnancy Record



Source: Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America 1640-1971: An Overview and Interpretation,” *The Journal of Interdisciplinary History* 5, no. 4 (1975): 538.

Beyond showing the overview of the rates been shown in the chart, the authors move onto more specific tables that display certain variables that can help

account for the trend of an increase in premarital pregnancy rates during the eighteenth century. Table 1 shows the relationship between the age women were when they were married and had a premarital pregnancy. The sample place used in this table is Hingham, Massachusetts from 1720-1880, and the age range of 15-19 had a rate of 40.9% of brides that had a premarital pregnancy during the years of 1721-1800. This chart showcases how rates of premarital pregnancy peaked during the second half of the eighteenth century, and that most women who had a premarital pregnancy were relatively young. The chart displays that rates of premarital pregnancy were increasing during the eighteenth century, however the age of the women who had a premarital pregnancy was most common the age cohort of 15-19. Therefore the women who were becoming pregnant before a formal marriage ceremony were teenagers.

Table 2: Relationship of Female Age at First Marriage to Premarital Pregnancy

DESCRIPTION OF SAMPLE PLACE AND PERIOD OF MARRIAGE	AGE AT MARRIAGE OF WOMAN				
	15-19	20-24	25-29	30-34	35 AND OVER
Hingham, Mass. (rate)					
-1720	2.4 (100)	11.4 (475)	3.9 (162) ^a		
1721-1800	40.9 (100)	23.8 (58)	21.6 (53)		
1801-1840	23.9 (100)	15.5 (65)	13.5 (56)		
1841-1880	15.4 (100)	11.0 (71)	2.7 (17)		
Andover, Mass. (ratio) ¹					
1685-1744	19.0 (100)	15.8 (83)	6.7 (35) ^a		
United States (ratio) ²					
1964-1966	29.8 (100)	14.7 (49)	5.9 (20) ^a		
Northwest France (ratio) ³					
1670-1769	3.7 (100)	6.4 (175)	6.8 (184)	6.3 (171)	6.5 (177)
France (rate) ⁴					
1925-1929	18.4 (100)	11.9 (65)	8.6 (47)	7.1 (39)	6.0 (33)
1955-1959	33.0 (100)	18.2 (55)	14.4 (44)	11.3 (34)	3.7 (11)
Australia (rate) ⁵					
1911	58.8 (100)	34.5 (59)	20.3 (34)	15.2 (26)	6.8 (12)
1965	44.6 (100)	16.2 (36)	13.5 (30)	10.8 (24)	3.9 (9)

^a 25 or more.

SOURCES:

¹ We are indebted to Philip J. Greven, Jr. for these unpublished data.

² Mary Grace Kovar, "Interval from First Marriage to First Birth: United States, 1964-66 Births," unpub. paper, (1970), Table A.

³ Louis Henry, "Intervalle entre le mariage," 277, Table 9.

⁴ Jean-Claude DeVille, *Structure*, 91, Table 35.

⁵ K. G. Basavarajappa, "Pre-marital Pregnancies," 143, Table A.

Source: Daniel Scott Smith and Michael S. Hindus, "Premarital Pregnancy in America 1640-1971: An Overview and Interpretation," *The Journal of Interdisciplinary History* 5, no. 4 (1975): 542.

Below is the Appendix from the Smith and Hindus study, which displays the periods of marriage, and the percentage born of babies born under 6, 8 ½ and 9 months of marriage. The Appendix shows that during the period 1761-1800, or the latter half of the eighteenth century, the percent of first born children born under nine months of the couples date of marriage is 33%. The percentage born under 8 ½ months of the marriage date during this same period was 27.2%, and there were 16.7% born under 6 months of the couples' date of marriage. All three of these percentages are the highest percentages among all of the other marriage periods, indicating that 1761-1800 is the peak of premarital pregnancy rates.

Table 3. Appendix I: Smith and Hindus Premarital Pregnancy Data

APPENDIX I						
<i>Summary</i>						
PERIOD	UNDER 6 MONTHS		UNDER 8½ MONTHS		UNDER 9 MONTHS	
	%	N	%	N	%	N
-1680	3.3	511	6.8	511	8.1	663
1681-1720	6.7	445	14.1	518	12.1	1156
1721-1760	9.9	881	21.2	1146	22.5	1442
1761-1800	16.7	970	27.2	1266	33.0	1097
1801-1840	10.3	573	17.7	815	23.7	616
1841-1880	5.8	572	9.6	467	12.6	572
1881-1910	15.1	119	23.3	232	24.4	119

Individual Studies: For the efficient display of the maximum detail, the data are reported in the following order: sample description, marriage period, percent of marriages linked to first births, number matched, percentage born under 6, 8½, and 9 months.

Source: Daniel Scott Smith and Michael S. Hindus, "Premarital Pregnancy in America 1640-1971: An Overview and Interpretation," *The Journal of Interdisciplinary History* 5, no. 4 (1975): 561.

Demos's Findings

Table 4 below displays the marriage intervals in twenty-year intervals, and the number of premarital pregnancies increase begin a steady rise beginning during the period of 1720-1740. The highest percentage during the twenty-year interval of 1740-1760, with 49% of couples who had their first child within eight months. The rate remains high during the period of 1760-1780, with 44% of coupled who had a premarital pregnancy. The results of this study clearly show the trend that there was a sharp increase in the rates of premarital pregnancy during the second half of the eighteenth century.

Table 4. Rates of Premarital Pregnancy in Colonial Bristol, Rhode Island

TABLE X INTERVALS BETWEEN MARRIAGE AND BIRTH OF FIRST CHILD			
Time of Marriage	Total Number of Couples	Number With First Child Within 8 Months	Percentage With First Child Within 8 Months
1680-1700	19	0	0%
1700-1720	8	0	0%
1720-1740	42	4	10%
1740-1760	35	17	49%
1760-1780	23	10	44%

Source: John Demos, "Families in Colonial Bristol, Rhode Island: An Exercise in Historical Demography," *The William and Mary Quarterly* 25. no. 1 (1968): 56.

Gladwin's Findings

Historian Lee A. Gladwin studied the correlation between economic conditions in Virginia and how that affected rates of premarital pregnancy. Specifically, the study focuses on the rates of premarital pregnancy from two Virginia counties, Middlesex and Richmond County, reveal different trends. The table below

shows that the author splits the marriage periods in twenty-year increments, and calculates the percentage of couples who had their first-born child within eight months of marriage. The results of the study out of Middlesex County do not reveal a consistent trend, as the rates increase from 1700-1739, before dropping off to zero during the next decade. The trend out of Richmond County, Virginia, reveals that there was a clear and steady increase in the number of premarital pregnancies, especially from 1730 until the end of the eighteenth century, indicating a steady, upward trend during the latter years of the eighteenth century. The rates of premarital pregnancy from this county remain in the thirty-percentile range from 1730-1769, indicating that these rates were similar to the New England pattern. The results of Gladwin's study do not show a consistent trend, but it is still a necessary addition to the scholarship, as studies on this topic from the Chesapeake region are rare.

Table 5. Rates of Premarital Pregnancy in Middlesex and Richmond Counties

Table 1. Couples Having First Child Within Eight Months After Marriage

Middlesex County			
Year of Marriage	Total	Number with first child within eight months	% with first child within eight months
1700-09	55	7	12.72
1710-19	74	12	16.21
1720-29	80	18	22.5
1730-39	73	23	31.50
1740-59	0	0	0
1760-69	6	1	16.6
Richmond County			
Year of Marriage	Total	Number with first child within eight months	% with first child within eight months
1710-19	16	3	18.7
1720-29	51	5	9.8
1730-39	30	10	33.3
1740-49	12	4	33.3
1750-59	13	5	38.46
1760-69	9	3	33.3

Source: Lee A. Gladwin, "Tobacco and Sex: Some Factors Affecting Non-Marital Sexual Behavior in Colonial Virginia," *Journal of Social History* 12, no. 1 (1978): 62.

As the results from each of these demographic studies reveals, there is a lot of variation among them. Sample sizes vary, which causes the data to be skewed. Therefore, although the results from these studies should be considered and analyzed, the results should be considered with caution.

Possible Explanations

The following section will describe the various explanations that scholars have used to try and explain the changing rates and trends of premarital pregnancy. Although these explanations are not necessarily all the relevant or useful for interpreting the Maryland data, they were taken into consideration as part of the research process. In other words, there are different interpretive schools of thought, some more persuasive than others, which aim to provide context and explanations to the changing rates. The arguments in this section vary but they fall into different categories based on their approach. The first argument examined is that there was an ideological shift that took place during the time of the Revolution, which caused a loosening of morals among young men and women, resulting in higher rates of premarital pregnancy. The second major argument is that sexuality became privatized, as the legal energies shifted away from sexual transgressions toward economic matters. As such, communities policed sexual transgressions and the prevention of said transgressions. Another argument used to interpret rates of premarital pregnancy is that there were changing laws and prosecutions that took place during the late seventeenth and into the eighteenth century. For instance, the

punishments of whippings for bastardy were phased out and the accused had to pay a fine. As punishments became less harsh, scholars have argued this can explain why rates of premarital pregnancy increased during the eighteenth century. The final argument that is explored in this section is economic, and the historian examines the correlation between the economic conditions and fluctuations that occurred in eighteenth century Virginia and rates of premarital pregnancy. The author was seeking to understand if there was a positive correlation between these two factors. These arguments made by historians are examined in further depth in the paragraphs that follow.

The Loosening of Morals during the Revolutionary Era

This argument suggests how there was an ideological shift among the colonists leading up to and during the Revolutionary era. The influx of revolutionary ideas and rhetoric that swept through the colonies had a dramatic impact on the colonists, specifically young men and women, who were influenced by the societal changes. The influence of these ideological changes manifested themselves in the way that young men and women began choosing partners for themselves and not waiting until marriage to have sex.

One explanation that multiple scholars explore is that there was a loosening of morals that occurred during the eighteenth century, which they argue can explain why there was a dramatic increase in premarital pregnancy rates. The rhetoric of the American Revolution is one argument that accounts for the loosening of morals among young men and women due to the changing societal conditions that, in

part, can account for the drastic increase in premarital pregnancy during the second half of the eighteenth century. The authors cite the Revolution, as it was, “a general shift from passive to active consent on the part of the people; ...it is not unreasonable to assume that a similar shift occurred in intergenerational relations.”¹⁴ The argument is that as people internalized the rhetoric of the Revolution, they wanted to think for themselves and break free from old traditions of courtship and from what their parents did, hence the rise in premarital pregnancy rates. The idea of independent thought and action were omnipresent during leading up to and during the Revolutionary era, leading scholars to believe young men and women revolted in their way by choosing their own partners and having premarital sex and resulting pregnancies. The less restrictive sexual climate of the eighteenth-century was due in part to the rhetoric and disruption of the American Revolution. This changing atmosphere influenced young people as they “took full advantage of that increasingly permissive atmosphere, experimenting sexually not only within the context of courtship but also as the dallied in more casual and transitory liaisons.”¹⁵ However, these sexual encounters among young people occurred most often within their parents’ homes so that parents could supervise their children. If young women, especially unmarried young women, spent the night with the man they were with, this was most often done in the family home so that the two of them could be supervised. Furthermore, it ensured that if the woman were to get pregnant out of wedlock, there was little doubt who the father was. The major changes in ideology during this time

¹⁴ Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America 1640-1971: An Overview and Interpretation,” *The Journal of Interdisciplinary History* 5, no. 4 (1975): 557.

¹⁵ Richard Godbeer, *Sexual Revolution in Early America*. (Baltimore: The Johns Hopkins University Press, 2002), 229.

lead the authors to believe that it was such a chaotic and transitional time in the country that led the younger generations to respond and the result was the surge in premarital pregnancy rates.

Scholars have used to explain what caused rates of premarital pregnancy in New England specifically, was a shift in ideology. This shift, which occurred during the time of the Revolutionary era, is one that is characterized as a time in history when there was a move away from “patriarchal, familial, and communal values,” in favor of a more individualistic society.¹⁶ This period was when the ideology, especially that of the young people signaled “a general shift from passive to active consent on the part of the people.”¹⁷ This active participation of the people encouraged a more liberal society in which citizens were free to make their own decisions without being tethered to traditions. As the rhetoric of the Revolutionary period emphasized independent thought and actions, the youth of the colonies internalized these sentiments and applied them to their own lives. Young men and women felt more liberated to choose their own partner and engage in relations during courtship. Scholars argue that this shift caused the youth of the colonies to choose their partners for themselves, which in turn meant that premarital sex and pregnancy occurred at a higher rate, helping to explain why the rates steadily increase and peak during the second half of the eighteenth century.

¹⁶ Rodger C. Henderson. "Demographic Patterns and Family Structure in Eighteenth-Century Lancaster County, Pennsylvania," *The Pennsylvania Magazine of History and Biography* 114, no.3 (1990): 383.

¹⁷ Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America 1640-1971: An Overview and Interpretation,” *The Journal of Interdisciplinary History* 5, no. 4 (1975): 557.

It is a reasonable and viable explanation that the ideological shifts that occurred during the Revolutionary era were particularly powerful in the region of New England, especially since Massachusetts at large, not specifically Boston, is known as the birthplace of the American Revolution. Being the epicenter of the Revolution with many rebellious actions taking place, young people living in New England would be more influenced by the rhetoric of personal freedom and independent thought, than a young person living in the Chesapeake region would be. This explains in part, why the data from the three Maryland church communities do not show a dramatic increase in bridal pregnancy rates during the second half of the eighteenth century. The data has shown that the rates from the town of Hingham, Massachusetts, for example, steadily increased from 1680, until they reached their peak of 33.5% during the period of 1761-1780, only decreasing slightly to 32.8% during the period of 1781-1800.

The scholars that study the rising bridal pregnancy rates only examine how the youth of the region of New England reacted to the Revolution. The influence, or lack thereof, of this ideological shift on the young people of the Chesapeake and other regions, is far from being fully explored. However, when comparing the Maryland data to the New England data, it is clear that this shift in ideals and personal liberties had a much greater impact in New England. The rates from Maryland during the Revolutionary era are low, especially compared to the rates from New England. During the period from 1760-1780, the rates from St. Paul's Parish in Baltimore City were 0%, and during the same period the rates from St. Thomas' Parish in Baltimore

County were 5%. The only parish that reported a significant percentage of bridal pregnancies was All Hallows Parish, with 24% during the period.

Scholars have also argued that the Revolution caused a disruption in intergenerational relationships, between that of parents and their children. The argument being that leading up to and beyond the Revolutionary Era, that young people would want to forge their own path, independent from the traditions of their parents. Since this was a rebellious and disruptive time in American history, it is understandable that young people would forage their own path and listen to the rhetoric that they became steeped in.

The priority in New England has always been, since the establishment of the colony, to maintain family and community values. This mindset and value system did not occur in the same way in the Chesapeake region, where immigration, indentured servitude, and high mortality rates delayed the formation of nuclear families. These demographic circumstances were not the case in colonial New England. Therefore, it is understandable that the youth of New England wanted to break free of the traditional social constraints and norms that had been abided by for the past century and a half. The Revolution signaled to the youth that they didn't have to listen to their parents' wishes and that personal freedom was a positive and attainable life pursuit. Premarital pregnancy was a manifestation of this break away from traditional colonial norms.

Sexuality became privatized

Scholars have examined how the resources and energies of the courts shifted from moral issues, including sexual transgressions, to economic matters. During the

eighteenth century, colonial economies expanded and diversified, which put less of an emphasis on religious matters in the courts. Therefore, scholars have argued that families and communities began to monitor the sexual activity of young men and women, as sexuality became less in the public eye, in courts, and more in the privatized realm of family homes and communities, making instances of premarital pregnancy more likely to occur.

In his work, *Sexual Revolution in Early America*, Richard Godbeer explores the regulation of sexuality in New England during the eighteenth century. Godbeer explains the societal and economic shifts that took place, such as the Massachusetts 1691 charter, when property ownership became the prerequisite for voting rights over church membership, which Godbeer argues is a reflection of how New England society became less Puritan in their values and more concerned with commercial issues over religious ones.¹⁸ As New England society shifted in its interests, so did the harsh consequences for sexual practices and how sexuality was monitored. Leading up to and during the eighteenth century, New England's population and economy became increasingly diverse, and changes took place as "eighteenth century courts took less and less interest in the enforcement of moral values as their caseloads became dominated by financial and commercial issues."¹⁹ However, Godbeer argues that although legal energies shifted, there was still a lot of surveillance of sexuality throughout New England; it simply manifested itself in different ways. There was regulation from local institutions, as well as congregations,

¹⁸ Richard Godbeer, *Sexual Revolution in Early America*. (Baltimore: The Johns Hopkins University Press, 2002), 227-228.

¹⁹ Ibid., 228.

which demanded public confessions for premarital sex up until the late eighteenth century.

Part of Godbeer's argument is that a large part of the sexual revolution that occurred during the eighteenth century was how sexuality and sexual intimacy was regulated. He makes the case that although the judicial system became increasingly disengaged from the regulation of moral and sexual conduct, New Englanders themselves came up with their own approach as to how best to monitor sexual behavior. The regulation of sexual behavior took place in their homes and communities, which Godbeer refers to as a "metamorphosis of sexual regulation"²⁰ that took place during the eighteenth century. In other words, the sexual revolution that took place was that sexuality was privatized. Furthermore, based on this drastic change in sexual regulation that took place, there was also a steady increase in the rates of premarital pregnancy, a trend that Godbeer explains can be traced back to the last decade of the seventeenth century. This study is not data driven, instead Godbeer accepts that there was a dramatic increase in rates of premarital pregnancy during the second half of the eighteenth century, and tries to interpret and explain this drastic trend.

Despite the argument that the culture of eighteenth-century New England was more sexually permissive, churches still monitored couples heavily. Godbeer explains that confessions or investigations of premarital sex and/or pregnancy occurred during the application process of church membership. During this process, some couples lied about having a premarital pregnancy because they wanted

²⁰ Ibid., 228.

to be accepted into the church so that their child could be baptized. Members of the congregation, however, realized the "difficulty of proving that a baby was conceived prematurely rather than born early."²¹ Therefore, this particular congregation in New Salem, Massachusetts, decided in 1740 to stop public confessions for those suspected of fornication. However, many congregations continued to require a confession from couples, and those couple that refused to confess and simply claimed that their baby had been born early would have to undergo an investigation by the church. Throughout his work, Godbeer uses church records to fashion his arguments and narrative about specific aspects of how premarital pregnancy and the church, the colony and the community at large dealt with sexual transgressions.

Godbeer's methodology on this topic is much less concerned with the figures that dominate quantitative studies, such as Smith & Hindus'. Instead, Godbeer integrates figures in his work only if it truly helps to illustrate a specific point. Part of the problem with Godbeer's methodology is that his analysis of the sexual regulation and rising rates of premarital pregnancy is a reinterpretation of existing data, and no new data is presented. Furthermore the studies that he cites in his work are based out of New England, and he does not attempt to speculate what the rates or trends might be in other parts of the country. Moreover, the author echo's many of the core arguments made by Smith and Hindus as to what can account for the drastic increase in premarital pregnancy rates during the eighteenth-century.

²¹ Ibid., 232.

Changing Laws and Prosecutions

Scholars have also examined how changing laws and rates of prosecutions, such as the fact that by the late seventeenth century and into the eighteenth century, the punishment for sexual transgressions underwent a shift from whippings and public confessions, to simply paying a fine. With shifts in the legal system and punishment structure, scholars argue that this can explain a rise in premarital pregnancy rates.

A legal factor that is considered by Gladwin and many other scholars of this topic is that of the changing laws surrounding fornication. The changing social norms and laws are a strong indicator as to the permissiveness of premarital sexual behavior in the broader culture in colonial America. During the early seventeenth-century, fornication was a punishable offense that included whippings, fines, and public confessions. However, by the later seventeenth-century, attitudes surrounding fornication and premarital pregnancy had changed to a degree, and courts were becoming more tolerant of couples who were married around the time of premarital sex and the resulting pregnancy. Finally, by the eighteenth century, Virginia couples did not have to publicly confess or receive whippings, and only an occasional fine was the punishment. More so than couples having a child out-of-wedlock, the courts were more concerned with punishing servant women whose illegitimate children were a financial burden. Therefore, single, servant women were called into the court on a much higher rate than couples that had a child premaritally, since it was expected that the couple would marry and support their child. Therefore, based on the changing laws and attitudes towards non-marital sexual behavior, Gladwin asserts that

permissiveness rose throughout the period, and so did premarital sex and population density.

The work by Cornelia Hughes Dayton, *Women Before the Bar: Gender, Law, & Society in Connecticut, 1639-1789*, is a rich addition to the scholarship, as it examines the ways in which women were involved in legal matters during the seventeenth and eighteenth centuries. More specifically, Dayton looks at various legal matters, especially those involving sexual transgressions, since "In New Haven, as in the rest of New England, fornication was by far the largest category of criminal cases on the county docket from about 1690 until 1770."²²

This study is from a legal perspective; therefore, Dayton makes her arguments based on county court records and rates at which men and women were prosecuted for fornication. Moreover, although the charge was fornication, there were obviously women who became pregnant as a result of these unions. The author produces data tables using county court records from New Haven County, Connecticut, which showcases her argument that there was an eighteenth-century double standard, as single women were prosecuted at a much higher rate for instances of fornication compared to men. The rates of prosecution for fornication in this county clearly indicate that men were rarely prosecuted for sexual crimes in New England.

In terms of specific numbers, Dayton explains that there was a massive shift in the number of fornication prosecutions in New Haven. During the 1690s, the number of charges for premarital pregnancy quadrupled, and during the same decade, a

²² Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, & Society in Connecticut, 1639-1789* (Chapel Hill: The University of North Carolina Press), 160.

significant number of single mothers were convicted but there were no charges against their male partners. These two patterns would continue until the 1740s. In her work, Dayton tracks the rates of prosecution for fornication, and finds that the rates peak during the 1730s, when the rates for husbands and wives peaked at 107 cases. In a separate table, which tracked the rates of prosecution of single people showed that, "between 1690 and 1740, only 33 of the 75 single women prosecuted saw the man they named pursued at the county court level."²³ The prosecution rates do much to reveal how much more often women were prosecuted compared to men.

Economic Changes that Affect Premarital Pregnancy Rates

There are other scholars who have identified and argued that changing economic conditions throughout the eighteenth century are an external factor that had an influence on the rates of premarital pregnancy. This study aims to uncover if there is a correlation between times of economic prosperity and higher rates of premarital pregnancy.

In one study, the historian examined and tested the hypothesis that there could be a correlation between the fluctuating tobacco prices and premarital relations. The author explained that there had been previous studies that had tested the hypothesis that there is a relationship between economic changes and non-marital behavior. Gladwin tested the hypothesis that "premarital coitus would increase in times of prosperity and decline in periods of recession."²⁴ The rates of premarital relations

²³ Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, & Society in Connecticut, 1639-1789* (Chapel Hill: The University of North Carolina Press):188.

²⁴ Lee A. Gladwin, "Tobacco and Sex: Some Factors Affecting Non-Marital Sexual Behavior in Colonial Virginia," *Journal of Social History* 12, no. 1 (1978): 60.

were compared to the average price of tobacco, the largest source of income for Virginia during the eighteenth century. Virginia's economy saw various fluctuations, such as a depression that lasted from 1720-1734, followed by years of economic prosperity, which came to an end in the early 1760s. The author observed that the rates of premarital relations in Richmond County had a positive correlation to the years when Virginia was economically prosperous. However, the same cannot be said for Middlesex County, which is why Gladwin states that economic factors are not enough to fully account for rates of premarital pregnancy and behavior. The author tries to make a connection between the economic conditions of Virginia and how this could affect or correlate with permissive sexual behavior, in this case, premarital pregnancy. His results, however, are inconclusive, and only the rates from the study out of Richmond County, correlate positively with the rates of premarital pregnancy.

These arguments add context to the demographic and premarital pregnancy data that has been published by scholars, and have been considered and explored for the benefit of this comparative study. The following chapter will present the three churches I selected for my study, and the data that I collected for each church.

Chapter 2: Premarital Pregnancy in 18th Century Maryland

The follow chapter will present the three different churches that are in my study, how I chose these churches, the history of each, and finally, my methodology and findings from the three different Maryland church communities will be presented.

The data from Maryland diverges from the pattern in New England in several ways. One church saw high rates in the early 18th century and then a sharp drop after 1760 (from a high of 40% to 7% or less); another church saw rates fluctuate between 16-38%; the third church had consistently low rates (between 5-10%). These divergent numbers suggest that there may not simply be regional differences between MD and New England but also sub-regional differences depending on location within the colony.

Selection of the Three Churches

For this study, the setting is three different Maryland churches: St. Paul's, All Hallows, and St. Thomas' Parish. All three churches are Protestant Episcopal and were chosen based on the amount of data they provided, and if that data matched the time period of this study, roughly from 1700-1810. These churches were established in the late seventeenth century and early eighteenth century and kept detailed records dating back to the year of their respective founding's.

Although Maryland was a colony established as a haven for Catholics, over time, Anglican churches became the dominant denomination.

The Anglican Church, also known as the Church of England, was established in Maryland in 1692, and the Royal Assembly passed an Act, which garnered the

financial support to charter thirty Anglican Parishes. In fact, two of the Anglican parishes that were established due to this charter are included in the study, and they are St. Paul's and All Hallows Parish. Although established later, St. Thomas, the third church in my study, is an Anglican parish as well. Obviously, it took time to build the churches and recruit clergymen, but the establishment was a large step forward and by the eighteenth century there were many well established Anglican churches in Maryland.

These three churches were chosen because they kept records from the eighteenth century, which was the time period of my study. The Maryland State Archives has an online finding aid, which separates churches and their records by county. The difficulty was finding churches that had adequate records dating back to 1700. After speaking to an archivist and searching through the finding aids and special collections, it became clear that many churches simply don't have or didn't begin keeping detailed records until the mid eighteenth century or until the nineteenth century. Through the special collections database, I was able to see which churches had records during the eighteenth century. After locating the name of the churches that I thought would work in my study, I wrote down the microfilm series number. An archivist explained that all of the microfilm records had been digitally scanned and viewed through a program on the computers at the archives. Since they were digitally scanned, it was the original church records that I was viewing and able to flip through. The information from each church was organized by marriage records as well as birth and baptism records, making it relatively easy to record the data from each parish. Most records were complete, although you could tell if part of a record

was missing or incomplete. For example, on certain birth or marriage records, the year would be written, but the month or day may be missing. In these types of cases, I would not use the record, and move onto the next record.

For each church, about eighty couples and their firstborn child were selected, and used as the quantitative sample. The method for selecting couples and their children for the study was based on availability of the data, which is the date of marriage, and the date of birth of their firstborn child. The approximate ranges of dates for the study was 1700 to 1810, with at least ten couples representing each period of marriage.

Some background information about the churches is helpful in providing context. St. Paul's Church, founded in 1692, is one of the oldest Episcopal churches in Baltimore. The General Assembly of Maryland founded it under the Establishment Act of 1692. Known as the "Mother Church of Baltimore," it was one of the original Anglican Parishes in Maryland, and was originally called Patapsco Parish, as it was located near Colgate Creek, on the north shore of the Patapsco River. The church moved to the newly incorporated Baltimore Town in 1730. St. Paul's has had many notable and elite parishioners throughout its history, including signer of the Declaration of Independence and Supreme Court Justice Samuel Chase, as well as Revolutionary War hero John Eager Howard, and commander of Fort McHenry during the Battle of Baltimore, George Armistead.²⁵ The late mayor and governor William Donald Schaefer also attended St. Paul's.

²⁵ Auni Gelles, "St. Paul's Church: Gathering Place of Baltimore's Episcopal Elite," *Battle of Baltimore*, accessed March 5, 2018, <https://www.battleofbaltimore.org/items/show/244>.

Although these prominent individuals were members of this church, which suggests that the parishioners were from wealth, there were a relatively high number of premarital pregnancies that occurred. However, it is interesting that the highest instances of premarital pregnancy occurred in earlier years of this study, or the first half of the eighteenth century, when the rates steadily rise until they drop off starting in 1760. This trend for St. Paul's Parish is the opposite of the Demos study based out of colonial Bristol, Rhode Island, and the overall trend that occurred in New England, as rates were highest during the second half of the eighteenth century.

More than a place for worship, Old St. Paul's has a history of being involved in the social welfare of the community. Parishioners of St. Paul's Church founded the Benevolent Society for Educating and Supporting Female Children in 1799, which was "an institution for poor or orphaned girls where the charge was to teach reading and writing, not just domestic skills."²⁶ The institution was directly affiliated with St. Paul's Parish, usually had approximately thirty girls who were "fed, clothed, and educated..."²⁷ The school was opened and closed throughout the nineteenth and twentieth century, establishing St. Paul's School for Girls in 1959. Both the school and the church maintain a relationship to this day.

All Hallows Parish, located in central Anne Arundel County, Maryland, now modern-day Edgewater or South River, located on the South River Watershed. The Parish was established in 1692, as King William and Queen Mary charted thirty parishes in the colony of Maryland, All Hallows Parish being one of

²⁶ "Old St. Paul's Church," *St. Paul's School for Girls*, accessed March 5, 2018, <https://www.spsfg.org/page.cfm?p=549>.

²⁷ Charles Varle, *A Complete View of Baltimore*. Baltimore: S. Young, 1833. <https://archive.org/stream/completeviewofba00varl#page/42/mode/2up>, 42.

them.²⁸ All Hallows Parish was just over four miles inland from London Town, a port town on the Western Shore of the Chesapeake Bay. London Town, previously known as Scorton, was originally granted to George Westall from Lord Baltimore in 1658. By the 1680s, the land was divided in one hundred lots and became known as London Town. The town's major economic purpose was trading and shipping tobacco, and the town was successful during the early to mid-eighteenth century, as merchants moved in. However, the success of London Town was short lived, as Baltimore and Annapolis became much larger and diversified port towns. In addition, "A series of wars, including the French and Indian War, King George's War, and the Revolutionary War, depressed trade. A combination of all these factors caused merchants to leave London Town, with none arriving to replace them."²⁹ Although London Town was not the bustling port town it had once been, there was still a community that lived there and attended All Hallows' Church. This rural landscape included many typical qualities of a tidewater region, including "rural dispersal, plantations, tobacco culture, black slaves, decentralized trade, and the absence of large urban centers."³⁰

St. Thomas' Episcopal Church, which was first named The Garrison Church, was established in 1742, and is located in Garrison Forest, near Owings Mills in Baltimore County. The residents of Garrison Forest were referred to as the "forest

²⁸ "All Hallows Parish South River, Established in 1692," <http://www.allhallows.ang-md.org/history.shtml>

²⁹ Lisa E. Plumley and Erin N. Cullen, "A London Town Burial: A Study in Past and Present Customs," Lost Towns Project, <http://www.losttownsproject.org/wp-content/uploads/2015/08/londontownburial.pdf>

³⁰ Louis de Vorsey, Jr., review of *The Evolution of a Tidewater Settlement System: All Hallow's Parish, Maryland, 1650-1783*, by Carville V. Earle, *Geographical Review*, October 1977, <http://www.jstor.org.proxybc.researchport.umd.edu/stable/pdf/213638.pdf?refreqid=excelsior%3A0b5fb5177978e3c81e77436838c5bcea>

inhabitants”, as there was both a fort and a garrison of soldiers stationed in the area, in order to protect the citizens of this area from Native Americans. St. Thomas’ Church is connected to St. Paul’s Parish, as the “Rector and Vestry drew up a memorial to the Governor and General Assembly, stating that the Parish Church in Baltimore Town was found to be very inconvenient to a great part of the parishioners, especially the forest inhabitants...”³¹ Therefore, as the location of St. Paul’s Church was too far of a distance for the early residents of Garrison Forest, St. Thomas’ was a chapel of ease for these residents, and was built in 1742.

Having a better understanding of the history and setting of these three distinct churches allows for more full and rich analysis. The county, and whether the church is located in a rural or urban environment will be taken into account when examining the rates of premarital pregnancy that occurred in each of these churches.

My Methodology

The process for collecting data followed a similar method for each of the three churches that are central to this study. The initial data collection process for each of the churches involved going through the church records, and locating the birth, marriage, and baptism records for the particular church. Oftentimes, within the birth or baptism records, the parents’ names would be listed, and obviously the date of birth of the child would be listed as well. Once the parents' names were located, it was necessary to search through the marriage records in order have both the date of marriage, and the date of birth of their first-born child. All of these records were

³¹ Reverend Ethan Allen, *The Garrison Church: Sketches of the History of St. Thomas’ Parish Garrison Forest* (New York: James Pott & Co., 1898), 2.

housed within the same record book, where the church recorded vital records of the parishioners, such as the births, baptisms, and date of marriage.

I used supplemental material to fill in gaps in the records.

In order to conduct the study, it was necessary to utilize an additional resource in order to obtain all of the necessary data. I used the website FamilySearch.org in order to fill in some of the gaps in the original records. Oftentimes, the original records, which were located in the Maryland State archives, and were digitized, would list the marriage date of the couple, and not when their children were born. Or vice versa. In order to have all of the necessary data to complete the study, Family Search was an excellent tool that filled in the missing or incomplete records. This website allows users to narrow their search down to a specific parish, as well as the type of record. This resource allowed the sample sizes to be larger, making the study more substantial and contain more data. I ensured that I had the right people by entering the name of the husband, the name of the wife and her maiden name, and the names of their children. This way, I had to double-check that and cross-reference, I was able to do so by imputing the names of the couples and their children on the website.

To manage the data and assist in its analysis, I entered the information from the church records and Family Search into an electronic database. To keep track of the data collected for each of the churches, a Microsoft Excel worksheet was used for each church, and proved to be a helpful organizational tool. Each excel sheet contains the name of the child, as well as the father and mother (if applicable), the marriage date of the parents, date of birth of the firstborn child, and the final column contains

the amount of time in years, months, and days between the date of marriage and the date of birth of their child. This method was the most efficient way to organize all of the sample groups and data for each church.

My method for determining the rates of premarital pregnancy was recording the date of marriage of each couple and then comparing that date to the date of birth of their first-born child. Calculating the amount of the time between these dates allowed me to record which couples had a premarital pregnancy.

The benchmark I used for this study was eight months, as it allowed for a more complete sampling of premarital pregnancy rates. As my sample sizes for each of the churches was not extremely large, around eighty couples for each parish, I did not want to include multiple benchmarks, as it would further separate the rates and data. Therefore, the benchmark of eight months, used in multiple other studies on this topic, allowed me to have a fuller sample and understanding of the rates and the trends that occurred in each parish.

Once each of the parishes were organized in their respective excel spreadsheets, it was necessary to analyze the data to recognize patterns, and difference that occur between them. The first method data analysis was calculating how many couples had a premarital pregnancy by calculating the percentage of couples who had their first child within eight months from the date that they were married. Additionally, time periods were separated in approximately twenty-year sections, so that they could be analyzed and trends could be recognized. Many other scholars have split the marriage periods into twenty-year increments as it allows for a more detailed study, one in which changes in rates can be tracked more closely.

In order to have a better understanding of the demographics of the parishioners' of the churches, I calculated the average age of the men and women when they were married and the average ages of the couples when they had their first born child. Some of the records did not have the date of birth of the men and women, therefore I was unable to know the ages of the parents when they were married or had their first born child. For both All Hallows Parish and St. Thomas, for twenty-four of the couples I could not find their date of birth. For St. Paul's, thirty-five of the couple's date of birth was not recorded. This meant that I was unable to calculate the ages of these parents at their time of marriage and at the birth of their first child.

The average ages of men at time of marriage in St. Paul's was 26.2 years, for women it was 21 years of age. The results from St. Thomas' Parish indicate that the average age for men at the time of marriage was 25.3 years and 20.5 years for women. And finally in All Hallows' Parish, the average age of marriage for men was 26.4 and 22 for women.

In St. Paul's Parish, the average age of men at the birth of their first-born child was 27.3 years, and for women it was 23 years. In this parish, the couple who did have a premarital pregnancy, the mother was often young, ranging in age 13-24.

The average age of couples in St. Thomas' Parish when they had their first-born child was 26.7 years for men and the average age for women was 23.3 years. In this parish, there was also the pattern that the women who had a premarital pregnancy tended to be younger, ages 17-21. As for All Hallows Parish, the average age of men was 27.2 years and for women it was 23.4. This parish had the widest range of women who had a premarital pregnancy, and it ranged from age 13-33.

The averages among all three parishes are extremely similar, which reveals that men and women in all three parishes began having children during similar times in their lives.

The Rates of Premarital Pregnancy

The first chart below displays the data from St. Paul's Parish in Baltimore City, and is one of the oldest Episcopal churches in the country. The chart displays the number of first-born children that were born within 8 months from their parents' date of marriage. For this parish, the period years of 1700-1720, 1720-1740, and 1740-1760 saw high and steadily increasing rates of premarital pregnancy. The percentages of premarital pregnancy were at 30%, 40%, and 38% during the three periods. These high rates stay steady until the period of 1760-1780, when there is a dramatic decrease to 0%. Upon calculating the percent decrease, from 38% to 0%, this is a 100% decrease, which is dramatic. This parish clearly shows a drastic decrease and a clear pattern, which is the opposite of the pattern from New England.

Table 6. Time Between Marriage and Birth of First Child, St. Paul's Parish

Time of Marriage	Total Number of Couples	Number with First Child Within 8 Months	Percentage with First Child Within 8 months
1700-1720	10	3	30%
1720-1740	30	12	40%
1740-1760	8	3	38%
1760-1780	8	0	0%
1780-1800	29	2	7%

Source: St. Paul's Parish, Protestant Episcopal, Baltimore City, MD. MSA SC 2652 index parish register 1710-1933.

There was a small amount of data during forty-year time span of 1740-1780, with only sixteen couples that had a first-born child during this time span. This lack of data suggests that there is poor record keeping in this parish, during this time span in particular. However, looking at the data that is available, the pattern of a dramatic decrease during the second half of the eighteenth century, is the opposite of the pattern from New England, suggesting different factors were at work in these regions.

The second chart is from All Hallows Parish in Edgewater, MD. This region was also very rural area during the eighteenth century. From the table below, the highest rates of premarital pregnancy occurred during the early years of the eighteenth century, 1700-1720, dropping off until 1760, when rates begin to increase once again. The pattern found in this parish is somewhat scattered and inconsistent; however, it is worth noting that there were high rates of premarital pregnancy in this parish, and also in St. Paul's during the first twenty years of the eighteenth century. However, this parish does not show any real or consistent pattern over time.

Table 7. Time Between Marriage and Birth of First Child- All Hallows Parish

Time of Marriage	Total Number of Couples	Number with First Child Within 8 Months	Percentage with First Child Within 8 months
1700-1720	13	5	38.5%
1720-1740	24	5	20.8%
1740-1760	12	2	16.6%
1760-1780	21	6	28.5%
1780-1800	18	3	16%

Source: All Hallows Parish, Protestant Episcopal, Anne Arundel County, MSA SC 2458.

The final chart displays the data from St. Thomas' Parish in Garrison Forest, Maryland. This church, located in what is now Owings Mills in Baltimore County, Maryland, was a rural area during the eighteenth century. Since St. Thomas' Parish was not formally established until 1742, there are no records from the church from the early 1700s. The earliest records from St. Thomas's begin are from the late 1720s. Because of this, the same time periods that were used to measure the rates of premarital pregnancy for the other two churches could not be used for St. Thomas'. What is interesting about the data for this parish is how the rates are more or less consistent during each twenty-year period. Moreover, it should also be noted that compared to the other two parishes, St. Thomas has the lowest rates, which could be attributed to the fact that the parish was located in what was a rural area, as it served as the church for the early residents of Garrison Forest. Formally established in 1742, "chapel of ease for the forest inhabitants" as the parish church was St. Paul's in Baltimore City.

Table 8. Time Between Marriage and Birth of First Child- St. Thomas Parish

Time of Marriage	Total Number of Couples	Number with First Child Within 8 Months	Percentage with First Child Within 8 months
1720-1740	15	1	6.6%
1740-1760	26	2	7.7%
1760-1780	20	1	5%
1780-1800	21	2	9.5%

Source: St. Thomas Parish (Garrison) MSA SC 2656 register: births, marriages, deaths, 1728-1891. (Baltimore, County, Maryland : Protestant Episcopal)

The literature and scholarship concerning premarital pregnancy, which is primarily based out of New England, show that the rates steadily increase during the second half of the eighteenth century. In Maryland, however, the trend proves to be different, with higher rates occurring during the first half of the eighteenth century.

Among the three churches, there appears to be three different patterns. St. Paul's Parish has a pattern with a clear steep decline during the second half of the eighteenth century, All Hallows has a pattern that is more erratic and therefore a clear pattern is difficult to identify. And finally St. Thomas' Parish has rates that are consistently low throughout the period. The difference in the patterns among the three churches suggests that there are regional and variations among each of the individual churches and how they counted pregnancies.

Chapter 3: Why Maryland Was Different

The results of my study from the three Maryland church communities did not display a uniform pattern. Upon reviewing the data from each parish, it is difficult to draw concrete conclusions given the fact that the data I had to work with for each parish was limited and scattered. The challenges with the data, and that each parish varied regionally, have to be addressed when comparing the results of the Maryland parishes and the data from New England.

This chapter is intended to address and offer explanations that can help explain why the results vary in Maryland and New England. The explanations for why the results varied within Maryland and with New England are broken up into three sections. The first explanation is that there are potential problems with the data from Maryland, which caused the results to be skewed. Another explanation for why the data varied is that each of the churches were situated in vastly different settings: urban, rural, and frontier. Based on these different environments church leaders and the larger community may have dealt with sexual transgressions differently. And finally, the data from Maryland varied from findings out of New England because New England laws became more lenient regarding premarital sex and pregnancy as the eighteenth century progressed. During this same period, the laws in Maryland became more stringent regarding premarital sex and pregnancy. Without drawing concrete conclusions, these explanations are an attempt to explain why the results from my study vary within Maryland and with New England.

Potential Data Problems

The difference between the Maryland findings may be caused by data problems that I encountered during this study. When collecting the data from each parish, some of the data, such as complete dates of birth or marriage was incomplete in the record. There are some decades within the church records that are incomplete, or there are no records at all, making it so that some periods had a large concentration of data, while other periods have a sparse amount of data. This makes it so the results of the study are skewed, and making conclusions from the study skewed as well.

However, the problem of small sample sizes is not unique to my study, and it is the issue with almost all studies on premarital pregnancy. A challenge with quantitative and demographic studies is that sometimes the data can be incomplete. The past studies are all based on relatively small samples sizes over long periods of time, which suggest the possibility that small problems with data, such as missing or fragmented records can badly skew results. This is a large challenge when working with records, especially colonial records, and these challenges have to be addressed before drawing any conclusions based on the data.

Regional differences within MD

The regional variations among the three Maryland churches can be explained, in part, as they are situated in different environments. Based on the type of setting each church was in, it is possible that church leaders from each parish dealt with sexual transgressions among parishioners differently. The settings in which each of the churches were located were: urban, rural community with mixed and declining

fortunes, and the frontier. These different settings lend themselves to differing norms and therefore, can help explain why rates varied among them.

St. Paul's Parish in Baltimore City, establishes in 1692, was an urban parish which was quite large. One source indicates that in 1724 the total number of families within St. Paul's Parish was 363 families.³² Another indication that St. Paul's was a rather large parish was that when two parishioners applied for pews, "there being none, they were authorized to have one made."³³ Looking at the patterns from this church, it is not unreasonable to say that this was a church with an older congregation that had an influx of new and younger congregants after the Revolutionary War.

All Hallows Parish, located in central Anne Arundel County, Maryland, now modern-day Edgewater or South River, located on the South River Watershed. This parish was located near London Town, a port town with a fluctuating economy, as they were competing with Annapolis and Baltimore becoming more affluent port towns during the eighteenth century. With uncertain economic conditions, this can explain the erratic rates of premarital pregnancies.

The rates in St. Thomas' Parish, located in Garrison Forest, a rural area of Baltimore County, remained low and static. This parish is the unique, as it is a frontier parish, and the ways in which parishioners were punished for sexual transgressions differed compared to those parishes located in more established and urban environments.

³² Patricia U. Bonomi and Peter R. Eisenstadt. "Church Adherence in the Eighteenth-Century British American Colonies." *The William and Mary Quarterly* 39, no. 2 (1982): 278.

³³ Arthur B. Kingsolving. "St. Paul's Parish, Baltimore, Maryland 1692-1942." *Historical Magazine of the Protestant Episcopal Church*, 11, no. 4 (1942): 389.

Scholars agree that frontier communities tended to be more lawless and undisciplined because there were few social and governmental institutions. The majority of these pioneering communities “became notorious for lawlessness, rowdyism, Sabbath breaking, gambling, swearing, drinking, and fighting.”³⁴ Most of the settlers were poor frontier farming families who didn't tend to follow established rules. Moreover, “in the matter of sexual morality the frontier presented a lower standard than that of the prevailing in the older sections of the country.”³⁵ Church leaders routinely referred to frontier whites as uncivilized, stating that “they, and their Children must for many Years continue like the Indians, without the Gospel Ordinances.”³⁶ Understanding the nature of the frontier families and their unruly behavior, church leaders knew this and were comparatively lax about enforcing morality for fear of chasing off parishioners.

As St. Thomas' Parish was a frontier church community, the numbers are lower because church leaders may not have enforced the crime uniformly. Instead they might have done what they did with most moral transgressions: picked and chose among penalties or looking the other way based on their perceptions of how an individual congregant would respond. This can explain why the rates from this frontier parish are so consistently low.

³⁴ William W. Sweet, “The Churches As Moral Courts of the Frontier,” *Church History*, 2, no. 1 (1933): 8.

³⁵ *Ibid.*, 10.

³⁶ Guy S. Klett, “Some Aspects of the Presbyterian Church on the American Colonial Frontier,” *Journal of the Department of History*, 19, no. 3 (1940): 117.

New England Punishments for Sexual Transgressions

This section explains why the patterns of premarital pregnancy from the Maryland church communities differed from the patterns out of New England. The laws in New England regarding sexual transgressions became more lenient, especially for men during the eighteenth century, which can help explain the steady increase in rates in New England. When examining the changing laws in Maryland, the opposite was taking place, as more men were being prosecuted for bastardy. The stark legal differences among these regions during the eighteenth century provide another explanation as to the difference in rates.

Before turning to the changing laws in Maryland, it is first necessary to review the legal patterns from New England uncovered by scholars like Cornelia Hughes Dayton and John Demos. In her work, *Women before the Bar: Gender, Law, & Society in Connecticut, 1689-1789*, Cornelia Hughes Dayton explores how sexual transgressions were dealt with in Connecticut, and in New England at large. What Dayton refers to as the "eighteenth-century double standard" is the fact that when it came to sexual transgressions, "women bore almost the entire responsibility for guarding female chastity."³⁷ Instead of bastardy, which was the concern of colonial officials in Maryland, fornication, in both New Haven and the rest of New England, was by far the "largest category of criminal cases on the county court docket from 1690 until 1770."³⁸ Dayton explains that change began in the 1690s, as the number of

³⁷ Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, & Society in Connecticut, 1639-1789* (North Carolina: The University of North Carolina Press, 1995), 161.

³⁸ Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 160.

charges against newlywed couples for premarital pregnancy quadrupled in New Haven County. But more than that, this was the first time that a vast number of single mothers were convicted while there were no charges filed for their partners. These two patterns are significant as they continued to dominate the criminal docket until the 1740s. Table 9 below showcases the first pattern, when the prosecution of married couples for fornication, a sexual crime which included premarital sex and out-of-wedlock births, reached a peak of 107 cases during the 1730s, and then the numbers begin to decline during the second half of the eighteenth century. Dayton also cites a study based out of Middlesex, Massachusetts, which reveals that men began evading fornication charges in Middlesex County in the 1670s.³⁹ This study helps to reveal that men evading prosecution charges was not only occurring in New Haven County, but it was a larger trend throughout New England.

³⁹ Roger Thompson, *Sex in Middlesex: Popular Mores in a Massachusetts County, 1649-1699* (Amherst: The University of Massachusetts Press, 1989): 29-

Table 9. Prosecution Rates of Married Couples, New Haven County

	Husband and Wife	Wife Only	Proportion of All Decadal Fornication Cases (Couples and Singles)
1670-1679	5	0	71% ^a
1680-1689	6	0	60
1690-1699	24	0	60
1700-1709	23	0	77
1710-1719	23	0	58
1720-1729	74	0	73
1730-1739	107	0	88
1740-1749	44	2	69
1750-1759	26	4	59
1760-1769	31	0	48
1770-1779	3	0	17
1780-1789	0	0	
Overall	366	6	67%

Source: Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, & Society in Connecticut, 1639-1789* (North Carolina: The University of North Carolina Press, 1995): 182.

The table below, Table 10, showcases the sexual double standard that took place during the eighteenth century. The table clearly shows that when it came to the prosecution of single people, men were rarely prosecuted. Dayton explains that by the 1730s, New Haven County magistrates had given up on prosecuting single male fornicators. She goes onto explain that men guilty of fornication used many methods to avoid prosecution, such as, “men fled fornication charges, those prosecuted used pleas of not guilty, requests for jury trials, and appeals to challenge the traditional processes by which men had been held accountable and punished for fathering out-of-

wedlock children.”⁴⁰ Since men fled the charges and were able to get away with not supporting the child, it was left up to the single mother and her family to take care of and shoulder the cost of the child. It should be clarified, however, that the single mothers who were prosecuted in Connecticut, were oftentimes from “middling to prosperous yeoman households. Their fathers paid their daughters' fines and maintained them until they married a few years later.”⁴¹

Table 10. Prosecution of Single Persons, New Haven County Court

	Single Woman and Man Paired ^a	Single Woman Alone	Man Alone	Total Cases	Proportion of All Decadal Fornication Cases
1670–1679	1	1	0	2	29%
1680–1689	4	0	0	4	40
1690–1699	4	9	3	16	40
1700–1709	3	2	2	7	23
1710–1719	8	8	0	16	41
1720–1729	13	13	1	27	27
1730–1739	5	10	0	15	12
1740–1749	2	19	0	21	31
1750–1759	0	22	0	22	42
1760–1769	0	34	0	34	52
1770–1779	2 ^b	13	0	15	83
1780–1789	1	2	0	3	100
Overall	43	133	6	182	33%

^aEach case represents two defendants.
^bInterracial couple prosecuted twice.
Source: New Haven County Court Records and Files, 1666–1790, CSL.

⁴⁰ Ibid., 188.

⁴¹ Ibid., 189.

Source: Cornelia Hughes Dayton, Women before the Bar: Gender, Law, & Society in Connecticut, 1639-1789 (North Carolina: The University of North Carolina Press, 1995): 182.

Moreover, Dayton argues that the watershed shift in the regulation of sexual behavior in Connecticut began in the 1740s, as authorities gave up on trying to prosecute men for out-of-wedlock births. This is evidenced by the fact that from 1690-1740 only 33 out of 75 single women "saw the man they named pursued at the county court level."⁴² This double standard in Connecticut reveals that New England officials were making less of an effort to hold individuals, especially men, responsible for sexual transgressions.

John Demos's study of colonial Bristol, Rhode Island is important, as it is one of the pioneering demographic studies that in which the author included a section examining the rates of premarital pregnancies for a specific place. More than simply collecting the data and listing the rates, Demos provides some conjectures as to what can account for the rates of prenuptial pregnancy being so high during the eighteenth century. As stated previously, Demos discovered that from the period 1680-1780, rates increased steadily, especially during the second half of the eighteenth century. From this study, there appears to be a loosening of the sexual mores throughout the course of the eighteenth century. Demos is honest about the results of the study, by stating that the specific meaning of these figures to the lives of the individuals who lived in colonial Rhode Island is not apparent.

Scholars explore the changing laws and legal practices that could have had an impact on premarital pregnancy rates. He explains that "throughout the seventeenth

⁴² Ibid., 188.

century in all New England colonies fornication was a punishable offense, and court records for the period contain a large number of such cases.”⁴³ The standard proof that the pregnancy occurred premaritally was if the baby was born within eight months of the marriage, and the punishment was oftentimes a fine, although whippings did occur. The change, however, was during the eighteenth century, as these punishments for fornication and the premarital pregnancy began to lessen until they stopped altogether. He argues that we may find this period the most “free” in our history, meaning the second half of the eighteenth century, as punishments for sexual transgression lessened, this gave way to a less sexually restrictive society. Clearly, this massive shift can be attributed, in part, to the changing laws in New England.

Maryland and New England followed a similar pattern during the eighteenth century, as punishments for sex crimes moved away from public shaming toward more private means. In other words, instead of public whipping, a fine or incarceration would be the punishment. However, although punishments became more privatized, this does not mean that society viewed these transgressions any less harshly.

There was a lot of shame and gossip that followed anyone who had premarital sex or an illegitimate child. In fact, in Maryland, as stated previously, as long as a marriage took place around the time that the child was born, it was not a legal issue. The state was more concerned about bastard children since they were costly to the colony. More than anything, couples who had a premarital pregnancy would be gossiped about, but there would be no legal ramifications if the couple got married.

⁴³ John Demos, “Families in Colonial Bristol, Rhode Island: An Exercise in Historical Demography,” *The William and Mary Quarterly* 25. no. 1 (1968): 56.

The section that follows will focus on the laws and demographic changes that took place in eighteenth century Maryland, which can explain why the pattern diverges from the New England pattern.

Changing Laws Regarding Bastardy and Fornication in Colonial Maryland

One of the differences between Maryland and New England as far as patterns go, such as the increasing rates in New England over the eighteenth century, and the decreasing rates in Maryland, may be the difference in laws regarding bastardy and fornication. In New England, the laws became less harsh during the course of the eighteenth century. Historians argue that increasingly lax laws in New England and especially the declining prosecutions of men, translated into more premarital pregnancies. By contrast, while laws were getting more lax in New England, they were getting more stringent in Maryland.

The changing laws surrounding sexual crimes in Maryland not only changed how individuals were punished, but it also revealed the demographic changes that occurred during the eighteenth century.

To have a more complete understanding of how cases of bastardy and fornication were dealt with in colonial Maryland, an explanation of the laws and how they changed over time is necessary. The following section will explain that the laws in Maryland were becoming stricter during eighteenth century, causing rates of premarital pregnancy to decline.

In "The Fruit of Nine, Sue kindly brought: Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland" author Catherine Cardno untangles how

legislation and laws that dealt with bastardy cases went through several major overhauls throughout the eighteenth century. The way in which cases of illegitimacy were dealt with changed during the eighteenth century, as the punishments moved away from public shaming toward more private means of disciplinary actions.

Cardno explains that legislation pertaining to bastardy cases in Maryland underwent major changes at three different times throughout the eighteenth century. In Maryland, bastardy cases were dealt with following the seventeenth-century colonial tradition of lashes, although the accused could request to pay a fine as an alternative punishment, but the standard punishment was lashes. A change came in 1715, when an act was passed that stated that if a mother refused to name the father of her bastard child, the court would decide if she would receive a punishment of either a fine or lashes. The author explains that "as the eighteenth century progressed, the assembly began to shy away from public punishments and ended corporal punishment as an option for conviction."⁴⁴ In 1749 the Maryland General Assembly passed an Act "for taking off corporal punishment inflicted on females having baseborn children."⁴⁵ In other words, whipping would no longer be a punishment for bastardy and fornication. Corporal punishment was replaced by paying a fine, and if the individual could not pay the fine, it would lead to incarceration. Lashes were no longer a punishment for having an illegitimate child. These changes in the law indicate that the overall shift during the course of the eighteenth-century, was one that

⁴⁴ Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 263.

⁴⁵ *Archives of Maryland*. 46:319ff. <http://aomol.msa.maryland.gov/000001/000046/html/am46--319.html>

went from very public shaming and corporal punishments for instances involving illegitimacy cases, to more privatized punishments that occurred in court in a more private setting, "in front of individual magistrates, and in punishments for such behavior from the publicly shaming corporal punishment of lashes toward the equally punitive, but more private, punishment of fines and potential incarceration."⁴⁶ Moreover, Cardno explains that not only did the laws change throughout the eighteenth-century regarding cases of illegitimacy and bastardy, but the language changed after 1731, as the courts began to refer to bastard children as "base born"⁴⁷ more frequently.

Bastardy Cases in Charles County, Maryland

The court records compiled by Cardno are referenced and explored further in the following section to add more context and quantitative data to have a better understanding to what extent sexual transgressions were prosecuted in Maryland.

Cardno uses Charles County Court records to examine how the courts dealt with instances of illegitimacy and premarital sex. In the essay, the court records are used to produce data that show the number of convictions for both men and women in standard bastardy cases from the 1690s through the 1760s. The data from Table 11 below indicates that there was an initial increase in bastardy cases during the 1700s, which reaches an apex during the 1740s and 1750s, with 106 and 90 women convicted during these decades. The number of men convicted reached an apex

⁴⁶ Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 257-258.

⁴⁷ Ibid., 258.

during the 1750s, with 44 men convicted. The reason for this change is the law that passed in 1749, which doubled the punishment for women guilty of bastardy who did not name their partner. Although women were prosecuted at a higher rate for bastardy overall, this gender-blind law held many more men accountable for their

Table 11. Numbers of Convicted Women and Men in Bastardy Cases, Charles County, Maryland
sexual transgressions.

Table 9.1. Actual and Normalized Numbers of Convicted Women and Men in Standard Bastardy Cases

	Actual numbers ¹		Normalized ² numbers	
	Women	Men	Women	Men
1690s	23		46	
1700s	77	1	77	1
1710s	54	7	70	9
1720s	68 ³	17	70	17
1730s	77	13	93	16
1740s	106	14	109	14
1750s	90	44 ⁴	100	49
1760s	52	15	53	15
Total:	547	111	618	121

Source: Charles County Court records, 1696–1770

1. Numbers include the 98 men convicted of begetting bastard or base-born children, as well as the 13 men convicted solely on adultery or fornication charges if an illegitimate child resulted from their transgression.

2. Since the county court met quarterly and 43 of the 320 court sessions are missing, the numbers have been normalized by finding the per-quarter average for the extant session records in each decade and multiplying that by the number of quarters (40) meant to be in a decade.

3. Includes two sets of twins.

4. One man, Thomas Miller, was convicted for begetting two children in the same court appearance (1758,0808,491-018).

Source: Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 257-258.

The conviction of men occurred on a much smaller scale compared to women. During the 1690s, there were no men that were convicted of bastardy, and only one man was convicted during the following decade, as indicated in Table

9.1. However, after the change in the law that occurred in 1715, stating that if women did not name their partner, they would receive lashes, the number of male convictions rose during the 1720s and 1730s, and the figures tripled during the 1750s. This was due to the legislation that passed in 1749, which doubled the punishment for women who did not name their partners. Therefore, after the 1749 act, almost fifty men were convicted, and one hundred women were convicted in the same decade. In this case, it is clear that during the mid-eighteenth-century, especially during the 1750s, men were held accountable for their actions.⁴⁸ Although men in Maryland were being held accountable due to the change in the law, especially by midcentury, the opposite trend was occurring in New England.

Demographic changes during 18th Century Maryland

The table below indicates the number of women convicted in bastardy cases, by status. Upon closer examination, the table reveals, in part, the demographic changing that occurred in eighteenth century Maryland, in relation to the number of servant and free women in the colony.

⁴⁸ Ibid., 264-265.

Table 12. Number of Convicted Women in Standard Bastardy Cases, by Status, Charles County, Maryland

Table 9.2. Actual and Normalized Numbers of Convicted Women in Standard Bastardy Cases, by Status

	Actual Numbers				Normalized Numbers			
	Free	Hired or living with	Servant	Total	Free	Hired or living with	Servant	Total
1690s	12		11	23	24		22	46
1700s	17	18	42	77	17	18	42	77
1710s	28	3	23	54	36	4	30	70
1720s	38 ¹	4	26	68	39	4	27	70
1730s	41	2	34	77	50	2	41	93
1740s	60	11	35	106	62	11	36	109
1750s	77		13	90	86		14	100
1760s	51		1	52	52		1	53
Total:	324	38	185	547	366	39	213	618

Source: Charles County Court records, 1696–1770.
1. Includes two sets of twins.

Source: Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 269.

Table 12 above shows that by 1740, female indentured servants were a small fraction of the population, and yet they represented a third of the prosecutions for bastardy. This is because masters needed to prove bastardy to add time to the servants terms of indenture. Therefore, they are disproportionately singled out for punishment and identification because it was an economic matter: masters could get additional year(s) of service due to the premarital pregnancy.

The data indicates that besides the first decade of the eighteenth century, the number of servant women convicted never outweighs the number of free women convicted. There were fewer servant women being convicted because there were fewer servant women in the Maryland labor pool. Especially after midcentury, the number of servants convicted steadily declined, as servant labor was gradually replaced by slave labor. Moreover, the number of imported male laborers was consistently higher compared to the number of female laborers. These shifts

indicated that there are more free women in the colony, especially as the century progressed, meaning that there would be fewer single women, especially, who would be remain single well into adulthood, decreasing the chance that a premarital pregnancy would occur. There will be a further analysis of the demographic changes that took place in eighteenth century Maryland in a later section.

Nuances in Eighteenth century Maryland law Compared to New England Law

Understanding how laws changed throughout the eighteenth century is critical when analyzing rates of bridal pregnancy and illegitimacy. But more than understanding the laws themselves, is understanding the ambiguity that is related to instances of bridal pregnancy and bastardy. The biggest loophole in the law is that a couple that had an illegitimate child would not be in trouble legally, as long as they got married. If a child was born near the time of their parent's marriage, this was an acceptable situation legally, and "did not result in punishment for either the new husband or wife in Maryland, unlike the situation in Connecticut."⁴⁹ What's more, the courts protected women who were married during the pregnancy or around the time the child was born, and they would be acquitted or discharged from the crime altogether. There are many cases where acquittals occurred, such as when "women could prove that they were married at the time of conception of the child"⁵⁰ Or another case, which involved a servant woman named Mary Simpson, who was acquitted since she got married after the birth of her bastard child.

⁴⁹ Ibid., 266.

⁵⁰ Ibid., 266.

In Maryland “the courts accepted premarital sex and conception as long as the couple married around the time of the child’s birth.”⁵¹ If a marriage took place, it ensured that the child would not become an economic burden to community members.

An additional layer in Maryland’s unique enforcement of laws is the related to the fact that the vestries didn’t enforce punishments for lawful infractions. This was because, unlike in colonies such as Massachusetts, whose colonists ascribed to a set of Puritan beliefs and values, the same cannot be said for the colony of Maryland. The colony had individuals from many different religious denominations, such as Roman Catholics, Presbyterians, and Quakers, and there was a long delay in creating an established church in the colony, making it difficult for vestries to have any real power and authority. Instead, it was the county court, which held authority over a variety of matters such as “poor relief, moral transgressions (including drunkenness, profanity, slander, and adultery)...”⁵² Moreover, Maryland vestries did call parishioners, at times, to account for sexual transgressions such as unlawful cohabitation or adultery, but they lacked the authority to enforce punishments. In cases of premarital pregnancy and illegitimacy, “the county court, not the vestry, oversaw prosecution and punishment.”⁵³

Another major difference between Maryland and Connecticut is that if a couple had a child around the time of marriage, there was no punishment in Maryland for either the husband or the wife. Cardno explains the norm in eighteenth-century Maryland was that, “as long as marriage took place roughly around the time of

⁵¹ Ibid., 267

⁵² Jean B. Russo & Elliott Russo. *Planting an Empire: The Early Chesapeake in British North America*. (Baltimore, Maryland: The Johns Hopkins University Press, 2012): 136.

⁵³ Ibid., 136.

conception, or even before birth, such premarital sex was not a legal issue, even though it may have been a social one."⁵⁴ This was not the case in colonies such as Connecticut, where both husbands and wives were prosecuted for fornication.

There are clear differences and legal priorities between the Chesapeake region and New England, and in addition, the patterns of prosecution for sex crimes, specifically bastardy and fornication, varied greatly among the two regions. In the Chesapeake, half of all sex-crimes were for bastardy, while only one-fifth of prosecutions were for fornication. The opposite pattern occurred in New England, where half of all sex-crime prosecutions were for fornication, while only one tenth was for bastardy. The reason for the differences in prosecution rates for these sex crimes for these two regions is directly related to the legal status of women in each of these regions. In the Chesapeake region, most single young women were indentured servants and needed permission from their master if they intended to marry. In New England, however, most young women were daughters in a free household, and lived with their family until they were ready to be married.⁵⁵

In other words, there were different legal priorities in Maryland and Virginia, compared to the New England colonies. In the Chesapeake, the authorities paid little attention to the daily lives of ordinary colonists. The only time when they were concerned was when an out-of-wedlock pregnancy occurred, as it meant that the child would be a financial burden. The Chesapeake colonies were not extremely concerned with individuals having premarital sex, as long as it did not result in a pregnancy. The

⁵⁴ Catherine Cardno, "The Fruit of Nine, Sue kindly brought": Colonial Enforcement of Sexual Norms in Eighteenth-Century Maryland," in *Colonial Chesapeake: New Perspectives*, ed. Debra Meyers & Melanie Perreault (Maryland: Lexington Books, 2006), 263.

⁵⁵ Mary Beth Norton, *Founding Mothers and Fathers: Gendered Power and the Forming of American Society* (New York: Vintage Books, 1996), 336.

situation in New England was quite different, as the family unit was seen as the foundation of society. At the heart of this argument is that the family structures and values differed in these regions, which is evidence by the way in which the prosecution for sexual transgressions differed.

There was less of an emphasis on familial values in the Chesapeake region, since many young men and women came to these colonies as individuals to work. Godbeer explains and argues that "southern governments had a much harder time establishing a marriage-centered sexual culture than did their northern counterparts."⁵⁶ There are several reasons why premarital sex was policed less in southern colonies as opposed to northern colonies. As mentioned previously, there was an imbalanced sex ratio, and most servants could not get married without their master's permission or until they had completed their work contract. Godbeer maintains that the settlement pattern in southern colonies was scattered, a less religious population, and a lack of governmental institutions and religious leaders meant that unmarried relationships occurred more often and were less likely to be monitored like they were in more religious and densely populated areas in New England. Despite this lack of regulation, it should be clarified that toward the end of the eighteenth-century, there was an influx of ministers, as well as judicial agencies to Maryland and Virginia, which helped with regulation and ensured that people were able to have an official wedding.

The changing laws are important, as they represent how the society came to view sexual transgressions and instances such as illegitimate children. Although

⁵⁶ Richard Godbeer, *Sexual Revolution in Early America*. (Baltimore: The Johns Hopkins University Press, 2002), 121.

premarital pregnancy, bastardy, and fornication were social issues and cause for gossip, the changing laws indicate that these transgressions were handled very differently in northern versus southern colonies.

The Changing Demography of Laborers before and after the Revolution

The changing demography of unfree and free individuals transported to colonial America both before and after the Revolution reveals the degree to which immigration changed during the eighteenth century. Three quarters of immigrants that came to the colonies, from the founding of Jamestown up to the Revolution, arrived as unfree laborers. The transported individuals included slaves, convict laborers, and indentured servants, coming in such large numbers that it is impossible to overlook their impact on colonial society. Historian Aaron S. Fogleman describes the varying statuses of the unfree laborers which, “contributed to a complex world of free and unfree, occupying different condition of liberty and bondage.”⁵⁷ Table 1 below, displays the total number of immigrants transported to the colonies, and they are separated by their legal status and condition of servitude. What is made clear from this table is the dramatic increase and then abrupt decline of unfree immigrants to the colonies during and after the Revolution. Since there was a drastic decline in unfree laborers, this would mean that there would be an increase of free immigrants in the colonies and immigrating to the colonies after the Revolution..

⁵⁷ Aaron S. Fogleman, “From Slaves, Convicts, and Servants to Free Passengers: The Transformation of Immigration in the Era of the American Revolution,” *The Journal of American History* 85, no. 1 (1998): 43.

Table 13. Immigration to the United States Colonies by Legal Status and Condition of Servitude

Estimated Immigration into the Thirteen Colonies and the United States
by Legal Status and Condition of Servitude, 1607–1819
(to the Nearest 100 Immigrants)

	<i>Unfree by Condition of Servitude</i>			<i>Free</i>	<i>Total</i>
	<i>Slaves</i>	<i>Convicts and Prisoners^a</i>	<i>Indentured Servants</i>		
Before the American Revolution					
1607–1699	33,200	2,300	96,600	66,300	198,400
1700–1775	278,400	52,200	103,600	151,600	585,800
During and after the American Revolution					
1776–1809	114,600	1,000	18,300	253,900	387,800
1810–1819	7,000	0	5,300	134,300	146,600
Total Immigration, 1607–1819	433,200	55,500	223,800	606,700	1,318,600

SOURCES: See appendix.

NOTE: Adjustments were made for rounding errors.

^a Includes political exiles and kidnapping victims.

Source: Aaron S. Fogleman, “From Slaves, Convicts, and Servants to Free Passengers: The Transformation of Immigration in the Era of the American Revolution,” *The Journal of American History* 85, no. 1 (1998): 44

Indentured Servitude during the Eighteenth century

During the eighteenth century, a demographic change took place in Maryland’s labor force. The importance of indentured servitude declined began as early as the end of the seventeenth century, as slave labor became the colonial labor source. Moreover, in terms of age and gender of indentured servants, “the age and skill level of those servants who continued to emigrate in the eighteenth century appear to have risen and the proportion of women, presumably less skilled, to have declined.”⁵⁸ The argument is that colonist began to rely on slave labor more and therefore the “percentage of slaves in the labour force rose, the importations of white servants declined...”⁵⁹ Table 14 below, clearly shows that although the number of

⁵⁸ Margaret M.R. Kellow, “Indentured Servitude in Eighteenth-Century Maryland,” (1984): 230.

⁵⁹ Ibid., 230.

white servants did increase from 1707-1755, it is a very small increase compared to the number of slaves in Maryland.

Table 14. Population Distribution of Maryland, 1707 and 1755

Table 1 Population Distribution, Maryland, 1707, 1755				
Year	Free whites	White servants	Slaves	Total
1707	26,223	3,003	4,657	33,883
1755	98,357	8,852	46,356	153,565

Source: Evarts P. Greene and Virginia D. Harrington, *American Population before the Federal Census of 1790*, pp. 124-26.

Source: Margaret M.R. Kellow, “Indentured Servitude in Eighteenth-Century Maryland,” (1984): 230.

This data from this table shows the massive demographic shift, as slave labor became the primary bound labor source in Maryland during the eighteenth century. The table below shows that the indentured servant population was the majority of the Chesapeake’s labor force until the 1680s, when the slave population outnumbered the servant population. It is clear that, “while servant numbers continued to decline, rising slave imports and particularly natural increase saw rapid growth in the African population.”⁶⁰ As the economy of the Chesapeake expanded, slave labor became the most prevalent source of bound labor.

⁶⁰ Christopher Tomlins, “Reconsidering Indentured Servitude: European Migration and the Early American Labor Force, 1600-1775.” *Labor History*, 42, no. 1 (2001): 14.

Table 15. Slaves and servants in population: Chesapeake colonies (in thousands)

Year	Chesapeake African population	Servant population ²	Total	Total population	Slave and servant (%)
1610		0.40	0.40	0.3	
1620		0.80	0.80	0.9	
1630	0.1	1.07	1.17	2.5	46.8
1640	0.1	1.79	1.89	8.1	23.3
1650	0.3	2.09	2.39	12.7	18.8
1660	0.9	4.35	5.25	24.9	21.1
1670	2.5	5.02	7.52	41.0	18.3
1680	4.3	5.51	9.81	59.9	16.4
1690	7.3	3.57	10.87	75.5	14.4
1700	12.9	3.77	16.67	98.1	17.0
1710	22.4			123.7	18.1
1720	30.6			158.6	19.3
1730	53.2			224.6	23.7
1740	84.0			296.5	28.3
1750	150.6			377.8	39.7
1760	189.6			502.0	37.7
1770	251.4			649.6	38.7
1780	303.6			786.0	38.6

¹ Numbers assume the African population is wholly enslaved.

Source: Christopher Tomlins, “Reconsidering Indentured Servitude: European Migration and the Early American Labor Force, 1600-1775.” *Labor History*, 42,

Another subset of the immigrant population were those that were forcibly transported to the colonies. This included kidnapping victims, political exiles, and convicts, and enslaved people. The largest group, however, transported to the colonies was by far, convicts. Moreover, since the majority if convict laborers were sent to the Chesapeake, this group will be discussed with the regional context of Maryland. What should be made clear, however, is that the number of British convicts transported during the eighteenth century was so large, that they replaced indentured servants as a source of bounded labor from England.

The fact that many of the Maryland bastardy cases involve white, female indentured servants, even though white servants were a declining percentage of the population, suggests that they were being exploited. The masters of the indentured servants were using the courts to register their servants officially as having had

premarital pregnancy as a way of adding time to their indentures. Moreover, since bastard children were viewed as financial burdens to colony of Maryland, it would be easy for master's to add additional time to female indentured servants, to make up for the lost time during the pregnancy. The demographic shift away from indentured servitude is reasonable, as they became an economic and legal problem in the eyes of the masters.

If masters were using the courts to register premarital pregnancies they probably also used churches, which would be considered acceptable proof. Female indentured servants were generally used in domestic labor in middling to wealthy families such as those who would have attended St. Paul's. Perhaps the St. Paul numbers represent part of the trend in female indentured servants in the first half of century and then decline because the number of indentured servants declines, replaced by largely older, male convicts, who would not have attended church with the families.

Demography of Convict Laborers in the Chesapeake

Part of decline might also be a shift away from indentured servitude to convict labor resulted in replacing the streams of young white, indentured servant women, often teenagers, with men in their 20s and 30s. The simple removal of so many young, single women from the population removed opportunity. And with fewer female servants whose sexual "crimes" needed to be registered to legally extend their terms of service, it removed what had been one of the main incentives to bring cases

for documenting premarital pregnancy. This left a native born population that authorities may have been less reluctant to prosecute.

When discussing demographic factors and shifts that took place in the Chesapeake region, the transportation of criminals from the British Isles to the Chesapeake during the eighteenth century cannot be overlooked. The Transportation Act of 1718 passed by the British Parliament was, “An Act for the further preventing robbery, burglary, and other felonies, and for the more effectual transportation of felons...”⁶¹ In other words, criminals found guilty of non-capital crimes were transported to the colonies as their punishment and sentenced to a seven-year sentence. To be clear, these convicts were individuals guilty of petty crimes, and only a small number of the transported convicts were guilty of serious crimes. Historian Kenneth Morgan explains that the typical transport was, “young, male and poor but not an habitual criminal.”⁶²

Moreover, the table below reveals, that although the convict laborers transported to the Chesapeake were young, on average, they were older than indentured servants. Convict laborers, were, majority male, and their average age was 20-30 years old, instead of the much younger indentured servant ages of 15-24 years. With the large influx of convict laborers, the demographics of Maryland shifted to an older population, both male and female.

⁶¹ Kenneth Morgan. “The Organization of the Convict Trade to Maryland: Stevenson, Randolph and Cheston, 1768-1775,” *The William and Mary Quarterly* 42, no. 2 (1985): 201.

⁶² Kenneth Morgan. “English and American Attitudes Towards Convict Transportation 1718-1775,” *History* 72, no. 236 (1987): 416.

Table 16. Comparison of Colonial American Immigrants from England.

VARIABLE	INDENTURED SERVANTS	TRANSPORTED CONVICTS	FREE IMMIGRANTS
Term of service	4–5 years	7 or 14 years	no labor term
Emigration rationale	escape from poverty	imposed punishment	varies
Average age	15–24 years	20–30 years	varies
Traveling companions	rarely with family or friends	rarely with family or friends	often with family or friends
Social status	lower or lower-middle class	lower class	middle or upper-middle class
Ability to select master	none	none	not applicable
Eligibility to marry ^a	none	none	not applicable

Sources: A. Roger Ekirch, *Bound for America: The Transportation of British Convicts to the Colonies, 1718–1775* (Oxford: Clarendon Press, 1987), 51; James Horn, *Adapting to a New World: English Society in the Seventeenth-Century Chesapeake* (Chapel Hill: University of North Carolina Press, 1994), 25, 35–37, 67; and Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America, 1607–1776* (1947; reprint, Baltimore: Genealogical Publishing Co., 1998), 270–74.

^aIndentured and convict servant masters occasionally permitted their servants to marry before completing their terms. As soon as female indentured servants disembarked bachelor colonists often purchased them to take as wives.

Source: A. Roger Ekirch, *Bound for America: The Transportation of British Convicts to the Colonies, 1718–1775* (Oxford: Clarendon Press 1987) 51

According to historians, there were approximately 50,000 British convicts that were transported to the American colonies between 1718 and 1775. Although this number of people may not seem extremely large, it is significant as this was the largest group of immigrants, besides African slaves, to be forcibly transported to America. This system of convict trade yielded many benefits for England and the colonies. In fact, the system of indentured servitude and convict laborers are very similar, as both convicts and indentured servants served a fixed term of service and were sold to private employers.⁶³ This system of convict trade was especially significant in the Chesapeake region, as “more than two-thirds of the transported

⁶³ Farley Grubb, “The Transatlantic Market for British Convict Labor,” *The Journal of Economic History*, 60, no. 1 (2000): 94–95.

felons came to the Chesapeake.”⁶⁴ In Maryland, specifically, the convicts made up more than one-quarter of all immigrants in the thirty years before 1776.

There was a high demand for white, unfree laborers in region, as the economies of both Maryland and Virginia needed the constant influx of workers as terms of service for indentured servants and transported convicts would end. Moreover, “the supply of convicts was more steady than that of indentured servants or slaves; and felons were relatively cheap, selling for about one-third of the price of young male slaves.”⁶⁵ Transported convicts were comprised of both skilled and unskilled workers, in farming tasks, industrial, craft and construction work. Historian Kenneth Morgan maintains that the range and number of skilled workers transported to Maryland is impressive. Morgan gains this information, as the occupations were stated on the advertisements of male convict runaways. Forty-one percent of male convict runaways were skilled in metal and wood working, and especially skilled in ironworking. Maryland was especially prominent in the iron industry, “with eighteen furnaces and twenty forges, was a major center of iron production in the American colonies by the time of the War of Independence.”⁶⁶ There was a clear demand for cheap, skilled, unfree white laborers in the Chesapeake region, especially as the number of indentured servants began to decline.

When discussing the percentages of convict laborers that were transported to America, it is apparent that the vast majority were men. Looking at Maryland, the

⁶⁴ Kenneth Morgan. “The Organization of the Convict Trade to Maryland: Stevenson, Randolph and Cheston, 1768-1775,” *The William and Mary Quarterly* 42, no. 2 (1985): 202.

⁶⁵ Kenneth Morgan. “English and American Attitudes Towards Convict Transportation 1718-1775,” *72*, no. 236 (1987): 428.

⁶⁶ Kenneth Morgan. “Convict Runaways in Maryland, 1745-1775,” *Journal of American Studies* 23, no.2 (1989): 257.

table below displays four different Maryland counties, and the percentage of male convict laborers is consistently around eighty percent. Therefore, the percentage of convict laborers who were women in Maryland was around twenty percent. The larger implication is that the number of single adults arriving to Maryland increased specifically from 1718-1775, when the convict labor trade occurred. However, since eighty percent of the laborers were men, this changes the demography of Maryland, as there were less single women in bondage coming into the colony. Less single women coming into the colony would influence the rates of premarital pregnancy in the colony.

Table 17. Sex of Transports Received in Maryland

<i>County</i>	<i>Years</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>
		<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>
Kent	1719-1744	333	82.8	69	17.2	402
Queen Anne's	1727-1750	207	83.1	42	16.9	249
Baltimore	1770-1774	475	82.8	99	17.3	574
Anne Arundel	1771-1775	678	79.9	171	20.1	849
Totals		1693	81.6	381	18.4	2074

Sources: Kent County Bonds and Indentures, 1719-1744, Queen Anne's County Land Records, 1727-1750, Baltimore County Convict Record, 1770-1774, Anne Arundel County Convict Record, 1771-1775, Maryland Hall of Records, Annapolis.

Source: A. Roger Ekrich, "A Profile of British Convicts Transported to the Colonies, 1718-1775," *The William and Mary Quarterly*, 42, no. 2 (1985): 194.

When the American Revolution began in 1775, it not only interrupted but ended all immigration to the colonies. Historian Aaron S. Fogleman explained that the American Revolution included, "war, forced removals of populations, disruption in trade of all kinds, egalitarian ideas and impulses, new constitutions, independence,

and the political maneuverings that typically accompany such upheavals. The war that broke out in 1775 disrupted the transatlantic British Empire.”⁶⁷ Long established credit and trade networks were destroyed, including those trade networks of convict laborers and indentured servants. Since the war brought a halt to the convict labor trade and indentured servants, this steep decline meant that there would be fewer adults in Maryland that would remain single well into adulthood. With less single of adults in the colony and able to get married, the number of cases of premarital pregnancy and bastardy would naturally decrease due to this drastic demographic change.

Conclusion

This study began as a way to add a different angle to the scholarship concerning rates of premarital pregnancy during the eighteenth century. After examining the existing scholarship on this topic, it was clear that the historical problem is that quantitative studies on this topic fell out of popularity quickly, and what had been published was a small number of studies based out of New England. These studies made dramatic claims concerning premarital pregnancy rates are based on a limited amount of data, largely out of Massachusetts, and other studies from New England towns. The argument that the patterns and rates from New England are representative of all of the colonies is oversimplified and inaccurate. My study, which focused on the premarital pregnancy rates of three Maryland church communities throughout the eighteenth century, proved to vary regionally, and differ

⁶⁷ Aaron S. Fogleman. “From Slaves, Convicts, and Servants to Free Passengers: The Transformation of Immigration in the Era of the American Revolution,” *The Journal of American History* 85, no. 1 (1998): 60.

from the rates from New England. Each of the Maryland parishes in my study proved to have different results even among the three of them. St. Paul's Parish had higher rates of premarital pregnancy during the first half of the eighteenth century, St. Thomas Parish saw consistently low rates throughout the century, and All Hallows Parish had fluctuation rates with no true pattern. With such differences among the churches in Maryland, I had to try to unpack the possible explanations as to the results of my study.

Based on the results of my study, I identified a variety of reasons that can help explain why the results of my study were not conclusive. These reasons were; potential data problems, regional difference within Maryland, and the changing laws in New England and Maryland concerning sexual transgressions during the eighteenth century. While constructing and then upon reflecting on my study in Maryland, it became clear that there were potential data problems in my study. When compiling the birth and marriage data from each parish, some periods had an abundance of data, while during other periods, data was incomplete or missing. This may have caused the data to be skewed, making it difficult to draw conclusions and have a clear image of the patterns based on these data problems.

A second reason to help explain why the results from the Maryland study varied among the parishes was based on the fact that all three parishes were located in different environments. St. Paul's Parish, located in an urban area, All Hallows in a rural area, St. Thomas' located in a frontier area. Since each of the parishes was located in a different type of setting, church officials may have dealt with sexual transgressions in different ways. For example, the rates from the frontier parish, St.

Thomas, was low throughout the parish, possibly due church leaders not wanting to scare off the new parishioners by punishing them for sexual transgressions, such as premarital pregnancy.

The changing laws regarding sexual transgression in both Maryland and New England were analyzed and contribute to the explanation as to why the rates between these two regions varied. The prosecutions of men for fathering a bastard child declined sharply in eighteenth century New England, as women bore the responsibility for female chastity. Conversely in Maryland, by midcentury more men were being held accountable for their sexual transgressions, as laws became more strict in Maryland, as punishments would double for women who did not name their partner. The clear difference in the changing laws between these regions reveals why the studies from these regions would yield different results.

The changing demography of Maryland was also examined as the importance of indentured servitude decline within the labor pool, as slave and convict labor became the preferred labor sources during the eighteenth century. These laborers were predominantly male, resulting in less bound, single women in Maryland. All of the factors mentioned above provide further context to what was occurring in eighteenth century Maryland, and work in conjunction when trying to analyze the results of my study.

Recommendations

The studies that have been conducted out of New England made large claims about premarital pregnancy and applied the findings to all of the colonies based on a small amount of data, which is problematic. The argument based on the small studies

from New England, that upwards of thirty to forty percent of young women were pregnant before marriage cannot be conclusively argued for all of the colonies. When scholars only have limited data to work with, and then make large claims based on the data, this leads to skewed and inaccurate results. Just as it is difficult to generalize one single pattern of premarital pregnancy in New England, the same is true for Maryland. Large claims should not be made about a region or colony based on a few studies, especially if records are incomplete.

This comparative study has made it clear that there are many challenges when conducting a quantitative historical study. From the New England studies I have analyzed, and the results of my own study make it clear that historians should be cautious and not to make large claims based on limited data. Whenever a quantitative study is conducted, historians have to address the potential setbacks or problems they encounter along the way, such as potential data problems. This way, the overall study will be more transparent and future historians who conduct similar studies can try and avoid mistakes or be more aware of potential problems.

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