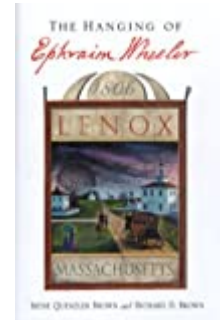


Irene Quenzler Brown, Richard D. Brown. *The Hanging of Ephraim Wheeler: A Story of Rape, Incest, and Justice in Early America.* Cambridge and London: Harvard University Press, 2003. 388 pp. \$26.95 (cloth), ISBN 978-0-674-01020-8; \$17.50 (paper), ISBN 978-0-674-01760-3.



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Troubled Families and Troubling Cases

The rage for micro-histories continues unabated. *The Hanging of Ephraim Wheeler* displays both the many strengths and one of the hazards that haunt this type of history. Irene and Richard Brown present the compelling story of a prosecution for rape in rural Massachusetts in the years after the American Revolution. As with other works in this genre, the book relies upon the sources generated by a sensational criminal trial—pamphlets, official records, newspaper accounts, the rich sources of local history—to produce a finely crafted analysis of a particular time and place. They give us a dense and nuanced picture of the rapidly changing society of the day. The authors are experts in the social history of the colonial and post-colonial period, and they bring their considerable skills to this project. They are alive to the fact that criminal cases provide one of the few means to cast light into the shadow lands inhabited by those of modest means. They have found an episode that also tells us something about the racial relations among people living on the margins of society. And the particular strength of

this study is the way in which the authors imaginatively take us into the center of a family dynamic whose dysfunctional character produced cataclysmic consequences for everyone involved.

What the records reveal “is the moving and provocative story of a family in crisis” (p. 5). Ephraim Wheeler was charged, convicted, and executed for a rape upon his own daughter. Much of the tale, often in his own words, is the narrative of his unhappy life. He had been an orphan, bound at an early age to a shoemaker, a violent and passionate man, who, the authors contend, “made a deep impression on the boy” (p. 161). At many points in the work, the authors venture such psychological judgments on the actors in this drama. They speculate about the quality of relationships, and seek to understand the kind of impact such experiences might have had on a particular individual. Some will find these conjectures disconcerting, but they add richness to the study which justifies the risk of anachronism. Wheeler, like many

men of the day, denied access to a stable career in coastal communities, ventured inland in hopes of bettering himself. He had few resources; he was without family and was illiterate. He drifted from job to job and place to place. Where other landless men pressed on and eventually won through to respectability and a competency, Wheeler faltered. Among those he worked with were free blacks, and through them he met his wife, a woman of mixed-race ancestry named Hannah Odel. It was the extended Odel family that provided Wheeler with whatever connections he had. "During times of trouble, over the next fifteen years, Ephraim repeatedly fell back on this network—especially his brothers-in-law" (p. 175). In 1792, his first child, a daughter named Betsy, was born. Despite this promising beginning, Wheeler's misfortunes continued. He was regularly in debt; every scheme for paying back his creditors failed. His failures appear to have taken their toll on the relationship. After the birth of the child, he parted from Hannah, the first of several such ruptures. Even when the couple later reunited, they had to live with one of the Odel kin, in a situation that must have been humiliating for Wheeler. Later, in his narrative, he confessed that he had "spent my time and property in idleness, hard drinking and quarrelling, neglecting industry, and the means of obtaining an honest livelihood for myself and my family" (p. 180). Each failure forced him back into dependency on his relations and the casual labor market. The Browns do a fine job of capturing the growing strains that afflicted this couple. Hannah and Ephraim were not happy together, though they continued to produce children who tied them more tightly to each other.

Here was the social and psychological background to the crime that was reported to the authorities in 1805. Earlier in the year the couple had been forced to move in with Hannah's brother. A petty dispute soon drove Ephraim to declare that he was leaving, and he insisted on taking his two eldest children with him. As he left the farmstead, he took Betsy aside into the forest and, according to her account, raped her. As Brown and Brown point out, the events that unfolded that day are murky. In one version, Ephraim raped his daughter after a humiliating rupture with his wife, so that in some tangled sense he revenged himself on her and her family, while reasserting his own patriarchal power. On the other hand, Betsy and her mother may have turned whatever happened in the woods into a means to return the daughter

to the mother's care. Once, however, the legal authorities were called in, the stakes in the contest became even higher. The rape, compounded by the fact that it would have constituted incest, stirred the community to its depths. "Hovering in the consciousness of people in Lenox and throughout Berkshire County, these stories made the Wheeler case appear to be part of an alarming pattern suggesting that household government was in such disarray that government must intervene" (p. 39). After a lengthy trial whose central moment came with the testimony of his daughter against him, Wheeler was convicted and sentenced to hang.

That Wheeler would, in fact, perish on the gallows was a far from foregone conclusion in this period. The old gallows regime was under assault; a powerful movement took as its goal the restriction of the death penalty to murder and treason. By a narrow vote, however, the Massachusetts legislature had decided against mitigating the punishment for rape. With that recent decision before their eyes, and given the aggravated nature of this offense, the authorities decided to allow the law to take its course. Not even petitions signed by influential members of the community, and, significantly, by Hannah and Betsy, swayed their decision. Brown and Brown do an excellent job of demonstrating how the politics of death in this instance confounded the usual political lines that divided the community. They also paint a compelling portrait of how seriously the male figures in authority took the task of making a final determination in the case. One of the most significant contributions of this volume is to help us understand how people could continue to employ the gallows even when its status was in question.

"What was the meaning of the Wheelers' tragedy," Brown and Brown ask (p.286). This is always the challenging question posed of any micro-history. Does it simply satisfy a curiosity about the quality of past lives, or propose an intriguing narrative about crime and punishment? These histories often put on display the skill of historians as detectives, using patient research and informed intuition to unravel mysteries from other periods. The greater challenge is to figure out how these unusual episodes relate to the currents flowing through an era. Brown and Brown get the balance about right, satisfying the desire for a well-told tale, while working to use it to illustrate the more profound forces shaping and reshaping American society in the early nineteenth century.

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