

**Giving the Noose the Slip:  
An Analysis of Female Murderers in Oregon, 1850-1950**  
by  
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Women who kill have historically received less attention than their male counterparts, partially due to the nature of their crimes. Out of the twenty-five murders committed by women in Oregon between 1850 and 1950, nearly all of them fall under the umbrella of domestic homicide—murders that usually take place near the home with family members as victims. Domestic homicides are not typically equated with the crimes that society labels reprehensible enough to warrant capital punishment and no woman has ever been legally executed in Oregon.<sup>1</sup> Men are significantly more likely to commit violent crimes, especially predatory murders or murders committed for economic or material benefit.

Though this is one reason why Oregon women between 1850 and 1950 were given lesser convictions and punishments than their male equivalents, female defendants were also treated differently in the courtroom in accordance with the various social, cultural, and legislative shifts that occurred in three distinct time periods. Between 1850 and 1900 all women were either sent to the insane asylum or had their sentence commuted by the Governor. In the thirty-five years that followed all female murderers received manslaughter convictions. It was not until after 1935 that women were convicted of first-degree murder.

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<sup>1</sup> Elizabeth Rapaport, "The Death Penalty and Gender Discrimination," *Law & Society Review* 25, no. 2 (1991): 367.

Diane Goeres-Gardner's book, *Murder, Morality, and Madness: Women Criminals in Early Oregon* was my first exposure to historic cases of female murderers in the state.<sup>2</sup> Goeres-Gardner analyzed select cases that involved female defendants between 1854 and 1920, including several murderers. Her archival-based research inspired me to compile a complete list of Oregon women who killed between 1850 and 1950 and examine possible trends in cases, trials, and punishments.

The first step toward explaining the variances in each period was to look through *Oregonian* articles and search for the eleven names present in Goeres-Gardner's research. From there, I visited the Oregon State Archives (OSA) and found nine additional female murderers in the thick volumes of the State Penitentiary's "Great Register," which documented incoming prisoners between 1854 and 1946.<sup>3</sup> The entries in the Great Register provide basic data, including the inmates' names, crime convictions, length of sentences and the county in which they were tried and convicted. I found the five names of those convicted after 1946 in *Oregonian* articles.

The most integral source to my project was the Oregon State Penitentiary inmate case files maintained at OSA for incarcerations between 1851 and 1932.<sup>4</sup> These files include commitment papers from the convicting county, parole records, mug shots, and any correspondence relating to the inmate. The files were useful in building a narrative of the murder cases and gaining more personal information regarding the nature of the crime and the relationship between the defendants and their victims. Some case files include medical records

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<sup>2</sup> Diane L. Goeres-Gardner, *Murder, Morality and Madness*, 1st edition (Caldwell, Idaho: Caxton Press, 2009).

<sup>3</sup> "Great Register," 1854-1946, Vols. 1-9, Oregon State Penitentiary Inmate Records, Oregon State Archives, Salem, Oregon.

<sup>4</sup> Inmate Case Files, 1853-1932, Boxes 1-64, Oregon State Penitentiary Inmate Records, Oregon State Archives, Salem, Oregon.

and psychological assessments, which were beneficial to my study of the insanity plea and asylum commitments. Additionally court records from the Multnomah and Clackamas County Courthouse archives offered more complete timelines of the judicial and penal process.

I am grateful to the Oregon Women’s History Consortium for providing the fellowship funds that were so vital to my research process. The sponsorship covered the cost of copying hundreds of pages of incarceration and court documents and paid for the mileage I accrued from several trips between Portland and Salem to visit OSA. To the best of my knowledge, I have tracked down each of the women convicted of murder and manslaughter in the state between 1850 and 1950.<sup>5</sup> The defendants I highlight in each section reflect how perceptions of female murderers changed over time and were reflected in judicial decisions. In each of the three periods I weave the defendants’ stories into the greater narrative of Oregon’s social, judicial, and legislative history.

### 1850-1900

*The fate of every female prisoner confined in the [Oregon State] penitentiary for any length of time has been a transfer to the asylum for the insane either in account of real derangement of the mental faculties, or official pity which assumes that they are insane, and transfers them to where there are surroundings which make fresh air and exercise possible to them.*<sup>6</sup> –*East Oregonian*, November 13, 1900

Name	Conviction	Date	Sentence	Arrival	Departure
Charity Lamb	Murder 2	5/13/1854	Life	9/18/1854	Died OHI
Caroline Briggs	Manslaughter	6/30/1874	15 years	12/4/1875	1/31/1877
Mary McCormick	Manslaughter	8/5/1876	Life	8/22/1876	11/16/1878
Carrie Bradley	Manslaughter	10/28/1881	15 years	1/8/1883	6/21/1886

<sup>5</sup> Women who were acquitted of their crimes essentially rest outside of the scope of this project as locating these records without the trial dates, names of defendants and victims has proven difficult.

<sup>6</sup> *East Oregonian* Tuesday, November 13, 1900

Emma Hannah	Murder 2	9/26/1895	Life	12/1/1895	Died OSIA
Minnie Crockett	Murder 2	10/2/1900	Life	11/10/1900	10/14/1908

Between 1850 and 1900, the era of the “True Woman,” the majority of Americans believed that women were inherently morally superior and less violent than men. The true woman was modest, delicate, and in need of male protection. This nineteenth-century ideal carried from the East and Midwest initiated forms of chivalry within the male-dominated justice process. The men involved in these trials regularly argued that female defendants were unaware of their actions or that a form of hysteria took over their ability to act rationally. In line with these social conventions, Oregon’s prison superintendents and governors were convinced that removing female criminals to asylums was a better alternative to a prison sentence. These officials were not mistaken in their assumption that jail was a dangerous place for a woman. During the territorial and early-statehood decades, Oregon was ill equipped to maintain prisoners, especially female inmates.

Nationwide, male jurors and court officials were unsure how to best handle women who did not align with prevailing ideas of how a woman should behave in the domestic sphere. Accordingly, between 1850 and 1900 the six convicted defendants in Oregon were either sent to the asylum or had their sentences commuted by the governor.<sup>7</sup> Of the four women who were given life sentences, only two of those sentences were actually fulfilled—in the asylum. The longest sentence served by any of other of the other women was eight years. Patriarchal conceptions of women’s nature mitigated convictions. Only when the crime was conducted in front of witnesses, or the evidence was too clear to ignore, were women convicted.

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<sup>7</sup> Others were acquitted of their crimes.

Oregon's first convicted female murderer exemplifies nineteenth-century understanding of female criminals. Charity Lamb killed her abusive husband with an axe at the dinner table the evening of May 13, 1854. At her September trial, Lamb's two appointed defense attorneys claimed that she was not guilty as she was fearful for her life and the safety of her children. Defense attorney James K. Kelly took the standpoint that Lamb was a deranged monomaniac, or partially insane.<sup>8</sup> Her second attorney, Milton Elliot, claimed that the attack was an act of self-defense and argued that Lamb did not premeditate the murder. She had suffered years of "domestic tyranny" at the hands of her husband and habitually feared for her life.<sup>9</sup> The larger assertion made by Lamb's attorneys was that her husband, Nathaniel, had driven her mad.

At Lamb's trial, twelve male jurors were questioned and chosen for their ability to be non-biased toward a female prisoner. After a few hours of deliberation, the jurors asked presiding judge, Cyrus Olney, for a clarification regarding the definition of self-defense. Olney explained, "If the prisoner believed the deceased was then about to kill her, and that she could not flee without equal danger of being killed, the danger, *to her mind*, was imminent."<sup>10</sup> In 1854, American courts still utilized elements of English Common Law that provided little clarity for judges and lawyers who struggled with evidence and procedural complications that arose with the insanity defense.<sup>11</sup> When the jury eventually returned they found Lamb guilty of second-degree murder and sentenced her to a lifetime of hard labor.

If this murder had occurred a year or even months earlier, Lamb may have been acquitted. Newspapers criticized the leniency that was shown in three criminal trials prior to Lamb's trial and postulated that Lamb would receive the same clemency. The *Spectator* chided,

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<sup>8</sup> "Trial of Charity Lamb, for the Murder of Her Husband, Nathaniel J. Lamb," *Oregonian*, September 30, 1854.

<sup>9</sup> Ibid.

<sup>10</sup> "The Lamb Murder Trial," *Oregon Weekly Times*, September 30, 1854. Emphasis added.

<sup>11</sup> Tighe, "Francis Wharton and the Nineteenth-Century Insanity Defense," 228.

“Think of it ladies! And if any of you feel disposed to walk up behind your husbands or fathers and chop their heads open, why, just “pitch in!”—You are safe in doing so!”<sup>12</sup>

However, the evidence and witness testimonies were too strong to ignore. Despite what Judge Olney and the jury may have thought about maintaining a female prisoner, there was no other institutional option in 1854. Lamb was the first and only woman imprisoned between 1854 and 1862. In 1854, the new Portland Penitentiary remained under construction on Front and Harrison streets, so Charity was delivered to the nearby "Sloan's Hotel," an out-of-business whiskey shop where six male inmates were temporarily held. The prisoners were likely kept in irons, as the hotel did not have secured cells.<sup>13</sup> The Penitentiary was completed later that year but, as the first female convict in Oregon, Lamb remained in solitary confinement for her entire eight-year duration. In addition to being the sole female prisoner, Lamb was the only woman in the whole institution, as the first matron was not hired to work in the prison until 1900.<sup>14</sup>

Quaker missionaries Robert and Sarah Lindsey visited the prison in December 1859 and commented, "the only female prisoner in the place [Charity Lamb]... remarked that she had not done anything wrong." The Lindsey's were "inclined to believe that she [was] *not sound of mind*."<sup>15</sup> It is unclear whether Lamb was insane prior to her imprisonment, lapsed into madness after eight years of solitary confinement, or was removed from the jail for bureaucratic reasons.<sup>16</sup>

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<sup>12</sup> “When Will the next Farce Be Played? In September?,” *Oregon Spectator*, July 14, 1854.

<sup>13</sup> Ronald B. Lansing, "The Tragedy of Charity Lamb, Oregon's First Convicted Murderess," *Oregon Historical Quarterly* 101, no. 1 (2000): 68.

<sup>14</sup> Oregon Legislative Assembly Senate, *Journal of the Proceedings of the Senate, of the Legislative Assembly of Oregon*, 1899, 775.

<sup>15</sup> H. S. Nedry, "Willamette Valley in 1859: The Diary of a Tour," *Oregon Historical Quarterly* 46, no. 3 (1945): 252–253.

<sup>16</sup> There were several instances of female prisoners who suffered mental breakdowns and relocated to insane asylums in the West. Nineteenth-century U.S. prison systems were not initially organized to accommodate female inmates, and the lack of accommodations affected the mental stability of the women kept within the walls. Some issues that caused the onset of insanity included sexual abuse by male inmates and prison guards, as well as the implementation of solitary confinement since designated

Her inmate case file simply states that she was sent to the newly constructed Oregon Hospital for the Insane in southeast Portland on December 2, 1862, where she remained until her death in September 1879.

The emergence of the psychiatric profession, as well as prison and asylum reform, affected the treatment of female criminals. As the field of psychiatry was further developed in the mid-nineteenth century, the asylum became a more accepted facility for the mentally ill, indigent, and otherwise undesirable members of society.<sup>17</sup> Various institutional reform movements drove the notion of rehabilitation over punishment and strove to shed light on humanitarian issues that were previously ignored. It is uncertain whether the women sent to the asylum were indeed insane, or if the institution functioned more as a custodial facility for unwanted populations of criminals.

At the turn of the century at least one reform group recognized the deficiencies in the women's ward at the Oregon State Penitentiary and the established assumption that women would never reach a significant number in prison populations shifted. On February 16, 1899, E.W. Haines, chairman of the committee on penal institutions, submitted the conditions report by the Catholic Ladies' Social and Relief Society of Salem to the State Senate. In regard to the treatment of women within the state penitentiary the report concluded, "upon careful examination we find that there is no suitable place at the penitentiary for these people [women] except at a very large expense."<sup>18</sup> The legislative penal institutions committee therefore recommended that the women "might be removed from the penitentiary, either to apartments at

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women's wards were rare. See Anne M. Butler, *Gendered Justice in the American West: Women Prisoners in Men's Penitentiaries* (Urbana: University of Illinois Press, 1997), 157–58.

<sup>17</sup> Ruth B. Caplan, *Psychiatry and the Community in Nineteenth-Century America: The Recurring Concern with the Environment in the Prevention and Treatment of Mental Illness*, First Edition (Basic Books, 1969), 88–96.

<sup>18</sup> "The Journal of the Senate," Twentieth Oregon Legislative Assembly {Senate}, 1899. 775.

the asylum or reform school. Where they might be properly cared for and be furnished with some employment and still be permitted to breathe the open air.”<sup>19</sup> Furthermore, the committee advised that the governor have the authority and power to decide where the convicts should be directed. This aligned with the current process of governors sending women to the asylum and commuting their sentences. However, the state senate voted fifteen to twelve against the joint resolution. In its place, by 1900 Oregon government officials and prison wardens concluded that female criminals required a designated space within the prison and matrons to attend to them.

Between 1850 and 1900 it was difficult for male judges and jurors to detach from their understanding of “true woman” ideals in the courtroom. Excuses of insanity and other justifications were constantly used for the defense of women who acted outside the accepted standards of femininity. The governor commuted the sentences of all of the convicted women whose cases did not result in asylum commitments. It is evident that most men were hesitant to accept that women were capable of violent acts and deflected attention from these perceived anomalies by doing everything in their power to keep them out of the prison system.

### 1900-1935

Name	Conviction	Date	Sentence	Arrival	Departure
Carrie Kersh	Manslaughter	6/19/1910	15 years	4/25/1911	12/14/1918
Hazel Erwin	Manslaughter	6/19/1912	Indeterminate	9/25/1912	6/1/1930
Susie Owens	Manslaughter	7/12/1912	15 years	10/17/1912	3/18/1914
Nunnie Williams	Manslaughter	12/3/1915	Indeterminate	1/25/1916	1/25/1918
Anna Booth	Manslaughter	10/8/1916	Indeterminate	3/10/1917	1/31/1930
M.C. Paton	Manslaughter	4/21/1925	Indeterminate	5/4/1925	5/4/1935

<sup>19</sup> Ibid. 775.



Grace Violette	Manslaughter	3/3/1926	5 years	5/31/1926	9/30/1929
Yvonne Littell	Manslaughter	1/22/1927	3 years	5/20/1927	5/20/1929
Doreene de Selva	Manslaughter	11/8/1928	5 years	12/27/1928	4/25/1932
Ruth Warnock	Manslaughter	10/12/1930	7 years	1/21/1931	9/21/1935
Laura Potts	Manslaughter	10/4/1931	Indeterminate	1/11/1932	2/6/1940
Margaret Hart	Manslaughter	7/7/1935	1 year	1/6/1936	1/6/1937

Between 1900 and 1935 all twelve of the women who were convicted were charged with manslaughter—an occurrence unique to this era. Though the nature of the acts and the level of participation all differed, each woman was essentially charged with the same crime. The succession of manslaughter convictions is due in part to all-male jurors' inability to determine the right course of action. It was no longer feasible to assume that a woman was insane for her violent actions. Though judges and juries previously held this authority, the professionalization of psychiatry brought doctors into the courtroom to determine the mental health of a defendant. So jurors were largely faced with two decisions—acquit the case, or send a woman to prison. But to condemn a woman with a more serious conviction than manslaughter would likely send her to her death or a life behind bars. This sequence of manslaughter charges suggests that early twentieth-century male jurors were not ready to shoulder this weight. Between 1900 and 1914 the sentence for first-degree murder was death by hanging. For a short period between 1914 and 1920, capital punishment was repealed in Oregon. When legislation passed in 1920 to reinstate capital punishment the sentence for first-degree murder was death unless the jury requested

leniency. Then the defendant would carry out a life sentence.<sup>20</sup> Similarly, a second-degree murder charge earned a mandatory life sentence.

Manslaughter convictions were a neutral middle ground. Several female murderers in Oregon between 1900 and 1935 were given indeterminate sentences that ranged between one and fifteen years, an indication of Progressive Era reforms in the courtroom.<sup>21</sup> Traditional perceptions about the nature of women influenced several states' laws that governed the sentencing and rehabilitation of female offenders. It was often required that women receive an indeterminate sentence while men were given a determinate period based on a crime with similar conditions.<sup>22</sup> Indeterminate sentencing was frequently mandated for women under the assumption that they were more responsive to rehabilitation.<sup>23</sup> Consequently, women were regularly held for longer terms than men before becoming eligible for parole.<sup>24</sup>

Indeterminate sentencing and the parole system reached Oregon by 1905 when state legislative felony-sentencing standards gave the Governor full authority to parole prisoners. In 1911 the State Parole Board was established. The board reviewed all the cases where inmates were sentenced to indeterminate periods and reported their findings and recommendations to the Governor. The Parole Board then maintained communication with all individuals on parole. Legislation in 1917 required district attorneys and courts to fill out Parole Board forms for each

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<sup>20</sup> Robert H. Dann, "Capital Punishment in Oregon," *The Annals of the American Academy of Political and Social Science* 284 (1952): 110–12.

<sup>21</sup> Toward the end of the nineteenth century New York penologist Zebulon Brockway led the reform that initiated indeterminate sentencing and the parole system. See Lawrence Friedman, *Crime And Punishment In American History* (New York, NY: Basic Books, 1994), 160.

<sup>22</sup> Clarice Feinman, *Women in the Criminal Justice System* (ABC-CLIO, 1994), 8.

<sup>23</sup> *Ibid.*, 9.

<sup>24</sup> *Ibid.*, 8.

parolee with their criminal history and issue these forms to the state parole officer.<sup>25</sup> In several of cases during this period it is evident that the jurors' decision to convict the defendants of manslaughter was a more lenient choice compared to the opinions of the Parole Board. Case in point, Doreene de Selva.

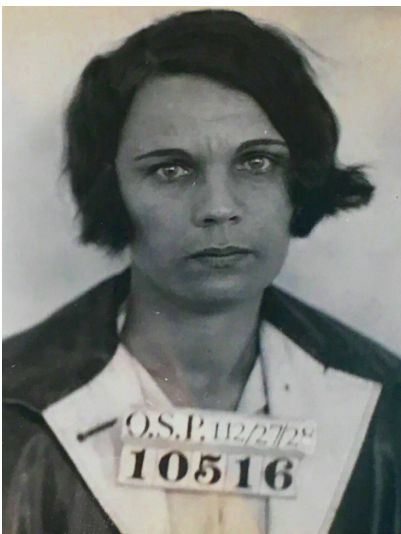


Fig 1. OSP mug shot of Doreene de Selva, December 27, 1928  
Courtesy of Oregon State Archives, OSP Inmate Records

On November 8, 1928, Doreene de Selva shot and killed her estranged lover Gilbert J. Pinto with a revolver onboard the steamship where he worked as a yeoman. The thirty-two year old was destitute and desperate when she went to talk to Pinto about their strained relationship. Police indicated that the murder seemed planned, but she maintained that she only intended to commit suicide in front of him. However, when Pinto turned away from her laughing at her threat of suicide, she shot him instead.<sup>26</sup>

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<sup>25</sup> "Board of Parole and Post-Prison Supervision Administrative Overview December 2006," 2, accessed May 3, 2017, <http://sos.oregon.gov/archives/Documents/recordsmgmt/sched/overview-parole-post-prison-supervision.pdf>.

<sup>26</sup> "Charge of Murder Faced by Woman," *Oregonian*, November 10, 1928.

A week later de Selva was indicted for murder in the first degree for killing Pinto “unlawfully and feloniously, purposely and of deliberate and premeditated malice.”<sup>27</sup> She pled not guilty on November 20, 1928 but her trial was postponed because she was so frightened and exhausted from incessant crying. At her trial on November 27, 1928 she fainted after she was informed Pinto had died from his wounds and she was placed in the hospital to rest. These traditionally feminine behaviors of crying and fainting later influenced the jurors’ decision to impart de Selva with lenience.

The *Oregonian* contended that the courtroom was full of female spectators and that de Selva could be the first woman in Oregon to face the death penalty.<sup>28</sup> After 1900, Oregon women exhibited a larger spectator presence at trials, especially those that involved female defendants, and newspapers regularly commented on their numbers.<sup>29</sup> However, during this period women were still largely segregated to one side of the bar. Legal opinions in the United States viewed women’s superior obligation to the service of her husband. Others argued that women jurors could help eliminate corrupt verdicts, especially in cases with female defendants. Though Oregon women received the right to vote in 1912, the process to gain full citizenship, which included the duty to serve as jurors, can best be understood as “a second suffrage campaign.”<sup>30</sup> A campaign that was still contested during de Selva’s trial in 1928.

The attention that the trial elicited saved de Selva from a more serious conviction. Instead of receiving the death penalty, she was found guilty of manslaughter.<sup>31</sup> On the official typed verdict the jury’s foreman wrote, “with recommendation for leniency.”<sup>32</sup> She was

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<sup>27</sup> Stanley Meyers, “Indictment, The State of Oregon vs. Doreene de Selva,” Pub. L. No. C14214 (1928).

<sup>28</sup> “Charge of Murder Faced by Woman.”

<sup>29</sup> “Woman Slayer in Court,” *Oregonian*, November 21, 1928.

<sup>30</sup> Linda K. Kerber, *No Constitutional Right to Be Ladies* (New York: Hill and Wang, 1998), 143.

<sup>31</sup> De Selva was found guilty of manslaughter on December 26, 1928.

<sup>32</sup> Dell Webb, “Verdict, The State of Oregon vs. Doreene de Selva,” Pub. L. No. C-14214 (1928).

sentenced to a maximum five years and issued a five-dollar fine.<sup>33</sup> De Selva was sent to the Oregon State Penitentiary in Salem where women's accommodations were more or less built as a temporary solution. Prior to 1930, female inmates at the penitentiary were maintained in one large room on the second floor of the chapel. At night they were transported into solitary compartments divided by wooden partitions.<sup>34</sup> During her imprisonment de Selva shared this room with five other women charged with manslaughter and several others convicted of lesser crimes.

De Selva was reviewed for parole after less than a year in prison. Reports submitted to the State Parole Board by Judge R. Morrow in 1929 stated that "the [all-male] jury were clearly influenced by her [de Selva's] appearance" but it was the judge's opinion that it was a premeditated murder.<sup>35</sup> Judge Morrow also made sure to comment that "she was reeking of syphilis" and that the court took precautions to keep her from handling anything.<sup>36</sup> He added:

Personally, I think the young woman has been in the habit of giving way to her feelings and behaving like a spoiled child throughout her life and never has had any idea of responsibility for her conduct, or that there existed such a thing in the world as not having her own way.<sup>37</sup>

Consequently, he did not recommend parole. The district attorney agreed with Judge Morrow and stated that the de Selva was truly guilty of second-degree murder and her actions did not

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<sup>33</sup> Robert Morrow, "Trial Order, The State of Oregon vs. Doreene de Selva," Pub. L. No. C-14214 (1928).

<sup>34</sup> Diane L. Goeres-Gardner and John Ritter, *Oregon State Penitentiary* (Charleston, South Carolina: Arcadia Publishing, 2014). Though this is not a peer-reviewed scholarly source, the book was co-authored by John Ritter who worked various positions at OSP for thirty years. I utilized this source for its short section that described the OSP women's ward prior to and after 1930.

<sup>35</sup> Robert Morrow, "Report to Parole Board, State of Oregon, Statement of Judge," August 5, 1929, Inmate Case Files Box 49 Folder 10516-10519, Oregon State Archives, Salem, Oregon.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

merit parole. Nevertheless, after three and a half years in prison, de Selva was released back into society on April 25, 1932.<sup>38</sup>

The repetition of manslaughter verdicts was a response to male anxieties formed by the profound social and cultural changes that surrounded World War I and the interbellum years.<sup>39</sup> These changes correlate with political and social developments related to institutional reforms and women's movements. Suffrage transformed the way women understood themselves and in turn altered the way men perceived women. However, women were still largely understood as inherently different than men. Progressive implementations in the courtroom such as indeterminate sentencing aligned with the contemporary opinion that women were more receptive to rehabilitation. As such, women were regularly given more lenient punishments than the crime deserved.

### 1935-1950

Name	Conviction	Date	Sentence	Arrival	Departure
Agnes Ledford	Murder 1	9/4/1937	Life	6/6/1938	8/17/1956
Julia Carlson	Murder 2	12/19/1940	Life	4/21/1941	8/6/1948
Martha Vernon	Manslaughter	5/31/1946	2 years parole	N/A	N/A
Luella Henagin	Murder 2	10/29/1946	Life	12/9/1946	12/11/1953
Gladys Broadhurst	Murder 1	10/14/1946	Life	3/27/1947	7/27/1956

<sup>38</sup>A new four-story reinforced concrete administrative building at the Penitentiary was constructed in 1930 and the second and third stories were dedicated to house female prisoners. See Goeres-Gardner and Ritter, *Oregon State Penitentiary*. De Selva was the first female murderer to serve time in the newly appointed women's ward. This renovation confirms that the state finally came to terms with the fact that the number of female criminals were increasing each year and that inmates required more appropriate accommodations.

Helen Rookard	Manslaughter	8/17/1947	10 years	11/5/1947	9/22/1951
Atlee Chabaude	Manslaughter	8/26/1950	10 years	11/20/1950	3/24/1954

The years between 1935 and 1950 marked a significant transformation in the perception of female criminals, especially women who kill. In *The Criminality of Women* (1950), Otto Pollack interpreted females' behavior relative to the social roles that they were supposed to play. He argued that since men and women were taught that females should adhere to certain roles, any deviation from said roles was a betrayal of their womanhood.<sup>40</sup> Therefore by engaging in violent crime, a behavior most Americans perceived as masculine, female offenders denied their own womanhood. Pollack also maintained that society's perception of females as less criminal was an outdated myth that required revision. He argued that women were inherently more deceitful than men.<sup>41</sup> As such, Pollack believed deviant women often went undiscovered and unpunished for their crimes. This understanding of female criminality appeared to shift in Oregon as female defendants were provided with a jury of gendered peers after 1935.

Opponents to female jurors believed that women should be shielded from distressing crimes, evidence, and testimonies and that their rightful place was at home caring for their husbands and children.<sup>42</sup> They maintained that, if men and women were the same, then jury pools devoid of women would not create any disfavor, but if the sexes were actually different, women were collectively "less capable than men."<sup>43</sup> Another opposing argument was that if

<sup>40</sup> Otto Pollak, *The Criminality of Women* (Philadelphia: University of Pennsylvania Press, 1950), 161.

<sup>41</sup> *Ibid.*, 151.

<sup>42</sup> Kerber, *No Constitutional Right to Be Ladies*, 146.

<sup>43</sup> *Ibid.*, 144.

women were free to register and serve on juries, they were technically not deprived of any right, however, that this kind of exemption was actually exclusion not liberation.<sup>44</sup>

Out of the seven women found guilty of murder between 1935 and 1950, two were convicted of first-degree murder—the first two women in Oregon history. The criminal components in these first-degree murders similarly align with those of female defendants in earlier decades who received second-degree or manslaughter convictions. The primary difference was that most female murderers between 1935 and 1950 faced female jurors in their trials. This shift in legislation arguably undercut legal patriarchy in courtrooms.

Women's public participation in suffrage, progressive reforms and wartime efforts accordingly meant that they were deserving of equal punishments. After female jurors appeared on felony cases, female murderers began to receive convictions that fit the crimes. It seems that women were more likely to find fault in other women when formerly the patriarchy refused to view women as capable of conscious criminal behavior. The fact that women were not charged with first-degree murder up until this point indicates that murder trials could not be considered equal between male and female defendants until after 1935.

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<sup>44</sup> Ibid.





Fig. 2. OSP Mug Shot of Gladys Broadhurst March 27, 1947  
 Courtesy of Oregon Department of Corrections

Gladys Lincoln Broadhurst was the second of the two female defendants convicted of first-degree murder between 1935 and 1950. In the summer of 1945 Broadhurst was still technically married to her fifth husband, Lester Merle Lincoln, when she conceived a plan to marry Willis D. “Doc” Broadhurst. Doc was a former chiropractor turned wealthy stockman in Malheur County, Oregon, and Canyon County, Idaho. Forty-year-old Broadhurst used two outlandish stories to make herself a more appealing marriage prospect. The first was that her aunt had recently died in Hawaii and left her a three million dollars inheritance. The second was that she was a widow viciously pursued by the identical twin brother of her late husband, Lester Merle Lincoln, who was killed overseas during WWII.<sup>45</sup> Doc was a friend of Broadhurst’s family and he had no reason to think she would lie about her circumstances; they were married in Reno, Nevada on May 21, 1946.<sup>46</sup>

<sup>45</sup> Ron Moxness, “Prosecutor Tells Jury Lurid Story,” *Oregonian*, February 28, 1947, 1.

<sup>46</sup> Ron Moxness, “Life, Wealth, Broadhurst Trial Stake,” *Oregonian*, February 25, 1947, 27.

After returning home to Doc's ranch, Broadhurst gained the attention of a young cattle hand, Alvin Lee Williams, 23, who periodically worked as her chauffeur during haying season.<sup>47</sup> The two were secretly married on September 17, 1946—again in Reno.<sup>48</sup> Broadhurst had her eyes set on Doc's two hundred thousand dollar estate and planned to kill him and fix it to look like a random act of violence. On October 14, 1946, Williams followed Doc down a country road en route to his ranch over the Idaho border. Williams hit Doc over the head with a wrench, shot him with a shotgun, and dragged his body into the brush that lined the road. Williams then returned to Broadhurst after the calculated murder was complete.

A neighbor quickly notified Broadhurst when Doc's horse was found wandering without a rider. A search party formed but she declined to join the hunt twice to look for her husband.<sup>49</sup> When Broadhurst learned that a nearby rancher found Doc's body she quickly responded by writing a fictitious note and shoving it under the front door of her house. The note, purportedly from her previous husband's twin brother was an attempt to cover up that fact that Williams committed the murder: "Your cowboy strong-arm didn't do it, but don't start anything. I'll get you as I got Doc. I warn you, I need cash. -Sweetpea."<sup>50</sup> A handwriting specialist later identified that the handwriting belonged to Broadhurst, as well as a forged note from her "aunt" regarding her inheritance of three million dollars.<sup>51</sup> In addition to all of this, they learned that her previous husband, Lester Lincoln, was actually still alive and never had any brothers.

Newspapers portrayed Gladys Broadhurst as a greedy and scheming woman who took advantage of the livelihoods of at least two of her husbands and ordered the murder of a third.

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<sup>47</sup> "Two Charged with Murder," *Oregonian*, October 19, 1946, 10.

<sup>48</sup> Ron Moxness, "Suspect Wed Seven Times," *Oregonian*, February 25, 1947, 36.

<sup>49</sup> Ron Moxness, "Note Written to 'Dear Al' Figures in Murder Trial," *Oregonian*, March 1, 1947, 12.

<sup>50</sup> Ron Moxness, "State Cites 3 Murder Plots," *Oregonian*, February 28, 1947, 26.

<sup>51</sup> Ron Moxness, "Expert Connects Defendant to Note in Broadhurst Case," *Oregonian*, March 9, 1947, 23.

They directed attention to her “marital adventures” and the fact that she was married and divorced several times.<sup>52</sup> Prosecuting attorney Blaine Hallock described Broadhurst as a contemporary “Lady Macbeth,” a wife who ceaselessly encouraged her husband to murder.<sup>53</sup>

Broadhurst’s jury was made up of nine men and three women. At her trial in February 1947 it was difficult to find jurors without a preconceived opinion about the case or feelings of hostility toward capital punishment.<sup>54</sup> Williams eventually confessed to the murder and told the jury that Broadhurst planned the entire event. The State asked for Broadhurst to receive the death penalty on the grounds that the murder would not have occurred without her bidding. District Attorney Charles W. Swan stated in his closing remarks to the jury that, “For two long weeks you have observed her charm and magnetism. I think it has made itself felt in every person she has met.”<sup>55</sup>

Defense Attorney Patrick J. Gallagher asked the jury “not to judge the defendant too harshly.”<sup>56</sup> That though her adultery was “indefensible” the jury should “lay her transgressions off to one side and judge her criminality by itself.”<sup>57</sup> On March 13, 1947, the jury convicted Broadhurst of first-degree murder but asked Judge M.A. Biggs to be lenient. Both Broadhurst and Williams were sentenced to life imprisonment. She was later released on parole after serving nine years of her life sentence.

Broadhurst’s case was similar to others in prior decades when a female defendant elicited the help from a family member or lover to commit a murder. However this was the first time the conspirator was charged with first-degree murder. The jury’s request for leniency worked in her

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<sup>52</sup> Moxness, “Suspect Wed Seven Times,” 36.

<sup>53</sup> Moxness, “Prosecutor Tells Jury Lurid Story,” 1.

<sup>54</sup> Moxness, “Suspect Wed Seven Times,” 36.

<sup>55</sup> Ron Moxness, “Broadhurst Testimony Concluded,” *Oregonian*, March 13, 1947, 1.

<sup>56</sup> Ron Moxness, “Verdict in Broadhurst Case to Bring Plea for New Trial,” *Oregonian*, March 14, 1947, 22.

<sup>57</sup> *Ibid.*

favor, as did the parole system. Broadhurst represented everything society discouraged in a woman. She was a liar, an adulteress, and a murderer. Yet she was still given leniency.

### **Conclusion:**

Over the course of a century there were three distinct trends in the treatment of female murderers in Oregon. In the first period female murderers were considered an unnatural anomaly. They were either assumed insane and transferred to the asylum, or quickly released from prison to avoid potential controversy or additional expense. After 1900 the Progressive Movement affected how women who killed were handled in the courtroom. Sentimental juries felt more comfortable convicting women of manslaughter in lieu of first-degree murder and possible capital punishment, or second-degree murder, which warranted a mandatory life sentence. Furthermore, indeterminate sentencing and the parole system aligned with the common perception that women were more receptive to rehabilitation. Between 1935 and 1950 the punishments for murder began to fit the crime. Though conceptions of women's nature persisted through time, female jurors provided the necessary catalyst to convince male jurors that women were indeed capable of violent crimes and deserving of more serious convictions. However, since their crimes qualified as domestic homicide, those charged with first-degree murder were recommended for leniency. Though capital punishment is currently legal in Oregon, the state has never executed a woman who killed.<sup>58</sup> The only woman currently on death row, Angela McAnulty, will likely remain there for the rest of her life as no one, man or woman, has been legally executed in Oregon since 1997.

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<sup>58</sup> In 1961, Jeannace Freeman, the first woman convicted of first-degree murder and sentenced to death was opportunely saved by the 1964 decision to repeal capital punishment in the state.

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