

## Mary Ellen Wilson

The suffering of Mary Ellen led to the founding of the New York Society for the Prevention of Cruelty to Children, the first organization of its kind, in 1874. In 1877, the New York SPCC and several Societies for the Prevention of Cruelty to Animals from throughout the country joined together to form the American Humane Association.

Mary Ellen Wilson was born in 1864 to Francis and Thomas Wilson of New York City. Soon thereafter, Thomas died, and his widow took a job. No longer able to stay at home and care for her infant daughter, Francis boarded Mary Ellen (a common practice at the time) with a woman named Mary Score. As Francis's economic situation deteriorated, she slipped further into poverty, falling behind in payments for and missing visits with her daughter. As a result, Mary Score turned two-year-old Mary Ellen over to the city's Department of Charities.

The Department placed Mary Ellen illegally, without proper documentation of the relationship, and with inadequate oversight, in the home of Mary and Thomas McCormack, who claimed to be the child's biological father. In an eerie repetition of events, Thomas died shortly thereafter. His widow married Francis Connolly, and the new family moved to a tenement on West 41st Street. Mary McCormack Connolly badly mistreated Mary Ellen, and neighbors in the apartment building were aware of the child's plight. The Connollys soon moved to another tenement, but in 1874, one of their original neighbors asked Etta Angell Wheeler, a caring Methodist mission worker who visited the impoverished residents of the tenements regularly, to check on the child.

At the new address, Etta encountered a chronically ill and homebound tenant, Mary Smitt, who confirmed that she often heard the cries of a child across the hall. Under the pretext of asking for help for Mrs. Smitt, Etta Wheeler introduced herself to Mary Connolly. She saw Mary Ellen's condition for herself. The 10-year-old appeared dirty and thin, was dressed in threadbare clothing, and had bruises and scars along her bare arms and legs. Ms. Wheeler began to explore how to seek legal redress and protection for Mary Ellen.

At that time, some jurisdictions in the United States had laws that prohibited excessive physical discipline of children. New York, in fact, had a law that permitted the state to remove children who were neglected by their caregivers. Based on their interpretation of the laws and Mary Ellen's circumstances, however, New York City authorities were reluctant to intervene. Etta Wheeler continued her efforts to rescue Mary Ellen and, after much deliberation, turned to Henry Bergh, a leader of the animal humane movement in the United States and founder of the American Society for the Prevention of Cruelty to Animals (ASPCA). It was Ms. Wheeler's niece who convinced her to contact Mr. Bergh by stating, "You are so troubled over that abused child, why not go to Mr. Bergh? She is a little animal surely."

Ms. Wheeler located several neighbors who were willing to testify to the mistreatment of the child and brought written documentation to Mr. Bergh. After reviewing the documentation collected by Etta Wheeler, Mr. Bergh sent an NYSPCA investigator (who posed as a census worker to gain entrance to Mary Ellen's home) to verify the allegations. Elbridge T. Gerry, an ASPCA attorney, prepared a petition to remove Mary Ellen from her home so she could testify to

her mistreatment before a judge. Mr. Bergh took action as a private citizen who was concerned about the humane treatment of a child. It was his role as president of the NYSPCA and his ties to the legal system and the press, however, that bring about Mary Ellen's rescue and the movement for a formalized child protection system.

Recognizing the value of public opinion and awareness in furthering the cause of the humane movement, Henry Bergh contacted *New York Times* reporters who took an interest in the case and attended the hearings. Thus, there were detailed newspaper accounts that described Mary Ellen's appalling physical condition. When she was taken before Judge Lawrence, she was dressed in ragged clothing, was bruised all over her body and had a gash over her left eye and on her cheek where Mary Connelly had struck her with a pair of scissors.

On April 10, 1874, Mary Ellen testified:

*"My father and mother are both dead. I don't know how old I am. I have no recollection of a time when I did not live with the Connollys. Mamma has been in the habit of whipping and beating me almost every day. She used to whip me with a twisted whip—a raw hide. The whip always left a black and blue mark on my body. I have now the black and blue marks on my head which were made by mamma, and also a cut on the left side of my forehead which was made by a pair of scissors. She struck me with the scissors and cut me; I have no recollection of ever having been kissed by any one—have never been kissed by mamma. I have never been taken on my mamma's lap and caressed or petted. I never dared to speak to anybody, because if I did I would get whipped. I do not know for what I was whipped—mamma never said anything to me when she whipped me. I do not want to go back to live with mamma, because she beats me so. I have no recollection ever being on the street in my life."*

In response, Judge Lawrence immediately issued a writ *de homine replagiando*, provided for by Section 65 of the Habeas Corpus Act, to bring Mary Ellen under court control.

The newspapers also provided extensive coverage of the caregiver Mary Connolly's trial, raising public awareness and helping to inspire various agencies and organizations to advocate for the enforcement of laws that would rescue and protect abused children. On April 21, 1874, Mary Connolly was found guilty of felonious assault and was sentenced to one year of hard labor in the penitentiary.

Less well known but as compelling as the details of her rescue, is the rest of Mary Ellen's story. Etta Wheeler continued to play an important role in the child's life. Family correspondence and other accounts reveal that the court placed Mary Ellen in an institutional shelter for adolescent girls. Believing this to be an inappropriate setting for the 10-year-old, Ms. Wheeler intervened. Judge Lawrence gave her permission to place the child with her own mother, Sally Angell, in northern New York. When Ms. Angell died, Etta Wheeler's youngest sister, Elizabeth, and her husband Darius Spencer, raised Mary Ellen. By all accounts, her life with the Spencer family was stable and nurturing.