

0. TRIAL of ELIZABETH PACKARD - Story Preface

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This illustration depicts the Packard home—in Manteno, Illinois—where Theophilus, Elizabeth and their six children resided. It was from this home where Elizabeth was able to get her note into the hands of someone who could help her (after she had been released from the Jacksonville State Hospital). Illustration of the Packard home from the frontispiece of *Modern Persecution*, Vol 2, by Elizabeth Packard (published in 1873).

For Elizabeth Packard, detainment at the mental hospital in Jacksonville lasted three years. She was finally released when her son convinced the authorities to let his mother go. (The Jacksonville doctors had decided she was "uncurable.")

Life was still hard for Elizabeth, however, since Theophilus did not believe she should have been released. When she was set free, her husband thought she was still insane. Taking matters into his own hands, he locked his wife in the nursery and nailed all the windows shut.

This time, however, Packard had gone too far. Illinois law did not allow a husband to "put away" his wife in her own home.

Elizabeth managed to slip a note outside the nursery window. Her friend found the note and appealed to a judge for help. The judge issued a writ of *habeus corpus* (bring forth the body). A jury would decide whether she was insane, not her husband.

The case was captioned *Packard v Packard* - that is, Packard husband v Packard wife. Judge Charles B. Starr presided over the trial which took place in Kankakee City, Illinois.

Whether his wife would go back into a mental hospital was now out of Packard's hands. Commencing on the 11th of January, 1864, the trial featured evidence for/against Elizabeth's sanity. It was not a jury of her peers, of course, since American women were not-yet allowed to serve as jurors in a court of law.

At the trial, Theophilus Packard, Jr. used other people to help him prove his wife was insane. (The pictures depict him in 1862 and 1872.) Since Elizabeth's religious views differed from those of her minister husband, religious issues were at the top of his evidence list. These points summarize part of the testimony:

- Elizabeth (who wanted to leave her husband's church) would not leave the church unless she was insane.
- Elizabeth accused her husband of not allowing her to think for herself on matters of religion.
- Elizabeth was angry at her husband when he would not help her weed the flower beds.

Seven days later - on the 18th of January, 1864 - the jury needed just seven minutes to find Mrs. Packard sane. The case was over, and so was the Packard's marriage.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/TRIAL-of-ELIZABETH-PACKARD-Packard-Elizabeth-Civil-Rights-Advocate>

See Learning Tasks for this story online at:

Media Stream

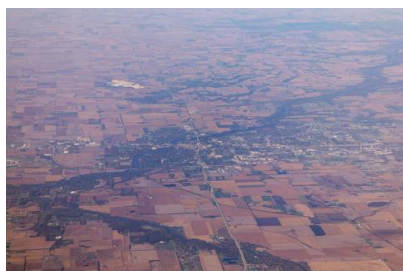


Slipping a Note by the Nursery Window

Illustrations of Elizabeth Packard, from her book *Modern Persecution, Volume I*, published in 1873 by "the authoress." Printed and bound by Pelletreau & Raynor, New York City. Online, courtesy Archive.org.

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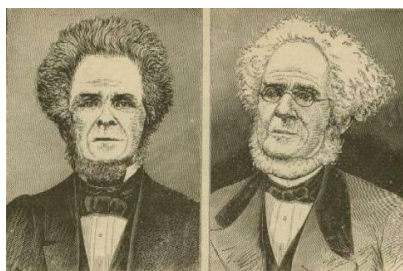
Kankakee - Elizabeth Packard is Free

Aerial view of Kankakee, Illinois (on the 26th of October, 2008) by Daniel Schwen, online courtesy Wikimedia Commons.

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Rev. Theophilus Packard, Jr.

Illustrations from the frontispiece of *Modern Persecution*, Vol 2, by Elizabeth Packard (1873).

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