

# **STREET VIOLENCE IN MID-VICTORIAN LIVERPOOL**

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A thesis submitted in partial fulfilment of the  
requirements of Liverpool John Moores University  
for the degree of Doctor of Philosophy

February 2014

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## Introduction

During the 1850s and 1860s, Victorian London was gripped by fears of violent street crime. Historians have examined these fears and the ways that anxieties over the unruly, rough robber shaped punitive legal responses in the form of the *Security from Violence (Garrotters) Act* (1863) which revoked the reformatory prison movement and reintroduced flogging for offenders of violent robbery.<sup>1</sup> Crimes of all kinds were reported to be on the increase during the middle decades of the nineteenth century, but it was violent street crime that generated the most press and state attention. This thesis re-investigates these fears, but also shifts focus to interrogate the crimes that provoked them, and their role in shaping urban street life in mid nineteenth-century Liverpool.

To date, the examination of popular fears about garrotting tells only a very small portion of the history of street crime and this study aims to readdress this. In part the thesis explores the ways in which representations of crime in the popular imagination impacted upon the identities of robbers and their victims but, in order to fully understand the dynamics behind street violence, I argue that we need to examine street crime in the very place where it occurred: the streets. Therefore, the thesis studies the meanings of violence- through an interrogation of both word and deed- to argue that power was not just manufactured and reinforced by the bourgeois elite, namely, the press, police, courts and Parliament, but between the victims and offenders themselves.

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<sup>1</sup> J. Davis, 'The London Garrotting Panic of 1862: A Moral Panic and the Creation of a Criminal Class in mid-Victorian England' in V. A. C. Gatrell, B. Lenman and G. Parker (eds), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa Publications, 1980); R. Sindall, *Street Violence in the Nineteenth Century* (Leicester: Leicester University Press, 1990).

Street crime is an ideal subject for studying the social interactions through which people defined themselves because it provides one of the few instances where people collided and clashed in the everyday setting of the street. Since robbery in mid-Victorian Liverpool was committed by offenders and experienced by victims who shared the same overcrowded and harsh living conditions of the city's north end slums, street violence provides us with a means of entry into the conflicts and tensions of the city's working classes and their neighbourhoods.<sup>2</sup> This study explores the proliferation and fluidity of identities generated by street crime as articulated and rehearsed in the press, the streets and, finally, its culmination in the courts.

Garrotting connoted a particular style of committing violent robbery; specifically, it involved the use of strangling or 'putting the hug on'.<sup>3</sup> The garrotter, as the workshy savage with a propensity for gratuitous violence, was the dangerous figurehead of the 'criminal classes'. In the context of debates about the causes and effects of criminality, the garrotter was subject to multiple discourses each of which served to marginalise the street robber from the boundaries of respectable society. The stereotype of the garrotter underwent various transformations and was subject to competing and intersecting discourses: moral, racial, imperial, quasi-medical and pseudo-scientific. Anxieties about urban space, masculinity, crime, race and class were mapped on to the narrative construction of the garrotter in popular culture. Yet the ways in which dominant discourses shaped the garrotter had the same implication: to marginalise him from 'normal' society by labelling him as deviant and justifying the increase in state power over the 'unrespectable' working classes. The representation of the garrotter as a workshy

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<sup>2</sup> Liverpool only achieved city status in 1880, but the term is used throughout this thesis to reflect the port's urban culture and economy.

<sup>3</sup> *Punch, or the London Charivari*, 6 December 1862.

savage who made a living solely from crime had little in common with those who offended in mid-Victorian Liverpool.

One of the aims of this thesis is to debunk the myths about garrotting that were circulated in the metropolitan panic. Garrotting denoted a particular style of committing street robbery but offenders of street crime in Liverpool employed various ways of robbing their victims which included the removal of clothing, insults, sexual violence and punching. The victims and offenders of street crime in Liverpool were drawn from various occupations, backgrounds, and deployed various means of committing street robbery; as such, the representations were complex. These representations were also, to a degree, localised. Liverpool's status as a port meant that it had a transient and varied population. As a result, the stereotypes of victims and offenders highlighted local concerns about cultural groups, such as street corner men, sailors, prostitutes and the Irish Catholic community, all of whom had a significant presence in Liverpool's street life. The space and place of street crime - the pub, the street corner, back-alleys, cellars and illicit lodging houses - impacted upon the representation of victims and offenders, and shaped fears about working-class leisure and the use of public space.

Moving beyond representations, this study situates the dynamics of street violence in the place in which they occurred: the streets. Crucially, one of the key contributions this study makes to histories of street violence is in its examination of violent robbery from below. Through the use of GIS mapping software, alongside a qualitative reading of the behaviour evidenced by the offences, it is possible to reconstruct a spatial picture of crime by exploring: firstly, press perceptions of where criminals committed street crime; secondly, the journey or distance to crime for both victim and offender; and, finally, the link between the spatial



location of the offence and the social status of the victim and offender. I argue throughout this thesis that the location of offences was key to the identities that offenders drew upon to secure street robberies.

This study highlights the gendered nature of street crime. I adapt the criminological concept of street masculinity to describe the contours of gendered behaviour that was enacted in Victorian street robberies. In his study of late 1990s St Louis, Christopher Mullins argued that the gender models which offenders drew upon were determined by the positioning of crime on the street. Mullins argued that, ‘Seizing upon the notion that gender is partly structural and partly performatory, scholars have sought out the ways in which male offenders “do masculinity” through doing crime.’<sup>4</sup> I suggest that street masculinity is a useful concept for historicising street behaviour and, in addition, I develop this concept to argue that the patterns of behaviour by female offenders can be seen as evidence of ‘street femininity’. Men’s and women’s lives were networked by the home, church and workplace; each was a physical location, but also a cultural space that dictated particular ways of presenting versions of the self.

This thesis moves beyond the public and private debate that has dominated gender history. This move is particularly necessary when looking at the experiences of the urban poor for whom the boundaries of public and private were complicated. Set against the backdrop of the inner city slums, men’s occupation of street corners and public houses challenged the shift

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<sup>4</sup> C. W. Mullins and R. M. Cardwell-Mullins, ‘Bad Ass or Punk Ass? The Contours of Street Masculinity’, *Universitas*, Vol. 2, 2 (Fall, 2006), p. 2. See also C. W. Mullins, *Holding Your Square: Masculinities, Streetlife and Violence* (London: Taylor and Francis, 2013).

towards the domestication of the male in public discourse.<sup>5</sup> But men could draw upon the masculinised spaces of the pub and street corner to enact modes of masculinity and achieve gender capital. In contrast, women's positioning in back-alleys, cellars and illicit lodging houses transgressed dominant ideals of domestic femininity. But these places also provided women with opportunities to commit robbery on vulnerable passers-by, as well as minimising risk to themselves in order to commit successful robberies. These places were liminal spaces. The pub and street corner provided men with a space through which to construct street masculinity that may have contrasted to their wider roles within the home and workplace. Similarly for women, back-alleys, cellars and brothels were places 'in between' where they could draw upon particular gender models to commit robbery and establish their place in urban street life.

This thesis argues that the behaviour conducted in street robberies were performances or presentations of the self that were as dependent on situational dynamics as upon socioeconomic status. Peter Bailey has criticised historians for portraying working-class behaviour as fixed. Bailey contends that respectability was, 'practised in a more limited and situational sense than that of a lived ideal or permanent code of values.'<sup>6</sup> Respectability then was a 'role or cluster of roles' as much as an ideology.<sup>7</sup> I extend Bailey's argument to claim that street crime was a performance that was dictated by its spatio-temporal and interactional dynamics. Throughout daily life, offenders and victims would have engaged with multiple

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<sup>5</sup> See M. Wiener, *Men of Blood: Violence, Manliness and Criminal Justice in Victorian England* (Cambridge, Cambridge University Press, 2004); J. Tosh, (2<sup>nd</sup> ed.) *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (London: Yale University Press, 2007).

<sup>6</sup> P. Bailey, 'Will the Real Bill Banks Please Stand Up?' *Journal of Social History* (1979) Vol. 12, 3, p. 338.

<sup>7</sup> *Ibid.*

presentations of the self and this thesis examines the ways in which offenders conformed to and challenged established gender roles in the settings of the street and courtroom.

## **Interpreting Street Violence**

The most well-known histories of street violence have argued that the episode was a discernible example of Stanley Cohen's moral panic.<sup>8</sup> Cohen's model can be summarised as follows:

Societies appear subject, every now and then, to periods of moral panic. A condition, episode, person or group of persons emerge to become defined as a threat to societal values and interests, its nature is presented in a stylised and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnosis and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges and deteriorates and becomes more visible. Sometimes the panic passes over and is forgotten, except in folklore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes as those in legal or social policy or even in the way society perceives itself.<sup>9</sup>

Cohen's model adopts a top-down approach which focuses upon the often assumed symbiotic relationship between the police, press and courts. It has provided historians with a framework to examine the history of public fears and the ways in which these were shaped by elite groups to demonise and increase control over vulnerable social groups. Historical studies have utilised Cohen's six stage model to argue that the mid-Victorian garrotting scares were a

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<sup>8</sup> J. Davis, 'The London Garrotting Panic of 1862' (1980) and R. Sindall, *Street Violence* (1990).

<sup>9</sup> S. Cohen, (3<sup>rd</sup> ed.), *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (Oxford: Routledge, 2000), p. 1.

media-orchestrated panic which resulted in an increase in legal control.<sup>10</sup> Jennifer Davis's examination of the 1862 London panic effectively demonstrated that fears over street violence were manufactured by the national and metropolitan press which resulted in a revocation of the move towards reformatory punishment with the re-establishment of corporal punishment through the *Garrotters Act* (1863).<sup>11</sup> Drawing upon contemporary newspapers, in particular *The Times*, alongside police statistics and parliamentary debates, Davis concluded that the panics had little to do with the 'reality' of crime; rather, the episode demonstrated the ways in which the press, police, courts and law increased the control culture over the 'unruly poor'.

Robert Sindall built upon Davis's work and extended his remit to include Manchester, Liverpool and Birmingham over the course of the nineteenth century.<sup>12</sup> Sindall identified a series of moral panics over street violence such as the garrotters of 1862-3, Liverpool 'cornermen' of the 1870s and the Trafalgar Square rioters of 1886. Sindall argued that within each case, the offenders were constructed as 'folk devils' by the press in order to rouse public opinion and forge reactionary legislation to the existing penal system. For Sindall then, it is the law-makers and not the law-breakers that were the real architects of the panic. The chief value of Sindall's work is his argument that social perceptions of violence, disseminated by the mass media, were as real as violence itself. He develops this argument further to claim that criminal statistics were a phenomenon in themselves, and their main value was their role

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<sup>10</sup> J. Davis, 'The London Garrotting Panic of 1862' (1980); R. Sindall, *Street Violence* (1990); P. King, 'Moral Panics and Violent Street Crime 1750-2000: A Comparative Analysis' in B. Godfrey, C. Emsley, G. Dunstall (eds) *Comparative Histories of Crime* (Devon: Willan Publishing, 2003), pp. 53-71.

<sup>11</sup> J. Davis, 'The London Garrotting Panic of 1862' (1980); R. Sindall, *Street Violence* (1990); P. Bartrip, 'Public Opinion and Law Enforcement: The Ticket of Leave Scares in mid-Victorian Britain', in V. Bailey (ed.) *Policing and Punishment in Nineteenth-Century Britain* (New Jersey: Croom Helm, 1981), pp. 150-181.

<sup>12</sup> R. Sindall, *Street Violence in the Nineteenth Century: Media Panic or Real Danger?* (Leicester: Leicester University Press, 1990).

in shaping public opinion about the state of crime.<sup>13</sup> But by applying Cohen's moral panic model, Sindall's argument often repeats Davis's earlier work and fails to flesh out the meanings of street violence. Sindall and Davis's focus upon the actions and reactions of the press, police, courts and Parliament mean that both studies have neglected to examine the actual incidences of street violence. As Barbara Weinberger has previously argued, 'A history of street violence in the nineteenth century that incorporates the dual perception of actual and perceived events, as recommended by Sindall, really deserves a more extensive study.'<sup>14</sup>

In direct contrast to Davis's and Sindall's neo-Marxist argument that the panics over street violence legitimised the role of state and law in controlling the population, Peter Bartrip contended that, 'the fifties and sixties may be interpreted in terms of providing law enforcement (hitherto largely lacking) rather than a move towards greater reaction and the creation of a criminal class.'<sup>15</sup> Bartrip describes the *Penal Servitude Acts* of the 1850s and 1860s then, as representing little more than revisions to previous mistakes made by law-makers: 'their shortcomings were appreciated' and 'new legislation was to be backed with suitable and enforcing mechanisms.'<sup>16</sup> Bartrip's study draws upon a timeline of legal acts, parliamentary debates and the mainstream national press, and he reads these sources at face value. In doing so, merely repeats the arguments made by the moral entrepreneurs who encouraged the revocation of prison reform and the reintroduction of corporal punishment. Bartrip's study is devoid of critical comment and adopts a Whiggish approach to the history

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<sup>13</sup> Ibid. For further discussion of criminal statistics, see R. Sindall, 'The Criminal Statistics of Nineteenth-Century Cities: A New Approach', *Urban History*, Vol. 13 (May, 1986), pp. 28-36.

<sup>14</sup> B. Weinberger, 'Review: Street Violence in the Nineteenth Century: Media Panic or Real Danger by R. Sindall', *Urban History*, Vol. 19, 2 (October 1992), pp 303 – 304.

<sup>15</sup> Ibid., p. 176.

<sup>16</sup> P. Bartrip, 'Public Opinion and Law Enforcement: The Ticket of Leave Scares in mid-Victorian Britain' in V. Bailey (ed.), *Policing and Punishment in Nineteenth-Century Britain* (London: Croom Helm, 1981), p. 179.

of violence which unproblematically sees history as a long march towards the civilised stable order of the modern day. Through his description of the legal system as a hesitant but moral force in society, he fails to recognise the social tensions and processes of power that characterised the legal responses of the 1850s and 60s.

Geoffrey Pearson's excellent study, *Hooligan: A History of Respectable Fears* (1983), provided an indirect but effective challenge to Bartrip. Pearson examined the shaping of the myths that surrounded street crime, the public anxiety such myths provoked and the legislative reaction seeking to return society back to the 'golden era' of its past. Pearson's work offers a 'whistle-stop tour' of moral panics that occurred from the late sixteenth century to the post-war period, throughout which ran a theme of nostalgia for a 'golden age' of decency when British life was characterised by public order and moral standing. This myth about a nostalgic past was consistently employed as a counterexample to modern life which was characterised by moral decay and social disintegration.<sup>17</sup> Pearson's study highlighted the problems with Bartrip's approach and, by examining attitudes to violence, offered a more plausible history of street crime.

Historians have previously located the garrotting panics within broader fears about the dangerous and criminal classes in the mid nineteenth century.<sup>18</sup> Historians of crime have been

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<sup>17</sup> G. Pearson, *Hooligan: A History of Respectable Fears* (London: Macmillan, 1983).

<sup>18</sup> D. Taylor, 'Beyond the Bounds of Respectable Society: The Dangerous Classes in Victorian and Edwardian England', in J. Rowbotham and K. Stevenson (eds.), *Criminal Conversations: Victorian Crimes, Social Panic and Moral Outrage* (Columbus: Ohio State University Press, 2005); V. Bailey, 'The fabrication of deviance: 'Dangerous Classes' and 'Criminal Classes' in Victorian England', in J. Rule and R. Malcolmson (eds), *Protest and Survival: Essays for E. P. Thompson* (New York: New Press, 1993), pp. 221-256; A. L. Beier, 'Identity, Language, and Resistance in the Making of the Victorian 'Criminal Class': Mayhew's Convict Revisited', *Journal of British Studies*, Vol. 44, 3 (July, 2005), pp. 499-515; D. Englander, 'Henry Mayhew and the Criminal Classes of Victorian England: The Case Reopened', *Criminal Justice History*, Vol. 17 (2002), pp. 870-108; R. McGowen, 'Getting to Know the Criminal Class in Nineteenth-Century England', *Nineteenth-Century Contexts*,

cautious of the term ‘criminal class’ to describe an underworld of persistent offenders.<sup>19</sup> Instead, they argue that the concept of the criminal class provided a useful justification for the extension of police and regulatory power over the lower classes in the nineteenth century. A. L. Beier argued that the construction of the criminal class had a significant impact upon the lives of offenders as the concept provided a framework for the Victorian justice system.<sup>20</sup> William Meier, in his ‘bottom-up’ study of property crime in Victorian London suggested that, ‘criminals did indeed craft their methods and identities through their interactions with state agencies like the police, the courts, and the reformatory and prison systems.’<sup>21</sup> Yet their identities were also enhanced as workers, servicemen, migrants and inmates. Indeed, the important work by Barry Godfrey, Stephen Farrall and David Cox refuted the existence of a criminal class amongst persistent offenders in Crewe. Rather, they found that these offenders supplemented illegal activities with legitimate work, leisure and family life.<sup>22</sup> Nevertheless, the concept of the criminal or dangerous classes had potency in Victorian England and shaped the increasing power of criminal justice.<sup>23</sup>

Popular discourse about garrotting was dominated by images of respectable society under attack from the undeserving and dangerous poor, but street violence cannot be explained solely by class conflict. Historians of the period have noted the intensification of debates in

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Vol. 14 (1990), pp. 33-54; M. Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990).

<sup>19</sup> C. Emsley, *Crime and Society in England* (London: Pearson, 1987).

<sup>20</sup> A. L. Beier, 'Identity, Language, and Resistance', pp. 513.

<sup>21</sup> W. M. Meier, *Property Crime in London, 1850- Present* (New York: Palgrave Macmillan, 2011), p. 135.

<sup>22</sup> B. Godfrey, D. Cox, and S. Farrall, *Serious Offenders: A Historical Study of Habitual Criminals* (Oxford: Oxford University Press, 2010).

<sup>23</sup> C. Emsley, *Crime and Society in England*, p. 11.

the mid-Victorian period about the existence of a clearly defined criminal class.<sup>24</sup> Street robbery was rooted in social and economic deprivation and the occupation of offenders as either prostitutes or casual labourers strongly suggest that robbing was used to supplement meagre earnings and, probably, the fluctuations of the casual labour market which dominated Liverpool's port economy. The discourse on street robbery in Liverpool portrays a city divided by wealth and poverty. Nevertheless, that the victims and offenders of street crime were drawn from the urban poor who often shared the same harsh living conditions of the north end slums means that social tensions not only divided the middle and lower classes, but existed within the lower classes. Consequently, I suggest that we should turn away from studying robbery as a conflict primarily between the middle classes and the poor in order to study street violence as evidence of fractures among the urban, working poor.

This study highlights the intersections of gender, class and respectability as fluid constructs in the press, streets and courts. Street robbery cases provided a space through which to air fears about gender roles, and the narratives reinforced attitudes to gender difference and constructed narrow boundaries of respectable behaviour. Contrary to Victorian ideals of masculinity and femininity as separate and opposing (though inter-related categories), I argue that there were multiple gender stereotypes which were directed towards the poor. Scott argued that representations of gender acquired meanings of time and place; as such, gender division and patriarchy was maintained and reproduced through language. I reiterate Scott's point in arguing that gendered respectability was at the heart of street crime narratives, and corroborate her encouragement to examine the importance of looking at masculinity and femininity. In doing so, I draw influence from revisionist histories such as those conducted by Margaret Arnot and Cornelia Usborne and Garthine Walker and Jenny Kermode which

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<sup>24</sup> V. Bailey, 'The fabrication of deviance?'; A. L. Beier, 'Identity, Language, and Resistance'.



incorporate masculinity into feminist historiography.<sup>25</sup> Patriarchy impacted upon the representation and judicial treatment of female victims and offenders, but patriarchy affected men too. R.W. Connell's influential concept of hegemonic masculinities is employed to consider the complexity of gender models found in street crime narratives and to clarify how subordinate masculinities and femininities were shaped by the dominant ideal of masculinity in the nineteenth century; chiefly, the respectable, domestic and chivalrous bourgeois male who exercised self-restraint and sobriety in everyday life.<sup>26</sup>

A key question in the history of violent crime has been whether Victorian society was more prone to violence than today. Sociologist Norbert Elias suggested that society became less violent as a result of the 'civilising offensive'. Elias argued that the shift from a feudal to a capitalist economy resulted in a transformation of manners that emphasised the concealment of 'animalistic' impulses and the importance of self-restraint and rationality.<sup>27</sup> Such a view was not lost on contemporary commentators. The Criminal Registrar noted in the preface to the 1899 judicial statistics that, 'We have witnessed a great change in manners: the substitution of words without blows for blows with or without words; an approximation in the manners of different classes; a decline in the spirit of lawlessness.'<sup>28</sup> Some historians have argued, consequently, that late-Victorian society was more peaceable and ordered.<sup>29</sup>

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<sup>25</sup> M. L. Arnot and C. Osborne (eds.), *Gender and Crime in Modern Europe* (London: UCL Press, 1999), J. Kermode & G. Walker (eds.), *Women, Crime and the Courts in Early Modern England* (London: UCL Press, 1994).

<sup>26</sup> R. W. Connell, *Masculinities* (California: University of California Press, 1995), pp. 76-79.

<sup>27</sup> N. Elias, *The Civilising Process: The History of Manners* (New York: Urizen Books, 1978).

<sup>28</sup> Cited in V.A.C. Gatrell, 'The Decline of Theft and Violence in Victorian and Edwardian England', in V. A. C. Gatrell, B. Lenman and G. Parker (eds.), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa, 1980), p. 241.

<sup>29</sup> *Ibid.*, pp. 238-337; J. Carter-Wood, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement* (London: Routledge, 2004); M. Wiener, *Men of Blood*.

John Carter-Wood and Martin Wiener, two name but two examples, have claimed that the civilising offensive was effective in bringing about a more peaceful society as men and women increasingly exercised self-restraint and physical control.<sup>30</sup> By the close of the nineteenth century, according to Wiener, England was more peaceful than ever before as a result of the civilising offensive mounted by the Victorian criminal justice system. Likewise, V. A. C. Gatrell found that there had been a marked decline in statistical returns for theft and violence and the rates fell by half between the early 1860s and late 1890s.<sup>31</sup> However, criminal statistics only show the activities of the criminal justice system and do not portray an accurate picture of the state of crime. Gatrell's account has been effectively criticised by historians such as David Phillips and Howard Taylor who have argued that criminal statistics tell us very little about the reality of crime, but instead reveal the inner workings of the justice system itself.<sup>32</sup>

But these 'broad sweep' histories exclude a nuanced reading of the meanings of violence in Victorian society. Anxieties towards violent crime persisted and, as in the case of street robbery, increased at discrete points throughout the mid to late Victorian period.<sup>33</sup> Rosalind Crone, for example, notes the tension between Elias's civilising offensive and readers' thirst for violent narratives as popular entertainment in late Victorian London.<sup>34</sup> Increasingly, however, violence came to be associated with the working-classes. As a micro-history, my

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<sup>30</sup> J. Carter-Wood, *Violence and Crime in Nineteenth-Century England*; M. Wiener, *Men of Blood*.

<sup>31</sup> V. A. C. Gatrell, 'The Decline of Theft and Violence'.

<sup>32</sup> D. Phillips, *Crime and Authority in Victorian England: The Black Country, 1835–1860* (London: Croom Helm, 1977); H. Taylor, 'Rationing Crime: The Political Economy of Criminal Statistics since the 1850s', *Economic History Review*, Vol. 51, 3 (1998), pp. 569-590.

<sup>33</sup> A. Davies, 'Youth, Violence and Courtship in late-Victorian Birmingham: The Case of James Harper and Emily Pimm', *History of the Family*, Vol. 11 (2006), pp. 107-120.

<sup>34</sup> R. Crone, *Violent Victorians: Popular Entertainment in Nineteenth-Century London* (Manchester: Manchester University Press, 2012).

study does not directly address the notion of the civilising offensive, but the representations and judicial treatment of offenders in Liverpool demonstrates the authorities' aims to 'civilise' working people and regulate behaviour in the streets in the middle decades of the nineteenth century. By examining street violence from below, it is possible to investigate the ways in which the men and women who committed violent robbery transgressed the dominant ideas that underpinned the civilising offensive and reasserted their status on the streets.

Histories of criminal justice of the nineteenth century have overwhelmingly been concerned with national policy and the actions of dominant power institutions. Yet, as Louise Jackson has argued, 'Given national policy is implemented at the local level and that national data is a net effect of locally-generated process' it can be argued that, 'the relationship between actual behaviours and statistical trends can only be ascertained through local studies'.<sup>35</sup> While histories of crime and lived experience have so far been dominated by research on London, I argue that the provinces also deserve historical attention. Liverpool, as the most successful English port outside of London, was characterised by economic disparity and cultural diversity; as such, its complex and fluid street culture is worthy of scholarly research. In addition, this thesis examines the clashes and fissures that characterised street life for Liverpool's lower classes.

The bottom- up approach to crime history has been almost exclusively the preserve of early modern and eighteenth century histories.<sup>36</sup> Historical studies by Tim Hitchcock, Heather Shore, Robert Shoemaker and Deirdre Palk shifted the analytical lens away from penal

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<sup>35</sup> L. Jackson and A. Bartie, 'Youth Crime and Preventive Policing in Post-War Scotland (c.1945-1971), *Twentieth-Century British History*, Vol. 22, 1 (2011), p. 85.

<sup>36</sup> For examples of this approach see T. Hitchcock and H. Shore, (eds), *The Streets of London: From the Great Fire to the Great Stink* (London: Rivers Oram Press, 2003) and G. Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003) .

institutions to examine the fabric of crime and urban street life as they played out on the city streets.<sup>37</sup> In contrast, histories of the nineteenth century city have focused on the ways in which the middle classes experienced the city as urban flaneurs.<sup>38</sup> Peter Andersson's recently published work, *Streetlife in Late Victorian London: The Constable and the Crowd* (2013) has shifted focus, however, to analyse how the working classes experienced and made use of urban space. Andersson's examination of 'the man on the beat and the man on the street' outlined the conflicts and tensions of everyday crime and policing in the fin de siècle metropolis.<sup>39</sup>

This thesis is one of the few extant studies which examine the fabric of provincial urban life from below. Local case studies by Anna Davin, Ellen Ross and Shani D'Cruze have demonstrated that working-class neighbourhoods were often divided along the lines of respectability.<sup>40</sup> This was the paradox of street violence in mid-Victorian Liverpool. The contrasts between the respectable and unrespectable poor were played out through narratives of street violence in the public arena of the street- the very nexus of contested space- by the press and the courts, but also by the people themselves. This thesis does not purport to be a full study of the working-class experience of urban life; it views it only through the lens of street violence, so does not account for the streets as arenas where people bonded and

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<sup>37</sup> T. Hitchcock and H. Shore, (eds), *The Streets of London*; D. Palk, *Gender, Crime and Judicial Discretion in London, 1780-1830* (Suffolk: Boydell Press, 2006); R. Shoemaker, *The London Mob: Violence and Disorder in Eighteenth-Century England* (London: Continuum, 2004).

<sup>38</sup> D. Gray, *London's Shadows: The Dark Side of the Victorian City* (London: Continuum, 2010); L. Nead, *Victorian Babylon: People, Streets and Images in Nineteenth-Century London* (London: Yale University Press, 2000); J. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*, (London: Virago, 1992).

<sup>39</sup> P. Andersson, *Street Life in Victorian London: The Constable and the Crowd* (London: Palgrave Macmillan, 2013).

<sup>40</sup> A. Davin, *Growing Up Poor: Home, School and Street in London, 1870-1914* (London: Rivers Oram Press, 1996); S. D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); *Love & Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993).

communities were enmeshed by the shared experiences of poverty and hardship. But Liverpool's streets were not just thoroughfares, or places of residence, or venues for work and leisure; they provided a backdrop against which lives were lived, disputes were played out, space was contested, and diverse cultures interacted-sometimes violently.

My study makes use of the performative turn in historiography to study the ways in which the working classes experienced urban life and constructed their own boundaries of acceptable and unacceptable behaviour in the everyday setting of the street. In doing so, I aim to combine new kinds of quantitative analysis afforded by digital resources and methodologies with a qualitative reading of representation in order to examine performance and behaviour. I adopt a multi-source approach which brings together the actions of the press, police and courts, but also utilise maps, memoirs and poverty surveys to examine the relationship between street crime and the city from both above and below.

## **Quantitative and Qualitative Analysis of Everyday Street Life**

One of the key contributions to knowledge that this thesis offers is that it adds to the emergent and developing field of digital history. In 2009 Douglas Seefeldt and William G. Thomas defined digital history as an approach to examining and representing the past that works with new communication technologies of the computer, the internet network and software systems. 'To do digital history, then, is to digitise the past certainly, but it is much more than that. It is to create a framework through the technology for people to experience, read and follow an argument about a major historical problem'.<sup>41</sup> The history of crime has

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<sup>41</sup> D. Seefeldt and W. G. Thomas, 'What is Digital History? A Look at Some Exemplar Projects', from the 'Intersections: History and New Media', *Perspectives on History* (May, 2009), p. 2.

played a significant part in developing digital potential led by the *Old Bailey Online*, *Connected Histories* and *Locating London* alongside other projects from further afield such as *Digital Harlem*.<sup>42</sup> However, the digital history of crime is still in the process of experimentation and development, and this study contributes to this emerging field by making use of two digital platforms: *19<sup>th</sup> Century British Library Newspapers Online* and GIS mapping software.

Chapter one of this thesis re-opens historiographical debates about street violence to examine whether the metropolitan panics extended to Liverpool in the 1850s and 60s by utilising the 19<sup>th</sup> Century newspaper digital resource. To do this, I apply frequency analysis to examine the rate of reporting about violent robbery in the *Liverpool Mercury*, the only Liverpool-based newspaper which features on Gale's *19<sup>th</sup> Century Newspapers Online*. I use the *Mercury* for two other reasons: firstly, each issue has been digitised so there are no problems with patchy digitisation unlike some other papers which feature in *19<sup>th</sup> Century Newspapers Online*; and secondly, it covers the whole period of study unlike Liverpool's *Daily Post* which was set up in 1855.

The digitisation of *19<sup>th</sup> Century British Newspapers Online* means that historians can now scan huge swathes of data that was previously impossible by using traditional microfiche copies. Dan Cohen noted in the *Digital Humanities Manifesto 2.0* (2009) that, 'It is quite clear now that historians will have to grapple with abundance, not scarcity'.<sup>43</sup> Franco Moretti

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<sup>42</sup> 'The Old Bailey Proceedings Online, 1674-1913' (24 March 2012) [online] Retrieved from: <<http://www.oldbaileyonline.org>>; 'Locating London's Past' (December, 2011) [online] Retrieved from: <<http://www.locatinglondon.org/>>; 'Connected Histories' (2014) [online] Retrieved from: <<http://www.connectedhistories.org/>>'Digital Harlem. Everyday Life 1915-1930 (2010) [online] Retrieved from: <<http://heur-db-pro-1.ucc.usyd.edu.au/HEURIST/harlem/>> [All accessed December 2013].

<sup>43</sup> D. Cohen, 'Digital Humanities Manifesto 2.0' (2009) [online] Retrieved from: <<http://manifesto.humanities.ucla.edu>> [Accessed at 2 January 2014], p. 455.

urged scholars to focus on the quantitative possibilities of digital research by turning away from close reading of the text itself in order to focus on the answers that quantitative of data can provide. He terms this ‘distant reading’ and states that scholars need it because its opposite, close reading, cannot uncover the breadth and scope of literature. He criticises literary scholars’ over-use of small samples of data. To understand literature then, according to Moretti, we need to not read at all. Moretti’s *Distant Reading* (2013) is certainly the most radical approach to digital humanities, but it is possible to see echoes in more recent digital research.<sup>44</sup>

Important for my study has been Christopher Casey’s work which also used frequency analysis to explore the rates of reportage during the garrotting panics. Using the digital content available in *The Times* and, to a lesser extent, the *Manchester Guardian*, Casey measured the rates of reporting about violent robbery and the police statistics to confirm the earlier research undertaken by Jennifer Davis and Robert Sindall. In doing so, Casey argued that there was a moral panic in London in 1862, and that the subsequent police activity, demonstrated by fluctuations in the metropolitan judicial statistics, was largely a result of the intensification of reporting by the press.<sup>45</sup>

Casey’s use of frequency analysis on digitised news has been hugely influential in this study, but his research contains problems which I have attempted to overcome. Firstly, I challenge Moretti’s idea of ‘distant reading’ and argue that quantitative research needs to be

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<sup>44</sup> F. Moretti, *Distant Reading* (Verso: London, 2013). For a detailed review of Moretti’s ideas and responses to his work, see R. Serlen, ‘The Distant Future? Reading Franco Moretti’, *Literature Compass*, 7.3 (2010), pp. 214–25.

<sup>45</sup> C. A. Casey, ‘Common Misperceptions: The Press and Victorian Views of Crime’, *Journal of Interdisciplinary History*, vol. 41, No. 3 (Winter, 2011), pp. 367-391.

underpinned by a close reading of the text to enable a more intense investigation and systematic evaluation. However, Casey notes that due to the quantity of results generated in this research, ‘The relevance of these keywords within each of them, however, remained to be determined.’<sup>46</sup> Casey’s quantitative approach does not consider the meanings and attitudes within the text and assumes that *The Times* is writing about robbery in London, rather than reporting cases which occurred elsewhere in the country. Like Casey, I too use frequency analysis to ascertain how often and when the terms ‘robbery’ and ‘violence’ were used in the *Mercury* and measured the results against Liverpool’s criminal statistics to ascertain the reactions of the press and police to the crises of 1856 and 1862. But, (and perhaps this is due to the fact that my study generated far fewer reports than Casey’s London-based work), I checked each article to ensure they were relevant to street crime. This was the most time-consuming aspect of the research, but, as Bob Nicolson points out, ‘it is necessary to immerse oneself in the language of the period and to rigorously check the accuracy and suitability of keywords’.<sup>47</sup> I checked the relevancy of each article to examine whether Liverpool was discussing the prevalence of garrotting in the port or whether it was reporting about garrotting elsewhere such as London. In addition, I supplemented the digital results with a qualitative assessment of the local offline press to investigate the extent of reporting in the Liverpool papers and question whether the density of coverage reflects that of the metropolitan press. This combination of quantitative and qualitative approaches is in line with developments in the field of digital humanities. Until fairly recently, digital scholars prioritised macro-approaches to processing and analysing the abundance of data. More recently, however, we can see a return to more qualitative engagement with data in order to better interpret the

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<sup>46</sup> Ibid., p. 370.

<sup>47</sup> B. Nicolson, ‘Counting Culture; or, How to Read Victorian Newspapers from a Distance’, *Journal of Victorian Culture*, vol. 17, 2 (2012), p. 245.



abundance of data for macro-approaches. The *Digital Humanities Manifesto 2.0* (2009) sums up the current field:

The first wave of digital humanities work was quantitative, mobilizing the search and retrieval powers of the database, automating corpus linguistics, stacking hypercards into critical arrays. The second wave is qualitative, interpretive, experiential, emotive, generative in character. It harnesses digital toolkits in the service of the Humanities' core methodological strengths: attention to complexity, medium specificity, historical context, analytical depth, critique and interpretation. Such a crudely drawn dichotomy does not exclude the emotional, even sublime potentiality of the quantitative any more than it excludes embeddings of quantitative analysis within qualitative frameworks. Rather it imagines new couplings and scalings that are facilitated both by new models of research practice and by the availability of new tools and technologies.<sup>48</sup>

Perhaps then, my study represents the third wave of digital humanities as it incorporates both quantitative and qualitative research methods. As Arthur Schlesinger Jr. argued, 'Almost all important questions are important precisely because they are not susceptible to quantitative answers.'<sup>49</sup> Schlesinger Jr.'s view of quantitative research is possibly overly sceptical. As Dan Cohen notes, 'That doesn't mean that quantitative and systematic methods can't help us to develop those qualitative answers'.<sup>50</sup> Cohen's point is pertinent to my work with GIS mapping software. GIS is being utilised in wider studies outside the field of crime history such as Ian Gregory et al's study of the distribution of disease and poverty in Victorian England and Laurence Brown's research into the mobilities of immigrant communities in nineteenth-century Manchester.<sup>51</sup> These ambitious studies involve an army of researchers in

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<sup>48</sup> D. Cohen, 'Digital Humanities Manifesto 2.0' p. 2.

<sup>49</sup> A. Schlesinger Jr. cited in R. P. Swierenga, (ed.) *Quantification in American History* (New York: Atheneum, 1970), p. 33.

<sup>50</sup> D. Cohen, 'Web of Lies? Historical Knowledge on the Internet with Daniel Cohen' in R. Rosenzweig, *Clio Wired: The Future of the Past in the Digital Age* (Columbia: Columbia University Press, 2011), p. 50.

<sup>51</sup> R. M. Campos, P. Congdon, S. E. Curtis, I. N. Gregory, I. R. Jones, and H. R. Southall, 'Locality level mortality and socio-economic change in Britain since 1920: First steps towards analysis of infant mortality variation', in P. Boyle, S. E. Curtis S.E., E. Graham and E. Moore (eds.), *The Geography of Health Inequalities in the Developed World* (London: Ashgate, 2004), pp. 53-75; L. Brown, 'Mapping Migrant Cultures in Manchester, 1880-2000' (forthcoming, 2015).

the assembly of vast quantities of data, but my use of GIS shows what one researcher within a limited time frame can do with geographical data.

This thesis is one of the first studies to use GIS to map nineteenth-century crime. So far historians of Victorian crime are yet to publish material that has used GIS, yet studies are emerging. Currently, the field consists of two approaches. Research is currently exploring where the press reported crime to occur, but, conversely, other projects are mapping offences and prosecutions to explore the spatial relationships of crime and punishment at ground level. My study combines both of these approaches by examining the location of crime reporting in mid-Victorian Liverpool and the relationship between the urban environment and street crime. Alice Smalley, a PhD student at the Open University is using GIS to explore the geographical concentration of crime reporting by the *Illustrated Police News*, 1864-1938.<sup>52</sup> Two studies are currently making use of *Locating London*, a JISC-funded resource, which has inputted various layers of historical data such as Old Bailey trials, population and poverty reports onto a 1746 John Roque's map.<sup>53</sup> Robert Shoemaker is currently mapping parish relief against crime prosecutions in eighteenth-century London, and Tim Hitchcock, Adam Crymble and Louise Falcini are exploring the removal of vagrants in eighteenth-century London and Middlesex.<sup>54</sup> Khallum Dillon, Paul Longley and Richard Dennis are using GIS, crime records

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<sup>52</sup> A. Smalley, 'Representations of Crime in the Illustrated Police News, 1864-1938' (2013) [online] Retrieved from: <[http://www.open.ac.uk/Arts/history/docs/Alice\\_Smalley\\_poster.pdf](http://www.open.ac.uk/Arts/history/docs/Alice_Smalley_poster.pdf)> [Accessed 17 December 2013].

<sup>53</sup> 'Locating London' (2011) [online] Retrieved from: <<http://www.locatinglondon.org/>> [Accessed 12 January 2014].

<sup>54</sup> R. Shoemaker, 'Crime and the Parish: Survival Strategies of the Poor in 18th Century London', North American Conference on British Studies, (Louisville, 2009) [online] Retrieved from: <[www.esrc.ac.uk](http://www.esrc.ac.uk)> [Accessed 12 January 2014]; T. Hitchcock, A. Crymble and L. Falcini, 'Loose, Idle and Disorderly: Vagrant Removal in Late Eighteenth-Century London' [podcast] Retrieved from: <<https://historyspot.org.uk/podcasts/british-history-long-18th-century/loose-idle-and-disorderly-vagrant-removal-late-eighteenth>> [Accessed 13 January 2014].

and street directories to explore the spatial dimensions of crime and policing in Edwardian London (1910-1913).<sup>55</sup> But, for the most part, the nineteenth century remains to be ‘mapped’. My study provides the first history to map street violence and illustrates the potential for developing and disseminating this research further.

GIS is a hugely time-consuming process. I inputted 260 offenses that featured in *Liverpool Mercury*’s police court column between 1850 and 1870. This is known as ‘attribute data’ and takes the form of a database. Newspapers provided spatial locations in the form of street names. Each offence was then geo-referenced on to a pre-digitised 1864 Ordnance Survey map available from Edina’s *digimap* database.<sup>56</sup> This would have been a challenging process if I had done this by hand. As Peter Bol observed, ‘GIS enables the user to correlate historical data they have collected to reliable locations on the ground, rather than having to plot them by hand on tracings of paper maps’.<sup>57</sup> I used this data to generate a kernel density map which showed the geographical concentration of reportage in the form of ‘hot spots’. This allowed me to visualise where the press reported street crime to have taken place. In combination with this, I also used a variety of sources to reconstruct a spatial picture of street crime in this period. Reverend Hume’s poverty survey, the writings of sensationalist journalist, Hugh Shimmin, as well as memoirs, autobiographies and complaints given to the police by Liverpool’s residents are utilised here to glean contrasting visions of the streets. GIS cannot answer questions, but it can challenge the researcher to explain the patterns. As J. R. Eastman

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<sup>55</sup> K. Dhillon, P. Longley, R. Dennis, ‘Historical GIS analysis of crime and criminality in Edwardian (1910-13) London: a multi-source approach’ [online] Retrieved from: <<http://www.geos.ed.ac.uk/~gisteac/proceedingsonline/GISRUK2012/Papers/presentation-14.pdf>> [Accessed 13 January 2014].

<sup>56</sup> Digimap [online] Retrieved from: <<http://digimap.edina.ac.uk/digimap/home>> [Accessed 13 May 2012].

<sup>57</sup> P. K. Bol, ‘Creating the China Historical Geographic Information System’ [online] Retrieved from: <<http://digitalhistory.unl.edu/essays/bolessay.php>> [Accessed 9 November 2013].

contends, 'With experience, GIS becomes simply an extension of one's analytical thinking. The system has no inherent answers, only those of the analyst. It is a tool for thought.'<sup>58</sup>

This study found that GIS was unable to illustrate many of the qualitative themes which underpin this thesis. For example, the gendered patterns and temporal dynamics of street crime could not be visualised through GIS. The mapping software provided by ArcGIS could only provide either an aerial or close-up viewpoint, and this significantly impacted upon the visualisation of street crime. So within this thesis, street crime was mapped in two ways: from both above and below. Firstly, the mapping software was able to provide a 'bird's eye view' of street robberies that took place across the city and highlighted the importance of place, such as the notorious north-end slums, in the reporting of street violence. Secondly, it was able to demonstrate the relationship between offence location and the address of the offender by measuring the distance between them using GIS's ruler tool. However, it was unable to illustrate the spatial dynamics of street crime. As Gregory and Eli note, 'a place is rarely, if ever, an un-sub-dividable whole.'<sup>59</sup> Instead, the city is made up of smaller components that will also have locations, for example, the pubs, shops and houses that featured within the streets in this thesis. The meaningful spaces in which street crime took place in mid-Victorian Liverpool, street corners, pubs and back-alleys, could not be visualised through GIS mapping software which, when attempting to examine all robberies that were reported, could only provide an overview of the entire city itself.

Consequently, the qualitative themes of this thesis were quantified by using a Microsoft Access database. A total of 289 cases, collected from *Liverpool Mercury's* daily police court column and Assize reports, were initially entered in to the database, but 29 were disregarded

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<sup>58</sup> J. R. Eastman, *IDRISI Users' Guide* (2012), [Online] Retrieved from: <<http://clarklabs.org/products/idrisi.cfm>> [Accessed 3 January 2014].

<sup>59</sup> I.N. Gregory and P.S. Ell, *Historical GIS: Technologies, methodologies and scholarship*. (Cambridge University Press: Cambridge, 2007), p. 5.

as they lacked sufficient detail about the qualitative themes, such as gender, age, occupation and ethnicity that were explored in this study.<sup>60</sup> The amount of detail provided in each newspaper report varied between cases. For example, the ethnicity or nationality of the victim and/ or offender was often not included, so this study was not able to provide a quantitative account of the relationship between ethnicity and the prosecution of street crime. The data from the 260 offences were compiled into ten investigative fields. These included the charge and sentence, age, occupation, ethnicity and gender of offender and victim, the offence location, and the time of offence. These categories were selective, but were designed to highlight as much information about street robbery as possible and created categories that could be answered for most, if not all, of the offences that took place. This information was chosen to highlight a set of variables and locate the contrasts and correlations about the gendered characteristics of street crime.

These results cannot paint a complete picture of street violence in mid-Victorian Liverpool. The sample size of 260 offences is small, but this does not detract from the legitimacy of the results. The figures produced by the Access database are indicative of the gendered patterns of street robbery in mid-Victorian Liverpool and highlight the similarities and differences between male and female offenders' use of urban space and place in committing street robberies and make it possible to consider the relationship between gender, space and street crime. Indeed, such work contributes to histories of street violence and studies of gender and crime more broadly, by focusing on the correlations and contrasts between men and women and their use of space in committing violent crime. That categories such as age and ethnicity could not be quantified means that a combination of quantitative and qualitative methods

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<sup>60</sup> Offences for street robbery were not included in the city's Quarter Sessions which were held every three months. This was confirmed by sampling bi-annual reports in Borough of Liverpool Court of Quarter Sessions, LvRo 347QUA.

were key in illustrating the patterns and dynamics at play in street robberies in mid-Victorian Liverpool.

A micro-historical approach which combines quantitative and qualitative investigation aided by the use of digital technology and traditional archival research enables, as Helen Rogers has argued, ‘a more extensive contextualization and intensive interpretation of historical sources than large-scale studies can undertake.’<sup>61</sup> There are limitations in the use of GIS and other digital platforms so there needs to be a wider dialogue with a critical reading of the sources and results. As James Mussell noted:

The shift to history 2.0 depends, to an extent, on using digital resources against the grain of their interfaces in order to access the data they contain. It is a shift that depends upon defamiliarisation, on recognizing what is distinct about digital media and technologies and then exploiting this digital difference for scholarly ends.<sup>62</sup>

Tim Hitchcock echoes Mussell and urges historians to find new ways, not only of reading the past, but reading it critically,

In some respects, we have been here before. In the demographic and cliometric history so popular through the 1970s and 80s, extensive data sets were used to explore past societies and human behaviour. The aspirations of that generation of historians were just as ambitious as are those of the creators of culturomics. But, demography and cliometrics started from a detailed model of how societies work, and sought to test that model against the evidence; revising it in light of each new sample and equation.<sup>63</sup>

Hitchcock argues, then, that data mining requires, ‘high levels of technical expertise that threatens to disengage scholarship from the democratic practice that inspired the movement

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<sup>61</sup> H. Rogers, ‘Intimate Reading, Data Analysis and Convict Lives’ (unpublished paper, 2013).

<sup>62</sup> J. Mussell, ‘Doing and Making: History as Digital Practice’, in T. Weller (ed.) *History in the Digital Age* (London: Routledge, 2012), p. 81.

<sup>63</sup> T. Hitchcock, ‘Big Data for Dead People: Digital Readings and the Conundrums of Positivism’ (December, 2013) [Blog] Retrieved from: <<http://historyonics.blogspot.co.uk>> [Accessed at 20 December 2013].

for history from below.’<sup>64</sup> Thus, historians need to be cautious of studies becoming ‘too much digital and too little Humanities.’<sup>65</sup> Indeed, the ‘big data’ available to crime historians- maps, newspapers and criminal trials- are sources compiled and disseminated by elite social groups, so historians need to be cautious of taking this evidence at face value. Hitchcock, therefore, argues that the best way to make use of big data is through close *and* distant reading.<sup>66</sup> Through close reading, it is possible to recover the offenders’ ‘voice’ in other ways. Adopting a similar approach, this thesis reads the behaviour of offenders as ‘text’. By locating street offenders’ performances within their spatial context, alongside a reading of their identities and the responses of the neighbourhoods in which they offended, it argues that digital history does not have to focus exclusively on making sense of the vast amount of material available to us. As Helen Rogers suggests, ‘We might call [this approach] intimate reading: the scrutiny of records from multiple sources that permit exploration of individuals and groups, their interaction with others, and their engagement – however unequal – with the record-makers and keepers’.<sup>67</sup> Digital history can do more than just analyse ‘big data’: these platforms can provide opportunities for micro-historical approaches too and help us form new and intimate ways of looking at the past.

## Sources

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<sup>64</sup> H. Rogers, ‘Intimate Reading, Data Analysis and Convict Lives’ (unpublished paper, 2013).

<sup>65</sup> H. Porsdam, ‘Too Much ‘Digital’, Too Little ‘Humanities’? An Attempt to Explain Why Many Humanities Scholars are Reluctant Converts to Digital Humanities’ [online] Retrieved from <<http://arcadiaproject.lib.cam.ac.uk/docs/DigitalHumanities.pdf>> [Accessed 3 December 2013].

<sup>66</sup> Ibid.

<sup>67</sup> H. Rogers, ‘Intimate Reading, Data Analysis and Convict Lives’ (unpublished paper, 2013).

Liverpool's judicial statistics have been used here, but not uncritically. Historians have debated the efficacy of judicial statistics at length, and most are in agreement that they are unable to provide accurate representations of 'real' crime rates given that they could only cover what was reported to the police or prosecuted at the higher courts.<sup>68</sup> Robert Sindall develops this criticism to argue that the publication of crime statistics in the press shaped readers' perceptions of the state of crime.<sup>69</sup> V. A. C. Gatrell and T. B. Hadden contended that although crime statistics could never reveal the 'dark figure' of crime, i.e. the rate of total crimes that went unreported or unprosecuted, they are useful for seeing longitudinal trends over time. However, Howard Taylor's study of the manipulation of murder rates by quota and performance-led police forces provides the most effective criticism of Gatrell and Hadden's research to date.<sup>70</sup> Robbery offences were categorised in national and local police statistics as highway robbery with violence or assault with intent to rob. In addition, local police forces had different definitions of violent theft. A contemporary report from the *Journal of the Statistical Society* noted that,

In Manchester every robbery from the person, accompanied by violence, in the street or elsewhere...is classified as highway robbery; whilst...in Liverpool, as well as in other places, those robberies only which are committed in the streets and highways, and accompanied by violence, are thus classed in the return.<sup>71</sup>

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<sup>68</sup> V. A. C. Gatrell and T. B. Hadden, 'Criminal Statistics and Their Interpretation', in E. A. Wrigley (ed.), *Nineteenth-Century Society: Essays in the Use of Quantitative Methods for the Study of Social Data* (Cambridge: Cambridge University Press, 1972), pp. 336-396; C. Emsley, *Crime and Society in England, 1750-1900* (London: New York, 1996).

<sup>69</sup> R. Sindall, 'Criminal Statistics of Nineteenth-Century Cities: A New Approach', *Urban History*, vol. 13 (May, 1986), pp. 28-36.

<sup>70</sup> H. Taylor, 'Rationing Crime: The Political Economy of Criminal Statistics', *Economic History Review*, Vol. 51, 3 (August, 1998), pp. 569-590; H. Taylor, 'The Politics of Rising Crime Statistics of England and Wales, 1914-1960', *Crime, History and Societies*, Vol. 2, 1 (1998), pp. 5-28.

<sup>71</sup> 'Discrepant Criminal Statistics', *Journal of the Statistical Society*, xxxi (1868), p. 352. Also cited in C. Emsley, *Crime and Society in England, 1750-1900* (London: New York, 1996), p. 27.



Perhaps the criminal statistics' greatest strength lay in their ability to shape perceptions, but as David Taylor has suggested, they are often the only resource that historians can assess police activity.<sup>72</sup> I adopt Taylor's interactionist approach which argues that statistics are socially constructed; thus, crime statistics do not reflect reality, but are a result of interaction between agents of social control, i.e. the police, and groups who may or may not be labelled as deviant.

In the absence of surviving police and court records for Liverpool, this thesis uses newspapers as its main resource. The *Liverpool Mercury* was set up in 1811 to address a gap in Liverpool's press which was heavily dominated by shipping and commercial news. On January 1 1850 the proprietors, Egerton Smith, declared their long-term aim as 'long and peaceful progress' and it was these reformist, Liberal principles which guided the paper for the rest of the nineteenth century. The newspaper gradually expanded, and by 1880 it was one of the largest newspapers in the world and was circulated as far afield as the Isle of Man and London. While the *Mercury* often reported on national and international news, it was especially recognisable for its focus on local social issues such as poor housing, crime and poverty, and frequently campaigned for changes in moral, health and housing reform. As a result, this paper provides the most fruitful resource for this study in contrast to its more commercially-oriented counterpart, the *Daily Post*.

With its focus on commercial matters, the *Daily Post* thrived as a provincial version of *The Times* in Tory Liverpool.<sup>73</sup> The early 1850s were important years for the newspaper industry.

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<sup>72</sup> D. Taylor, *Crime, policing and punishment in England 1750-1914* (London: Macmillan, 1998).

<sup>73</sup> L. Brake and M. Demoor (eds), *Dictionary of Nineteenth-Century Journalism in Great Britain and Ireland* (London: Academia Press, 2009).

The abolition of stamp duty in 1855 led to significant expansion of the provincial press, and Liverpool's *Daily Post* was one such paper. The technological innovations of the nineteenth century meant that the hourly production rate of newspapers increased from 20,000 in 1847 to 168,000 in 1870.<sup>74</sup> The railways enabled the rapid circulation of national press across the country, and the increasingly lower costs of newspapers meant that circulation widened for both the national and local press. Andrew Hobbs argued that, 'The abolition of stamp duty in 1855 brought the golden age of *The Times* to an end, when at last a "free trade in newspapers" was enabled, opening the market to penny morning papers modelled on *The Times*, especially outside London.'<sup>75</sup> The *Select Committee on Newspaper Stamps* (1851) asked Michael James Whitty, then editor of the *Liverpool Journal*, if he thought that the abolition of stamp duty would allow papers as good as *The Times* to be published for a penny. 'Yes', he replied, 'I would publish one instantly.'<sup>76</sup> True to his word, he set up the *Daily Post* just prior to the abolition of stamp duty in 1855. 'Founded at the height of Liverpool's commercial power, the newspaper set out to show that 'this town is now large enough to compete with London in literature and politics, as it does already in trade and commerce.'<sup>77</sup>

Despite the differing political affiliations of the two local newspapers which dominate this study, their daily broadsheets were packed with a broad spectrum of topics to feed and inform the minds of their mass respectable audiences. Set against the backdrop of lengthy discussions of social, political and economic issues which were arising on the local, national

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<sup>74</sup> C. Casey, 'Common Misperceptions', p. 373.

<sup>75</sup> A. Hobbs, 'The Deleterious Dominance of *The Times* in Nineteenth-Century Scholarship', *Journal of Victorian Culture*, Vol. 18, 4 (2013), pp. 472-497.

<sup>76</sup> L. Brake and M. Demoor (eds), *Dictionary of Nineteenth-Century Journalism*, (London: Academia Press, 2009). p. 368.

<sup>77</sup> *Ibid.*, p. 369.

and international stage, the middle-class journalists and editorialists instructed readers on the benefits of self-improvement and respectability. In keeping with other provincial newspapers of the nineteenth century, the *Mercury* and *Post* lifted much of their national news from larger papers such as *The Times*. However, Liverpool's press dedicated more space to the agendas of local news, local reform agendas, social events, sports commentary and advertising. Yet interspersed among this varied content were reports of crime that occurred within the city as well as the more notorious and sensational crimes which had occurred elsewhere in the country. Crime reporting never reached the front pages of the local press in the 1850s and 60s. The shift to a more Americanised layout in the late 1880s brought that particular change in format.<sup>78</sup> Yet the provincial press did provide detailed information on local crime that was prosecuted in the local police court and Assize court reports.

The *Mercury* offered the most detailed information on crime and deviancy through its dedicated daily police court column and so is used more widely in this study than the *Post* or the city's other newspapers, such as the *Courier* which concentrated on advertising, the *Liverpool Mail* which was dominated by political news, and the *Liverpool Journal of Commerce* which focused on shipping news. The same crimes which were heard at the local police and Assize courts were often reprinted in both papers, but the *Mercury* dedicated more space to crime and reporting than the *Post* which tended to focus more heavily on local commerce and politics.

Crime reporting in the Liverpool press followed the typical conventions of the provincial press of the mid nineteenth century. It presented violent crime both as a serious problem and as entertainment. However, this reporting was considerably more understated than the

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<sup>78</sup> Joel H. Weiner, *The Americanisation of the British Press, 1830s-1914: Speed in the Age of Transatlantic Journalism* (Basingstoke: Palgrave Macmillan, 2012).

sensationalism and melodrama that typified the post-1880 era of New Journalism.<sup>79</sup> It was only much later in the century that newspapers began to emphasise violent crime with bold headlines, drawings, and melodramatic language, arguably with the exception of the *Illustrated Police News* which was introduced in 1864. The *Mercury*'s police court column appeared in the middle pages of the press and listed anywhere between four and ten incidents daily. The Assize court column, published quarterly in line with the sessions, dominated the middle pages of the newspaper often taking up three pages of print. The language used in these columns was often understated and, in general, the *Mercury* adopted a moderate tone than the *Daily Post*.<sup>80</sup> Nevertheless, the language is revealing and provides clues to the attitudes directed towards victims and offenders of street crime and the representation of public space.

Crime reportage, delivered by lawyers who wrote up the events of the courts, or from journalists who sat in the gallery along with the (mainly) working-class audience, often provides the details missing from court records, and such reports had always been an integral feature of newspaper columns. Robberies were tried firstly at the police court and if sent to trial, at the Assizes. Liverpool's Assize and magistrates court records sadly have not survived, so the vast majority of sources used in this thesis are from the local press. The Assize criminal calendars, introduced in 1868, are one of the only court sources to have survived. The criminal calendars listed the known previous convictions of offenders and are used where possible to consider the range of offences that robbers had committed. The paucity of surviving police and court records, however, does not hinder this thesis. Court records and criminal registers often only listed the name, age and, occasionally, the occupation of

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<sup>79</sup> Ibid.

<sup>80</sup> J. E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2011), p. 23.

offenders, alongside the offence and sentence. The press, however, filled in the gaps that were missing from court records and witness transcripts.

The local press thus provides the most detailed information on street crime offences. It was through audiences' engagement with news coverage of criminal events that general opinions were formed on the state of crime and punishment, as well as the offender and victim. The perception of crime and deviance was filtered through the press which located the social problem firmly within the 'dangerous' or 'criminal' classes who lived and resided in the north end slums of the city. Liverpool's papers, *Liverpool Mercury*, and the more conservative and somewhat more successful, *Daily Post*, targeted a broadly defined middle-class readership, though they attracted some working-class readers too. Literacy rates prior to *Forster's Act* (1870), which made education more accessible across the class spectrum, were widely assumed to be low throughout the country, particularly amongst the lower classes. But this assumption has been largely debunked by historians of literacy. Webb estimated that approximately three quarters of the population were literate to some degree in the early to mid-nineteenth century.<sup>81</sup> From the mid-nineteenth century, reading rooms were becoming a characteristic feature of libraries.<sup>82</sup> As public libraries increased in cities and towns across the country, independent and subscription-based reading rooms were under increasing competition from the free libraries. In 1852, the Union News Room opened in Duke Street in Liverpool and housed the city's first rate-supported free library.<sup>83</sup> Through public libraries, the working classes found a useful vehicle for satisfying their thirst for education and

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<sup>81</sup> Robert K. Webb, 'The Victorian Reading Public', in B. Ford (ed.), *From Dickens to Hardy* (London, Penguin, 1982), pp. 198–219.

<sup>82</sup> L. Brake, M. Demoor and M. Beetham (eds), *Dictionary of Nineteenth-century Journalism* (London: Academia Press, 2009), p. 515.

<sup>83</sup> *Ibid.*, p. 515.

entertainment. Public libraries were initially established as a means of control- socialist papers were often excluded due to fears of political agitation- but due to their possibilities for widening education and literacy, they were still a means of advancement and emancipation.<sup>84</sup>

The Liverpool press undoubtedly played a part in forming popular attitudes towards crime in the city, but I do not suggest that readers simply absorbed this kind of information uncritically. For the majority of readers, who were lucky enough never to have experienced actual crime, they encountered it in the daily press. Readers were not passive dupes to the ideological biases of the press; indeed they would have brought a range of experiences, values and ideas to crime narratives and inevitably interpreted the stories in a variety of ways. Newspapers themselves were polyphonic and subject to a multitude of voices from editors, journalists, correspondents, publishers and advertisers. The need to produce and disseminate issues daily meant that newspapers were under pressure to reduce crime into easily digestible narratives that inevitably distorted real events. In addition, the ideas and values communicated through the crime reports had to, at least in some way, reflect the values of their targeted readership in order to maintain adequate sales figures.<sup>85</sup> The repetition of particular words and phrases such as ‘coarse’, ‘low’, and ‘brutish’ in street crime narratives reflected and shaped readers’ perceptions about offenders. But for stereotypes to work effectively, they need to, on some level, ring true with existing preconceptions.<sup>86</sup> As Joan Neuberger contends, ‘The meanings a newspaper uses to shape reality have to reflect readers’ prior experience.’<sup>87</sup> Media representations of crime may have simplified and distorted reality,

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<sup>84</sup> Ibid., p. 515.

<sup>85</sup> J. Neuberger, *Hooliganism: Crime, Culture and Power in St. Petersburg, 1900-1914* (London: University of California Press, 1993), p. 27.

<sup>86</sup> S. Hall (ed.), *Representation: Cultural Representations and Signifying Practices* (Milton Keynes, Open University Press, 1997), p. 15.

<sup>87</sup> J. Neuberger, *Hooliganism*, p. 27.

but they provide essential evidence for historians as they convey dominant ideas, values and beliefs.

The combination of traditional archival research and digital methods allow me, therefore, to examine violent crime in the contested spaces of the press, streets and courts. In doing so, these methods prioritise the study of behaviour and investigate the ways in which victims and offenders used the streets and courtroom to shape and perform their own identities. This thesis is divided into three parts. Part one examines the identities given to offenders in mid-Victorian popular culture. Chapter one investigates new ways of testing Cohen's moral panic model in the digital era. In doing so, I argue that the metropolitan panics did not extend to Liverpool. Chapter two outlines the myth of the garrotter as described in the national press and other aspects of popular culture in the mid-nineteenth century. Chapter three shifts focus back on Liverpool and examines the media representations of victims and offenders of street violence in the mid-Victorian city.

Part two shifts away from analysing the representations of street violence in the press to examine its role in shaping urban street life. Chapter four uses GIS mapping software in two ways: firstly, to visualise where street crime was reported as taking place and thus to see where the press perceived street violence; and secondly, to consider the ways that offenders used the urban environment to perform particular identities. Chapters five and six interrogate the gendered nature of street crime. Through an analysis of offenders' behaviour, I outline the contours of street masculinity and street femininity and discuss the ways in which the gender characterisations that were performed by offenders of street crime corresponded to and challenged dominant ideas of gendered respectability. The final part examines the space in which high and low collided: the courtroom. Chapter seven locates the courtroom as a

performative site where the identities of victims and offenders were negotiated between lawyers, judges, juries and between victim and offender.

Social historians of street violence have been traditionally concerned with the actions of dominant institutions such as the press and their impact on criminal justice. But when we examine street violence from above and below, we find a local port characterised by complex relations that were often expressed violently. The conflicts over street violence as articulated and rehearsed in the press and law reveal the hostility and distrust that defined and marginalised the lower classes in the middle of the nineteenth century. But by examining violent robbery at street level, we can uncover the conflicts and tensions that divided and demoralised urban life but also gave Liverpool's working inhabitants a code for establishing their place within it.



# **Part One: The Press**

## Chapter 1 Revisiting the mid-Victorian Garrotting Panics in the Digital Era

This chapter reconsiders the historiography of the mid-Victorian garrotting panics. In recent decades this historiography has been strongly influenced by the sociologist Stanley Cohen's model of the role of the media in creating 'moral panics'. This chapter outlines how crime historians can use the *British Library's 19<sup>th</sup> Century Newspapers Online* to find new ways of testing the Cohen's model. The application of digital techniques combined with traditional archival research is then used to examine how Liverpool's press, police and courts reacted to the media scares about garrotting generated by the metropolitan press in the period 1856 to 1862.

The garrotting panics of the 1850s and 60s coincided with a significant point in the history of English law. Transportation was virtually abandoned in 1853, but officially abolished in 1857 following Australia's refusal to accept any more convicts. The 1840s signalled the arrival of a modern penal system which rested upon the reformatory and deterrent influence of the prison. But the new system was not without its detractors and was subject to heavy criticism by those who favoured harsh punishment and stricter control over convicts. The 1850s and 60s saw a hardening of attitudes towards the reformatory possibilities that imprisonment could provide for serious offenders. Such attitudes were encoded in statute through the *Carnarvon Commission* (1863) which argued that the prison system should rest upon on the principles of hard bed, hard fare and hard work.

The introduction of tickets of leave for convicts who could no longer be transported provoked widespread anxieties that society was on the cusp of moral and cultural decline now that the

dangerous criminal class were gaining the upper hand in the weakening authority of the law. The Victorian legal system was locally run, financed and administered and this case study highlights the regional variations in policing and punishment of street robbery. Jennifer Davis and Robert Sindall's histories of street violence have argued that in 1856 and 1862, London was gripped by fears of garrotting which resulted in the implementation of the *Garroters Act* (1863) and revoked the movement towards prison reform through the reintroduction of corporal punishment for offenders of violent robbery. This study investigates whether the metropolitan-based panics extended to Liverpool by taking advantage of the recent digitisation of nineteenth-century newspapers. Frequency analysis is employed to examine the density of reportage about robbery and violence in the *Liverpool Mercury*, 1850-1870. By measuring the rate of reportage against the city's judicial statistics and actions of the local Assize courts, it is possible to re-examine the garrotting panics in the digital era.

## 1.1 Reopening Historical Debates

Historians have examined garrotting through the application of Stanley Cohen's moral panic model.<sup>1</sup> Cohen argued that moral panics occur when the dominant social group- usually taken to be the middle classes- are threatened by the activities of the lower classes. The media uses a scapegoat to explain the moral threat and use sensationalist reporting to persuade their readership that the solution lies in controlling the threat. A moral panic, then, is defined as an episode, often cyclical in nature, and triggered by alarming media stories which are subsequently reinforced by reactive laws and public policy, of exaggerated or misdirected

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<sup>1</sup> J. Davis, 'The London Garrotting Panic of 1862: A Moral Panic and the Creation of a Criminal Class in mid-Victorian England', V. A. C. Gatrell, B. Lenman, and G. Parker, (eds.), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa Publications Limited, 1980), pp. 190-214; R. Sindall, *Street Violence in the Nineteenth Century* (Leicester: Leicester University Press, 1990).

public concern, anxiety, fear, or anger over a perceived threat to social order.<sup>2</sup> Cohen's six stage model is summarised by Peter King as follows:

1. An initial act or acts of violent street crime provoked the media to turn their attention to that theme.
2. The media then exaggerated the threat posed by this particular form of crime by creating negative and fearful stereotypes of the typical offender (folk devils).
3. By making the public, the police and the authorities increasingly aware of a new crime threat, the media increase the amount of such crime reported.
4. The extent of the violent street crime is then vastly overestimated by the media, public and the authorities.
5. New heavier control and punishment measures are introduced by the police, the courts and sometimes the legislature.
6. After a couple of months or so the panic begins to die away as the actions of the authorities calm initial fears, the media grow tired of the story and readers lose interest.<sup>3</sup>

Cohen's model has not been without its critics, particularly from criminologists such as Goode and Ben-Yehuda (2004) who have argued that the model is more useful as a polemic rather than an analytical framework.<sup>4</sup> Others, such as Angela McRobbie and Sarah Thornton, suggested that the term 'public opinion' is ambiguous and is never made explicit as to whether it means public opinion or media attitudes.<sup>5</sup> Yet as Peter King has argued, the undermining of the moral panic model 'would be a considerable loss.'<sup>6</sup> Despite its criticisms, Cohen's six stage model has been useful for crime historians who have sought to examine the

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<sup>2</sup> C. Krinsky, 'Introduction: The Moral Panic Concept' in C. Krinsky (ed.), *The Ashgate Research Companion to Moral Panics* (London: Ashgate, 2013), pp. 1-17.

<sup>3</sup> P. King, 'Moral Panics and Violent Street Crime 1750-2000: A Comparative Perspective', in B. Godfrey, C. Emsley, and G. Dunstall, (eds.), *Comparative Histories of Crime* (Devon: Willan Publishing, 2003), p. 55.

<sup>4</sup> E. Goode and N. Ben-Yehuda, *Moral Panics. The Social Construction of Deviance* (Oxford: Blackwell, 1994).

<sup>5</sup> A. McRobbie and S. Thornton, 'Rethinking Moral Panic for Multi-Mediated Social Worlds', *British Journal of Sociology*, Vol. 46, 4 (December, 1995), pp. 559-574.

<sup>6</sup> P. King, 'Moral Panics and Violent Street Crime', p. 54.

history of public fears and the ways in which these were shaped by elite groups, namely the press, police, courts and law, who capitalised upon these anxieties to extend their control over vulnerable, deviant social groups and maintain the moral status quo.

Garrotting has previously been examined through the application of Cohen's six stage framework. Jennifer Davis was the first to provide historical treatment of the garrotting panics in her study of London in 1862. Davis argued that the intense and disproportionate press attention over street violence led to an increase in arrests for robbery which resulted in the re-establishment of corporal punishment through the *Security from Violence or Garroters Act* (1863).<sup>7</sup> Robert Sindall confirmed Davis's research and argued that there were, in fact, two moral panics in the mid-Victorian period: in 1856 when transportation came to an end following the establishment of the *Penal Servitude Act* (1857) and later in 1862 as authorities sought to penalise the 'criminal classes'.<sup>8</sup> To Whiggish historians such as Peter Bartrip, such interventions by the state showed evidence of a progressive desire by law-makers to understand and civilise society.<sup>9</sup>

However, Bartrip's positivist reading of legal change has been effectively dismantled by historians who have argued that the mid-Victorian garrotting panics were part of a complex process whereby the 'criminal classes' had been identified and constructed in opposition to

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<sup>7</sup> J. Davis, 'The London Garrotting Panic of 1862' (1980); R. Sindall, *Street Violence* (1990).

<sup>8</sup> R. Sindall, 'The London Garrotting Panics of 1856 and 1862', *Journal of Social History*, Vol. 12, 3 (October, 1987), pp. 351-359.

<sup>9</sup> P. Bartrip, 'Public Opinion and Law Enforcement: The Ticket of Leave Scares in mid-Victorian Britain', in V. Bailey (ed.) *Policing and Punishment in Nineteenth-Century Britain* (New Jersey: Croom Helm, 1981), pp. 150-181.

respectable society.<sup>10</sup> Historians of crime have challenged the notion of a criminal underworld as little more than an imagined construct which was manufactured by a sensationalist and commercially-driven press.<sup>11</sup> The concept of the criminal class provided a useful justification for the extension of police and regulatory power over the lower classes in the nineteenth century. Nevertheless, the concept of the criminal or dangerous classes had potency in Victorian England and shaped the increasing power of criminal justice.

Previous studies of the garrotting fears have concentrated on London. Christopher Casey's recent work analysed the frequency of reporting on garrotting in *The Times Digital Archive* to argue that London did experience a panic in 1862.<sup>12</sup> His work has been influential for this study. I too apply frequency analysis to examine the density of reportage, but shift focus away from London to consider how Liverpool, a nineteenth-century 'shock city', reacted to the panics.<sup>13</sup> Andrew Hobbs has recently encouraged historians to make more use of the provincial press. His survey of the ways that academics have made use of the nineteenth-century press demonstrated that *The Times* has overwhelmingly dominated historical

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<sup>10</sup> D. Taylor, 'Beyond the Bounds of Respectable Society: The Dangerous Classes in Victorian and Edwardian England', in J. Rowbotham and K. Stevenson (eds.), *Criminal Conversations: Victorian Crimes, Social Panic and Moral Outrage* (Columbus: Ohio State University Press, 2005), p. 19; V. Bailey, 'The fabrication of deviance: 'Dangerous Classes' and 'Criminal Classes' in Victorian England', in J. Rule and R. Malcolmson (eds), *Protest and Survival: Essays for E. P. Thompson* (New York: New Press, 1993), pp. 221-256; A. L. Beier, 'Identity, Language, and Resistance in the Making of the Victorian 'Criminal Class': Mayhew's Convict Revisited', *Journal of British Studies*, Vol. 44, 3 (July, 2005), pp. 499-515; D. Englander, 'Henry Mayhew and the Criminal Classes of Victorian England : The Case Reopened', *Criminal Justice History*, Vol. 17 (2002), pp. 870-108; R. McGowen, 'Getting to Know the Criminal Class in Nineteenth-Century England', *Nineteenth-Century Contexts*, Vol. 14 (1990), pp. 33-54; M. Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990).

<sup>11</sup> C. Emsley, *Crime and Society in England*; H. Shore, 'Undiscovered Country': Towards a History of the Criminal 'Underworld', *Crimes and Misdemeanours*, Vol. 1, 1 (2007), pp. 41-68.

<sup>12</sup> C. A. Casey, 'Common Misperceptions: The Press and Victorian Views of Crime', *Journal of Interdisciplinary History*, Vol. 41, 3 (Winter, 2011), pp. 367-391.

<sup>13</sup> J. E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2011).

scholarship.<sup>14</sup> So far, studies of the garrotting panics have also relied too heavily on ‘The Thunderer’ at the expense of considering how far outside of London that the panics extended. This study responds to Hobbs’s critique of historians’ over-reliance on *The Times* by redirecting attention to the provinces and showing the very different responses to the issues of policing, criminality, men and public behaviour in Liverpool.

My thesis does not focus exclusively on the *Garrotters Act* (1863), but situates fears of street violence within a broader context of legislation which was directed towards working-class men in the middle decades of the nineteenth century. The *Second Reform Act* (1867) granted the vote to all male heads of household who were over twenty-one years old and paid rent of £10 per year. However, this remit was out of the reach of much of the working classes. Keith McClelland noted that the *Second Reform Act* (1867) was not solely about politics; rather it was crucial to wider debates about culture and civilisation. McClelland argued that the mid-Victorian debates over citizenship put forward questions of who could claim respectability, and such claims were driven by notions of masculinity. Central to the image of the respectable working man was his place as head of the model family; to be able to provide for one’s family as a husband and father was to have character and independence. As McClelland argued, ‘Virtue became attached, not least, to the cultivation of domesticity in which a man was independent and respectable by means of being able to maintain a dependent wife and children within the household.’<sup>15</sup> Thus this chapter argues that to focus solely on the Acts of 1856 and 1862 would only capture part of the history of street violence. It was not just through legal jurisdiction that control over the working-class male became integral to the

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<sup>14</sup> A. Hobbs, ‘The Deleterious Dominance of *The Times* in Nineteenth-Century Scholarship’, *Journal of Victorian Culture*, Vol. 18, 4 (2013), pp. 472-497.

<sup>15</sup> C. Hall, K. McClelland, and J. Rendall, *Defining the Victorian Nation: Class, Race, Gender and the British Reform Act of 1867* (Cambridge: Cambridge University Press, 2000), pp. 100-101.

political economy of the mid-nineteenth century for the project to civilise and reshape working men's ideals was also apparent in the political arena.

## 1.2 Sources and Methods

My study uses frequency analysis to compare and contrast the density of reportage about violent robbery between the Liverpool press and *The Times*, 1850-1870, taking advantage of the digitisation of nineteenth-century newspapers. Online news archives, such as the *British Library's 19<sup>th</sup> Century Newspapers Online* and *The Times Digital Archive*, are not without their limitations for historians, but they allow us to examine the frequency of press reportage and, when compared to local crime statistics and court reports, reassess the relationship between the police, courts, and press. The statistics in this study derive from the *Liverpool Mercury* and, to a lesser extent, *The Times* from 1850 to 1870. *The Times*, popularly described as 'The Thunderer', was arguably one of the most influential British newspapers in the mid-Victorian period, and its 1860 circulation figures of 65,000 far outstripped those of its competitors.<sup>16</sup> *The Times* is used here for comparative purposes against the *Mercury* to explore the extent to which the London-based press dominated the garrotting panics. Of course, *The Times* was not the only metropolitan paper available to Victorian readers, nor is it the only London-based paper available on *British Library's 19<sup>th</sup> Century Newspapers Online*. However, it is the only metropolitan paper that has full runs of daily issues between 1850 and 1870, which was necessary to quantify the density of reportage.

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<sup>16</sup> H. Schlack, 'Fleet Street in the 1880s: The New Journalism', in J. H. Wiener (ed.), *Papers for the Millions: The New Journalism in Britain, 1850s to 1914* (New York: Greenwood Press, 1988), p. 74.



While far more moderate in tone than the sensationalist *Times*, the *Mercury* was the most commercially successful newspaper in Victorian Liverpool and continued to expand throughout the 1850s. Taking advantage of the repeal of stamp duty in 1855, the *Mercury* moved from a weekly to a daily in 1858. The increase in issues would result in an increase in returns, so the study uses this data to normalise results by calculating the percentage of total articles published in that year. Due to patchy digitisation- Liverpool had eight newspapers and periodicals available in the 1850s and 60s, and the *Mercury* is the only one in digital form- the sample is small, but this does not detract from the results. The quantitative findings from the digital archives underpin a qualitative examination of Liverpool's non-digitised titles such as *Liverpool Mail*, *Liverpool Courier*, *Albion*, *Daily Post* and satirical magazine, *Porcupine* alongside the city's judicial statistics and court reports. The offline press were not used for quantitative data, but were examined page by page to consider the debates about garrotting in the port between 1850 and 1870.

Frequency analysis is well suited to examining how the media increases crime reportage, but calculation of the frequency with which certain words and phrases appear in the nineteenth-century press requires the use of full-text databases.<sup>17</sup> The *Liverpool Mercury* is one of the few newspapers on British Library's database that has complete availability of all years until 1895, and all issues between 1850 and 1870 have been digitised as full text, so the results are not skewed by intermittent digitalisation. Despite vast improvements in OCR technology over the past ten years, the search results are inevitably affected by the quality of the newspaper image. It is important to support frequency analysis by ensuring that the keyword is relevant to the topic, and every effort has been made to ensure that each article was relevant to street robbery. The data used here run from 1 October through to 30 September of the following year from 1849 to 1871. This approach brings the frequency analyses in line

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<sup>17</sup> C. A. Casey, 'Common Misperceptions: The Press and Victorian Views of Crime', *Journal of Interdisciplinary History*, Vol. 41, 3 (Winter, 2011), p. 370.

with Liverpool's criminal statistics compiled in the annual Judicial Statistics, published for the House of Commons, which ended its year on September 30.

### 1.3. Liverpool in focus I: 1856-1857

Figure 1 demonstrates that reports of 'robbery' and 'violence' in Liverpool initially increased in 1853 as the press debated the abolition of transportation and the reintroduction of tickets of leave for persistent offenders. The *Penal Servitude Act* (1853) introduced tickets of leave which granted parole for prisoners who could no longer be transported following Australia's refusal to accept more convicts from Britain. The *Liverpool Mail* reported an increase in violent crime in November 1856,

Garotte robberies have become so common that, even in the metropolis, it is dangerous to go about after dark. It is manifest that our new system of penal discipline has not answered its intended purpose; and that our prisons, every year, either with tickets-of-leave or, upon the expiration of their sentences of penal servitude, a set of hardened desperadoes, who will apply themselves to no calling- who only live to rob and must to live- and who stop short of no act of ruffianism, even of murder itself, in the prosecution of their crimes of plunder.<sup>18</sup>

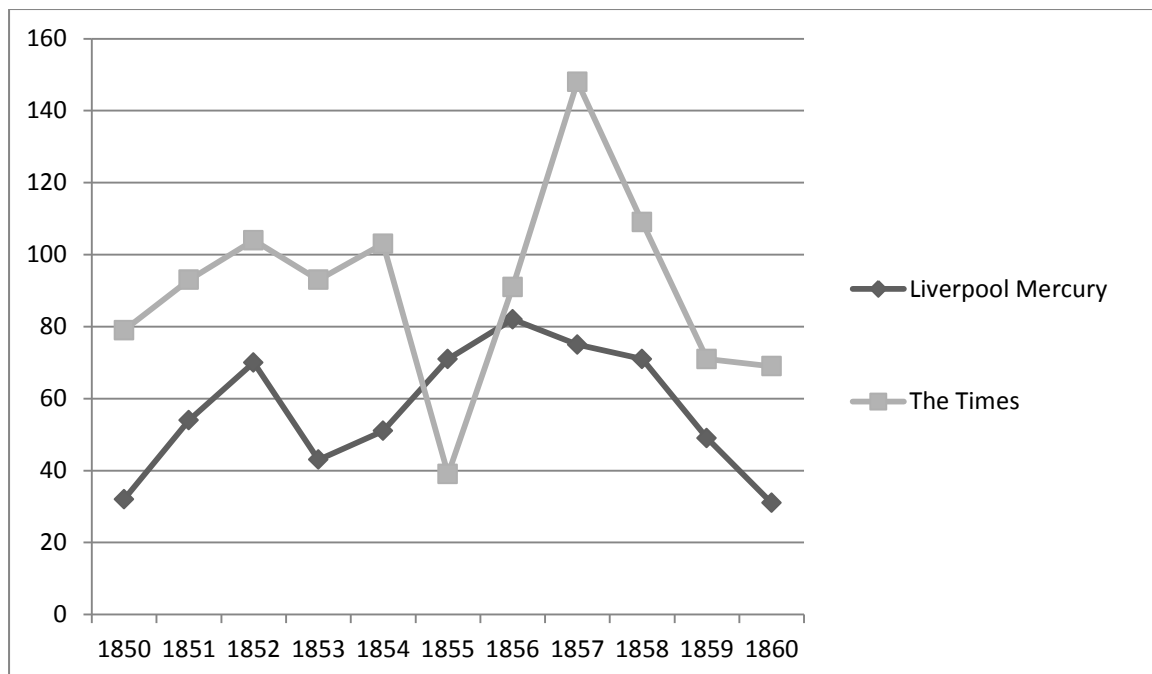
However, reports of violent robbery only marginally increased in the Liverpool press as the abolition of transportation drew nearer in 1856. The number of articles which mentioned 'robbery' and 'violence' in the *Mercury* did not increase significantly in the panic as it published 71 articles in 1856 and 82 in 1857. In contrast, *The Times* devoted 91 articles to violent robbery in 1856 compared to 148 in 1857. It is problematic to compare 'The Thunderer', the most widely-read national paper, with the smaller, provincial *Mercury*, so I have calculated the percentages of total articles within that year. In 1856, the *Mercury*

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<sup>18</sup> *Liverpool Mail*, 22 November 1856.

devoted 1.3 per cent of articles published in that year to that topic and increased only slightly to 1.7 per cent in 1857.<sup>19</sup> In contrast, *The Times* dedicated 0.4 percent of total articles published in 1856 and increased by almost double to 0.7 percent in 1857. Thus, the figures for violent robbery remained low in the *Mercury*, and closer examination of reporting shows that the *Mercury* highlighted the prevalence of garrotting in areas outside of Liverpool.

Figure 1. Number of articles containing ‘robbery’ and ‘violence’ in *Liverpool Mercury* and *The Times*, 1850-1860.



Full text search of ‘robbery’ and ‘violence’ in *The Times Digital Archive, 1785-2008* at <http://infotrac.galegroup.com/> and *Liverpool Mercury, 19<sup>th</sup> Century British Library Newspapers Online* at <http://infotrac.galegroup.com/> [accessed January 2011 to June 2013].

Articles on garrotting in the *Mercury* reported its occurrence in London, Glasgow and Leeds, rather than in Liverpool. The *Mercury* reported in September 1856 that,

It appears that garrotte robberies are on the increase in London. A gang of about 40 desperate fellows are said to be implicated in these offences, and may

<sup>19</sup> The data was calculated by leaving the search terms blank to show the quantity of daily issues published within each given year.

be seen nightly in a part of Westminster arranging themselves into bands of four or six, and then spreading themselves over different quarters of the metropolis. This suggests that there is room for further research into the geographical spread of the panics.<sup>20</sup>

In December, the paper reported the attack on middle-class victim, Charles Hogan, a government clerk who had been, ‘robbed and nearly murdered by three or four ruffians in one of the streets of London a few night ago. The robbery was committed in the garrotte fashion.’<sup>21</sup> These narratives clearly demonstrate that the *Mercury* pointed to London as the place where garrotting was rife. In addition, these narratives reported that garrotters’ main targets were middle-class victims, such as government clerk, Charles Hogan, and that affluent areas such as Westminster- the seat of national, political power- were under attack.

Interestingly, the *Mercury* also reported on cases of garrotting elsewhere, in particular, the ‘shock’ industrial cities of Manchester, Leeds and Glasgow. Many of these articles, including those from London, were reproduced from other regional and national papers, which was common practice in the mid-Victorian press industry, and included the most shocking cases.<sup>22</sup> In an article reprinted from the *North British Mail*, the *Mercury* reported that there had been an attack in Glasgow on a fourteen year old boy.<sup>23</sup> Another case was reprinted from the *Leeds Mercury* in which ‘a most amiable and lady-like person’ who was married to ‘Mr McKnight, a gentleman of considerable property in Dumfriesshire’ had died possibly as a result of being garrotted.<sup>24</sup> That a young boy and a respectable, affluent woman of property had been

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<sup>20</sup> *Liverpool Mercury*, 10 September 1856.

<sup>21</sup> *Liverpool Mercury*, 27 December 1856.

<sup>22</sup> J. Rowbotham and K. Stevenson, (eds), *Behaving Badly: Social Panic and Moral Outrage. Victorian and Modern Parallels* (London: Ashgate, 2003), p. 15.

<sup>23</sup> *Liverpool Mercury*, 9 March 1857.

<sup>24</sup> *Liverpool Mercury*, 21 June 1856.

attacked determined them to be worthy of press attention. Furthermore this evidence shows that there is room for further research to assess the geographical spread of the panics, but nevertheless it did not appear that the Liverpool press was particularly concerned with street violence in 1856. In addition, I have been unable to trace mentions of garrotting in the correspondence columns of the *Mercury* which further suggests that Liverpool and its inhabitants were not particularly concerned about the prevalence of garrotting in the town.

Although garrotting did not appear to be of particular concern for the Liverpool press in 1856, the newspapers did express dissatisfaction for the introduction of tickets of leave for persistent offenders. Robert Sindall's study argued that the ticket of leave scares were a national phenomenon and this research confirms that Liverpool was affected by fears over the ticket of leavers.<sup>25</sup> The *Liverpool Mail* was clear in its stance on the ticket of leave, labelling the scheme as 'absurd and dangerous'.<sup>26</sup> The *Liverpool Courier*, as a Conservative paper, considered the system was a 'miserable failure'.<sup>27</sup> An editorial in the *Liverpool Mercury* signalled the alarm at the reformation of the prison system,

So many garrotte robberies, burglaries, and other offences have lately been committed by ticket of leave men in the metropolis and other parts of the country that a great many people are beginning to look upon the new system of treating criminals with feelings of alarm and impatience.<sup>28</sup>

In correlation with Robert Sindall's findings which stated that the 1856 panic died down the following Spring, the intensity of reportage in Liverpool died down in March following the

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<sup>25</sup> R. Sindall, *Street Violence in the Nineteenth Century*, p. 56.

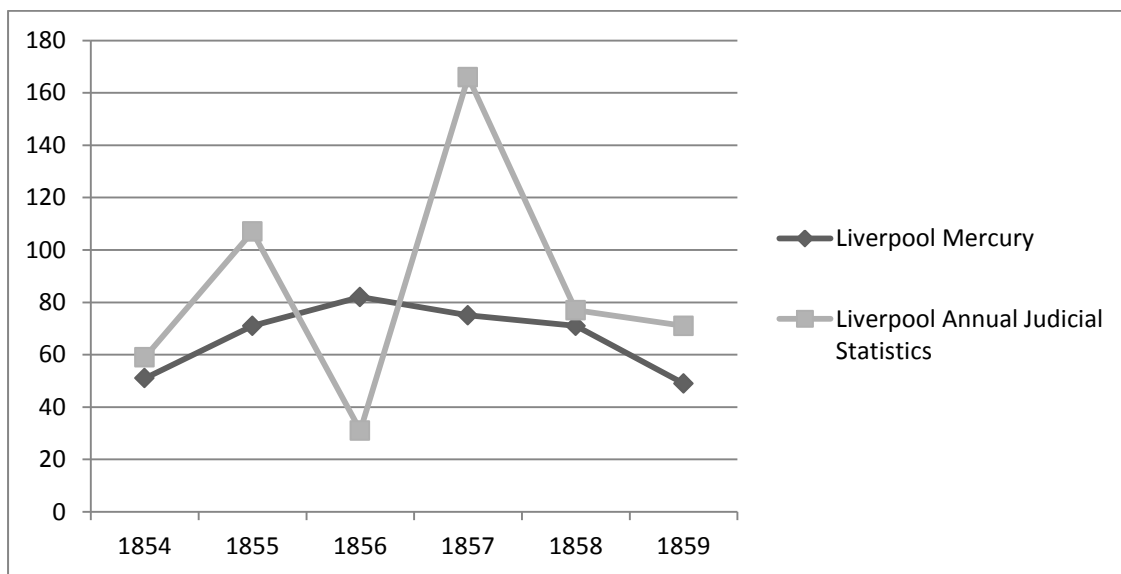
<sup>26</sup> *Liverpool Mail*, 7 February 1856.

<sup>27</sup> *Liverpool Courier*, 14 January 1857.

<sup>28</sup> *Liverpool Mercury*, 8 December 1856.

implementation of the *Penal Servitude Act* (1857) which finally abolished transportation and established the modern penal system of long-term imprisonment accompanied by hard labour.

Figure 2. Number of articles containing ‘robbery’ and ‘violence’ in *Liverpool Mercury* 1854-1859 and total number of crimes committed for highway robbery and assault with intent to rob, Annual Judicial Statistics, Liverpool, 1854-1859.



Full text search of ‘robbery’ and ‘violence’ in *Liverpool Mercury*, British Library 19th Century Newspapers Online at <http://infotrac.galegroup.com/> [Accessed January 2011 to June 2013] and statistical returns from Annual Judicial Statistics, House of Commons Parliamentary Papers Online at <http://parlipapers.chadwyck.co.uk/> [Accessed February 2010- June 2013].

However, although press attention remained low, the police statistics increased significantly between 1856 and 1857. Figure 2 shows that there was an increase in total crimes committed for highway robbery with violence between 1856 and 1857. *The County and Borough Police Act* (1856) demanded that every county in England and Wales had a police force and made the collation of criminal statistics more uniform and detailed, but had little effect on the structure of provincial police forces so arguably had little impact upon the figures.<sup>29</sup> As

<sup>29</sup> V. Bailey, (ed.) *Policing and Punishment in Nineteenth Century Britain* (London: Croom Helm, 1981), p. 15.

Robert Sindall has argued, the percentages of those committed for trial are problematic and, ‘open to interpretation that they were influenced by the reporting of the initial deviance and the subsequent escalation of police activity.’<sup>30</sup> While it is impossible to make any certain conclusions as to the redirecting of police attention, ‘Those for the number of crimes committed cannot be dismissed so easily, for the rule holds that statistics whose source is closer to the actual event tend to be more accurate.’<sup>31</sup> The Liverpool police returns from 1855 suggest that robbery and assault with intent to rob formed 0.4 percent of crimes committed which increased significantly to 2.5 percent in 1857. There were significant differences between police forces and their definitions of what constituted violent robbery in the Victorian period which may also explain the higher rates of crimes committed. A contemporary report from the *Journal of the Statistical Society* noted that,

In Manchester every robbery from the person, accompanied by violence, in the street or elsewhere...is classified as highway robbery; whilst...in Liverpool, as well as in other places, those robberies only which are committed in the streets and highways, and accompanied by violence, are thus classed in the return.<sup>32</sup>

However, despite an increase in the number of total robberies committed between 1856 and 1857, and thereby handled by the police, the local police came under fire for not preventing street robberies in the port.

Debate ensued as to the best measure for dealing with street crime. In a town council meeting held in January 1857, Alderman S. Holme said,

He could not avoid saying that a meeting of the magistrates took place the other day, and although the magistrates did not come to a conclusion in the minds of that body that a much larger addition to the police force was required;

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<sup>30</sup> R. Sindall, ‘The London Garrotting Panics of 1856 and 1862’, p. 354.

<sup>31</sup> Ibid.

<sup>32</sup> ‘Discrepant Criminal Statistics’, *Journal of the Statistical Society*, xxxi (1868), p. 352. Also cited in C. Emsley, *Crime and Society in England, 1750-1900* (London: New York, 1996), p. 27.

and looking at the increase of the town and at the miserable way in which the out-districts were lighted, and looking at the number of garrotte robberies that had taken place, he was decidedly of the opinion that a much larger addition was required. (Hear, hear).<sup>33</sup>

One alderman noted that, 'seeing the way in which the town was watched, he for one felt satisfied that either there were too few policemen or the policemen had not done their duty at all.'<sup>34</sup> Alderman J.H. Turner suggested that, 'a mounted police would be a great protection' and Mr Hodson proposed that 'it would be desirable to augment the number of lamps.' As opposed to spending money on policing, Mr Alderman Cooper decided that, '£7,000 a year was saved in lighting the town by the reduction in the price in gas.'<sup>35</sup> The work of magistrates coincided with their work as town improvement commissioners and the increase in lighting and policing was as much about increasing social control in working-class neighbourhoods as it was about the cost-effectiveness of the gas company. Thus, discussion about street crime was used to forge local social and political agendas.

The courts issued heavy sentences to ticket of leavers charged with garrotting prior to the abolishment of transportation. Liverpool's Winter Assizes of 1856, in particular, had a heavy calendar of garrotting cases. The Grand Jury in aiming to have, 'drawn the attention of the Legislature to the alarm which they believe to exist among the public', pointed towards the serious proportion shown in the present calendar of the amount of crime committed by the holders of tickets-of-leave. 'Amongst the twelve holders of tickets-of-leave there were seven charged with burglary, four with assault and robbery, and one with arson.'<sup>36</sup> Liverpool's

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<sup>33</sup> *Liverpool Mercury*, 9 January 1857.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> *Liverpool Albion*, 15 December 1856.



*Daily Post* noted, ‘The frequency of garrotte robberies and other offences attended with violence to the person, has at length commanded attention of the judicial bench.’<sup>37</sup> Judge Baron Alderson addressed the court,

There is another class of cases I am sorry to see, and which, I am grieved to tell you, are common throughout England- cases of garrotte robbery, where people are seized and put to considerable violence and robbed, generally speaking by two or three together, like the Thugs of India.<sup>38</sup>

Baron Alderson made his position on garrotting clear, ‘I will, to the extent of my power, punish the persons found guilty with the greatest severity, because I do believe it is the only way in which we can put it down, if we can put it down at all.’<sup>39</sup> Alderson made a link between those convicted of garrotte robberies and the close of transportation. ‘You have the result in a great number of crimes committed by those people who are not really reformed, but pretend to be for the purpose of escaping punishment.’<sup>40</sup> Robert Sindall’s survey of the robbery scares deduced that certain judges used the panics to promote their own values and establish their reputations.<sup>41</sup> Alderson, as a judge at the Old Bailey, was one such judge. He was clearly aware of metropolitan concerns of garrotting and aimed to adopt the harshest punitive measures available to him. The garrotting cases acted as a space through which to express fears over the modernisation of the legal system and the presence of persistent offenders which resulted in heavy sentencing by the courts.

Repeat offenders of violent crime generated concern amongst Liverpool’s police and magistracy in the 1850s and received heavy sentences in the December of 1856- the height of

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<sup>37</sup> *Daily Post*, 2 December 1856.

<sup>38</sup> *Liverpool Mercury*, 10 December 1856.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> R. Sindall, *Street Violence in the Nineteenth Century*, pp. 63-65.

the panic in London. In one case, ticket of leavers, Peter Duff, John Kelly and Thomas Kelly were charged with garrotting a man named Edward Jones near Bedford Street in Liverpool. In passing sentence on persistent offender, Duff, Alderson said, 'From matters which had come before him he knew that the prisoner's course of life, since the term of his imprisonment, had not been an honest one. He had been too often an inmate of the gaol to be allowed to remain in this country with safety to the public.'<sup>42</sup> The prisoner, Duff, represented a threat to bourgeois, masculine values of honesty and self-restraint, and garrotting highlighted issues about behaviour in public space. Alderson summed up the court session by saying,

Gentlemen, these cases having been disposed of, then you will find a good many- I don't know how many- cases of people who have been pardoned, so to speak, and have come back into the world with what are called at present tickets-of-leave, under a system which from its effects appears to me an unwise one. They are let loose, you see, upon society, and the reason of it is because it is almost impossible to keep persons in this country for so long a period of time as people were usually transported for.<sup>43</sup>

Duff was sentenced to life imprisonment and John and Thomas Kelly were both delivered the heavy sentence of fifteen years transportation each as the courts were concerned about the close of transportation. In the context of fears over the end of transportation, Liverpool's judges made use of this punishment for persistent offenders of street crime prior to the *Penal Servitude Act* (1857) to prevent recidivism, but also to control public space for respectable society as street violence inverted the appropriate model of conduct in city life. Although violent robbery was not a prominent concern for the Liverpool press in 1856, the police and courts sought to control the city streets and punish repeat offenders in the context of the ticket of leave scares. However, it was the robbery of Hugh Pilkington MP in the respectable area of Pall Mall which elevated fears of street robbery in to a moral panic in London in 1862.

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<sup>42</sup> *Liverpool Mercury*, 12 December 1856.

<sup>43</sup> *Liverpool Mercury*, 10 December 1856.

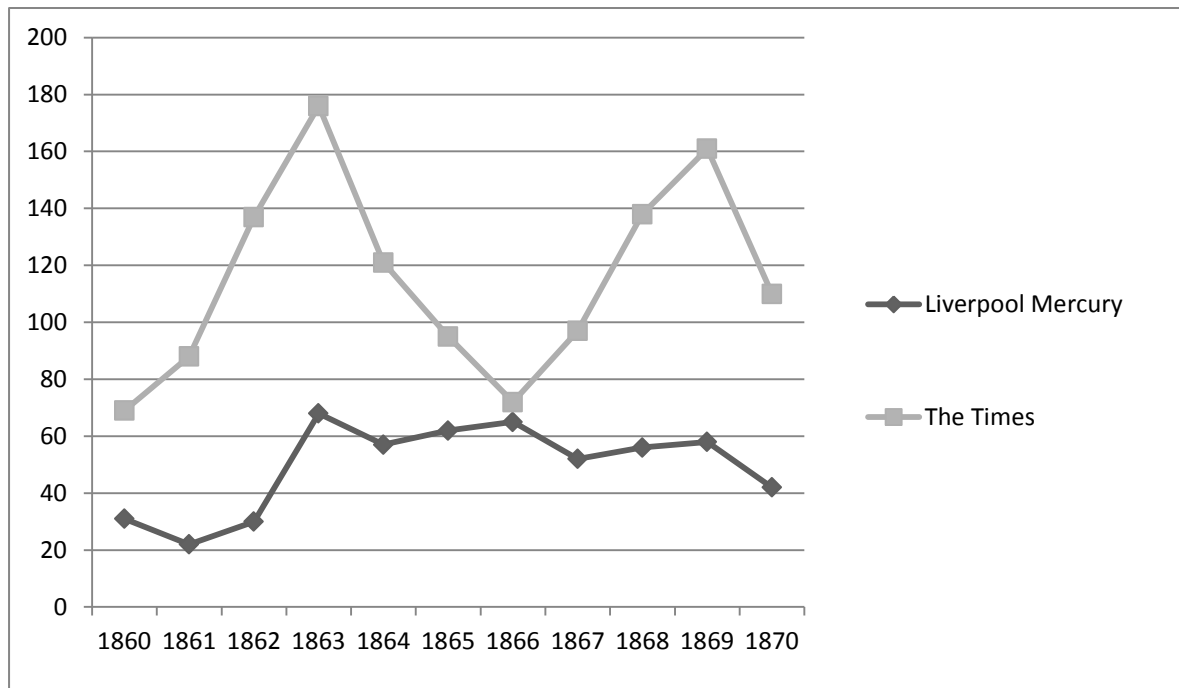
## 1.4 Liverpool in focus II: The 1860s

Historians have argued previously that the attack on Hugh Pilkington MP was the ‘trigger event’ that sharpened the press’s focus on garrotting.<sup>44</sup> Figure 3 shows the number of articles which featured ‘robbery’ and ‘violence’ between 1860 and 1870 in both *The Times* and *Liverpool Mercury*. A frequency analysis of the articles that referred to both ‘robbery’ and ‘violence’ in *The Times* corroborates their point. The number of articles in *The Times* doubled from 88 in 1861 to 176 in 1863. The *Mercury*, in contrast, published half that amount with just 68 articles in 1863. Although the figures for *Liverpool Mercury* show a threefold increase on 22 articles published in 1861, the number of articles published in 1863 were not especially higher than the returns from either 1858 or 1866. The *Mercury* dedicated just 0.5 percent of its news articles to street robbery from late 1862-1863, whilst *The Times* afforded 1.8 percent to it over the same time period. Moreover, whilst *The Times* reportage declines dramatically following the implementation of the *Garrotters Act* in 1863, the *Mercury*’s reportage rumbles on throughout the decade suggesting that street robbery was a regular feature in the local press throughout the 1860s.

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<sup>44</sup> J. Davis, ‘The London Garrotting Panic of 1862’, p. 199; R. Sindall, ‘The Garrotting Panics of 1856 and 1862’, p.354.

Figure. 3. Number of articles containing ‘robbery’ and ‘violence’ in *The Times* and *Liverpool Mercury*, 1860-1870.



Full text search of ‘robbery’ and ‘violence’ in *The Times Digital Archive, 1785–2008* <<http://infotrac.galegroup.com>> [Accessed January 2011- June 2013] and *Liverpool Mercury* in *19<sup>th</sup> Century British Library Newspapers Online* at <<http://infotrac.galegroup.com/>> [Accessed January 2011 to June 2013].

During the Winter months of 1862, reportage of garrotting intensified in the Liverpool press, yet closer examination of these reports show that the *Mercury* focused on reports of street violence in the metropolis. Between October 1862 and February 1863, a total of fifty-five articles mentioning garrotting were published in the *Mercury*; fifty discussed London-based offences which had been tried at the Central Criminal Court, and the remaining five detailing cases of robbery in Liverpool Police Court or at the Winter Assizes. ‘Several more garrotte robberies are reported to have been perpetrated in the metropolis last Thursday night’ stated the *Liverpool Mercury* in November 1862.<sup>45</sup> More reports swiftly followed. In an article

<sup>45</sup> *Liverpool Mercury*, 29 November 1862.

entitled, 'GAROTTE ROBBERIES IN LONDON', the *Mercury* wrote, 'Garotte robberies continue to take place in the metropolis...In the neighbourhood of Battersea, Wandsworth, and Wimbledon numerous persons have been garrotted and plundered, and great alarm prevails in these localities'. Garrotting in London was elevated to a murderous threat, 'A man died yesterday morning from having been subjected to one of these attacks.'<sup>46</sup> Of these fifty articles, 44 were editorials discussing cases heard at the Central Criminal Court or included debates about how to deal with garrotting.

Just three letters were published in the *Mercury's* correspondence column, in contrast to the 31 letters published in *The Times* during the winter of 1862. Two of the letters expressed a desire to return to corporal punishment for offenders of violent robbery and reflected the editorial concerns of the London-based press. 'A subscriber' claimed the *Mercury*, 'makes a suggestion made in several London papers: it is that garrotters and other criminals should be flogged, according to the nature of the offence.'<sup>47</sup> A letter addressed to the editors of the *Mercury* from 'Lynch Law', expressed anxieties of garrotting moving away from the metropolis to Liverpool, 'Gentlemen, it is stated that Major Greig has this morning received information from the metropolis that a gang of garrotters left yesterday for the provinces. Liverpool, doubtless, will not escape a visit.'<sup>48</sup>

The non-digitised Liverpool press took a similar view to that found in the *Mercury* and wrote about the apparent increase in garrotting in the capital rather than Liverpool itself. The *Daily Post* noted in December 1862 that, 'Several more garrotte robberies are reported to have been

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<sup>46</sup> *Liverpool Mercury*, 5 December 1862.

<sup>47</sup> *Liverpool Mercury*, 6 December 1862.

<sup>48</sup> *Liverpool Mercury*, 11 December 1862.

perpetrated in the metropolis last night'.<sup>49</sup> Reports of garrotting included reports of the most shocking cases heard in the Central Criminal Court, which were often reprinted from *The Times* or *Globe*. In an article entitled 'Alleged Murder and Garotte Robbery', the *Liverpool Courier* reported the death of seventy year old Samuel Chapman who resided in the wealthy area of Hoxton in London 'who was alleged to have been robbed and violently garrotted under very suspicious and mysterious circumstances on the 7<sup>th</sup> last.'<sup>50</sup> Chapman's age and that he lived in the respectable area of Hoxton made the case more shocking to the readership. The reportage of especially violent attacks on middle-class victims in wealthy areas of the metropolis contrasts starkly with experiences of street violence in Liverpool, which were overwhelmingly committed on poor men in slum areas.

Chief Constable Grieg warned magistrates of a false report of garrotting that had been published in *Liverpool Mercury* in December 1862 called 'GAROTTING IN THE PARK'. 'One night last week a tradesman was attacked by three men in Parliament-street, one of whom knocked his hat over his eyes, after which they seized him by the throat, rifled his pockets, and stole a valuable gold watch.' The report suggested that street robbery was moving away from the urban slums in to the largely middle-class suburbs on the outskirts of the city centre. That the victim was described in the report as a 'gentleman', 'a tradesman', and that his gold watch had been stolen, hinted at the victim's bourgeois status and reveals the Mercury's attempt to provoke fear by describing the victim as alike to the paper's respectable, gentleman readers. 'The gentleman had come by the last train from Manchester, and in the same carriage with him were three fellow-passengers who, he believes, dodged

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<sup>49</sup> *Daily Post*, 20 November 1862.

<sup>50</sup> *Liverpool Courier*, 9 December 1862.

him to the above named street and there attacked him.’<sup>51</sup> The *Mercury* employed similar tactics to the London press in attempting to engineer fear. The descriptions of the victim as a ‘gentleman’ who lived in the affluent area of Parliament Street had much in common status-wise as the victims who dominated the London narratives.<sup>52</sup> As Rosalind Crone noted in *Violent Victorians* (2012), crime reporting was often re-cast in various formats to suit the identity of the audience.<sup>53</sup> As John Archer has argued, many middle-class readers would have regarded train travel as a privileged and secure space that protected its occupants from the threats and dangers of the criminal classes.<sup>54</sup> This was not only worrying to commuters and the users of the park and surrounding streets, but it also reflected anxieties about the stability of society. People were expected to know their place within society; the construction of public space reflected cultural divisions and the breaking down of these divisions meant a break in the cultural status quo.

The Police Chief sought to play down fears of garrotting amongst the Liverpool public who reacted, presumably as a result of reading the national press. The following day Chief Constable Grieg was quick to resolve the panic and informed the magistrates at Liverpool Police Court that ‘no such case of garrotting and robbery had been reported to the police, and the presumption was that had the offence been perpetrated it would have been reported to them.’<sup>55</sup> Constable Major Grieg wrote in the criminal statistics for 1862 that, ‘The gross

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<sup>51</sup> *Liverpool Mercury*, 22 December 1862.

<sup>52</sup> Emelyne Godfrey discusses how the London narratives prioritised middle-class victims of garrotting in E. Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (London: Palgrave Macmillan, 2011), especially Chapter 1.

<sup>53</sup> R. Crone, *Violent Victorians: Popular Entertainment in Nineteenth-Century London* (Manchester: Manchester University Press, 2012), p. 266.

<sup>54</sup> J. E. Archer and J. Jones, ‘Headlines from History: violence in the press 1850-1914’ in E. Stanko, *The Meanings of Violence* (London: Routledge, 2003), p. 18.

<sup>55</sup> *Liverpool Mercury*, 23 December 1862.

number of indictable crimes, reported as having been committed, must be received with great caution, as very many instances have occurred where parties, for reasons of their own, reported robberies and larcenies that had never taken place.<sup>56</sup>

Figure 4. Number of articles containing ‘robbery’ and ‘violence’ in *Liverpool Mercury* 1850-1870 and total number of crimes committed for highway robbery and assault with attempt to rob, 1850-1870.



Full text search of ‘robbery’ and ‘violence’ in *Liverpool Mercury*, *British Library 19th Century Newspapers Online* at <<http://infotrac.galegroup.com/>> [Accessed January 2010 to June 2013] and statistical returns from Annual Judicial Statistics, *House of Commons Parliamentary Papers Online* at <<http://parlipapers.chadwyck.co.uk/>> [accessed February 2010- June 2013]

According to Sindall, the effect of press reportage encouraged the police to respond with greater vigilance. The subsequent news reports covering the police returns meant more public outcry for greater levels of police surveillance and, consequently, resulted in the inflation in crime statistics. Figure 4 shows that the number of articles that referred to both ‘robbery’ and ‘violence’ in the *Mercury*, when compared to Liverpool’s judicial statistics, reveal that

<sup>56</sup> LvRO 352 WAT/2 Police Establishment and the State of Crime (1862-1863), p. 3.



neither Liverpool's press nor police force joined the panics. Whereas the Metropolitan Police returns show an increase in reported street robberies from 38 in 1861 to 115 in 1863, Liverpool's statistics show an acute decline from 22 in 1861 to just 5 in 1862.<sup>57</sup> Additionally, there were only seventeen cases for highway robbery and attempts to rob in Liverpool in 1863, which was lower than before the panic in 1861. In 1861, the percentage of robbery and assault with intent to rob was 0.6 percent compared to 0.4 percent in 1863. Thus, neither Liverpool's press nor police force responded to the panic of 1862.

Jennifer Davis argued that it was the harsh sentences given to 27 garroters at the Old Bailey in December 1862 which triggered the dissipation of the panic that finally ended at the passing of the *Garroters Act* of 1863. However, sentencing at Liverpool's Assizes were not consistent. Baron Alderson continued to convict street robbers with the maximum sentence of five years imprisonment accompanied with flogging. Christopher Sharples, a persistent offender of violent robbery in Liverpool, was sentenced by Alderson to ten years penal servitude and twenty-five lashes of the cat o'nine tails in 1862.<sup>58</sup> In contrast, other judges such as Baron Martin or Baron Gurney QC were not as draconian in their stance on street violence and often sentenced offenders to three years penal servitude or less. To take one example, Martin sentenced repeat offender Charles Howard, who was charged with garroting Thomas Clarke in Bradshaw Street in Manchester, to three years penal servitude.<sup>59</sup> Liverpool cases did not feature due to the Chief Constable refusing to charge offenders of street robbery because of false reporting by members of the public and no offences were committed for trial at the Assizes or Quarter Sessions in 1862.

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<sup>57</sup> PRO HO/3 Metropolitan police returns for total crimes reported to police in R. Sindall, 'The Garrotting Panics of 1856 and 1862', p. 355.

<sup>58</sup> *Liverpool Mercury*, 1 July 1864.

<sup>59</sup> *Ibid.*

As Figure 4 shows, both reports and prosecution of violent robbery continued after 1864 and show that violent street theft was an ongoing problem for Liverpool's constabulary. In 1871, Judge Baron Martin commented that robbery with violence was an 'ordinary Liverpool offence.'<sup>60</sup> Fears of violent crime continued even though it never reached the level of the metropolitan panics. The treatment of street violence within the courts emerged out of broader social processes which aimed to restrain the working-class rough male and increase control over criminals. Fears of habitual offending were widespread in Victorian England and were transformed into policy through the *Habitual Criminals Act* in 1869 and *Prevention of Crime Act* in 1871. Legislation targeted incorrigible offenders and this was apparent in Liverpool in the 1850s and 60s. The *Habitual Criminals Act* (1869) demanded that any person convicted of a felony and not sentenced to penal servitude would be subject to police supervision. Under the *Prevention of Crime Act* of 1871, any ticket of leave holder could be brought before the magistrates court and have his parole revoked if police considered him to be acting in a suspicious manner. Michel Foucault argued that the creation of the criminal classes legitimised the extension of police powers and the descriptions of garrotting reinforced the extension of legal powers and the surveillance and regulation of working-class men.<sup>61</sup>

This ideological shift was apparent not only through the criminal justice system, but in the political domain. In the context of industrial capitalism, working-class masculinity was reshaped during the middle of the Victorian period towards a domesticated ideal of manliness

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<sup>60</sup> *Daily Post*, 17 January 1871.

<sup>61</sup> M. Foucault, *Discipline and Punish: The Birth of the Prison* (London: Random House, 1977).

in which self-restraint and providing for one's family became idealised.<sup>62</sup> Offenders of street crime inverted working-class, respectable masculinity through their unpredictability, defiance and willingness to commit violence upon strangers in public space. As Keith McClelland has argued previously, the *Second Reform Act* (1867) widened the franchise, but votes could only be claimed by working men who could demonstrate their respectability through their status as head of a £10 per year household.<sup>63</sup> It was not just through legal jurisdiction that control over the working-class male became integral to the political economy of the mid-nineteenth century, the project to civilise and reshape working men's ideals was also apparent in the political sphere.

### **1.5 Garrotting & Street Violence in mid-Victorian Liverpool**

There were four key reasons that Liverpool did not join the panics in the middle of the nineteenth century. Firstly, garrotting described a particular form of street robbery. What separated the descriptions of garrotting by the mainstream popular press and the majority of street robberies was the method known as 'putting the hug on.'<sup>64</sup> The *Cornhill* magazine elevated garrotting to a science in 1862 and described it the method of garrotting as, 'Dropping his right hand, seizes the other's left wrist; and thus supplied with a powerful lever, draws back on his breast and there holds him. The nasty man's part is done. His burden is

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<sup>62</sup> C. Hall, K. McClelland, and J. Rendall, *Defining the Victorian Nation: Class, Race, Gender and the British Reform Act of 1867* (Cambridge: Cambridge University Press, 2000).

<sup>63</sup> *Ibid.*

<sup>64</sup> *Punch* magazine suggested that thieves described garrotting as 'putting the hug on'. The phrase played on the traditional meaning of thug or thuggee which described Indian gangs in the early nineteenth century. *Punch*, 6 December 1862.

helpless from the first moment, and speedily becomes insensible.’<sup>65</sup> However, as chapters five and six show, robbery in Liverpool was committed in a multitude of ways. Strangulation featured in only a small proportion of the cases that reached the Liverpool courts and so the press, police and courts did not consider many of the offences to be garrottings.

Secondly, although violent robbery often ended in victims seeking treatment at local dispensaries, the offences never resulted in death. The level of violence in robberies in Liverpool, while often brutal and debilitating, did little to separate them from the majority of assault cases heard at the city’s courts. I have been unable to trace any fatalities inflicted by offenders of robbery in the period 1850-1870. Weapons were only used in a small proportion of the offences- indeed, the newspapers did not consider street robberies where weapons were used to be garrotte robberies.<sup>66</sup> Street robberies often resulted in debilitating injuries, but there did not appear to be instances where the victim was permanently harmed.

Thirdly, the cases which generated press attention in the metropolis were often committed on middle-class victims. In contrast, victims of robbery in Liverpool were drawn from the port’s lower classes and so were not regarded as newsworthy by the local press.<sup>67</sup> Finally, robberies in Liverpool took place in the slum districts of the North End and so had little impact on the chattering classes who never set foot in the area and were therefore not at risk of violent street theft.<sup>68</sup> Attacks in the impoverished slums were not threatening to the middle classes who rarely ventured in to slum neighbourhoods such as Vauxhall. As chapter 4 demonstrates,

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<sup>65</sup> *Cornhill*, vol. 7 (1863).

<sup>66</sup> J. E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2012), p. 114-115.

<sup>67</sup> The identities of victims and offenders of robbery in Liverpool are expanded upon in chapter three.

<sup>68</sup> Chapter four contains a detailed study of the geographical distribution of street robbery in mid-Victorian Liverpool.

Liverpool was a city characterised by social and geographical division and the port's more affluent inhabitants rarely ventured into the north end.

## **Conclusion**

This chapter has developed new ways of testing Stanley Cohen's moral panic model and examining whether the garrotting panics extended to Liverpool in the mid-nineteenth century. The digitisation of nineteenth-century newspapers has allowed me to reconsider existing histories of the garrotting panics in two ways. Firstly, the digital availability of the *Liverpool Mercury* enabled me to shift focus away from the metropolis to consider how a provincial port dealt with issues of street crime, policing and punishment. Secondly, being able to quickly scan thousands of pages of text for relevant search terms provides a more systematic way of investigating the density of reportage than has hitherto been undertaken.

Quantitative examination of the occurrence of robbery with violence through the newspapers, court reports and criminal statistics demonstrated that Liverpool's media and judiciary did not join the metropolitan scares of 1856 and 1862. Liverpool's police and courts did react to the ticket of leave scares, but the Liverpool press saw garrotting as a metropolitan phenomenon. The popular narratives of garrotting that were disseminated by the London press painted a different picture to patterns of street crime in Liverpool. The metropolitan reportage suggested that the victims were often middle class; this group was considered the most newsworthy by newspapers such as *The Times*, inevitably because it was the bourgeoisie that formed the majority of the readership. The metropolitan cases were made all the more shocking as the narratives suggested that the well to do areas in which the middle classes lived were apparently under threat by the defiant and dishonourable garrotters. Further

research into the London narratives would confirm the extent to which this was the case. In contrast, Liverpool's robberies took place between members of the urban poor who shared the same living conditions of the north end slums and the working poor were not seen as worthy of note by the local press.

This research has developed the existing debates about garrotting by examining the episode within the whole of the middle decades of the nineteenth century rather than focusing on the end of the panic in 1863. This research has shown that, in Liverpool, the ongoing project to civilise violent men was not completed by the implementation of the *Garrotters Act* in 1863. As yet, historians have neglected the aftermath of garrotting panics in 1863, but press attention and prosecutions for street violence continued throughout the rest of the 1860s. Liverpool's courts prioritised the punishment of persistent offenders and violent working men as working-class masculinity was reshaped to incorporate the bourgeois values of self-restraint and domesticity. The reconstruction of respectable masculinity was consolidated, not only through law, but through the *Second Reform Act* (1867) which widened the franchise for those who could lay claim to the vote through their financial status. Street robbers contravened this ideal by their unpredictable and violent behaviour and their conduct in public space.

This thesis seeks to explore the ways that offenders of street crime in Liverpool responded to and challenged the dominant ideology of the respectable working man but, before doing so, the next chapter outlines the representations of the garrotter in popular culture. The garrotter was subject to competing and overlapping discourses from the socio-political institutions which dominated the nineteenth century, namely the Church, law, state, Empire, and science.

Chapter two examines these dominant discourses and contends that the garrotting narratives acted as a release valve for expressing cultural fears about race, class, gender and criminality.

## Chapter 2: Dominant Representations of the Garrotter

This chapter examines the myths of the garrotter that were circulated within popular culture in mid-nineteenth century Britain. Historians such as Robert Shoemaker and Gillian Spraggs have previously described the representations of footpads and highwaymen in the eighteenth century.<sup>1</sup> Emelyne Godfrey's recent work, *Masculinity, Crime and Self-Defence in Victorian Literature* (2011), described popular depictions of the nineteenth-century garrotter in novels, plays and the press from 1851-1867.<sup>2</sup> Godfrey argued that the garrotter sparked new debates about bourgeois masculinity and ways in which middle-class men should defend themselves on the dangerous city streets.<sup>3</sup> Historians such as Clive Emsley, David Taylor and Geoffrey Pearson have also examined the treatment of garrothers in the popular press.<sup>4</sup> This chapter revisits the analysis of the garrotter in nineteenth-century popular culture and locates the representations within a context in which Victorian cultural commentators sought to explain and understand criminal behaviour. I argue that the mid-Victorian period was a climate in which criminality, and the garrotter in particular, was subject to multiple discourses from dominant institutions such as the state, press, church, law and Science. It is important to re-examine the media frenzy about garrotting before explaining how the representations of victims and offenders who committed street crime in Liverpool contrasted

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<sup>1</sup> R. Shoemaker, 'The Street Robber and the Gentleman Highwayman: Changing Representations and Perceptions of Robbery, 1690-1800', *Cultural and Social History* (2006), Vol. 3, 4 pp. 381-405; G. Spraggs, *Outlaws and Highwaymen. The Cult of the Robber in England from the Middle Ages to the Nineteenth Century* (London: Pimlico, 2001).

<sup>2</sup> E. Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (London: Palgrave Macmillan, 2011), pp. 28-41.

<sup>3</sup> *Ibid.*, pp. 41-60.

<sup>4</sup> C. Emsley, *Hard Men: Violence in England since 1750* (London: Hambledon Press, 2007), pp. 15-37; G. Pearson, *Hooligan: A History of Respectable Fears* (London: Palgrave Macmillan, 1983), especially pp. 121-156; D. Taylor, *Crime, Policing and Punishment, 1750-1914* (London: Macmillan, 1998), p. 33, pp. 151-152.



with the myths about violent robbery which were disseminated in popular culture in the 1850s and 60s.

Popular visions of the street robber underwent various transformations in the eighteenth and nineteenth centuries which were dependent upon the social and cultural anxieties of the particular era. Robert Shoemaker argued that the ‘emergence of the competing images of the violent street robber and the polite gentleman highwayman was a product of a conjunction of changes in patterns of crime, print culture, and wider cultural attitudes.’<sup>5</sup> The debates about garrotting and the threat they brought to the social order intensified in the middle of the nineteenth century. The increasing visibility of the poor in urban areas, alongside acute fears about habitual criminals following the close of transportation, created a potent atmosphere in which the establishment drew sharp distinctions between the respectable and unrespectable working poor.<sup>6</sup> The street robber (re)formed in the popular imagination as part of a criminal underclass which threatened to overthrow stable society in the middle of the nineteenth century. The figure of the garrotter in mid-Victorian Britain was a space through which to air fears about plebeian masculinity, the city, and industrialisation.

The romanticised vision of the eighteenth-century highwayman, typified by folk heroes such as Jack Sheppard and Dick Turpin, was set in opposition to the representations of the garrotter that dominated the mid-nineteenth century press. Clearly written with a satirical tone, *Punch* nevertheless made this distinction clear in a letter from a ‘Mentor’ in 1867,

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<sup>5</sup> R. Shoemaker, ‘The Street Robber and the Gentleman Highwayman’, p. 404.

<sup>6</sup> J. Davis, ‘The London Garrotting Panics of 1856 and 1862: A Moral Panic and the Creation of a Criminal Class’, V. A. C. Gatrell, B. Lenman, B., and G. Parker, (eds.), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa Publications Limited, 1980), p. 200.

The consciousness of the garrotter under the lash is probably a state of simple sensation....But, after having been whipped, in the intervals occasionally allowed for reflection by penal servitude, many a convict, under sentence for robbery attended with violence, may have leisure to regret the perusal of such periodicals as those which dignify the career of a Dick Turpin or Jack Sheppard. Parents and guardians would do well to point out to youth, as jocosely as possible, the material and ignoble uses to which alone publications of that description are adapted.<sup>7</sup>

*The Times* explained garrotting as evidence of society's social and moral decline. 'Your "street robbery" of 1862 is, in point of fact, nothing less than a highway robbery of an infinitely more savage and audacious character than the old crimes of fifty years since.'<sup>8</sup>

Geoffrey Pearson noted that in public debates about fears over the apparent increase in crime such as garrotting, there ran a theme of nostalgia for when Britain was characterised by order and stability.<sup>9</sup> Popular depictions of the gentleman highwayman drew upon nostalgic visions of rural England, of 'footpads' and 'highways'. In contrast, the street robber symbolized fears of modernity and the corruptive forces inherent within the urban landscape.

The highwayman of the late eighteenth and early nineteenth century was imbued with values associated with the bourgeois gentleman. The 'Thunderer' described the highway robber of 'Old England' as having 'a kind of conscience'. 'He was often a gentleman after a fashion, using great politeness of address, and distinguished for occasional forbearance as well as discrimination.' The key distinction between the highwayman and contemporary street robbers lay in the latter's willingness to commit violence on innocent passers-by. Clearly, *The Times* was taken in by the nostalgic myth of the highwayman, 'Above all, your robber of

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<sup>7</sup> *Punch, or the London Charivari*, 3 August 1867.

<sup>8</sup> *The Times*, 26 November 1862.

<sup>9</sup> G. Pearson, *Hooligan: A History of Respectable Fears* (London: Palgrave Macmillan, 1983).

that date, whether highwayman or footpad, always endeavoured to avoid violence, and seldom proceeded beyond the mere menace of coercion.’ In contrast, the garrotter personified the dangerous, uncivilised masculinity which the mid-Victorian establishment sought to punish. ‘A modern highwayman begins with violence in all cases, and stuns or strangles his victim without a moment’s scruple even before he proceeds to robbery...nowadays, apoplexy, disfigurement, or death are contingencies always added to your share of the bargain.’<sup>10</sup>

The garrotter was subject to competing and overlapping discourses from the socio-political institutions which dominated the nineteenth century, namely the Church, law, state, Empire, and science. The various tropes which emerged from these institutions were mapped on to the garrotter and the criminal classes. These narratives served to marginalise the urban poor and reinforce the moral superiority of the respectable middle classes. The potent stereotype of the garrotter as rough, obtuse, physically threatening and morally corrupt opposed the ideal of the bourgeois English gentleman. In the context of increasing urbanisation and the ongoing project of colonisation abroad, the construction of the garrotter as deviant and outside of ‘normal’ society served to prioritise English middle-class values as superior. The literary figure of the garrotter acted as a release valve to express anxieties about violent lower-class men, safety in the city and the occupation of public space. In turn, these narratives served to legitimise the control over urban space.

Michel Foucault argued that power is exercised, not solely through physical oppression and violence, but through the classification of what constituted ‘normality’ in society. For Foucault, knowledge is power, and access to that knowledge by privileged groups grants

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<sup>10</sup> *The Times*, 26 November 1862.

them with the ability to classify ideas, behaviours, and experiences to impose norms on marginalised sectors of society.<sup>11</sup> In mid-Victorian Britain, middle-class commentators characterised garrotters as deviant and in doing so drew their own acceptable place in society by marking out their own behaviour as ‘normal’ and superior. Thus, the garrotter provided bourgeois society with a counterexample for defining the norms of respectability, for its own self-identification and for disciplining the urban poor.

## 2.1 Nineteenth-Century Debates about Criminality

While the notion of the criminal as an ‘outsider’ and threat to respectable society was nothing new to mid-Victorian observers, there was a shift to a language of class and conflict as urbanisation gathered pace in the 1850s and 60s. There existed a powerful belief that criminals constituted an outcast class set apart from respectable, law-abiding society. To mid-Victorian cultural commentators, the habitual criminal had the potential to overthrow respectable and law-abiding society, and reverse the march of progress towards civilised society. Several historians have noted that discussion around the existence of a clearly delineated criminal class intensified in the 1850s and 60s.<sup>12</sup> Jennifer Davis argued that,

In the first half of the nineteenth century, the combination of a growing urban population of working-class poor, along with the Chartist agitation of the 1830s and 1840s, had created an atmosphere in which the ruling class

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<sup>11</sup> M. Foucault, *Discipline and Punish: The Birth of the Prison* (London: Random House, 1977).

<sup>12</sup> A. L. Beier, ‘Identity, Language, and Resistance in the Making of the Victorian ‘Criminal Class’: Mayhew’s Convict Revisited’, *Journal of British Studies*, Vol. 44, 3 (July, 2005), pp. 499-515; D. Englander, ‘Henry Mayhew and the Criminal Classes of Victorian England : The Case Reopened’, *Criminal Justice History*, 17 (2002), pp. 870-108; R. McGowen, ‘Getting to Know the Criminal Class in Nineteenth Century England’, *Nineteenth-Century Contexts*, 14 (1990), pp. 33-54.

generally perceived the dangerous classes and the working classes as the same; now boundaries were being drawn.<sup>13</sup>

The 1863 *Royal Commission on Penal Servitude* defined the criminal classes as, ‘a class of person...so inveterately addicted to dishonesty and so averse to labour that there is no chance of their ceasing to seek their existence by depredations on the public.’<sup>14</sup> The criminal class was seen as a group at the lowest end of the social strata- the residuum- who rejected legitimate work for a career in crime. As Barry Godfrey et al have argued previously, the criminal class was seen as, ‘A criminal conspiracy, a community of thieves, who resisted authority and banded together to commit their crimes.’<sup>15</sup> Habitual offenders, with their persistent offending, seemingly lacked the moral stamina to break out of their cycle of illegality. The most dangerous, of which garrotters were a part, were the habitual offenders who seemingly made the (im)moral choice to reject legitimate work for a career in mendacity.

Historians have long acknowledged that the criminal class was largely a literary construction.<sup>16</sup> Court records do not reveal evidence of criminal careerists who made their living solely from crime; rather, they suggest that offenders of violent theft were drawn from the marginal and vulnerable sectors of society. Unskilled and skilled workers were more

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<sup>13</sup> J. Davis, ‘The London Garrotting Panic of 1862’, p. 202.

<sup>14</sup> *Royal Commission on Penal Servitude* (1863) cited in D. Taylor, ‘Beyond the Bounds of Respectable Society: The Dangerous Classes in Victorian and Edwardian England’, in J. Rowbotham and K. Stevenson, *Criminal Conversations: Victorian Crimes, Social Panic and Moral Outrage* (Columbus: Ohio State University Press, 2005), p. 7.

<sup>15</sup> B. Godfrey, S. Farrall, and D. Cox, *Serious Offenders: A Historical Study of Habitual Criminals* (Oxford: Oxford University Press, 2010), p. 13.

<sup>16</sup> V. Bailey, ‘Fabrication of Deviance: Dangerous Classes and Criminal Classes in Victorian England’, in J. Rule, and R. Malcolmson, (eds), *Protest and Survival: Essays for E. P. Thompson* (New York: New Press, 1993); H. Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* (London: Boydell Press, 1999); D. Philips, *Crime and Authority in Victorian England: The Black Country, 1835–1860* (London: Croom Helm, 1977).

likely to stray into crime when work was sparse and the records suggest that criminal activity is more plausibly evidence of the makeshift economies of the destitute poor. Despite the implausibility of a criminal class operating in Victorian England, these debates re-moralised the poor as the discourse drew sharp divisions between ‘respectable’ and ‘unrespectable’ and constructed the criminal as an outsider distinct from ‘normal’ society. Nevertheless, the contemporary concern over the existence of a criminal class gathered such momentum in the mid-nineteenth century that it resulted in the *Habitual Criminals Act* of 1869, which was subsequently revised under the *Prevention of Crimes Act* 1871. This legislation sanctioned police with considerable supervisory powers over repeat offenders and allowed for heavier sentences in court. Alongside the establishment of a nationwide police force which had the power to enter working-class neighbourhoods, debates about the existence of the criminal class did more than marginalise the undesirable poor; it led to a significant increase in the control culture and the regulation of urban space.

Foucault argued that the concept of the criminal class was the legal system’s greatest success. ‘Crime was too useful to dream of anything so crazy, and ultimately dangerous, as a society without crime. No crime means no police. What makes the presence of police and police control tolerable to the population if not fear of the criminal?’<sup>17</sup> Drawing upon his study of early nineteenth-century France, Foucault observed that, ‘the myth of a barbaric, immoral and outlaw class . . . haunted the discourse of legislators, philanthropists and investigators into working-class life.’<sup>18</sup> Foucault explains that the notion of a criminal class aided the development of the modern prison system which led to a ‘carceral archipelago’ of discipline

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<sup>17</sup> Quoted in ‘Prison talk: An interview with Michel Foucault by J. J. Brochier’, *Radical Philosophy*, 16 (Spring, 1977), p. 12.

<sup>18</sup> M. Foucault, *Discipline and Punish: The Birth of the Prison* (London: Random House, 1977), p. 275.

and control that included schools, hospitals, workhouses, charities and factories.<sup>19</sup> Despite his focus on late eighteenth- and early nineteenth-century France, Foucault's influential theory of the development of modern punishment has fed in to studies of the criminal class in Victorian Britain and the legal institutions that developed alongside it. V. A. C. Gattrell, for example, argued that crime in Britain was increasingly viewed as a class phenomenon associated with the poor and working classes; that it was an 'artificial construct' that was defined by the new 'policeman-state', in particular by the institution of centralised policing.<sup>20</sup>

Classifying the criminal was one factor in the debates, but explaining his behaviour was another. The criminal class, and the figure of the garrotter, were subject to multiple discourses as debates intensified in the mid-nineteenth century. David Taylor notes that, 'In the early to mid-nineteenth century, explanations were couched in terms of the individual, rather than society, and emphasized his deficiencies and shortcomings.'<sup>21</sup> The criminal was, as Taylor continues, evidence of the Benthamite 'hedonistic calculus', that is, he was a free-thinking, rational person who was in control of his actions and choices, and thus, would resist reformation.<sup>22</sup> Gertrude Himmelfarb (1984) cites Ainsworth's novel *Jack Sheppard* (1839) whose appearance, as 'the superfluous villainy of the metropolis', as the novelist described it, and a member of the 'lowest order of insolvent traders, thieves, mendicants, and other worthless and nefarious characters' was evidence of the irredeemable criminal character.

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<sup>19</sup> Ibid.

<sup>20</sup> V. A. C. Gattrell, 'Crime, Authority and the Policeman-State', in F. M. L. Thompson (ed.) *The Cambridge Social History of Britain*, (Cambridge: Cambridge University Press, 1990), p. 287.

<sup>21</sup> D. Taylor, *Crime, Policing and Punishment, 1750-1914* (London: Macmillan, 1998), p. 51.

<sup>22</sup> Ibid., p. 52.

Himmelfarb concluded that, ‘There is never any doubt of Sheppard’s irreclaimable nature. By character, heritage, environment and will, he is a member of the “dangerous classes”.’<sup>23</sup>

Not all the narratives devoted to the figure of the garrotter, however, could be explained by the belief in an irredeemable criminal character. Jennifer Jones argues that Tom Taylor’s 1863 melodrama, *The Ticket of Leave Man*, is a sympathetic reading of the ticket-of-leavers and encouraged readers to acknowledge the possibilities of reform from criminal activity. Godfrey states,

Taylor was a civil servant, lawyer, and contributor to *Punch* during the garrotting panics, and he could not fail to have been struck by the negative press surrounding the ex-convict. He brought his knowledge of the law and his journalistic experience into practice, guaranteeing the audience a heady theatrical experience.<sup>24</sup>

Taylor’s play portrayed criminal identity as an outward performance, a masquerade, as opposed to an innate and unchangeable criminal ‘character’. The central plot revolves around Dalton, a bank-note counterfeiter, and the detective, Hawkshaw, who has promised to avenge the death of his colleague for which Dalton was responsible. Jennifer Jones notes that Dalton’s purposeful masquerade as three different characters is crucial to the play. ‘Dalton adopts three aliases: ‘Tiger’, his underworld identity; ‘Mr. Downy, a jobber and general dealer’; and ‘Theophilus Wake’, a respectable commercial man, in as complete contrast as possible with his appearance in first Act.’<sup>25</sup> Dalton’s slippage of identity is crucial to the play’s reconstruction of the mid-Victorian habitual criminal. On the one hand Dalton’s masquerade was crucial to his construction as a conscious and persistent offender, but on the

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<sup>23</sup> G. Himmelfarb, *The Idea of Poverty* (New York: Knopf, 1986), p. 486.

<sup>24</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 31.

<sup>25</sup> J. Jones, ‘The Face of Villainy on the Victorian Stage’, *Theatre Notebook*, Vol. 50 (1996), p. 98.



other hand it recognised wealth as a masquerade and thus the infallibility of an innate and unchangeable criminal character. As Jones concludes, ‘The self-conscious reliance on the *appearances* of wealth and reputation is troped by the attention to the stagecraft of identity, the visibility of "a character," if not "character" itself.’<sup>26</sup>

Religious commentators explained the criminal classes in moral terms. The Leeds Protestant reformer, Thomas Plint, highlighted the importance of religion in shaping the moral fibre of the individual,

Still less [than the manufacturing system] is an absolute want, or the deficiency of means of employment the most efficient cause of the criminal class... [nor] is it the total absence, or the bad quality of education which engenders the criminal class... There is neither in individuals, nor in nations, any solid basis of greatness apart from the pervading and controlling force of moral principle, and moral principle, in its proper and specific sense, is only another name for RELIGION.<sup>27</sup>

Religion tended to explain the criminal as subject to corrupting forces, notably the demon drink, and drew upon the belief that criminals had not learnt from moral and religious principles. Reverend John Clay, the high-profile chaplain at Preston Gaol, addressed the Statistical Society in 1856 by saying that, ‘Beerhouses and low ale-houses were the chief direct causes of crime.’<sup>28</sup> William Hoyle similarly explained that, ‘the greatest proportion of crime of the country results from the intemperance which is so fearfully prevalent.’<sup>29</sup> Cheap literature was also to blame according to John Clay. His twenty-third annual report of Preston gaol (1861) warned against the corruptive influence of Jack Sheppard and Dick

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<sup>26</sup> Ibid.

<sup>27</sup> T. Plint, *Crime in England* (Charles Gilpin, London, 1851), pp. 148-9.

<sup>28</sup> Cited in D. Taylor, p. 53.

<sup>29</sup> Ibid.

Turpin's biographies and noted several examples of prisoners who had been led astray.<sup>30</sup> The corruptive effects of criminal literature were also noted in an 1852 *Parliamentary Report on Criminal and Destitute Juveniles* which stated that juvenile crime was the result of reading bawdy criminal broadsides.<sup>31</sup> The remedy lay in, 'reading the Bible and other good books, to learn the pathway to holiness, and so become purified in heart as well as life.'<sup>32</sup> Similarly in Liverpool, working men were forewarned of the danger of falling into the criminal classes. Reverend H. S. Brown used moral Christianity to address a working men's Sunday service in 1858. Using the Genesis story of Eve's temptation, he cautioned against the descent into crime and vice as 'the devil's all bran.'<sup>33</sup> In popular culture, swell mobsmen, as gentlemen fraudsters, were comic figures of polite society, but when applied to working men, it became more sinister rather than comedic.<sup>34</sup> 'Their struggles for wealth brought nothing but "bran"'. Few thieves became rich or prosperous, and swell mobsmen, whilst feasting one day, often starved ten days.' The *Mercury* reported that, 'the reverend gentleman earnestly urged his hearers to be advised in time, and shun the vices and follies to which he had alluded. The pleasures of sin were but for a season, and were not worth the money which they cost.'<sup>35</sup> By emphasizing the moral causes of crime and highlighting the temptations of the 'vice and follies', mid-Victorian religious commentators shared the common belief that members of the

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<sup>30</sup> W. L. Clay (ed), *The Prison Chaplain: A Memoir of the Rev. John Clay, B.D., Late Chaplain of the Preston Gaol, with Selections from his Reports and Correspondence, and a Sketch of Prison Discipline in England* (Cambridge: Macmillan and Co., 1861). Also cited in D. Taylor, *Crime, Policing and Punishment in England, 1750-1914* (Palgrave Macmillan, 1998), p. 53.

<sup>31</sup> *Report from the Select Committee on Criminal and Destitute Juveniles; Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index* (1852), House of Commons Parliamentary Papers Online [Accessed at November 2012].

<sup>32</sup> *Annual Report of the Executive Committee of the Prison Association of New York* (Bible House: New York, 1865).

<sup>33</sup> *Liverpool Mercury*, 11 January 1858.

<sup>34</sup> R. Ireland, 'Criminology, Class and Cricket: Raffles and Real Life', *Legal Studies*, Vol. 33, 1 (March, 2013), pp. 66-84.

<sup>35</sup> *Liverpool Mercury*, 11 January 1858.

criminal poor were free from reason and ‘civilised’ habits. In the views of the mid-nineteenth century church, the lack of this civilised moral code set him apart from the law-abiding, morally respectable middle-class ‘betters’.

## 2.2 Garrotting, Crime and the Nineteenth-Century City

Not all discussion attempted to explain the criminal as an individual with an innate evil who was irreclaimable from moral decline. Drawing on Enlightenment thinking which claimed that all humans were born ‘tabula rasa’, some mid-Victorian commentators explained that criminals were not born, but made. The character of Abel Magwitch in Charles Dickens’s *Great Expectations* (1860) fed in to wider debates about whether criminals were hardened offenders or victims of a capitalist society.<sup>36</sup> Martin Wiener contends that,

Increasingly, ordinary criminals were depicted in both fictional and factual discourse as enervated of vital energies, not so much choosing crime, but shaped by their heredity and their environment into persons who were barely conscious of the moral significance of their actions.<sup>37</sup>

As industrialisation gathered pace, the new urban centres were imagined and shaped according to social divisions. As the middle classes abandoned the city centres for the spacious suburbs, the lower classes moved in sparking anxieties about the unruly nature of the crowd. William Gladstone remarked in 1877 that,

The town populations dwell in masses closely wedged together, and they habitually assemble in crowds for the purposes of their many occupations. It is in this state of juxtaposition that political electricity flies from man to man

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<sup>36</sup> C. Dickens, *Great Expectations* (London: Penguin, 1860).

<sup>37</sup> M. Wiener, *Reconstructing the Criminal: Culture, Law and Policy, 1830-1914* (Cambridge: Cambridge University Press, 1991), p. 217.

with a violence which displaces judgement from its seat and carries off individual minds in a flood by the resistless rush of sympathy.<sup>38</sup>

Characterised by over-crowding, dirt and disease, Victorian cityscapes were envisioned as a body politic- an organic and harmonious society which, in the 1850s and 60s, was being ruptured by the chaotic presence of the poor. Mary Poovey notes that in the nineteenth century, the body politic, as a historical construct, was imagined thus:

Both of these phrases [the body politic and the great body of the people] were joined by the image of the social body, which was used in two quite different ways: it referred either to the poor in isolation from the rest of the population or to British (or English) society as an organic whole.<sup>39</sup>

The language of the body politic drew upon quasi-medical discourse to describe the city and was extended to descriptions of the criminal. The *Cornhill* magazine described crime as ‘epidemical’ and drew upon medical discourse in its description of the garrotting panic of 1856. Writing in 1862, a journalist at the *Cornhill* argued that,

A few years ago the garrotte broke out suddenly, like a new plague, infested the streets with danger, infected the community with half-shameful apprehensions, and disappeared without leaving a hint to settle our bewilderment...He was not more heard of than Paul Jones or the Black Death, when suddenly no place was safe from his atrocities.<sup>40</sup>

Taylor explains that the criminal class, was analogous to a diseased and malfunctioning organ that threatened the very life of the body (that is, society) as a whole... As the human body was infected by an outside disease, so the community was affected by extraneous elements.’<sup>41</sup>

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<sup>38</sup> Cited in G.Stedman- Jones, *Outcast London: A Study in the Relationship Between Classes in Victorian Society* (London: Penguin, 1984), p. 151.

<sup>39</sup> M. Poovey, *Making a Social Body: British Cultural Formation, 1830-1864* (Chicago: University of Chicago, 1995), p. 8.

<sup>40</sup> *Cornhill*, Vol. 7 (1863), p. 79.

<sup>41</sup> D. Taylor, *Crime, Policing and Punishment*, p. 48.

The popular press drew upon environmental discourse to describe the garrotter and evoked visions of the polluted urban sprawl. In the context of the widespread cholera outbreak and the Great Stink of 1858, Emelyne Godfrey explains, the garrotting narratives became imbued with the language of contagion.<sup>42</sup> In a letter to the *Morning Post* in 1862, George Ellis described the offenders as ‘creatures’ who ‘infest[ed] the highways.’<sup>43</sup> In 1856, *The Times* suggested that the return of convicts in the metropolitan streets was comparable to ‘the garbage and horrors’ that are disposed of ‘on the Thames with the ebb. . . [who] revisit our metropolis with the flow, making the day hideous.’<sup>44</sup> ‘Crime has often been linked to a disease, an attack on the ‘body politic’, but the metaphorical link between sewage and disease to garrotting was a particularly noxious conflation synthesis.<sup>45</sup> Thus the link between fears of the city and fears of criminality, in particular garrotting, were particularly potent in the middle decades of the nineteenth century.

### **2.3 The Garrotter: Masculinity, Class and Nationhood**

Within the garrotting debates in the press, fears over the male body were expressed. At the opening of the working men’s free schoolroom, church, playground and free gymnasium in Kirkdale, Liverpool (1862), Reverend T. Major Lester used quasi-medical discourse to explain the moral decline of the criminal classes: ‘If there be a gangrene at work in the extremities-assuredly it is the growth and increase, spite of all our efforts, and prayers, and

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<sup>42</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 27.

<sup>43</sup> *Morning Post*, 31 July 1862.

<sup>44</sup> *The Times*, 27 November 1856.

<sup>45</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 29.

labours, of a criminal class in England is largely, if not mainly, supplied by the mendicant class.’<sup>46</sup> Lester’s descriptions were imbued with the language of moral contagion. He saw ‘the foundation of all to be, first of all, the drunken and debauched habits of a large populous community, and, next, the consequence of those debauched habits, namely, the bringing up, or rather, I should say, the flinging abroad on the waves of this world a progeny which must almost inevitably be drawn into the whirlpools of crime and ruin.’<sup>47</sup> The moralising institutions of the playground, schoolroom church and gymnasium were set in opposition to ‘all those low theatres and low places of amusement, and low scenes of licentiousness, and those dram shops and beerhouses, which feed the ever-continuing fountain of the streams of mendicancy.’<sup>48</sup> These new and improving institutions, which lay in a building situated between the disreputable neighbourhoods of Boundary Street and Gore Street in the notorious Scotland Road district, had two aims: one was to imbue the urban poor with moralising pursuits which focused on temperance, Christianity and muscular fitness; the second was to remove the unrespectable urban poor from the city streets. The central tenet of Victorian Muscular Christianity was that sport could contribute to the development of Christian morality, physical fitness, and ‘manly’ character. Muscular Christianity emerged in the 1850s, but the garrotting crisis, with its focus on male physicality being used for bad deeds, helped to put physical reform and recreation on the agenda.<sup>49</sup>

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<sup>46</sup> *Liverpool Mercury*, 8 January 1862.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

<sup>49</sup> N. J. Watson, S. Weir, and S. Friend, ‘The Development of Muscular Christianity in Victorian Britain and Beyond’, *Journal of Religion and Society*, vol. 7 (2005), pp. 114-132.

Nationalist discourse featured heavily in the garrotting narratives and provided a locus through which to negotiate and redefine definitions of Englishness. As Geoffrey Pearson argues, the civility of ‘Old England’ was positioned against the temperamental and uncontrolled ‘nature’ of Southern Europe. *The Times* sensationally claimed that, ‘Our streets are actually not as safe as they were back in the days of our grandfathers. We have slipped back to a state of affairs which would be intolerable even in Naples.’<sup>50</sup> The *Spectator* wrote that, ‘roads like the Bayswater Road are as unsafe as Naples.’<sup>51</sup> Charles Dickens, in *The Uncommercial Traveller* (1860), described London’s streets as ‘perilous as a solitary mountain-spur of the Abruzzi.’<sup>52</sup> In this context, the foreignness of the garrotter served the dual function of distancing the reader from the offenders while at the same time making their presence seem even more frightening and inescapable.

Similarly, the language of social observation emulated the bourgeois gaze of colonial observers and reproduced racial metaphors to separate the urban residuum from respectable society. Henry Mayhew explained the dangerous classes in racial terms,

We have thought the peculiarities of their nature as worthy of study in an ethnological point of view, as those of the people of other countries, and we have learnt to look upon them as a distinct race of individuals, as distinct as the Malay is from the Caucasian tribe....An enumeration of the several natural orders and species of criminals will let the reader see that the class is multifarious, and surely, in a scientific point of view, as worthy of being studied as the varieties of animalcules.<sup>53</sup>

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<sup>50</sup> G. Pearson, *Hooligan: A History of Respectable Fears* (London: Macmillan, 1983), p. 130.

<sup>51</sup> *Ibid.*, pp. 130-1.

<sup>52</sup> C. Dickens, ‘The Ruffian’, *The Uncommercial Traveller* (Oxford: Oxford University Press, 1958), p. 303, also cited in G. Pearson, *Hooligan*, p. 131.

<sup>53</sup> H. Mayhew, ‘Narrative of a Returned Convict’, in H. Mayhew, *The London Underworld: Authentic First-Person Accounts by Beggars, Thieves and Prostitutes: Vol. 1* (London: Dover Publications, 2005), pp. 279-282.

In 1850 *The Times* had written of ‘a criminal population dispersed throughout the length and breadth of the land- a caste apart that is the most idle, dissolute and unprincipled amongst us.’<sup>54</sup> Henry Mayhew wrote in his article, ‘Narrative of a Returned Convict’ that, ‘In character he is very different from the generability our London thieves, having hot African blood in his veins and being a man of passionate and unbridled character. He was formerly a daring highway robber.’<sup>55</sup> This language of difference served to position the garrotter and the English gentleman as opposing figures. The use of racial metaphors located the garrotter as a foreign ‘Other’, driven by passion and impulse which contrasted against the ideal of the English gentleman who could manage restraint from violence and had respect for the law.

Popular descriptions of the garrotter drew upon imperial imagery as England established its dominant role over the colonies. Emelyne Godfrey notes that, ‘In the early 1850s and to a greater extent the 1860s, the garrotter and his crimes symbolised the untamed savagery of the British Empire.’<sup>56</sup> *John Bull* drew upon imperialist language to describe the garrotter to the readership.

Locally speaking, personal risks were long limited to the metropolitan dark alleys, or the sequestered suburbs of London. Highgate Hill, however, Bagshot, and Finchley-common, have had their day; and even Ratcliff, the highway doubtless named after the celebrated feminine romantis, pales its deeds of Lascar and other Oriental blackguardism, before the brighter and more illustrious arena- the public thoroughfares- of “ticket of leave men”.<sup>57</sup>

Drawing upon nineteenth-century racial metaphors, Charles Dickens’s *All the Year Round* claimed that London’s streets were filled with ‘specimens of the true Bengal breed’<sup>58</sup> who

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<sup>54</sup> Cited in C. Emsley, *The English and Violence Since 1750* (London: Hambledon, 2005), p. 16.

<sup>55</sup> H. Mayhew, *London Labour and the London Poor* (London: Griffin Bohn and Co., 1861).

<sup>56</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 24.

<sup>57</sup> *John Bull and Britannia*, 15 November 1856.

<sup>58</sup> *All the Year Round*, Vol. 8, 17 December 1862.



‘prowls under the shadow of a dead wall, ready to spring out as soon as his victim’s back is presented to him.’<sup>59</sup> The *Globe* called the garroters ‘street Bedouins [who] lurk in the highways.’<sup>60</sup> *The Times* initially understood garrotting as un-British and drew upon animalistic discourse: ‘When the outrages first commenced, it was doubted whether the crime was not of foreign importation...but the ruffians who have been arrested are of pure English breed.’<sup>61</sup> In a letter to the *Morning Post*, George Ellis asked, ‘What terrors, then, are these for desperate wretches, who nightly lurk in holes and corners to pounce on their unsuspecting prey?’<sup>62</sup> Anna McClintock in her influential study *Imperial Leather* argues that, in mapping the social bourgeois order, European nations such as England and France defined their civilities through a language of difference that drew on images of racial purity and sexual virtue.<sup>63</sup> Thus, ‘racial configurations were central to the processes of identifying marginal members of the body politic and construct[ed] a politics of exclusion.’<sup>64</sup>

In an attempt to both increase fear amongst the readership and set England apart from its colonial subjects, British journalists outlined the similarities between the Indian ‘Thuggee’ and the garrotter. Thuggee was a network of Indian gangs who would strangle their victims to death before stealing from them. *Household Words* stated that, ‘it is a part of a Thug’s

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<sup>59</sup> *All the Year Round*, Vol. 8, 14<sup>th</sup> February 1862.

<sup>60</sup> *Globe*, 8 December 1856.

<sup>61</sup> *The Times*, 7 November 1862.

<sup>62</sup> *Morning Post*, 31 July 1862.

<sup>63</sup> A. McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (London: Routledge, 1995).

<sup>64</sup> C. Hall, K. McLelland and J. Rendall (2000) *Defining the Victorian Nation: Class, Race, Gender and the Reform Act of 1867* (Cambridge University Press, Cambridge), p. 23.

religion not to rob a live body' and that 'the crime of murder must precede that of theft.'<sup>65</sup> The thugs were represented as merciless killers whose values opposed the bourgeois Christian Briton who valued the sanctity of life and private property and the garrotting debates arguably popularized the term 'thug' to describe lower-class, rough men. Thuggee had posed a significant threat to colonialists in the 1840s and British Administrator, Major William Henry Sleeman, was celebrated for his role in the capture of 3,000 thugs in mid-Victorian India. Such was the extent of the celebration that the British Museum exhibited the thuggee for several years until it was removed on the request of Reverend John Davies, Ordinary of Newgate, in 1856. Contemporary commentators were concerned about the damaging effects that popular representations of crime could have upon the populace. Reverend Davies made the comparison between garrotting and the thuggee clear in his report on crime in the metropolis in 1856 and persuaded the museum to remove the display for fear that it would encourage London's garroters.

I have often thought, and still think, that the origin of garrotte robberies took place from the exhibition of the way the Thugs in India strangle and plunder passengers, as exhibited in the British Museum. However valuable as illustrations of Indian manners, such representations may be, I could heartily wish that the models were placed in some more obscure position, and cease to be that which I fear they have been, the means of giving to men addicted to crime and violence an idea of how their evil purposes may be accomplished.<sup>66</sup>

The separation between Britain and the colonies was further articulated through the descriptions of the body. In the context of imperialism, bourgeois masculinity highlighted athleticism and physical fitness alongside the ability to restrain physical violence. Emelyne Godfrey notes that, 'The obsession with masculine fitness and the health of the nation was quite likely responsible for stoking the fascination with street violence, despite a downturn in

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<sup>65</sup> *Household Words* cited in E. Godfrey, p. 26.

<sup>66</sup> *Lady's Newspaper*, 4 February 1857.

crime which historians have observed.<sup>67</sup> An article in the *Morning Post* suggested that the remedy to the recent garrotting outbreaks lay in ‘what is called hard labour- which is nothing more than a little gymnastic exercise necessary to keep the amiable creatures in good health.’<sup>68</sup> Dennis W. Allen noted in his analysis of Muscular Christianity in the 1857 stories, *Tom Brown’s Schooldays* that the athletic body becomes a ‘class body, the body of the bourgeoisie and symbolises Englishness.’<sup>69</sup>

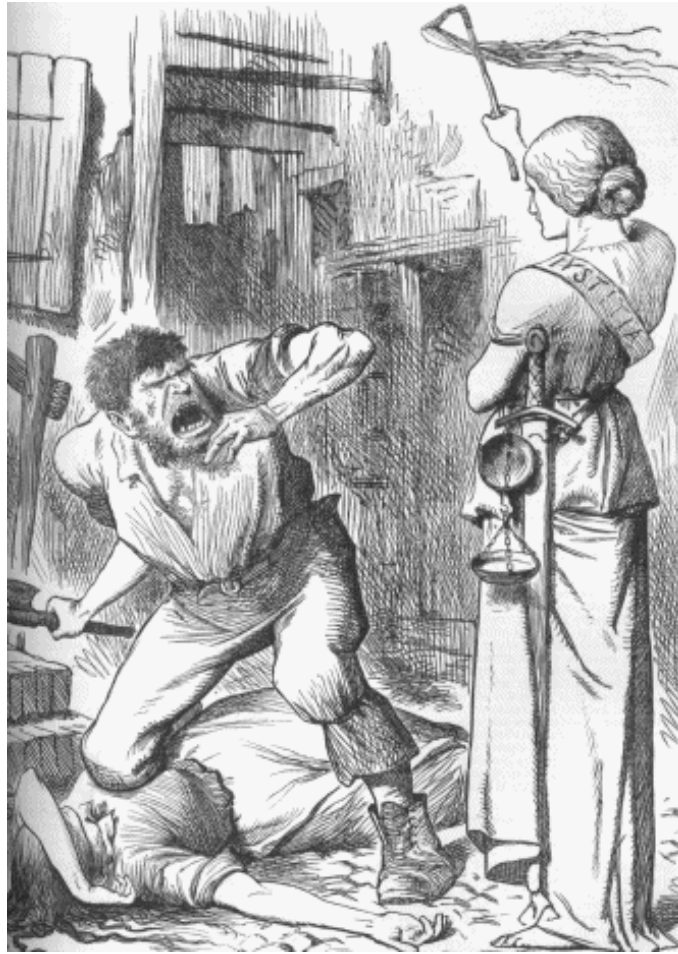
Set in opposition to the civilised, English, middle-class body which was capable of physical restraint, descriptions of garrotters as ‘powerful’, ‘thick-set’ and ‘savage’ highlighted their racial degeneracy. In a series of cartoons run by *Punch* magazine in the mid-nineteenth century, garrotters were depicted as large, imposing, simian-like creatures. Although there is clearly a satirical slant to the images, the drawings drew upon wider descriptions of the garrotters as a distinct, undeveloped race. In the cartoon, ‘The Demon Rough’, the garrotter is a visual expression of Imperial Otherness. The shape of his imposing frame, pelted hair, heavy jaw and lower fangs portray the figure as simian; his open shirt and hob-nail boots envisioned him as lower working-class, and the cobbled back-street setting, his use of weapon and attack on a vulnerable woman articulated the threat to respectable society that the garrotter posed. Moreover, the garrotting figure is juxtaposed with the moral figure of Britannia. In setting the moral face of Imperial Britain against the primal degenerate of the garrotter, *Punch’s* images drew upon England’s relationship with its colonial subjects. Although *Punch* was satirising fears over street robbers, the image is still revealing in its

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<sup>67</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 28.

<sup>68</sup> *Morning Post*, 31 July 1862.

<sup>69</sup> D. W. Allen, ‘Young England: Muscular Christianity and the Politics of the Body in *Tom Brown’s Schooldays*’, in D. E. Hall (ed.), *Muscular Christianity: Embodying the Victorian Age* (Cambridge: Cambridge University Press, 1994), p. 119.



### THE DEMON "ROUGH"

Justice. "LOOK HERE, YOU COWARDLY RUFFIAN! THIS HAS PUT DOWN GAROTTERS!  
WE SHALL NOW HAVE TO TRY IF IT WON'T PUT DOWN *YOU!*"<sup>70</sup>

depiction of the garrotter. Daniel Pick argued that in the 1870s, 'the condition of England question was now centrally concerned with the condition of the English body.'<sup>71</sup> In addition, Jennifer Jones's research into plays of the period noted that ideas about the furrow-browed garrotter made its way on to the Victorian stage. Jones observed that actors playing criminals

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<sup>70</sup> Punch, 3 October 1874.

<sup>71</sup> Cited in J. Jones, 'The Face of Villainy on the Victorian Stage', *Theatre Notebook*, Vol. 50 (1996), p. 98. Also cited in E. Godfrey, *Masculinity, Crime and Self-Defence*, p. 29.

would often blacken their faces with their performance fixed in anger and hatred. Jones contended that Watts Phillips's portrayal of *Ticket of Leave: A Farce in One Act* (1862) drew upon the image of the frowning, obtuse garrotter. There was, Jones observed, 'A criminal in every wrinkle and it's full of them.'<sup>72</sup>

Embedded within these narratives are fears of social disorder, moral contagion which demonstrate the early popular influence of social Darwinism. As Lydia Morris observed, 'Darwin's theory of natural selection, however, slotted in to a set of ideas already embracing the notion of progression in social change.'<sup>73</sup> In *The Descent of Man* (1871), Darwin argued that humans and animals share the same basic mental and physical functions. Thus intellectual development of modern man from the savage meant that mental underdevelopment came to be seen as atavistic. 'Differences...between the highest man and lowest savage are connected by the finest graduations. It is possible that they might pass and be developed into each other.'<sup>74</sup> It was not just physical degeneracy that set the garrotters apart from 'normal' society, but they also seemingly lacked the intellectual development of the respectable gentleman. In a report on national education in 1868, the *Liverpool Mercury* wrote that 'The mass of criminality in every country is the work of a criminal or dangerous class; and this is always an uneducated or half-educated class.' The article continued,

The crimes of passion, it is true, are much the same among all classes, and the educated section of every community probably contributes (for its numbers) as large a proportion as the uneducated to the catalogue of those offences which spring from individual depravity and ferocity of nature. But the crimes of passion constitute a comparatively inconsiderable part of the sum total of our criminal records...Crimes committed under the pressure of want and

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<sup>72</sup> Ibid.

<sup>73</sup> L. Morris, *The Dangerous Classes: The Underclass and Social Citizenship* (London: Routledge, 1994), p. 23.

<sup>74</sup> C. Darwin, *The Descent of Man* (London: Penguin, 2004), p. 72.

destitution, crimes of sheer brutality and recklessness, crimes which argue hopeless degradation and an incapacity for accepting or even understanding social restraints, duties and obligations- these are essentially the crimes of the ignorant classes.<sup>75</sup>

The garrotter was clearly defined in popular culture as male and the narratives spoke almost exclusively to a bourgeois male audience. Admittedly, some cases where well to do women had been attacked in London did feature in the press, but it was the middle-class male victims of garrotting that received the most attention. Rather than mollifying fears of physical danger by showing that many, if not most, victims of garrotte attacks were themselves poor, the publicity garrotting received served to reinforce the impression produced by actual street encounters—that the lower classes were increasingly dangerous, reckless, brazen, and hostile. *Punch* magazine published several cartoons satirising the anti-garrotte movement, most notably in its emasculation of male victims by encouraging them to do as ‘Mr Tremble’ does and wear their wives crinoline skirts to protect them.<sup>76</sup> Pearson argues, ‘The general drift of *Punch*’s enthusiasm, in fact, was that gentlemen should take steps to arm themselves because of the uselessness of the police force.’<sup>77</sup> Various anti-garrotte materials were advertised in the national press. *The Times* ran an advertisement for the ‘anti-garrotte glove or gauntlet’ which ‘was the only weapon capable of instantaneous application when in the grasp of the garrotter’.<sup>78</sup> Emelyne Godfrey’s research into the literary presentations of the anti-garrotte movement demonstrates that the narratives allowed for two representations of bourgeois gentlemen which opposed the deviant garrotter: the heroic urban knight and the

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<sup>75</sup> *Liverpool Mercury*, 10 January 1868.

<sup>76</sup> *Punch*, 27 December 1856.

<sup>77</sup> G. Pearson, *Hooligan*, p. 136.

<sup>78</sup> *The Times*, 11 Feb 1857.

civilised, restrained gentleman.<sup>79</sup> These conflicting representations were made clear in *Punch*'s 'A Song for the Anti- Garotter' [sic] in 1862.

Last night in walking home a skulking vagabond addressed me,  
Says he, 'Pray, what's o'clock?' and, not intending any pun,  
Full in his ugly face I let out my left, and floored him,  
Observing as I did so, 'My dear friend, it's just struck one!

So ruffians all, take warning now, and keep respectful distance,  
Or a bullet or a bowie-knife clean through your ribs I'll send;  
Well armed, we'll straightaway shoot or stab the rascal who attacks us,  
If SIR GEORGE GREY won't protect us, why, ourselves we must defend.<sup>80</sup>

The gallant response of the victim highlights his masculine heroism and departs from the civilising offensive as the victim is urged to respond violently. Yet the second verse offers a contrast that prioritises restraint, 'So ruffians all, take warning now, and keep respectful distance, Or a bullet or a bowie-knife clean through your ribs I'll send.' The 'song' drew upon the language of respectability to define the garrotter as a deviant outsider. He was a 'skulking vagabond' and a 'rascal', a 'ruffian' with an 'ugly face. The mode of address is clearly directed at the middle-class male. The use of consensual 'us' and 'ourselves' clearly spoke to *Punch*'s bourgeois male readership. Middle-class men were expected to adhere to the civilising offensive and exercise self-restraint, but at the same time discover modes of self-defence which guaranteed their mental, moral and physical superiority over the garrotter.

## Conclusion

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<sup>79</sup> E. Godfrey, *Masculinity, Crime and Self-Defence*.

<sup>80</sup> *Punch*, 20 December 1862.

Such arguments were used, then, to explain the apparent demoralisation and degeneration of the criminal classes. As the particularly dangerous figurehead of the criminal classes, the garrotter was subject to multiple discourses each of which served to marginalise the street robber from the boundaries of respectable society. The garrotting narratives were a release valve for respectable society to air fears about the place of the lower working rough in society and proscribed the boundaries of appropriate moral conduct in public space. The stereotype of the garrotter underwent various transformations and was subject to competing and intersecting discourses: moral, racial, Imperial, quasi-medical and pseudo-scientific. Yet the ways in which these dominant discourses shaped the garrotter had the same implication- to marginalise him from 'normal' society by labelling him as deviant and justifying the increase in state power over the 'unrespectable' working classes. The debates about the garrotter, and about the criminal classes more broadly, were so prevalent that they shifted the control culture in mid-Victorian England. The 1850s and 1860s saw a return to the Bloody Code and the reintroduction of flogging through the *Garrotters Act* (1863) and competing ideas which served to marginalise the lower working classes and sharpen the distinction between respectable and unrespectable.

The dominant figure of the garrotter was a powerful stereotype, but had little to do with the complex nature of street violence and the offenders and victims who experienced it. Garrotting formed only a small proportion of street robberies in mid-Victorian Liverpool. This chapter has identified the dominant representation of the garrotter in the English press during the 1850s and 1860s and argued that these narratives were a space to air fears about industrialisation, urbanisation and the lower working-class male. In speaking to a middle-class male readership, these accounts shaped the victims and offenders into a narrow



framework which normalised the bourgeois gentleman. Yet the representations of the victims and offenders of street robberies in mid-Victorian Liverpool reveal the complex identities of the city's poor. The next chapter will discuss the representations of street robbery in mid-Victorian Liverpool.

### **Chapter 3: Representations of street robbery in mid-Victorian Liverpool**

The myths perpetrated by the national debates centred on the garrotter as a violent male who shied away from hard work to spend money on drink and vice and his victim was invariably a middle-class, respectable male. Yet close examination of the victims and offenders of street crime in Victorian Liverpool reveal that street crime occurred largely between members of the urban poor. The local press narratives highlight the complexity of Liverpool's urban poor and signal the tensions experienced within as well as between classes. Street robbery cases provided a space through which to air fears about gender roles, and the discourse reinforced attitudes to gender difference and constructed narrow boundaries of respectable behaviour. The men and women discussed in the Liverpool press came from a range of ages, backgrounds and occupations and employed various ways of committing street robbery. As such, the public discourse generated by these cases offered multi-faceted and heterogeneous representations of gendered identities. The representations of the working poor as deviant or respectable marginalised criminal men and women and informed readers of the boundaries of moral decency.

This chapter argues that gender power is expressed and maintained through language; as such, I adopt discourse analysis to reiterate Joan Scott's point that, 'gender, as a culturally produced, historical category is one of the recurrent references by which political power has been conceived legitimized and criticised.'<sup>1</sup> Through the use of contemporary local newspapers, this interpretation examines the discursive treatment of victims and offenders of

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<sup>1</sup> J. Scott, 'Gender: A Useful Category of Historical Analysis', in J. Scott (ed.), *Feminism and History*, edited by Joan Scott (Oxford: Oxford University Press, 1996), p. 173.

street robbery in Liverpool from 1850 to 1870, and relies upon two forms of analysis: firstly, the ways in which the narratives expose multiple and complex gender models which challenge historians' earlier definitions and secondly, the ways in which space and place impacted upon their representations as either deviant or respectable.

Despite the duality between what Victorians viewed as masculine and feminine identity, this chapter argues that a plurality of gender models were explored in the discourse surrounding street robbery. Masculinity and femininity are related to one another, but it is more useful to examine gender as a spectrum through which multiple representations function at the same time to construct a hierarchy of norms and ideals. The victims and offenders of street robbery were drawn from a variety of ages, ethnicities and backgrounds; as such, a diverse range of gender models were explored in the discourse. Familiar stereotypes attributed to deviant men and women emerge from the cases examined here. For women, the violent 'rough', the naïve 'girl', the urban prostitute who signified disease and cultural decay, the sexual temptress, and the respectable working woman all featured in narratives of street violence as the press negotiated conflicting visions of women of the urban poor and fed anxieties about women's presence on the city streets. Similarly, the prosecution and defence narratives expose multiple models of masculinity through their descriptions of victims and offenders and familiar stereotypes attributed to working-class men appear in the narratives: the licentious, over-sexualised sailor, the rough Irishman with a propensity for drink and violence, the respectable working father and the hyper-masculine, English, labouring-class male.

Chapter 2 outlined the divergent ways that the garrotter was described in popular discourse, in particular, novels, surveys, and the popular press. The figure of the garrotter, and

garrotting as a crime, formed a small minority of cases in Liverpool. Technically, garrotting was defined by the method and style in which certain robberies were conducted and involved strangling or ‘putting the hug on’. Historians of nineteenth-century representations of violent robbery have largely focused on the ways in which public debate about garrotting led to the construction of a clearly defined criminal class.<sup>2</sup> In the context of fears over urban growth and the increasing visibility of the poor in urban centres, the contemporary discussion on garrotting was dominated by images of the civilised bourgeoisie being pitted against the dangerous poor, but to describe it as a class conflict is too narrow an analytical framework for the complexity of street violence in mid-Victorian Liverpool. Jennifer Davis argued that the garrotting narratives sharpened the divisions between rough and respectable, yet gender connects with class, ethnicity, age and sexuality to shape hierarchies of respectability.<sup>3</sup> The expansion of the bourgeoisie resulted in a focus on the ways in which outward appearance and behaviour signified social and cultural position; as such, the victims and offenders of street violence were judged in the press on account of their appearance, behaviour, and backgrounds. As a result, victims and offenders of street robbery were marginalised from Victorian ideals through a web of cultural signifiers: their behaviour; appearance; backgrounds; occupations; marital status; familial lives; age and sexuality.

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<sup>2</sup> D. Taylor, ‘Beyond the Bounds of Respectable Society: The Dangerous Classes in Victorian and Edwardian England’, in J. Rowbotham and K. Stevenson (eds.), *Criminal Conversations: Victorian Crimes, Social Panic and Moral Outrage* (Columbus: Ohio State University Press, 2005), p. 19; V. Bailey, ‘The fabrication of deviance: ‘Dangerous Classes’ and ‘Criminal Classes’ in Victorian England’, in J. Rule and R. Malcolmson (eds), *Protest and Survival: Essays for E. P. Thompson* (New York: New Press, 1993), pp. 221-256; A. L. Beier, ‘Identity, Language, and Resistance in the Making of the Victorian ‘Criminal Class’: Mayhew’s Convict Revisited’, *Journal of British Studies*, Vol. 44, 3 (July, 2005), pp. 499-515; D. Englander, ‘Henry Mayhew and the Criminal Classes of Victorian England : The Case Reopened’, *Criminal Justice History*, 17 (2002), pp. 870-108; R. McGowen, ‘Getting to know the criminal class in nineteenth century England’, *Nineteenth-Century Contexts*, 14 (1990), pp. 33-54; M. Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990).

<sup>3</sup> J. Davis, ‘The London Garrotting Panic of 1862: A Moral Panic and the Creation of a Criminal Class in mid-Victorian England’, in V. A. C. Gatrell, B. Lenman, and G. Parker, (eds.), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa Publications Limited, 1980), pp. 190-214.

This chapter argues that the complex identities of victims and offenders of street crime in Victorian Liverpool cannot be reduced to a study of class alone. The (re)construction of the garrotter as a rough, plebeian male within the national debates expressed fears of industrialisation and urbanisation and, by constructing him as deviant, prioritised bourgeois values of self-restraint. Street robbery is an instrumental crime rooted in socio-economic inequality, yet it cannot be reduced to a class conflict, so the examination of these narratives as a discourse of respectability is more useful in highlighting the complexity of culture in mid-Victorian Liverpool and, arguably, further afield in other urban centres.

Emelyne Godfrey has considered the identities of victims through her study on garrotting narratives, but her work focused upon the middle-class male victims that featured in the metropolitan press.<sup>4</sup> The majority of street crime that took place in mid-Victorian Liverpool was between lower working-class men and women, and that the victims and offenders were addressed in terms of respectability, prompts a shift in the history of street violence. Historical and historiographical myths are debunked when we focus on the victims as well as the perpetrators of street violence.

The Victorian ideals of the passive, domesticated woman and the restrained, chivalrous and sober male are at once both present and absent from street robbery narratives, and through the categorisation of robbers as deviant, the reportage reinforced stereotypes of respectable gender models. Victorian men and women were expected to maintain bourgeois gender ideals and these conservative values extended across the class spectrum. British men were expected to adopt the ideals of respectability, piety, self-discipline and restraint and this extended to

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<sup>4</sup> E. Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (London: Palgrave Macmillan, 2011).

men of all classes. Yet wealth and a respected occupation -the mainstream indicators of bourgeois masculinity- were out of the reach of some Victorian working men due to their blocked social mobility. In addition, bourgeois ideals of femininity demanded that women were domestic, dependent, nurturing and selfless, but this ideal was out of reach for many Victorian working women who had an active presence on the streets and in the workplace.<sup>5</sup>

Victorian ideas about separate spheres intensified the definition of what constituted deviant masculinity and femininity as both men and women were expected to retreat to the home.<sup>6</sup> This study suggests that the dominant narratives perpetuated by the Liverpool press aimed to domesticate working men and women and control public space. Partly a project to clean up the city streets in the context of rapid urbanisation, both men and women from across the class spectrum were defined by their relationship to the home as domesticity became a crucial locus through which to define respectability.<sup>7</sup> As John Tosh has argued previously, the middle-class home became a seat of patriarchal dominance in the nineteenth-century as men, as well as women, were judged on their ability to maintain an efficient and respectable household.<sup>8</sup> But this domestic ideal was out of reach for the urban poor, who, due to cramped and insanitary living conditions, lived out their lives on the city streets and in public space.

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<sup>5</sup> D'Cruze, Shani, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); E. Ross, *Love & Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993); N. Tomes, 'A Torrent of Abuse: Crimes of Violence between Working-Class Men and Women in London 1840-1875', in *Journal of Social History*, 11 (1978), pp. 328-345.

<sup>6</sup> L. Nead, *Victorian Babylon: People, Streets and Images in Nineteenth-Century London* (London: Yale University Press, 2000).

<sup>7</sup> J. Tosh, and M. Roper, *Manful Assertions: Masculinities in Britain Since 1800* (London: Routledge, 1991).

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

John Tosh claimed that the ‘Victorian ideal of domesticity was as much a creation of men as well as women.’<sup>9</sup> Arguing that the home was described in popular discourse as a refuge for middle-class men’s working lives, Tosh suggested that, ‘The Victorians established the ‘common sense’ proposition that, to be fully human and to be fully masculine, men must be active and sentient participants in domestic life.’<sup>10</sup> The bourgeois ideals of domesticity sharply defined roles for men’s lives within the home and these demands were extended to the working classes. Nancy Tomes research into domestic violence in the mid-Victorian London courts showed that this ideal of respectability was apparent in the legal narratives given by working class participants. Tomes argued, ‘In addition, middle-class values regarding family life may have converged with a native working-class respectability evident in the trial accounts. This standard of respectability emerges clearly from the testimony of working-class witnesses, and is not simply an artefact of middle-class observers imposing their own words or beliefs on working-class people.’<sup>11</sup> Tosh and Tomes have looked at how gender was constructed within the home and courts, in ideals and practice, but my research shows that the street is equally important.

### **3.1 Respectable Masculinities**

Of the 260 cases I have found, I can find only one case which involved an upper middle-class victim and the meanings generated through the description of victim and offender demonstrates the opposition between the undeserving poor and the professional, bourgeois

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<sup>9</sup> J. Tosh, *A Man’s Place: Masculinity and the Middle-Class Home in Victorian England* (London: Yale University Press, 1999), p. 50.

<sup>10</sup> *Ibid.*, p. 197.

<sup>11</sup> N. Tomes. ‘A “Torrent of Abuse”: Crimes of Violence Between Working-Class Men and Women in London, 1840-1875’, *Journal of Social History*, Vol. 11, 3 (Spring, 1978), pp. 328-345.

male. In one case, twenty-nine year old John Barrington was indicted at Liverpool Assizes for the assault and robbery of a merchant, Mr Livingston, who lived in Bold Place, Liverpool. Livingston was ‘just seven yards [from] his own house’ when ‘he was met by two men, who seized him, and one of them pinioned his arms while the other took hold of his throat and stopped his breath.’ The *Liverpool Mail* continued, ‘A third man, whom the prosecutor swore was the prisoner, Barrington, then came in front of him, and with a knife cut his clothes across, so as to open his waistcoat.’ In doing so, Barrington stole the victim’s watch and chain as well as bank notes to the cost of £140. Police investigation into the case revealed that he had spent the money on purchasing a beerhouse from a widow, Margaret Crowley. Beerhouses were seen as a problem since the introduction of the *Beerhouse Act* (1830). As Nicholas Mason has argued previously, ‘From the moment the new law took effect on October 10, 1830, many members of England’s privileged classes complained about the widespread debauchery the law had supposedly incited.’<sup>12</sup> Upon visiting Barrington’s newly-purchased beerhouse, ‘the officer came to a pigeon-house, where some pigeons were flying about.’<sup>13</sup> In the nest, they found eleven sovereigns and the prosecutor’s watch. The identities of the victim and perpetrator were positioned against each other. The victim, Livingston, as a merchant who lived in the respectable area of Bold Place was part of the commercial middle classes.<sup>14</sup> Additionally, his waistcoat and watch signified his professional and respectable demeanour. In opposition to this, Barrington’s use of violence and his association with beerhouses bought with ill-gotten gains, positioned him as a member of the unrespectable

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<sup>12</sup> N. Mason, ‘The Sovereign People are in a Beastly State: The Beer Act of 1830 and Victorian Discourse on Working-Class Drunkenness’, *Journal of Victorian Literature and Culture*, Vol. 29, 1 (March, 2001), p. 110.

<sup>13</sup> *Liverpool Mail*, 12 December 1851.

<sup>14</sup> J. Tosh and M. Roper, *Manful Assertions*, p. 12.



poor. His role as a pigeon-fancier, a common working-class leisure practice which continued until the Second World War, also highlighted his working-class status.<sup>15</sup>

Soldiers also committed street crime in the nineteenth century city. The distinction between such crimes and their role as protectors of public life was highlighted by the Liverpool press and courts. Carolyn Conley's study of crime in Kent noted that, 'sailors committed a disproportionate amount of all crime.'<sup>16</sup> Further, Alan Skelly argues that, 'most offences [by soldiers] were a reaction to the sudden harshness of military discipline, the strangeness of army life and the lack of anything to do in spare time but drink.'<sup>17</sup> Thirty-one year old Thomas Parnall and twenty year old Charles Stewart, of the 31<sup>st</sup> regiment of foot, stationed at the North Fort, Liverpool were charged at the Summer Assizes (1867) with assaulting a pilot, Joseph Brewer, putting him in bodily fear and stealing a watch and other articles. Brewer was walking along Stanley Road when he was, 'set upon by two soldiers, one of whom struck him several times with his belt, ultimately knocking him down, and kicked him severely when he was on the ground.' Stewart remarked that they 'might as well finish him' and lifted him and threw him over an eleven foot wall. It was pointed out that Stewart was sober whilst Parnall was 'very drunk'. Yet Parnall's defence in court highlighted his previous good character and constructed him as an honest and hardworking member of service. 'The latter [Parnall] had an excellent character given him by the captain for the regiment. He had been 14 years in service, possessed the Indian war medal, besides good conduct stripes.' Parnall also possessed 'an excellent character, yet the evidence against him was that there could not be a

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<sup>15</sup> A. Davies, *Leisure, Gender and Poverty: Working-Class Culture in Salford and Manchester, 1900-1939* (London: Open University Press, 1992), p. 144.

<sup>16</sup> C. A. Conley, *The Unwritten Law: Criminal Justice in Victorian Kent* (Oxford: Oxford University Press, 1991), p. 60.

<sup>17</sup> A. R. Skelley, *The Victorian Army at Home* (London: Croom Helm, 1977), p. 62.

conviction.’ The two men were reprimanded for ‘attacking a defenceless man on the highway’ for ‘they ought to have been the *protectors* of the public.’<sup>18</sup>

Defence strategies often highlighted men’s propensity for hard work. In 1863, Francis Enright, ‘a foreign seaman’, was charged with the assault and robbery of Frederick William Hoffman, a keeper of a coffee house in Great Charlotte Street. At eleven o’clock on Monday night, ‘a woman in a state of intoxication went in to the house of the complainant and demanded some refreshment.’ ‘As she was drunk, however, Mr Hoffman not only refused to serve her, but turned her out.’ As he did so, Enright ‘went up to him, said the woman was his wife, and struck the complainant a violent blow on the eye and on the back of the head, whilst a second man tore his gold watch-guard from his neck, made off with it, and had not been apprehended.’ Enright’s defence argued that ‘the prisoner was a respectable man’ and called a witness who was a ‘well-attired, decent-looking man’ who said he was a seaman. Another witness, the keeper of a boarding-house in Duke Street, stated that, ‘he had known the prisoner for a long time, and he was also known to merchants of the town, as a respectable man.’ The magistrate ‘thought there must be some mistake in charging the prisoner as an accessory to stealing the guard.’ As there was no conclusive evidence against Enright, ‘and seeing that he was known as a respectable man’, the magistrate discharged him.<sup>19</sup> The character references provided for Enright emphasised his dress and wider connections with middle-class merchants to position him as a member of the respectable poor.

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<sup>18</sup> My emphasis. *Liverpool Mercury*, 15<sup>th</sup> August 1867.

<sup>19</sup> *Liverpool Mercury*, 9 December 1863.

Offenders would often draw upon their familial lives and the importance of the home in their defence narratives. Thomas Reynolds, a 31 year old sailor, was charged with the assault and robbery of William Hawkesley. Hawkesley's prosecution argued that at about eleven o'clock in the evening, "he was walking down Trinity Place, when someone came behind him and grasped him so tightly round the neck he became insensible." When Hawkesley recovered, he noticed that his watch and chain were missing. Two witnesses, James Langfield and his wife, witnessed the victim being attacked by two men and identified Reynolds as one of them. Reynolds' defence argued that he was in bed at the house of his mother-in-law in Edgar Street, in the Vauxhall district of North Liverpool. Like Jordan, Reynolds drew upon his relationship with his family, signifying his role as a married man and doting son in law, to construct his identity as a family man. Ellen Kace, a woman who lived in the same house, 'deposed that the prisoner came home about seven o'clock in the evening, and went to bed at quarter to ten, and that he remained in bed until eleven o'clock the following morning.' Kace claimed that, 'she sat up all night, because the prisoner's baby was unwell, and the prisoner could not have left the house without her knowledge.' Ellen Kace's witness statement tapped into wider ideals of domesticity and constructed Reynolds as a devoted father who had remained in the home with his child. Reynolds was acquitted.

### **3.2 Unrespectable Masculinities**

Sailors were represented in popular discourse as frequently being drunk, violent and hypersexual, thus posing a threat to the order of the streets and the city's female population. Father Nugent, a Catholic priest in mid-Victorian Liverpool, believed that up to 75 percent of a

sailor's wages were spent on drink and prostitution.<sup>20</sup> Frederick Lowndes, who was commissioned to report on the prevalence of venereal disease amongst sailors and prostitutes, stated that sailors' low wages discouraged them from marriage and so young men often settled for prostitutes.<sup>21</sup> In October 1853, Walter Lang, having been paid off at the Sailors' Home, was leaving a public house in Clarence dock gate when he was approached by two women, Ellen Fallon and Elizabeth Preston who, 'took him up a bye street, where he was rushed upon and seized by the male prisoner, William Fallon, who held him tightly by the throat whilst the women rifled his pockets.'<sup>22</sup> William and Ellen Fallon were sentenced for four years at Preston gaol. Lang's association with the two prostitutes, Ellen Fallon and Elizabeth Preston, reinforced bourgeois perceptions that sailors were over-sexualised and prone to drunkenness. Cases such as these evoked meanings similar to the infamous 'buttock and file' cases of eighteenth-century London in which prostitutes would rob with their pimps.<sup>23</sup> Interestingly, such cases which involved a female prostitute and a male victim complicated prosecution narratives since they cast the victim in a bad light. Lang's occupation as a seaman who had a propensity for drink and non-marital sex with prostitutes positioned him as a member of the unrespectable poor.

Place and space were highlighted in the court and press as indicators to the victims' identity. On the 7th July 1864, the *Liverpool Mercury* reported that Christopher Sharples, John

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<sup>20</sup> J. Nugent, *Select Committee of House of Lords for Inquiring into Prevalence of Habits of Intemperance and Effects of Recent Legislation: Third Report*, Parliamentary Papers 1877 (418) XI, p. 22.

<sup>21</sup> F. Lowndes, *Prostitution and Venereal Diseases in Liverpool* (Liverpool: Churchill, 1886), p. 2.

<sup>22</sup> *Liverpool Mercury*, 4 October 1853.

<sup>23</sup> T. Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (London: Longman, 1999).

McDonald, James Smith, John Powell and David Atherton had committed a murderous assault and robbery upon a clerk, William Lawrence, in Clarence Street. Lawrence, who lived in the affluent Vine Street, had attended a building society meeting at the Concert Hall in Lord Nelson Street and was making his way home at about 11 pm. As he passed Russell Street, he ‘noticed several low-looking fellows lounging about’. ‘They followed him into Clarence-street, where Sharples struck him a violent blow upon the forehead with some blunt instrument, inflicting a wound from which blood flowed profusely’. The *Mercury* continued, ‘Two of the scoundrels then garrotted him, and a fourth took his watch from his vest pocket, whilst another rifled his trousers pockets. They then all ran away’. Police Officer no 235 heard one of them ‘drop something which sounded like a heavy piece of iron and a marlin spike was later picked up at the spot.’<sup>24</sup> Smith was apprehended in the Washington Hotel, Lime Street, and all prisoners were sent for trial at the assizes. Lawrence’s residence in the affluent Vine Street, occupation as a clerk, and his attendance at a building society meeting positioned him as a member of the lower middle class. Conversely, the offenders’ use of a marlin spike, an instrument used to untie rope knots, signified the ‘roughness’ linked with manual dock labour. The narrative functioned to regulate the city streets as it highlighted the offenders’ ‘lounging about’ and their violent attack. Moreover, Smith’s link to the Washington Hotel was significant. Lime Street train station, and the Washington Hotel, featured in several cases for thieving and street robbery and, as an area characterised by brothels and unlicensed beer houses, served to reinforce Smith’s criminal reputation.

The Irish Catholic community was presented as both victims and offenders in street robberies. In March 1865, Daniel McKeown was charged with garrotting Patrick Hand in Collingwood

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<sup>24</sup> *Liverpool Mercury*, 1 July 1864.

Street. Hand, a plasterer living in Birchfield Street, had spent the evening at a friend's house and was returning home when a row took place. Both Birchfield and Collingwood Street were areas characterised by their heavy Irish presence. Collingwood, positioned to the north of the city, was an Irish Protestant area, whereas Birchfield Street was positioned near to Scotland Road and was dominated by Irish Catholic immigrants. Hand had stopped to see what the row had been about 'when the prisoner and another man came up to him, one on each side, and seized him by the throat.' McKeown then cut Hand's pocket away and handed it to the other man who ran away. Both Hand's and McKeown's Irishness was highlighted in the prosecution narrative. 'In cross-examination, the prosecutor stated that he was pushed into the row by the prisoner and the other man, and he laid about him with his stick right and left.' The *Mercury* continued, 'He did shout "faugh-a-ballaugh"', Gaelic for 'clear the way'. In his cross-examination, Hand continued that, he "did not rush into the row flourishing a shillelagh. He wished it had been a shillelagh; it was only a bamboo."<sup>25</sup> A shillelagh is a long stick with a curved knob at the top which had long been associated with Irish fighting. McKeown was charged with the extremely heavy sentence of seven years penal servitude. The discourse drew upon established symbols of Irish Catholic culture, such as the shillelagh and their use of Gaelic, and the setting of the offence, marginalised the offenders as deviant and the stereotypical Irish rough with a propensity for drink and violence.<sup>26</sup> This case tapped into wider xenophobic attitudes directed towards the Irish Catholic community which were so prevalent in the discourse of the Liverpool courts and press.<sup>27</sup>

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<sup>25</sup> *Liverpool Mercury*, 25 March 1865.

<sup>26</sup> J. Belchem, *Irish, Catholic and Scouse: The History of the Liverpool Irish, 1800-1939* (Liverpool: Liverpool University Press, 2007); S. Gilley, 'English Catholic Attitudes to Irish Catholics', in R. Swift and S. Gilley (eds.), *Irish Identities in Victorian Britain* (London: Routledge, 2011), pp. 98-120; F. Neal, *Sectarian Violence: The Liverpool Experience, 1819-1914. An Aspect of Anglo-Irish History* (Manchester: Manchester University Press, 1988).

<sup>27</sup> *Ibid.*

The public house was a recurrent motif in the reportage and served to marginalise offenders and victims as deviant. Certain pubs, such as the Bevington Bush Inn in the infamous area of Scotland Road, had reputations as being particularly ‘rough’ and compounded offenders’ reputations as unrespectable. The Bush Inn appeared regularly in assault and robbery cases throughout the mid-nineteenth century and was known to magistrates, the press and the readership as notoriously dangerous. In September 1851, two ‘savage-looking Irishmen’, Patrick Griffin and William Appleton, were charged with assaulting and robbing Patrick Heyes of a watch, pair of boots, handkerchief and 6s 8d. The language used to describe the two offenders tapped into wider xenophobic attitudes directed towards the Irish Catholic population of Liverpool which peaked during the middle decades of the nineteenth century as a result of the vast influx of immigrants following the Famine, subsequent economic competition, and the development of Fenianism in the city.<sup>28</sup> Heyes had arrived in Liverpool from the Isle of Man the previous week and had released his watch and shoes from pledge. At midnight, he met Griffin in Bevington Bush, and they entered the Bush Inn together to get a glass of ale where they were joined by Appleton. ‘After having some drink, the parties left the house. The prisoners then inveigled the prosecutor into a court adjoining the Methodist chapel where they knocked him down and effected the robbery.’<sup>29</sup> The pub and chapel were positioned against each other to forge divergent meanings. The chapel represented piety, obedience and respectability whereas the pub, and the Bush Inn in particular, served to marginalise offenders as dangerous men with a propensity for drunkenness and violence.

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<sup>28</sup> S. Gilley, ‘English Catholic Attitudes to Irish Catholics’, in R. Swift and S. Gilley (eds.), *Irish Identities in Victorian Britain* (London: Routledge, 2011), pp. 98-120; F. Neal, *Sectarian Violence: The Liverpool Experience, 1819-1914. An Aspect of Anglo-Irish History* (Manchester: Manchester University Press, 1988).

<sup>29</sup> *Liverpool Mercury*, 12 September 1851.

The church featured as a backdrop in street violence cases and served to reinforce victims' respectability. Thomas Butler (23), James Littlemore (22), Mary Brownhill (24) and Thomas Burrows (19) were charged with assaulting and robbing a labourer named John Jordan in Much Woolton, Liverpool. At eight o'clock in the evening, Jordan was returning home from chapel when he saw the prisoners standing at a gate in a lane leading from Allerton Road. 'When he got up to the gate, Butler asked him where he was going and he replied that he was going to Speke'. Butler then knocked Jordan down "and the other men went up and took from him all the money he had in his pockets, amounting to about 4s". After robbing Jordan, the prisoners continued to beat him. Jordan remarked in court that he heard the woman, Mary Brownhill, shout "Kill the Irish ---." Jordan's prosecution suggested that he had not seen Burrows involved in the attack, but that he "stood about four or five yards distant with his hands in his pocket, and he heard him say, "It's a shame to kill the poor ---- in that way." Burrows was immediately acquitted. Called as a witness, Burrows testified that he had been with the prisoners all evening. The jury 'were of the opinion that the assault was proved, but they were not satisfied that a robbery was either committed or intended.'<sup>30</sup> The prisoners were acquitted. That the victim was returning from church and that he lived in the respectable area of Much Woolton signalled to the readership that he was a member of the respectable working class. Conversely, the perpetrators' use of serious violence and bad language positioned them as deviant. This hints at tensions within, as well as between, classes and revealed the existence of xenophobia towards the Irish community. In particular, the actions of Mary Brownhill, who jeered on her male accomplices, constructed her as a rough working woman.

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<sup>30</sup> *Liverpool Mercury*, 14 December 1859.



Twenty-nine year old Henry Thomson, ‘a coloured man’, was charged with the assault and robbery of Elizabeth Davies in 1859. Davies, ‘a washerwoman’, was passing through an entry in Chadwick Street ‘on her way home from chapel’ when Thompson, ‘seized her by the shoulders and threw her down, and after striking and kicking her several times, he cut the pocket out of her dress and ran away with it.’ Davies’s occupation as a washerwoman and that she was returning from chapel constructed her as a member of the respectable and deserving poor. In contrast, Henry Thomson’s race was highlighted, combined with his violent behaviour, in particular, throwing her down, his tearing of her pocket from her dress fed in to broader contemporary fears about the over-sexualised, brutish black male and anxieties over miscegenation between black men and white women.<sup>31</sup>

### 3.3 Respectable Femininities

Female victims were commended in the Liverpool courts and press for their ability to fight back during street robberies. Carolyn Conley noted in her study of sexual violence that female victims were praised by magistrates for their attempts to resist sexual attacks and preserve their modesty.<sup>32</sup> In 1870, the *Mercury* reported that David Jones and John Smith (alias Michael Sefton), ‘two roughs’ were charged with assaulting and attempting to rob Anna Picternella Comerina Kup. On Friday afternoon, the prosecutrix, who was the wife of a book-keeper who lived in Erskine Street, was walking along Everton Road when the two prisoners ‘made a sudden grab at her purse’. The victim refused to let go of her purse and,

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<sup>31</sup> J. Jenkinson, *Black 1919: Riots, Racism and Resistance in Imperial Britain* (Liverpool: Liverpool University Press, 2009).

<sup>32</sup> C. A. Conley, ‘Rape and Justice in Victorian England’, *Victorian Studies*, Vol. 29, 4 (Summer, 1986), pp. 519-536.

‘Jones used such force that he dragged her into the middle of the street and flung her down.’ As the prisoners ran off, James Blundell, a greengrocer, ‘happened to observe the transaction from his shop, and gave chase.’ Blundell succeeded in catching Jones and got the two offenders arrested. Both the victim and witness were praised in court for their ability to resist the robbery, but it was the actions of Blundell which were flagged by the press as a ‘gallant pursuit.’<sup>33</sup> Blundell was commended for his chivalric actions in defending the honour of the prosecutrix.

Age was an important addition to the range of categories employed in the representation of street crime and crimes committed against elderly victims were perceived as particularly shocking. In 1856, the *Daily Post* published an article entitled, ‘DARING HIGHWAY ROBBERY BY A COUPLE OF GIRLS’ and reported that two ‘girls of a rather delicate appearance, and certainly not more than eighteen years of age’ were charged at Liverpool police court for the robbery of two women near Bold Street in the city centre. Between seven and eight o’clock in the evening, ‘a young lady’ named Mary McCulloch’ who was ‘accompanied by an elderly lady’ attended a watch repair shop in Church Street. As her watch was getting repaired, Mary McCulloch ‘observed the prisoners watching her movements, but took no particular notice at the time’ and proceeded up Bold Street with her elderly companion. As McCulloch and the ‘elderly lady’ reached Great George Street, ‘one of the prisoners lay hold of her around the neck and held her tightly, while the other prisoner began to rifle her pockets, and endeavoured to steal the watch.’ In doing so, they tore the elderly lady’s pocket as well as other ‘portions of her dress.’<sup>34</sup> The representation of the

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<sup>33</sup> *Liverpool Mercury*, 7 March 1870.

<sup>34</sup> *Daily Post*, 15 February 1856.

victim and perpetrator resonated with wider fears about young offenders preying on the victim who was seen as all the more vulnerable because of her age and gender.

In contrast to the attacks on vulnerable and elderly victims, perpetrators who were older faced harsh reprimands by the local press. Margaret Henry, alias Smith, a 'middle-aged woman' was charged at Liverpool police court for robbing a watch from Frederick Hood, a seaman. Henry met Hood and 'accosted him, inviting him to go and 'have something to eat'. He then accompanied her to a 'refreshment cellar' where they had supper together. On removing his watch to check the time, Henry said, 'Allow me, young man, as an elderly female, to wind up your watch.' He refused, and Henry, 'dragged him into the street, took his watch from his pocket, and bolted off with it.'<sup>35</sup> Henry drew upon ideas of 'elderly women' as 'naturally' maternal and unthreatening. Her age intersected with gender to secure her representation as a duplicitous woman; moreover, her age meant that she transgressed models of maternal femininity as caring, nurturing and gentle.

### **3.4 Unrespectable Femininities**

Street robberies which involved prostitutes highlighted dominant attitudes towards women's sexuality. John Archer contended that, 'The Victorian idealisation of women meant that those who failed to come close to achieving these feminine virtues were cast down into the mire of sexual degeneracy'.<sup>36</sup> Lynda Nead argued that prostitutes were commonly represented in two

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<sup>35</sup> *Liverpool Mercury*, 12 February 1863.

<sup>36</sup> J. E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2011), p. 159.

ways: the agent who did it for money and signified disease, contagion and disorder (the working class urban prostitute) and the fallen woman who had been seduced and betrayed (the simple and naïve country girl).<sup>37</sup> Lynda Nead's approach is useful as these representations operated in the reportage of street robberies, but prostitutes were subject to multiple discourses in the mid-Victorian period, and so invited multiple, fluid representations. Nina Attwood claimed that a plethora of nineteenth century discourses directed at prostitutes, in particular, literary, religious, medical, socio-legal and pornographic portrayals, and argued that these discourses gave way to complex and heterogeneous representations. Attwood claimed, 'The representation of the prostitute could not have been homogenous, or 'crystallised' as historians like to say, if contemporary attitudes and ideologies were not either'.<sup>38</sup>

Terms such as 'low', 'coarse' and 'rough' were frequently applied to offenders of street crime by the press and signified their degeneracy and signified their departure from middle-class femininity. Broader perceptions of prostitutes' 'active' sexuality led magistrates to deliver strict moral lectures in court. Jane Smith, "a low-looking woman" was charged with assaulting and robbing Peter Schofield, a barman in Boundary Street, Liverpool. Schofield was making his way home when he saw Smith in the company of another man. Smith asked if he was looking for her, to which he replied, he did not. On this, she struck him and called to her companion James who also knocked him down.<sup>39</sup> On 22 October 1863, the *Liverpool*

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<sup>37</sup> L. Nead, *Victorian Babylon: People, Streets and Images in Nineteenth-Century London* (London: Yale University Press, 2000), p. 64.

<sup>38</sup> N. Attwood, *The Prostitute's Body: Rewriting Prostitution in Victorian Britain* (London: Pickering and Chatto, 2011), p. 7.

<sup>39</sup> *Liverpool Mercury*, 9 February 1869.

*Mercury* reported that “a most repulsive-looking female named Ellen Burns” was charged with garotting the gamekeeper John Hill and robbing him of his watch. Hill was passing up Scotland Road at six o’clock on Tuesday evening when Burns asked him to “stand twopenn’orth”.<sup>40</sup> ‘He inquired the way to Great Homer Street, and she, pretending to direct him thither, took him into an entry in a back-street where she was joined by other women and a man and Hill was robbed of his watch.’<sup>41</sup> The representation of prostitutes were refracted through the male gaze and engaged with wider discourses about the body, commodification and desire.<sup>42</sup> Her description as ‘repulsive-looking’ signified her moral and sexual degeneracy. Maggie O’Neill and Lizzie Seal argued that, ‘In the public imagination, the prostitute as abject-body symbolises dirt, decay, corruption and is also an instrument of pleasure, of thrill, frisson, and [illicit] desire’.<sup>43</sup>

Local luminaries were acutely concerned with the perceived extent of prostitution in the city and the descriptions of women as prostitutes fed in to these local concerns. John Archer has argued that, ‘Liverpool was probably second only to London for the scale of its sex industry.’<sup>44</sup> *Lloyd’s Weekly* reported on a meeting for ‘The Fallen Women of Liverpool’ and depicted two ‘types’ of prostitute: the ‘mannish’ rough and the passive woman. ‘The bold, harsh, defiant features were characteristic of the majority; a few of the slimly formed had the

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<sup>40</sup> *Liverpool Mercury*, 22 October 1863.

<sup>41</sup> *Liverpool Mercury*, 29 October 1863.

<sup>42</sup> J. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (London: Virago, 1992), p. 21.

<sup>43</sup> M. O’Neill, and L. Seal, *Transgressive Imaginations: Crime, Deviance and Culture* (London: Palgrave Macmillan, 2012), p. 6.

<sup>44</sup> J. E. Archer, *The Monster Evil*, p. 159.

pensive air of drawing-room young ladies.’<sup>45</sup> Judith Walkowitz suggested that popular discourse employed polluting metaphors in the representation of prostitutes and such terms were frequently applied in the reports about street violence.<sup>46</sup> As Munjal argues, ‘These images of pollution convey a sense of horror at the disruption of social and natural order. Moreover the nexus between defiled female sexuality and venereal disease anticipates the mid-nineteenth-century debate about sanitation and social reform.’<sup>47</sup> Reverend W.M. Fallows ‘deplored their health and soul-destroying course of their lives.’<sup>48</sup> Street crime narratives which featured prostitutes were located within wider concerns about the prevalence of streetwalking in the town and its presence in the city streets.

In her study of the regulation of prostitution in the nineteenth century, Judith Walkowitz discovered that female brothel keepers generated significant concern and moral reform during the mid to late nineteenth century that masked the hardship of their lives.<sup>49</sup> Concern around prostitution and brothel-keepers intensified prior to the 1864 *Venereal Diseases Act*, particularly in Liverpool where prostitution was more common than any other city except London.<sup>50</sup> Female brothel-keepers transgressed feminine ideals and challenged bourgeois respectability. The *Liverpool Mercury* reported in March 1863 that Edward Buxton, Martha Davis and Jane Ennis were charged with assaulting Mary Ann Harrison, ‘the keeper of a brothel in Hotham Street.’ Harrison left her home ‘with all her money, consisting of £29 in

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<sup>45</sup> *Lloyd's Weekly*, 2 December 1860.

<sup>46</sup> J. Walkowitz, *Prostitution and Victorian Society*, p. 34.

<sup>47</sup> S. Munjal, ‘Taming Heterotopia: The Spatio-Temporal Politics of Elizabeth Gaskell's Mary Barton’ (2007) [Online] Retrieved from: <<http://www.victorianweb.org/authors/gaskell/munjal.html>> [Accessed at 17 November 2011].

<sup>48</sup> *Lloyds Weekly*, 2 December 1860.

<sup>49</sup> J. Walkowitz, *Prostitution and Victorian Society*, p. 28.

<sup>50</sup> *Ibid.*

gold, wrapped in a piece of rag in her hand.’ She spent the afternoon in local pubs and at 2 o’clock in the morning, met a girl who took her to Wood’s beerhouse where she remained until 7 o’clock the same evening, when she was joined by two assailants, Davis and Buxton. Having purchased meat and beer for Davis and Buxton, they left a local cookshop and met Ennis who invited them all to her house in Gerald Street. Harrison left Ennis’s house with all her money and whilst passing up the court, ‘a man, not yet in custody, seized her by the throat from behind. Buxton tripped her up, and the women held her down whilst one of them, but she could not say which, forced open her hand and took away the money.’ The sitting magistrate, Mr Raffles, asked what Harrison had intended to do with such a sum of money. The prosecution argued that ‘she was on a spree; it was in the habit of persons in her calling to periodic outbreaks of this kind, and to spend all the money which they had been saving up for months.’ The victim was castigated for inviting the robbery through her bawdy spending and displaying her ill-gotten gains. Despite the violence she endured during the attack, Harrison was reprimanded in court for her occupation, her drunkenness and her willingness to spend money. Indeed, it was her accounts that were checked by the court as the prosecutrix argued that, ‘she withdrew £72 from the savings bank about four months since, and now she had spent every penny.’<sup>51</sup> This case demonstrates how attitudes to street crime were shaped by the victim as much as the act itself and Harrison’s status as a brothel-keeper was not perceived as important to either the magistrates or the press.

Images of prostitutes in the Liverpool reportage focused on their presence in liminal spaces on the margins of legality- the street, back-alley, and brothels. The tropes which merged liminal spaces and the prostitute highlighted ‘the commodification and aestheticisation of the

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<sup>51</sup> *Liverpool Mercury*, 6 March 1863.

female body in prostitution.’ O’Neill and Seal suggest that, ‘We find in the cultural history of prostitution that the prostitute is a body-object symbolised by liminality, abjection, commodification and desire.’<sup>52</sup> Prostitutes’ presence in public space at night, and the myth of their sexual and moral degeneracy, expressed ideas about the fallen, diseased whore which contrasted with the domesticated Madonna. Catherine Stewart and Margaret Thompson ‘low-looking women’ were charged with stealing a watch and £6 from John Hutchinson, a ‘decently dressed man’.<sup>53</sup> Shortly after midnight, Hutchinson entered a urinal when Stewart threw her arms around him and shortly after he was released, discovered that his watch was missing. The prisoners were later apprehended, but the watch wasn’t found in their possession. The drunkenness of the victim meant that many cases were discharged on these grounds. Drunkenness was viewed harshly by Liverpool magistrates and victims would often be admonished in court for their insobriety. The magistrate gave Hutchinson a dressing-down, ‘As [Hutchinson] was under the influence of drink at the time the robbery was alleged to have been committed, the prisoners were discharged.’<sup>54</sup> That the female offenders committed their crime by a urinal was flagged by the *Mercury* as symptomatic of their moral degeneracy and link with pollution, abjection and disease. In turn, their presence on the city streets at night signalled their departure from respectable femininity.

## Conclusion

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<sup>52</sup> M. O’Neill, and L. Seal, *Transgressive Imaginations*, p. 6.

<sup>53</sup> *Liverpool Mercury*, 19 November 1863.

<sup>54</sup> *Ibid.*



This chapter has outlined the various stereotypes that were directed towards victims and offenders of robbery by the Liverpool press in the 1850s and 60s. Contrary to the myths perpetrated about garrotting in the wider national press, the victims and offenders of street crime in mid-Victorian Liverpool were drawn from the working poor. As such, this chapter has outlined the complexity of working-class culture in Liverpool, and has demonstrated the multiple stereotypes that were directed towards the victims and offenders of street robbery by the mid-Victorian Liverpool press. This chapter has used discourse analysis to examine the representations of victims and offenders and reveals that multiple stereotypes were broadcasted by the Liverpool press. Liverpool society was complex and so too were the victims and offenders of street crime. Familiar stereotypes attributed to deviant men and women were present in the narratives. For women, the violent 'rough', the naïve 'girl', the urban prostitute who signified disease and cultural decay, the sexual temptress, and the respectable working woman all featured in narratives of street violence as the press negotiated conflicting visions of women of the urban poor and fed anxieties about women's presence on the city streets. Similarly, the prosecution and defence narratives expose multiple models of masculinity through their descriptions of victims and offenders and familiar stereotypes attributed to working-class men appear in the narratives: the licentious, over-sexualised sailor, the rough Irishman with a propensity for drink and violence, the respectable working father and the hyper-masculine, English, working-class male. These multiple stereotypes of the urban poor served to prioritise ideals of respectability that extended to the middle and lower classes. However, although these stereotypes were constructed and disseminated by dominant institutions, namely the press and courts, the identities of the victims and perpetrators show that street crime was committed by poor people on other members of the urban poor. As such, this thesis now moves to consider the dynamics between victim and offender and the ways in which street crime was committed at street level.

# **Part Two: The Streets**

## **Chapter 4 Mapping Street Robbery: Reporting, regulation and respectability in the city**

This chapter uses GIS software to explore street crime and its relationship to the city. Due to a lack of availability of criminal sources such as police registers and court records, this chapter relies upon the analysis of the reporting of street crime in *Liverpool Mercury* between 1850 and 1870. As such, the study demonstrates where the press perceived particular ‘hot spots’ of street crime to be in the mid-nineteenth century. Using mapping software, alongside a qualitative reading of the behaviour conducted within the offences, it is possible to reconstruct a spatial picture of crime by exploring: firstly, press perceptions of where criminals committed street crime (i.e. those perceived by the press to be ‘criminal’ locations), secondly, the relationship between crime and place; thirdly, the distance to crime for both victim and offender; and finally, the spatial associations between criminality and the social status of victim and offender. By mapping the distance between the offence location and the addresses of the victim and offenders, it is possible to read behaviour in its spatial and temporal context. Street robbery can be viewed as part of the makeshift economy of the poor. That it involved violence, however, suggests that offenders bought into a subset of norms and values that conflicted with respectable society. Broader perceptions of particular areas and streets, and the spaces within them- pubs, street corners, dancing halls and lodging houses- allowed victims and offenders to draw upon particular forms of the self within these contexts. These areas allowed victims and offenders to contravene norms of respectability away from the moralising gaze of church, workplace and home. Many offences took place in the neighbourhoods of the north end slums and dockland area and were committed by and upon

people who shared the same harsh living conditions of the city slums. Consequently, poor neighbourhoods were characterised by both cohesion and conflict.

This chapter is divided into four sections: firstly, the study discusses the advantages and limitations of GIS mapping software; secondly, it examines the geographical concentration of robbery in the city and discusses how slum writing forged local agendas which aimed to regulate street life; thirdly, it examines the distance to the crime between offender and victim to consider the relationship between street crime, liminality and the neighbourhood; and finally, it considers neighbourhood responses to crime in these areas.

This is the first historical study to map violent robbery and explore the spatial relationships between street crime and the city. It aims to revise histories of crime and the Victorian city by examining robbery at the level of both representation and behavior, and thus to view street crime from the perspective of both above and below. Histories of crime and the city are not scarce. The historiography of the nineteenth-century city in recent years has been dominated by cultural historians focusing on literary, pictorial and sensational representations of the city. Notable studies by Judith Walkowitz, L. Perry Curtis, Deborah Epstein-Nord, and most recently Drew Gray, have examined popular representations of the London slums to demonstrate how Victorian social attitudes towards the poor were to a large extent shaped by the ways they were imagined in the public sphere.<sup>1</sup> Such cultural histories of the city have examined how the privileged elite- journalists, social observers, novelists and artists- described the city and its unrespectable ‘other’- the urban poor.

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<sup>1</sup> J. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London*, (London: Virago, 1992); L. P. Curtis, *Jack the Ripper and the London Press* (London: Yale, 2001); D. Epstein- Nord, *Walking the Victorian Streets: Women, Representation and the City* (New York: Cornell University Press, 1995); D. Gray, *London's Shadows: The Dark Side of the Victorian City* (London: Continuum, 2010).

But such investigations only discuss the city from above and neglect to examine street life from below or the ways in which the lower classes experienced urban life in the nineteenth century. Peter K. Andersson's recent work, *Street Life in Late-Victorian London: The Constable and the Crowd* (2013) turns away from cultural histories of urban representations and examines anti-social behaviour in a range of public and private space.<sup>2</sup> Through his examination of a range of public behaviours, from gang crime to nuisance offences, he argues that the symbolic performances made by historical actors on the streets of late-Victorian London reveal the metropolitan streets to be a stage upon which identities were drawn and enacted through everyday street interactions. Lynda Nead's work, *Victorian Babylon* (2000), is influential here in its examination of both representations and behaviour in modern London and the ways in which modernity and the city shaped experiences of the metropolis.<sup>3</sup> My study develops these approaches by analysing both representation and behaviour as inter-related concepts and argues that the street at night provided a space through which to perform identities. Poor voices are often excluded from historical record, yet the behaviour of victims and offenders is not. Indeed, behaviour, as well as discourse, generates meanings and analysis of the space and place of street robberies adds a more nuanced understanding to the power dynamics that were at play during street robberies. The rights and wrongs of offenders and victims were played out on the city streets as values and behaviours clashed, and identities were (re)constructed in urban street life. A qualitative reading of the social status of the victim and perpetrator, alongside neighbourhood responses about the impact of criminality on their homes and businesses reveals that Liverpool's streets were spaces where the boundaries

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<sup>2</sup> P. K. Andersson, *Street Life in Victorian London: The Constable and the Crowd* (London: Palgrave Macmillan, 2013).

<sup>3</sup> L. Nead, *Victorian Babylon: People, Streets and Images in Nineteenth-Century London* (London: Yale University Press, 2000).

of respectability were drawn out and negotiated between historical actors in everyday life. This source material can only examine ‘flashpoints’ of violent conflict, which obscure and distort the reality of ordinary, quotidian life. Therefore, this study does not account for the ways in which the street was the setting in which bonds between historical actors were formed and consolidated, but explores the conflicts and tensions that typified everyday street life.

Spatial theories of crime have a long history in criminology. Emerging from the Chicago school of the 1960s and 70s, Clifford Shaw and Henry McKay devised their theory of social disorganisation to explain why certain neighbourhoods experience more crime than others. Shaw and McKay argued that neighbourhoods with the highest crime rate typically have at least three common problems: physical dilapidation, poverty and a culturally heterogeneous population.<sup>4</sup> They also found that these neighbourhoods had a highly transient population and high levels of unemployment. This applies to Victorian Liverpool. The slums in which crime was reported to occur most frequently were characterised by poverty, overcrowded living conditions, and a highly transient and heterogeneous population. Yet social disorganisation theory subsumes entire neighbourhoods into categories of criminal or safe. This study challenges this. The neighbourhoods in which street crime occurred in Victorian Liverpool were divided along lines of respectability and occupants used the street to contest and stage identities at different times and places throughout everyday life. As such, I adapt Elijah Anderson’s subcultural model of crime or, the ‘code of the street’, in arguing that criminal activity is rooted in economic deprivation, but it also represents engagement with a separate set of norms and values distinct from others.<sup>5</sup> This study does not define crime as a

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<sup>4</sup> C. R. Shaw and H. D. McKay, *Juvenile Delinquency and Urban Areas*. (Chicago: University of Chicago Press, 1972).

<sup>5</sup> E. Anderson, *Code of the Street: Decency, Violence and the Moral Life of the Inner City* (New York: Norton, 1999).

subculture in the way that Anderson does, but his work goes some way in explaining why certain people chose to offend and others do not. Anderson's 'code of the street' relates to masculinity, but I also use it here to explain the criminal activities of women too. For offenders of street crime, control over their spatial environment was one of the only aspects of life that they could control given the harsh realities of slum life for the lower working classes in mid-Victorian Liverpool.

#### **4. 1 Sources and Methods**

My data was compiled by digitising 260 offences taken from *Liverpool Mercury's* Police Court column between 1850 and 1870. The digitisation of newspapers allows certain crimes or places to be searched, but this data was collected by searching each daily police court report and inputting them on to the map to avoid skewing the data. Chapters one to three have shown the variety of terms that were used to describe street crime so data has to be identified qualitatively to ensure that they were violent robbery offences. The police court column was published daily in the *Mercury*. The *Mercury* was chosen as the *Post* only began publication in 1855 whereas the *Mercury* covered the whole period of study. The police court column in the *Mercury* was chosen for two reasons: firstly, the digitalisation of this newspaper enabled me, as a single researcher, to trawl through each copy more efficiently than using microfilm copies in an archive. Secondly, the police court represented one of the initial points within the court system and allowed me to pick up cases that did not get before the Assizes which heard only the most serious offences. In the absence of archival material or in other cases which were dropped by the prosecutor or at the discretion of the police, the magistrates' court is the closest to street violence at street level. As London stipendiary magistrate, A.C. Plowden noted in 1903, 'A police court is the tribunal of all others which is most in touch with the

people.’<sup>6</sup> Yet, there are limitations to the records for historians. As Andrew Davies notes, ‘Significantly, for cases heard at the police courts, journalists appear to have frequently given accounts which were closely based upon police testimony in court. This version of events tended to be reproduced as a factual report.’<sup>7</sup> The use of newspapers can only reveal the tip of the iceberg. To be clear, this chapter does not claim to portray the whole picture of street crime; the archival sources do not permit this, but it can tell us about the concentration of reportage in mid-Victorian Liverpool along how this was bound up with local slum observation and regulation.

In the absence of detailed court registers or police court notes from the period of study, local newspapers provide the best source of geospatial data, particularly for examining the distance between offence location and the addresses of victims and offenders. With the exception of the Old Bailey archives, which have preserved detailed trial transcripts, the best resource for mapping historical crime in the provinces are local newspapers. Historical sources are particularly problematic for referencing geospatial data. Knowles (2008) argues that, ‘extracting geographical data from historical sources is analogous to data mining, but it is mining done with pickaxe and shovel at the rock face.’<sup>8</sup> Newspaper reports rarely provided street numbers, but occasionally locations can be identified because they took place against the backdrop of particular pubs or landmarks. In the absence of specific data, which prevents the ‘rebuilding’ of the city through street directories and post office directories, this study uses the press reports in two ways: firstly, it considers the representation of the area, victim

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<sup>6</sup> A.C. Plowden, *Grain or Chaff: The Autobiography of a Police Magistrate* (London: T. Fisher Unwin, 1903), p. 26.

<sup>7</sup> A. Davies, ‘Youth gangs, masculinity and violence in late Victorian Manchester and Salford’, *Journal of Social History*, Vol. 32, 2 (1998), p. 351. For further advantages and limitations of police courts and newspaper reportage, see A. Barrett and C. Harrison (eds), *Crime and Punishment in England: A Sourcebook* (London, 1999).

<sup>8</sup> A. K. Knowles, *Placing History: How GIS is Changing Historical Scholarship* (California: ESRI Press, 2008), p. 34.



and offender, and secondly, it considers the distance between offence and the address of victim and offender. GIS software features a ruler tool which allows users to calculate the distance from one point to another. In the absence of geo-specific data, a mid-point location within the streets where robbery occurred was taken to provide an average distance.

Each offence was geo-referenced onto a digitised version of an 1864 Liverpool Ordnance Survey map which was available from <http://digimap.edina.ac.uk/digimap/home>.<sup>9</sup> Geo-referencing is a process in which longitude and latitude data are converted into real-world coordinates on a projection system. This allows distances and areas to be calculated and integrated and can then be used in two ways: to examine density of reportage within a location and to measure the distance between offence location and address.<sup>10</sup> A kernel density map was then generated to create ‘hot spots’ of street crime and the distance between address and location was completed by measuring the distance between them using GIS’s ruler facility. Of course, there are problems with this. Maps are flat sheets of paper and are projections, rather than reflections, of the real world environment. In addition, maps provide an aerial observation which reduces the complexity of urban life to a rational and ordered state. Yet the history of the city needs to be understood at ground level, so an analysis of behaviour within these spaces helps to provide a nuanced understanding of the spatial picture of street crime.

Thus, this study was only able to use GIS techniques in two ways. Firstly, it was able to observe the city from above by mapping the particular areas and districts that were seen as problematic by local press and regulators. Secondly, this study was able to consider the

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<sup>9</sup> Ordnance Survey Town Plan Series, Scale 1:1056, (Liverpool: Landmark Information Group, 1864) EDINA Historic Digimap Service, <<http://edina.ac.uk/digimap>> [Accessed: June 2011].

<sup>10</sup> I. N. Gregory and P. S. Ell, *Historical GIS: Techniques, methodologies and scholarship* (Cambridge: Cambridge University Press, 2007).

spatial characteristics of offending at street level by examining the distance from the offenders' residence to the offence location.

However, there were limits to what GIS could do. Each geo-location was ascribed additional information about the offence such as the age and gender of the offender and victim. Initially, I attempted to generate a dot density map to demonstrate the possible differences between gender and age differentials and use of the city. Yet GIS struggled to demonstrate this information in a clear and visual pattern. GIS can provide an aerial view of the city and its neighbourhoods, but it was unable to show the nuanced contrasts between male and female offenders' use of urban space. Men's occupation of pubs and street corners and women's use of the backstreets and brothels within mid-Victorian Liverpool's red-light districts, for example, could not be seen when looking at the city from an aerial perspective. Demonstrating the impact that age may have had upon the relationship between urban space and the city was also rendered impossible through GIS visualisation. Offenders who committed several street robberies between 1850 and 1870, such as Martin Corrigan who began his offending career at aged thirteen but ceased to offend after he reached thirty-three in 1875, complicated results. In addition, newspaper reports did not always mention age and were not always reliable in their calculation.

GIS was also unable to highlight the temporal dynamics of street crime. I attempted to generate a dot density map which highlighted the number of offences that took place at particular times. Although the Access database showed that almost all offences occurred between midnight and two o'clock in the morning, attempting to visualise this through mapping showed that the time of the offence was not dictated by the particular districts of the city, but by the spaces within them, in particular, the night-time economy of public houses and red-light districts. GIS was not able to visualise the temporal dynamics, nor the age and

gender differentials at play in the 260 street robberies that were reported in *Liverpool Mercury's* police court column and Assize courts. GIS software has significant promise in allowing historians to put the 'where' back in to historical inquiry, yet there is an urgent need to recognise that there are significant limitations on what current mapping software can do, and to develop tools and strategies for integrating spatial and temporal analysis.

## **4.2 Mapping street crime: Representation and regulation of Liverpool 1850-1870**

As urbanisation gathered pace in the nineteenth century, the middle classes moved out of the city centre and into the suburban villas that lay on the southern outskirts of the city centre. In turn, Liverpool was seen by contemporary observers as a city defined by social, moral and geographical division. The most prolific observers of slum life in mid-Victorian Liverpool were Reverend Hume and the journalist Hugh Shimmin who both noted the vast separation between the north end of the city and the more respectable suburbs that lay south of its centre.

Shimmin notes that:

The more comfortable portion of the public in Liverpool do not know the town they live in. Probably not one in a hundred of them has ever been in one of these places. To such of the public as are strangers to all of this misery, we communicate the sermon which was preached to us by the stones on which the little ones were seen.<sup>11</sup>

The suburban dweller could thus avoid living in, and may even have been unaware of, the unhealthy north end and its overcrowded, insanitary and impoverished conditions that were associated with inner-city living. Reverend Hume also pointed to the difference between the north and south ends of the city. 'There are large portions of the town, therefore, in which the

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<sup>11</sup> H. Shimmin, *Liverpool Life: Its Pleasures, Practices and Pastimes* (Liverpool: Egerton Smith, 1857), p. 61.

labouring and destitute poor do not reside; and others which they seem to monopolise.’ Hume continues:

In the south eastern part of the Parish, some of which has only lately been built upon, we find good houses and a rich population. These extend from St George’s Square to the top of Abercromby and Falkner Square...The great leading thoroughfare also, down Bold Street, to the centre of town, has no place for mere pauperism; nor can the poor find a home near the Exchange, or along the central line of the docks. But at the moment we diverge from these main lines to the byways which are less known, we find destitution of every degree, and crime and suffering of every kind.<sup>12</sup>

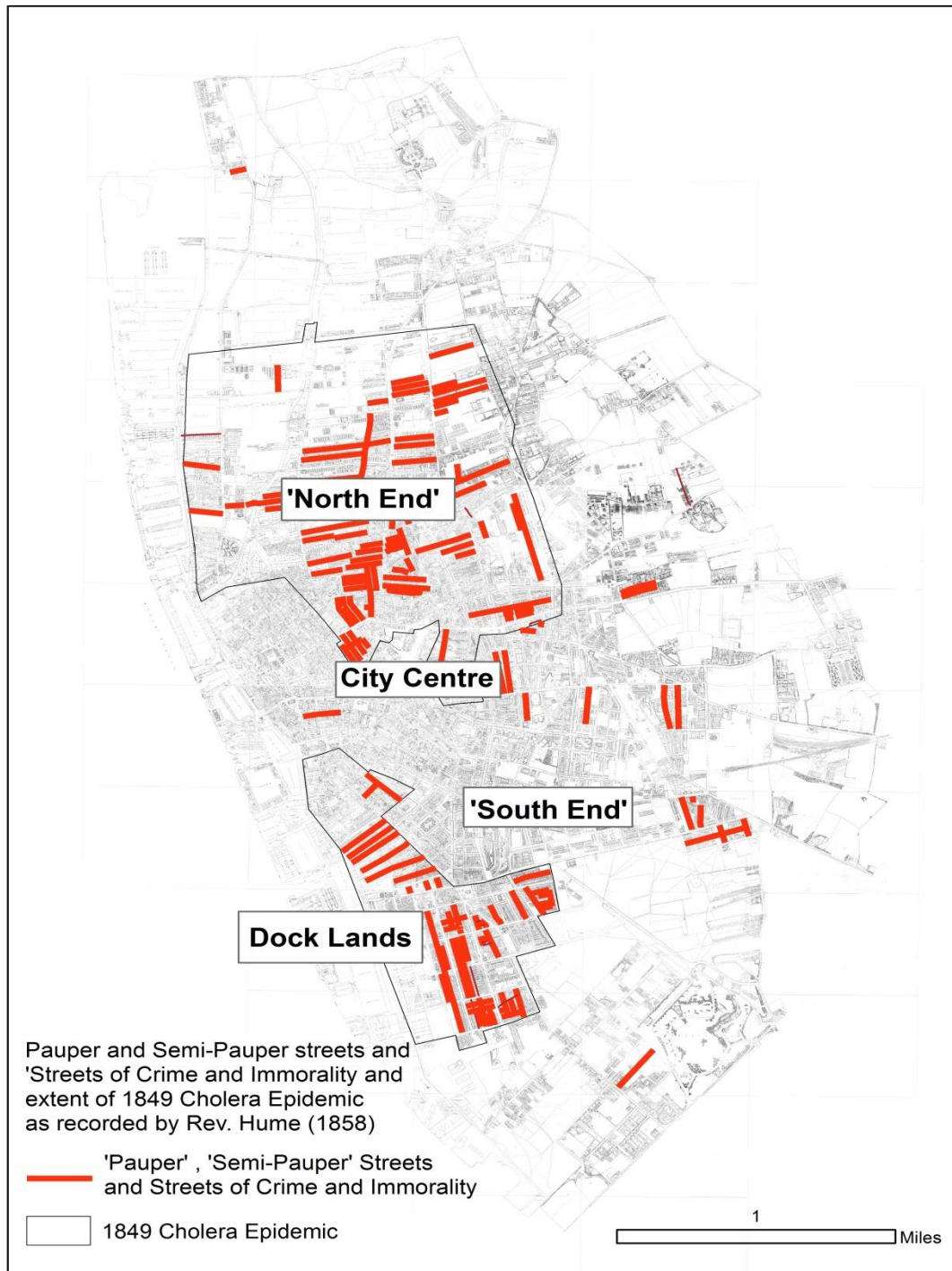
Hume drew a map of streets of pauperism, crime and immorality in 1858 which have been recreated in this study and are shown in map 1. As the map demonstrates, Hume pointed to the North End and dockland neighbourhoods as the site of poverty, crime and disease. His survey of the 1849 cholera epidemic, also shown in map 1, tore through Liverpool’s poorest districts due to the overcrowded and insanitary housing that characterised the area and his study fed in to wider representations of the poor as symbols of dirt, pestilence and decay. Hume and Shimmin’s writings clearly demarcated Liverpool as a geographically and socially divided city. The ‘great unwashed’ resided in the chaotic, polluted and dangerous north end which opposed the orderly and safe south, and these narratives operated to maintain separation between the classes and demonise the urban poor as ‘Other’. As Judith Walkowitz argues, ‘The repudiation of the “low” by the dominant “top” of society was paradoxically accompanied by a symbolic importance of the “low Other” in the imagined repertoire of dominant culture.’<sup>13</sup>

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<sup>12</sup> A. Hume, *Condition of Liverpool: Religious and Social; Including Notices of the State of Education, Morals, Pauperism, and Crime* (Liverpool: Brackell, 1858), pp. 19-20.

<sup>13</sup> J. Walkowitz, *City of Dreadful Delight*, p. 20.

Map 1. Geographical distribution of the 1849 Cholera epidemic and poverty in Liverpool



Sources: Ordnance Survey Liverpool Town Plan Map (1864) Scale 1:1056, (Liverpool: Landmark Information Group, 1864) EDINA Historic Digimap Service, <<http://edina.ac.uk/digimap>> [Accessed: June 2011] and Reverend Hume's *Four Maps of Liverpool: Ecclesiastical Historical, Municipal, Moral & Social Map* scale 1:14,900 (Liverpool, 1858)

Map 2 demonstrates that reporting of robbery was focused in three key areas: the docks, the area around Williamson Square and Lime Street train station and pockets of the north end slums, in particular, Chisenhale Street and the area known as ‘Little Hell’. The small collection of streets known as ‘Little Hell’ was the most notorious area in mid-Victorian Liverpool. Hugh Shimmin ran a series of articles for *Liverpool Mercury* and his own periodical, *Porcupine* when he adopted the role of an ‘urban flaneur’ as he ventured in to the north-end slums and retold his observations and experiences in lurid detail. In 1864, Hugh Shimmin described the geographical boundaries of the area in an article called, ‘A Dark Episode in Little Hell’,

As you pass from Scotland Place up Richmond Row take the second turning on the right. You find yourself in a dark, narrow street. You pass yards in which there are carts standing and carters smoking; small close houses, with women and children crowding round the fire, and a small shop, in the window of which flares a lamp surrounded by herrings, cakes, onions, toffee, and pipes. Men and women lunge against you or each other in the darkness, for there is no lamp until you reach the now unused foundry. Stand under the lamp there, and look up at that dark, steep, narrow street which runs up to Thurlow Street; this is the scene of the murder. There is not a lamp in it. You are now on the border of “Little Hell”.<sup>14</sup>

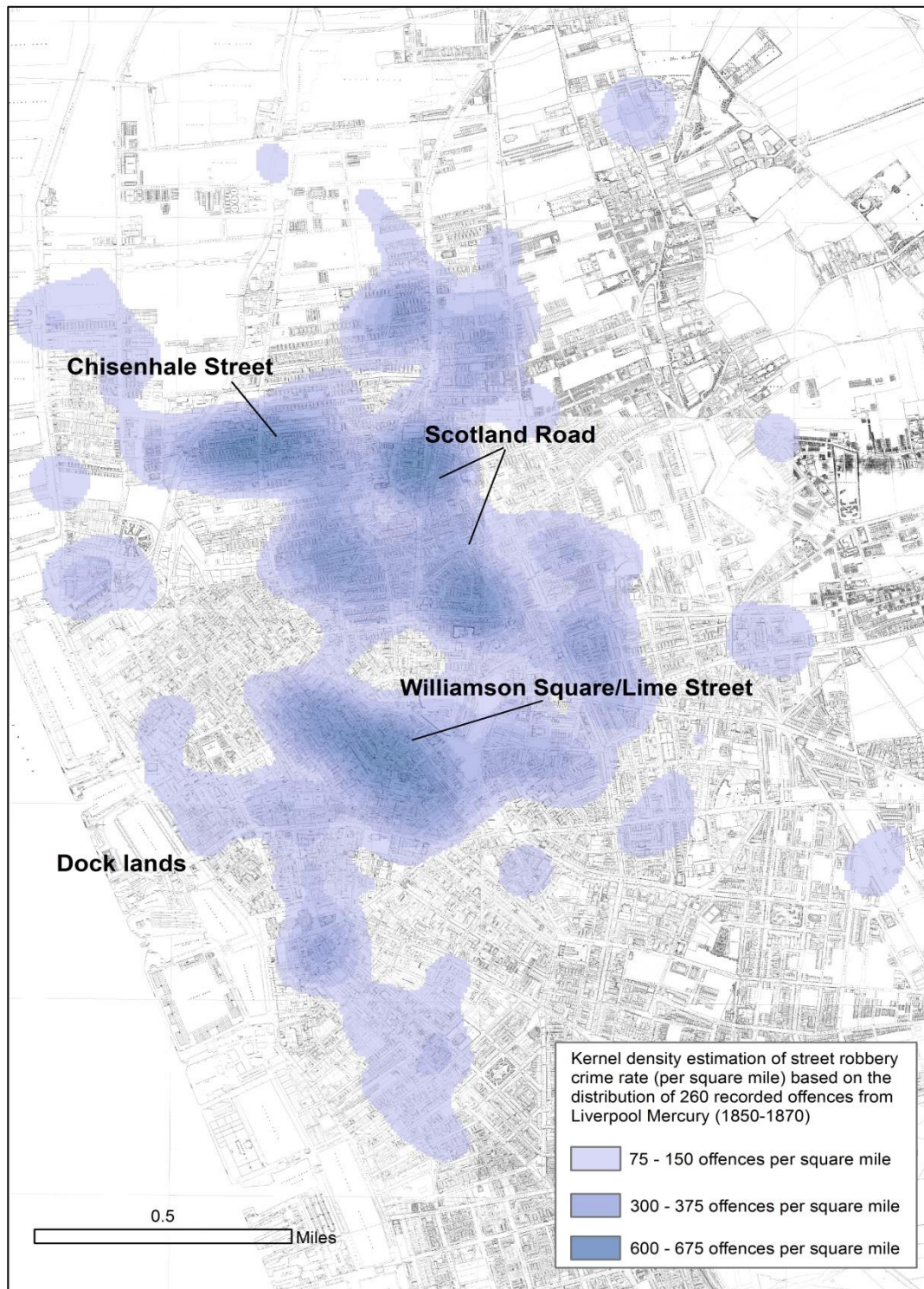
The descriptions of Little Hell were refracted through Shimmin’s non-conformist and bourgeois male gaze as he (re)constructed the inhabitants of the urban poor as chaotic, morally degenerate and, importantly, capable for murder. His writing corresponds with the metropolitan observations undertaken between the 1840s and 1880s. In his writing, Shimmin positioned himself as the rational observer of chaotic slum life.<sup>15</sup> As Walkowitz notes, ‘Urban investigators not only distanced themselves from their objects of study; they also felt compelled to possess a comprehensive knowledge of the Other; even to the point of cultural

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<sup>14</sup> H. Shimmin, *Liverpool Life: Its Pleasures, Practices and Pastimes* (Liverpool: Egerton Smith, 1857), p. 64.

<sup>15</sup> *Ibid.*

Map 2. Kernel density estimation of street robberies in Liverpool, 1850-1870



Sources: Ordnance Survey Liverpool Town Plan Map (1864) Scale 1:1056, (Liverpool: Landmark Information Group, 1864) EDINA Historic Digimap Service, <<http://edina.ac.uk/digimap>> [Accessed: June 2011] and reports of violent robbery in Liverpool Police Court Column in the *Liverpool Mercury*, 1850-1870.

immersion, social masquerade and, intrapsychic incorporation.<sup>16</sup> Shimmin continued in his evocative descriptions of the inhabitants of Little Hell.

A tall bony man is being led up to one of the lower houses in Myrtle Street by two broad-set, loose girls with bloated faces and rough hair. They are dressed in bed gowns, which display their brawny arms, and are using what force and persuasion they are capable of to get the man along. Three or four little boys are dodging after them, and, as the women get the man to the door, and are just about to push him in, the boys cry out from across the street, "Don't go in, master; don't go in! They are going to rob you! They are sure to rob you!" On a sudden the man rouses himself, seems alarmed, reels off the footwalk, and slouches away down the street; the girls lose their prey; the boys secure the girls blessing, and have to run for their lives! This we witnessed on a Tuesday night with a friend.<sup>17</sup>

Shimmin drew upon moral and sensational discourse in his descriptions of the north end slums and its inhabitants.<sup>18</sup> The prostitute, as the quintessential figure of urban and moral decay, formed the central spectacle in Shimmin's descriptions of Little Hell. Walkowitz argued that social investigators and urban explorers eroticized working women in the nineteenth century.<sup>19</sup> Shimmin's descriptions of the women as 'broad-set, loose girls with bloated faces and rough hair', in bed-gowns with 'brawny arms', evoked wider descriptions of working women as masculine. Their sexual assertiveness, bodily exposure and their 'preying' on a drunk, incapable and 'bony' man further marginalised them from domesticated and sexually passive femininity. Indeed their presence on the urban streets, particularly on a Tuesday night, and thus early in the working week, evoked an atmosphere of moral and cultural decline. Furthermore, that they were set in opposition to the innocent and helpful

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<sup>16</sup> J. Walkowitz, *City of Dreadful Delight*, p. 20.

<sup>17</sup> H. Shimmin, *Liverpool Life: Its Pleasures, Practices and Pastimes* (Liverpool: Egerton Smith, 1857), p. 64.

<sup>18</sup>For more on metropolitan slum writing, see J. Walkowitz, *City of Dreadful Delight*; L. Nead, 'Mapping the Self: Gender, Space and Modernity in mid-Victorian London', in R. Porter (ed.), *Rewriting the Self: Histories from the Renaissance to the Present* (London: Routledge, 1997); L.P. Curtis, *Jack the Ripper and the London Press* (London: Yale, 2001).

<sup>19</sup> J. Walkowitz, *City of Dreadful Delight*, p. 20.



‘boys’ who apparently warned Shimmin and his friend to avoid the area reinforced their representation as morally corruptive and a potent symbol of urban decay.

The most notorious street in mid-Victorian Liverpool was unquestionably Chisenhale Street. Located near to Scotland Road at the far north end of the city, the street was subject to moral and religious discourse in the middle of the nineteenth century. The *Liverpool Mercury* stated that,

This street particularly is, and probably has been since the property has been occupied by the class of people who make a livelihood in a very questionable way, infested by a gang of roughs, who, it is to be hoped, will be dealt with most severely when they fall into the hands of justice, and whose greatest fear seems to be of that whip “the cat”.<sup>20</sup>

In *Missions at Home* (1850), Reverend Hume pointed to the link between poverty and criminality. ‘There is no necessary connexion between poverty on the one hand, and crime and irreligion on the other; but it is undeniable that there is an actual connexion.’ Hume described Chisenhale Street as one of ‘several such streets in the north...which are a terror to a solitary policeman, and into which a respectable person rarely ventures.’ The street, ‘contains very few families who pursue lawful occupations; and others are an annoyance not only to the town but to the surrounding neighbourhood.’<sup>21</sup>

In an article entitled, ‘A visit to Chisenhale Street’, published in the aftermath of the infamous murder of Mary Corrigan by her son, Thomas, a journalist, ‘C’, wrote that, ‘To gain

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<sup>20</sup> *Liverpool Mercury*, 28 April 1868.

<sup>21</sup> A. Hume, *Missions at home, or A Clergyman’s Account of a Portion of the Town of Liverpool* (Liverpool: T. Brackell, 1850), p. 15.

some information, and to see this now infamous locality I chose, for time to visit it, Sunday last; and as the church bells of the morning had ceased their chimes, I was wending my way to Vauxhall Road.<sup>22</sup> The journalist continued,

I found Chisenhale Street on my left, and Arley Street on my right, the entry to the latter being guarded by a large gin-palace on each side; the former having a gin palace on the right. Looking along Chisenhale bridge, where the street ends, all appears as quiet as could be expected- men loitering; women sitting on doorsteps.

The inhabitants were clearly constructed by the journalist as the undeserving poor who spent their lives drinking in public houses, loitering on city streets and doorsteps and gaining money from ill-gotten gains. Their positioning on the street during the day was highlighted as transgressing the respectable working week and contravened dominant ideals of the respectability which was to be gained from hard work in a legitimate occupation. ‘Women, without shoes, and very few garments on, were their companions, whilst brawny loafers skulked about, and vicious cripples stammered out blasphemy at the door.’<sup>23</sup> ‘As I get in to Vauxhall Road, who is that I see coming out of the public house at the corner? I look, and find that it is she who “had not drunk any intoxicating drink for the last twelve months.” I followed to make sure it was she.’<sup>24</sup>

The article positioned the church and pub against one another in a hierarchy of respectability.

The report continued,

Passing along I hear a woman say, “That’s it with the blind down.” Presently, while I was thinking my visit was to be in vain, I saw one who became an

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<sup>22</sup> *Liverpool Mercury*, 13 November 1873.

<sup>23</sup> H. Shimmin, *Liverpool Sketches, reprinted from the Porcupine* (Liverpool: W. Gilling, 1862), p. 130.

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

excellent guide to me. I asked him, "Is there a church or chapel in this street?" "No, sir, none." "Is there a school of any sort?" "No, sir, none." "There seems to be no lack of public houses?" "No; there are three and a beer-house within something like 100 yards."<sup>25</sup>

The institutions of Victorian respectability- the church, school and chapel-were juxtaposed with the unrespectable beerhouses and pubs to construct Chisenhale Street as a den of vice and mendacity. The amount of time that working men and women spent in the pub and not in Church was a focus of concern for Reverend Hume. In *Missions at Home* (1850), he observed that,

In six streets and their courts in the Vauxhall district, where there is a population of 5,939, only 29 families attend Church. The moral condition of the people may be inferred from the statements respecting their spiritual condition. When a man lives for the indulgence of his animal instincts; when he labours that he may eat, drink and sleep; the highest praise that can be given to his morality is that he is inoffensive. Hence, the lower part of the town contains the worst characters of every kind, the convicted felon, the professional thief, the receiver of stolen goods, the drunkard, the blasphemer: in short, incorrigible man and degraded woman.<sup>26</sup>

In 'C's 'Visit to Chisenhale Street', the inhabitants were described by animalistic metaphors which tapped into wider discourses about the urban poor. 'On leaving, it was just about time to open the public houses, so I loitered about for a time. When they opened, how soon the street was cleared; hardly a person was to be seen from end to end; they had, like foxes, taken to cover.' The description of Chisenhale Street's inhabitants as vulpine evoked images of the poor as a predatory threat to the vulnerable lurking in fetid dens who scoured off the remnants of society. The article concluded by stating, 'Once again in Vauxhall Road, I sped home, after a visit to wretchedness and crime as seen in Chisenhale Street on a Sabbath

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<sup>25</sup> *Liverpool Mercury*, 13 November 1873.

<sup>26</sup> A. Hume, *Condition of Liverpool, Religious and Social*, p. 14.

forenoon.’<sup>27</sup> That the inhabitants of Chisenhale were spending the respectable Sunday drinking and not in Church consolidated their construction as members of the undeserving and unrespectable poor.

The intensification of reporting about Liverpool’s slums led to regulatory schemes throughout the mid-Victorian period which divorced slum life from respectable society. The relationship between representation and regulation were neatly intertwined. That the spread of disease was the result of a clear correlation between the bad sanitation and overcrowding that typified urban poor housing meant that rather than accepting responsibility for inner-city decay, city fathers could blame the dissolute and insanitary poor who, it was argued, brought such conditions upon themselves. Thus the use of environmental and moral metaphors in the writings of contemporaries such as Hugh Shimmin, the journalist and urban explorer, and the surveys of Reverend Hume, the ambitious Churchman, their slum observations were used to forge their own agendas. Hume’s mission was to expand the Protestant Church in Liverpool and he drew upon wider anxieties and prejudice towards the presence of Irish Catholics in the north end. ‘In one street of Vauxhall district, population 1539, families, 332, and there are 1200 Roman Catholics. In one street of St Stephen’s District, population 279, families 71, there is *not one Protestant*.’<sup>28</sup> The answer to reducing crime and immorality in the north end was unequivocally to build more Anglican churches in the area.<sup>29</sup> So too in the case of Hugh

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<sup>27</sup> A. Hume, *Missions at Home*, p. 14.

<sup>28</sup> Hume’s emphasis. *Ibid.*, p. 8.

<sup>29</sup> *Ibid.*

Shimmin, whose zeal for health reform was accompanied by the need to sell his works to a bourgeois audience eager to read about the lurid depravities of slum life.<sup>30</sup>

Slum clearance was both sporadic and ineffective in the mid-Victorian period. The spatial association between a sub-standard environment and the disenfranchised poor was fortuitous. Those who experienced the worst living conditions had no significant power to improve their situation while members of the community with the power to vote usually escaped the worst conditions and could ignore the slums. Thus, city councillors took a laissez-faire attitude to bettering the slums and slum-dwellers. Such logic was not confined to city councillors seeking to please middle-class rate payers; it was also frequently expressed by those most closely involved in the management of the urban environment, including successive medical officers of health.<sup>31</sup> The clear segregation between middle and working-class housing in Liverpool meant that most politicians could, and did, ignore the problems of the north end slums.

Following the cholera epidemic which swept through the north end slums in the late 1840s, the evidence of such extreme environmental decay led to health schemes being set up in the city. Dr William Duncan (the town's first Medical Officer) and James Newlands (Borough Engineer) were shocked by poor sanitary and diseased conditions which characterised the urban slums, and were instrumental in the passing of a number of local acts aimed at improving the urban environment.<sup>32</sup> Pooley argued that the most effective of these acts was

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<sup>30</sup> J. Walton and A. Wilcox, *Low Life and Moral Improvement in mid-Victorian England: Liverpool through the journalism of Hugh Shimmin* (Leicester: Leicester University Press, 1991), p. 8.

<sup>31</sup> Pooley, 'Residential Differentiation in Victorian Cities', p. 140.

<sup>32</sup> For further details see W.M. Frazer, *Duncan of Liverpool. Being an account of the work of Dr. W.H. Duncan Medical Officer of Health of Liverpool 1847-1863* (London: Hamish Hamilton Medical Books, 1947); S. Halliday, 'Duncan of Liverpool: Britain's first Medical Officer', *Journal of Medical Biography*, Vol. 11 (2003),

the 1864 *Liverpool Sanitary Amendment Act* which ‘eventually led to the demolition of some 12 000 houses in the central area by the end of the century (although with little rebuilding at the lower end of the market conditions for slum dwellers were scarcely improved).’<sup>33</sup> Liverpool’s mortality rate was far greater than in other cities. An 1871 Borough Council Report stated that the city had a mortality rate of 38.8 per thousand compared to 24.3 for London and 30 for Manchester. Additionally, they found that some streets were more prone to early death than others. Addison Street, in close proximity to ‘Little Hell’, had a mortality rate of 62 per thousand.<sup>34</sup> Although intervention did occur during the nineteenth century and urban death rates were reduced, the total effect was small.<sup>35</sup>

Yet reportage of street robbery also appears to have occurred in the area between St. John’s Market, Whitechapel and Lime Street. Williamson Square was a centre for nocturnal leisure during the 1850s and 60s. John Archer noted that, ‘Williamson Square was the scene of much debauchery, illegal betting and drunken fighting.’<sup>36</sup> The theatres and betting halls in and around Williamson Square were sites in which lower middle-class and working-class people shared sociability and leisure time. Yet leisure was a contested space and theatres, pubs and betting halls near Williamson Square were sites in which the lower and middle classes mixed and collided. In the popular imagination of the respectable working-class and middle-classes, this area was symbolically significant as it represented moral danger. In particular, one of the

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pp. 142-149; S. Sheard, ‘James Newlands and William Henry Duncan: a partnership in public health’, *Transactions of Lancashire & Cheshire Antiquarian Society*, Vol. 87 (1991), pp. 102-21.

<sup>33</sup> C. Pooley, ‘Residential Differentiation in Victorian Cities’, p. 140.

<sup>34</sup> E. A. Parkes and J. Burdon-Sanderson, *Report on the Sanitary Condition of Liverpool* (Liverpool: Benson, 1871).

<sup>35</sup> C. Pooley, ‘Residential Differentiation in Victorian Cities’, p. 143.

<sup>36</sup> J. E. Archer, *The Monster Evil*, p. 19.

more prominent concerns in mid-Victorian literature more broadly was the young, unmarried male who applied himself more to drunkenness and debauchery than hard work and respectable leisure practices.<sup>37</sup> The pubs and brothels which surrounded Lime Street station were also a site in which high and low collided through sexual interaction with prostitutes. Shimmin, for example, in writing a description of the Lime Street area which was the main seat of prostitution away from the docks, identified a range of middle-class men, who he described as 'queer fish on the loose' or 'gentlemen bent on seeing life as it swings in all its charming variety.'<sup>38</sup> This area functioned as a liminal space which allowed people to perform different identities away from the moralising gaze of work, home and church as they provided a context for conviviality and shared entertainment in an atmosphere of risqué social behaviour. The rate of reportage in this area reflects wider concerns with regulating the night-time economy and civilising public behaviour on the city streets.

### 4.3 Locational Contexts: Liminal Places

The hold of respectability was far less strong in certain locational contexts away from the moral control of neighbours, church and workplace. In 1866 'two young roughs', Patrick Kenny 'who lived with his friends in Addison Street' and Michael Sweeney 'who had for some time in the past been located in Sawney Pope Street' were charged at Liverpool Police Court with violently robbing a packer, John Bowman. At midnight on Tuesday evening, Bowman was passing along Whitechapel 'and meeting with a female friend he "gave her a

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<sup>37</sup> J. Tosh, "New Men: The Bourgeois Cult of Home," *History Today*, Vol. 46 (Dec. 1996), pp. 9-15.

<sup>38</sup> M. J. Huggins, 'More Sinful Pleasures? Leisure, Respectability and the Male Middle Classes in Victorian England', *Journal of Social History*, Vol. 33, 3 (2000), p. 588. For more on middle and working-class leisure in Liverpool, see J. K. Walton and A. Wilcox (eds.), *Low Life and Moral Improvement in Mid-Victorian England: Liverpool through the Journalism of Hugh Shimmin* (Leicester: Leicester University Press, 1991).

glass”’. Bowman and his friend left the pub and counted out the 8s 6d in his packer when ‘the prisoners and two other fellows followed him, and one of them struck him in the face and knocked him down’ before ‘they then set him upon his feet and held him up against the wall, whilst the younger prisoner, Kenny, thrust his hand into the prosecutor’s pocket and robbed him of his money.’ The addresses of the offenders, Addison Street and Sawney Pope Street, were neighbouring streets within the notorious Scotland-Vauxhall Road triangle which suggests that interactions between these men were likely to have been forged within the neighbourhood. Their residence in the city’s most troublesome streets, combined with Kenny ‘living with his friends’ fed in to broader fears about unmarried working men and the polluting influence of single mens’ sociability in street life and, especially, public houses.<sup>39</sup> Interestingly, the addresses of the perpetrators were located 0.4 miles away from the place of the attack in Whitechapel. Joanna Bourke’s examination of leisure notes that locals did not necessarily go to the nearest pub and that it was ‘easy to get “fed up with seeing the same old faces.”’<sup>40</sup> In this instance, the distance is far enough to have occurred away from the moralising gaze of family or neighbourhood networks, but also raises the possibility that street robbers were aware of the type of area where they committed repeat offences. Indeed, the drunkenness of the victim and his careless display of money-counting in the street added to his vulnerability.

Sailors featured heavily in street robberies as both victims and perpetrators. Sailors led a transient life, and formed a significant part of the social fabric in the city. Offences that contravened norms of respectability such as visiting prostitutes, drinking and fighting were

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<sup>39</sup> P. Bailey, *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885* (London: Routledge and Kegan Paul, 1978).

<sup>40</sup> J. Bourke, *Working-Class Cultures in Britain, 1890-1960: Gender, Class and Ethnicity* (London: Routledge, 1994), p. 119.



arguably more likely to take place where work took men away from home. The pubs clustered around the docks acted as a liminal space away from the moralising gaze of employers and family. In 1863, ‘two seamen’, Charles Hardy and John Stephens, ‘the former an American and the latter a native of Belgium’ were charged with garotting a Welsh sailor Owen Griffiths. Griffiths had spent a Friday night in Roberts’s public house in Union Street ‘where he had something to drink.’ At about one o’clock in the morning, Griffiths was walking down Union Street to his vessel, the *Afon Lass*. The prisoners invited him to take them for a glass of ale with him, but led him up a private street and ‘took hold of him by the throat and nearly strangled him.’<sup>41</sup> This type of behaviour is an indication that connections between people – and perhaps between men in particular – depended as much on factors of spatial proximity as upon actual bonds of friendship or kinship. ‘A man whom you pass in the street now and then or who is deemed as close to yourself in spirit or social situation may be considered fit for fraternisation.’<sup>42</sup> The pubs along the docks were a space for working men’s sociability away from the home and the gaze of family and neighbours, yet they were also a space in which tensions sparked, grew and culminated in violence.

The area surrounding Lime Street station, with its brothels and narrow alleys, provided ample opportunities for street robbers. Travellers to the city could have been unaware of the reputation of particular districts and experienced robbers took advantage of their vulnerability through the performance of normality. John Jones was charged with two separate robberies that took place in the Lime Street area in 1860. At Liverpool Police Court, John Nixon, an American engineer ‘who arrived in Liverpool by the *Kangaroo* on Thursday last’ reported a garotte robbery committed by three ‘first-class travelling thieves’, William Williams, William

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<sup>41</sup> *Liverpool Mercury*, 14 September 1863.

<sup>42</sup> P. Andersson, *The Constable and the Crowd*, p. 71.

Sheen, and John Jones. Between six and seven o'clock in the evening, Nixon stopped for a short time in local pub, Edinburgh Castle, before heading to Lime Street station with the intention of going on to Manchester. Upon leaving the pub 'he met with the prisoners Sheen and Jones, and asked him to direct him to the station. They did so in a very obliging manner.' On arriving at the station he found that the Manchester train was gone, and 'he, in return for the courtesy extended to him by the prisoners, and asked them to go to some place and have a drink with him.' Sheen and Jones then walked with Nixon to the Albany Hotel concert room in Lime Street 'where they introduced him to a person they described as an American vocalist,' and 'had sundry glasses of ale together.' The prisoners then took Nixon to a second concert room where they met Jones. They borrowed two dollars from Nixon for something to drink and offered to walk him to the train station. As they walked to the station, however, 'they took him up a sort of blind alley (Back Market Street) where Sheen threw his hands round his neck and drew his head back, while one of the other prisoners rifled his pockets of his money.'<sup>43</sup> Andersson's study of late Victorian street life notes that successful pickpockets would mimic normal behaviour in order to not attract attention. In addition, 'The fact that some of them chat with their intended victims or put their arm around them also implies that familiarity and outgoing friendliness are not unusual.'<sup>44</sup> Williams, Sheen and Jones all capitalised on the fraternal aspects of male sociability to rob Nixon. The performance of normality- of acting in the way people did in the everyday street setting- meant that the offenders could commit a successful robbery.

#### **4.3.1 Locational Contexts: Neighbourhood and Territory**

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<sup>43</sup> *Liverpool Mercury*, 10 March 1860.

<sup>44</sup> P. Andersson, *The Constable and the Crowd*, pp. 117-118.

Analysis of the offences which took place in the north end slums show that though offenders rarely offended on their own streets, they would often offend in neighbouring streets. This suggests that offenders of robbery were likely to commit street crime in areas that they were familiar with, but would not rob their own neighbours. Repeat offender, Martin Corrigan, who lived on Chisenhale Street, committed most of his offences on Love Lane which was only 0.2 miles away.<sup>45</sup> Hugh Riley, another repeat offender, committed robberies 0.5 miles away from his home in Paul Street.<sup>46</sup> Such evidence cannot be taken as representative- the amount of surviving detail does not permit this, but such cases suggest that robberies were more likely to occur in short distances away from the moralising gaze of neighbourhood, family and other social networks. Additionally, this could be simultaneously read as offenders' bond with their neighbours in not wanting to offend against them and so, in part, points to a working-class code of the street in which you did not offend on 'your own doorstep'.

The doorstep held significant meaning in street robberies as it represented the boundary between public and private. In 1863 Biaggio Parlasca 'a Spaniard' was robbed of a gold watch by 'two young fellows' Robert Hunter and Philip Sullivan. Parlasca both lived and worked in Ben Johnson Street and kept a small shop on the corner. The victim left work to go to his house in the street and 'as [he] was about to enter his house, Hunter got on the doorstep, tried to stop him, and made a grab at his watch and chain.' Hunter and Sullivan then 'gave the old man a violent push, and he fell upon the flags, severely injuring his head.' Witnesses to

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<sup>45</sup> Martin Corrigan is discussed in further detail in chapter 5. For Corrigan's offences see, NA HO140/10 After-trial Calendars of Prisoners Tried in Lancashire (1870); *Liverpool Mercury*, 20 September 1864; *Liverpool Mercury*, 22 March 1870; *Liverpool Mercury*, 28 December 1871; *Liverpool Mercury*, 3 April 1878.

<sup>46</sup> For further details on Hugh Riley's offences see, NA HO140/2 After-trial Calendars of Prisoners Tried in Lancashire (1868); *Liverpool Mercury*, 2 October 1866; *Daily Post*, 1 January 1868.

the attack came forward to support the ‘clearly proving evidence’ by providing ‘tolerably accurate descriptions’. Sullivan was later apprehended by Police Officer no. 36 ‘the same night in a house in No 6 Court, Ben Jonson Street.’<sup>47</sup> That witnesses were keen to come forward and identify the criminals highlights the ways in which neighbourhoods were divided in terms of respectability. In an attack on a local and elderly man, who was key to the community through his role as a local shopkeeper, Hunter and Sullivan contravened codes of working respectability and neighbourhood respect. The offence was made all the more shocking because it occurred on Parlasca’s doorstep and therefore they had invaded his domain.

But slum neighbourhoods within the north end were not cohesive, and despite cramped living conditions with other families, the proliferation of lodging houses and transient populations moving in and out of the city meant that inhabitants were often unfamiliar to one another. Without surviving testimonies from the victims and offenders, it is difficult to ascertain how the neighbourhood was defined by the people who lived there, but street robbery offences show that robberies could, and did occur on the streets where both offender and victim lived. Four sailors, William Henricks alias Stacey, John H. Blaney, Henry Spears and Charles Ballinger, were charged with assaulting and robbing ‘an elderly man who is a labourer’, Robert Hughes, who lived in Prussia Street. The victim had just left his house in Prussia Street when he was attacked by the prisoners who ‘lifted Hughes up from the ground and placed him in a standing position against the wall [and was] robbed of his watch.’ The prisoners then told Hughes they would walk him home, but left when they reached the Welsh Chapel to go in another direction. Henricks, however, was later apprehended at ‘his lodgings in Prussia Street where [he] took the watch from under a bed and gave it to Police Officer No.

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<sup>47</sup> *Liverpool Mercury*, 28 June 1863.

401.’ Thus both victim and offender lived on Prussia Street which was just under a fifth of a mile long. Yet the proliferation of lodging houses and the dominance of casual dock labour bringing migrants in to the city, meant that neighbourhoods were often characterised by anonymity. That both victim and offender were drawn from the same social class and lived in the same street shows that there were tensions between the poor which were enacted on the city streets.

Robberies could even occur by residents of the same courts. Peter and Thomas Mewman, ‘two rough-looking fellows’, were charged with the assault and robbery of a labourer, Robert Sanderson. The *Mercury* noted that ‘it appeared from the evidence adduced that the prosecutor and prisoners lived at No 5 Court, Collingwood Street.’ The prosecutor left his house on Sunday when the prisoners’ mother threw a jug of water upon him adding “Here he is” and ‘both prisoners came out of their house and struck the prosecutor, knock[ed] him down’ and stole 4s from his pocket.<sup>48</sup> Sanderson was unable to work as a result of the ‘violent kicking’ he received. Unfortunately the background to this attack was not printed, but it appears that robbery was used by the Mewman brothers to avenge the dispute between them. Cases such as this suggest that items were taken during robberies, either to resolve a financial dispute, or out of revenge. This robbery was committed in front of neighbours and, by beating Sanderson on the street, the Mewman brothers provided other neighbours with a warning.

#### **4.4 Neighbourhood as contested space**

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<sup>48</sup> *Liverpool Mercury*, 18 September 1867.

Liverpool's economy was dominated by dock labour in the mid-nineteenth century which provided employment for an estimated 12 percent of the adult male workforce in the city.<sup>49</sup> Characterised by low pay and intermittent employment, the extreme daily and seasonal fluctuations which dock work was subject to meant that problems of poverty were compounded for men working in the docks.<sup>50</sup> Research undertaken by historical geographer Colin Pooley demonstrates that Liverpool's streets were rarely occupied by members of the same class in the Victorian period. Pooley states,

No enumeration districts in Liverpool were occupied exclusively by unskilled or semi-skilled workers, even if only the occupations of household heads are considered; while those in skilled non-manual occupations were found in all but 5 -6 per cent of enumeration districts and skilled manual workers lived in all but one enumeration district (0 -3 per cent).<sup>51</sup>

Members of the unskilled and semi-skilled poor were often clustered in streets with cheap rent and substandard living conditions, neighbourhoods often featured a mix of skilled and unskilled workers. 'Certainly there are substantial areas where no single social group is heavily over- represented, but such areas are outnumbered by core districts with clear majority social characteristics.'<sup>52</sup> However, occupational status was not the chief source of division in working-class neighbourhoods.

Liverpool's north-end neighbourhood communities were characterised by people from different occupational backgrounds, but it was values, rather than occupational status which

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<sup>49</sup> C. Pooley, 'Residential Differentiation in Victorian Cities: A Reassessment' *Transactions of the Institute of British Geographers*, Vol. 9, No. 2 (1984), pp. 136.

<sup>50</sup> Dockworkers earned an average of 18s for a four day week. See J.E. Archer, *The Monster Evil*, p. 15.

<sup>51</sup> C. Pooley, 'Residential Differentiation in Victorian Cities', p. 134-5.

<sup>52</sup> *Ibid.*, p. 134.

determined street relations. Dockworkers were vulnerable to street crime and several offences occurred as they ventured through the slums on their way to and from work in the early hours of the morning. Robbery was made more shocking in the eyes of the public because it could occur during routine activities when it was least expected. As Peter Andersson contended, 'Everyday itineraries between the home and place of work were vital in creating the individual's urban experience and in laying the foundation of a sense of safety.'<sup>53</sup> Nathan Brown, a porter employed at Waterloo railway station and who lived in Adelaide Street, Everton, was garrotted in 1864 by 'three young fellows' Alexander McKeown, Thomas Gannon and John Norton 'who said they were labourers'. Brown was walking down St Martin Street on his way to work just before four o'clock in the morning when he saw the prisoners standing near a shop. McKeown approached him and said to him, "Have you got any money?" to which Brown replied that he did not. McKeown called out, "You're a --- liar; you must have some." The division between the respectable and unrespectable poor was clearly perceived by the victim as he asserted his status as reputable when confronted by the offenders. "What would you expect" Brown replied, "from an honest working man going to his work?" and asked them to let him pass as he had to be at work by four. Brown was then severely beaten as Gannon struck him violently on the mouth and said, "Knock the --- soul out." The prisoners eventually allowed him to leave before he was chased up the street by McKeown said, "The [---]'s going for a bobby; let us kill him." All three prisoners were later apprehended in St Martin Street with Gannon claiming, "You have taken me out of my home innocently." The magistrate highlighted the division between the respectable and unrespectable poor. Clearly affronted by the attack on an 'honest, working man' the judge warned the offenders that he would send them to the Assizes and that, 'if the case was then

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<sup>53</sup> P. Andersson, *The Constable and the Crowd*, p. 61.

proved as clearly as it had been proved before him, he had no doubt their backs would become acquainted with a cat o' nine tails.'<sup>54</sup>

Ghettoisation is too simple a framework for understanding the residential patterns of Liverpool's multicultural community in the 1850s and 60s. Certainly, shared experiences and characteristics would have enhanced community cohesion, but this study has discovered the frictions that were experienced within and between ethnic groups. Pooley argues that migrant communities, in particular those from Celtic backgrounds, were clustered together with 'complete streets in certain parts of the town consisting almost entirely of Irish or Welsh families.'<sup>55</sup> The Irish Catholic community in Liverpool was heavily concentrated in the north-end slums of the city, yet the notion that entire streets consisted entirely of Irish families is inaccurate.<sup>56</sup> Chisenhale Street had the highest concentration of Irish Catholics with 82.5 percent Irish-born living there in 1850.<sup>57</sup> Shared cultural characteristics including language and religion could have bound these communities together irrespective of where they lived and provided a reception area for migrants new to the city. Yet to suggest that Liverpool's immigrant community was cohesive is a misnomer. Street robberies that took place in the city's slums reveal that there were tensions both within and between Irish and other foreign visitors.

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<sup>54</sup> *Liverpool Mercury*, 16 August 1864.

<sup>55</sup> *Ibid.*

<sup>56</sup> F. Neal, *Sectarian Violence: The Liverpool Experience, 1819-1914. An Aspect of Anglo-Irish History* (Manchester: Manchester University Press, 1988), p. 15.

<sup>57</sup> In 1850, Chisenhale Street had a population of 1,539 people. See F. Neal, *Sectarian Violence: The Liverpool Experience, 1819-1914. An Aspect of Anglo-Irish History* (Manchester: Manchester University Press, 1988), p. 14.



The identities of victims and offenders in street robberies, and the exchanges between them, reveal the fissures and tensions within migrant communities that were played out on the city streets. Although violent robberies did not appear to be either politically or racially-motivated, the insults exchanged, between victim and offender acted as a vehicle for expressing cultural tensions and victims and offenders drew upon wider xenophobic attitudes to abuse and humiliate one another.<sup>58</sup> In 1867, two men, Patrick Egan and Thomas Rafferty were charged at Liverpool Police Court for assaulting and robbing Isaac Cleggis. The victim was walking through Fontenoy Street in the notorious Scotland Road triangle when he was ‘met by the prisoners who were entire incorrigibles.’ Egan triggered the robbery by shouting out to Cleggis and calling him ‘a – Jew’. Cleggis replied, calling him an ‘Irishman’.<sup>59</sup> In a separate case, James McAvoy and Thomas Ashton, ‘two low-looking young men’ were charged with assaulting and robbing Thomas and Ann Hanlon in 1869. ‘At about 12 o’clock on Saturday night’, Thomas Hanlon was attacked ‘by his door in 20 Court, Collingwood Street, where he lived’. Thomas’s wife, Ann, came out of the house to and upon attempting to rescue her husband, McAvoy and Ashton assaulted her and ‘took a purse carrying 7s 10d from the latter.’ Thomas Hanlon appeared in court with ‘several slight wounds on his head and several scars on his face, the former being said to have been caused by the prisoners with bricks.’ It was brought up in court that neither the prosecutors nor the prisoners had any knowledge of each other whatsoever. The prisoners denied the robbery ‘and said that Hanlon called them “a – Orangeman.”’<sup>60</sup> The streets acted as a stage upon which the tensions of daily life were expressed, sometimes violently, between communities and within classes.

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<sup>58</sup> For an analysis of eighteenth-century street life and insults, see R. Shoemaker, *The London Mob: Violence and Disorder in Eighteenth-Century England* (London: Continuum, 2004). The meaning of insults in street robberies is further expanded upon in this thesis in chapter 5 and 6.

<sup>59</sup> *Liverpool Mercury*, 12 April 1867.

<sup>60</sup> *Liverpool Mercury*, 28 September 1869.

Research into Irish settlement in Liverpool and other British towns and cities note the broad range of experiences of assimilation and exclusion.<sup>61</sup> In particular, the Liverpool Irish was a fractured group, characterised by social and cultural divisions.<sup>62</sup> In an article entitled ‘Man-catcher in Trouble’, the *Mercury* reported that father and son William and Patrick Cloyne, ‘who prey on the poorer class of emigrants’ were charged with assault and robbery on ‘another of the same order’, Thomas Feeney. Feeney was standing outside his front door ‘when four Irish emigrants, who had been recommended to him by some friends in Ireland, came up and made inquiries as to obtaining a ship.’ Feeney accompanied them to Aaron Hardy and Co.’s emigration offices in Waterloo Road by the city’s dock area ‘and was about paying for tickets for his customers, when the prisoners rushed in, declaring that the emigrants belonged to them, and that they were entitled to the commission.’ Feeney ‘perceiving the prisoners had no right to the commission’ put the money into his pocket and left the shipping office. He was ‘immediately followed by the two “sharks”, the eldest of whom pounced upon his, knocked him down and then kicked him.’<sup>63</sup> The magistrate discharged the younger prisoner, Patrick, but delivered his father, William, a sentence of 40s or gaol for 21 days. This case reveals both the cohesion and fractures experienced within and between the Irish poor. The Cloynes and Thomas Feeney relied upon wider informal networks from Ireland to secure commission from the arrival of new emigrants into the city. Yet the street-based economy of ‘man-catching’ was characterised by heavy competition as

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<sup>61</sup> For further details about Irish migration experiences see J. Herson, ‘Migration, “Community” or Integration’. Irish Families in Victorian Stafford’ in R. Swift and S. Gilley (eds.), *The Irish in Victorian Britain: the Local Dimension*, (Dublin, Four Courts Press, 1999), pp. 156-189.

<sup>62</sup> Neal, *Sectarian Violence*. For London see R. Swift and S. Gilley, *Irish Identities in Victorian Britain* (London: Routledge, 2011)

<sup>63</sup> *Liverpool Mercury*, 2 December 1851.

both the Cloynes and Thomas Feeney fought over the rights of property and ownership in their aim to secure commission.

Aside from bonds formed through ethnicity or class, notions of respectability determined neighbourhood cohesion and division. Several studies have discovered that neighbourhood ties were not formed through religion or ethnicity, but through shared values, lifestyles and aspirations.<sup>64</sup> Carl Chinn noted the parochialism of poor neighbourhoods in his study of early twentieth-century urban poor as kin and friendship networks were maintained and consolidated through shared experiences of poverty and hardship. Further, Ellen Ross contends that, 'neighbours and the neighbourhood functioned as auxiliary parents' due to the strategies of survival which the poorest urban slums demanded.<sup>65</sup> Yet, as these authors contend, slum life was also characterised by division, as reputations were staged, performed, challenged and negotiated in everyday street life.<sup>66</sup> The streets were subject to different readings. James Stonehouse, a nonagenarian who wrote a book of reflections in 1863, claimed that the Liverpool's streets in the middle of the nineteenth century were far more respectable than the cock-fighting and nude bathing days that typified the port in the late-Georgian era.<sup>67</sup> Social and moral standards were upheld by the immediate neighbourhood and

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<sup>64</sup> M. Tebbutt, *Women's Talk? A Social History of Gossip in Working-Class Neighbourhoods, 1880-1960* (Aldershot: Scolar Press, 1995).

<sup>65</sup> C. Chinn, *They Worked All Their Lives: Women of the Urban Poor in England, 1880-1939* (Manchester: Manchester University Press, 1988), and E. Ross, *Love & Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993), p. 154.

<sup>66</sup> See C. Chinn, *Poverty Amidst Prosperity. The Urban Poor in England, 1840-1918* (Manchester: Manchester University Press, 1995); A. Davin, *Growing Up Poor: Home, School and Street in London, 1870-1914* (London: Rivers Oram Press, 1996); S. D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); M. Tebbutt, *Women's Talk? A Social History of Gossip in Working-Class Neighbourhoods, 1880-1960* (Aldershot: Scolar Press, 1995).

<sup>67</sup> J. Stonehouse, *Recollections of Old Liverpool by a Nonagenarian* (Liverpool: J. F. Hughes, 1863), p. 66, 200, 236.

familial networks and neighbourhood surveillance. Colin Pooley and Richard Lawton's research into the diary of David Brindley, a dock porter who lived in the Everton district of Liverpool in the 1880s, highlights the importance of segregation between the 'decent' and 'unrespectable' poor.<sup>68</sup> Pooley and Lawton argue that, 'he existed comfortably in a social area which he knew to consist mainly of families similar to his own' and rarely ventured outside his own neighbourhood except to go to work at the docks. 'He rarely frequented the city centre shops or the smarter parts of town, and he equally rarely penetrated the dockside slums, except perhaps to pass through as he walked along a main thoroughfare on his way to work.' But Brindley's diary also reveals the tensions of the neighbourhood. 'He did not mix equally easily with all neighbours, and small-scale social differences based on attitudes to religion, drink and family aspirations are obvious'. Thus, Brindley's diary, 'provide[s] a clear indication that the residential separation of the decent working class from the unskilled poor had a real social meaning which carried over into the everyday life of individuals.'<sup>69</sup>

For the people living in the slums, criminality was a persistent problem. Conflicting identities clashed and were negotiated on streets in everyday life. The area surrounding Lime Street Station consisted of tightly-packed court dwellings, pubs, shops and lodging houses, and the area was one of the city's main sites of prostitution.<sup>70</sup> The city's Society for the Suppression of Vicious Resorts complained to the Head Constable in 1856 that they wished 'to have their evidence taken in reference to a contemplated prosecution of the shops and supper rooms in

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<sup>68</sup> C. Pooley and R. Lawton, 'David Brindley's Liverpool: An Aspect of Urban Society in the 1880s', *Transactions of the Historic Society of Lancashire and Cheshire*, Vol. 126 (1975), pp. 149-168; R. Lawton, 'Peopling the Past', *Transactions of the Institute of British Geographers*, Vol. 12, 3 (1987), pp. 259-283.

<sup>69</sup> C. Pooley and R. Lawton, 'David Brindley's Liverpool', p. 165.

<sup>70</sup> M. Macilwee, *The Liverpool Underworld: Crime in the City, 1750-1900* (Liverpool: Liverpool University Press, 2011).

Lime Street.’<sup>71</sup> Lodging houses were often hidden behind the respectable facade of shops and assembly rooms and the area was subject to multiple moralising responses from both local societies and neighbours. Nathaniel Caine, an iron merchant, and James Bradley, a hotel keeper, ‘two inhabitants of the said parish [Lime Street]’, reported to the Head Constable in 1857 that,

William Domville, tobacconist, keeps a disorderly house wherein prostitutes are allowed to congregate in large numbers every evening between the hours of ten and twelve o’clock, and where the most dissolute and debauched persons of both sexes are allowed to meet together, and such persons are guilty of gross acts of lewdness and indecency within the said premises, to wit, at a tenement and premises called ‘Domville’s Assembly Rooms’ situated and being at no 76 Lime Street.<sup>72</sup>

Thus, slum life was not just regulated from above, through religious, moral and environmental agenda, but also by the working poor themselves.

Streets within North Liverpool’s slums were contested spaces as neighbours, residents and offenders clashed over the rights of property and redefined respectability through every day interactions. In 1853, ‘three ruffianly-looking fellows’, Thomas Fielding, Peter McCabe and Robert Smith were charged with assaulting a male engineer named Darrell in Banastre Street and robbing him of a watch, watch-guard, pair of gloves, an overcoat, and £5 10s. The victim was an engineer from Shropshire who had come to Liverpool ‘a few days ago on business.’ At 11.30pm on Saturday night, Darrell and a companion were walking along Vauxhall Road when they lost each other as they reached the corner of Banastre Street. As Darrell walked up the street in search of his friend, ‘he had not proceeded far before he received a blow from

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<sup>71</sup> LvRO 352POL3/1, *Head Constable’s Special Order Book* (1856). The resolution of this case features in *Liverpool Mercury*, 28 May 1858.

<sup>72</sup> LvRO 352POL/2/1 *Reports of the Head Constable to the Watch Committee*, (June, 1857). The case is also discussed in *Liverpool Mercury*, 1 July 1857.

behind, which knocked him down.’ Peter McCabe, who, ‘lived at No 6. Banastre Street’, held his hand over his mouth whilst two men took away his property before running away into the back door of McCabe’s house. Banastre Street was perceived as a ‘criminal’ street by the local press, moral entrepreneurs and, interestingly, by the people who lived there. Mr Ainslie, a health inspector, reported that ‘Frequent robberies had taken place there, and that the circus was an annoyance to the respectable inhabitants of Banastre-Street.’ It was clear from the circus’s response, which was published in the *Daily Post* that ‘No offence calling for the intervention of the police has been committed within our establishment, and in such a neighbourhood we cannot be answerable for what takes place outside.’<sup>73</sup> Clearly the circus wanted to divorce their standing from the disreputable character of Banastre Street in order to maintain respectability and encourage customers to attend. Thus, respectability was (re)negotiated, not just by the authorities and moral entrepreneurs, but between historical actors who forged their identities on the city streets in daily life through everyday exchanges.

## **Conclusion**

This chapter has examined the relationship between the city and street crime in mid-Victorian Liverpool. Through the use of GIS mapping software, alongside a qualitative reading of the behaviour conducted within the offences, this chapter has explored the geographical concentration of press reportage of street crime. Reporting of street crime occurred broadly in two areas: firstly, the main centre of night-time leisure in the city, the area around Williamson Square and the red light district near Lime Street station, and secondly, in the north end slums. This research was completed by inputting 260 offences that were tried at

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<sup>73</sup> *Daily Post*, 26 February 1856.

Liverpool Police Court on to a digitised 1864 Ordnance Survey map. By using GIS software, a kernel density map was generated to examine ‘hot spots’ of street crime reportage. In turn, this reportage fed in to broader fears about the city and forged the agenda for religious, social and health reform, which aimed to clean up the city streets and marginalise the urban poor. This study is not without its limitations: it does not purport to be a full reconstruction of the spatial patterns of street robbery in the period, nor does it provide a full account of reporting of street crime as it only uses Liverpool Mercury. But this study informs us of the ways in which the reporting of street crime forged agendas which aimed to control and survey the poor. In doing so, this research contributes to the field of crime and the city by shifting focus away from the metropolis to examine how elites managed a provincial city, Liverpool.

Yet street violence is also a way in to examining the ways in which the city’s urban poor regulated and used Liverpool’s streets. Liverpool’s street life was characterised by conflict over the rights of ownership and property, moral authority and respectability. The chief contribution of this study has been in a qualitative reading of spatial location and behaviour. By mapping the distance between the offence location and the addresses of the victim and offenders, it is possible to read their behaviour as determined by its spatial and temporal context. Street robbers’ behaviour was in part a makeshift economy of the poor, but that it involved violence demonstrates that offenders bought into a subset of norms and values that conflicted with respectable society. Broader perceptions of particular areas and streets, and the spaces within them- pubs, street corners, dancing halls and lodging houses- allowed victims and offenders to draw upon particular forms of the self within these contexts. These areas allowed victims and offenders to contravene norms of respectability by committing crime away from the moralising gaze of church, workplace, neighbourhood and home. In addition, this chapter has discovered that many offences also took place near to the offender’s

homes in neighbouring streets which hints at neighbourhood codes that robbers would not offend on their own doorstep, but were likely to commit street crime in areas they knew well. Nevertheless, that street crime occasionally occurred between neighbours demonstrates that the mid-Victorian slum neighbourhoods were characterised by both cohesion and conflict.



## Chapter 5 Street Masculinity: Men, Violent Robbery and Urban Street Life

This chapter examines the meanings of masculinity through the treatment of male offenders of street robbery in the Liverpool press between 1850 and 1870. In the context of a shift in ideals of manliness in the courts and press which prioritised chivalry and domesticity, offenders of street violence challenged these ideals through their violent behaviour. Street crime tapped in to wider associations of ‘hardness’ which permeated working-class culture in the nineteenth century, and men routinely drew upon established modes of masculine violence such as punching, kicking and strangling. Male offenders used the street to construct tough masculinity and acquire gender capital through their outward displays of fighting ability.

In contrast to their wider roles as workers, neighbours and family men, I argue that the masculinities performed in street robberies were defined by their spatial, temporal and interactional dynamics and are evidence of what criminologist Christopher Mullins called, ‘street masculinity’.<sup>1</sup> Men’s lives were networked by the church, home, street and workplace and each demanded men to draw upon particular versions of the self in daily life. Through the use of contemporary local newspapers and court reports, this chapter follows two lines of analysis: firstly, it interrogates the ways in which offenders drew upon models of masculinity to establish their place in urban street life, and secondly it examines whether male perpetrators enacted the role of the hard man in other locations, in particular, the home and prison.

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<sup>1</sup> C. W. Mullins, *Holding Your Square: Masculinity, Violence and Streetlife* (Devon: Willan Publishing, 2006).

This chapter is divided into four sections. Firstly, I situate Victorian street crime within a broader working-class culture of violence. Secondly, this chapter outlines the contours of street masculinity. Thirdly, I examine the patterns of street violence in mid-Victorian Liverpool in an ethnographic fashion by reading the incidence and context of violence. Finally, by drawing upon the Assize calendars, criminal registers and newspapers, I consider the range of criminal offences committed by offenders of street crime and examine how offenders practised their identities as hard men in locations other than the street. Persistent offenders of violent street robbery established control over territory by the occupation of particular streets and public houses, but examination of their wider criminal offences demonstrates that offenders drew upon violence to establish their masculine power in settings other than the streets, in particular, the home.

## **5.1 Masculinity, Violence and the Working-Classes in the Nineteenth Century**

The behaviour which featured in street robberies tapped in to wider masculine ideals of ‘hardness.’<sup>2</sup> The ability to ‘do’ violence had considerable status and the ability to use one’s fists was respected amongst street crime offenders, but the identities and testimonies of the prosecutors show that violent practices were simultaneously being condemned from within labouring communities as well as from the press. This chapter draws upon 260 offences that were reported in the Liverpool press between 1850 and 1870. The choice of victim was overwhelmingly male and drawn from the working class and 83 percent of offences were committed by men on other men. Whilst it can be assumed that female targets were less

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<sup>2</sup> A. Davies, 'Youth gangs, masculinity and violence in late Victorian Manchester and Salford', *Journal of Social History* (1998), Vol. 32, 2, pp 349-369.

likely to be alone, and possibly less likely to carry money and other goods, the politics of choosing male victims suggests that toughness was measured by the ability to fight men. That the overwhelming majority of street crime was committed by groups of male offenders upon male victims reveals the possibility that certain ways of performing masculinity in street interactions were more privileged than others.

Male perpetrators of street crime created a space in urban street life that excluded women. Their execution of street violence was overwhelmingly uniform and involved punching, kicking and strangling. 'Being a man' in mid-Victorian culture had different meanings and ideals within working-class communities. Andrew Davies suggested that two dominant role models were extended to males during the mid to late nineteenth century: the family man who prioritised hard work and care for the family and the 'hard man' who gained status and prestige from the ability to fight. "'Hardness", or toughness, was considered a quintessential masculine virtue.'<sup>3</sup> 'Considerable kudos was derived from displays of fighting prowess and the ability to withstand pain, and boys and youths continually tested each other's mettle in order to prove themselves, and thus their masculinity, in the eyes of their peers.'<sup>4</sup> However, male street robbers also reworked and challenged the ideal of the hard man. Male robbers transgressed the notion of the fair fight that underpinned much male on male violence by dominating and humiliating their victims.

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<sup>3</sup> A. Davies, 'Youth gangs, masculinity and violence', p. 350.

<sup>4</sup> Ibid., p. 350.

Historians have argued that the nineteenth-century courts directed their attentions to punishing the ideal of the 'hard man' through punitive sentencing.<sup>5</sup> Martin Wiener observed the shift in emphasis from crimes of property to crimes against the person and argued that there was a narrowing acceptance of male violence as men were encouraged to adopt the values of the civilised English male which incorporated self-restraint and protection over women.<sup>6</sup> John Carter Wood discussed the spatial dimensions of Norbert Elias's theory of the civilising offensive. Increasing interdependence between people in city life was directly related to shifting definitions of public and private spheres and, in turn, the state's monopolisation of legitimate force was focused on the pacification of public spaces.<sup>7</sup> Barry Godfrey and Graeme Dunstall's comparative study of policing in nineteenth-century Crewe and Timaru in New Zealand showed that the civilising project occurred within local contexts, which contests the notion that the civilising offensive was a linear, uncomplicated progression to greater levels of civility. Despite an overall statistical decline in prosecutions for petty violent offences in both towns, rates of disorder fluctuated significantly between 1880 and 1914.<sup>8</sup> The key difference lay in the policing of public spaces which supports Carter Wood's argument that the civilising offensive was determined by spatial as well as behavioural control.

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<sup>5</sup> J. Carter Wood, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement* (London: Routledge, 2004); C. Emsley, *Crime and Society in England, 1750-1900*, (London: Pearson Longman, 2005).

<sup>6</sup> M. Wiener, *Men of Blood: Violence, Manliness and Criminal Justice* (Cambridge: Cambridge University Press, 2004).

<sup>7</sup> J. Carter Wood, 'Locating Violence: The Spatial Production and Construction of Physical Aggression' in K. D. Watson (ed.), *Assaulting the Past: Violence and Civilization in Historical Context* (Cambridge: Cambridge Scholars Publishing, 2007), pp. 20-38.

<sup>8</sup> B. Godfrey and G. Dunstall, 'Violence and Disorder, 1880-1914: Similar Trends, Similar Offences and Similar Explanations?' in K. D. Watson (ed.), *Assaulting the Past: Violence and Civilization in Historical Context* (Cambridge: Cambridge Scholars Publishing, 2007), pp. 141-162.

Local studies by Drew Gray, Peter King and A. James Hammerton demonstrated that there was a growing intolerance in the lower courts too.<sup>9</sup> In addition, Hammerton argued that the boundaries of appropriate masculine behaviour were a site of contestation, and noted the tension between patriarchal and companionate marriage models within the prosecution and defence statements that were presented in the divorce courts.<sup>10</sup> However the drive to reform masculinity may have come from below as well as above. Historian Anna Clark's examination of the Chartist movement discussed the ways in which Chartism helped to develop a new model of working class masculinity based on rationality, domesticity and morality in the early to mid-nineteenth century. Clark suggests that this new model signified a departure from more traditional forms of plebeian masculinity practised by early Chartists which were epitomised by rough behaviour, demonstrations of 'physical force' at open-air meetings, and based around the drinking culture of the provincial taverns.<sup>11</sup> As public debates about recidivism, habitual offenders and the criminal classes intensified in the mid-Victorian period, there was a cultural shift towards the idealisation of the domestic breadwinning male in the courts, press, and in some aspects of working class culture, but there was also a continuity, and perhaps even a reassertion, of the hard man on the city streets by offenders of street robbery in the 1850s and 60s.

That the majority of prosecutors were working-class men within my study of street violence is significant in its suggestion that violence was condemned by working men and women as well as the courts and so reveals the tensions experienced between as well as towards classes.

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<sup>9</sup> Gray, Drew, 'The Regulation of Violence in the Metropolis: the Prosecution of Assault in the Summary Courts, c.1780-1820', *London Journal*, 32:1 (2007), pp. 75-87; King, Peter, 'Punishing Assault: The Transformation of Attitudes in the English Courts', *Journal of Interdisciplinary History*, 27 (1996), pp. 43-74.

<sup>10</sup> A. James Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London: Routledge, 1992).

<sup>11</sup> A. Clark, *The Struggle for the Breeches*.

Such evidence shows that the analysis of street violence is a means to assess the shifting norms and conventions that were constructed and contested by victims and perpetrators. Male violence was increasingly punished throughout the nineteenth century, and despite an apparent statistical decline in violent crime over the century, concern about violence persisted.

## **5.2 The Contours of Street Masculinity**

The contours of street masculinity are apparent in one case from 1867. On 23 December 1867, a mat maker, Patrick Spelman, was returning home with his son when “two youths” John Carr (alias Riley) and Thomas Riley asked him for the money for a quart of ale. ‘The complainant refused, saying that he had not money to waste on a quart of ale.’ Carr then shoved and jostled with Spelman and tried to put his hand in his pocket. “He brought him as far as a beerhouse, when Riley made his appearance, and said to Carr, ‘Do your work like a man’. Riley struck the victim with a “heavy blow on the right eye”, as Carr, “grasped him by the throat and forced him upon his knee”. The prisoners then threw the victim on to the ground, turned him over, and took 11s 6d from his pocket. The prisoners pleaded not guilty in court with Carr claiming, “God forbid I would do the like”. Riley denied knowing anything about the robbery. A week later at the Borough sessions, Carr was sentenced to 18 months hard labour and Riley, who had been previously convicted, was imprisoned for seven years. The method of violence, as well as Carr’s proposition to ‘work him like a man’, reveals the masculine codes operating amongst male offenders of street crime. The Riley case suggests a key feature of the masculinities practised by Victorian street robbers; lionized displays of aggression, and particularly the use of fists, helped secure status amongst violent men.

Gender capital was gained by ‘street men’ drawing on particular forms of ‘manly’ violence in order to maintain their reputations as hard men. Street robbers acquired gender capital on the streets through violence, retaliation, and the acquisition of status-conferring goods during a period when violence was being increasingly criminalised by the courts and press. The behavioural practices of street crime offenders were set in opposition to the bourgeois ideal which demanded restraint, and close reading of the violence practised by the offenders reveals the ways in which violence was used in the construction of masculine identities amongst members of a diverse urban community. Recent criminological research, including studies by Christopher Mullins and Fiona Brookman et al, has shown that young men from the urban poor who live in financially deprived areas adopt and adapt to behavioural expectations that emphasize masculine reputation and respect through toughness, independence, and a willingness to use violence.<sup>12</sup> Here, violence is described as ‘a ‘resource’ for accomplishing gender—for demonstrating masculinity in a given context or situation.<sup>13</sup> As James W. Messerschmidt has argued, ‘Within the collective setting of the street, robbery is a means of getting money when other resources (a job) are unavailable. Yet robbery entails more; it provides a public ceremony of domination and humiliation.’<sup>14</sup> These were also at work on the streets of Victorian Liverpool.

The gender norms practised by male robbers were characterised by their enactment on the street and were, I argue, street masculinities. Victorian men’s daily lives were networked by

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<sup>12</sup> C. W. Mullins, *Holding Your Square*; F. Brookman, C. Mullins, T. Bennett and R. Wright, ‘Gender, Motivation and the Accomplishment of Street Robbery in the United Kingdom’, *British Journal of Criminology*, Vol. 47, 6 (2007), pp. 861-884.

<sup>13</sup> S. Simpson and L. Ellis, ‘Doing Gender: Sorting Out the Caste and Crime Conundrum’, *Criminology*, 33 (1995), p. 50.

<sup>14</sup> J. W. Messerschmidt, *Crime as Structured Action: Gender, Race, Class and Crime in the Making* (London: Sage Publications, 1997), p. 69.

the home, workplace, church, street and pub, and each demanded what was deemed to be an appropriate model of masculinity. Criminologist Christopher Mullins explained that, ‘the demands of street masculinity generate and perpetuate street violence.’<sup>15</sup> The spatial contexts of men’s lives were significant for gender performance and everyday interactions meant that men could engage with multiple presentations of the gendered self in daily life. Geographers have argued previously that these spaces are not simply the backdrop for social interactions, but that they help to shape the very nature of our social interactions.<sup>16</sup> Messerschmidt contended that,

The robbery setting provides an ideal opportunity to construct an “essential” toughness and “maleness”: it provides a means with which to construct that certain type of masculinity—“hardman”. So, within the social context that street robbers find themselves in, “robbery is a rational practice for “doing gender” and for getting money.”<sup>17</sup>

In contrast to women and their relationship to the home, family, and a perceived inability to ‘do’ violence, male street robbers were characterised by their relationship with the street, their peers and their willingness to ‘do violence’. John Tosh and Michael Roper stated that, ‘masculinity is never fully possessed, but must perpetually be achieved, asserted and renegotiated.’<sup>18</sup>

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<sup>15</sup> C. W. Mullins and R. M. Cardwell-Mullins, ‘Bad Ass or Punk Ass?’ *The Contours of Street Masculinity*, *Universitas*, Vol. 2, 2 (Fall, 2006), p. 102.

<sup>16</sup> D. Gregory and J. Urry (eds.), *Social Relations and Spatial Structures* (London: Macmillan, 1985); J. R. Wolch and M. J. Dear, *The Power of Geography: How Territory Shapes Social Life* (London: Unwin Hyman, 1989).

<sup>17</sup> J. W. Messerschmidt, *Masculinities and Crime: A Critique and Reconceptualisation of Theory* (Boston: Rowman and Littlefield, 1993), p. 107.

<sup>18</sup> J. Tosh and M. Roper, *Manful Assertions: Masculinities in Britain Since 1800* (London: Routledge, 1991), p. 18.



Criminological studies of street robbery and gender have used West and Zimmerman's influential concept of 'doing gender' which argued that gender is routinely accomplished through everyday interactions.<sup>19</sup> But quotidian life is also structured by time which intersects with space to generate different meanings. By day, nineteenth century Liverpool's docks and streets were characterised by high visibility and crowds. By night, however, they generated different meanings and were characterised by darkness, anonymity and the potential for violent street crime. In street robbery narratives, offences were strongly tied to urban terrains at night-time. As chapter 4 has demonstrated, robberies took place in clusters of streets that were identified as troublesome by the police and press and, crucially, were the most economically deprived areas in nineteenth-century Liverpool. Interactions on the streets were far more complex than suggested by their representation as seats of criminality. Instead, they were contested spaces where neighbours and offenders fought for rights over property and territorial rights in street life. The streets were thriving 'theatres of hostility' and values were constructed and negotiated as residents and visitors collided and conflicted on the city streets.<sup>20</sup>

Alongside the spatio-temporal dynamics of street robberies, the interactional dynamics were important in providing a space through which to articulate fears of violent masculinities, and also in offenders' negotiation of their place in urban street life. Street crime was generally a group crime, commonly with three to six offenders, and street robbers drew upon violence to establish their masculinity in front of male peers and female associates. Accounts of street robbers were characterised by their networks, and alliances were often deep-rooted and

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<sup>19</sup> C. West and D. H. Zimmerman, 'Doing Gender', *Gender and Society*, Vol. 1, 2 (June, 1987), pp. 125-151.

<sup>20</sup> For definitions of streets as theatres of hostility, see A. Davies, *Gangs of Manchester: The Story of the Scuttlers, Britain's First Youth Cult* (Preston: Milo Books, 2008); A. Davies, 'Youth gangs, Masculinity and Violence'; S. Humphries, *Hooligans or Rebels? An Oral History of Working-Class Childhood and Youth, 1889-1939* (Oxford: Basil Blackwell, 1981); S. Cohen, (3<sup>rd</sup> ed.), *Folk Devils and Moral Panics: The Creation of Mods and Rockers* (London: Routledge, 2002).

bound by family as much as neighbourhood. The Corrigan, a notorious criminal family in Victorian Liverpool, had a significant presence in street crime reports as did the husbands and wives who committed robbery together in chapter 6.

Work, at least in part, contributed to the formation of identity amongst offenders of street crime. 65 percent of male offenders were listed as single and between the ages of seventeen and twenty-five. These men were at the start of their adult working lives, and had not yet established a reputation for industry. In the struggle to define themselves in the casualised labour force, violent robbery was an alternative source of capital and status. Male offenders of street crime were drawn from a range of semi-skilled and manual occupations, but 57 percent of men prosecuted for street crime were described as 'labourers'. Labourer was an umbrella term which denoted a range of casual manual labour occupations that required men to be physically tough. Thus the boys and young men involved in street robberies may have strongly identified with the neighbourhood, but they also shared common ground as manual and semi-skilled workers.

As young men situated at lowest end of the socio-economic scale, they were prevented from access to what R. W. Connell has termed 'hegemonic masculinity'. Hegemonic masculinity is 'not a fixed character type, always and everywhere the same. It is, rather, the masculinity that occupies the hegemonic position in a given pattern of gender relations, a position always contestable.'<sup>21</sup> Men from the urban poor were marginalised from the hegemonic ideal occupied by the bourgeoisie, and the benefits that derived from a secure occupation. Additionally, young men were prohibited from exercising patriarchal power within the family

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<sup>21</sup> R. W. Connell, *Masculinities* (Cambridge: Polity Press, 2005), p. 76.

and were subject to the authority of their fathers.<sup>22</sup> The role of the hard man, which was available to them, would have been particularly attractive.<sup>23</sup>

### 5.3 Patterns of violence

Offenders of street crime uniformly used punching and kicking to rob and assault their victims. Weapons were only used in a small proportion of offences, other than for scarring. The use of knives was emasculated by the courts and press and defined as cowardly and ‘un-English’. As a port, Liverpool had a diverse cultural economy and magistrates argued that foreign visitors to the city were responsible for the relatively high rates of knife crime. In 1861-2, Stipendiary Magistrate Mr Raffles ordered notices to be posted around the docks in several languages warning against the dangerous practice of sailors carrying knives in public streets.<sup>24</sup> I have been unable to trace any particular racial and ethnic differences in the commission of street crime, but a small portion of evidence hints at the different cultural perceptions of the use of the knife in assaults. In the early nineteenth century, duelling had gradually declined in British culture, but Mediterranean men had their own customs when it came to fighting.<sup>25</sup> Studies of ritualised knife-fighting have shown that the concept of honour was not exclusive to the aristocratic classes of Southern Europe, but also apparent within

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<sup>22</sup> A. Davies and S. Fielding (eds), *Workers' Worlds: Cultures and Communities in Manchester and Salford, 1880-1939* (Manchester: Manchester University Press, 1992).

<sup>23</sup> Davies, A., 'Youth gangs, masculinity and violence in late Victorian Manchester and Salford', *Journal of Social History*, Vol. 32, 2 (1998), p. 354.

<sup>24</sup> 352 WAT/2 Police Establishment and the State of Crime (Liverpool, 1862).

<sup>25</sup> J.E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2010), p. 84. See also D. T. Andrew, 'The Code of Honour and its Critics: The Opposition to Duelling in England, 1700-1850', *Social History*, 5 (1980), pp. 409-434; R. Shoemaker, 'Male Honour and the Decline of Public Violence in Eighteenth-Century London', *Social History*, 26 (2001), pp. 190-208.

lower-class fighting rituals. Peter Spierenburg and Thomas Gallant note that the ultimate aim of Southern European knife-fighters was to scar rather than maim or kill.<sup>26</sup> Lower-class men across Europe and over centuries exercised status-based violence with a particular preference for the knife, regardless of its violent instrumentality and based primarily on its symbolic utility for advancing one's honour.<sup>27</sup>

In 1866, Thomas Mullin, 'who from his dress appeared to be a seaman' was charged with having stabbed George Glover, 'a sailor lodging at a house near Cleveland Square.' The *Mercury* continued that, 'at a late hour on Wednesday night the complainant went home intoxicated, and some time afterwards, the prisoner and other men entered the house, and against the wishes of the landlord, forced Glover into the street.' Mullin and his associates then attempted to rob Glover of his coat, but the prosecutor was 'sober enough to resist the garment being taken from him.' Mullin then challenged Glover to a fight, but when he refused, 'Mullin struck him upon the head and knocked him down, and taking out a knife, inflicted two gashes upon Glover's face.'<sup>28</sup> Scarring appeared to be used to intimidate the victim, as well as a symbolic trophy, rather than to cause serious injury. It is plausible that visibly scarring victims could result in heightened status for those who gave them and enabled offenders to maintain their reputation as able fighters.

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<sup>26</sup> P. Spierenburg, 'Knife fighting and Popular Codes of Honour in Early Modern Amsterdam', in P. Spierenburg, (ed.), *Men and Violence: Gender, Honour and Rituals in Modern America and Europe*, (Columbus: The OSU Press, 1998), p. 115-118; T. Gallant, 'Honour, Masculinity and Ritual Knife Fighting in Nineteenth -Century Greece', *The American Historical Review*, Vol. 105, 2 (2000), p. 362-3.

<sup>27</sup> C. Rose, 'Bringing Guns to Knife-fights: Male Status Violence in an Age of Firearms' (Unpublished paper, 2000).

<sup>28</sup> *Liverpool Mercury*, 28 June 1866.

Similar to women's removal of shawls from female victims, male robbers also humiliated victims by removing the markers of male respectability. Victorian street robberies were initiated by insults or 'bonneting' which involved knocking a man's hat or cap off. The term 'bonneting' was significant in that it signified femininity and was used to emasculate victims. Robert Shoemaker observed that insults were a regular feature of metropolitan street life in the eighteenth century and acted as a vehicle for defaming individuals' respectability.<sup>29</sup> Thomas McGuinness, Alice Forshaw, William Helsby and William Grice were charged with assaulting and robbing John Adelaide at Liverpool Police Court in March, 1867. Two weeks previous to the hearing, Adelaide had been walking up Birkett Street at midnight when he saw the four prisoners standing together. As he passed them, McGuinness exclaimed, "What did you insult me for?" McGuinness 'struck the prosecutor a blow in the face and knocked him down and the other prisoners then joined in the pursuit.' McGuinness and his associates were affronted by the alleged attack on their reputation and used violence to reassert their masculine status. Criminologists have interpreted men's interpersonal violence by focussing on the interactions in which one's masculinity is challenged to provoke gender-scripted responses in the form of violent rebuke.<sup>30</sup> Mullins et al explain, "Men use crime to establish their manhood on the streets; many of their assaults, for example, evolve out of perceived status challenges to their gendered reputations."<sup>31</sup>

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<sup>29</sup> R. Shoemaker, *The London Mob: Violence and Disorder in Eighteenth-Century England* (London: Continuum, 2004).

<sup>30</sup> Messerschmidt, J. W., *Masculinities and Crime: A Critique and Reconceptualisation of Theory* (Boston: Rowman and Littlefield, 1993); C. W. Mullins and R. M. Cardwell-Mullins, 'Bad Ass or Punk Ass?' The Contours of Street Masculinity', *Universitas*, Vol. 2, 2 (Fall, 2006), pp. 1-17.

<sup>31</sup> C. W. Mullins, R. T. Wright and B. A. Jacobs. 'Gender, Streetlife, and Criminal Retaliation', *Criminology*, 42, 4 (2004), pp. 911-940.

Intimidation was a common tactic used in street robberies, yet although the offenders would often threaten death, fatalities were extremely rare. John Dunn, a 33 year old labourer, and James Walsh, 22 and also a labourer, were convicted of assaulting, putting in bodily fear with violence and robbing Richard Warren, a whitesmith. Warren was returning to his home in Bootle when the prisoners, ‘who were driving a spring cart, accosted him and asked him whether he wanted a ride.’ After driving a short distance, Dunn and Walsh asked the victim if he had any money. Warren replied that he had upon which Dunn threatened to “mug” him and ‘at the same time, striking him a violent blow in the face.’ Walsh instructed Dunn to ‘Make him croak.’ The prisoners then ‘jumped into the back of the cart, struck him, robbed him, and threw him over into the road.’<sup>32</sup> Intimidation allowed offenders to gain control of the offence, and to acquire gender capital. The men drew heavily upon intimidation and the threat of physical force to accomplish their robberies — a form of doing gender.<sup>33</sup>

Clothes would often be removed in male robberies. It is reasonable to assume that the reasons for committing street robbery were primarily economic- the acquisition of money, clothes, jewellery, and other status-conferring goods- but the commission of the acts tells us about attitudes towards masculinity and violence and the ways in which gender is performed on the street. On 10 October, 1851, the *Liverpool Mercury* reported the robbery of a sailor, John Claddish. Claddish claimed that, ‘whilst in a state of intoxication’, he was met by the prisoners, James McCann and James Williams, ‘who pretended to be his friends’, and took him up an entry in Wapping dock. In the narrow entry, ‘they stripped him of his clothes and left him almost in a state of nudity’. The prisoners were later apprehended whilst attempting

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<sup>32</sup> *Liverpool Mercury*, 25 March 1868.

<sup>33</sup> C. West, and D. H. Zimmerman, ‘Doing Gender’, *Gender and Society*, Vol. 1, 2 (June, 1987), pp. 125-151.

to pledge a portion of the clothes, 'offering the prosecutor's boots for sale in a public-house in Bridgewater-Street.'<sup>34</sup> The sexual scripts involved in street robberies- the removal of clothes and subsequent exposure- were indicative of the ways in which male offenders drew upon sexual codes to humiliate and secure their dominance over the victim.

Rape and sexual violence featured in street robberies that involved a female victim. I have only been able to trace three cases in which sexual violence was committed in street robbery, but this does not suggest that rape was not used more widely. Many cases that involved sexual violence would not have reached the courts due to fear of retribution, shame and fear of familial breakdown.<sup>35</sup> At Liverpool Assizes, Richard Pickup, twenty six year old dyer, and William Love, a twenty five year old striker, were indicted for having assaulted and robbed Maria Bowman and stolen her shawl and 7s 6d. Bowman was the wife of a rent collector residing in Broom Street, Salford, [and] stated that 'between two and three o'clock in the morning she was out looking for her husband', and when she passed the Angel Hotel she was followed by five men in Oldfield Road. Pickup kicked her in the ankle as she passed them. Bowman 'asked what he was about [and] she was knocked down in the middle of the road where both prisoners attempted to take liberties with her and they robbed her of her shawl and three half-crowns.' The other three men then ran away, 'but the two prisoners afterwards attacked her again near her own home, but they again took flight when she called for assistance.' The stripping of the victim served to humiliate and expose her as well as provide sexual gratification and a theatrical show of phallogentric power. Love was later found with the shawl in his possession, taken either to sell or pass on, or kept as a status-conferring

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<sup>34</sup> *Liverpool Mercury*, 10 October 1851.

<sup>35</sup> C. A. Conley, *The Unwritten Law: Criminal Justice in Victorian Kent* (Oxford: Oxford University Press, 1991).

trophy. During the cross-examination, Bowman was found to have been released from a six month sentence in gaol and that 'on the night in question, she had been drinking two glasses of whisky'. Moreover, Pickup's defence argued that, had he been able to construct a defence before the magistrates, 'he would have stood in a very different position; he would then have been able to state how he became connected with this loose woman.'<sup>36</sup>

Despite the brutal nature of the offence, it was Bowman's reputation that was brought up in court. The judge then 'wished to call to the attention of the jury to the fact that the woman was a woman of the most doubtful and suspicious character.'<sup>37</sup> Pickup was subsequently found not guilty and Love received a deferred sentence. Gang rape is a spectacular display of masculine phallogentric power and men's use of their penis in sexual conquests brought them considerable masculine capital and prestige. For Pickup and Love, gang rape meant that they could 'compete for status with one another' and 'display their 'essential maleness''.<sup>38</sup> Messerschmidt explains, 'participating in group rape- thereby securing group approval and praise- is a resource that enhances one's self-esteem as a 'male''.<sup>39</sup>

The presence of groups of young men on the city streets provoked anxieties amongst the courts and press. Environmental discourse was used to describe the presence of gangs on city streets. In 1866 Superintendent Kehoe observed that 'robberies in the streets at the north end of the town had become very prevalent of late, and complaints had frequently been made as

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<sup>36</sup> *Liverpool Mercury*, 10 October 1851.

<sup>37</sup> *Ibid.*

<sup>38</sup> L. Segal, *Slow Motion: Changing Men, Changing Masculinities* (London: Virago, 1990), p. 246.

<sup>39</sup> J. W. Messerschmidt, *Masculinities and Crime*, p. 116.



to the rough characters who *infested* the thoroughfares in that part of the town.<sup>40</sup> Hugh Riley and his six co-offenders were described in court as having ‘swarmed like bees’ during an attack on a victim.<sup>41</sup> In 1853 ‘two rough-looking young men’, Patrick Smith and Lawrence McCarthy, were charged with attempting to rob a sailor, Frederick Bennett. At ten o’clock on Saturday evening, Bennett left his lodging house and when he reached the bottom of Banbury Street, he was ‘assailed by four men who struck and knocked him down, and made an unsuccessful effort to rob him.’ The offenders had also created a disturbance in a public house in the neighbourhood and were, according to the press, ‘part of a gang of ruffians who infest the north end of the town, living upon plunder.’<sup>42</sup>

But the street corner also provided a stage for men to express their masculinity and dominate their territory. Reports of assaults carried out by gangs of robbers highlighted the street corner as a place where offenders would throw stones at passers-by, neighbours and local people and generated concern amongst people living in the neighbourhoods. Indeed, offenders such as Hugh Riley and Martin Corrigan’s previous convictions for throwing stones featured in the Assize calendars.<sup>43</sup> The *Mercury* published a letter from a resident of the Scotland Road neighbourhood which complained about the prevalence of young men and stone-throwing,

I have more than once seen these young men and boys taken into custody, and followed by a crowd telling them that they would collect their fines. In conclusion, I would suggest that Mr Clint or Mr Livingston, or any other

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<sup>40</sup> My emphasis. *Liverpool Mercury*, 11 April 1866.

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

<sup>42</sup> *Liverpool Mercury*, 13 September 1853.

<sup>43</sup> HO140/2 After-trial calendars of prisoners tried in Lancashire, (1868).

magistrate who has to deal with this class of cases, should visit the neighbourhoods where it is most carried on and see the damage that is done.<sup>44</sup>

Although stone throwing was condemned by neighbours and policemen, the crowd's willingness to pay the offenders' fines in order to release them from gaol illustrates the conflicts which characterised street life as neighbours, victims, offenders and policemen proscribed the boundaries of acceptable behaviour in the streets.

Offenders of street robbery staked control over particular streets and used the street corner to establish their dominance over the neighbourhood. John Carter Wood argued that when space is seen as a territory, violence may be generated in defining or defending that space, by extension creating 'insiders' and 'outsiders'.<sup>45</sup> Robert MacKintosh, a blacksmith, was returning home from work between eight and nine o'clock at night. Upon reaching the corner of Dryden Street he 'saw a number of boys and girls'. 'A whistle was heard...and several of the prisoners came up and held him as the others rifled his pockets'. In some cases the victim would fight back. MacKintosh resisted, and after 'a violent struggle' the prosecutor 'succeeded in removing himself from the gang.' As he walked away, some members of the gang which included John Hooley, William Jones, William Richards, William William, and Gilbert Synas, began throwing large stones at him and 'he was struck in various parts of the head.' Neighbourhood responses to the presence of young men on residential streets were ambiguous, but intervention by members of the public was often met with increased violence from offenders. A man named Pickavance intervened in the robbery, but upon threatening to report them to the police, 'Some of the boys called out to their companions to give the prosecutor "a fillip", and the attack with stones was renewed with greater violence than

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<sup>44</sup> *Liverpool Mercury*, 27 May 1874.

<sup>45</sup> J. Carter Wood, 'Locating Violence: The Spatial Production and Construction of Physical Aggression' in K. D. Watson (ed.), *Assaulting the Past: Violence and Civilization in Historical Context* (Cambridge: Cambridge Scholars Publishing, 2007), pp. 20-38.

before.<sup>46</sup> Male offenders used the street corner to accomplish their masculinity, not merely by loitering on the city streets, but by violent conflicts with other men and their attempt to establish territory and acquire masculine status and prestige.

Assaults featured heavily in offenders' previous convictions and the street functioned as a stage upon which men could execute models of hardness within different contexts. Michael Corrigan, a notorious offender in mid-Victorian Liverpool, was arrested in 1868 for a serious assault upon a bailiff, John Sephten. Sephten and another bailiff named Newton entered a house in Sand Street to collect rent that was owed on the property. Soon after the bailiffs entered the property, Corrigan came in and said to them 'Out of this, I'll knock your brains out if you don't.' Corrigan struck Newton 'in the eye with his fist, and then giving him several blows in the face.' Corrigan then knocked Sephten 'down a flight of stairs, got hold of him by the back of the neck, and "shoved him headlong into the street."<sup>47</sup> Corrigan was sent to gaol for two months. Rent collection was a major source of grievance in labouring-class communities and the Corrigan case illustrates how these disputes were dealt with in the setting of the street. Corrigan's threatening and violent behaviour was compounded by his pushing the victim into the street and both elements functioned to provide him with gender capital. By punching the victim several times in the face and throwing him out on to the street where 'a crowd had gathered', he established his reputation as a hard man in front of his peers and passers-by.

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<sup>46</sup> *Liverpool Mercury*, 30 March 1852.

<sup>47</sup> *Daily Post*, 4 September 1868.

Michael Corrigan had little fear of either the authorities or passers-by. In March 1869, Corrigan was arrested for committing a violent robbery in Regent Street at midday which made his offence all the more brazen for its visibility and occurrence in daylight.<sup>48</sup> Corrigan had little regard for the police. In November 1866 Corrigan was arrested for stealing three bags of cotton and assaulting a police officer. Corrigan was standing at a wall between Burlington and Chisenhale bridges ‘with a brick in his hand, and receiving cotton from another man’. Upon seeing Police Constable 177, who was on duty on the canal bank, ‘the prisoner threw a brick at him, striking him on the head and damaging his hat, but inflicting no serious injury.’<sup>49</sup> Corrigan then ran into his father’s house ‘which was close to’ where he was captured by the police officer. Men like Corrigan depended, at least in part, on the income that could be earned on the city streets and his violent response to being caught in the act by police demonstrated his willingness to defy authority, both through his handling of stolen goods and through his attack on the policeman.

Michael’s brother, Martin Corrigan, was arrested for street robbery along with Patrick Kirkby, and James Martin, all described as ‘rough-looking young fellows’, upon Patrick Edwards, a porter for a stallholder in St John’s Market. The Corrigan brothers were well-known to police and both were brought before Liverpool’s courts for a spate of street robberies and assaults. Edwards was returning home in Porter Street from Banastre Street, and as he passed over the bridge on Chisenhale Street, he was accosted by Corrigan ‘who got hold of him and asked him what money he had.’ The victim replied that he had only a few coppers and knocked Corrigan down. ‘The three prisoners then ran after him, and overtook him in Little Howard

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<sup>48</sup>*Daily Post*, 20 March 1869.

<sup>49</sup>*Liverpool Mercury*, 11 November 1866.

Street, where they knocked him down.’ Corrigan rifled his pockets and took all the money he had whilst Kirkby and Martin assisted. ‘They also beat him on the head and about the legs, and his cap was taken from him.’<sup>50</sup> Michael Corrigan’s offences reveal that they were often committed within streets adjacent to his home in Love Lane. This led a stipendiary magistrate to label him and his brother as ‘the terror of the neighbourhood where they lived. They had taken to bad ways since they were able to move and, owing to them and a few more like them, there was no safety in the neighbourhood.’<sup>51</sup>

Transcripts of the trials hint at the intriguing possibility that victims of the Corrigans were afraid of prosecuting them in court. The prisoners were later acquitted of the robbery at Liverpool Assizes due to the prosecution being unable to recognise them and the judge had suspicions that the offenders had warned the prosecutor to avoid him attending court.<sup>52</sup> Michael Corrigan’s last recorded offence took place in 1875 when he was 25 years old. He was the keeper of a sailors’ boarding house in Gibraltar Row and was arrested for causing grievous bodily harm to a French seaman, Joseph Franc. Franc had lodged at Corrigan’s boarding house. Franc had signed articles for a British ship, but Corrigan attempted to persuade him to go to sea on an American ship. They walked together to Mr J. De Costa’s shipping office in the adjacent Denison Street, and when they reached the entrance, Franc ‘would not sign the American ship’s articles’ upon which ‘Corrigan violently assaulted him and broke his jaw.’ Corrigan’s defence, which was corroborated ‘by several witnesses including Mr De Costa, argued that Franc had merely been pushed and hit his face against a pillar. The Recorder, Mr. J. R. Aspinall, hinted that witnesses had created false testimonies

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<sup>50</sup> *Liverpool Mercury*, 7th February, 1870.

<sup>51</sup> *Ibid.*

<sup>52</sup> HO140/10 After-trial calendar of prisoners tried at Lancashire Assizes (1870).

about Corrigan's innocence and warned the court that, 'It was a great shame that such a man should be permitted to keep a sailors' boarding house. He was a totally unfit man to be in such a position, and if there was anyone encouraging or assisting him in maintaining it he hoped it would be put a stop to.' Aspinall continued 'while he did not complain of the verdict of the jury, he should himself have come to the opposite conclusion as to the case, even before he had looked at the calendar to see what his character was.' The Recorder informed the court that Corrigan was 'as great a brute as there was in all of Liverpool. He had been in gaol for every description of offence, including brutal assaults.'<sup>53</sup>

#### **5.4 Violent Locations: Street, Prison and Home**

The street was not the only arena in which men could exercise their masculinity. Public houses featured regularly in reports of street crime, and the pubs and beerhouses present on virtually every street in the North End of Liverpool were dangerous locations, particularly for men. Victims were often targeted due to their drunkenness, but in several offences bar-room assaults would spill out on to the streets and result in robbery. In 1853 'three ruffianly looking young men' named William Huyton, Thomas McCudding and William Fitzpatrick were charged with the assault and robbery of an upholsterer, John Cummings. Cummings had been drinking in the Bevington Bush Inn with a female companion. Upon 'leaving at a late hour', Cummings and his companion went into nearby Ford Street where they engaged in conversation with another female. 'Immediately afterwards the prisoners came up, knocked the complainant down, and dragged him up an entry, where, after nearly strangling him, they plundered him of his coat, hat and handkerchief.' In court, the prisoners 'urged that they had

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<sup>53</sup> *Liverpool Mercury*, 9 October 1875.

been drinking during the day with the prosecutor, and that the girls must have plundered him as they had given the coat to McCudding.<sup>54</sup> The offenders' drunkenness in the notorious Bush Inn marginalised them as deviant, but the setting of the pub, as well as the street, also enabled men to perform aggressive displays of masculinity.

Men's performances in court are dealt with in greater detail in chapter seven of this thesis, but here it is worth noting the ways that men constructed their identities behind prison walls. Offenders were reprimanded for their resistant performance to the whippings they received for committing street crime, and their displays of bravado demonstrated the pervasiveness of the ideal of toughness amongst street men. Charles Neal 'carelessly waved back his head from his forehead and then prepared himself for his fate with an evident determination to take his punishment "gamely".' Following his final, twentieth lash which had produced 'purple marks which told the severity of the punishment-blood came to the surface at the twelfth blow', the prisoner, 'coolly said "Domino" and when released walked briskly off to the place where his clothes were lying, with a smile.'<sup>55</sup> The *Mercury* continued, 'He maintained his spirit of bravado throughout, and smiled frequently as fellow prisoners received their punishment.'<sup>56</sup> In contrast, Henry Hardacre, a 24 year old weaver, was emasculated; 'he was a little fellow, with a fair skin' and his response to the punishment further effeminised him. 'He gasped heavily, and trembled as the blows fell on his back and a deep-drawn "Oh" twice escaped from his lips.'<sup>57</sup> Male offenders' use of bravado within the prison compounded their identities as hard men who could both handle and execute serious levels of violence. That this

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<sup>54</sup> *Daily Post*, 2 December 1853.

<sup>55</sup> *Liverpool Mercury*, 3 January 1864.

<sup>56</sup> *Ibid.*

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

behaviour was committed in front of the authorities further reinforced their roles as tough men who played by their own rules.

Offenders' use of violence also extended to the home as they employed violence within their families, in particular, towards their wives and mothers. During the nineteenth century, there was an intensified idealisation of the home as a sanctuary from work and public life. Men were expected to provide, protect and care for his family; in return, women were expected to be obedient and provide a neat and ordered domestic environment typified by the phrase 'an Englishman's home is his castle.' But for women the home was a site of danger, and women were far more at risk of interpersonal violence in their homes than on the streets at night. Nancy Tomes has estimated that the majority of aggravated assaults against women took place, not in the street, but in the home.<sup>58</sup>

The majority of domestic violence cases would never have reached the courts due to women's fear of retribution, shame, familial breakdown or fear of losing the economic support that a husband or son provided for the family. Domestic violence cases which did reach court, then, represented the 'tip of the iceberg' and much of violence that took place within the home was never reported or prosecuted.<sup>59</sup> James Corrigan was charged with an attack on his wife in 1875. Mary Corrigan who 'was considered to be in a dying condition,

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<sup>58</sup> N. Tomes, 'A Torrent of Abuse: Crimes of Violence between Working-Class Men and Women in London 1840-1875', in *Journal of Social History*, 11, (1978) p. 330. For more on levels of domestic violence see M.E. Doggett, *Marriage, Wife-beating and the Law in Victorian England* (Columbia SC: Carolina Press, 1993); E. Foyster, *Marital Violence: An English Family History* (Cambridge: Cambridge University Press, 2005); M. Wiener, *Men of Blood: Violence, Manliness and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004).

<sup>59</sup> S. D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); N. Tomes, 'A Torrent of Abuse'; A. J. Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life*, (London: Routledge, 1992).



her depositions were subsequently taken at the Royal Infirmary' stated that between seven and eight o'clock on Sunday night, 'a Jewess was insulting her in the court where she lived, and she went for her husband to interfere. James refused, saying, "Fight your own battles out." Mary had been drinking and on his refusing to go she rushed at him to hit him. Corrigan was chopping 'tobacco or meat' at the time and 'she rushed against the knife which went through her clothes and entered her stomach.' Mary told the police that James was a 'good husband' and that she 'fell into his knife', and he was acquitted. Mary Corrigan's request that her husband to step in and resolve her dispute with her neighbour which highlights the chivalric codes which working marriages occasionally aspired to.<sup>60</sup> However, James's refusal to intervene demonstrated that working women were perceived to be able to settle their conflicts themselves.

Liverpool was well-known in the press as a place where domestic violence was commonplace.<sup>61</sup> Shortly after the infamous Tithebarn kicking murder in 1875 in which a 26 year old porter, Richard Morgan, was murdered by a local cornermen gang, *Punch* magazine ran a cartoon titled 'A mere trifle' in which a 'Liverpool rough' questions another rough who has just beaten his wife 'to within an inch of her life'. 'I soy, beel, what'll thee git for this 'ere?' The second rough then replied, 'Foin o' ten bob maybe, same as ad for walloping thay jackass, though ah've gived it to 'er smarter like!'<sup>62</sup> The use of slang by the magazine highlighted the lower-class nature of Liverpudlian men, and painted them as being willing to

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<sup>60</sup> A. J Hammerton, *Cruelty and Companionship*.

<sup>61</sup> J. E. Archer, *The Monster Evil: Policing and Punishment in Victorian Liverpool* (Liverpool: Liverpool University Press, 2011).

<sup>62</sup> *Punch*, 30 January 1875, p. 50. Also cited in J. E. Archer, *The Monster Evil*, p. 146. For further details of the Tithebarn Street outrage, see J. E. Archer, 'The Press, the Cornermen and Liverpool's Tithebarn Street Outrage of 1874', in *Transactions of the Historic Society of Lancashire and Cheshire*, Vol. 160 (2011), pp. 117-142.

use violence against women for cash. In doing so, the narrative constructed them as deviant in contrast to the chivalric ideal disseminated by the courts and press. Domestic violence was often described in the popular press as a working-class phenomenon, yet A. James Hammerton's study of divorce papers in the nineteenth century highlighted that this was largely a myth and was as common in middle-class homes as those of the working classes.<sup>63</sup> Nevertheless, domestic violence was a regular feature of working-class life and many of the male offenders were also prosecuted for their violence within the home.

In another case, Thomas Lawson a 'coarse-looking' man and one of 'the most desperate characters in Liverpool, was charged, along with Patrick Conway, of assaulting a man named Thomas Furlong. Lawson and Conway visited the house of the victim in Sawney Pope Street and 'asked him why he had given his mother two black eyes'. The *Daily Post* reported that 'before he had time to make any reply, he was knocked down and kicked.' Lawson's defence drew upon a chivalric model of masculinity. Lawson argued that, upon being informed about the attack on his mother, 'he then assaulted him and a fight took place.'<sup>64</sup> The defence statement drew upon codes of chivalry and highlighted his role as a protector of his mother. Men's relationships with female family members was complex, but at all times patriarchal. Men asserted their control either through mental and/or physical abuse, but also by acting as their protectors.

Intra-familial struggles between mothers and sons were a regular feature of working-class life. Thomas Corrigan, a notorious offender in the mid-Victorian period, was executed for

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<sup>63</sup> A. J Hammerton, *Cruelty and Companionship*.

<sup>64</sup> *Daily Post*, 4 February 1869.

matricide in 1874. The right to strike one's wife remained popular within some aspects of working-class culture, but abusing one's mother was viewed as unnatural and brutish.<sup>65</sup> In November 1873, Tommy Corrigan's mother, Mary, was crying in the parlour about the unwelcome presence of his partner, Martha Knight, who had been living with the family at 73 Chisenhale Street. Corrigan marched down the stairs to the kitchen and demanded his mother make him something to eat. Mary replied that it was in the oven, but on discovering that it was not, Thomas began to beat and kick her to death. The violence used in the attack was written in lurid and graphic detail, and generated frenzied reporting in the local press and gained the attention of the national media.<sup>66</sup> The murder was routinely condemned in the press, and Thomas was hung in Kirkdale Gaol in 1874. But the case highlights issues that occurred in cases of intra-familial violence, particularly between sons and mothers.<sup>67</sup> The trigger for the attack related to his desire for independence and control within the home. Mary Corrigan's disapproval of his partner and that she had not provided her basic maternal duties of providing food on the table, Corrigan, in a drunken rage, murdered her. Clearly the Corrigan case was extreme in that it ended in Mary's death, but the narrative correlates with other cases of intra-familial violence as men sought to control home life and assert their dominance over female family members.<sup>68</sup>

## Conclusion

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<sup>65</sup> J. E. Archer, *The Monster Evil*, p. 164.

<sup>66</sup> For further analysis on this case see J. E. Archer, *The Monster Evil*.

<sup>67</sup> *Ibid.*, p. 167.

<sup>68</sup> *Ibid.*

This chapter has examined the meanings of masculinity through the lens of street violence. Male offenders used violence to construct and perform tough masculinity in the everyday setting of the street. As such, it has used Christopher Mullins's criminological term 'street masculinity' to historicise the gendered practices of male robbers. Men routinely adopted manly forms of violence through punching and kicking other men to construct their identities as hard men. The removal of men's caps, hats and watches stripped male victims of their outward markers of male respectability. The domination and humiliation of their male victims highlights the tensions that existed between working men in everyday street life. Male offenders of street violence committed robbery to supplement their low wages as labourers and semi-skilled workers. Excluded from wealth and a steady occupation, the values which embodied the bourgeois ideal of respectability were out of reach for offenders of street crime. In contrast, the working-class ideal of the hard man was both available and attractive to them and enabled them to maintain power over victims and over their wider social relationships, in particular, their mothers, girlfriends and wives.

The street was used by male robbers in two ways: firstly as a stage upon which they could construct and perform 'tough' masculinity in front of their peers, and secondly to supplement meagre incomes through violent theft. The occupation of street corners and public houses- both male-dominated spaces- were places where men could perform 'hard' masculinities in front of peers and passers-by. In addition, these spaces allowed them to perform versions of their gendered selves which contrasted with their wider roles as family members and workers. Yet an examination of robbers' wider offences which included stone-throwing, assault and domestic violence, demonstrates that men adopted this identity in settings other than the street and used violence to control their family relationships. Men also corresponded to 'tough' masculinities behind the prison walls through their resistant performances when

being flogged. Historians have noted that the courts and police mounted the ‘civilising offensive’ against violent working men in the nineteenth century. However, cases of street violence demonstrate the ways in which offenders challenged the reformation of manners through their reassertion of the hard man on the city streets. In doing so, this study has turned away from histories from above to consider the meanings of violence from below.

The concept of the ‘civilising offensive’ has dominated histories of nineteenth-century crime, and historians have tended to focus on its impact upon men rather than women. However, despite the fact that mid-Victorian robberies were an overwhelmingly male-dominated practice, female robbers played a more significant part in street robberies than has hitherto been acknowledged. The next chapter examines women’s role in street violence and considers the ways in which their behaviour both corresponded to and transgressed ideals of feminine respectability.

## Chapter 6: Street Femininity: Women, Violent Robbery and Urban Street Life

In the public debates about garrotting, mid-Victorian commentators tended to view street robbery as an exclusively male preserve. As such, historians have tended to repeat Victorian assumptions that men were responsible for the majority of violent street crime.<sup>1</sup> The role of women in street robberies has never been explored in relation to the attitudes directed towards female offenders and women's experience of street violence, yet a closer examination of cases tried at the Liverpool courts suggest that women played a more significant role in these offences than hitherto has been acknowledged. Many of the women brought before the Liverpool courts transgressed gender boundaries and challenged the stereotype of the bourgeois, domesticated woman. Women's presence on the city streets provoked anxieties about the rights and wrongs of womanhood, but women used the night-time urban environment to perform and transgress established codes of femininity in order to accomplish street robbery successfully. Through the use of contemporary local newspapers, this chapter examines the meanings of violence and focuses on the ways in which female offenders drew upon gender characterisations to establish their place in urban street life. It contains four sections: firstly, I argue that the gender models used by female perpetrators of street crime can be defined as 'street femininity'; secondly, I locate women's constructions of their gendered identity within women's presence in urban street life; thirdly, I interrogate the locational contexts of female offending; and finally, I examine the patterns of violence used by female robbers and argue that these cases demonstrate how respectable femininity was negotiated between and within as well as towards members of the urban poor.

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<sup>1</sup> C. Emsley, *Hard Men: Violence in England since 1750* (London: Hambledon Press, 2007); E. Godfrey, *Masculinity, Crime and Self-Defence in Victorian Literature* (London: Palgrave Macmillan, 2011).

As yet there remains no historical study of women's role in street violence. Historians have acknowledged the presence of fighting women in working-class neighbourhoods, but Lucia Zedner's *Women, Crime and Custody* (1991) still provides the most systematic study of female criminality and sentencing in the Victorian period.<sup>2</sup> However, local studies have shed light on the place of violence in working women's lives. Works by Shani D'Cruze, Ellen Ross and Nancy Tomes have demonstrated the complex power dynamics that were at work amongst men and women of the urban poor through their analyses of domestic violence.<sup>3</sup> However, these studies focused on women's role as victims of violence rather than perpetrators. Andrew Davies's study of female participation in gangs in late-Victorian Manchester and Salford provides the most nuanced account of women as perpetrators of violence, and my study contributes to this field in two ways.<sup>4</sup> Firstly, this chapter interrogates the meanings of violence in robberies involving women, and secondly it locates those meanings within the context of the lives of the Victorian urban poor and working-class gender relations. Indeed, the choices and practices made by female offenders of street crime need to be nuanced by an understanding of the harsh economic and social realities of urban street life.

## 6.1 Street Femininity

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<sup>2</sup> L. Zedner, *Women, Crime and Custody in Victorian England* (Oxford: Clarendon Press, 1991).

<sup>3</sup> D'Cruze, Shani, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); E. Ross, *Love & Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993); N. Tomes, 'A Torrent of Abuse: Crimes of Violence between Working-Class Men and Women in London 1840-1875', *Journal of Social History*, Vol. 11 (1978), pp. 328-345.

<sup>4</sup> A. Davies, 'These Viragoes Are No Less Cruel than the Lads': Young Women, Gangs and Violence in Late Victorian Manchester and Salford, *British Journal of Criminology*, Vol. 39, 1 (1999), pp. 72-89.

Female offenders featured in almost 30 percent of 260 cases found here. Women who worked without male accomplices featured in only 16 percent of the total number of cases. Tony Henderson's study of female streetwalkers in the eighteenth century noted that women often robbed together as a form of self-protection and it is plausible to suggest that women in Victorian Liverpool offended with men for the same reason.<sup>5</sup> The vast majority of victims were male with only four cases involving a female victim. From the cases I have found here, I can find no instances of all-female gangs of street robbers, although there are isolated cases where women worked in pairs or groups of three. While men's and women's motivations for committing street robbery would plausibly have been similar- to supplement meagre incomes or to gain status-conferring goods to keep or sell- the ways in which the offences were enacted drew distinct parallels between masculinity and femininity.

The patterns of offending for female street robbers reveal the choices made by historical actors and provide a text which can be read and interpreted.<sup>6</sup> This chapter argues that women drew upon conventionally feminine scripts to commit street robberies and these codes emerged from the gender-stratified environment of mid-Victorian urban street life. Cases which involved female offenders highlight three predominant ways of committing street robbery: women commissioning robberies without men; targeting males by appearing sexually available; and participating with males in street robberies, although the two latter categories often overlap. Female street robbers drew upon established feminine scripts- hair-pulling, the stripping of clothes, luring men by appearing sexually available-to accomplish street robberies effectively and to establish their place in urban street life. Male offenders

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<sup>5</sup> T. Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (London: Longman, 1999).

<sup>6</sup> J. Neuberger, *Hooliganism: Crime, Culture and Power in St. Petersburg, 1900-1914* (Berkeley, University of California Press, 1993), p. 8.



drew upon masculine codes to threaten and intimidate the victim and deployed traditionally 'masculine' types of violence including punching and kicking. These codes did not feature in women-led violence. All cases which involved a female offender and male victim featured the woman acting as an accomplice to men who would manipulate the victim by appearing sexually available. When the male victim was vulnerable, either in an unlit back-alley or prepared for the sexual encounter, the male robbers would punch and restrain him while the female enacted the robbery. Yet women did occasionally conduct quite serious levels of violence in cases which featured a female victim. These cases reveal tensions experienced between as well as towards women. That many of the women involved in street robbery were willing to use violence in front of peers and associates hint at the possibility of divergent norms of femininity which were practised on the street. This suggests that there were likely alternative gender norms practised by some urban working women and that women could also gain status from developing 'tough' reputations.

I adapt Christopher Mullins's concept of street masculinity, discussed in the previous chapter, to suggest that this too can be extended to female perpetrators. As such, I argue that the gender models practised by female offenders are defined as 'street femininity'. In his criminological study of street life and masculinities, Christopher Mullins claimed,

Expectations within families may differ from those of the workplace, the classroom, or the nightclub. While these gender regimes are tied into patterns exhibited within the gender order, the precise contours and meanings will be highly contingent upon the immediate environment.<sup>7</sup>

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<sup>7</sup> Mullins, C.W.,  *Holding Your Square: Masculinity, Violence and Streetlife* (Devon: Willan Publishing, 2006), p. 7.

Within everyday street interactions, women were able to construct and maintain their identities and continuously engaged with gendered presentations of the self. The street functioned as a performative space and can tell us about the ways in which women drew upon criminal behaviour to establish their place in urban street life. Women's lives were networked by locations such as the street, neighbourhood, home, church and workplace; each was a physical location, but also a cultural space in which women forged their identities.

The paths of men and women collided and crossed on the city streets and identities were forged and reconstructed through everyday interactions. Place and time were also important contexts for the social networks that were crucial to the formation of identity. Shani D'Cruze notes that, 'The interaction of people and space generated meaning through its metaphorical attributes. Consequently, social relations were as fundamental as social practices.'<sup>8</sup> The spatial and temporal contexts of women's lives were significant for identity performance and allowed for a plurality of femininities to be enacted within daily life. The streets at night-time particularly provided women offenders with anonymity and the ability to construct divergent identities away from the moral gaze of family, neighbourhood or workplace networks.

Contrary to Victorian views on biological determinism, this chapter argues that gender is performative. Judith Butler contended in *Gender Trouble*, 'There is no gender identity behind the expressions of gender; ... identity is performatively constituted by the very "expressions" that are said to be its results.'<sup>9</sup> Criminological studies of street robbery and gender have used Candace West and Don Zimmerman's influential concept of 'doing gender' which argued

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<sup>8</sup> S. D'Cruze, *Crimes of Outrage: Sex, Violence and Working Women* (London: Routledge, 1998), p. 36.

<sup>9</sup> J. Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London: Routledge, 1990), p. 25.

that gender is routinely accomplished through everyday interactions.<sup>10</sup> Their approach highlighted the importance of interactions in gender accomplishment, but failed to recognise the importance of setting and location in gender construction and performance. This thesis argues that, alongside the interactional dynamics of street robberies, the spatio-temporal dynamics are also important in the articulation of ideals of femininity, and also in offenders' negotiation of their place in urban street life.

That street robbery was a group crime means that the interactional dynamics were significant. Female robbers' networks appeared to be either deep-rooted or financially motivated, but it can be assumed that these two categories often over-lapped. Relationships between offenders varied from siblings like Sarah and Joseph Jordan, partners like John and Ann Keogh or as pimp and prostitute as in the case of Mary Woods and Joseph Smith. The criminologists, Christopher Mullins and Jodi Miller, suggested that 'Symbolic interactionism is particularly important for investigating the relationship between gender, intersecting inequalities and violence.'<sup>11</sup> That women performed particular gender presentations in front of victims and criminal associates reveals the ways in which women used and performed particular models of femininity in order to complete successful robberies.

Without surviving autobiographies by nineteenth-century female offenders, it is impossible to know the motivations that framed women's role in street robbery. Yet the ways in which Victorian women enacted street robberies draws parallels with contemporary criminological

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<sup>10</sup> C. West and D. H. Zimmerman, 'Doing Gender', *Gender and Society*, Vol. 1, 2 (June, 1987), pp. 125-151.

<sup>11</sup> J. Miller, 'Up it Up: Gender and the Accomplishment of Street Robbery', *Criminology*, Vol. 36, 1 (1998), p.42.

studies.<sup>12</sup> Jodi Miller's interview-based study of female robbers in late-1990s Missouri demonstrated that whilst men's and women's motivations for street violence were similar- drug addiction, hedonism, supplementing meagre incomes- the ways in which they accomplished street robbery was strikingly different. Female offenders capitalised on wider perceptions of themselves as weak and sexually promiscuous to manipulate male victims and accomplish successful robberies.<sup>13</sup> Lisa Maher's study revealed that 'viccing', i.e. women making themselves appear sexually available and robbing men before or during the sexual encounter, was the most common method used by female robbers who stole alongside their work as prostitutes.<sup>14</sup> Recent work by Mullins et al (2001) reinforces the work of the earlier American-based studies and provides a geographical comparison in his study of female robbers in Liverpool.<sup>15</sup> This study contributes to criminological studies of gender and street robbery and offers an historical comparison to contemporary ethnographies of street violence and gender.

## 6.2 Victorian women, street life and violence

In the nineteenth century, feminine respectability became associated with morality, dependence, domesticity, and these values extended across the class spectrum. Studies by

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<sup>12</sup> F. Brookman, C. Mullins, T. Bennett and R. Wright, 'Gender, Motivation and the Accomplishment of Street Robbery in the United Kingdom', *British Journal of Criminology*, Vol. 47, 6 (2007), pp. 861-884; J. Miller, 'Up it Up: Gender and the Accomplishment of Street Robbery', *Criminology*, Vol. 36, 1 (1998), pp. 37-66.

<sup>13</sup> J. Miller, 'Up it Up: Gender and the Accomplishment of Street Robbery', *Criminology*, Vol. 36, 1 (1998), pp. 37-66.

<sup>14</sup> L. Maher, *Sexed Work: Gender, Race and Resistance in a Brooklyn Drug Market* (Oxford: Clarendon Press, 1997).

<sup>15</sup> F. Brookman, C. Mullins, T. Bennett and R. Wright, 'Gender, Motivation and the Accomplishment of Street Robbery in the United Kingdom', *British Journal of Criminology*, Vol. 47, 6 (2007), pp. 861-884.

Joan Scott, Sally Alexander, Leonore Davidoff and Catherine Hall encouraged historians to consider gender as a crucial factor in the formation of the working class.<sup>16</sup> As women increased their presence in the public sphere through their work in factories and street-based sweated trades such as hawking, the notion of separate spheres intensified and delineated that women's appropriate role was in the home. Anna Davin's work on the lives of ordinary working women and children demonstrated that the bourgeois ideal of separate spheres was not a reality for the lower classes until the 1890s when prolonged education kept children out of the workplace.<sup>17</sup> Anna Clark noted that the ideal of separate spheres had implications for social distinctions in new forms of gender inequality for working men and women, which in turn evoked a new form of patriarchal domination that led to shifting configurations of class and gender definitions.<sup>18</sup> Clark continued that the rhetoric of domesticity appealed to middle-class and working men and women, because it pledged that husbands would earn a breadwinner wage that would not be spent in public houses.<sup>19</sup>

But this ideal was out of reach for many Victorian working women who had an active presence on the streets and in the workplace.<sup>20</sup> Given Victorian working women's patterns of self-sufficiency and active presence in urban neighbourhoods, it is unlikely that women could

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<sup>16</sup> S. Alexander, 'Women, Class and Sexual Difference in the 1830s and 1840s: Some Reflections on the Writing of a Feminist History', *History Workshop Journal*, Vol. 17 (1984), pp. 125-149; L. Davidoff and C. Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1950* (London: Routledge, 1987); J. Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988).

<sup>17</sup> A. Davin, 'Mind That You Do As You Are Told': Reading Books for Board School Girls, 1870-1902', *Feminist Review*, No. 3 (1979), pp. 89-98.

<sup>18</sup> A. Clark, *The Struggle for the Breeches: Gender and the Making of the British Working Class* (California: University of California Press, 1995).

<sup>19</sup> A. Clark, *The Struggle for the Breeches*.

<sup>20</sup> A. Davin, *Growing Up Poor: Home, School and Street in London, 1870-1914* (London: Rivers Oram Press, 1996); S. D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women*, (London: Routledge, 1998); E. Ross, *Love & Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993).

correspond neatly to bourgeois ideals of dependency and domesticity. Marriage did not ensure that working women could retire to the home. Plebeian women were burdened with household responsibilities as well as wage-earning which increased their independence in marital relationships. Working-class notions of female respectability shared several key values with middle-class ideals of femininity, but attaining such ideals were made difficult through the poverty that dominated plebeian women's lives. In her oral history of late nineteenth and twentieth-century working women, Elizabeth Roberts argued that, rather than patriarchy, it was poverty that determined women's position, and women had considerable power within the home through their role as workers and household managers.<sup>21</sup>

Working women were well-versed in the codes of respectability from an early age as they were trained to become capable wives and mothers.<sup>22</sup> Elizabeth Roberts's study of late Victorian working women argued that, from childhood, girls were instructed to be obedient and submit their wishes to the family need.<sup>23</sup> Working women's respectability was measured by cleanliness, resourcefulness, provision for the family and an absence of shame.<sup>24</sup> And, as Elizabeth Roberts continued, this was no easy task in the context of working women's lives which were characterised by filthy and overcrowded conditions, irregular and low pay, hard physical labour and the unpredictable occurrence of birth and death.<sup>25</sup> Working women strove

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<sup>21</sup> E. Roberts, *A Woman's Place: An Oral History of Working-Class Women, 1890-1940* (Oxford: Blackwell, 1995).

<sup>22</sup> A. Davin, *Growing Up Poor*; C. Dyhouse, *Girls Growing Up in Late Victorian and Edwardian England* (London: Routledge, 1981); E. Ross, *Love and Toil*.

<sup>23</sup> E. Roberts, *A Woman's Place*.

<sup>24</sup> E. Roberts, *A Woman's Place*; E. Ross, *Love and Toil*, A. Davin, *Growing Up Poor*; C. Dyhouse, *Girls Growing Up*.

<sup>25</sup> E. Roberts, *A Woman's Place*.

to attain respectability which was framed through the views of others, in particular, the world of kin and neighbourhood.<sup>26</sup>

Dominant ideals within working-class culture attached shame rather than prestige to women who fought, and violent women who transgressed popular plebian ideals of domesticity, sobriety and restraint faced harsh lectures by magistrates and neighbours alike.<sup>27</sup> As Andrew Davies has noted previously, ‘Of course, working-class women were far from passive in their everyday lives. Women tended to dominate the street life of working-class neighbourhoods.’<sup>28</sup> Working women used the streets to avenge insults and settle disputes, and (re)negotiated their reputations through their everyday interactions with neighbourhood and familial networks.<sup>29</sup> The street acted as a stage upon which identities were drawn out and performed by historical actors in everyday life, and this space contrasted with the roles women played in the home, neighbourhood and workplace. Respectability was constantly in flux, rather than static, and was (re)constructed in the everyday street setting.<sup>30</sup>

Women commonly fought one on one to avenge defamation and settle disputes.<sup>31</sup> Such fights could draw large crowds of spectators who would shout encouragement and keep watch for

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<sup>26</sup> M. Tebbutt, *Women’s Talk? A Social History of Gossip in Working-Class Neighbourhoods, 1880-1960* (Aldershot: Scolar Press, 1995).

<sup>27</sup> Ibid.

<sup>28</sup> A. Davies, ‘These Viragoes Are No Less Cruel than the Lads: Young Women, Gangs and Violence in Late Victorian Manchester and Salford’, *British Journal of Criminology*, Vol. 39, 1 (1999), p.76.

<sup>29</sup> E. Ross, *Love and Toil*.

<sup>30</sup> M. Tebbutt, *Making Ends Meet: Pawnbroking and Working-Class Credit* (Leicester: Leicester University Press, 1983).

<sup>31</sup> J. E. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: Liverpool University Press, 2011).

the police.<sup>32</sup> People who intervened were often attacked themselves. Mary Waters, of 25 Rupert Street, was assaulted by fellow neighbour, Mary Powers, and robbed of her bonnet, scarf, and 9 shillings. Waters' statement claimed that 'some time after midnight on Saturday' she was on her way to pay for coals, 'when she saw a row in the street, and inquired the cause.' Powers 'came up to her, and deprived her of her bonnet and scarf; other persons also pushed and abused her, and when she reached home she missed 9s from her pocket.'<sup>33</sup> Liverpool's working women had a particular reputation as 'rough'.<sup>34</sup> Female fights were less common than male brawls, but were by no means unknown, especially in the North End slum districts of Liverpool.

Female robbers lived out their lives on the streets and were part of the fabric of urban night-life. Most of the women examined here earned all or some of their money on the city streets as prostitutes, or engaged in earning a little money in some of the most marginal and insecure urban occupations such as charwomen, street sellers or hawkers. In her oral history of working-class women in the late nineteenth and early twentieth century, Elizabeth Roberts noted that women's employment opportunities were largely limited to work before marriage as domestic servants, shop assistants and factory workers.<sup>35</sup> Liverpool's status as a port economy meant that factory work was far less available than it was in the industrial cities of Manchester and Birmingham, so working women's chief roles in Liverpool were as service

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<sup>32</sup> Davies, A., 'These Viragoes Are No Less Cruel than the Lads', pp. 72-89.

<sup>33</sup> *Daily Post*, 5 February 1864.

<sup>34</sup> J. E. Archer, *The Monster Evil*.

<sup>35</sup> E. Roberts, *A Woman's Place*.



providers either through domestic service, charwork or street-selling.<sup>36</sup> Domestic service was only available to upper working-class or lower middle-class women and largely out of the reach of the urban poor.<sup>37</sup> Charwork, as one of the few alternatives offered to working women, was characterised by extremely low pay and harsh conditions.<sup>38</sup> With an estimated 30,000 sailors entering Liverpool at any one time, prostitution provided economic opportunity for the town's poorest women.<sup>39</sup> Prostitution in mid-Victorian Liverpool occurred in liminal spaces away from the busy thoroughfares that were characterised by visibility, anonymity and interactions with others. In contrast, the back-alleys, entries and brothels that featured heavily in cases of female-perpetrated street robbery and this chapter now turns to examine their role in shaping behaviour and the ways in which they were used by female offenders to commit street crime.

### 6.3 Gender, space, place and street robbery

Table 1 demonstrates the differences in the use of space and place amongst male and female robbers. Male offenders were associated with the occupation of particular street corners and pubs. This reveals the ways in which men used the street setting to enact models of 'tough' masculinity and acquire gender capital through outward displays of violence. Street robberies

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<sup>36</sup> L. Grant, 'Women's Work and Trade Unionism in Liverpool, 1890-1914', *Bulletin of North West Labour History Society*, Vol. 7 (1980-1981), pp. 65-83.

<sup>37</sup> S. O. Rose, *Limited Livelihoods: Gender and Class in Nineteenth-Century England* (California: California University Press, 1993); L. A. Tilly and J. W. Scott, *Women, Work and Family* (London: Routledge, 1989).

<sup>38</sup> L. Letford and C. Pooley, 'Geographies of Migration and Religion: Irish Women in mid-Nineteenth Century Liverpool', In P. O'Sullivan (ed.) *Irish women and Irish migration* (Leicester: Leicester University Press, 1995), pp. 89-112.

<sup>39</sup> F. Neal, 'A Criminal Profile of the Liverpool Irish', *Transactions of the Historic Society of Lancashire and Cheshire*, Vol. 140 (1991), p. 177.

that featured female offenders, however, often occurred in liminal spaces: in entries, back-alleys, cellars and disorderly lodging houses. These spaces provided women with opportunities to commit robbery on vulnerable passers-by, minimise risk and commit successful robberies. However, whilst the street corner and public houses acted as liminal spaces for male offenders, women were excluded from these areas which allowed men to perform tough masculinity in front of and upon other men. In contrast, the pub and street corner were too risky for women. These findings correspond to Deirdre Palk's examination of the gendered nature of shoplifting in late eighteenth and early nineteenth-century London.<sup>40</sup> Victor Turner argued that the 'liminal [is] about the doffing of masks, the stripping of statuses, the renunciation of roles, the demolishing of structures.'<sup>41</sup> The meanings and function of space and place are interchangeable depending on what is done there, who does it and when it is done.<sup>42</sup> Liminal spaces acted as 'a place on the margin' where the usual constraints on respectability were rejected in favour of constructing divergent identities away from the correcting gaze of the home, church and workplace.

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<sup>40</sup> D. Palk, *Gender, Crime and Judicial Discretion in London, 1780-1830* (Suffolk: Boydell Press, 2006), p. 189.

<sup>41</sup> V. Turner, *The Ritual Process: Structure and Anti-Structure* (New York: Aldine, 1969), p. 26.

<sup>42</sup> B. Godfrey, *Crime in England, 1880-1945: The Rough and the Criminal, the Policed and the Incarcerated* (Oxford: Willan, 2013), p. 113.

Table 1: Gender and place in 260 street robberies tried at Liverpool Police Court between 1850 and 1870

	Males (%)	Females (%)	Mixed Gender (%)
Streets	122	4	39
Street corners	14	-	3
In back alleys and entries	4	5	13
Public houses	29	-	-
Theatres, dance halls	2	-	1
Lodging houses, cellars	2	4	6
Brothels	-	3	9
Totals	173 (67)	16 (6)	71 (27)

*Source:* Liverpool Police Court Column, *Liverpool Mercury*, 1850-1870.

Mixed-gender robberies were located in the areas in which prostitution was rife, namely in brothels, back-alleys and illicit lodging houses. Liverpool's urban poor were crammed into overcrowded and dilapidated cellars and lodging houses which were seen as hotbeds of sexual licentiousness. Thus the link between lodging houses- commonly described as 'low' or 'disorderly'- with prostitution was axiomatic. In an article for *Bentley's Miscellany* (1840), Dr Taylor constructed Liverpool's lodging houses as particularly immoral:

We have said that the crowded state of the lodging rooms in Manchester is highly prejudicial to female delicacy and modesty- the great safeguards of virtue. But this evil is not too immediately felt where the fellow lodgers have long been known to each other and have formed friendly intimacies; a feeling of respect, even under the most unfavourable circumstances, is engendered by an intimacy between two families. The crowd is brought together under the very circumstances best suited to render the assemblage dangerous; and to those who have seen the circumstances- the physical circumstances, to which

poor girls round the docks are exposed, the wonder is that not many have fallen, but that any have escaped.<sup>43</sup>

Images of prostitutes in the reportage focused on their presence in liminal spaces on the margins of legality- the street, back-alley, and brothels. The tropes which merged liminal spaces and the prostitute highlighted ‘the commodification and aestheticisation of the female body in prostitution.’<sup>44</sup> The *Mercury* reported in 1854 that John Keogh, Ann Keogh and Catherine Turner were charged with robbing Thomas Beddington. ‘The prosecutor stated that between twelve and one o’clock the previous night he was just about to enter Comus place, Richmond-row, where he resided, when he received a violent blow on the head, inflicted by some person from behind.’ A witness to the offence claimed that John Keogh ‘keeps a house of the worst description, into which he entraps girls, and compels them to plunder all whom they fall in with. He is one of the worst men in Liverpool.’<sup>45</sup> Prostitutes were often seen as passive agents who had been corrupted by men.<sup>46</sup> Ideals of working masculinity privileged man’s role as domestic and providing for his family. In contrast Keogh’s entrapment of ‘girls’ and ownership of a ‘low’ brothel in the notorious Richmond Row constructed him as deviant.

Cellars featured in the cases which involved women and the narratives drew upon wider meanings relating to dirt, pestilence and vice. In *Bentley’s Miscellany* (1840), Dr. Taylor viewed cellars as a key factor in the apparent absence of morality in Liverpool and drew upon moral and environmental discourse.

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<sup>43</sup> W. C. Taylor, ‘Moral Economy of Large Towns: Liverpool’, *Bentley’s Miscellany*, Vol. VIII, (London, 1840), p. 119.

<sup>44</sup> M. O’Neill and L. Seal, *Transgressive Imaginations: Crime, Deviance and Culture* (London: Palgrave Macmillan, 2012), p. 6.

<sup>45</sup> *Liverpool Mercury*, 14 November 1854.

<sup>46</sup> J. Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge: Cambridge University Press, 1980).

It would be a serious error to suppose that the evils and horrors of cellars affect only, or even chiefly, the floating population of Liverpool...It would far transcend the power of words to describe the horrors of these dens; and it can scarcely be necessary to dwell upon the fact that malignant disease is perpetually generated in them; but their moral results have not hitherto received much attention.<sup>47</sup>

The description of cellars in the narratives of street robbery operated as a motif in marking the offenders as deviant. Ann Hughes (27), a fish seller, and Sarah Cooper (22), a hawker, were indicted at the Liverpool Assizes for assaulting Mary Ann Rowlands, a widow, and robbing her mantle. Rowlands met the two prisoners in Pierce's public house, Toxteth, and was 'persuaded by them to accompany her to a cellar in Mann Street where they resided. When she got there, she lost her senses and on recovering found the prisoners and an old woman in the cellar.'<sup>48</sup> The vulnerability of the victim was expressed clearly through the description of her age and as having 'lost her senses'. Furthermore, her mantle and description as 'widow' highlighted that she was adhering to respectable mourning traditions. Conversely, the offenders' location within the disreputable cellars, their desperation for alcohol and the severe violence used in the attack illustrated to the press their moral deviancy. 'The prisoners wanted money for drink, and seizing the prosecutrix, they beat her very much, broke her leg, and took some of her clothes.'<sup>49</sup>

Pawnshops featured heavily in accounts of street robberies as women were often caught when they handed in their stolen goods in exchange for cash. Pawnshops were widely criticised in the nineteenth century and the clientele were depicted to be the shiftless housewives of the

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<sup>47</sup> W.C. Taylor, 'Moral Economy of Large Towns'.

<sup>48</sup> *Liverpool Mercury*, 17 August 1858.

<sup>49</sup> *Ibid.*

lowest and most indigent classes.<sup>50</sup> Jane Robinson and Mary Anne Brown, ‘two low-looking women’ were charged with assaulting ‘an old man’, John Brown, and robbing him of his watch. The prosecutor was walking along Downe Street at one o’clock on Wednesday afternoon when ‘the prisoners, without any provocation, knocked him down and took his watch from him.’ Jane Robinson afterwards took the watch to Mr Dean’s pawnshop in Scotland-place, ‘where the watch was stopped [by the police], and she was given in to custody.’<sup>51</sup> Pawnshops were seen as a feminine space and featured in countless jokes and music hall songs where the joke was on the husband.<sup>52</sup> Women regularly sold household items at pawnshops without their husband’s knowledge which often resulted in violent attacks as women attempted to control the household income.<sup>53</sup> Nevertheless, pawning gave working women the ability to supplement meagre incomes and was essential to the organisation of household survival.<sup>54</sup>

## 6.4 Patterns of offending

Many of the women involved in the perpetration of street crime were represented as adopting typically feminine, auxiliary roles such as ‘handmaidens’. These narratives reinforced gender difference and were part of a wider discourse that suggested that men were strong, and

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<sup>50</sup> M. Tebbutt, *Making Ends Meet*.

<sup>51</sup> *Liverpool Mercury*, 24 September 1869.

<sup>52</sup> On pawnbroking and working-class women, see M. Finn, ‘Working-Class Women and the Contest for Consumer Control in Victorian County Courts’, *Past and Present*, Vol. 161 (November, 1998), pp. 116-154; P. Johnson, *Saving and Spending: The Working-Class Economy in Britain, 1870-1939* (Oxford: Oxford University Press, 1985); E. Ross, *Love and Toil*, esp. pp. 81-4; M. Tebbutt, *Making Ends Meet: Pawnbroking and Working-Class Credit* (London: Methuen, 1983).

<sup>53</sup> E. Ross, *Love and Toil*, p. 71.

<sup>54</sup> *Ibid*; M. Tebbutt, *Making Ends Meet*.

therefore capable of threatening levels of violence, whereas women were weak. The newspapers drew upon sensationalist discourse where men were called ‘bludgeters’ and women were called ‘handmaidens’, and highlighted the differences between men and women. Liverpool magistrates noted in 1864 that Captain Demetrius Pikeonis ‘was robbed by some woman who was accompanied, as is usual in such cases, by a man- a ‘bludgeter’.<sup>55</sup> Similarly, Margaret Prenty, a ‘woman of the town who had been six times brought before the court, and had undergone four years penal servitude, and Patrick Kelly, her ‘bludgeter’ were remanded on suspicion of robbing an ‘old gentleman from the country’.<sup>56</sup> This reinforces Davies’s analysis of reports of “scuttling” gang-related incidents: ‘Within these [scuttling] accounts, young women were for the most part depicted in conventional feminine roles: as handmaidens (bringing up rounds of bricks and bottles), or as nurses (ready with their ‘assiduities’ when the combatants were wounded).’<sup>57</sup> In addition, the ways in which women offenders applied the positive attributes of traditional femininity to bad deeds made their actions all the more shocking to contemporaries.

Female perpetrators were reported as committing stereotypically ‘feminine’ means of violence such as biting, slapping and hair-pulling. This is in contrast to the ways in which men’s violence was described as ‘masculine’ and included punching, shoving, kicking and strangling. Bridget and Catherine Ryan were brought before Liverpool Police Court for the assault and robbery of a labourer, Stephen Ryan, in 1866. Ryan was walking along Vauxhall Road the previous evening when ‘the prisoners, another woman and two men jostled him on the footwalk.’ The two men ‘knocked him down and kicked him, and the woman [Catherine

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<sup>55</sup> *Liverpool Mercury*, 11 May 1864.

<sup>56</sup> *Liverpool Mercury*, 12 May 1866.

<sup>57</sup> A. Davies, ‘These Viragoes Are No Less Cruel than the Lads’, p. 73.

Ryan] seized him by the hair of the head. Bridget Ryan put her hand into his trouser pocket, in which he had six shillings'.<sup>58</sup> Catherine Stewart and Margaret Thompson, 'two low-looking women' were brought before Liverpool Police Court on the 19 November, 1863 for assaulting and robbing John Hutchinson, 'a decently dressed man'. Hutchinson's statement contended that shortly after midnight on the previous Tuesday evening, he was about to enter a urinal on Great North John Street when Catherine Stewart threw her arms around him. 'When he succeeded in releasing himself he found that the chain to which his watch was attached was hanging down, and his watch gone.' As he secured Stewart, Thompson came to help her, 'bit Hutchinson's hands and so ill-used him that he had to loose his hold on Stewart. He 'shouted lustily for the police and an officer answered the call'. The officer apprehended the two women in a nearby street, but could not find Hutchinson's watch. The magistrate discharged the two prisoners because there was, 'no evidence beyond that of Hutchinson, and as he was under the influence of drink at the time the robbery was alleged to have been committed.'<sup>59</sup>

Biting and hair-pulling was seen as dirty tactics if practised by men and biting in particular was seen as animalistic and savage.<sup>60</sup> A stipendiary magistrate observed that biting 'used to be confined to women, but now men were doing it.'<sup>61</sup> The construction of such antithetical gendered modes of fighting reinforced dominant ideas about biological essentialism and gender difference. In portraying women as 'different' fighters to men, they also portrayed them as weaker. Despite the violence committed in the attack, Thompson was acquitted due

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<sup>58</sup> *Liverpool Mercury*, 12 November 1866.

<sup>59</sup> *Liverpool Mercury*, 19 November 1863.

<sup>60</sup> J.E. Archer, *The Monster Evil*, p. 133.

<sup>61</sup> *Liverpool Mercury*, 6 June 1877, cited in J.E. Archer, *The Monster Evil*, p. 133.



to the victim's insobriety and the fact that biting was seen as a feminine, and therefore not serious, mode of violence.

When female offenders targeted male victims, they took advantage of drunk and vulnerable men in dark alleys, back streets, dead ends and up against walls. On 22 October 1863, Ellen Burns was charged, along with a man and two other women not in custody, with stealing from a gamekeeper, John Hall, and robbing him of his silver watch. When near St. Martin's market, Burns asked him to "stand twopenn'orth". Hall informed Burns that he had no money, but needed to reach Great Homer Street. Burns led Hall down a myriad of back-streets and into an entry in Horatio Street where a man and two other women were waiting. The male offender 'seized him by the neck and nearly throttled him, holding him so he could neither speak nor breathe.' As he was held, the women tried to separate his watch from its guard. 'Hall put up his hand, got hold of the watch, and tried to retain it, but the prisoner seized his hand with her teeth and bit him so severely that he was obliged to open his hand and let her take the watch from him, when the whole of the thieves decamped.'<sup>62</sup> Hall's employment of masculine 'throttling' compared with Burns' 'feminine' biting reinforced prevailing ideas about gender difference. Burns' promiscuous provocation, her animalistic biting alongside her location within the back streets of the slums provoked depictions of the common rough prostitute.

It was rare for both men and women to use weapons in attacks, and often women were reported as using household items rather than weapons. John Roberts, Elizabeth Mullin, Mary Walsh and James Roberts, 'all persons of questionable character', were charged at Liverpool

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<sup>62</sup> *Liverpool Mercury*, 22 October 1863.

Police Court with garrotting a packer, John Lafferty, and John Bogue, a salt dealer aged between sixty and eighty years old. The offence was said to be committed ‘at a disreputable house in No 1 Court, Albion Street.’ The offenders and victims were drinking at the house when Lafferty and Bogue were, ‘set upon by the prisoners, the men striking them with their fists, whilst the women laboured them with pokers.’<sup>63</sup> In another case from 1869, Mary Anne Garrity was charged with assaulting and robbing Thomas Warrington. ‘On Friday evening last the prosecutor was walking along Naylor Street, when the woman Garrity threw him down by placing a broomstick in front of his legs whilst he was walking.’<sup>64</sup> Women involved in these attacks used weapons, drawn from resources available to them, to intimidate the male victim, yet their presence in the attacks and the reference to the use of household weapons highlighted the women’s departure from idealised, domesticated femininity.

In many of the cases which discussed women’s involvement in street robbery, female offenders were represented as inducing the attacks by making themselves look sexually available. Broader perceptions of prostitutes’ ‘active’ sexuality led magistrates to deliver strict moral lectures in court. Jane Smith, ‘a low-looking woman’, was charged with assaulting and robbing Peter Schofield, a barman in Boundary Street, Liverpool. Schofield was making his way home when he saw Smith in the company of another man. Smith asked if he was looking for her, to which he replied, he did not. On this, she struck him and called to her companion James who also knocked him down.<sup>65</sup>

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<sup>63</sup> *Liverpool Mercury*, 6 January 1865.

<sup>64</sup> *Liverpool Mercury*, 15 December 1869.

<sup>65</sup> *Liverpool Mercury*, 9 February 1869.

In some cases, the victim would be robbed during the sexual encounter. Although the newspapers tended to omit sexual information, the silences can often be revealing. On the 24 May 1860, the *Liverpool Mercury* reported that an Italian ship captain, John Baptiste Cerain, was assaulted and robbed by James Norton and a 'coarse looking woman', Catherine Stuart. Cerain was passing along Doran's Lane when he met the female prisoner, Stuart. She grabbed his arm, but he pushed her away, claiming he wanted nothing to do with her. She, however, caught hold of him once more and 'detained him while she picked his pocket of 14 pounds 10s.' At this time, Cerain remarked, two men were now present at the top of the lane. As he realised his money had been stolen, he approached Stuart who was now with the two men. Upon grabbing Stuart, Norton punched Cerain in the face as Stuart ran off. Some people who were passing down the street went to help Cerain and as Norton was detained, the Captain ran after Stuart. In court, both offenders pleaded guilty and received a harsh reprimand from the magistrate. 'He had reason to believe that great numbers of women were out night after night, accompanied by men, for the purpose of robbing people in the streets.' The magistrate was clearly exaggerating the extent to which women were robbing in the streets at night. It was rare for women to be involved in street robbery, but the one or two women who acted out of place and proper character struck fear amongst the respectable authorities. In addition, the magistrate highlighted women's physical inability in comparison to their male counterparts. 'It was not often that the police could get hold of both the men and the women in these cases, for on finding that the women had got into trouble, the men were generally cowardly enough to desert them.' Norton was applauded for not abandoning his female accomplice. 'The only thing in favour of the man was that he did not desert his female companion when she was secured.'<sup>66</sup> The press and court narratives in mixed-gender cases reinforced dominant ideas

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<sup>66</sup> *Liverpool Mercury*, 4 May 1860.

about gender stratification and biological difference. Women were seen as less responsible for their role in the offences and less in control of their own actions.

Male victims were often blamed for the attacks upon them and were ridiculed for being attacked by women. Mary Ann O'Hare, a 'girl' was charged at Liverpool police court for assaulting Henry Aitkin, 'an elderly man and master mariner' for robbing his watch. Just after midnight, Aitkin was, 'on his way home, being something beyond half seas over', when he met O'Hare and other girls who, 'got around him and persuaded him to give them something to drink.' O'Hare knocked him down and took his watch and guard. The magistrate remanded O'Hare for seven days, 'telling Aitkin that it was very disgraceful for an old man like him to be taking young girls about the town drinking.' The sitting magistrate, Mr Raffles, did not regard O'Hare's violence as particularly serious; indeed, his redressing of Aitkin spoke to broader perceptions of women as naïve and not in control of their actions. The case also highlights the expectations of respectable masculine behaviour. Magistrate Raffles reprimanded the victim on account of his age, drunkenness, and association with young women. Victorian men were expected to adhere to bourgeois models of masculinity, in particular, sobriety, chivalry and domesticity, and as the judge warned Aitken, 'a man at his time of life should know better.'<sup>67</sup>

In the few cases in which women were the sole perpetrators of violence, they would often aim for male victims who were especially vulnerable, for example, if they were old, intoxicated, or in a state of undress. All the male victims that featured in cases involving solely female perpetrators were alone. The use of 'coarse' extended to both male and female

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<sup>67</sup> *Liverpool Mercury*, 8 January 1863.

perpetrators which suggests that, in the view of the courts and press, such women were seen as manly and unfeminine. In Liverpool, on 24 September, 1869, two ‘coarse-looking’ women, Jane Robinson and Mary Jane Brown, were charged with violent robbery for their attack on ‘an old man’, John Brown. The age and perceived vulnerability of the victim was seen by magistrates as evidence of their inability to provide legitimate evidence. Catherine Riley was charged with the robbery, but ‘as the victim could not positively identify her, she was discharged.’<sup>68</sup>

In the cases presented here, it was rare for women to be victims of street robbery and even rarer for women to attack other women. In the small amount of cases in which women were attacked by other women, the newspapers reported that clothes and jewellery, as well as money, was taken. The victims were always women drawn from the respectable or upper-working poor and their dress and appearance were often remarked upon in court. On the 20 November, 1868, the *Liverpool Mercury* reported that Jane Davies who was ‘well-known to the police’ assaulted Rose Goodman and stole a shawl, purse and 15s. A police officer reprimanded Davies in Scotland Road some hours later where she was found wearing Goodman’s shawl, claiming that she had found it.<sup>69</sup> The removal of shawls and bonnets by offenders was a recurring motif in cases which involved a female victim. Victorian society determined that women maintain respectable and conservative dress and this code of decency extended across the class spectrum. It is reasonable to assume that the motives for committing street robbery were primarily economic- the acquisition of money, clothes, jewellery, and other status-conferring goods- but the commission of the acts was also

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<sup>68</sup> *Liverpool Mercury*, 24 September 1869.

<sup>69</sup> *Liverpool Mercury*, 19 November 1868.

symbolic by the stripping of women's respectable attire. As such, this evidence tells us about attitudes to femininity and the ways in which gender is performed on the street.

Women's actions in street crime were made all the more reprehensible because they upset traditional ideas of how women should behave. John Pye, Sarah Green and Susannah Sudlow were committed for trial at Liverpool Police Court for stealing a handkerchief, pair of gloves, a purse and other articles amounting to the cost of 1s from Catherine Stephenson, a widow. Stephenson was walking through Erskine Street on the morning of 31 August 1865 when Sarah Green asked her for some coppers. As Stephenson reached into her pocket, Green tore the pocket, which contained the various articles, and proceeded to share out the contents with Pye and Sudlow. Stephenson shouted for the police, but Pye struck her. Green then snatched the shawl from her and ran away. The removal of Stephenson's shawl left her exposed and stripped her of an outward signifier of her respectable femininity. Femininity functions as a masquerade and an identity which is constructed by historical actors; not just through social action, but also through clothing, cosmetics and jewellery and women drew upon these symbols to humiliate their victims, assert their identities and disrupt traditional ideologies about femininity.

Respectability was negotiated on the streets between victims and offender. One case involving two women known for robberies suggests that attacks on reputation were used in female on female robberies.<sup>70</sup> Jane Cotter, Alice Murphy, and Ann O'Donnell were charged with stealing and receiving wearing apparel in October 1861. Cotter was a servant at the

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<sup>70</sup> Andrew Davies's oral history of women who lived in Manchester slum districts showed that it was often sexual reputation that was used to defame women during fights. A. Davies, *Leisure, Gender and Poverty: Working-Class Culture in Salford and Manchester, 1900-1939* (London: Open University Press, 1992).

house of Miss Phillips in the respectable, well-to-do area of Faulkner Street and ‘the prisoners were in the habit of going about the neighbourhood under the pretext of buying old clothes.’ Murphy and O’Donnell approached Cotter and told her ‘that if she did not give them something else they would go to the front door and inform her mistress she had been robbing them.’ Cotter, ‘terrified by this threat’ gave them a pair of her master’s trousers, other articles and a ‘considerable sum of money’. The offenders used the importance of reputation to threaten and intimidate the victim and the victim’s compliance hints at the importance of respectability in maintaining an upright reputation for women of the urban slums. In court, Cotter’s mistress noted that when she entered her service ‘she had an excellent character with her, and if she were now discharged would take her into service again so highly did I think of her.’ In contrast, Murphy and O’Donnell were described by a neighbourhood witness as ‘dishonest and unprincipled persons’ who had been ‘infesting the neighbourhood.’<sup>71</sup> Respectability was a process and was in constant negotiation between historical actors as victims, offenders and witness (re)negotiated their identities on the streets and in the courtroom.

The boundaries of moral conduct were measured by kin networks, and one case highlights the generational divisions in definitions of respectability. On 8 October 1867, Ellen Russell, Bernard Couray, Thomas Monaghan and Christopher Murray were charged with assaulting and robbing Anthony Gibbons at Liverpool Police Court. At 8 o’clock on the 23 September, Gibbons was proceeding down Sir Thomas Buildings when Couray accosted him and struck him across the face. He was then, ‘seized from behind, his arms were pinned, and he was dragged some distance. He struggled violently, and at last fell upon the ground, two of the

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<sup>71</sup> *Liverpool Mercury*, 5 October 1861.

thieves falling on top of him.’ Gibbons eventually escaped and upon returning home, discovered that he had been robbed of a chain and seal. The *Mercury* reported that immediately after the attack, a witness had come forward with information about the robbery. Ellen Russell, initially charged as being a perpetrator in the offence, was brought into the witness box. Russell lived with her parents in Ben-Johnson Street in the notorious Scotland Road slum district. The day after the robbery had taken place, Russell met Murray and Couray, ‘who made a present of a seal and a locket.’ The *Mercury* continued, ‘She was about to put on the necklace, when Couray said, ‘Don’t do that, or there will be a dust about them.’<sup>72</sup> Russell, however, did wear the necklace and her father inquired as to where she got it. She would not tell him, and so he brought in a policeman. Russell’s father was clearly unwilling to tolerate her association with her unrespectable suitor. The disparity between Russell’s father’s response and the acts of Couray highlights the depth of cultural as well as generational divisions of respectability within the working-class population. Russell and her father lived in the disreputable Ben-Jonson Street which further highlights that the slum districts were sites of conflict that were divided by notions of respectability. Notions of acceptable feminine behaviour differed widely both within and between social classes.<sup>73</sup>

The possibility of divergent norms ‘from below’ is important in considering the gendered acts practised by women on the streets. Sociological literature on femininity and gang crime has claimed that women’s use of violence in gang-related offences can be a strategy for

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<sup>72</sup> *Liverpool Mercury*, 8 October 1867.

<sup>73</sup> See A. Davies, ‘These Viragoes Are No Less Cruel than the Lads: Young Women, Gangs and Violence in Late Victorian Manchester and Salford’, *British Journal of Criminology*, Vol. 39, 1 (1999), pp. 72-89; A. Davin, *Growing Up Poor: Home, School and Street in London, 1870-1914* (London: Rivers Oram Press, 1996).



accomplishing divergent norms of femininity.<sup>74</sup> The *Liverpool Mercury* reported on 10 April 1866 an assault and robbery conducted upon an ‘elderly working man’ named James Lynch by ‘six very young persons.’ Lynch was walking along Limekiln Lane at twenty past ten on Sunday evening when he was assaulted by a number of ‘boys and girls.’ The offenders asked Lynch for money before asking him for the time. He replied that he had neither and ‘one of the lads took the cap from the head of Lynch and kicked it about in the street, but at last picked it up stating that it was too good to be thrown away.’ The *Mercury* continued to report that, ‘The girls threw the complainant upon the ground and one of them took from him his necktie while the others attempted to strip him of his coat.’<sup>75</sup> Lynch’s wife then appeared on the scene where she was assaulted by Sarah Jordan and had her shawl removed. Jordan drew upon violence to negotiate her gendered identity in front of her peers and her victims. Out of the six offenders, only Jordan was charged with assault and robbery and was sentenced to three months imprisonment. Public discourse tended to explain women’s violence as an aberration from respectable femininity, but cases where female offenders were responsible for the perpetration of violence reveal the possibility of divergent norms of femininity in street life.

## Conclusion

This chapter has examined the ways in which female offenders of street robbery used and constructed particular feminine roles to accomplish street robberies successfully. The identity performances that were conducted by female robbers in mid-Victorian Liverpool have been

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<sup>74</sup>J. Miller, ‘Up It Up: Gender and the Accomplishment of Street Robbery’, *Criminology*, Vol. 36, 1 (1998), pp. 37-66; J. W. Messerschmidt, *Crime as Structured Action: Gender, Race, Class, Crime in the Making* (London: Sage, 1997).

<sup>75</sup> *Liverpool Mercury*, 10 April 1866.

defined here as 'street femininity'. In contrast to their wider roles as neighbours, workers and family members, women who committed street robberies used the night-time street to construct particular versions of the self. Female offenders of street robbery in Liverpool used certain places- lodging houses, brothels, back-alleys and entries- to enact particular modes of femininity, such as appearing vulnerable or sexually available, to establish their place in the gender-stratified environment of the mid-Victorian streets.

Working women's respectability incorporated many of the values that embodied middle-class femininity. In particular, working women were judged on their ability to be capable wives and mothers, maintain an orderly and clean home, and to be submissive and chaste. The repetition of certain terms such as 'rough', 'low' and 'coarse' highlighted women's departure from delicate and submissive femininity. Interestingly, these terms were also used to describe male offenders. This suggests that the press envisioned female offenders as manly though the narratives never made this explicit. Women's active presence in the urban streets at night-time further delineated them from ideals of respectable womanhood, but also allowed women to construct divergent identities that contrasted with their roles as neighbours, kin and workers.

Women's offending patterns differed from men's in several ways. Female offenders often used wider perceptions of themselves as weak or sexually available to coerce male victims and accomplish street robbery. The majority of women's involvement in street crime involved working with male offenders and these cases often took place in the places where prostitution was rife. Male offenders overwhelmingly targeted able male victims, but women often attacked those that appeared vulnerable, in particular, men who were drunk or elderly or

they attacked women. Male offenders' occupation of street corners and public houses allowed them to gain masculine capital through the ownership of territory. In contrast, women's location in the liminal 'in-between' spaces of back-alleys, cellars and brothels allowed them to perform different versions of the self. This evidence highlights women's awareness and use of the gender-stratified environment of the street as they sought to minimise risk and complete robberies successfully. Yet occasionally women did employ serious levels of violence against their victims. Although women's violence was never seen to be as threatening as men's, it suggests that women too could have gained from having tough reputations within neighbourhoods.

Respectability was negotiated and drawn out on the streets, in the press and in the courts and representations in all these spaces reveal the differences in definitions of appropriate gender roles between generations and between members of the urban poor. The next chapter now moves to examine the ways in which men's and women's identities were negotiated and redefined in the courtroom by lawyers, magistrates, juries, and between victim and offender.

# **Part Three: The Courts**

## **Chapter 7 When high and low collide: Gender and respectability in the mid-Victorian courtroom**

This chapter focuses on the ways in which the identities of victims and perpetrators of street crime were negotiated and performed in the courtroom. The thesis has examined the ways in which the identities of street robbery victims and offenders were constructed in the press and on the city streets. Here I develop this analysis by demonstrating that the Liverpool Assize and police courts were arenas where high and low collided and respectability was negotiated from both above and below. The courtroom was an arena of power in which the dominant voices of magistrates, judges, lawyers and juries took a prominent role. But the ways in which offenders and victims performed in the courts during robbery trials highlights how offenders and victims ‘spoke back’ and negotiated their own identities in court.

The court was a performative space and the courtroom acted as a local arena in which identities were forged and negotiated by magistrates, lawyers, victims and offenders.<sup>1</sup> Crime reportage built upon the theatrical nature of the courtroom.<sup>2</sup> Men and women who were brought before the courts were judged on their appearance, their backgrounds, marital status, and behaviour, both in court and during the attack. These cultural markers provided a text through which magistrates read and determined their respectability, and thus, the legitimacy of their testimony. These cases suggest that, for victims and offenders of street crime,

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<sup>1</sup> S. D’Cruze, *Crimes of Outrage: Sex, Violence and Working Women* (Illinois: Northern Illinois University Press, 1998).

<sup>2</sup> J. Rowbotham & K. Stevenson, ‘For Today in this Arena...’ Legal Performativity and Dramatic Convention in the Victorian Criminal Justice System’, *Journal of Criminal Justice and Popular Culture*, Vol. 14, 2 (2007), pp. 113-141.

prosecution and defence narratives were used against them to maintain gender relations and patriarchal power. Narratives of violence were used to emphasize gender inequalities by magistrates, lawyers and the press, and the prosecution and defence strategies highlight the dominance of the respectable working-class man and woman.

This chapter adopts two forms of analysis: firstly, the ways in which prosecution and defence narratives constructed the identities of victims and offenders in a hierarchy of respectability, and secondly, the ways in which offenders and victims drew upon and challenged dominant representations in the courtroom. In doing so, I consider the impact that definitions of character had upon the sentencing of offenders. In the first section I consider the gendered sentencing that operated in Liverpool's magistrates and Assize courts, and show that persistent male offenders who were drawn from the lower working-class were subject to the harshest penalties. Gender relations were shifting in the mid-Victorian period as violence, particularly violence committed by working men, was increasingly demonised as dominant ideals of manliness were reshaped by the press and law to a more domesticated model of masculinity.<sup>3</sup> The heavy sentences given to male robbers demonstrate the active role that the law played in controlling interpersonal violence in the nineteenth century and marginalising working-class men who took an active role in urban street life.

Conversely, women's violence was never seen as harmful to society as men's since women were perceived as weaker and therefore incapable of committing serious degrees of violence. But some of the female offenders of street crime did carry out significant levels of violence

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<sup>3</sup> M. Wiener., *Men of Blood: Violence, Manliness and Criminal Justice in Victorian England* (Cambridge: Cambridge University Press, 2004).

and inflicted serious injury to their victims. Nevertheless, female offenders were mainly filtered out through the magistrates' courts and received sentences of less than six months. Thus, magistrates' decisions reveal a discretionary process which aimed to keep women off the city streets and 'clean up' the moral fabric of urban life. In doing so, the courtroom narratives marginalised lower working-class men and attempted to regulate urban street life and violence.

In the second section, I explore the complex gender characterisations that were used in the prosecution and defence narratives. Male offenders and victims emphasised their occupation and home life to construct themselves as respectable. In contrast, women's sexual reputation was highlighted in the court narratives as we see a reconfiguration of the respectable, married, working woman, the sexual temptress and the rough working woman who was not afraid to use her fists. Finally in the third section, I examine the behaviour of victims and offenders of street crime in the courtroom and argue that the courtroom was an arena in which offenders could 'speak back', through discourse and behaviour, and construct their own identities. The chapter demonstrates the complex ways in which offenders and victims both corresponded to and challenged dominant ideals of gender and respectability. By using a 'bottom-up' rather than a 'top-down' approach it reveals how identities were constructed, negotiated, punished and performed in the mid-nineteenth century courtroom between offenders, victims, judges and juries.

Due to the absence of court sources, this chapter draws upon court reportage in the local press. Official court records lack details of the offences and, crucially, the victims and offenders. The criminal registers, for example, only list the name, offence and verdict so are best-suited

to quantitative analysis.<sup>4</sup> But crime reports provide the rich detail necessary for understanding the values and identities which circulated within them.<sup>5</sup> Crime reportage increased in popularity throughout the 1850s and 60s and became a regular staple of the national and provincial press.<sup>6</sup> Many of the journalists who reported on trials in the press were lawyers themselves and so their narratives were often self-serving with the aim of re-establishing the authority of the law.<sup>7</sup> Tom Taylor, for example, had been a trained lawyer before he became part of the Punch Brotherhood and wrote *The Ticket of Leave Man* (1863). Lawyers-journalists transformed legal language into dramatic and sensational narratives for their readers. Thus, courtroom narratives represented an instructive code of conduct which drew upon established bourgeois norms. Prosecution and defence narratives and those performed by victims and offenders during court hearings provide a text which can be read and interpreted. These public court hearings undertook surveillance of working-class respectability by prescribing the acceptable boundaries of conduct. The narratives of street violence, and their impact upon the reputations of the men and women involved, provided moral entertainment for both the courtroom audience and a local, popular newspaper readership. Moreover, such narratives would also likely be retold as ‘titillating anecdotes about neighbours, friends or friends of friends’.<sup>8</sup>

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<sup>4</sup>Examples of this approach can be seen in P. King, ‘Punishing Assault: The Transformation of Attitudes in the English Courts’, *Journal of Interdisciplinary History*, 27 (1996), pp. 43–74; B. Godfrey, S. Farrall, and S. Karstedt, ‘Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late-Victorian and Edwardian Period’, *British Journal of Criminology* (2005), pp. 1-25.

<sup>5</sup>J. Rowbotham & K. Stevenson, ‘For Today in this Arena...’, p. 117.

<sup>6</sup>*Ibid.*, p. 125.

<sup>7</sup>J. Rowbotham and K. Stevenson, ‘For Today in This Arena’, p. 121.

<sup>8</sup>S. D’Cruze, ‘Sex, Violence and Local Courts: Working-Class Respectability in a mid Nineteenth-Century Lancashire Town’, *British Journal of Criminology*, vol. 39, 1 (1999), p. 50.



The police court became a key resource for the working classes to settle disputes in the nineteenth century.<sup>9</sup> Douglas Hay and Francis Snyder suggested that crimes were settled through community discretion in the eighteenth century until the centralisation of the magistrates' court in the nineteenth century.<sup>10</sup> But in the nineteenth century, the magistrates' court came to be seen as a 'poor man's system of justice' with trials in the police court requiring only one guinea.<sup>11</sup> The expansion of summary justice meant that members of the poor were encouraged to settle their grievances away from the community and into the courtroom.<sup>12</sup> As Jennifer Davis argued in her study of the London police court:

The working class came to the courts in large numbers to initiate criminal prosecutions, as well as to face them, [so] the police courts cannot be seen as simple instruments of ruling-class domination. At the peak of their popularity, during the nineteenth century, they were an important working-class resource.<sup>13</sup>

Historians such as Jennifer Davis, Shani D'Cruze, and Carolyn Conley have discussed the growing division between the respectable and unrespectable working class in the mid-nineteenth century press and courts.<sup>14</sup> The courtroom was an arena in which the divisions between the working classes were negotiated and lines were drawn over unacceptable and acceptable behaviour. Moreover, the decreasing cost of prosecutions, alongside a popular

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<sup>9</sup>J. Davis, 'A Poor Man's System of Justice: The London Police Courts in the Second Half of the Nineteenth Century', *Historical Journal*, Vol. 27, 2 (June, 1984), pp. 309-355; B. Godfrey et al, 'Explaining Gendered Sentencing Patterns'.

<sup>10</sup> D. Hay and F. G. Snyder, 'Using the Criminal Law, 1750-1850: Policing, Power and the State', in D. Hay and F. G. Snyder (eds), *Policing and Prosecution in Britain, 1750-1850* (London: Clarendon Press, 1989), pp. 3-52.

<sup>11</sup>*Select Committee on Metropolitan Police Offices* (1837), XII, p. 186 cited in J. Davis, 'A Poor Man's System of Justice', p. 315.

<sup>12</sup>J. Davis, 'A Poor Man's System of Justice'; Rowbotham and Stevenson, 'For Today in this Arena', p. 118.

<sup>13</sup>J. Davis, 'A Poor Man's System of Justice', p. 310.

<sup>14</sup>S. D'Cruze, 'Crimes of Outrage'; J. Davis, 'A Poor Man's System of Justice'; C. Conley, *The Unwritten Law: Criminal Justice in Victorian Kent* (Oxford: Oxford University Press, 1991).

condemnation of certain forms of violence such as street robbery, may have increased victims' willingness to convict.

Evidence from street violence cases demonstrates that the police court was used by the poor to settle disputes. In 1852, a lodging house keeper named Samuel Brand was charged by a seaman, James Parnell with assaulting him and stripping him of his wearing apparel. Parnell's prosecution statement argued that he had arrived here from the ship, Pakenham, and took lodgings with the defendant in Surrey Street. Parnell received his pay from the Sailors' Home and, 'afterwards, he along with two or three sailors, drove off in a cab to his lodgings, where he was struck, kicked, and beaten, and stripped and robbed by the prisoners.' The defendant and witnesses however, argued that the money had been divided equally and that he had owed the keeper of the lodging house payment for borrowed clothes.<sup>15</sup> The majority of cases of street violence were filtered through the police court where magistrates had the powers to sentence offenders to six months penal servitude or less. So the police court was not solely a space for increasing legal control; it was also a space where members of the urban poor could settle disputes and re-establish their respectability in front of the authorities, courtroom and neighbours.

Cases examined here are also drawn from the Assize court, but an examination of the higher courts alone is problematic. The Assizes and Old Bailey heard only the most serious cases of interpersonal violence. Martin Wiener has argued that the punishments meted out at the Old Bailey represent a process of criminalising men and violence in the attempt to civilise dangerous masculinities. As a result of these anxieties, Wiener contended, there was a

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<sup>15</sup> *Liverpool Mercury*, 30 April 1852.

reconstruction of gender in the Central Criminal Court where men were expected to exercise increasing levels of self-restraint. These dominant ideals resulted in a prioritisation of the chivalric model of masculinity where women were seen as weak and in need of protection from violent and dangerous men. Wiener argued, ‘From this re-imagining, as it joined with the increasing intolerance of violence, came a tendency to see women as urgently needing protection from bad men, which brought acts of violence against women, more often than not taking place in the home, out from the shadows.’<sup>16</sup>

But Wiener’s approach is problematic. He only examines the convictions that were heard at the Old Bailey rather than the prosecutions, so only focuses on the end-point of the justice system. Additionally, he explains the apparent decline in violent crime over the nineteenth-century as a consequence of a rise in living standards and the success of the civilising offensive in instructing men to turn away from violence, in particular, violence against women.<sup>17</sup> Wiener’s approach examines a meta-narrative of criminal justice which obscures the subtle relations at play in local courts.

Hammerton’s research into domestic violence cases points out the variety of attitudes towards domestic violence evident in Lancashire.<sup>18</sup> Shani D’Cruze’s research into nineteenth-century Middleton courts also demonstrates the ambiguous attitudes towards violence that operated

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<sup>16</sup>M. Wiener, *Men of Blood*, p. 7.

<sup>17</sup>Ibid.

<sup>18</sup>A. J. Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London: Routledge, 1992).

amongst working men and women.<sup>19</sup> D’Cruze and Hammerton’s works demonstrate the multiple identities that were expressed in the local courts as boundaries were drawn between respectable and unrespectable in the prosecution and defence narratives. Street violence provides another way of looking at the tensions and dynamics at play within the urban poor; the working classes used local courts to settle disputes about violence and the rights of property and re-establish their identities.

## 7.1 Gender and sentencing

Until now the relationship between women and street crime has been absent from historical inquiry but the examination of the punishments meted out to women has received significant attention. Lucia Zedner’s *Women, Crime and Custody* (1991) examined socio-legal attitudes and the subsequent treatment of female offenders in the nineteenth century and spawned many studies which scrutinised women and punishment.<sup>20</sup> Zedner argued that criminal women were stigmatised as ‘doubly deviant’ as they challenged both the law and traditional ideals of femininity. Consequently, Zedner maintained, women received relatively harsher penalties than men in the higher courts due to gender bias. By contrast, while Davies (1999) and Hammerton (1992) have contended that gendered sentencing is apparent in women’s legal treatment, they argued that women received lighter sentences than their male counterparts as the judicial system sought alternatives to lengthy terms of imprisonment when

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<sup>19</sup>S. D’Cruze ‘Sex, Violence and Local Courts’.

<sup>20</sup>L. Zedner, D’Cruze (1990); Davies, ‘These Viragoes Are No Less Cruel than the Lads: Young Women, Gangs and Violence in Late Victorian Manchester and Salford’, *British Journal of Criminology*, Vol. 39, 1 (1999), pp. 72-89; A. J. Hammerton, *Cruelty and Companionship*; Godfrey et al., ‘Explaining Gendered Sentencing Patterns’; P. King, *Crime and the Law in England, 1750-1840* (Cambridge: Cambridge University Press, 2000).

punishing violent women.<sup>21</sup> These histories addressed a gap in Zedner's approach by analysing the experiences of women at magistrates' courts, one of the arenas examined in this study. A. James Hammerton noted the ways in which magistrates acted as 'marriage menders' in domestic violence cases.<sup>22</sup> Although Liverpool's magistrates did not act as 'marriage menders' in the cases reviewed here, they tended to give women who committed street robberies sentences of less than six months and rarely sent them to the Assize courts for heavy punitive measures. Similarly, Andrew Davies' found that female 'scuttlers' also received lighter sentences than their male counterparts for their part in street-related violence, since they were not seen as presenting a threat to social stability in the same way men were.<sup>23</sup>

Godfrey, Farrall and Karstedt (2005) have provided the most systematic study of gender and sentencing in recent years, and their quantitative approach demonstrated that magistrates were more concerned with punishing violent men. Through their analysis of gender differentials in sentencing at ten English magistrates courts in the late nineteenth and early twentieth centuries, the authors contended that magistrates were more concerned with punishing 'dangerous' masculinities more intensely than their female counterparts.<sup>24</sup> They claimed that this gender bias was determined by the gendered contexts in which assaults occurred; namely, the gender of the perpetrator and victim, level of violence. They concluded, 'Magistrates clearly targeted 'male' contexts of violence, and handed down more convictions and harsher penalties to men involved in these, in contrast to women involved in 'female'

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<sup>21</sup>A. Davies, 'These Viragoes Are No Less Cruel than the Lads'; P. King, *Crime and the Law in England*.

<sup>22</sup>A. J. Hammerton, *Cruelty and Companionship*, p. 23.

<sup>23</sup>A. Davies, 'These Viragoes Are No Less Cruel than the Lads', p. 74.

<sup>24</sup>Godfrey et al, 'Explaining Gendered Sentencing Patterns', p. 718.

contexts.’<sup>25</sup> The majority of street robberies which included female offenders were committed in mixed gender groups. The analysis of the role differentials between male and female perpetrators of street robbery reveal that women rarely committed violence in the robberies compared to their male counterparts.

As a result, women were often charged with lesser offences at the police courts, and rarely reached the Assizes. Female offenders of street robbery often received less stringent sentencing than their male counterparts, despite moral redressing from magistrates. Evidence from Liverpool’s Assize and police courts suggests that magistrates tended to view women as having a marginal role in street robberies, and that female violence was less of a threat to the public than men’s. Where male offenders were more likely to be sentenced at the Assizes, the majority of female robbers were dealt with at the local police court where magistrates could sentence offenders with six months imprisonment or less. In addition, when women did reach the Assize courts, they received far shorter sentences than their male counterparts. This study reinforces and develops the findings of established studies which have observed the difference between the sentences meted out to men and women.<sup>26</sup> The magistrates and judges in the Liverpool courts were more concerned with keeping women away from the city streets and focused their attention on civilizing ‘dangerous’ masculinities. As Godfrey et al argued:

Since many magistrates were involved in community politics and local initiatives to ‘improve’ the towns that they served, the courts could be used as instruments to ‘clean up’ public areas by removing the disorderly to the margins of society, morally, and physically, by imprisonment.<sup>27</sup>

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<sup>25</sup>Ibid., p. 717.

<sup>26</sup>B. Godfrey et al., ‘Explaining Gendered Sentencing Patterns’; A. Davies, ‘Youth gangs, masculinity and violence in late Victorian Manchester and Salford’, *Journal of Social History*, Vol. 32, 2 (1998), pp 349-69.; P. King, *Crime and the Law in England*.

<sup>27</sup>Godfrey et al, ‘Explaining Gendered Sentencing Patterns’, p. 701.

Whereas men were perceived as a threat to the social order, women were seen as a ‘moral menace’ and magistrates clearly envisioned women as more susceptible to reform. As Zedner contended, ‘women criminals were viewed not so much as economically damaging, physically dangerous, or destructive to property but as a moral menace.’<sup>28</sup>

Women were exempt from corporal punishment under the *Garrotters Act* (1863).<sup>29</sup> As I have argued previously, street robberies were often committed in mixed-gender groups in which male accomplices would often be responsible for violence.<sup>30</sup> John Fitzpatrick, Mary Cooke and Margaret Keegan were charged with the assault and robbery of Agostino Repitt in 1864. On the 12<sup>th</sup> December 1863, the prosecutor, Repitt, was in Fitzpatrick’s beerhouse ‘in the neighbourhood of Vauxhall Road.’ Fitzpatrick, Cooke and Keegan were talking together when, ‘Fitzpatrick was heard to tell Keegan that she ought to go to the prosecutor, who was immediately attacked by Fitzpatrick, knocked down, and received serious injury.’ As Repitt lay on the floor, Cooke and Keegan emptied his pockets and stole a watch, chain and sum of money. All prisoners were found guilty, but Fitzpatrick, who had committed violence, was sentenced to five years penal servitude. In contrast, Cooke and Keegan were sentenced to twelve months hard labour.

Yet when women did commit serious levels of violence, they received far shorter and more lenient sentences. Such disparity in the rates of sentencing demonstrates wider beliefs that

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<sup>28</sup>L. Zedner, *Women, Crime and Custody*, p. 30.

<sup>30</sup>For more on mixed gender groups and street crime see chapter 6.

men were strong whereas women were weak and therefore incapable of committing serious levels of violence. When women committed traditionally ‘masculine’ types of violence such as beatings, their offences were not regarded to be as serious as those committed by men. Mary Ann Rowlands, a widow, was severely beaten by Ann Hughes (27) and Sarah Cooper (22) in which the offenders, ‘beat her very much, broke her leg, and took some of her clothes.’<sup>31</sup> Despite the severe violence that took place during the attack, magistrates gave the two offenders lenient sentences compared to men who committed comparable levels of violence. Hughes, who had previous convictions, received twelve months imprisonment, and Cooper received six months. Magistrates and Assize judges clearly viewed women as less of a threat to the public than men and sought alternatives in punishing them. Despite the ‘masculine’ violence, the fact that it was committed by women meant that it was not treated as seriously as men’s. Correspondent with national debates, street robbery was viewed by the Liverpool courts and press as a male crime, and these cases reinforce the fact that the focus on street robbery in the mid-Victorian period was aimed at civilising ‘dangerous’ masculinities, in particular, those of the urban poor.

Men who occupied street corners were seen as particularly troublesome to the courts. Two ‘vagabonds’, Michael Rafferty and Michael Kelly, were charged with violently robbing a joiner, John Robinson, in notorious Chisenhale Street. At one o’clock on Sunday morning, Robinson was ‘passing over Chisenhale Street canal bridge when the prisoners came up and struck him in the neck, and the other prisoner put his hand into the prosecutor’s pocket.’ The victim held the men ‘though they struck him several times’ and urged a ‘young man standing on the other side of the street, and told him to go for a policeman and he would pay him, but

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<sup>31</sup>*Liverpool Mercury*, 17 August 1858.



this fellow refused to comply.’ Rafferty and Kelly were later apprehended by Police Constable No. 633 with the knife and handkerchief in their possession. Magistrate Raffles stated, ‘This street particularly is, and probably has been occupied by the class of people who make livelihoods in a very questionable way, infested by a gang of roughs who, it is to be hoped, will be dealt with most severely when they fall into the hands of justice, and whose greatest fear seems to be of that whip, “the cat”.’<sup>32</sup> Chisenhale Street’s reputation as a ‘criminal’ street in which the inhabitants daily lives revolved around crime and vice impacted on the magistrates reading of the case and was further highlighted by the young boy’s unwillingness to help an innocent citizen. As magistrate Raffles made explicit, Chisenhale Street had been the site of recurrent street robberies conducted by young men. Rafferty and Kelly’s use of their fists on a vulnerable stranger provoked fears about young men, violence and their threatening presence in the urban landscape. Cases such as these compounded anxieties about the presence of men on streets willing to conduct serious levels of violence on innocent passers-by as the offenders challenged the shift to dominant models of domestic masculinity in street life.

Following the implementation of the *Garrothers Act* (1864), men could be sentenced to flogging alongside a prison sentence. The Liverpool Assize courts appeared to reserve flogging for young men who committed a series of violent robberies as judges aimed to give persistent offenders a short, sharp shock. These men represented the hyper-masculine, working-class male, the sub-group which provoked the most fear in the courts and press. Michael Morne, aged 21, Michael Morne, aged 20, and James Dunn, aged 23, all labourers, were convicted of highway robbery in 1868. Following a violent attack on the victim James

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<sup>32</sup>*Liverpool Mercury*, 28 April 1868.

Taylor, where he was violently kicked and thrown into a ditch, they were convicted at Liverpool's Summer Assizes. Mr H. W. West Q.C. sentenced each of the offenders to six months imprisonment and twenty-nine lashes of the cat o'nine tails. 'His Lordship remarked that he gave the severe sentence hoping that it might strike terror to those brutal fellows who committed such assaults upon unoffending persons, and prevent a recurrence in that part of the country of such offences.'<sup>33</sup>

Male offenders who had previous convictions were more likely to reach the Assize courts and, in turn, received the heaviest sentences. The *Habitual Criminals Act* (1869) was introduced for criminals who were deemed to be persistent offenders and therefore resistant to reform. The legislation required that any person who was convicted of felony would be subject to police supervision for a further seven years to ensure that they were making an honest living and were turning away from a supposed life of crime. This legislation was later developed under the *Prevention of Crimes Act* (1871) which stated that any man or woman released on ticket of leave could be brought before the magistrates' court and have his parole rebuked if he or she committed another offence or were under suspicion of doing so. This legislation was one of the key movements in the formation of the modern police force and extended legal powers in the surveillance and control over criminals.<sup>34</sup> Liverpool's Assize courts made use of the *Habitual Criminals Act* (1869) for persistent offenders who committed robberies. Michael Kelly, a 27 year old labourer, was charged with assaulting a stevedore, Bernard

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<sup>33</sup>*Liverpool Mercury*, 20 August 1868.

<sup>34</sup> For further discussion of nineteenth-century policing see D. Hay, and F. G. Snyder, 'Using the Criminal Law, 1750-1850: Policing, Power and the State', in D. Hay, and F. G. Snyder (eds), *Policing and Prosecution in Britain, 1750-1850* (London: Clarendon Press, 1989), pp. 3-52; D. Taylor, *Crime, Policing and Punishment, 1750-1914* (London: Macmillan, 1998).

McGovern, and robbing him of £4. Kelly and McGovern had been drinking in a public house together in Sparling Street. As McGovern left, he was followed by Kelly who ‘knocked him down and robbed him of the amount named.’ It was noted in court that Kelly had two previous convictions, and the judge sentenced him to penal servitude for seven years followed by further seven years police supervision. The judge remarked that: ‘to persons of criminal lives there could be no greater punishment than to have the eyes of the police constantly upon them; and he hoped that this would go forth to others, and have the effect of putting an end to robberies in Liverpool and other large towns.’<sup>35</sup> The harshest sentences meted out in the Liverpool courts were directed towards male offenders in the context of an ideological shift towards a domestic masculinity and increasing legal powers.

## **7.2 Narratives of gender, violence and respectability**

Both victims and perpetrators constructed defence narratives which drew upon established gender ideals to portray their identities in court. Thomas Finnerty, Catherine Fitzgerald and Catherine McGrath were remanded for garrotting John Lang, a sailor, of his watch in Scotland Road. The prosecutor argued that Fitzgerald had accosted him and had lured him into a back-alley before he was assaulted by Finnerty. Fitzgerald’s defence lawyer, Mr Black, ‘said it had got into the newspapers that she was a woman of bad character.’ Black continued, ‘This was very hard, for she was the wife of a decent working man.’<sup>36</sup> Fitzgerald was discharged on account of mistaken identity. Two complex gender characterisations operated

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<sup>35</sup>*Liverpool Mercury*, 18 December 1869.

<sup>36</sup>*Liverpool Mercury*, 5 June 1863.

in Fitzgerald's trial: the prosecution argued that she was a sexual aggressor who transgressed gender boundaries versus her defence which argued that she was a respectable, married, working woman. The court acted as a theatre in which these rival gendered scripts were played out. The identities and testimonies of witnesses impacted upon the reputation of the offender. The *Liverpool Mercury* reported in 1862 that 'William Whitehead or Whittbread' was charged with assaulting and robbing William Johnson, 'a shoemaker, Smithdown-lane, in Falkner-street.' Several witnesses were called to defend Whitehead and engaged with divergent gendered representations. Mrs Sherriff, the keeper of a public house in West Derby-road, claimed that the offender was in her house at the time of the offence. Mr Edwards, who employed Whitehead at the Newington gasworks, 'said the prisoner had only been employed there about eight months, but he had known him from a child, and could say that his character through life had been without stain to his knowledge.' Edwards continued that, 'he was of very studious habits and worked hard to qualify himself for such a situation as the one to which he was recently appointed at Glasgow.' A final character witness, Thomas Leicester, of 'the Scotland-road Mills, also gave the prisoner an excellent character.' The character witnesses, all highlighted as reputable, constructed Whitehead as a respectable working man who embodied the Protestant work ethic. The magistrate, Mr Castellain, 'said it was the most extraordinary case that had ever come before him. . . . 'he and his colleagues considered it a case of mistaken identity, and they had great pleasure in discharging the prisoner, who left the court without any stain whatever upon his character.'<sup>37</sup> The identities of the witnesses, as respectable workers and employers, along with their construction of Whitehead as responsible and hard-working, led the magistrates to praise his unblemished character.

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<sup>37</sup>*Liverpool Mercury*, 12 June 1862.

A recurrent defence strategy in cases which involved a male perpetrator and a female victim was to defame the woman's sexual reputation. D'Cruze notes in her study of the Middleton courts that, 'Dominant discourse had a tendency to reduce all components of working women's reputations (good housekeeping, neighbourliness, workplace skills) to that of sexuality.'<sup>38</sup> In 1859, John Hamilton was charged with assaulting Mrs Thompson, 'a respectable-looking woman' and 'a widow' and attempting to rob her. At half past eight in the evening, Thompson was crossing the railway bridge which lay at the very north end of Great Howard Street when Hamilton, 'struck her several blows in the face, blackened both her eyes, kicked her in the back and attempted to rob her.' The victim screamed loudly and two men who had been in a court nearby came over to assist her. Hamilton 'put his arms around her waist and said she was his wife which caused her to have great difficulty to getting any person to interfere.' In court, however, Hamilton's defence argued that he had met Thompson on the bridge and, 'tendered her a shilling, for which sum she offered to accompany him for a vile purpose.' Despite Mrs Thompson's description as a respectable widow, her presence near the city's docks at night led to suspicions that she was a prostitute. Magistrate Mr Mansfield said that, 'the prisoner's defence had aggravated the case very considerably, and ordered him to be imprisoned for six months hard labour.'<sup>39</sup>

Women's sexuality was highlighted in prosecution narratives which coincided with fears about the inappropriateness of women on streets at night-time. The commission of sexual violence speaks to gender inequalities. It is reasonable to assume that these cases represented 'the tip of the iceberg.' Offences which involved sexual violence would not reach the courts

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<sup>38</sup>S. D'Cruze, 'Sex, Violence and Local Courts', p. 40.

<sup>39</sup>*Liverpool Mercury*, 23 September 1859.

for a variety of reasons: shame, fear of retribution; fear of familial breakdown and suspicion of the legal system.<sup>40</sup> John Walmsley ‘who said he was a pensioner’ was charged with assaulting a young woman named Ann Pritchard and stealing oranges and fish from her basket. ‘The prosecutrix, a Welsh girl, gains a livelihood, it is understood, by selling fish and oranges in the markets. She seemed to be a very decent girl’. At four o’clock in the afternoon, Pritchard was walking along Great Homer Street when she encountered the prisoner and another fellow, both of whom were described as ‘mad drunk’. The timing of the offence was important in this case. That the defendant was drunk and that the offence occurred at four o’clock in the afternoon made it all the more shocking in the eyes of the press and courts. Walmsley seized her basket and threw the contents on the ground, which were taken by his companion. ‘Not content with this, Walmsley then began to abuse the girl in the most brutal manner, insisting on having connection with her in the street’. He put his hands up her clothes and attacked her so violently that her arms were severely bruised. ‘He also attempted to indecently assault a respectable married woman who remonstrated with him upon his unmanly conduct’. The identities of Pritchard and the unnamed respectable married woman were positioned against each other to forge conflicting representations of femininity. That Pritchard was young, single and a hawker who, ‘seemed to be a decent girl’ portrayed her as both submissive and a member of the respectable poor. Her construction as a poor, country girl instigated sympathy from the magistrates and the press whereas the unnamed victim was applauded for resisting Walmsley’s advances. However, despite a harsh redressing from the magistrate, Walmsley was asked to either pay a fine of £5 or go to gaol for a mere two months. ‘If he had not been drunk, he (the magistrate) would have sent him to prison absolutely without giving him the opportunity of paying a fine.’<sup>41</sup>

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<sup>40</sup>C. Conley, *The Unwritten Law*. See introduction.

<sup>41</sup>*Liverpool Mercury*, 4 January 1862.

### 7.3 Performance in the courtroom

In contrast to the chaotic visions of the city streets, the courtroom represented ritualised order and hierarchical organisation.<sup>42</sup> As Lynda Nead argued, ‘Within British law, the space of the court and the time of the trial are highly ceremonial and carefully choreographed.’<sup>43</sup> The spatial organisation of the Liverpool assize court reflected to a large degree the power relationships that manifested during criminal trials. The elevated position of the judge’s chair, the centrality and visibility of the dock, and close proximity between the judge and convict all contributed to the theatrical sense of power and authority the courtroom embodied. The courtroom imposed order on the unruly urban poor and subjected the spatial ambiguities of Liverpool to the authoritative space of the law.<sup>44</sup> As Nead pointed out, ‘In the courtroom, relations were clarified and identities were confirmed.’<sup>45</sup> Magistrates and judges used the courts to impose moral sanctions on the urban poor and discipline the perceived ‘rough’ elements of working-class culture, in particular, drunkenness, theft and violence. But the courtroom also offered a space through which men and women could vindicate their reputations and, as Shani D’Cruze has argued, sometimes they provided a space where a consensus could be reached between judge, jury, offender and victim.<sup>46</sup> The ways in which

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<sup>42</sup>L. Nead, *Victorian Babylon: People, Streets and Images in Nineteenth-Century London* (London: Yale University Press, 2000), p. 195.

<sup>43</sup>*Ibid.*, p. 195.

<sup>44</sup>L. Nead, *Victorian Babylon*, p. 196.

<sup>45</sup>*Ibid.*

<sup>46</sup>S. D’Cruze, *Crimes of Outrage*, p. 4.

offenders and victims drew upon particular behaviours, body language and modes of dress demonstrate how the courtroom acted as a site of power where men's and women's social identities were contested and (re)negotiated. The press reports were inevitably selective and may have prioritised the reporting of certain behaviours than others but, nevertheless, they do provide a script which can be interpreted.

Women's performances could confirm wider stereotypes of women as emotional rather than rational. In 1853, a 'young man' named Jonathan Kerr was brought before Liverpool police court for committing rape and robbery upon a 'respectably-attired female named Agnes Johnson.' The prosecutrix had recently separated from her husband and lived with a widower in Leandor Street. Johnson was walking in the direction of Mount Pleasant when 'the prisoner came behind her and followed her with subdued footsteps, and on coming up to her he put his arms around her and offered her to accompany him.' She 'told him to take his ruffianly hands off her when he immediately threw her into the channel.' Johnson then got up and began to wrestle with him and called out for the police, but he caught her by the throat and knocked her down on to her knees. As with Ann Pritchard's case, the *Mercury* highlighted the overtly sexual nature of the crime by alluding to her lower body and her underwear. A witness claimed that the 'prisoner took proper liberties with her, and tore away her drawers while attempting to commit an assault upon her.' He made an attempt to take her veil, but only managed to take her black cloth mantle, which signified that she was adhering to honoured mourning traditions. In court, Kerr highlighted his occupation by stating that he was a tailor residing in Edge Hill and was soon to proceed to Staffordshire. Kerr's defence drew upon broader gender inequalities to suggest that Johnson had an active, transgressive sexuality. 'He denied offering any violence to the prosecutrix, and said that he was on his way [home] when the prosecutrix came up to him, and asked him to go along with her. He



refused and said he was a married man.’ Upon hearing his defence, the victim ‘burst into tears, and protested that the statement of the prisoner was utterly false.’<sup>47</sup> She argued that she too was married but currently living alone. The prosecution and defence narratives reveal two conflicting gender representations. Kerr’s defence presented himself as a respectable, working, married man and drew upon deviant models of femininity to argue that Johnson was an actively sexual transgressor. Johnson’s crying in court and separation from her husband simultaneously represented her as a wrongly-accused and vulnerable woman, aggrieved and affronted by the attack on her reputation. Johnson’s dress, resistance and performance in court resulted in both the magistrates and press highlighting her respectability.

Female offenders would also correspond to stereotypes as naïve and emotional through their body language. Mary Hanley, a seventeen year old described as ‘an unfortunate girl’ appeared at Liverpool Winter Assizes for the assault and robbery of a draper’s assistant, William Coates. The prosecutor had been walking along Brunswick Road near the city’s docks when Mary’s co-defendant, George Tellett, a twenty-two year old joiner, seized him by the neck and dragged him into a bye-street as Hanley searched his pockets and removed his scarf. Both Hanley and Tellett were found guilty and received the harsh penalty of 15 years transportation. Hanley drew upon her familial connections in court to present herself as a caring, naïve young woman. On hearing the sentence, Hanley, ‘cried in a piteous voice, “Oh, my mother”, and was removed from the dock screaming and struggling in the most violent manner.’<sup>48</sup> Clearly terrified of the impact such a sentence would have on her mother, Hanley’s behaviour aligned her as an emotional and fraught young woman. That she was an

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<sup>47</sup>*Liverpool Mercury*, 28 October 1853.

<sup>48</sup>*Liverpool Mercury*, 17 December 1856.

‘unfortunate girl’ and was in one of the city’s main sites of prostitution, the docks, and at night, positioned her as a prostitute. Her harsh sentence of fifteen years imprisonment demonstrates the judges’ aims to punish prostitution and civilise the city streets.

Male offenders would often draw on the identity of the hard man in court. In an article entitled ‘Caught at Last’ the *Liverpool Mercury* reported that James Corrigan, ‘a young man whose misdeeds have rendered him a well-known character to the police’ was charged with robbing an Australian emigrant of £180. The victim, John Jones, had just returned to Liverpool from Australia where ‘he had accumulated a considerable sum of money and had in his possession some 180 sovereigns, stowed in a belt which he wore around his waist.’ The *Mercury* continued, ‘On coming ashore, instead of finding some decent lodging, he wandered about the streets and got intoxicated. In the course of his ramblings he fell in with a man named Charles Campbell, Catherine Connor, Isabella Johnson, Patrick Lawson and the prisoner, James Corrigan.’ At around six o’clock the group went to Mr Wynne’s public house, the Blind Beggar, a pub on Vauxhall Road which was well-known to the police for various offences such as robbery, assault and prostitution. The barman refused to give Jones any more alcohol as ‘he was drunk’ though he did provide drink to the rest of the party. Jones ‘took off his belt for the purpose of taking from it money to pay for the liquor called in, and the prisoner and his companions had the opportunity of seeing its contents.’ The barman continued to refuse Jones any drink to which the prisoner, Corrigan, replied, ‘If you won’t let him have drink, we’ll take him to where he can get plenty’ and the party left the Blind Beggar. Jones returned to the public house some ‘five minutes later’ and informed the barman that he ‘had been knocked down in Maguire Street, and that his belt and contents had been stolen from him by the men and women he left the house with.’ Despite the violence he endured during the attack, Jones was castigated in court for inviting the robbery through his

drunkenness and careless display of money. The Liverpool police court heard that Campbell, Connor, Johnson and Lawson had soon after been convicted of the charge and each received prison sentences due to both the offence and the varying seriousness of their previous convictions. Corrigan, however, 'eluded apprehension at the time, left the town, and had not been heard of until the previous night, when he was apprehended in Maguire-street by Police Officer Fawcett. In court, 'On being told the charge against him, Corrigan said, "I did it; and I wish I had the chance again."'”<sup>49</sup> Corrigan's criminal reputation and the previous convictions of his associates set against the backdrop of the notorious Blind Beggar worked to reinforce his mendacious reputation. Moreover, his resistance in court was highlighted to show his unrespectability.

Women also constructed their identities as 'hard' or 'tough' in court which transgressed dominant ideals about women as submissive and non-violent. In 1853, Mary Wilson, described as both 'a hardened criminal' and 'a disreputable character', was charged with robbing an elderly man, Mr McKinock. The prosecutor had been drunk in Wood Street when 'he was attacked by the prisoner, who seized his watch'. A police officer attended the scene and in giving Wilson in to custody, 'he was struck on the head with a severe blow with a life preserver by a ruffian, who was supposed to be an accomplice of the prisoner.' Wilson was sentenced to two months imprisonment and, 'on being removed from the court, [she] exclaimed to the prosecutor, "It will be God helping you when I come out."'”<sup>50</sup> Wilson drew upon ideals of toughness in both the street and court and subverted dominant ideals that were extended to working women. In the harsh reality of life as a member of the urban poor,

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<sup>49</sup>*Liverpool Mercury*, 3 February 1863.

<sup>50</sup>*Liverpool Mercury*, 13 September 1853.

working women were largely unable to live up to the ideal of passivity or reject street life for the predominantly domestic setting. Wilson's behaviour suggests that some working women corresponded to different ideals than those imposed from above and hints at the ways in which ideals of hardiness extended to women in street life as well as men.

Offenders also displayed deferent behaviour in court which both acknowledged and re-established the power of the judge and law. In 1868, David Cartwright, 17 years old, and William Nicholson, sixteen, were charged with robbing William Nicholson. The prosecutor had been drinking in Commutation Row when the prisoners joined him and they all walked up Queen Anne Street together. 'A scuffle there ensued in consequence of prisoners attempting to rob him.' In court, 'the prisoners admitted their guilt', and were each sentenced to three months imprisonment, with hard labour. On being removed, the boys said, "Thank you, your worship; we are much obliged to you."<sup>51</sup> Offenders would often beg for mercy from judges when they received sentences. John Sheridan, a shoemaker, who was convicted of assault and robbery was sentenced to ten years penal servitude at Liverpool Assizes. 'The prisoner, on hearing the sentence, shouted out loudly for mercy, and clung so tenaciously to the railing of the dock that the utmost exertions of two powerful warders and a policeman were required to remove him.'<sup>52</sup>

In contrast, some offenders could display resistant behaviour. Ann Brumby was convicted at Liverpool Assizes for robbing an Irish emigrant, Joseph Jones, with two other men, William

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<sup>51</sup>*Liverpool Mercury*, 7 February 1868.

<sup>52</sup>*Liverpool Mercury*, 13 December 1866.

Burns, a seventeen year old porter, and Thomas Daley, a nineteen year old porter, in 1869. The victims, Jones, had recently arrived in Liverpool from California and ‘was on his way through Liverpool back to Ireland when he was accosted by two of the prisoners who induced him to enter a cellar where the robbery was effected.’ Burns, who had been ‘several times previously convicted’ was sentenced to seven years imprisonment with seven years police supervision and, in what appeared to be another example of gender-differential sentencing, Ann Brumby was sentenced to eighteen months with hard labour. Upon the judge passing sentence, Brumby laughed and replied, ‘Give me seven years, which I would rather have.’<sup>53</sup>

The home acted as a significant symbol in defence narratives, particularly in narratives by male offenders. Joseph Jordan, an eighteen year old carter, and Hugh Riley, a seventeen year old carter, were charged at Liverpool Assizes with assaulting old clothes dealer, Patrick Laffey, ‘putting him in bodily fear, and stolen from his person 1s 3d and other moneys, his property.’ Laffey had returned from St Helens ‘and was under the influence of drink, when he met the prisoners, who asked him to go and have a drink with them.’ Laffey at first refused them, but subsequently accompanied them to a public house. ‘The publican refused to serve the prosecutor with drink, and they came out of the public house.’ The prisoners led Laffey along Chaucer Street and into Grosvenor Street in the Vauxhall district of Liverpool ‘where they knocked him into a cellar.’ The *Mercury* continued that, ‘As he lay at the bottom of the cellar the prisoners went down to him, struck him, and, it was alleged, struck him, and robbed him of the money aforementioned.’ The group had been followed by an omnibus driver named Franks who alerted the police. Jordan was charged the following day and was found with a whip handle in his possession. The *Mercury* reported that, ‘Jordan now made a pitiful

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<sup>53</sup>*Liverpool Mercury*, 18 December 1869.

appeal to the jury’, and that he, ‘was a very good boy indeed’ and ‘supported his sister by his hard-earned money which he made by street singing.’<sup>54</sup> Jordan argued that he had seen Laffey fall down the steps and decided to help him. Jordan drew upon female familial interactions, and by highlighting his role as provider to his sister, constructed his identity as a hard-working family man, yet his youth, insobriety and so-called profession of ‘street-singing’ impacted on the veracity of his defence. The prisoners were sentenced to imprisonment for nine months hard labour.

John Tosh claimed that the ‘Victorian ideal of domesticity was as much a creation of men as well as women.’<sup>55</sup> Arguing that the home was described in popular discourse as a refuge for middle-class men’s working lives, Tosh suggested that, ‘The Victorians established the ‘common sense’ proposition that, to be fully human and to be fully masculine, men must be active and sentient participants in domestic life.’<sup>56</sup> The bourgeois ideals of domesticity sharply defined roles for men’s lives within the home and these demands were extended to the working classes. Nancy Tomes research into domestic violence in the mid-Victorian London courts showed that this ideal of respectability was apparent in the legal narratives given by working class participants. Tomes argues,

In addition, middle-class values regarding family life may have converged with a native working-class respectability evident in the trial accounts. This standard of respectability emerges clearly from the testimony of working-class witnesses, and is not simply an artefact of middle-class observers imposing their own words or beliefs on working-class people.<sup>57</sup>

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<sup>54</sup>*Liverpool Mercury*, 24 March 1868.

<sup>55</sup>J. Tosh, *A Man’s Place: Masculinity and the Middle-Class Home in Victorian England* (London: Yale University Press, 1999), p. 50.

<sup>56</sup>*Ibid.*

<sup>57</sup>N. Tomes, ‘A “Torrent of Abuse”: Crimes of Violence Between Working-Class Men and Women in London, 1840-1875’, *Journal of Social History*, Vol. 11, 3 (Spring, 1978), pp. 328-345.

It is difficult to ascertain the ways that middle- and working-class ideals converged, but evidence from street robbery cases that were brought before the Liverpool courts suggest that working-class people acknowledged and frequently aligned themselves with ideals of domestic respectability.

## **Conclusion**

This chapter has argued that the courtroom was a contested space where working men and women could negotiate their identities in the eyes of the law. Due to the decreasing cost of prosecutions and their desire that street violence be punished, working people were using the local courts to settle disputes over the rights of property and re-establish their reputation. The courtroom was a space where high and low collided as the victims and offenders of street crime constructed and performed their identities in court. Respectability was the key marker through which victims and offenders were judged. Their dress, reputation, criminal record and behaviour were all highlighted in the press as indicators of their respectability and, thus, their guilt or culpability. In the era before the development of forensic evidence, character was the crux through which judges and juries made legal decisions. Despite Lucia Zedner's assertion that women suffered harsher penalties in the courts because of the 'double deviancy' concept, this study found that female offenders routinely received lesser sentences than their male counterparts. Indeed, women were far more likely to receive sentences at the local police court where magistrates had the power to deliver sentences of six months or less and rarely reached the Assizes. It was men, and particularly men who were repeat offenders, who

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received the harshest penalties and were more likely to be transferred to the Assize court and receive sentences under the *Garroters Act* (1863) and *Habitual Criminals Act* (1869). This evidence demonstrates that women's violence was not treated as seriously as men's. By contrast, male violence was a source of widespread anxieties in the nineteenth century as there was an ideological shift towards a masculinity based upon self-restraint and domesticity.<sup>58</sup>

Yet an overview of sentencing patterns neglects to show the complex identities and dynamics that were negotiated in the local Liverpool courts in the mid-Victorian period. Working-class attitudes to violence were contradictory and ambiguous.<sup>59</sup> Male defence narratives highlighted the home and family as key indicators of their respectability. In contrast, women's roles as wives and workers were often camouflaged by a focus on their sexual reputation. The prosecution and defence strategies are revealing, but it is also possible to consider the behaviour of victims and offenders in court as a text. It has been a key focus in this thesis to examine the ways in which offenders of street crime performed particular versions of the self in particular spatial and temporal contexts. The courtroom was a performative space and victims and offenders were judged on their behaviour in court. Crucially, the ways in which they presented their characters in court highlights shows how offenders drew on multiple identities. These included the emotional, vulnerable and naïve young woman, the 'hard' man who had little respect for law and authority, the 'rough' working woman, and the domesticated family man.

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<sup>58</sup>M. Wiener, *Men of Blood*; J. Carter- Wood, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement* (London: Routledge, 2004).

<sup>59</sup>S. D'Cruze, *Crimes of Outrage*; A. J. Hammerton, *Cruelty and Companionship*; A. Davies, 'These Viragoes Are No Less Cruel than the Lads'.





## Conclusion

Garrotting gained widespread attention in the 1850s and 60s because it exposed issues that were at the heart of public concern. The figure of the garrotter suggested society's inability to civilise itself and served as a metaphor for social and cultural decline. As urbanisation gathered pace, respectable society redefined itself against its other- the dangerous poor who moved forth in to the newly-formed urban centres- and the values proscribed within the garrotting narratives outlined the appropriate boundaries of conduct in public space. Street violence, with its unpredictability, violence and defiance symbolised the erosion of social stability and authority and provided a challenge to the ordered culture of respectable society. But this thesis has sought to move away from writing a history of public fears to examine street crime from above and below in the three spaces where it was outlined and disputed: the press, streets and courts. In mid-Victorian Liverpool, victims and offenders were drawn from the poorer sectors of society, and cases of street violence demonstrate that there were tensions within as well as towards the working classes. The street was a contested space where the rights of territory, property and acceptable behaviour were drawn out and negotiated in daily life.

This research combined traditional archival sources with innovative digital methods to examine street violence from above and below. The digitisation of criminal records such as those by the Old Bailey Online has encouraged historians to shift focus away from traditional archival research and test new questions, insights and methods. This study has contributed to this emergent and developing field by using two digital resources: *19<sup>th</sup> Century British Newspapers Online* and GIS mapping software in attempting to discover new ways of

looking at street violence and to reconstruct part of the working-class experience of nineteenth-century city life. This research argues that power was not just imposed from above, but was in a constant process of negotiation in the streets and in the courtroom.

Part one of this thesis examined the discursive treatment of violent robbery by the press. Earlier studies by Jennifer Davis and Robert Sindall argued that the metropolitan panics of 1856 and 1862 were notable historical examples of Stanley Cohen's moral panic model.<sup>1</sup> A result of the intense and sensational reporting of the press which, in turn, resulted in the implementation of the *Garrotters Act* (1863), the garrotting panics exacerbated fear of the lower working classes and increased the powers of the criminal justice system. The stereotype of the garrotter in the 1850s and 1860s became a figure upon which anxieties about urbanisation, city life, and violence were mapped. The garrotter was reshaped by conflicting and overlapping moral, pseudo-scientific, imperial and racial discourses. These discourses described the garrotter as a clear example of the criminal classes, a nebulous group which threatened to overthrow the stable social order. This myth served political work as it increased fears over urban space, darkness and violent men, and thereby justified the extension of police and legal powers in the middle decades of the nineteenth century.

However, this study has argued that the metropolitan-based panics did not extend to Liverpool. The local press, police and courts took a *laissez faire* approach to robbery in this period as the offence did not pose a threat to the port's middling classes. Liverpool did not join the media scares for three reasons. Firstly, garrotting denoted a particular style of committing street robbery that involved strangling. In contrast, robberies in Liverpool were

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<sup>1</sup> J. Davis, 'The London Garrotting Panic of 1862: A Moral Panic and the Creation of a Criminal Class in mid-Victorian England' in V. A. C. Gatrell, B. Lenman and G. Parker (eds), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa Publications, 1980); R. Sindall, *Street Violence in the Nineteenth Century* (Leicester: Leicester University Press, 1990).

more complex and offenders drew on a range of violent behaviour to dominate and rob their victims. Secondly, the victims of street violence in Liverpool were overwhelmingly drawn from the city's poorer classes. As such, the urban poor were not seen as 'newsworthy' as the middle-class victims that featured in the London narratives. Finally, street violence occurred mainly in the slum districts in the north end of the city so had little impact upon the respectable residents of the city's affluent southern suburbs.

This research has demonstrated that both victims and offenders of robbery in Liverpool significantly departed from the garrotter myth circulated by popular culture. As opposed to studies which have focused on the meanings of class in the garrotting narratives, this study pointed to respectability as a more useful framework. Within the press, the binaries of rough and respectable were employed to highlight existing fears of savagery and barbarism. But the identities of victims and offenders did not sit easily within binary oppositions. Victorian society was complex and so too were the victims and offenders of street crime in Liverpool. Particular stereotypes of working men and women were rehearsed through the narratives. The respectable married woman, the violent rough who was not afraid to use her fists, the child-like and innocent 'girl', the contaminated prostitute, and the actively sexual and promiscuous street-walker all loomed large in Liverpool's press narratives. Similarly, the prosecution and defence narratives exposed multiple and heterogenous masculinities. The decent working man who prioritised family life and work, the rapacious sailor who threatened Liverpool's female population through sexual voracity, the brutish and drunken Irishman, and the coarse youth who occupied street corners and troubled passers-by with his threatening behaviour. The heterogeneous stereotypes directed towards the urban poor served to prioritise middle-class ideals of respectability and informed society about the boundaries of moral conduct and the appropriate use of public space.

These representations took on local meanings. Liverpool's status as the busiest port apart from London meant that its population was complex in its diversity. The rough labourer, the urban prostitute and the over-sexualised sailor with a propensity for drink, sex and violence loomed large in the narratives and reflected local concerns about the morality of the city's lower class inhabitants. That street crime was committed against the backdrop of illicit spaces- particular 'criminal' streets, pubs, street corners, back-alleys and brothels compounded representations of victims and offenders as deviant and expressed fears over working-class leisure practices and the appropriate ways to behave in street life.

Part two of this thesis shifted the analytical lens, therefore, to focus on the place of violent robbery in the streets. Reporting of street crime was clustered around particular locations, and especially the areas around Williamson Square and Lime Street, the docks, and the north end slums. These spaces allowed victims and offenders to contravene norms of respectability away from the moralising gaze of church, workplace and home. Liverpool's north end slums were subject to moral, religious and health discourse and the contemporary urban writings by journalist, Hugh Shimmin, Reverend A. J. Hume and Medical Officer of Health, William Duncan, demonstrated that reporting of street crime (and inevitably crime more broadly) was tied to regulatory schemes in the city and part of a wider project which aimed to control public space and marginalise the urban slums. But the descriptions of these areas were complex and contradictory as the complaints to police by neighbours showed. David Brindley's diary recorded life in Everton in the 1880s and described the streets as divided by respectability and safety.<sup>2</sup> In contrast, James Stonehouse's memoir described Liverpool's neighbourhoods as significantly better in 1870 than they were in the Georgian era.<sup>3</sup> Thus the

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<sup>2</sup> C. Pooley and R. Lawton, 'David Brindley's Liverpool: An Aspect of Urban Society in the 1880s', *Transactions of the Historic Society of Lancashire and Cheshire*, Vol. 126 (1975), pp. 149-168.

<sup>3</sup> J. Stonehouse, *Recollections of Old Liverpool by a Nonagenarian* (Liverpool: J. F. Hughes, 1863).

port's nineteenth-century streets were characterised by overlapping and conflicting moral standards, and Liverpool's street life acted as the backdrop for neighbourhood cohesion and conflict. That many offences also took place in the neighbourhoods of the north end slums and dockland neighbourhoods and were committed by and upon people who shared the same harsh living conditions of the city slums suggests, I argue, that poor neighbourhoods were characterised by both cohesion and conflict and the contest over territory.

Robbers often travelled to areas where they knew victims would be vulnerable, for example, the city's red light district or the beerhouses and betting halls that surrounded Williamson Square. These offences took place away from the moralising gaze of neighbours and family members and allowed for the performance of another self that contrasted with their roles as kin, neighbours and workers. Offenders who committed street crime in these areas capitalised on the wider fraternal culture amongst men in the night-time economy and performed 'normal' identities in order to commit robbery successfully. So too did the women who offended in the red light district that surrounded Lime Street train station. Women acted out overtly sexual displays in order to minimise risk and commit violent theft upon male customers who were vulnerable in their state of undress.

In contrast, there were also instances in which men offended on the streets in which they lived. An examination of the distance between the offence location and the addresses of victims and offenders demonstrates that offenders often committed street robberies within close proximity of where they lived. This evidence suggests that, for these men, the occupation of particular street corners and public houses were key to their identities as hard men and this was re-established through performing violent rituals, such as stone-throwing, in front of the neighbourhood. Territory was an important dynamic in cases of street violence. In

turn, their presence on street corners intimidated passers-by and complaints from neighbours highlights the everyday battles for the occupation of space in street life.

In comparison with earlier studies which emphasise the role of class in street violence, this study has prioritised gender as a crucial locus through which power was performed and re-negotiated in daily life. Male offenders drew upon established working codes of manliness- through their use of their fists- to attack other men. The evidence within this thesis suggests that male offenders of street crime corresponded, in part, to working-class ideals of the hard man. Yet offenders' behaviour also contravened and reshaped the ideal of the tough, working-class male. Working-class ideals of the hard man who gained status through his ability to fight and hold his drink prioritised the 'fair fight'. Street robberies that featured all male perpetrators, often in groups of three or more, drew upon wider ideals of toughness to construct their identities as hard men. But they also transgressed and reworked this ideal. Street robberies involved rituals of humiliation and domination over their victims which contravened notions of the fair fight. The outward displays of violence and domination, performed in front of their peers, suggest that male robbers gained 'gender capital' from their ability to overpower and humiliate other men.

Offences which involved both a male and female perpetrator were highlighted in the press as evidence of gender division. Drawing upon wider ideas of biological determinism, the narratives suggested that while men were capable of threatening levels of violence, women, as weaker and less prone to violent behaviour, were not. Female street robbers drew upon scripts of femininity- hair-pulling, the stripping of clothes and luring men by appearing sexually available- to accomplish street robberies successfully and to establish their place in urban street life. The female offenders who feature in this study commonly adopted seductive and sexual behaviour before enticing men into a back-alley on the promise of a 'penny knee

trembler' before her male accomplice attacked the male victim. Yet women's application of established feminine behaviour to bad deeds made their behaviour all the more shocking to respectable society and was highlighted to reinforce wider stereotypes of women as cunning and manipulative. In addition, women's performances as actively sexual signalled a departure from middle-class conceptions of women as chaste, subservient and morally pure.

Female offenders of street violence made their living on the city streets through prostitution and theft. Commonly labelled as 'unfortunate', 'coarse', 'rough', or 'low', working women's presence in street life affronted bourgeois values which demanded that women should remain in their rightful place: the home. Cases which involved all-female victims and perpetrators highlight the tensions between as well as towards women. All-female groups of robbers were extremely rare, but some of the female perpetrators did commit serious acts of violence, especially when working with other women. That women did commit violence in front of their peers suggests that there were likely alternative gender norms operating amongst the Liverpool poor and I argue that women could also benefit from having a tough reputation in working-class neighbourhoods.

I used Christopher Mullins's criminological term, 'street masculinity' to historicise the gendered performances of male offenders.<sup>4</sup> The contours of masculine behaviour that featured in male-perpetrated robberies were defined here as 'street masculinity'. I suggested that street masculinity is a useful concept for studying the behaviour committed in street robberies in mid-Victorian Liverpool too. I have argued that street masculinity remains a useful term for describing the gendered behaviour performed in street robberies in nineteenth-century Liverpool, and suggest that historians of crime could examine this concept in further research. Robbery was an instrumental crime rooted in social and economic inequality, but

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<sup>4</sup> C. Mullins, *Holding Your Square: Masculinities, Streetlife and Violence* (Devon: Willan Publishing, 2006).



the violence committed by offenders of street crime suggest that robbery was a way of 'doing gender' and acquiring gender capital through outward displays of violence, domination, humiliation and risk-taking.

The concept of street masculinity can be adapted to the women who featured in these cases too. Female street robbers constructed and played out different modes of femininity on the city streets which inevitably contrasted against their wider performances in the home, church and workplace. Women drew upon established forms of femininity which emerged from the gender-stratified environment of mid-Victorian street culture. Whereas risk appeared to be a key feature in male-perpetrated robberies, women sought to minimise risk when attacking male victims by appearing vulnerable or sexually available. The women who featured in this study made practical choices in the gender-stratified environment of urban life in mid-Victorian Liverpool.

Men's and women's lives were networked by locations such as the street, neighbourhood, home, church and workplace, and each was a space in which men and women reworked and transgressed established definitions of masculinity and femininity. This study has interrogated the places of street crime and illustrated the gendered use of space in urban street life. Male offenders were commonly associated with the occupation of street corners and public houses. Both were masculine spaces that excluded women and allowed men to perform tough masculinities that challenged dominant ideas about the sober and restrained family man. For female offenders, back-alleys, cellars and illicit lodging houses were spaces which allowed for transgression from established norms of domestic, passive and chaste femininity. In addition, these spaces intersected with time. Darkness provided offenders with anonymity and allowed them to construct identities that contrasted with their wider social roles as family members, workers and neighbours.

This thesis then followed the offenders in to the courtroom and investigated the ways in which the identities of victims and perpetrators were constructed and negotiated by lawyers, magistrates, juries, neighbours and the victims and offenders themselves. The prosecution and defence strategies deployed in the mid-Victorian police and Assize courts highlighted models of respectable and deviant behaviour. In particular, women's sexuality was used by lawyers to either shame them for their immodesty or applaud their chastity. In contrast, men were judged on their roles as hard workers and family providers. Both the police and Assize courts prioritised working respectability for both men and women, and these characterisations resulted in differential sentencing. Women were largely dealt with by the police court, as female-perpetrated violence was not regarded as seriously as men's, and the short sentences they received demonstrates magistrates' active role in keeping women away from the morally corruptive environment of the city streets. By contrast, men routinely received far harsher penalties than their female counterparts. In the context of an ideological shift towards a domesticated and civilised masculinity, men were punished for transgressing this ideal through their violence and presence in the city streets. But the courtroom was a performative space where offenders could 'speak back' to the authority of the law and they did so through their speech, dress and body language. Both men and women brought before the Liverpool courts drew upon and challenged established gender identities in court, in particular, the innocent and unknowing young woman, the tough man who resisted and mocked the authority of the law, the 'rough' working woman and the respectable working man who prioritised sobriety and providing for his family.

In the context of the digital turn, historians are renewing their interest in quantitative study. Historians are now able to access and scan more data than has ever been possible through traditional archival research alone. Yet, this thesis has demonstrated the usefulness of combining quantitative and qualitative approaches through distant and close reading. This

study has made use of two digital tools: *19<sup>th</sup> Century British Library Newspapers Online* and GIS mapping software. Chapter one used frequency analysis to examine the density of reportage in the digitised *Liverpool Mercury*. This research was underpinned by a wider exploration of the offline press, but the ability to search and scan thousands of articles would not have been possible without digitisation. Quantitative analysis of reams of press reportage has enabled me to reconsider ways of applying Stanley Cohen's moral panic model and reassess the relationship between publicity, policing and court jurisdiction in a provincial mid-Victorian city.

This thesis also made use of GIS mapping software to examine the spatial picture of street crime. GIS is not without its problems; maps provide an aerial and ordered view of geographical space that camouflages the complexity of urban life. Nevertheless, inputting 260 offences on to a map by hand would not have been possible for one researcher with a limited time frame. In addition, GIS allowed me to generate a kernel density map which showed the concentration of reporting of street violence in mid-Victorian Liverpool. By examining the wider reputation of these areas within offline sources such as health reports, poverty surveys, biographies, memoirs and slum observation, it was possible to reconstruct a geographical picture of local concerns and regulation. GIS's ruler tool was also useful in assessing the distance between offence location and the addresses of the victims and offenders. Due to mass slum clearance in Liverpool in the 1960s, when much of the north end streets were replaced by new council estates, I could not have completed this research through Google Maps.

Yet, GIS still proved problematic and was unable to illustrate many of the qualitative themes that underpin this thesis. In particular, GIS was unable to visualise the gendered differentials

that characterised offenders' use of urban space or highlight the temporal dynamics that were at play in mid-Victorian street robberies. As a result, the thesis used a Microsoft Access database to explore the similarities and differences between male and female robbers and their use of space and time in committing street violence. Such work reminds us that new digital software cannot provide all the answers to pressing historical enquiry and need to be tempered by an awareness of their limitations.

This thesis has used a combination of traditional and digital methodologies to write a history from both above and below. Digitisation of huge quantities of source material has encouraged historians to adopt Moretti's distant reading technique in which close analysis of the text is forsaken in favour of large-scale quantitative studies.<sup>5</sup> 'Big Data' or 'text mining' projects in the history of crime have interrogated large bodies of digitised text such as the *Proceedings of the Old Bailey* and British Library's *19<sup>th</sup> Century Newspapers Online*.<sup>6</sup> However, in contrast to this distant reading approach which encourages scholars to, in fact, not read at all, this study has worked with huge swathes of digitised data by ensuring that every report of street robbery was scrutinised closely as a text. Street crime cases were recovered by trawling through each daily report that featured in *Liverpool Mercury's* police court column. Despite vast improvements in digitisation techniques over the past decade, optimal character recognition (OCR) is still prone to error. For example, searching for 'rob' within the British Library's *19<sup>th</sup> Century Newspapers Online* generated too many results to filter out the reports of street violence. In addition, street robbery was described in various ways such as highway

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<sup>5</sup> F. Moretti, *Distant Reading* (Verso: London, 2013).

<sup>6</sup> For example, T. Hitchcock and W. J. Turkel, 'The *Old Bailey Proceedings, 1674-1913*: Text Mining for Evidence of Court Behaviour', IHR Digital History Conference (16 May 2011); [podcast] <<https://historyspot.org.uk/podcasts/digital-history/text-mining-old-bailey-proceedings>> [Accessed 3 January 2014]; B. Nicholson, 'Counting Culture; or, How to Read Victorian Newspapers from a Distance', *Journal of Victorian Culture*, Vol. 17, 2 (2012), pp. 238-246.

robbery, theft and assault, assault with intent to rob, and street violence. Thus, using digital techniques which quantify search terms could only provide a small window on to the reportage of street violence. By combing through each daily police court column and supplementing this research with an examination of each Assize court report, I could recover all reports of street crime that featured in the *Mercury*'s column between 1850 and 1870. In the absence of surviving police and court records, this was the most suitable method for acquiring extensive results. Of 289 cases that were found within the *Mercury*, only 29 were not used, simply because they lacked the qualitative detail about the identities of the victims and perpetrators.

Studies that have applied distant reading, commonly through data linkage or corpus linguistics, however, remain focused on the actions of the law makers at the expense of an investigation in to the law breakers. Such studies distance us from those caught up in the Victorian criminal justice system, and so this thesis has aimed to recover the democratic principles which have guided crime history since the 1970s by combining quantitative research with a close reading of behaviour. Helen Rogers has encouraged historians to combine quantitative and qualitative approaches and contended that, 'Understanding about past lives can be derived not just from the texts which produce individuals as 'subjects' but from the gaps, overlaps, and tensions within and between those records.'<sup>7</sup>

This thesis recovers the place of the Victorian robber by making use of the recent performative turn in historiography. Recent studies such as those by Peter Andersson and Paul O'Leary have centralised the study of the constructed self and assessed how urban

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<sup>7</sup> H. Rogers, 'Intimate Reading, Data Analysis and Convict Lives' (forthcoming, 2015).

experience dictated and shaped working people's identities.<sup>8</sup> Histories which rebuild the working-class experience of the city are, to date, scarce. In her discussion of the recent performative turn in histories of plebian life, Selina Todd argued that, 'The study of the self is as important in its own right. All this work demonstrates that these sources offer no fewer insights into our subjects' lives than sources 'from above', and sometimes considerably more so.'<sup>9</sup> The study of behaviour or practice is not without limitations, but by making use of the recent performative turn in history, this study of street violence turns away from histories of the city which have hitherto been dominated by discourse and representation. By looking at practice and behaviour in the context of the everyday street setting, this thesis has interrogated the ways in which working people experienced mid-Victorian urban life and established their place within it.

Previous histories of street violence have focused on street crime through the actions of dominant institutions of the press and law, but when we examine street violence from above and below, we can read street violence as a way in to the conflicts and tensions of everyday street life. The wealth of press and state attention that emerged as a result of fears of the lower working class presence in the city reveals the ways in which dominant institutions marginalised and controlled vulnerable sectors of society. But the examination of violent robbery as defined in the local performative spaces of the streets and courtroom has illustrated the hostile disputes that characterised working-class life in Liverpool and the ways in which historical actors established their place in urban society.

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<sup>8</sup> P. K. Andersson, *Street Life in Victorian London: The Constable and the Crowd* (London: Palgrave Macmillan, 2013); P. O'Leary, *Claiming the Streets: Processions and Urban Culture in South Wales, c. 1830-1880* (Cardiff: University of Wales Press, 2012).

<sup>9</sup> S. Todd, 'History from Below: Modern British Scholarship', (23 August 2013) [blog] Retrieved from: <http://manyheadedmonster.wordpress.com/2013/08/23/selina-todd-history-from-below-modern-british-scholarship/> [Accessed at 12 January 2014].

Thus, by emphasising the attitudes directed towards offenders of street crime and their symbolic behaviour on the city streets, we can see the cultural conflict at the heart of violent robbery. Although their actions were framed through the bourgeois attitudes of the press, their behaviour can inform us about their values and norms and the way they attempted to escape the imposed boundaries of 'normal', and 'respectable' behaviour. The repeated patterns visible in robbers' behaviour provide a text which can be read and interpreted. Behaviour, as well as discourse, generated meanings, and robbers used the urban environment to transform everyday power relations in the city streets- the one place where they could gain power- in order to establish their place in urban street life.

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