

“PLUNGED INTO A VORTEX OF INIQUITY”: FEMALE CRIMINALITY
AND PUNISHMENT IN PENNSYLVANIA, 1820-1860

By

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CHAPTER I

INTRODUCTION

“Let a large house, of a construction agreeable to its design, be erected in a remote part of the state. Let the avenue to this house be rendered difficult and gloomy by mountains or morasses. Let its doors be of iron; and let the grating, occasioned by opening and shutting them, be increased by an echo from a neighboring mountain, that shall extend and continue a sound that shall deeply pierce the soul. Let a guard constantly attend at a gate that shall lead to this place of punishment, to prevent strangers from entering it. Let all the officers of the house be strictly forbidden ever to discover any signs of mirth, or even levity in the presence of the criminals. To encrease the horror of this abode of discipline and misery, let it be called by some name that shall import its design.” - Dr. Benjamin Rush¹

In 1787, founding father and philanthropist Dr. Benjamin Rush detailed what he believed would be a superior system of punishment, one meant to both humiliate and punish criminals. He described what would later become the penitentiary system, an institution pioneered in Pennsylvania, one that would, theoretically, be the ideal, modern, and humanitarian way to punish offenders. Pennsylvania’s first penitentiary, Walnut Street Jail in Philadelphia, opened three years later. Rush’s *An Enquiry into the Effects of Public Punishments*, and his 1792 publication, *Considerations on the Injustice and Impolicy of Punishing Murder by Death*, spoke to his longstanding efforts to improve the criminal punishment system. His work also reflects Pennsylvania’s long history of criminal punishment reform work. Even in the colonial era, Pennsylvania officials worked to revise and improve its system of punishment. Originally, Pennsylvania modeled its legal system after England’s, including the use of “trial by jury, public

¹ Benjamin Rush, *An Enquiry into the Effects of Public Punishments* (Philadelphia: James, 1787), 10-11.

punishments, and pardon through character references.”² To utilize England’s legal traditions was understandable since that was the system with which the colonial authorities were most familiar. However, since the English system identified over two hundred capital offenses including forging bank notes and horse thievery in a terrifying criminal code, it is little wonder that William Penn and other Pennsylvania authorities set out to simplify the code and reduce the number of public punishments and capital offenses.³ The rigid English criminal code did not mesh with the ideas of Penn and the Quaker dissidents who settled Pennsylvania. Francois Alexandre Frederic duc de La Rochefoucault Liancourt suggested that Penn “was the friend of reason and humanity” and “a cold indifference to the effusion of blood” could not “accord with the principles of the sect which refuses to acknowledge the lawfulness even of defensive war.”⁴ In 1682, only murder was punished by death in Pennsylvania; other crimes resulted in penalties such as monetary restitution, whipping, imprisonment, and even being forced to wear an ‘A’ on one’s clothing if convicted of adultery.⁵ At the time of Pennsylvania’s formation, the colony had the “mildest criminal code of any of the colonies.”⁶ Compared to England

² Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: University of North Carolina Press, 1996), 19-20.

³ Ibid. 19-20. Douglas Hay, “Crime and Punishment in Eighteenth- and Nineteenth-Century England,” *Crime and Justice* 2 (1980): 50. Hay discusses the high number of capital offenses and provides several examples of capital offenses.

⁴ By A European. *On the Prisons of Philadelphia*. (Philadelphia: Moreau de Saint-Mery, 1796), 4.

⁵ Kathryn Preyer, “Penal Measures in the American Colonies: An Overview,” *The American Journal of Legal History* 26 (1982): 336-337.

⁶ Ibid. 336.

and the other American colonies, Penn's 'Great Law' of 1682 showed a marked difference between practices and theories of punishment in Pennsylvania.⁷

But the idealism and emphasis on peace and conciliation advocated by the Quakers fell short of the mark in criminal proceedings. Between 1718 and 1794, the number of crimes resulting in the death penalty fluctuated.⁸ The Act of 1718 codified much of the English criminal law, with many of the harsh punishments common to the English code.⁹ In 1786, robbery, burglary, and sodomy were no longer punished by death; by 1794, only first-degree murder remained a capital crime.¹⁰ In general, these capital offenses were part of a "larger penal system geared toward the public display and seizure of the body."¹¹ Public punishments were meant to educate the masses on what would happen if they committed a crime. Such rituals and painful punishments were supposed to deter individuals from committing future crimes. In the post-Revolution years, "penal reformers questioned the morality and efficacy of these [public] punishments, which were suitable for monarchies but not republics."¹² The failure of deterrence, evoking sympathy from the masses for the criminal, and the potential for

⁷ Harry Elmer Barnes, *The Evolution of Penology in Pennsylvania; A Study in American Social History* (Indianapolis: The Bobbs-Merrill Company, 1927), 31.

⁸ Meranze, *Laboratories of Virtue*, 21.

⁹ Preyer, "Penal Measures," 343.

¹⁰ Louis P. Masur, *Rites of Execution: Capital Punishment and the Transformation of American Culture, 1776-1865* (New York: Oxford University Press, 1989), 71.

¹¹ Meranze, *Laboratories of Virtue*, 22.

¹² Mark E. Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* (New York: New York University Press, 2005), 5.

desensitization of people towards murder and crime by viewing public punishments were reasons enough to change criminal punishment systems.¹³

Changes in Pennsylvania criminal law after the Revolutionary War promoted the idea that criminals could be reformed. Corporal punishments “aimed to restrain criminal behavior through pain and shame” but the new laws “hoped to reform the habits and manners of the prisoners through continual labor and reeducation.”¹⁴ The longer punishments of labor and imprisonment (as opposed to the short duration of public pain and humiliation) would hopefully cause criminals to take time to reflect and realize the consequences of their criminal behavior and choose to remain law-abiding citizens in the future. Once the punishment was over, convicts could return to society as rehabilitated. This initial change in attitude towards punishment led to the birth of the penitentiary system that would reign over the state’s criminal punishment system for over a century.

As reformers began to consider ways to improve the efficacy of criminal punishment, contemporary society’s views on the causes of crime also changed. Colonial officials had tended to view crime as a consequence of sin. By the 1820s and 1830s, however, crime came to be seen as the result of social problems, sometimes associated with rising levels of immigration and the rapid expansion of cities. The anxiety over growing social disorder, poverty, and mental illness, largely the result of growing urbanization, led to the “emergence of *institutionalization*.”¹⁵ Institutions such as the penitentiary, poorhouses, and insane asylums removed social miscreants who threatened

¹³ Ibid.

¹⁴ Meranze, *Laboratories of Virtue*, 176.

¹⁵ Michael Welch, *Punishment in America: Social Control and the Ironies of Imprisonment* (Thousand Oaks, CA: Sage Publications, Inc. 1999), 4. Emphasis in original.

order. Institutionalization became “a device to enforce protection” of society.¹⁶

Removing troublemakers from the streets provided protection for law-abiding citizens as well as strengthened civil society.

Pennsylvania reformers became pioneers in the quest to find a better way to punish criminals as well as to improve the discipline in the prisons that already existed. Those reformers who supported prison improvement, viewed eighteenth-century prisons as “breeding-places of crime” warehousing inmates in crowded rooms.¹⁷ Quakers were at the forefront of this new approach to penology: imprisonment, they insisted “*should not be viewed as a punishment, but as a means to reform.*”¹⁸ The idea that the criminal was “partially a victim of conditions created by society, and the deduction that he therefore had certain claims upon this same society, and that society was under moral obligation to do what it could toward his reform” drove these reform efforts.¹⁹ The Quaker reformers were averse to “unusual cruelty, suffering and the shedding of blood, [which] led them to substitute imprisonment for the death penalty in all cases except murder, and for the more barbarous types of corporal punishment.”²⁰ The belief in non-corporal punishments was unique to the penitentiary systems.

After seeing the plight of prisoners in their city during the Revolutionary War, a group of concerned Philadelphians began to work for change. On May 8, 1787, the Philadelphia Society for Alleviating the Miseries of Public Prisons (presently known as

¹⁶ Louis N. Robinson, *Penology in The United States* (Philadelphia: John C. Winston Company, 1922), 19.

¹⁷ Margaret H. Bacon, *The Quiet Rebels: The Story of the Quakers in America* (New York: Basic Books, Inc., 1969), 165.

¹⁸ *Ibid.* Emphasis in original.

¹⁹ *Ibid.* 170.

²⁰ Barnes, *The Evolution of Penology*, 32.

the Pennsylvania Prison Society) was organized. Early on, the group moved to end cruel and humiliating public punishments. Dr. Benjamin Rush was one of the driving forces of the society. He strongly opposed public punishments, including capital punishment, because, as he noted, “all public punishments tend to make bad men worse, and to increase crimes, by their influence upon Society” and as they are “always connected with infamy, [they] destroy in the criminal the sense of shame which is one of the strongest outposts of virtue.” Additionally, public, physical punishments were so short in duration “as to produce none of those changes in body and mind, which are absolutely necessary to reform obstinate habits of vice.”²¹ Rush’s sentiments, influenced by Enlightenment and utilitarian theories, exemplified a larger trend of moving away from corporal, public punishments, towards humane character reformation.

On April 5, 1790, Rush’s and the Society’s requests to end public punishments succeeded when the state adopted a regime of solitary confinement with work.²² Walnut Street Jail in Philadelphia became the first penitentiary, even though it had been functioning as a jail since 1784.²³ The isolation of the inmates and the policy of silence changed the way this jail operated. Through their prison reform efforts, the Society helped make the state’s penal institutions a model for the modernization and restructuring of punishment systems which other states and nations would emulate.

The opening of Walnut Street Jail as the state’s first penitentiary signified an important shift in the system of punishment. In the past, criminals were crowded together

²¹ Quoted in Negley K. Teeters, *The Cradle of the Penitentiary: The Walnut Street Jail at Philadelphia, 1773-1835* (Philadelphia: Sponsored by the Prison Society, 1955), 29.

²² *Ibid.* 31.

²³ Ronald J. Pestritto, *Founding the Criminal Law: Punishment and Political Thought in The Origins of America* (DeKalb: Northern Illinois University Press, 2000), 40.

in one-room prisons without classification according to crime and with no hope of rehabilitation. Early prisons, which acted as holding pens for these offenders, also housed witnesses for trials, debtors, vagrants, and those awaiting trial. While old, crowded jails allowed inmates to interact with one another, reformers called for the separation of inmates as a way to create more healthful living conditions and to allow space for rehabilitation. Forcing inmates to live together did not allow for individual attention. Prisoners also ran the risk of being further corrupted by other inmates. Separation was supposed to encourage repentance and rehabilitation. The penitentiary system, beginning with Walnut Street, and continuing with Eastern and Western State Penitentiaries, which opened in the 1820s, promoted a style of punishments that combined isolation, silence, and rehabilitation. This punishment plan was seen as an innovative and more humane way to punish offenders.

While these new penitentiaries and disciplinary practices were being developed, communities struggled to deal with the occurrence of crime. With new ways to punish criminals being initiated, city officials also worked to improve their police forces in order to prevent crime in urban settings. David Johnson notes that although there was crime in eastern seaboard cities before the nineteenth-century, people began to view the issues of crime and disorder differently after 1830. He argues that “during the first three decades of the century, criminal behavior increasingly seemed to disturb the prevailing tranquility of urban society; in the next three decades, many people became convinced that crime was about to undermine their society.”²⁴ Johnson considers this attitude shift to be caused by the growth of cities and the influx of new people, which increased the number

²⁴ David R. Johnson, *Policing the Urban Underworld: The Impact of Crime on the Development of the American Police, 1800-1887* (Philadelphia: Temple University Press, 1979), 12.

of strangers, thus causing suspicion and an anxiety about crime. This attitude regarding newcomers to cities is a common trope used to explain the occurrence of urban crime in the nineteenth-century, both in the early republic and antebellum decades. Furthermore, these broad social fears over newcomers illustrate why criminals might be described by their ethnicity in newspaper accounts of their offenses. These newcomers, or individuals who did not fit the societal conception of a proper citizen, seemed to be threats to social stability.

Concurrently with the desire to institutionalize certain social outsiders in the 1820s and 1830s, Americans began to believe that crime could be prevented and sought ways to prevent crime rather than simply deal with the offender after the crime had been committed. This new emphasis allowed authorities to use their personal social values and potential political influence to decide which groups of people or social outsiders might be inclined to commit crimes.²⁵ This theory makes sense considering the high level of immigrants and free blacks noted in the police reports. These groups often became targets by those who viewed them as having a propensity for committing crimes and thus needing to be punished. The rise of racism and nativism led to major social disruptions in the antebellum city as evident by the race riots that occurred in Philadelphia during the 1830s and 1840s.²⁶

In an effort to address these social stresses, antebellum cities organized police forces. During the colonial era, cities were patrolled by watchmen and constables, who were often lazy at their posts, showed up late, and often were drunk on duty. While this type of behavior was tolerated during the colonial era, as city populations grew and crime

²⁵ Ibid. 13.

²⁶ Ibid. 20.

became a larger issue in the early nineteenth century, the establishment of new law enforcement agencies was seen as the solution.²⁷ Yet, an organized police force was not established in Pittsburgh until 1857.²⁸ Like Pittsburgh, Philadelphia had employed a system of watchmen to protect the city in the early days of its existence. Each ward in the city also had a constable. This system was used until the mid-nineteenth century when urban riots (See chapter 4) raised serious questions about the reach and capability of law enforcement in the city. In 1845, following the Kensington and Southwark riots, the Pennsylvania Legislature passed a law requiring the city to establish a professional police force.²⁹ Continued riots and gang violence, particularly in the district of Moyamensing in South Philadelphia demonstrated that even the newly established police force was relatively ineffective.³⁰ In 1850, the state required the city to have a uniformed force with authority not only in the city limits but in seven neighboring districts. Four years later, the districts and city were incorporated into one unit, under the jurisdiction of a unified force.³¹

Historiography

This dissertation builds on a growing body of literature examining penitentiaries and the experiences of inmates. Many of these studies have focused on the development

²⁷ Ibid. 8.

²⁸ “About the Bureau,” <http://www.pittsburghpa.gov/police/about.htm>, accessed April 30, 2012.

²⁹ The Committee of Seventy, *Philadelphia Police Department Governance Study*, (Philadelphia: 1998), 7.

³⁰ Johnson, *Policing the Urban Underworld*, 29-30.

³¹ The Committee of Seventy, *Philadelphia Police Department Governance Study*, 7.

of the penitentiaries as institutions and on the experiences of male inmates. My dissertation shifts the focus to analyze women's experiences as both criminals and inmates. This approach centers the emphasis on a group of offenders generally not considered in most of the standing literature.

In the 1970s, scholarship on criminal punishment and the rise of the penitentiary systems emphasized social control as the reason for the development of the modern prison systems. David Rothman's *The Discovery of the Asylum: Social Order and Disorder in the Early Republic* was a pioneer in this school of thought. Rothman's study examines the Early Republic's craze for institutionalizing social deviants in the United States. He argues that the fear of the breakdown of societal bonds that held the new republic together, along with the rise of poverty, crime, and insanity in the antebellum decades fostered the rise of the asylum as a solution to these ills.³²

Any study on criminality and punishment would be remiss not to mention Michel Foucault's *Discipline and Punish: The Birth of the Prison*, published in 1977. Foucault contends that around the turn of the nineteenth century, a shift in punishment practices occurred, practices that reached beyond the physical body of the offender to the reformation of the soul. He argues that the goal of this shift in punishment was "not to punish less, but to punish better; to punish with an attenuated severity perhaps, but in

³²David Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown, and Co., 1971). Other important books on the rise of penitentiaries are Adam Hirsch's 1992 study, *The Rise of the Penitentiary: Prisons and Punishment in Early America*, Michael Hindus' 1980 work, *Prison and Plantation: Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* and Thomas Dumm's *Democracy and Punishment: Disciplinary Origins of the United States* published in 1987. David R. Johnson's *Policing the Urban Underworld: The Impact of Crime on the Development of the American Police, 1800-1887* published in 1979 complements the scholarship on the rise of prisons with the development of an organized police force in the 19th century. Three other articles on nineteenth-century history of urban police forces add to the limited scholarship on the topic. Robert Liebman and Michael Polen, "Perspectives on Policing in Nineteenth-Century America," *Social Science History* 2 no. 3 (1978): 346-360; Roger Lane "Urban Police and Crime in Nineteenth-Century America" *Crime and Justice* 15 (1992): 1-50; and Eric Monkkonen "History of Urban Police" *Crime and Justice* 15 (1992): 547-580.

order to punish with more universality and necessity.” While the prison, according to Foucault, “marks the institutionalization of the power to punish,” his idea of a carceral society spread the issue of discipline and control beyond the prison walls to other elements of society, such as armies or even schools. Prisons were simply one form of disciplining and controlling society. Furthermore, these institutions were to create “docile bodies,” bodies which were “subjected and practiced.” Through these “complete and austere” or total institutions, the individual was rendered docile. Prisons were to be a total institution, an “exhaustive disciplinary apparatus” which was responsible “for all aspects of the individual” including labor, behavior, morality, and health.³³

Michael Ignatieff’s *A Just Measure of Pain*, (1978) a contemporary publication of *Discipline and Punish*, accepts Foucault’s less humanitarian take for the reason for the shift in criminal punishment procedures, and focuses on Great Britain during the Industrial Revolution. Ignatieff argues that the penitentiaries exemplified a more rational type of incarceration that had the potential to reform through a coercive daily routine. He contends that the rise of the total institution, namely the penitentiary, was part of an existing movement for social improvement during the late eighteenth and early nineteenth century and denoted a shift towards industrialization and civilization as a means to mold society. In an effort at social controls, these total institutions aimed to improve society by removing its weak members. Ignatieff, like Rothman, noticed larger social trends that propelled the development of the penitentiary and the ways in which

³³ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), 82, 130, 293, 138, 235.

fear of a growing lack of control over society was addressed by the development of these penal institutions.³⁴

Recently, the historiography on punishment reform has shifted its focus, moving away from the argument that penitentiaries managed social control and towards the idea that penitentiaries protected liberties and emphasized the need for virtuous citizens. This newer trend is more amenable to the idea that the need for humane treatment of inmates and benevolence influenced the rise of the penitentiaries. Michael Meranze's *Laboratories of Virtue* is a critical study of the early criminal punishment reform efforts in Philadelphia, sketching out the shift from eighteenth-century public, corporal punishments to the privatized incarceration sentences in the early nineteenth century. He argues that discipline was a central element in the spread of liberal institutions: it restrained direct violence from the state in public punishments and instead adopted the hidden techniques of constant surveillance. Meranze contends that attempts to reform punishment led to more patriarchal and paternalistic systems which undermined, to an extent, reformers' original goals to foster virtue and self-discipline among inmates in the wake of the American Revolution.³⁵

Mark Kann's *Punishment, Prisons and Patriarchy: Liberty and Power in the Early American Republic* explores the Early Republic's fear that people would abuse their newly acquired liberty. He argues that first generation penal reformers set the price of liberty for Americans at the perpetuation of patriarchal political power over those in marginal demographic groups; they denied liberty to some to protect liberty for the

³⁴ Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850* (London: Macmillan, 1978).

³⁵ Meranze, *Laboratories of Virtue*.

majority. Kann briefly discusses female criminality in his book, lumping female criminals with immigrants, African Americans, and the impoverished who were “warehoused” to strengthen society.³⁶ Although Kann’s discussion of female inmates is limited and usually discussed in combination with other population groups, illustrating the Early Republic’s attitudes towards female offenders provides a useful base for examining continuities or differences in the treatment of female criminals in the antebellum period. The works by Meranze and Kann parallel each other by examining the role of patriarchal attitudes and motivations of prison reformers and officials in the Early Republic. Although Kann briefly mentions female criminality, Meranze’s book lacks a discussion of the female criminal element almost entirely, again illustrating the need for a thorough study of this criminal population.

My dissertation’s emphasis on the experiences of female offenders challenges these important works in several ways. The female inmates in my work were not the “docile bodies” that Foucault had predicted would develop in the penitentiary. The women posed problems for prison officials, both at the state and county level. Employees were not sure how to deal with the small but persistent population of female prisoners, and their presence undermined the penal institutions’ authority. Women in Pennsylvania prisons found ways to challenge the penal discipline, ranging from subtle to overt forms of resistance. The experiences of the women in prison suggest that the social control theory of the development of the penitentiary system had flaws as the antebellum institutions were not total institutions as these historians suggest.

Furthermore, by focusing on the experiences of female inmates, my work challenges Kann’s and Meranze’s by its insistence that the female population in the

³⁶ Kann, *Punishment, Prisons and Patriarchy*.

prisons must be discussed in order to understand why prisons failed to find the most successful way to punish criminals. By exploring the experiences of women prisoners, my dissertation enriches the standing literature on prisons, providing a more comprehensive picture of the experiences of inmates through its examination of an understudied demographic.

There has been a push in recent years to begin uncovering the stories of female inmates. Three works are of particular interest, and my work continues in this trend. A currently unpublished Ph.D. dissertation from Rutgers University in 2008 by Jennifer Manion, entitled “Women’s Crime and Prison Reform in Pennsylvania, 1786-1829” examines the nascent stages of penitentiary development in Philadelphia and looks at the way in which attitudes towards gender, sexuality, and race played a role in the treatment of women offenders in relation to those of male inmates. This study ends with the opening of Eastern State Penitentiary in 1829; it does not examine the treatment of women in this new penitentiary. Susan Branson’s *Dangerous to Know: Women, Crime and Notoriety in the Early Republic*, published in 2008, also focuses on Pennsylvania in the early decades of the nineteenth century, examining the celebrated case of Ann Carson, a woman who stood trial for bigamy, counterfeiting, and an attempted kidnapping of the governor of Pennsylvania. The book examines the expected social norms for women at the time and argues that Carson deviated from the norms in her profession and criminal actions. Kali Gross’ 2006 work, *Colored Amazons: Crime, Violence, and Black Women in The City of Brotherly Love, 1880-1910* examines the interactions of African American female criminals in Philadelphia around the turn of the twentieth century and how they interacted with the legal system and enduring racial

prejudices. Gross argues that this class of criminals faced dual oppression: gender and racial. This oppression not only led them to the life of crime, but also affected their experience in the legal system. These three works demonstrate the importance of exploring the lives of criminal women.³⁷ There is a standing gap in the literature, however, in the antebellum era. Furthermore, these works focus their attention solely on Philadelphia. My dissertation seeks to fill these openings in the historiography by examining female criminality in the antebellum period as well as looking beyond the geographical confines of Philadelphia in order to provide a more inclusive picture of female criminality in the state.³⁸

Methodology

This dissertation examines questions of female criminality and punishment in Pennsylvania from 1820-1860, particularly how women fared in the nineteenth-century criminal justice system. I argue that antebellum society's definitions of proper womanhood dictated women's experiences as offenders and as convicted inmates. At the same time, female offenders, through their criminal behavior, actively, albeit unknowingly, helped to shape the same antebellum definitions of acceptable womanhood.

³⁷ Jennifer Manion, "Women's Crime and Prison Reform in Pennsylvania, 1786-1829" (Ph.D. Dissertation, Rutgers University, 2008); Susan Branson, *Dangerous to Know: Women, Crime and Notoriety in the Early Republic* (Philadelphia: University of Pennsylvania Press, 2008); Kali Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham, N.C.: Duke University Press, 2006). Other notable works on early nineteenth-century inmates include Caleb Smith, *The Prison and the American Imagination* (New Haven: Yale University Press, 2009); Jonathan Nash, "An Incarcerated Republic: Prisoners, Reformers, and the Penitentiary in the United States, 1790-1860" (Ph.D. Dissertation, University of Albany, 2011); and Michele Lise Tarter and Richard Bell, eds. *Buried Lives: Incarcerated in Early America*, (Athens: University of Georgia Press, 2012).

³⁸ More detailed historiographies dealing with types of criminal activity, women's history, antebellum reformers, and early American prisons follow in each dissertation chapter.

Societal expectations influenced how women were treated as defendants during their criminal trials, their experiences as inmates in county and state prisons, and their relationships with reformers. Once fallen from the realm of proper womanhood, female offenders faced continuous opposition in their pursuit to redeem their reputations. Definitions of female respectability played a critical role at every stage of the female offender's "career," and this idea of respectability was employed in numerous ways. Some women, such as female swindlers or shoplifters, used the trappings of respectability to commit crimes. Others had to combat societal definitions of respectability while on trial for crimes, attempting to convince jurors that they had not become fallen or broken women. After conviction, some female inmates sought to regain some level of respectable reputation by taking advantage of reform programs established by philanthropic female prison reformers, who used their status as upstanding ladies to influence the character reformation of convicted women. This dissertation emphasizes the actions and experiences of the female offenders themselves, in an attempt to recover the experiences of the women – a shift from past studies focusing on the structure and leadership of penal institutions and reform organizations. It takes into consideration not only antebellum gender issues, but also how race, ethnicity, and/or class influenced female offenders' experiences.

In the dissertation, I investigate the answers to several questions regarding the experiences of female offenders in the antebellum era. Was there a "typical" female criminal? How were their criminal activities portrayed to the public? How did the communities of these offenders react to female crime? Were their motivations to commit crimes guided by necessity, romance, politics or something else? What makes a female

criminal mind? What were their experiences in the prison systems of the state? How did prison reformers view and treat female inmates? What does female crime suggest about antebellum attitudes towards white, African-American, and immigrant women's crimes and their subsequent punishment? Is there a hierarchy of punishment (severity/types of sentences) apparent dependent on offenders' ethnicity or class? How do nineteenth century conceptions of the female mind and insanity influence sentencing practices? In sum, this dissertation demonstrates that the experiences of Pennsylvania female criminals in the legal and penal systems provide a unique perspective that enriches our understandings of the attitudes of antebellum society regarding women, crime, punishment, ethnicity, and community.

The dissertation examines four decades of female criminality and punishment in Pennsylvania, from 1820 to 1860 to reconstruct the roots of female criminal punishment by examining their offenses and their subsequent treatment as offenders. Pennsylvania provides an ideal location to study female criminality and punishment as it was home to the internationally renowned Eastern State Penitentiary, as well as the Western State Penitentiary, and acted as a seat of critical debates over criminal punishment reform during the first half of the nineteenth century.

The antebellum era is a critical period to explore female criminality for several reasons. In addition to Pennsylvania's strong ties to the establishment of the penitentiary systems, the antebellum decades also witnessed shifting expectations for women in society. Women's societal roles became more specifically defined, particularly centered on the separate spheres ideology and the cult of domesticity; yet such roles were being challenged by female reformers in the crusades for abolition, temperance, women's

rights, and punishment reform. Female offenders, I argue, also challenged these predefined roles and helped, through their actions, to shape prevailing ideals of womanhood by demonstrating how not to behave. This dissertation highlights the agency that women exhibited in their committal of crimes and resistance to punishment – powerful statements in an era when institutions such as the penitentiary and society as a whole attempted to control and limit the influence of women. Furthermore, the antebellum years were a time of increasing political tension regarding race and ethnic relations, particularly in the 1840s and 1850s. The riots that wracked Philadelphia and elsewhere provide a gateway to exploring crimes that had a political overtone and the roles women played in these politically charged events. These events help us to reconstruct how some women demonstrated political, ethnic, and religious views through their criminal activity both in rural and urban settings.

Finally, the dissertation widens its orbit to study Pennsylvania as a whole because most previous scholarly work has focused exclusively on Philadelphia. It is important to consider the ways in which communities beyond the eastern urban center dealt with female offenders. Comparing the rural and urban attitudes towards female criminality and how women's criminal punishment differed depending on location offers a more comprehensive picture of antebellum female crime and punishment patterns. I examine female crime and punishment in sixteen counties in the state, providing 6035 cases for my sample: three counties with large urban centers, Philadelphia (Philadelphia County), Harrisburg (Dauphin County), and Pittsburgh (Allegheny County). The other counties were chosen on the basis of their proximity to these centers as well as the quality of their available source material. Most of these rural counties are located in the southern half of

the state. Historical population patterns suggest that as Pennsylvania was populated during the seventeenth, eighteenth, and nineteenth centuries, most settlers moved west from Philadelphia across the state. As a result, historically, the southern half is more densely populated than the northern half of the state.³⁹ Chester, Berks, Cumberland, Adams, York, Lancaster, Westmoreland, and Washington were as outlying counties to the three main settlement areas. Because there is a wide geographic gap between Harrisburg and Pittsburgh, I have also included the counties of Mifflin, Huntingdon, and Bedford, to provide a more specifically rural perspective. Two northern counties, Erie and Luzerne, were added to provide a perspective from the less densely populated northern tier of the state.

³⁹ Historical Census Browser. Retrieved November 2009, from the University of Virginia, Geospatial and Statistical Data Center. <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html> (2004).

CHAPTER II

“WALKING OVER THE PATH THAT LEADS TO THE DEVIL”: WOMEN AND PETTY CRIME

In April 1836, Mary Moffat was arrested and taken to court in Philadelphia. When she entered the courtroom, the *Philadelphia Public Ledger* reporter assigned to tell the city of the court news, noted that in Moffat “there stood the victim of intemperance.” Moffat’s physical appearance revealed “the deep and damning consequences” of habitual drinking. Her face showed “the faded graces of feature and form – lovely even in their ruin” and her mannerisms in the courtroom told of “evident emotions of sorrow.” The court looked sympathetically on Mary Moffat, and did not convict her for her public drunkenness.¹

Mary Moffat was fortunate that the court took pity on her situation. It could be that her alleged beauty, although marred by drinking, allowed her to avoid a criminal sentence. Many other women in Philadelphia, Pittsburgh, and other locations across Pennsylvania were not so lucky. Petty crime, including moral offenses such as public drunkenness, disorderly conduct, vagrancy, adultery, fornication, and a host of property crimes, made up a significant number of the offenses committed by females across the state of Pennsylvania. Newspaper accounts of these crimes remain the most significant way to glimpse into the world of petty crime committed by women in the antebellum decades, particularly in urban settings. Most newspaper entries are brief, simply stating

¹ All quotations in this paragraph taken from the same article in the *Public Ledger*, April 16, 1836.

the crime, the name of the offender, and the sentence. Other cases warranted more space in the columns.

While difficult at times to glean more than a name and basic offense from the entries, the fact that so many women entered the city's criminal court records offers an opportunity to examine the forms of female criminality and the way in which the courts dealt with these misbehaving women. David Papke considers that, with the increase of newspapers in the 1830s and 1840s, crime reporting became a mainstay and argues that these periodicals "place crime in frames responsive to the emergence of new social groups and to the changing social hierarchies and configurations."² This contention is true in the *Philadelphia Public Ledger* and for other urban newspapers' entries on female offenders. Although crimes reported by these newspapers ranged from murder to being noisy in the streets, this chapter focuses on petty, non-violent crimes of depravity or moral crimes and property crimes.³ In eighteenth-century Pennsylvania, most women indicted for crimes had committed moral or property offenses, and the same pattern holds for the antebellum years.⁴ From the sample of sixteen counties across the state for this dissertation, 6035 cases of female criminal indictments were found. Moral offenses and property crimes make up 67.1% of all female crime in the state during this period.⁵ This number is down only slightly from the 1780-1800 period in which moral and property

² David Ray Papke, *Framing the Criminal: Crime, Cultural Work and the Loss of Critical Perspective, 1830-1900* (Hamden, CT: Archon Books, 1987), 35.

³ The use of the word "moral" here is to signify crimes that had to do with particular vices, such as drinking, laziness, or sex. I concede that all crimes can be considered "moral crimes" since each offense represents a lapse in proper, law-abiding behavior that can be viewed as breakdowns in personal morality.

⁴ G. S. Rowe, "Women's Crime and Criminal Administration in Pennsylvania, 1763-1790" *The Pennsylvania Magazine of History and Biography* 109, no. 3, (1985): 336-337.

⁵ Culled from County Quarter Sessions Docket Books.

offenses accounted for approximately 70% of female crime.⁶ Later chapters will analyze violent and political crimes where the numbers of female offenders is smaller.

Using the reports of crime from Pennsylvania newspapers as a window into the public portrayal of these criminals and their actions, this chapter explores how society in nineteenth-century Pennsylvania viewed female criminality and why these cases are important to understanding antebellum society's values and attitudes towards women. This chapter examines the way in which the courts in Pennsylvania treated its female criminals by considering the types of crimes women were arrested for and the types of punishments meted out to convicted women. I argue that the reports of female crime and treatment of female offenders in the antebellum years illuminate broader societal fears and attitudes regarding crime, urbanization, race and ethnicity, morality, and most significantly, womanhood. The importance of being a proper woman in nineteenth-century Pennsylvania was consistently challenged in these cases of petty crime. Definitions of proper womanhood appeared in many of the newspaper articles on these cases, indicating that the female criminal element threatened society's ideals regarding femininity.⁷ At the same time as social conventions influenced the treatment of female

⁶ Jack D. Marietta and G.S. Rowe, *Troubled Experiment: Crime and Justice in Pennsylvania, 1682-1800*, (Philadelphia: University of Pennsylvania Press, 2006), 250.

⁷ The historiography for 19th century female petty criminality is relatively sparse, particularly if one focuses on the United States. Most studies on criminality only deal with women in part or study only a certain type of crime. This chapter attempts to add to the historiography by providing a wider analysis of female petty crime in the 19th century to illuminate prevalent trends in antebellum society that reach beyond Pennsylvania's borders. Looking outside of 19th century Pennsylvania, the scholarship on female petty crime is a little stronger, particularly if one looks internationally and examines different eras. For a general history and analysis of female criminality see Karlene Faith, *Unruly Women: The Politics of Confinement & Resistance* (Vancouver: Press Gang Publishers, 1993). For examples of petty female crime in the United States, see Kathleen De Grave, *Swindler, Spy, Rebel: The Confidence Woman in Nineteenth-Century America* (Columbia, MO: University of Missouri Press, 1995); Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009); and Elaine S. Abelson, *When Ladies Go A-Thieving: Middle-Class Shoplifters in the Victorian Department Store* (New York: Oxford University Press, 1989). Other studies that examine

offenders, these criminal women exhibited agency to thwart these norms – a significant statement in an era when society sought to limit and control women’s roles. This tension between proper womanhood and female criminality became even more pronounced when considering violent and political crimes and was fully realized once female offenders were locked up in the state’s prisons.

Communities have long been plagued by how to explain the existence of crime in their communities. In the seventeenth- and eighteenth-centuries, particularly amongst the Puritans, clergy emphasized in sermons that inherent human depravity was “the wellspring of crime.”⁸ The idea of “punishment of sin by sin” where God took away his forgiveness and placed in front of people more opportunities to sin, which caused humans to follow their “naturally depraved inclinations” was common Puritan ideology.⁹ Clergymen viewed “wickedness as a coherent chain of misconduct” and believed that there existed “an intimate relationship among sins and a natural progression from one to another.”¹⁰ Even in Pennsylvania, crimes stemming from human depravity and wickedness plagued the colony. William Penn noted that “lewdness and all manner of Wickedness” were present in the colony and others complained of Sabbath-breaking,

female crime, either specifically or in passing, outside of the United States include Robert B. Shoemaker, *Prosecution and Punishment: Petty Crime and the Law in London and rural Middlesex, c. 1660-1725* (Cambridge, UK: Cambridge University Press, 1991); Karen Jones, *Gender and Petty Crime in Late Medieval England: The Local Courts in Kent, 1460-1560* (Woodbridge, UK: Boydell Press, 2006); Derek N. Kerr, *Petty Felony, Slave Defiance, and Frontier Villainy: Crime and Criminal Justice in Spanish Louisiana, 1770-1803* (New York: Garland Publishing, 1993); Ulinka Rublack, *The Crimes of Women in Early Modern Germany* (Oxford, UK: Clarendon Press, 1999); Joan Neuberger, *Hooliganism: Crime, Culture and Power in St. Petersburg, 1900-1914* (Berkeley: University of California Press, 1993); and Sharon A. Kowalsky, *Deviant Women: Female Crime and Criminology in Revolutionary Russia, 1880-1930* (DeKalb, IL: Northern Illinois University Press, 2009).

⁸ Daniel A. Cohen, *Pillars of Salt, Monuments of Grace: New England Crime Literature and the Origins of American Popular Culture, 1674-1860* (New York: Oxford University Press, 1993), 83-84.

⁹ Ibid. 85.

¹⁰ Ibid. 87.

illegal gaming, and various other profanities that occurred in colonial Pennsylvania.¹¹

Moral lapses, such as adultery, fornication, and bigamy were punished harshly in Pennsylvania with lashes, steep fines, and potential lengthy imprisonments.¹² Sin was a serious matter in the problem of colonial crime.

By the early nineteenth century, reasons for why people committed crimes shifted to the idea that changes and problems in society influenced people to commit crimes. Papke suggests several reasons for why crime might have increased during the first half of the nineteenth century. He notes that due to modernization during the antebellum years, individuals in the growing cities “had difficulty finding their social bearings.”¹³ Society experienced an unraveling of tight knit communities and networks to which they were accustomed, and growing populations provided a blanket of anonymity that could have allowed for the easier committal of crimes. Papke argues that people living in this time of change often did not know what were illegal acts because of the instability of society. This caused some individuals to resort to criminal behavior, whether they knew it or not.¹⁴ This argument provides an interesting insight into why certain groups of

¹¹ Marietta and Rowe, *Troubled Experiment*, 2.

¹² *Ibid.* 19-20.

¹³ Papke, *Framing the Criminal*, 2.

¹⁴ *Ibid.* Similar trends occurred elsewhere. In late nineteenth- and early twentieth-century Europe, rapid urbanization and industrialization seemed to influence a spike in crime. While “urban growth and population growth themselves do not cause crime” factors occurring out of this growth “such as poverty and unemployment” may relate more directly to an increase in crime. In Russia specifically, “low salaries, high unemployment, overcrowded and inadequate housing, and periodic food shortages all contributed to higher rates of urban crime.” See Kowalsky, *Deviant Women*, 123-124. Even in colonial Massachusetts, urban crime rates seemed to be higher than in rural locations, perhaps due to the fact that cities held high quantities of material goods. Cities provided “opportunity and incentive for economic crime.” See N.E.H. Hull, *Female Felons: Women and Serious Crime in Colonial Massachusetts* (Urbana, IL: University of Illinois Press, 1987), 159.

people committed crimes and why antebellum society was so frightened that the city and its population would devolve into a pit of criminality.

The antebellum fear over the increase in crime necessitated a change in dealing with social deviants. This anxiety over a growing social disorder with criminals, the poor, and the mentally ill led to the trend of institutionalization.¹⁵ Institutions such as the penitentiary, poorhouses, and insane asylums took these social miscreants who threatened order and removed them from the streets, thus strengthening society. The idea of institutionalization fits into the theory that punishment was necessary to protect society.¹⁶ Removing the troublemakers from public spaces provided protection for the law-abiding citizens and fulfilled the purpose of strengthening civil society. This shift in attitude towards crime and punishment correlates to a growing fear over urban degeneracy in the early nineteenth century.¹⁷

¹⁵Michael Welch, *Punishment in America: Social Control and the Ironies of Imprisonment* (Thousand Oaks, CA: Sage Publications, Inc. 1999), 4. For more on the rise of the penitentiary, see the introduction and chapter four of this dissertation.

¹⁶ Louis N. Robinson, *Penology in The United States* (Philadelphia: John C. Winston Company, 1922), 19. The belief that social deviants of any sort needed to be controlled was not simply an antebellum ideal, but it seemed to gain momentum in the 1820s and 1830s. Citizens in the Early Republic felt social control was slipping away and designed ways to control disorder, a precursor to the wave of institutionalization that occurred in the antebellum era. For studies on social control in Philadelphia in the late 18th- and early 19th centuries, see John K. Alexander, *Render Them Submissive: Responses to Poverty in Philadelphia, 1760-1800* (Amherst, MA: University of Massachusetts Press, 1980), and Simon P. Newman, *Embodied History: The Lives of the Poor in Early Philadelphia* (Philadelphia: University of Pennsylvania Press, 2003). For an important study on antebellum institutionalization, see David Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (New Brunswick: Aldine Transaction, 2000).

¹⁷ I emphasize the importance of urban crime in this chapter simply because the source base is more prevalent in the urban centers of Philadelphia and Pittsburgh. While I have court data for other counties, the descriptions of the cases in rural locales have either been lost or never existed. When I can, I will draw comparisons using statistics from court dockets to make geographical connections, but urban crime will be central to this chapter.

Moral Offenses

The emphasis on strengthening society is quite apparent in the reports on what I define as moral offenses or crimes of depravity from antebellum newspapers and court dockets.¹⁸ Crimes of vagrancy, riotous conduct, and drunkenness are common entries of public disturbance. Other moral offenses that were commonly prosecuted were adultery, fornication, and bigamy.¹⁹ All of these crimes, when committed by women, threatened the ideal version of womanhood.²⁰ Lucia Zedner suggests that “the female criminal, the prostitute, and the female drunk were held up as the very negation of the feminine ideal, a warning to other women to conform.”²¹ The accounts of moral and public disturbance offenses committed by women in antebellum Pennsylvania fit this observation. The descriptions of their crimes and their deportment suggest that newspaper reporters and the

¹⁸ Prosecuting offenses that threatened the stability of society and were seen as acts that deviated from social expectations of proper moral behavior has a long history. In fifteenth and sixteenth-century England, it was common for local courts to deal with these types of offenses. The commonality of these offenses in the records reflects local “anxiety about morals and social behaviour.” See Jones, *Gender and Petty Crime in Late Medieval England*, 9.

¹⁹ Newspaper reports where females were arrested for prostitution are not discussed in this chapter due to the fact that the practice was not necessarily considered criminal, although it certainly fell into the category of social ills and vices that might lead to crime. Michael Meranze notes that many women who prostituted themselves did so out of “financial necessity” and “were an accepted and understood part of working-class life. Rather than a rigid mark of social deviance and marginality, prostitution was a fluid social state for most of its practitioners.” Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: University of North Carolina Press, 1996), 279. Furthermore, “in the antebellum period, most American states did not consider selling sex a criminal act.” Instead, city and state officials used other laws, like vagrancy statutes, and charges of disorderly conduct, lewd behavior, indecent exposure, public drunkenness, and profane language to punish prostitutes. See Schafer, *Brothels, Depravity, and Abandoned Women*, 17. It is possible that the same approach was used in Pennsylvania’s cities.

²⁰ Ideally, women were supposed to be pious, compassionate, virtuous, calm, and content in the domestic sphere. One early nineteenth-century source describes the good woman as “pure, and unblemished, in every thought, word, and deed: she is humble and modest from reason and conviction, submissive from choice, and obedient from inclination.” Charles Peirce, *The Portsmouth Miscellany* (Portsmouth, N.H.: Hill and Pierce, 1804), 259. For a more detailed analysis and historiography of the ideal nineteenth-century woman, see Chapter 3.

²¹ Lucia Zedner, “Women, Crime, and Penal Responses: A Historical Account” *Crime and Justice* 14 (1991): 320.

wider public had distinct definitions of a proper woman, and these miscreants broke that ideal. From the period 1763-1790, almost half of the crimes reported being committed by women were offenses of the moral and public order.²² From 1820 to 1860, moral and public disturbance crimes, which include the offenses noted above, ranged from 21.5% to 65.7% of all female crime in the counties sampled for this dissertation. Philadelphia County had the lowest percentage of moral and petty crimes committed by women and Adams County had the highest percentage out of all of the counties accounted for in my sample. For most counties, between one-third and one-half of all crimes committed by females can be categorized as moral and petty crimes. Out of 6035 instances of female offenders found in the county docket books, 2335 or 38.7% of all female crime were moral or petty offenses.²³ This is a significant drop from Rowe's sample at the end of the eighteenth century, suggesting a shift to more even distribution of female crime amongst property, violent, and moral offenses as the nineteenth century progressed. See tables below and Appendices A, B, and C at the end of the dissertation.

²² Rowe, "Women's Crime," 346.

²³ Percentages were drawn from county quarter sessions dockets for the sixteen counties making up the sample for this dissertation. Dockets for all years between 1820-1860 were examined, where they existed. Some counties, such as Allegheny, only have a small portion of their dockets surviving. Due to the large numbers of cases in Philadelphia, I took a sample of docket books, 1820, 1825, 1830, etc. The records in Philadelphia represent the county's Court of Quarter Sessions, not specifically the city.

Table 1: Percentage of Moral and Petty Crimes by County

| County Name | Percentage of Moral and Petty Crimes out of Total Female Crime |
|--------------|--|
| Adams | 66.1 |
| Allegheny | 43.4 |
| Bedford | 40.4 |
| Berks | 31.1 |
| Chester | 27.7 |
| Cumberland | 65.7 |
| Dauphin | 55.2 |
| Erie | 64.1 |
| Huntingdon | 32.4 |
| Lancaster | 49.1 |
| Luzerne | 42.6 |
| Mifflin | 48.6 |
| Philadelphia | 21.5 |
| Washington | 46.3 |
| Westmoreland | 40.7 |
| York | 61.9 |

Table 2: Breakdown of Types of Crime for Entire Sample

| | Violent | Property | Moral/Petty | Total |
|--------------------|---------|----------|-------------|-------|
| Number of Offenses | 1986 | 1714 | 2335 | 6035 |
| % of Crimes | 32.9 | 28.4 | 38.7 | 100 |

Vagrancy

Examining vagrancy as a crime illustrates the point that definitions of womanhood influenced how offenders were treated. In October, 1847, a girl was picked up off the streets of Pittsburgh as a vagrant by a “humane lady” who had “the intention of effecting a reformation” in the vagrant’s behavior. The young female vagrant was “well known on the Police records” for Allegheny County and had been, for years, “walking over the path that leads to the devil.” The benevolent woman provided the girl with clothing, cleaned her up, and provided her with other comforts in order to evoke a change

of heart in the girl. After only a few hours in the home, the girl fled – presumably returning to a life on the streets.²⁴ The perpetual problem of vagrancy was a major concern for urban centers, especially when acts of charity had little positive influence on the individuals who took to the streets.

Many women crossed the threshold of the Mayor’s Office in Philadelphia and entered the crime record as vagrants.²⁵ The *Ledger* reported on August 8, 1836 that eighty year old Catharine Shiber “was found sleeping in a privy.” The report continued: “her emaciated and aged form elicited much sympathy.” She was sent to the almshouse because she lived on the streets since she could not afford to pay her rent.²⁶ Cases such as Shiber’s litter the paper. Catharine Clark, “a poor destitute Irish woman, whose reason appeared to be partly unsettled by intemperate habits,” took shelter in an alley until arrested by an officer and escorted to the watchhouse. In front of the judge the next morning, she “begged to be sent to the almshouse.”²⁷ The judge acquiesced.

²⁴ *Pittsburgh Daily Morning Post*, October 14, 1847.

²⁵ The court system of Philadelphia during the 19th century was quite complicated and needs to be explained in order to understand the types of courts in which these women were tried. The Mayor’s Court, established in 1789, gave full authority to the Mayor over crimes committed in the city, even those eligible for trial in the Court of Quarter Sessions for Philadelphia County. This court usually dealt with petty crimes. In 1838, the Mayor’s Court and Court of Quarter Sessions for Philadelphia County were abolished and were morphed into the Court of Criminal Sessions for the City and County of Philadelphia. Judges qualified in legal study were to preside over this new court. Two years later, in 1840, “the Court of Criminal Sessions was abolished and the Court of General Sessions for the City and County of Philadelphia with jurisdiction over all crimes was established. The jurisdiction over capital offenses normally exercised by the Court of Oyer and Terminer, then held by the judges of the Courts of Common Pleas in each county, was transferred to this court.” In 1843, “The Court of General Sessions was abolished...and its jurisdiction divided between the Court of Quarter Sessions and the Court of Oyer and Terminer as in other counties of the Commonwealth.” Many of the property crimes and violent crimes were tried in the courts of General Sessions and Oyer and Terminer. Erwin C. Surrency “The Evolution of an Urban Judicial System: The Philadelphia Story, 1683 to 1968” in *Crime and Justice in American History: The Colonies and Early Republic*, ed. Eric H. Monkkonen (Westport, CT: Meckler Publishing, 1991), 732-735.

²⁶ *Public Ledger*, August 8, 1836.

²⁷ *Public Ledger*, January 11, 1837.

The discussion of the almshouse in these two cases necessitates understanding the function of the institution in nineteenth-century Philadelphia. Although the almshouse was not necessarily a prison (the watchhouse functioned more as a prison), official reports referred to the inhabitants as inmates.²⁸ Michael Meranze notes that like early prisons, the early almshouse's "inadequate space precluded continuing labor and sufficient classification. And, without labor and classification, no good could come of confinement in the city's almshouse."²⁹ The conflation of the almshouse and prisons in the idea that there needed to be work to evoke reform illustrates the social desire of the nineteenth-century to improve society and discipline individuals. Institutions such as the almshouse and local prisons reflected a broader trend in Europe and America in the late eighteenth- and early nineteenth-centuries to establish strategies "designed to render subordinate bodies passive and then regulate or even remake these impoverished bodies."³⁰

Later almshouses incorporated a house of employment for inmates to continue working. Meranze argues that by making inmates work to pay off debts, incarceration in the almshouse would enable inmates to reenter society as wage earners who had self-discipline. By reforming the vagrants, the almshouse helped to improve society.³¹ The

²⁸ For some, the almshouse was a place of relief, a place to get shelter, food, and medical attention in order to get back on one's feet. For others, the almshouse was like a prison and meant to be a place of behavioral correction. See Newman, *Embodied History*, 20.

²⁹ Meranze, *Laboratories of Virtue*, 270.

³⁰ Newman, *Embodied History*, 9.

³¹ *Ibid.* 288. Even the early Pennsylvania penal code, enacted in 1790 decreed that inmates should work at hard labor. There is undisputable evidence that early Pennsylvanian reformers and lawmakers saw that industrious employment was the way to strengthen society and protect the city from being overtaken by idle and vice-ridden citizens. Alexander, *Render Them Submissive*, 80. Meranze notes that some reformers in the 19th century saw poor relief as an evil that caused dependence on the city as opposed to improving the individual's situation. The house of employment, as a part of the almshouse illustrates this

idea that these institutions addressed the problem of criminality by causing inmates to work indicates a general fear that idleness and poverty of vagrants could lead them to criminal acts.³²

The first two cases of vagrancy illustrate a sense of sympathy towards the plight of these women.³³ Shiber's age and health evoked a sense of compassion towards her situation, thus allowing the judge and readers to see her crime as an unfortunate situation as opposed to a disorderly act. Sending her to the almshouse was not a punishment but rather a remedy for her poverty and a chance to preserve her frail health. Mark Kann argues that reformers categorized vagrants into innocents who deserved benevolence and those individuals whose vices led to their situation.³⁴ Shiber falls easily into the innocent category.

Clark's case demonstrates a limited level of sympathy. While authorities granted her request to be lodged at the almshouse, the classification of Clark as "a poor destitute

differentiation between purely being given shelter and provisions and working to pay down debts and return to society. The various attitudes towards vagrancy and poverty illustrated in these excerpts from the *Ledger* provide a more sympathetic perspective, but it should be noted that compassion was not the only view taken towards these individuals who brought down society through their poverty. Furthermore, it was a concern of reformers that "mimetic corruption" would be a problem as reformers contended that "habits of idleness, intemperance, and irresponsibility were spread from the poor to the poor." This attitude clearly relates to the prevailing notions that social problems threatened the strength of the city and that institutionalization of deviants may alleviate these issues. See Meranze, *Laboratories of Virtue*, 270. The 19th century views were quite similar to those in the late 18th century. John K. Alexander argues that Philadelphians in the post-Revolutionary years "knew how they wanted the poor to behave: they should be hardworking, honest, non-aggressive, orderly, and content with their lot...they should deferentially accept their inferior place in society." Alexander, *Render them Submissive*, 5-6.

³² Alexander, *Render Them Submissive*, 61, 77. The poor needed to be controlled, which resulted in criminal punishment for some, in order to protect their city from being riddled with crime.

³³ This is only true to some extent. While reformers might see their work in helping the poor as a humanitarian effort, Simon Newman argues that a lot of contemporaries were judgmental of the poor, reflecting "a larger social tendency to regard all the poor, regardless of the cause of their poverty, as morally and physically responsible for their situation and condition." Newman, *Embodied History*, 16.

³⁴ Mark E. Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* (New York: New York University Press, 2005), 56.

Irish woman” with “intemperate habits” might have curtailed the amount of sympathy she received from the reading audience. The distinction of her ethnicity in the report also highlights a sense of dislike of the Irish population as a force that lowered the city’s quality by their poverty and foreignness. Meranze notes that anti-Irish sentiment increased in Philadelphia during the late 1810s when an economic crisis threatened the city causing contemporaries to believe that the rise in poverty and the growing Irish population were linked. Furthermore, he argues that the Irish were never supposed to be part of the “post-Revolutionary dream of an orderly and open republican city.” Their presence caused class and racial tensions which threatened the peacefulness of the city.³⁵ Although Clark’s case does not necessarily illustrate a clear dislike of her Irish ethnicity, the fact that the reporter mentions it at all illustrates the desire to set this woman apart from other women. The prejudice against the Irish is subtle but apparent. Vagrants were expenses to the city, prompting frustration among reporters’ remarks and the larger public. Because many of the city’s poor were immigrants, ethnic tensions were high during the antebellum era.³⁶ The correlation between the Irish and drinking and vagrancy speaks to the stereotypical view that antebellum citizens held of Irish immigrants. Dale T. Knobel suggests that the ethnic stereotype and Irish distinctiveness was “environmental...derived from nurture rather than nature” during the early antebellum

³⁵ Meranze, *Laboratories of Virtue*, 230.

³⁶ Another case corroborates this point regarding a common prejudice against probable immigrants. On Monday, August 19, 1839 Bridget Early was arrested by the city police. She was reported to be “a lady who prefers sleeping on the commons, to enjoying a comfortable snooze in bed with her husband.” Early went to court with a child in her arms, prompting the reporter to remark: “Why such people want children, Heaven only knows – but as they will have them, the public out of motives of humanity, is compelled to take care of them.” For her crime of vagrancy, Bridget Early was sentenced to 30 days in the county jail and the child was sent to the Guardians of the Poor. For more on urban ethnic tensions in Philadelphia, see Chapter 4. *Public Ledger*, August 20, 1839.

period.³⁷ The traits that many considered to be Irish – excessive drinking, ignorance, superstition, habitual poverty – were formed by environmental factors. “Poverty, oppression, misgovernment,” Knobel states, “all set the conditions for life in Ireland. These affected not only lifestyle and outlook, but, more important, character.”³⁸ Native-born Americans seemed to latch onto these character traits, thus forming a distinct, negative stereotype of Irish immigrants, which is trotted out time and again in newspaper reports of criminal activity concerning immigrants. By the 1850s, the Irish stereotype was formed less by environmental factors, but took on a more racial bent. Irish immigrants were considered “low-browed” or “brutish” rather than “dirty” or “ragged,” descriptors more commonly used in the 1820s and 1830s.³⁹

Although Mark Kann contends that “the poor house was not a penal institution,” he notes that “many American jurisdictions criminalized vagrancy” and simply incarcerated vagrants in prisons.⁴⁰ The case of Isabella Smith in 1841 illustrates such an example. The newspaper reported that the woman referred to as Bell Smith “is such a belle as would not be likely to do much heart-breaking among the beaux.” The reporter noted: “Would she call herself Bill Smith instead of Bell Smith, the question of her manhood would be less likely to be mooted than her womanhood is at present.” Bell,

³⁷ Dale T. Knobel, *Paddy and the Republic: Ethnicity and Nationality in Antebellum America* (Middletown, CT: Wesleyan University Press, 1986), 56.

³⁸ *Ibid.*

³⁹ *Ibid.* 88.

⁴⁰ Kann, *Punishment, Prisons, and Patriarchy*, 55-56. Bruce Dorsey suggests that the increasing number of dependent poor in Philadelphia during the 1810s and 1820s “did not signal hopeful prospects for the city’s future” and that authorities blamed the poor for their situation. This correlates with the idea that they should be punished for their poverty or vagrancy as their poor habits led them to their poverty. Bruce Dorsey, *Reforming Men and Women: Gender in the Antebellum City* (Ithaca, NY: Cornell University Press, 2002), 57-58.

“when she comes home in a state of questionable sobriety, the keeper of the house refuses admission (as he did last night,) and the only resource of Bell, or Bill, in such cases, is the watch-house.”⁴¹

The case of Isabella Smith, while entertaining to read, illustrates the problem of a chronic vagrant, a perpetual nuisance on the street. Not only is her femininity mocked, but the report also indicates that there was little sympathy for this type of vagrancy, thus calling for what may be assumed a prison commitment rather than a stay at the almshouse. Kann contends that reformers saw vagrants “as potential criminals, if not as likely criminals or as yet-undetected-but-actual criminals.”⁴² These social deviants needed to be supervised and put to work to reform their character. Habitual vagrants were blights on the city, and Smith illustrates this societal fear.⁴³ What is interesting about this particular case is that the reporter focuses so much on her appearance and her questionable femininity. Because the report describes her so hideously, any sympathy that readers might feel toward her is removed. The same disgust at her appearance may have possibly made it easier for the court to commit her as a criminal vagrant as opposed to a woman who needed aid from the city’s almshouse.

⁴¹ *Public Ledger*, December 16, 1841. It is safe to assume that most “commitments” unless otherwise noted, are to the county prison at Moyamensing. If the offenders are sent elsewhere, the newspaper tended to report that information.

⁴² Kann, *Punishment, Prisons, and Patriarchy*, 62.

⁴³ To early nineteenth-century Philadelphians, “vagrants, strollers, and rambles who wandered the streets of Philadelphia appeared to many as outsiders, people who leeches from society rather than contributing toward it.” At times, city officials made sweeps of arrests of these people to restore order to the city’s streets. Newman, *Embodied History*, 43, 47.

Public Drunkenness and Disorderly Conduct

Charges of public drunkenness and disorderly conduct in Pennsylvania's antebellum newspapers often overlapped with charges of vagrancy, suggesting that many of these offenders spent a great deal of time in public spaces. Intemperance seemed especially to plague cities. Bruce Dorsey argues that because women imbibed in mostly private places and "because ideas surrounding women and drinking were so closely tied to emerging ideologies of class, domesticity, and sexual difference" it is difficult to ascertain the level of consumption amongst women.⁴⁴ Newspapers, however, provide a glimpse into the commonality of the practice. On July 29, 1836, the *Ledger* recorded the case of Mary Jourdan, mother of three "for whom she yesterday went out to buy bread... [She] bought rum at the same time, and became very drunk, making much noise and otherwise deporting herself in a very unseemly fashion." She reacted to her sentence of a fine "with a world of tears" and "not having the money to pay her fine, she must of course go to prison."⁴⁵ Jourdan's situation illustrates the combination of several ills that society feared. Not only was she drunk and disorderly, but she was on the verge of poverty. Although she had money to buy rum, she could not pay the fine. Cases like Jourdan's point to societal fears that when a person succumbed to one social ill, it led to other problems and potentially a life of crime.

On January 18, 1837, the newspaper reported that an intoxicated Eliza Davis was arrested after being found "surrounded by a mob of boys, who were amusing themselves with her exhibition of the lowest grade of human debasement." She was sent to the

⁴⁴ Dorsey, *Reforming Men and Women*, 99.

⁴⁵ *Public Ledger*, July 29, 1836.

almshouse, an institution “now overflowing with similar victims of misfortune, imprudence and vice.” The reporter observes: “nine tenths of the persons examined before the mayor, owe their disgrace directly or remotely to intemperance.”⁴⁶ This diatribe towards the overcrowding of the almshouse and the problems of intemperance indicates a mounting concern of the growing trends of vice and poverty in the city during the 1830s and reflects the move in the antebellum years for social reform and welfare programs developed by benevolent societies to alleviate these problems.

Other cases of intemperance landed the offenders in jail. On March 7, 1837, Mary McLaughlin and Mary Levering were arrested by the city watchmen. One woman was found “lying on the pavement, and the other holding onto a door, most gloriously drunk, and so full of fight.” At their trial the next morning, their attempts at garnering sympathy from the Mayor failed. The Mayor stated that “a woman that would get drunk would steal, or do anything else.” The two were sent to Moyamensing Prison.⁴⁷ Mary Blackburn, “a roaring sun-burnt *critter*, from Virginia, apparently an Irish woman” was arrested for public drunkenness. When in court the watchman stated that she had been drunk, “she exclaimed, stamping her foot upon the floor, ‘You are a liar, sir – you are a vagabond.’” She was imprisoned for thirty days.⁴⁸ Both cases show that women sometimes tried, either by eliciting sympathy or exclamation, to get out of trouble. It is possible that these attempts may have led to their jail sentences. The issue of the offenders’ ethnicity is raised again since at least two of these three women seem to be

⁴⁶ *Public Ledger*, January 18, 1837.

⁴⁷ *Public Ledger*, March 8, 1837.

⁴⁸ *Public Ledger*, August 12, 1841.

Irish. Furthermore, the fact that Blackburn was described as a “critter” suggests that at least the reporter, but likely other readers as well, saw this woman as less than human.⁴⁹

Concerns about intemperance among immigrants or other social outsiders may be at play in some of the cases of female intemperance. In Pittsburgh, Catharine McNelly ran a boarding house and whiskey shop. According to the local newspaper, her patrons were “mostly sons of that green Isle of the Ocean about which the Know Nothings are supposed to have gone crazy.” She supplied her customers with “liquified corn” and the men subsequently caroused about the city. She was arrested for selling liquor on a Sunday and fined \$50. McNelly, not having the money or assets worth the price of the fine, spent thirty days in the county jail.⁵⁰

Meranze suggests that drinking not only hurt the individual, but it also could lead to a life of crime.⁵¹ This is evident in cases of repeat offenders. Ann Dougherty, along with three other women was “charged with the old offence of drunkenness in the street and were committed for 24 hours.”⁵² While leniency might be applied for first offenses, repeat offenders received harsher punishments. Dougherty, quite a mischievous woman,

⁴⁹ In the later antebellum period, the ethnic stereotypes of Irish took on a more racial characteristic, oftentimes linking the Irish to being more black than white. In the same era that considered people of African descent less than human, considering Mary Blackburn to be a “critter” placed her in a similar category. For more on the link between the Irish and blackness, see Knobel, *Paddy and the Republic*, 93.

⁵⁰ *Pittsburgh Gazette*, August 1, 1855. Other cases corroborate this claim. Eliza Johnson, a native of Ireland, spent time before Philadelphia’s Mayor. Her “whole appearance gave strong testimony of the love she entertained for that exhilarating beverage called gin.” At the time of her arrest, she was intoxicated and wandering the streets. The newspaper reporter observed that she had been to court only three weeks previous to this arrest and was generally in “a perpetual state of intoxication.” *Public Ledger*, May 26, 1837.

⁵¹ Meranze, *Laboratories of Virtue*, 100.

⁵² *Public Ledger*, July 11, 1839. While it is difficult to know for sure if this is the same woman in each offense, the fact that the newspaper notes that she is recently released from prison illustrates that she is a common sight in front of courtrooms.

appeared in records on May 14, 1840, and August 8, 1840, and most likely, numerous other times. In May, the newspaper reported that she had “been out of prison yesterday but two hours, when she committed sundry acts of disorder and indecency, and actually came very near reducing Mrs. Borlang to a state of nature, by her manipular dexterity in the way of tearing clothes.”⁵³ She was sent to Moyamensing prison for thirty days. In August, she “was charged with raising a row about a man’s house...Ann pleaded her cause *manfully*, and strongly and earnestly promised never to do the like again.”⁵⁴ This time, she was fined \$200. It is interesting that Ann does not limit her types of crime, being collared for different offenses each time. In addition, the last entry, emphasizing that she pleaded her case “manfully” exemplifies that this woman had lost her female virtues when she entered this life of crime, almost as if women lost femininity once turning to crime.

Disorderly conduct, of which public drunkenness often played a part, also plagued the antebellum city. Cases of this crime usually took the form of spewing profanity, making noise, and general mischief. Margaret Williams, arrested and sentenced to thirty days at Moyamensing for profane swearing, “told the officer, with an oath which should have blistered her tongue, that ‘she was on a spree, and would see it out.’”⁵⁵ It is striking the variety of actions that constituted a crime in this category according to nineteenth-century judicial authorities. Hannah Williamson was committed for thirty days for “entering the churches during service, and crying out suddenly in loud voice.”⁵⁶ Rebecca

⁵³ *Public Ledger*, May 14, 1840.

⁵⁴ *Public Ledger*, August 8, 1840. Emphasis in original.

⁵⁵ *Public Ledger*, May 9, 1837.

⁵⁶ *Public Ledger*, February 19, 1839.

Johnson, a young African-American, was sentenced to thirty days of solitary confinement and hard labor for “profane swearing and outrageous deportment.”⁵⁷ Ringing bells during the night, exposing themselves in public, and imitating other individuals also caused women to be brought before the mayor.⁵⁸ These seemingly minor acts of mischief threatened the peace of the city and breached the expected norms of propriety. Although not overly criminal in nature, the fact that these actions were punished so severely demonstrates the determination of city officials to crack down on disturbances in order to cleanse the city of its growing criminal and mischievous elements.⁵⁹

Statistics show that for the most part, alcohol related offenses, including running tippling houses, selling liquor on Sundays, providing liquor to minors, public drunkenness, and non-alcoholic related disorderly conduct offenses were the common forms of violating the moral or public order. In thirteen of the sixteen counties I examined, alcohol-related offenses and disorderly conduct charges made up anywhere from 69% to 97% of the moral and petty crime offenses committed by women. In the three other counties, Adams, Cumberland, and York, where the percentage of alcohol-related and disorderly conduct offenses were 27%, 28%, and 36% respectively, sexual

⁵⁷ *Public Ledger*, May 10, 1837.

⁵⁸ *Public Ledger*, June 18, 1841, December 15, 1841, and November 2, 1841.

⁵⁹ In other places and eras, female offenses of public disorder were sometimes not treated so harshly. In early modern Germany, offenses like drinking, obscene language, and dancing were “not reported until they became habitual and seemed to endanger the community.” Rublack, *The Crimes of Women in Early Modern Germany*, 31. The cases described in this chapter seem to indicate that any type of public disorder, however trivial, was seen as a threat to the community and order of the city. Antebellum officials appeared to crack down on these offenses whenever someone was caught, perhaps in order to stem the tide of public disturbances. In early twentieth-century Russia, acts of public disorder, offenses that “were considered acts of hooliganism when committed by men,” when committed by women, the female offenders “were rarely referred to as hooligans.” Women who committed these offenses were not seen as threatening in the same way men were. Only when women engaged in “prostitution and open displays of sexuality” were women deemed as threatening to society. See Neuberger, *Hooliganism*, 36.

offenses, which will be discussed below, made up the majority of these counties' moral and petty crime charges. See Appendices A and B for more specific numbers on each county.

Sexual Offenses: Adultery, Bigamy, and Fornication

Beyond simply being a nuisance to society, women in the antebellum era were often brought to criminal court to face charges of a sexual nature that broke societal moral codes.⁶⁰ In 1851, a Pittsburgh resident, Eliza Brunty was charged with bigamy. She had married her first husband, James Brunty in Ireland. He subsequently left her, emigrated to the United States, and married another woman. Eliza Brunty had then married a Mr. McNutt in April 1850, who was aged about 80 years. He had subsequently died. She showed the court a divorce petition but the court deemed that the document was “by no means conclusive.”⁶¹ If the divorce was invalid, Mr. McNutt was an adulterer, and both Eliza Brunty and James Brunty were bigamists. Eliza Brunty was found not guilty when she admitted that “she had asserted she was his [Brunty’s] wife for the purpose of inducing him to aid in the support of her and her child.”⁶² It is unclear if she was charged with any crime for her falsehood.

⁶⁰ This section is only focusing on adultery, fornication, and bigamy. I have found two cases that deal with the issue of abortion – two female abortion practitioners taken to court for their craft in 1850s Pittsburgh. The only records of this came from the local newspapers since the court dockets have not survived. Furthermore, I have little evidence of other abortion practitioners being taken to court in other locations, so I cannot make much of these two cases. See *Pittsburgh Gazette*, July 17, 1855 to November 5, 1855 and July 30, 1857 to August 10, 1857.

⁶¹ *Pittsburgh Gazette*, April 10, 1851. The case was introduced on April 9, 1851.

⁶² *Ibid.* Bigamy held a punishment of a \$1000 fine and up to two years of imprisonment at hard labor. The second marriage would be null and void. *Report of the Commissioners On the Penal Code, with Accompanying Documents*, (Harrisburg: S.C. Stambaugh, 1828), 117.

In 1857, in Lawrenceville, outside of Pittsburgh, Eliza Harper was brought to court to face an adultery indictment. According to local witnesses, Eliza and her husband claimed to be married with three legitimate children, and that Eliza had a respectable millinery establishment in Lawrenceville. John Esler, a local, spied Eliza Harper and John Montgomery having “criminal intercourse” in a local graveyard. Earlier, Esler and several other men in the community saw the pair together walking in the town. Mrs. Harper and Mr. Montgomery went their separate ways and the posse of other men decided to follow them, splitting up and eventually catching the pair in what Esler considered to be adulterous behavior.⁶³ The pair realized they were caught and ran away. Samuel Mathews testified that when he went to talk to Mrs. Harper after the incident, that “she wanted us to tell the people that we had got up the story as a good joke.”⁶⁴ Eliza Harper was found guilty, and her sentence was deferred.⁶⁵ On November 16, 1857, the *Pittsburgh Gazette* reported that “the punishment for this crime is fixed by an old and wholesome law of this commonwealth, and it will undoubtedly be inflicted.”⁶⁶ The punishment for adultery in Pennsylvania was a fine not exceeding \$500, or a year in prison, or both, depending on the court’s decision.⁶⁷

These two cases give us a sense of what types of evidence were used in the prosecution of these sexual offenses. Most of the time, these cases were not described in detail, and some counties prosecuted these types of offenses more often than others. Why

⁶³ *Pittsburgh Dispatch*, June 17, 1857.

⁶⁴ *Ibid.* June 18, 1857.

⁶⁵ *Pittsburgh Gazette*, June 20, 1857.

⁶⁶ *Ibid.* November 16, 1857.

⁶⁷ *Report of the Commissioners*, 108-109.

these two cases were given such coverage in the Pittsburgh newspapers remains unanswered. Perhaps there was more evidence in these cases than in most others of the same offense. One cannot be sure. In any case, some counties focused heavily on prosecuting women for sexual offenses, particularly fornication and bastardy. This appears to be a holdover from the patterns in the colonial and early republic eras. G.S. Rowe's study of colonial and early republic female crime in Pennsylvania argues that more than two-thirds of moral crimes were for fornication and bastardy, and that they constituted one-third of all female crimes during this era.⁶⁸ Furthermore, Rowe suggests that it was not only concern for the moral tone of the community that drove courts to prosecute these crimes but fear that community resources would "be overburdened by the financial costs of tending illegitimate children."⁶⁹ By punishing offenders, counties hoped to stem the problem of illegitimate children and protect the counties' coffers.

Rowe also argues that "individual counties approached crime with different priorities, assumptions, and abilities" and these differences are apparent in various rates of crime for particular offenses.⁷⁰ This holds true in the antebellum era as well. For instance, fornication and bastardy charges in Cumberland and Adams Counties accounted for approximately 70% of moral offenses, and in York County, 63%. Other counties had much lower numbers. In this respect, holdovers from colonial era attitudes towards behavior may have played a role in what crimes were more often taken to court.

Geography plays a role in the prevalence for certain indictments as well. Pennsylvania

⁶⁸ Rowe, "Women's Crime," 347.

⁶⁹ Ibid. See also Marietta and Rowe, *Troubled Experiment*, 85. Fornication and bastardy carried a punishment of a fine of \$100 to be given to the local guardians or overseers of the poor to help support the illegitimate child. See the *Report of the Commissioners*, 109.

⁷⁰ Rowe, "Women's Crime," 347.

was settled stemming from the urban core at Philadelphia. During the colonial period, people migrated westward, settling across what would become the southern part of the state. York, Cumberland, and Adams County, were incorporated in 1749, 1750, and 1800, respectively. Furthermore, the three counties are adjacent to each other and York and Cumberland County were formed from pieces of Lancaster County. Adams was formed from York County.⁷¹ Due to their shared genealogy, it is not surprising that these counties had similar preferences for the crimes that their respective courts indicted.⁷² See Appendices A, B, and C for further breakdown of crimes. Each county, except Huntingdon County, had at least one case of adultery taken to court.⁷³

Property Offenses

In addition to disorderly conduct offenses and sexual crimes, many of the crimes committed by women were property offenses. In the overall sample, 1714 out of 6035 or 28.4% of offenses were property related. Of the three main categories of offenses, this made up the lowest percentage of offenses. See Table 2 above. G.S. Rowe calculated that from 1763 to 1790, almost one-third of crimes for which women were prosecuted were property offenses, and most of these were for theft, a percentage only slightly higher

⁷¹ “Pennsylvania Geography.” Accessed November 12, 2012. <http://dgmweb.net/Ancillary/Geog/PA/PA-Cos.html>.

⁷² Ironically, Lancaster County, formed in 1729, indicted more women on disorderly conduct and alcohol related offenses and had very few women indicted on offenses of a sexual nature. It is unclear why this is such a difference from its neighboring counties of York and Cumberland.

⁷³ All of the county statistics were culled from the counties’ respective Court of Quarter Sessions Dockets.

than my sample from 1820-1860.⁷⁴ Property crimes seem to be more common in urban areas. See Appendices A and B and Table 3 below. This is a natural progression from the location of eighteenth-century property crimes which often occurred in well-established marketing towns such as York, Chester, Carlisle, and Lancaster, in addition to Philadelphia.⁷⁵ In the antebellum decades, Philadelphia County's property crime accounted for 40% of female crime, and nearby Chester County, 36.2%. Of Dauphin County's crimes, 24.4% were property offenses, Allegheny County 23.6%, and Washington, 25.1%.⁷⁶ The higher numbers of property crime in the eastern urban center is likely due to the greater concentration of small businesses as well as the size of the population, which increased the probability for thefts to occur. Population lagged behind Philadelphia in Allegheny and Dauphin County, most likely resulting in fewer opportunities to commit property crimes and the smaller numbers of women committing them.⁷⁷ For property crime rates over the sample years and specific numbers for all counties, see Appendices A and C of the dissertation.

⁷⁴ Rowe, "Women's Crime," 344.

⁷⁵ Ibid.

⁷⁶ County Docket Books.

⁷⁷ In 1820, Philadelphia County had a total population of 137,097; Allegheny, 34,921; and Dauphin, 21,653. By 1860, Philadelphia totaled 565,529 people; Allegheny, 178,831; and Dauphin, 46,756. Historical Census Browser. Retrieved November 2012, from the University of Virginia, Geospatial and Statistical Data Center. <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html> (2004).

Table 3: Percentage of Property Crimes by County

| County Name | Percentage of Property Crimes out of Total Female Crime |
|--------------|---|
| Adams | 12.9 |
| Allegheny | 23.6 |
| Bedford | 18.3 |
| Berks | 17 |
| Chester | 36.2 |
| Cumberland | 17.6 |
| Dauphin | 24.4 |
| Erie | 17.9 |
| Huntingdon | 15.7 |
| Lancaster | 20.9 |
| Luzerne | 24.3 |
| Mifflin | 12.3 |
| Philadelphia | 40 |
| Washington | 25.1 |
| Westmoreland | 11.1 |
| York | 11 |

Shoplifting

Shoplifting was one property crime that seemed to be more often committed by women. It was a common offense in urban settings where, as cities expanded, more shops opened, and merchants proffered their goods to more people. This crime presented itself as one of opportunity. Women were often the perpetrators of this crime, perhaps because they did not look threatening to shopkeepers. In her study of late nineteenth-century shoplifting, Elaine Abelson argues that the development of department stores and mass consumerism put women into a public sphere of providing for their families, something that had usually been accomplished out of the home. A natural extension of this consumerism was the common occurrence of middle-class women who shoplifted. Abelson argues that many of these offenders were respectable women, who were participating in illicit consumer behavior. Many women who were caught had

“legitimate purchases in their possession at the time of their arrest” demonstrating that women sometimes participated in legal and illegal forms of consumerism simultaneously.⁷⁸

While Abelson’s study focuses on the large department stores of the later nineteenth-century and the commonality of middle-class women who were shoplifters, it appears from newspaper reports of antebellum shoplifting that women did so in smaller, more local stores. In Philadelphia, Maria Stevens, an African-American woman was arrested “on suspicion of stealing a piece of mouseline de laine” from a local store in South Philadelphia. Stevens must have been a common offender, because the article noted that she had “done such things before.”⁷⁹ Mary Donnelly, presumably a white woman, was arrested for pilfering a piece of linen and twenty yards of another fabric, which she “concealed under her cloak.”⁸⁰ An unnamed white woman was let off with a reprimand after attempting to steal a kettle from a stove store in South Philadelphia. She was known to have tried shoplifting in other area stores.⁸¹ Two African-American women, Elizabeth Brown and Charlotte Fisher were caught “in the act of stealing a piece of Calico” from a dry goods store in Philadelphia.⁸² In these cases, the women stole items that were commonly purchased by women. It is possible that female shoplifters did

⁷⁸ Elaine Abelson, *When Ladies Go A-Thieving: Middle Class Shoplifters in the Victorian Department Store* (New York: Oxford University Press, 1989), 4-7.

⁷⁹ *Public Ledger*, March 10, 1842.

⁸⁰ *Public Ledger*, January 20, 1844.

⁸¹ *Public Ledger*, February 10, 1841.

⁸² *Public Ledger*, February 12, 1841.

not initially arouse suspicion since it was a common act for women to shop. In essence, being female provided an opportune cover for these offenders.

Other pairs of shoplifters in Philadelphia hit several shops before getting caught. Elizabeth Gibbs and Priscilla Thomas, also African-American, had items in their possession from several stores, including “fruit, toys, a piece of soap, and a lot of stockings.” After being unable to pay their bail of \$150 each, the women were sent to Moyamensing Prison.⁸³ In this case, it seems almost like a game for the women, who continued to shoplift after their first recorded theft. In another case, a man and a woman, both African-American, stole from a clothing store in Southwark, Philadelphia. The thefts were not realized until long after the pair had left the store. The next day, however, the pair returned to the store in an attempt to add to their cache of stolen goods. The storekeeper gave chase, but the man escaped. The woman was arrested and sent to Moyamensing.⁸⁴

Abelson suggests that nineteenth-century contemporaries had a difficult time considering shoplifting by women as a criminal offense. Rather, they looked for a medical interpretation to explain the women’s actions. They described shoplifting “in the language of physical and mental illness.”⁸⁵ Often, female shoplifters were deemed kleptomaniacs, and physicians determined that they were “fundamentally irrational” and subject to the “‘natural’ constraints of the female sex.”⁸⁶ By doing this, Abelson argues, legal officials could accept this criminal behavior as a mania that women succumbed to,

⁸³ *Public Ledger*, April 2, 1839.

⁸⁴ *Public Ledger*, February 22, 1841.

⁸⁵ Abelson, *When Ladies Go A-Thieving*, 7.

⁸⁶ *Ibid.*

unable to resist the temptation of pilfering items to explain the criminal acts. As a result, all women were then considered to be potential shoplifters, since the rationale behind shoplifting was that women were weak and could not help themselves.⁸⁷ There is little way to know if the shoplifting women in these antebellum newspaper cases were middle-class and would be fully enveloped by Abelson's theories. It is possible that for these women, shoplifting was a necessary act for survival, particularly in the poorer sections in the city, which may explain why many of those shoplifters mentioned in the newspapers were African-American.⁸⁸ It is evident, however, from Abelson's analysis that nineteenth-century observers wanted to find reasons that would explain away such criminal activity. By providing a psychological reason for their behavior, nineteenth-century doctors tried to uphold the ideals of womanhood by suggesting that some female criminal behavior was committed simply because women were weaker mentally than men and could not control the impulse to shoplift.

Swindling

Swindling was reported as a specific form of property crime in the newspaper and usually consisted of a separate article outside of the court and police columns. Female swindlers used their feminine wiles on the unsuspecting. This type of criminal behavior

⁸⁷ Ibid. 8.

⁸⁸ David R. Johnson suggests that as Philadelphia developed, the affluent classes moved out from the city center, allowing shopkeepers to take over the buildings for their businesses, which created a shopping district in the city. While the shops along Chestnut, Walnut, and Market Streets catered to middle and upper class needs, the shops on South Street dealt with a lower-income clientele since it was an artery through the southern slums of the city. With the growing shopping districts, the crime of shoplifting also increased in these areas. See David R. Johnson, *Policing the Urban Underworld: The Impact of Crime on the Development of the American Police, 1800-1887* (Philadelphia: Temple University Press, 1979), 72. Because several of the case reports detailed above note that the crimes happened in South Philadelphia, it is likely that these women were of a lower class, since South Street is a de facto northern border for the South Philadelphia neighborhoods.

is important to consider because these offenders understood that the social conception of women at the time, particularly respectable looking women, allowed them the leeway to commit fraud without being suspected of wrong-doing. They exploited the definitions of womanhood and the social perception that women would not commit such crimes to their advantage: the ruse often allowed them to get away with criminal acts.

The tricks used by criminals on unsuspecting storeowners created considerable anxiety. The newspaper reports of these cases generally took the tone of warning the citizens of the swindlers' *modus operandi*. The *Philadelphia Ledger* reported: "We are informed that there is a female, of tall and very genteel appearance, doing a pretty flourishing business in this city, in swindling and stealing." The paper stated that the offender gave a different name in each store she entered. In Philadelphia, the swindler went into a store to buy a hat, asked the storekeeper to watch an important package for her while she asked her friends' opinions of the hat before purchasing, and thus walked off with the hat. The store owner found the package to contain only worthless items.⁸⁹

Other women exploited conventional notions of female respectability to affect their scams. In 1841, the *Philadelphia Ledger* reported: "We have lately heard of numerous instances of bad notes having been taken from two or three very good-looking and well-dressed females." "In all the cases we have heard of," the author continued, "the passers are described as young ladies of genteel address and good appearance, and well calculated to allay any suspicion against them, even when the notes are detected and refused."⁹⁰ In 1852, two women in Philadelphia, Jane Mullin and Elizabeth Teal, were

⁸⁹ *Public Ledger*, August 24, 1839.

⁹⁰ *Public Ledger*, January 2, 1841.

arrested for stealing goods from stores by employing such a ruse. The two women “were in the habit of representing themselves as being sent by some well-known resident” for a “sample of goods.” After they were given the goods, the women left and failed to return the goods.⁹¹ These women were also in the habit, according to the newspaper, of asking to borrow from other ladies black dresses, shawls, and bonnets, for the purported purpose of attending a funeral and failing to return the “borrowed” clothing.⁹² These con women used the reputations of other citizens in order to make their actions seem legitimate. Not only were they stealing from stores, but they also threatened the reputations of women who were socially upstanding. In another case, a “genteely dressed” young woman with “very lady-like manners” went to a milliner’s store, “selected two pieces of jet black plain *Poux de Soie*, requesting them to be sent to Madame Gaubert’s for her opinion.” The swindler left, went to Madame Gaubert’s to intercept the porter delivering the fabric. The porter left to return to the store, only to be sent back to Madame Gaubert’s to find the woman after his employers realized the theft; the unknown female took off with the silk fabric, worth \$100.⁹³

What makes these cases even more disturbing is the fact that the offenders’ appearances portrayed gentility, a characteristic that threw authorities and victims off balance because they did not expect to be duped by criminals taking the form of proper-looking citizens – especially proper females. Kathleen De Grave argues that although “the true woman ideal was not the reality for many American women, the true woman

⁹¹ *Public Ledger*, October 18, 1852.

⁹² *Ibid.*

⁹³ *Philadelphia Inquirer and Daily Courier*, July 12, 1837.

myth affected the entire culture, making people believe that any other kind of woman was something less.”⁹⁴ The female swindler used “disguise, deception, and manipulation to get what she wants” and possessed a knack for “making people believe” her story.⁹⁵ Such swindlers broke societal notions of what a female criminal was supposed to look like.⁹⁶ She was not some monster but could dress the part of a genteel, pretty woman and use the markers of her physical appearance to dupe others.

In Pittsburgh, in June 1850, one woman caught the attention of local authorities. The unnamed woman had been “obtaining money of our citizens” by pretending to be representing “various charitable” organizations. The woman conned others for several months, representing herself as different ladies of repute in the city. The newspaper printed the story as a warning that because of her “elegant exterior” and manners, she “has been very successful in her impositions upon people's benevolent sympathies.”⁹⁷ Once again, using the ruse of respectability by impersonating certain influential women allowed this offender to perfect her criminal craft. Furthermore, that she asked for money on behalf of charitable associations, reflects not only the antebellum era's fervor in support of reform movements (see Chapter 6), but that it was also acceptable for women to be leading figures in the public sphere supporting various social movements. As it was

⁹⁴ Kathleen De Grave, *Swindler, Spy, Rebel*, 8.

⁹⁵ Ibid. 11. These women were “highly rational” in the committal of their crimes, and although it may have been easier for officials in the nineteenth-century to label female offenders as insane as a way to deny the existence of female criminality, many women, especially swindlers, put thought into their criminal actions. Ibid. 79. 81.

⁹⁶ Ibid. 65.

⁹⁷ *Pittsburgh Daily Gazette*, June 15, 1850; *Pittsburgh Daily Dispatch*, June 15, 1850.

not uncommon for women to be fundraisers for charitable societies, this particular swindler employed a ruse that protected her from being caught initially.

Female swindlers threatened the structure of nineteenth-century society. De Grave suggests that women were supposed to fit into either of two categories: the ideal of domesticity and purity or its antithesis – a “temptress, the brutal murderess.”⁹⁸ As the nineteenth-century progressed, women could fit into more culturally acceptable roles, including women as victims, workers, and feminists, to name a few. De Grave contends that there was no place for the “criminal confidence woman” because she was “too logical, too daring, too self-regarding, too independent, too selfish, too sordid, too calculating, too extravagantly greedy, too able to identify herself without reference to a man to fit in anywhere.”⁹⁹ This type of woman was seen as a subversive force, possibly explaining why newspapers were quick to write separate articles on these women’s behavior as possible warnings to other citizens.

Larceny

As far as newspaper reports were concerned, larceny covered all manner of property crime and basically became a catch-all term.¹⁰⁰ On September 2, 1837, Mary Black “a cognomen excessively appropriate, as she was dark as Erebus” was arrested for larceny, “having stolen a piece of carpeting from a private dwelling.”¹⁰¹ Susan Edwards

⁹⁸ DeGrave, *Swindler, Spy, Rebel*, 57.

⁹⁹ *Ibid.* 57-58.

¹⁰⁰ According to the Pennsylvania criminal code, a first offense of larceny held the maximum punishment of \$500 fine and up to four years of imprisonment at hard labor. A second offense held a maximum penalty of ten years’ imprisonment at hard labor. *Report of the Commissioners*, 128.

¹⁰¹ *Public Ledger*, September 2, 1837.

was sentenced to three months' imprisonment for "the larceny of one blanket, one chemise, and sundry bedclothes."¹⁰² The variety of goods pilfered was quite diverse. Larcenies of carpeting, clothing, stoves, work baskets, and tubs, resulted in convictions and jail sentences from thirty days to a full year.¹⁰³ One woman, Mary Teese, was found not guilty at the end of her trial for larceny of a "bond and mortgage of \$5000."¹⁰⁴ Mary Stealingoods, who, the newspaper quipped, had "an appropriate name!" stole three handkerchiefs and was sentenced to a year in the county prison.¹⁰⁵ In Pittsburgh, Mary Brown was found guilty and imprisoned for stealing a shawl. Brown was part of a "gang of pilferers" which had harassed Pittsburgh for quite some time, until it was "successfully broken up by the arrest and conviction of 'Lady Bill' their captain, and Henrietta Douglass."¹⁰⁶ From these cases, it is clear that women sometimes stole alone, sometimes as a group.

The limited value of goods stolen and the seemingly practical nature of the items (aside from the mortgage paper) indicate that these women were driven to act partly out of necessity. Abelson, in her study on shoplifting, argues that middle-class female shoplifters "adhered publicly to the morality of their class and shared basic values and attitudes about social forms. Conscious of themselves as women belonging to a particular stratum, they readily acknowledged that their behavior [shoplifting] was

¹⁰² *Public Ledger*, March 10, 1838.

¹⁰³ *Public Ledger*, February 7, 1839, March 11, 1839, February 17, 1840, and October 6, 1840. *Pittsburgh Gazette*, December 25, 1855.

¹⁰⁴ *Public Ledger*, December 16, 1839.

¹⁰⁵ *Public Ledger*, April 16, and April 22, 1839. In the latter report, Mary stated that her real last name was Woodward.

¹⁰⁶ *Pittsburgh Daily Morning Post*, March 25, 1847.

inconsistent with accepted middle-class mores.”¹⁰⁷ Abelson notes that there was a lack of self-restraint amongst these women who could not resist the desire to shoplift. We have little way of knowing how the women in Philadelphia and Pittsburgh felt about their larcenies. Due to the useful, basic nature of the articles stolen, it may be that these pilfering women saw their actions as a means to survive or help their living situation in difficult times.¹⁰⁸ It is probable that these women were of a lower social class and had fewer qualms about their stealing, especially if it was committed out of necessity, unlike middle-class shoplifters who saw their behavior as deviant and potentially hurtful to their reputations. On the streets of a city, particularly in lower class neighborhoods, reputations were probably not as important.

Even if the female offenders who committed larcenies were of a lower class, the desire for respectability played a role in many of these crimes. Some women used the trappings of respectability to get away with crimes, others stole because they wanted the material items that would make them seem like respectable women. When Mary Hildebrant, a young German girl of seventeen, was arrested in Philadelphia, authorities found in her possession: “watches, jewelry, silk and satin dresses, coats, vests, pants, cutlery, and almost every moveable article mentionable.”¹⁰⁹ The reporter noted that “she

¹⁰⁷ Abelson, *When Ladies Go A-Thieving*, 15-16.

¹⁰⁸ Female thieves in late medieval England appeared to steal similar items, stealing goods such as clothing, food, household items – items that were less valuable and more practical. Thefts by females were more frequently prosecuted in urban areas, and interestingly, more women were theft suspects than men. See Jones, *Gender and Petty Crime in Late Medieval England*, 33. Theft by females in early modern Germany was commonly committed by the urban poor out of necessity for survival. Many took advantage of opportunistic situations to steal for their personal benefit. See Rublack, *The Crimes of Women in Early Modern Germany*, 112, 119.

¹⁰⁹ *Huntingdon Globe*, February 20, 1851.

is very good looking and always was very well dressed which prevented suspicion.”¹¹⁰

Like the female swindlers who used the guise of respectability to conduct their cons, Hildebrant used her beauty and seemingly wealthy-looking apparel to avoid suspicion by the authorities. It is in these types of cases where societal notions of what it meant to be a respectable woman clouded some people’s judgments about who could be seen as a criminal. In addition, Hildebrant seemed to understand how the public viewed women and used that definition as a cover to commit crimes.

Likewise, Mary Beck, arrested for committing a series of thefts at houses where she was employed as a domestic, used her appearance to elicit sympathy from officials. Several families for whom she worked testified that their goods had gone missing. Beck was described as “a young woman of genteel appearance.” Her appearance seemed to help her in court. Only a short time earlier, Beck had been convicted of larceny but had been “recommended to mercy” by the jury. Her good looks “created a good deal of sympathy for her and owing to the intercession of persons who felt an interest in her, she was liberated by the Judge.” She was not so lucky the second time around and was committed to prison to await a trial.¹¹¹

In 1855, a lengthy larceny trial filled the columns of the *Pittsburgh Daily Dispatch*. Emeline Keating was tried for grand larceny in the Court of Quarter Sessions. Keating was “a respectable young lady of rather prepossessing appearance, and owns a farm of land.”¹¹² During a visit to the Cadwalder Evans family home in Pittsburgh,

¹¹⁰ Ibid.

¹¹¹ *Public Ledger*, February 9, 1860. All quotations in this paragraph are from this issue.

¹¹² *Pittsburgh Daily Dispatch*, January 11, 1855. In the United States Census Records for 1850, an Emeline Keating was found in Washington County, born in 1829 in Ireland. She was 21 at the time of the census,

Keating “purloined \$1,600 from a bureau in Mrs. Evans’ bed room.”¹¹³ Keating, according to Mrs. Evans, was “papering a room” and had a box on the bed, in which were gold coins that belonged to the Evans’ family. When Mrs. Evans found the money, Keating “rushed towards where I was, threw me on the bed; and took the bag from me, saying she was ruined and that it was Mr. M’Lain’s money.”¹¹⁴ Mrs. Evans apparently believed her at first, and it was not until after Keating left the house when she realized her money was missing. Mr. Evans, (who had died between the time of the theft and the trial) followed Keating to Washington, where she said she was going to get money from Mr. M’Connaghy’s estate that she was owed. M’Connaghy apparently had raised Keating. After returning from Washington, Mr. Evans and Emeline Keating met with a Judge who said Keating’s story about the estate was a lie since the executors claimed no money was willed to Keating and that it was clear the money she had in her possession belonged to the Evans family. Keating gave \$350 back to Mrs. Evans, saying, “that’s all I can account for now – that \$350” having used the remaining \$1250 already.¹¹⁵

Keating told her side of the events in question when the Commonwealth had finished their case. She claimed Mrs. Evans had invited her to visit. During the visit, Mr. Evans “made several indecent propositions to her.”¹¹⁶ Offended, Keating threatened to tell Mrs. Evans of his conduct and after leaving told someone else how Evans “had acted

and if this is the same Keating, she would have been 25 or 26 at the time of the crime. See 1850 U.S. Federal Census, Pennsylvania, Washington County.

¹¹³ *Pittsburgh Daily Dispatch*, January 11, 1855.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ *Pittsburgh Daily Dispatch*, January 12, 1855.

towards her, and stated that he had frequently offered her large sums of money.”¹¹⁷

Keating was advised to take the money if he offered it again. At a later date, Mr. Evans had again insulted her and offered \$600 in gold to “purchase her silence.”¹¹⁸ This was part of the money that Mrs. Evans had found to be missing and “Mr. Evans, not wishing to acknowledge what he had done, joined in charging Miss Keating with stealing it.”¹¹⁹ Other witnesses for the defense testified that Mrs. Evans had mentioned that they had imprisoned Keating in their house since she had stolen the money. In addition, multiple character witnesses were brought by the defense to testify, and all stated that Emeline Keating’s “general reputation as a lady of integrity and honesty has been good.”¹²⁰

After two conflicting stories, complicated by the absence of Mr. Evans due to his untimely death by cholera, the jury acquitted Emeline Keating.¹²¹ It is possible that the stories of Mr. Evan’s inappropriate advances towards Keating, reports of an illegal imprisonment in the Evans’ house, and her character witnesses allowed the jury to believe Keating even after testimony that she admitted to Mrs. Evans she could only account for \$350 of the missing money. Even with that admission of possessing the money, there was insufficient evidence to prove she had stolen it or whether it was given to her by Mr. Evans as ‘hush money.’ The jury may have seen Emeline Keating as a victim and felt sympathy towards her. The newspaper reported that she was “a young woman of respectability, good character and great personal attractions,” which may have

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ *Pittsburgh Daily Dispatch*, January 13, 1855.

¹²¹ *Pittsburgh Daily Dispatch*, January 15, 1855; *Pittsburgh Gazette*, January 11 to 15, 1855.

played a role in the positive outcome for Keating. Keating's trial represents another case where the defendant's alleged respectability and pleasing physical appearance may have been to her advantage. Although she was acquitted, it is possible that she actually stole the money and that her appearance, reputation, and societal notions of proper womanhood may have fooled the jury into seeing her as a victim.

Several reports of larcenies indicate that some women stole because they desired goods that would make them appear wealthier. In a particularly long description of a crime of theft, the *Ledger* took the opportunity to editorialize on this trend in larceny. An unnamed girl, "respectably dressed" was charged with stealing items, including a ring, from her employer's home. Upon the stolen articles being discovered in her possession, the girl "confessed that she had committed a foolish act, and begged that they would not send her to prison." The judge, although recognizing that the girl was sorry for her deed, upheld the law and committed her to jail for an unreported length of time. What is most interesting about this case is the reporter's speculation on why the girl committed the crime:

we should incline to the belief that the motive which prompted her to commit this act, was that love of finery which is too frequently displayed by girls in an humble situation, and which is as unbecoming the sphere they occupy, as it is impossible honestly to indulge in out of the wages received by them. To gratify this taste, petty larcenies, if not something worse, are not unfrequently resorted to, which, by being successfully practised at first, before suspicion is awakened, leads to bolder embezzlements and articles of more value are appropriated. Then it is that an exposure takes place, and the girl ruined in reputation sinks gradually from one crime to another until she is to be found in the lowest depths of inhuman degradation. A similar disposition to 'show out' beyond what the means of the person will honestly allow, extends itself at present throughout every class of society, and is breaking down all the conscientious scruples which are usually the guide and test of conduct.¹²²

¹²² *Public Ledger*, June 6, 1839.

This excerpt is particularly interesting because it illuminates the societal fears of class lines being breached, an anxiety over the growing desire for luxury which may lead to future crime, and also the general worry that an individual's spirals into crime, if allowed to continue, would weaken society. Such acts of larceny, which were not limited to any one class, raised broader concerns that people were attempting to live beyond their means and in so doing were undermining established societal values.

Another example corroborates this sentiment. In December 1841, Hester Ann Anderson was committed “for the larceny of a lady’s cloak, worth \$60, and a pair of gum shoes, the property of a lady in whose family she was employed as a domestic.” In the report, Hester claimed that she planned to return the items after church for she “had only borrowed them to look well in the congregation.” The author judged her conduct as unbecoming: “if this story is true she was actuated by a motive prevalent to a lamentable degree in all classes of society, and which as in her case very often brings disgrace.”¹²³

Abelson’s study on shoplifting may add a bit of insight to this particular phenomenon. She contends that in the late nineteenth-century, people believed that women’s desire for shopping originated “in the inherent weakness of women and to rest upon the ‘savage passions’ – vanity and self-indulgence.”¹²⁴ Furthermore, because the consumer culture of the Victorian era made shopping a female task, shoplifting became “that role carried to excess.”¹²⁵ Although these women were not always working-class

¹²³ *Public Ledger*, December 4, 1841.

¹²⁴ Abelson, *When Ladies Go A-Thieving*, 30-31.

¹²⁵ DeGrave, *Swindler, Spy, Rebel*, 9. In addition, 19th century sensibilities determined that these women were not necessarily supposed to be considered thieves, but rather kleptomaniacs. Women who shoplifted were suffering from a disorder. *Ibid.* 9.

shoplifters, coveting goods to indulge the desire for beauty and social uplift appears to be a similar problem. Abelson also notes that before the Civil War, “appearances seemed to count far more than reality” which created a fear of “the corrupting consequences of their own burgeoning materialism.”¹²⁶ This particular comment echoes that of the *Ledger*’s author who lamented the problem of the need to impress others.

The cases recounted above also represent another trope of antebellum larcenies: that of thieving domestic servants.¹²⁷ In Philadelphia, Hester Luff stole several articles of outerwear from her employers after gaining their confidence. The morning after Luff had left, the family came downstairs to discover that coals had burned through a carpet and wooden chairs placed nearby – evidence that Luff may have tried to set the house on fire. Upon her arrest, Luff admitted to the thefts but not the attempted arson. She was committed to prison to await trial.¹²⁸ Wearing apparel and bedclothes seem to be common items stolen by domestics, items that were easily accessible to domestics and washerwomen.¹²⁹

Many of these cases do not say whether the young women were convicted and sentenced for their offenses. One case, however, does mention a prison sentence. Mary Lewis, who stole “three dresses, a bracelet, and some shoes” from her employer was

¹²⁶ Abelson, *When Ladies Go A-Thieving*, 32.

¹²⁷ This was also a common problem in early modern Germany, but in the cases where domestic servants were caught stealing, they often were dealt with informally by their employers, with a reduction in wages or being dismissed. Rarely were they taken to trial. Rublack, *The Crimes of Women in Early Modern Germany*, 99.

¹²⁸ *Public Ledger*, January 30, 1839.

¹²⁹ *Public Ledger*, May 14, 1841 and September 2, 1851; *Pennsylvania Inquirer & National Gazette*, December 12, 1844.

sentenced to two years and six months in the county prison.¹³⁰ This is the only case of larceny where the race of the defendant was noted. The fact that Lewis was African-American may help explain the harsh sentence she received. In no other instance was the defendants' race mentioned, implying they were likely white. Race probably played a role in sentencing practices, with harsher punishments being dealt to blacks and immigrants.

These young women seemed to be tempted by the luxury items in the homes of the families for whom they worked. While the temptation to steal may have been influenced by the desire to look respectable, it is also very likely many viewed these purloined goods as compensation for poor wages and harsh working conditions.

Female Thieves Sentenced to State Penitentiaries

It is under the category of property crimes that one begins to see evidence of women being sentenced to either Eastern or Western State Penitentiary.¹³¹ What is striking about these particular cases is that there is not much difference between the amount and value of property stolen and those taken by petty larcenists. In 1838, Elizabeth Lennox, an African-American, was sentenced to three years at Eastern State by the Court of Criminal Sessions in Philadelphia for stealing “a pocketbook containing \$20.”¹³² Lennox, known in the Eastern State records as Eliza Lenox, appears to have been arrested earlier for larceny and sentenced to Eastern State for a term of two years.

¹³⁰ *Pennsylvania Inquirer & National Gazette*, January 11, 1845.

¹³¹ For more information on the experiences of women under the state penitentiaries' regimes, see Chapters 5 and 6.

¹³² *Public Ledger*, December 31, 1838.

At the beginning of her second term, she was twenty and was characterized as being a light mulatto, a little over five feet, with a scar over her right eye and left cheek. She had been employed as a servant, could read and write, was married and had a drinking habit. She was released on December 29, 1841.¹³³ As a recidivist, it was not unusual that she would be sent back to the penitentiary for this second larceny. Any punishment less than a return to Eastern State probably would not have had any effect on Lennox; it is evident her first stay did not produce the moral reform the officials of the prison desired in their inmates.

As in Lennox's case, Elizabeth Green simply pled guilty to the charge of larceny of a significant amount of "wearing apparel."¹³⁴ Instead of simply waiting for the court to sentence her, Green asked the judge to send her to Eastern State "in preference to the County prison, for she said she liked the quarters there better than at the Moyamensing prison."¹³⁵ The judge honored her request, sentencing her to three years. She had only recently been released from Eastern State, where, as Elizabeth Brown, she had spent three years for larceny. The register described her in 1841 as an illiterate, twenty-one year old mulatto. Brown was married at the time; had been a servant and had a drinking problem. She was released in March 1844, only to be sentenced again to three years in July 1844. She was released in July 1847.¹³⁶ In addition to her time at Eastern State, Brown must

¹³³ "Descriptive Registers, 1829-1903," Record Group 15, Bureau of Corrections, Pennsylvania State Archives, Harrisburg, Pennsylvania. Hereafter "Descriptive Registers."

¹³⁴ *Philadelphia Ledger*, July 11, 1844.

¹³⁵ *Ibid.* See Chapter 5 for more information on the conditions of both the state penitentiaries and county prison in Philadelphia. Due to the chaos and lack of discipline in the county prison, it is in some ways unsurprising that Green preferred the order and solitude of the penitentiary.

¹³⁶ "Descriptive Registers."

have been imprisoned at Moyamensing at some point in her life to have requested that she serve her second sentence in the penitentiary.

Sentenced to two years at the penitentiary by the Court of General Sessions was Mary Woodward, a black woman, who was “charged with stealing a shad, a loaf of bread, a pound of butter, and a bowl...altogether of the value of \$1.25.” The newspaper reported that Woodward had “an extraordinary appetite, and accounts for it by being afflicted with a tapeworm” even though she failed to mention this to the jury. The reporter humorously pondered whether or not “the prisonkeepers received instructions to gratify Mary’s appetite with shad.”¹³⁷ According to prison records, Mary Woodward was thirty-two at the time of her imprisonment, was just over five feet tall, and had a scar on her right eyebrow. She served her time and was released on May 14, 1842.¹³⁸ While unconfirmed, it is possible that this Mary Woodward was the same Mary (Stealinggoods) Woodward discussed above in note 100. If this is the same person, it is understandable why she was sent to Eastern State Penitentiary for the second crime, having apparently not learned her lesson from her imprisonment in Moyamensing. Another possibility is that the court in which Woodward was tried may have been the deciding factor in the punishments, as most of the women sent to Eastern State were tried in the Court of Oyer and Terminer or local courts that held Oyer and Terminer jurisdiction.¹³⁹

¹³⁷ *Public Ledger*, May 15, 1840.

¹³⁸ “Miscellaneous Descriptive Books, 1829-1842,” Record Group 15, Bureau of Corrections, Pennsylvania State Archives, Harrisburg, Pennsylvania. Hereafter “Miscellaneous Descriptive Books.”

¹³⁹ Refer to note 25 above regarding the chaotic nature of the criminal courts of Philadelphia in the 1830s. Mary Woodward and Elizabeth (or Eliza) Lennox were not the only African American women sent to Eastern State. Rosanna LaCount and Maria Johns were sentenced to three years each for stealing. *Philadelphia Ledger*, November 25, 1839. Rosanna LaCount was 24, from Philadelphia, skin color light black, and was single. She was sober and could read. Her partner in crime, Maria Johns, was 23, born in Baltimore, mulatto and had a scar on her lip. Both women served their full sentences and were released on

European immigrants often found themselves the subjects of the criminal courts. Elizabeth Robeson, aliases Thompson and Marshall, a German immigrant, was sentenced to one year at the penitentiary for creating a \$10 counterfeit note.¹⁴⁰ At her admission to the penitentiary, she was forty-three, had a swarthy complexion with blue eyes and dark hair and was a little over five feet. She was released on June 3, 1841.¹⁴¹ Elizabeth Wagstaff, an English immigrant, was sentenced to two years in the penitentiary for stealing clothing. She was a nurse, aged 25 years, could read and write, was single and temperate, and was eventually pardoned for her crime.¹⁴²

These Eastern State records help to create a more complete picture of the female criminal element in Philadelphia.¹⁴³ Although they provide a sense of their appearance and personal habits, there is little record of their experiences in prison. Together with newspaper accounts, however, they do provide a record of the prisoners' race and ethnicity, factors that may have played a role in the way authorities categorized and treated certain criminals. One editorial in the *Ledger* discussed the role of ethnicity in

November 23, 1842. Other records report that both women were 21, and that Maria Johns could also read and would often get drunk. "Miscellaneous Descriptive Books" and "Descriptive Registers."

¹⁴⁰ *Public Ledger*, June 4, 1840.

¹⁴¹ "Miscellaneous Descriptive Books."

¹⁴² *Pennsylvania Inquirer and National Gazette*, March 9, 1845 and *Descriptive Registers*, 1829-1903. Wagstaff continued to plague city officials with her sprees of crime. She was sentenced to Moyamensing prison in the 1850s and made quite a nuisance of herself to the staff, finding herself often punished for her misbehavior. See chapter 5 for Wagstaff's experiences in Moyamensing.

¹⁴³ Women who committed larceny also got sent to Western State Penitentiary. In Pittsburgh, at least two cases of larceny that were reported in the local newspapers resulted in penitentiary sentences to Western State for female offenders. Lucy Armstrong, was sentenced to one year for stealing a gold eagle. Armstrong was 21, had a yellow complexion, was from Arkansas, and did housework for a living. Elizabeth Latimer was sentenced to 18 months for larceny. She was a 46 year old washerwoman from Maryland and had a yellow complexion. *Pittsburgh Daily Morning Post*, March 27, 1847, and November 22, 1847 and "Descriptive Registers, Western State Penitentiary," RG 15 Bureau of Corrections, Western State Penitentiary Papers, Pennsylvania State Archives, Harrisburg, PA. Hereafter, "Descriptive Registers, WSP."

crime, referring to German immigrants as “ignorant, besotted, destitute, they wander about our streets, begging, pilfering and...extending their depredations to offences of a bolder character.”¹⁴⁴ Appendices D and E provide a demographic breakdown of female inmates in the state penitentiaries.

Although a brief discussion on why authorities targeted certain populations as criminals was made earlier, a deeper examination is necessary, especially considering that the women sent to Eastern State were all members of minority populations.¹⁴⁵ Mark Kann argues that contemporaries of the Early Republic and antebellum years, such as Alexis de Tocqueville and Gustave de Beaumont, contended that “misbehavior by free blacks and recent immigrants was the major source of public disorder.”¹⁴⁶ They believed that upon finding liberty for themselves, these groups could not handle the freedom and could not control their actions.¹⁴⁷ Furthermore, the sense that “cities attracted large numbers of marginal people – white vagrants, free blacks, and recent immigrants – who embodied a potential for revolt” caused a great sense of anxiety for the populace and may help to explain a much higher percentage of convicted free blacks and immigrants in Philadelphia. Kann suggests that “reformers’ model for managing people who did not fit hegemonic expectations was [analogous to] white America’s treatment of Indians” when “free blacks and poor immigrants convicted of vagrancy, disorderly conduct, and other petty crimes were removed in disproportionate numbers to state (and local) prisons and to

¹⁴⁴ *Public Ledger*, November 5, 1839.

¹⁴⁵ The same holds for the two women sent to Western State. Armstrong and Latimer were both African American. See note 143.

¹⁴⁶ Kann, *Punishment, Prisons, and Patriarchy*, 16.

¹⁴⁷ *Ibid.*

other jurisdictions.”¹⁴⁸ Kann’s contention fits into the framework of institutionalization that became accepted policy in the 1820s and 1830s.

The tenuousness of race and ethnic relations in the antebellum era suggested by scholars and contemporaries demonstrates the prevalence of this anxiety and helps to explain why there might be a higher proportion of minority criminal offenders. According to an editorial comment in the *Ledger* the “mass of our convicts may be divided into two classes – the free colored persons, and foreigners.” The author continued: “The number of colored persons in our prisons is, when the extent of that population is compared with the other, fearfully great... [but] their various social disadvantages are so great, that we need not marvel at their moral debasement.”¹⁴⁹ When considering the free black population in cities during the early nineteenth-century the “social equilibrium...seemed unstable and very tenuous.” Many Americans viewed free blacks as possessing “neither the talent nor the inclination to develop into a good republican citizen.”¹⁵⁰ White prejudice stood in the way of equality and manifested itself during Philadelphia’s numerous race riots during the antebellum era.¹⁵¹ Characteristics that shaped the United States in the nineteenth-century, such as urban development, the rise in industrial production, and immigration led to the prevalence of racism in the

¹⁴⁸ Ibid. 211.

¹⁴⁹ *Public Ledger*, November 5, 1839.

¹⁵⁰ David M. Streitford, “The American Colonization Society: An Application of Republican Ideology to Early Antebellum Reform” *The Journal of Southern History* 45, no. 2 (1979): 220.

¹⁵¹ David Johnson, “Crime Patterns in Philadelphia, 1840-1870,” in Allen Freeman Davis, ed. *The Peoples of Philadelphia: A History of Ethnic Groups and Lower-Class Life*, (Philadelphia, Temple University Press, 1973), 100.

city.¹⁵² While these racial attitudes were directed at men and women, Kann writes that “the fact that a high percentage of female criminals were black or impoverished immigrants made it easy for citizens to stereotype them as ‘fallen,’ ‘unnatural,’ and ‘beyond the pale of moral rehabilitation.’”¹⁵³ Race and ethnicity seemed to influence how courts treated criminal offenders, as is evident from the treatment of female offenders in this study. The sentencing patterns reflected a wider social mindset towards marginal populations that prevailed in the antebellum era.

Conclusion

The women who committed moral offenses and property crimes described in these pages threatened the order and stability of the antebellum cities. Their actions and criminal lives represented the fears of an urban society over race, ethnicity, crime, poverty, and womanhood. This is evident in the portrayals and treatment of the offenders that crossed the pages of the newspapers in Philadelphia and Pittsburgh. Their exploits defined the antebellum ‘fallen woman,’ a figure that threatened the stability of the city, and raised broader questions over concerns about how city officials chose to deal with increasing urban crime in the nineteenth-century. Criminal women deviated greatly from the idealized version of antebellum womanhood, and yet those women who committed the types of crimes examined in this chapter represent the poverty and tribulations of antebellum city life. This type of environment raises the question of whether these women could ever have lived up to society’s idealized woman. Even if they strove to

¹⁵² Theodore Hershberg, “Free Blacks in Antebellum Philadelphia,” in *The Peoples of Philadelphia*, 128.

¹⁵³ Kann, *Punishment, Prisons, and Patriarchy*, 193.

achieve respectability or possibly a wealthier status, their criminal actions excluded them from the realm of potential respectability. It is striking, however, that respectability played such a role in the committal of property crimes by women, suggesting the pervasive nature of the desire and expectation that women would fit into the definition of respectability.

While the individual voices of the women mostly remain silent, their stories, often only told through newspaper columns, act as a specific medium through which historians can examine antebellum life. These mediated voices, unfortunately, limit the possibility of understanding the full reality of their situations and the motivations that led them to paths of crime. In the absence of their authentic words, the portrayal of their crimes and the judicial and social response to them illustrate not only how antebellum society treated female offenders but also indicate public fears that pervaded the urban communities of Philadelphia and Pittsburgh as they navigated great social changes during the antebellum years.

CHAPTER III

HER “DEPRAVED BOSOM”: VIOLENT FEMALE CRIMINALS AS SOCIAL OUTLAWS

On September 27, 1853, J. Simpson Africa, a notable citizen of Huntingdon, Pennsylvania, noted in his diary: “Samuel Harris made complaint before my father against Elizabeth Harker for poisoning Mrs. Harris, his wife.”¹ Making the situation even more suspicious was the fact that John Harker, Elizabeth’s husband, had died mysteriously in May of 1853. While Elizabeth Harker was in jail awaiting trial for the murder of Mrs. Harris, several doctors and other members of the community disinterred John’s body for an examination. Africa notes in his journal that on November 8, 1853, his father along with the physicians made “an examination of the stomach of John Harker deceased, who, it is supposed, was poisoned by his wife who is now lying in our Co. jail awaiting her trial for poisoning her sister Mrs. Harris, wife of Samuel Harris.”²

Harker, aged 65, was tried for the murder of Mrs. Harris in Huntingdon County in November 1853. As *The Globe* reported, the closing argument of the prosecution was “clear, calm and methodical” and presented a “most appalling array of facts against the prisoner” which would “overwhelm every objection, and sweep away every reasonable doubt of her guilt.”³ The countenance of Harker was discussed in the newspaper

¹“Many Tales Persist of Betsey Harker, Accused Murderess,” *Rung’s Chronicles of Pennsylvania, Volume 1* (Huntingdon Pennsylvania: Huntingdon County Historical Society, 1977), 408.

²“Harker Story Recalled,” *Rung’s Chronicles of Pennsylvania, Volume 2* (Huntingdon, Pennsylvania, Huntingdon County Historical Society, 1984), 184.

³*The Globe*, November 23, 1853. Census records for Huntingdon County in 1850 reveal a John Harker and Elizabeth Harker, aged 61 and 60, respectively, living in Walker Township. The same census records a

coverage as well. It was reported that during the early portion of the trial, “the prisoner seemed but little affected by her awful situation; but as proof after proof was elicited, fastening the guilt unmistakably upon her, her courage gave way, and her tears, and sobs, added not a little to the painful and embarrassing duties of the Court.”⁴

Harker was found guilty of murder in the first-degree, a crime which carried a penalty of death according to Pennsylvania law.⁵ The judge’s sentencing speech tells a great deal about how the judge, jury, and probably the public, viewed Harker, and suggests how antebellum society, more broadly, might view other female murderers. “Your crime shocks us, and shocks all” the judge declared, “it is MURDER – murder by POISON; deliberately and cruelly administered.”⁶ He suggested that Harker was motivated by jealousy and greed, saying that Harker “visited at her [Harris’s] home having first provided yourself with poison for the purpose of destroying her life to make that home yours.”⁷ The judge recounted the events of the crime, including the prolonged sickness and slow death of Mrs. Harris due to arsenic poisoning. The judge even told the crowd in the courtroom that during the sickness Harker went “up stairs planning how *you* would manage the affairs of the house, and even the disposition you would make of her

Samuel Harris and Margaret Harris, 50 and 49, respectively, living in Penn Township. The two townships are neighboring. See U.S. Federal Census for 1850, Pennsylvania, Huntingdon County, Walker Township and Penn Township.

⁴ *The Globe*, November 23, 1853.

⁵ Louis P. Masur, *Rites of Execution: Capital Punishment and the Transformation of American Culture, 1776-1865* (New York: Oxford University Press, 1989), 71. The law to make first-degree murder the sole capital crime was enacted in 1794. For specific wording of the law, see *Report of the Commissioners on the Penal Code, With Accompanying Documents* (Harrisburg: S.C. Stambaugh, 1828), 121. This is the 1828 revised Penal Code for Pennsylvania, but the genealogy of each section of the code is noted to see when the law was originally enacted.

⁶ *The Globe* November 30, 1853.

⁷ *Ibid.*

clothes!”⁸ He went on to say that Harker hid “the horrid secret” in her “depraved bosom,” and that others should view Harker’s experience as a lesson to those who might be considering committing a murder. Harker committed the crime, he stated, with “the very utmost wickedness and depravity of heart” which warranted a sentence of death by hanging.⁹ Harker was portrayed during the trial as showing emotion and anxiety over her situation, but during the sentencing speech, according to the newspaper, she “acted the part of the most hardened wretch, and received the sentence with a smile.”¹⁰

Two months later, it was finally concluded that John Harker, aged 66 years, had also been killed by arsenic poisoning, most likely administered through a meal of stewed greens that John had asked Elizabeth to prepare for him.¹¹ She was never tried for this second murder, most likely because she was under the sentence of death for killing Mrs. Harris. The evidence that she killed both her husband and sister seems to suggest strongly that her intentions were to marry Mr. Harris and take over that household. Harker spent the rest of her life in prison, but was never hanged for her crime. She died of a sickness in her prison cell in November, 1855.¹² According to local sources, it was said that Harker had the freedom to leave the jail during the day and return to her cell at night.¹³

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ *The Globe*, January 4, 1854.

¹² Kerry Segrave, *Women and Capital Punishment in America, 1840-1899: Death Sentences and Executions in the United States and Canada* (Jefferson, NC: McFarland and Co., 2008), 24.

¹³ “Many Tales Persist of Betsey Harker,” 408.

The trial and demise of Harker suggests several things about women who committed violent crimes and the ways in which they were viewed by their local communities. Clearly, she was driven to murder by an unnatural jealousy. The fact that she used poison to dispatch her husband confirmed her community's worst fears.¹⁴ The disgust portrayed by the judge (and one can presume he was not alone in his sentiments, particularly in a small community) illustrates that the public often saw violent female offenders as wretched, almost inhuman, and certainly unfeminine. These perpetrators became pariahs, or 'social outlaws,' because their criminal actions were so far removed from how society expected a woman to behave.¹⁵

This chapter explores the motivations, crimes, and trials of women who committed violent offenses. It will look at cases from across the state of Pennsylvania and will explore, in part, how location may have played a role in the crimes and the outcomes of the trials. Furthermore, this chapter will interrogate what it meant to be a respectable woman and how these women broke that mold and became social outlaws.

I argue in this chapter that women who committed violent crimes came to be seen as social outlaws because their violent acts placed them beyond the boundaries of acceptable womanhood. Because of their actions, they were seen by the public as no longer human. Instead, they were viewed as monsters, wretches, beings that were beyond hope of being reformed. Violent women exemplify this more than other types of female

¹⁴ In many cases where women murdered, poison was generally the weapon of choice to dispatch victims. Arsenic was most common, but some women also used cyanide or mercury. Roger Lane, *Murder in America: A History* (Columbus: Ohio State University Press, 1997), 202. According to nineteenth-century Italian physician and criminologist Cesare Lombroso, "poisoning is one of woman's most frequent crimes." Cesare Lombroso and Guglielmo Ferrero, *Criminal Woman, the Prostitute, and the Normal Woman*, trans. Nicole Hahn Rafter and Mary Gibson (Durham, NC: Duke University Press, 2004), 98.

¹⁵ This chapter originated from a conference paper presented in March 2011 at the Society for Interdisciplinary Study for Social Imagery entitled "The Image of the Outlaw" where I used this term social outlaw.

offenders, although all female criminals, to some extent, might be considered part of this category of social outlaw. At the same time, I contend that ideas of womanhood and femininity played a role in the motivations of the crimes. The motives that drove women to commit crimes show that they were fully human and illustrate their characteristics and propensities as women. Some women were ruled by their emotions and passions in the commission of crime. Some murders were committed over jealousy, love, revenge, or desperation. There is a push-pull effect at work here. Women broke the mold of acceptable womanhood by their actions, but they were still bound by it in their motivations to commit crime. This double standard was played out during trials, where the defendant's womanhood was questioned and had a profound influence on whether the woman was acquitted or convicted.

Nineteenth-Century Definitions of Womanhood

Historians have discussed at length what it meant to be a good, virtuous woman in nineteenth-century United States. Characteristics of true womanhood, according to Bruce Dorsey, included “her supposedly inherent feminine capacity for compassion and charity.”¹⁶ Other social characteristics women were supposed to have included “nurturance, intuitive morality, domesticity, passivity, and affection” which were considered to be biological traits.¹⁷ Furthermore, these ‘true women’ were supposed to

¹⁶ Bruce Dorsey, *Reforming Men and Women: Gender in the Antebellum City* (Ithaca, NY: Cornell University Press, 2002), 88.

¹⁷ Carroll Smith-Rosenberg and Charles Rosenberg “The Female Animal: Medical and Biological Views of Woman and Her Role in Nineteenth-Century America” *The Journal of American History* 60 no. 2 (1973): 332-356 (334).

“demonstrate their purity through chaste language, severe standards for judging others, and carefully monitored behavior in and out of the home.”¹⁸ Mothers were supposed to teach moral values to their children and be the beacon of virtue.¹⁹ These ideas influenced the development of the ‘separate spheres’ ideology of the nineteenth-century when, it was argued, men and women operated in separate, but equal spheres of influence. While men ran the public sphere, women’s domain was the home where they “would oversee the household, raise the children, and regulate the family’s moral and spiritual life.” The two spheres created a harmonious social balance.²⁰ Mary Ryan argues that by the 1830s, society “was loath to call the female sex unequal or designate her sphere as inferior, subordinate, or servile. Woman’s place was only different, as she was. Hers, in fact, was a far better place than the rough and tumble world of work, war, and politics, and woman’s superior nature – pure, pious, and gentle – entitled her to reign there.”²¹ In a society where men were expanding the nation, literally, by moving west and developing

¹⁸ Martha Saxton, *Being Good: Women’s Moral Values in Early America*, (New York: Hill and Wang, 2003), 11.

¹⁹ Rosemarie Zagari, *Revolutionary Backlash: Women and Politics in the Early American Republic* (Philadelphia: University of Pennsylvania Press, 2007), 5. This is the idea of Republican Motherhood, which was pioneered by Linda Kerber in *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980). While Kerber focused on the Revolutionary Era and the Early Republic, vestiges and new formations of the ideal of Republican Motherhood continued well into the nineteenth-century. See also Barbara Welter, “The Cult of True Womanhood, 1820-1860” *American Quarterly* 18 no. 2 part 1 (1966): 151-174; Nancy F. Cott, *The Bonds of Womanhood: “Woman’s Sphere” in New England, 1780-1835* (New Haven: Yale University Press, 1977); Linda K. Kerber, “Separate Spheres, Female Worlds, Woman’s Place: The Rhetoric of Women’s History” *The Journal of American History* 75 no. 1 (1988): 9-39; Barbara J. Harris, *Beyond Her Sphere: Women and the Professions in American History* (Westport, CT: Greenwood Press, 1978) particularly chapter 2, “The Cult of Domesticity.”

²⁰ Zagari, *Revolutionary Backlash*, 134, 135. As early as 1820, Mary Ryan argues, women’s roles had diminished into “little more than a core of private domestic responsibilities.” See Mary Ryan *Womanhood in America: From Colonial times to the Present* (New York: New Viewpoints, 1975), 106. One can see the beginnings of the separate sphere ideology.

²¹ Ryan, *Womanhood in America*, 139.

new technologies, women controlled the home-front, and society placed them on a “pedestal labeled ‘mother of civilization.’”²² This is a reformulation of the Republican Motherhood ideal, where women still held the traits of virtue and domesticity, but were seen as beacons of virtue in a quickly expanding nation.

The Second Great Awakening, beginning in the early nineteenth-century and continuing up through the 1840s and 1850s, also helped to shape the expected roles of acceptable and expected feminine qualities. Martha Saxton suggests that “through the revivals, republican virtues elided with Christian self-sacrifice, obedience, empathy, and the repression of aggression. Women’s presumed penchant for piety made them natural carriers of these virtues.”²³ The women examined in this chapter were the antithesis to this claim. Their crimes were not exhibitions of piety, morality, or non-aggression. These violent women acted outside the realm of what the revivals and secular society deemed appropriate for women.²⁴

Other scholars take a different approach on what directed women’s behavior. Barbara Cutter argues that the “ideology of redemptive womanhood” is what governed

²² Ibid. 145.

²³ Saxton, *Being Good*, 268-269.

²⁴ The historiography of women’s history has indicated that many women did not fit into the mold of acceptable womanly behavior. Impoverished women, female immigrants, and non-white women had a difficult time breaking into the sphere of respectable women. See S.J. Kleinberg, *Women in the United States, 1830-1945* (London: MacMillan Press, 1999) 42 and Harris, *Beyond Her Sphere*, 33. Even contemporary nineteenth-century women who accepted the domestic role of women spoke out against the sexual double standard women faced or moved beyond the sphere to engage in social reforms. See Nicole Tonkovich, *Domesticity with a Difference: The Nonfiction of Catherine Beecher, Sarah J. Hale, Fanny Fern, and Margaret Fuller* (Jackson, MS: University Press of Mississippi, 1997); Nancy A. Hewitt, *Women’s Activism and Social Change, Rochester, New York, 1822-1872* (Ithaca: Cornell University Press, 1984); Sylvia D. Hoffert, *When Hens Crow: The Woman’s Rights Movement in Antebellum America* (Bloomington: Indiana University Press, 1995); and Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century* Revised Edition (New York: Hill and Wang, 1999) as some examples of studies of women who did not fit the definition of women in the cult of domesticity. I am suggesting that criminal women make up one more group of females who fail to fit in this category, but help to reinforce its meaning in antebellum society.

antebellum women's behavior. This ideology includes the idea that "women were more pious, moral, and nurturing than...men and that these qualities gave them a duty to protect the nation's virtue."²⁵ In essence, women were specially invested with moral virtue and the obligation to redeem others. Cutter also argues that "the female murderer did not just destroy her family; she directly threatened society."²⁶ Building on Cutter's suggestion that female murderers threatened society by their actions, I contend that violent female offenders blasted through the boundaries of expected womanly behavior and upset the social order because their crimes fell into what was considered the male preserve of violent behavior. Furthermore, these women were unsettling the sphere that women dominated. Because most crimes were committed in the family or in the home, these actions eliminated the sanctity of the private sphere. At the same time, the violent female offenders reinforced the definitions of acceptable female behavior by their deviance and were oftentimes bound by those definitions when the motivations of their crimes were examined by the court.

Although most violent crimes committed by women were assault and battery offenses, this chapter focuses on more serious crimes such as infanticides and murders.²⁷ A little less than one-third of all the crimes committed by women were violent crimes. Table 4 shows the breakdown in type of violent crimes committed by women; Table 5,

²⁵ Barbara Cutter, *Domestic Devils, Battlefield Angels: The Radicalism of American Womanhood, 1830-1865*, (DeKalb, IL: Northern Illinois University Press, 2003), 21.

²⁶ *Ibid.*

²⁷ Out of the 6035 indictments of female criminals I gathered for my sample, 1929, or 31.9% of indictments were violent crimes. 1817 or 94.2% of all violent crimes were assaults and batteries. Thirty percent of all female crimes were assaults and batteries. I chose to focus on the more serious violent crimes because of the more detailed coverage of these crimes which provides for a more thorough analysis.

county by county percentages of violent crimes committed by women. See Appendices B, and C for maps and the violent crime rates of women in my sample.

Table 4: Violent Crimes Committed by Women from Sample²⁸

| Crime (indictment) | Number of indictments (of the 1929 violent crimes) | Percentage of indictments (of the 1929 violent crimes) |
|-----------------------------------|--|--|
| Assault and Battery | 1817 | 94.2 % |
| Infanticide | 7 | .36% |
| Murder of Bastard Child | 11 | .57% |
| Murder of Bastard Child and | 9 | .47% |
| Concealing Death of Bastard Child | 33 | 1.7% |
| Murder | 44 | 4.7% |
| Poisoning | 7 | .36% |
| Attempt to Murder | 1 | .05% |
| Accessory to Murder | 1 | .05% |

Table 5: Percentage of violent crimes perpetrated by women, by county

| County | Percentage |
|--------------|------------|
| Adams | 21% |
| Allegheny | 33.1% |
| Bedford | 41.3% |
| Berks | 51.9% |
| Chester | 36.2% |
| Cumberland | 16.8% |
| Dauphin | 20.4% |
| Erie | 17.9% |
| Huntingdon | 52% |
| Lancaster | 29.9% |
| Luzerne | 33% |
| Mifflin | 39.1% |
| Philadelphia | 38.4% |
| Washington | 28.6% |
| Westmoreland | 48.1% |
| York | 27.1% |

²⁸Information gathered from the county court of quarter sessions dockets from 1820-1860. The number is as close as I could come, considering that several counties had dockets that had been lost, and that I sampled the dockets from Philadelphia only for the years 1820, 1825, 1830, etc.

In the cases of infanticides and murders, the female perpetrators have their character judged by the newspaper articles covering these crimes. From these articles, there is a clear sense of how the newspaper employees, and probably the rest of the community, viewed these women. The characteristics of antebellum womanhood are put on trial in the public forum by showing how violent women deviated from the norm.

Inhuman Mothers: Cases of Infanticide

Women were often the perpetrators of infanticide. In one Philadelphian case, occurring in February of 1837, “the infant was wrapt in a blanket, which was frozen to it...[It] came to its death by the neglect of its unnatural mother.”²⁹ Two days later, the newspaper reported that a lady noticed suspicious movement in a cemetery and upon investigation found pigs eating the corpse of a newborn child. The paper noted that the infant was covered in only “two shirt sleeves, in which it had been wrapped when thus murdered by its unnatural mother.”³⁰ On August 7, 1837, the *Philadelphia Public Ledger* wrote about an unknown infant boy whose “inhuman mother or other monster who left the child at the place where found, was so lost to all sense of decency as to leave it exposed entirely naked.”³¹ In Lewistown, Pennsylvania, located in the center of the state, two twin infant girls were found on the banks of the Juniata River, “who had no doubt been destroyed by their inhuman mother” who probably tossed them off a bridge.³² It is

²⁹ *Public Ledger*, February 16, 1837

³⁰ *Public Ledger*, February 18, 1837.

³¹ *Public Ledger*, August 7, 1837.

³² *Huntingdon Globe*, May 22, 1851.

striking that in all these reports, the identity of the mother is unknown. The anonymity of the perpetrator possibly frightened society and destabilized the safety of the community when the public and authorities knew a killer was in their midst and could not be identified. As Kenneth Wheeler suggests, it is difficult to know just how many infanticides took place. He argues that because the infants were small and easily hidden, and because people who found infant corpses could not always determine whether the baby had been born alive or stillborn made it incredibly difficult to prove an infanticide case.³³ The cases discussed above in which the perpetrator is not identified illustrate how easy it was for the crime to be committed and how difficult it was to charge someone with its commission. Table 6 indicates the small number of offenses dealing with the deaths of babies that made it to court.

Table 6: Breakdown of Types of Crimes against Children³⁴

| Crime (indictment) | Number of indictments (of the 1929 violent crimes) | Percentage of indictments (of the 1929 violent crimes) |
|--|--|--|
| Infanticide | 7 | .36% |
| Murder of Bastard Child | 11 | .57% |
| Murder of Bastard Child and Concealing Death of Bastard Child | 9 | .47% |
| | 33 | 1.7% |

³³ Kenneth H. Wheeler, "Infanticide in Nineteenth-Century Ohio" *The Journal of Social History* 31 no. 2 (1997): 407.

³⁴ Refer to note 28 above for sample information. In addition to the counties sampled, in my inquiry to county historical societies regarding female murderers, a few more cases of mothers indicted for acts of violence against their children. In Lebanon County, located in southeastern Pennsylvania, Eve Grist was indicted for infanticide in 1826. According to the inquest on the dead body, Grist "choaked and stopped the mouth and throat with leaves and ground" of the child, killing it. Later records fail to detail whether or not Grist was convicted. "Inquisition of an infant child" filed November 6, 1826. Courtesy of the Lebanon County Historical Society. Three cases in Indiana County exist of women who were indicted for murdering their bastard children and concealing the deaths of the children: Christina Dodson, June 1832; Margaret Steward, December 1845; Rolanda Boocks, December 1856. The dockets do not indicate whether any of these women were convicted. Docket Books 2-4, Indiana County Quarter Sessions, Clerk of Courts Office.

Other cases of infanticide illustrate the motivations that propelled women to commit the crime. Sarah Walton admitted to killing her baby by strangulation, saying that “trouble had caused her to commit the crime.”³⁵ In an incident in Carlisle, Pennsylvania, “a colored woman, a resident at the Poor House” gave birth to a child and “adopted the cruel and inhuman resolution of destroying its existence.” The mother cut the child’s throat and placed the dead infant in an outhouse. When she confessed to the crime, she told authorities that the father of the baby, who was also a resident of the Poor House told her to kill it.³⁶ In this case, one might be able to view the crime as a mercy killing by the parents who clearly did not have the means to support themselves, let alone a child. The motivations for this crime and that of Sarah Walton illustrate that sometimes necessity drove the commission of a crime, even one which seems on the surface to be heinous. It could be that these mothers felt that the best thing they could do was to not let the child suffer either from poverty or some other trouble.³⁷

Other articles on infanticide indicate the occupation or ethnicity of the perpetrators, which also speaks to the motivations for these women to commit the crime. In Pittsburgh, one article notes that Barbara Kean, a young woman of twenty from Germany, killed her child and placed the body in a privy. In Philadelphia, a sixteen year old domestic servant, Mary Craft, from Scotland, gave birth to an illegitimate baby boy

³⁵ *Public Ledger*, May 19, 1838.

³⁶ *Pennsylvania Inquirer and Daily Courier* February 24, 1838.

³⁷ In slave societies, some slave mothers resorted to infanticide to stop their children from having to experience slavery and to protect them from potential abuse. Furthermore, the act can be seen as “a way of protesting their enslavement and that of their children.” See Jane Landers, *Black Society in Spanish Florida*, (Urbana: University of Illinois Press, 1999), 185-191, and Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South*, (Chapel Hill: University of North Carolina Press, 1988), 323-324; Wilma King, “‘Mad’ Enough to Kill: Enslaved Women, Murder, and Southern Courts” *The Journal of African American History* 92 no. 1 (2007): 42.

and nearly severed his head to kill it. Margaret McDonough, who had only been in the United States six weeks since she arrived from Ireland, was also a servant who killed her illegitimate child.³⁸ These cases speak to the issue of young immigrant women, new to the country, who could not support a child and wanted to hide their shame of birthing illegitimate children. These cases, like the one from the Carlisle Poor House indicate the level of desperation that some of these young mothers faced when deciding to commit infanticide. While economic condition, occupation, or status as a recent immigrant to the United States may have influenced some mothers to commit infanticide, it is also possible that a mental impairment may have also played a role in why some women committed infanticide. Nineteenth-century contemporaries were aware of “new mothers’ erratic and harmful behavior, labeled as puerperal insanity of puerperal mania” which was sometimes associated with infanticide.³⁹ It is possible that some of the mothers in these cases exhibited some sort of temporary “madness” that influenced their motivation to kill their children.

Sometimes, when infanticide could not be proven, the mother was at least convicted of concealing the death of a child. Emeretta Clark was charged with infanticide after throwing her infant daughter into a sink to kill her. She was not found guilty of murder, but was convicted of concealing the death of a child who was born

³⁸ *Pittsburgh Daily Morning Dispatch*, December 4, 1846; *Philadelphia Public Ledger*, August 5, 1852; *Philadelphia Public Ledger*, January 21, 1853. Kenneth Wheeler argues that domestics were seen as mobile women, thus they could commit an infanticide and then simply leave their jobs and move to a new location without being caught. Wheeler, “Infanticide in Nineteenth-Century Ohio,” 411. While this may be the case in the examples of infanticide he examined in Ross County, Ohio, there is no indication that these cases in Philadelphia of domestics committing infanticide illustrated easy mobility, especially because these women were caught, and because they were immigrants, they may not have had the means to leave their position and search for another job.

³⁹ King, “‘Mad’ Enough to Kill,” 43.

alive. A few months after her imprisonment, she was released on a legal technicality.⁴⁰ Jane Callahan's case was similar. She was charged with both infanticide and concealing the death of a child in Philadelphia in December of 1840. She had been accused of killing her illegitimate child, but when that could not be proven, she was found guilty of the second charge, which was only considered a misdemeanor. For the lesser crime, she was sentenced to a one-year imprisonment in Philadelphia's county prison.⁴¹

Descriptions of infanticide cases shocked newspaper readers and communities. N.E.H. Hull, in a study of female felons in eighteenth-century Massachusetts, contends that "infanticide and child murder struck at the foundations of the domestic roles of women and the structure of the family."⁴² Although Massachusetts colonial society clearly believed sin to be the cause of crime, the idea that infanticide threatened what people understood as acceptable behavior of women, especially mothers, still holds true in the cases described above. The adjectives "inhuman" and "unnatural" used to describe the mothers of these infants confirm that the authorities, reporters, and most likely the community, found these crimes to be appalling, and illustrates that they viewed these women as unfit mothers who undermined societal norms.

Hull and Peter Hoffer, in an earlier work, also suggest that there was a decline in convictions for infanticide during the eighteenth-century because affectionate parenthood had become a popular idea. They argue that this made it more difficult for judges and juries to convict for infanticide because they wanted to believe that a loving mother

⁴⁰*Philadelphia Public Ledger*, May 21, 1839; May 22, 1839; March 17, 1840; and March 18, 1840.

⁴¹*Philadelphia Public Ledger*, December 17, 1840; December 25, 1840; December 29, 1840; and January 1, 1841.

⁴² N.E.H. Hull, *Female Felons: Women and Serious Crime in Colonial Massachusetts* (Urbana, IL: University of Illinois Press, 1987), 47.

would not kill her children.⁴³ This idea relates directly to the reaction of society that mothers who killed their children were unnatural or monstrous. While this may be true, it is apparent that some women committed infanticide in order to protect their children from a difficult life. Although killing their children may not have been the only choice, in some of the cases detailed above, there is a sense that some mothers were driven by mercy and a maternal instinct to save their children from experiencing a tough life.

Pennsylvania laws regarding infanticide were based on English law. The statute that was in place for most of the eighteenth-century put the onus on the mother to prove that the dead child was stillborn and not killed. It was generally thought by the public that since most women who committed infanticide were unmarried, they would resort to killing their child to protect their own reputation, so a hidden corpse was sufficient to convict a woman of infanticide.⁴⁴ In essence, the woman was guilty until she could prove her innocence. Merrill Smith suggests that women who were executed under this penal code for the crime of infanticide says much about the society as a whole in that the law was “conceived when women were considered inherently sinful and punishment was public.”⁴⁵ Reforms to the penal code made later in the century illustrated a shift in public sentiment towards the crime.

In Pennsylvania in the 1790s, penal code reforms altered the laws against infanticide, indicating that juries in Pennsylvania sometimes had trouble convicting

⁴³ Peter C. Hoffer and N.E.H. Hull, *Murdering Mothers: Infanticide in England and New England, 1558-1803* (New York: New York University Press, 1981), 90-93.

⁴⁴ Merrill D. Smith, “‘Unnatural Mothers’: Infanticide, Motherhood, and Class in the Mid-Atlantic, 1730-1830” in *Over the Threshold: Intimate Violence in Early America*, Eds. Christine Daniels and Michael V. Kennedy (New York: Routledge, 1999), 173.

⁴⁵ *Ibid.* 175.

women of the crime, or felt that the penalties for the crimes were too harsh. William Bradford, Attorney General of Pennsylvania from 1780 to 1791 and Attorney General of the United States from 1794 until his death in 1795, helped immensely in getting changes made to the legal code.⁴⁶ In 1793, only first-degree murder was punishable by death. Before then, women who committed infanticide and were convicted were often sentenced to hang. After the change, women charged and convicted of infanticide were convicted of second-degree murder, which entailed a prison sentence of up to five years. Furthermore, the laws were changed to allow women to be charged both with murder and the concealment of a bastard child, and courts could convict or acquit the defendant of both or one or the other. Although some women could still be found guilty of first-degree murder in infanticide cases, it became much more difficult to prove. The new laws provided juries with a way to convict for the crime but to not feel like the punishment was automatically so harsh.⁴⁷ This change indicates a shift away from solely viewing infanticide as a moral sin and the women as inherently sinful. As a result, courts were granted more leniency and flexibility when dealing with infanticide cases. The new laws show that the issue of infanticide was much more nuanced than early laws allowed. See Table 6 which shows the variations of indictments reflecting the law code reforms. In the cases of Emeretta Clark and Jane Callahan, one can see these penal code alterations at work.

⁴⁶Dates of Bradford's service are from "Penn in the 18th Century," *University of Pennsylvania Archives*, http://www.archives.upenn.edu/histy/features/1700s/people/bradford_wm.html.

⁴⁷ G.S. Rowe, "Infanticide, Its Judicial Resolution, and Criminal Code Revision in Early Pennsylvania," *Proceedings of the American Philosophical Society* 135, no. 2 (1991): 230. This article details the cases of infanticide in southeastern Pennsylvania during the 18th century. I would suggest that the issues regarding infanticide cases in the 19th century, such as motivations or conviction rates might be different, especially with growing populations, varying immigration trends, and changes in the laws.

Cases of Female Murderers

Violent female offenders also committed murder of adults. When examining murders committed by women in Pennsylvania, three main motivations become apparent. The factors that provoked women to commit these homicides included marriage issues, monetary necessity, and rage and jealousy. While there are multiple explanations for why women committed murder, those explored here fall relatively neatly into these three categories.

Randolph Roth suggests that murder rates decreased in the American north “as soon as political conflict subsided, the Constitution was ratified, and a stronger national government emerged.”⁴⁸ While in some places, this decline occurred as late as the end of the War of 1812, Roth says that in Pennsylvania, the turning point was as early as the 1780s.⁴⁹ Roth maintains that urban locations in the north, where unemployment may have been highest, had the highest homicide rates during this time period.⁵⁰ Historians agree that there were marked increases in murder rates in the United States by the 1830s and 1840s. Roger Lane suggests that expansion westward, the spread of slavery, and the burgeoning city populations increased “murderous disorder” during the antebellum decades.⁵¹ He suggests that many Americans had hoped that their young republic could be orderly and rid of crime and social problems, but in reality, the 1830s and 1840s were

⁴⁸ Randolph Roth, *American Homicide* (Cambridge, MA: Belknap Press, 2009), 183.

⁴⁹ Ibid.

⁵⁰ Ibid. 187.

⁵¹ Lane, *Murder in America*, 92.

“the most disorderly and bloodiest in our history.”⁵² Roth agrees with Lane on the cause of the overall upswing in murder rates during these decades, arguing that the increase “occurred because Americans could not coalesce into a nation.”⁵³ Immigration, regional differences, and industrialization were part of the problem, according to Roth. He argues that people felt disillusioned with their government and felt distant from their neighbors, leading to higher murder rates. Furthermore, Roth suggests more specifically that “intimate homicide” was on the rise during these decades, arguing that “a shift in the balance of power between men and women and with changes in feelings and beliefs associated with marriage and romance” had something to do with the increase.⁵⁴ Because many of the murders detailed below are related to love and marriage, it is interesting to note this wider societal trend of increasing intimate homicide.

The first set of cases explored are murders which took place within families and would include the Harker case described at the start of the chapter. Karen Halttunen argues that by the nineteenth-century an idealized “‘family circle’ as a private and protected place” had emerged in societal thought.⁵⁵ This being said, murders that took place within the home and the family unit were seen as horrifying and destroying the sanctity of the home.⁵⁶ This element of nineteenth-century thought plays a serious role in the murders discussed below, particularly because the women in the families were the

⁵² Ibid.

⁵³ Roth, *American Homicide*, 300.

⁵⁴ Ibid. 250-251.

⁵⁵ Karen Halttunen, *Murder Most Foul: The Killer and the American Gothic Imagination*, (Cambridge, MA: Harvard University Press, 1998), 140.

⁵⁶ Ibid. 142-143, 144.

perpetrators. Not only was the protection of the home breached by the violence, but it was the supposedly caring, peaceful, domestic mother and wife who committed the violent deeds. Roth calls these types of murders, particularly that of unwanted spouses, “stealth murders.”⁵⁷ Between 1828 and 1900, he notes that one-sixth of all marital homicides fit into this category, and 33% of all stealth murderers were women.⁵⁸

In May, 1847, Mary Myers and John Parker were tried together for the murder of Mary’s husband, John, in Venango County, Pennsylvania, in northwestern Pennsylvania. According to several doctors who testified at the trial, John Myers had died of arsenic poisoning in January of 1847. Much of the early testimony at the trial was spent describing Myers’ condition immediately preceding his death and during an autopsy to determine the cause of his sickness and subsequent death. The doctors consistently stated that arsenic had killed Myers.⁵⁹

Once the cause of the death became established, the testimony turned to why he had been poisoned and by whom. It became clear quickly in the testimony that Mary Myers was unhappy in her marriage and wanted out. Dr. George Meeker said that Mary told him that she “would willingly buy a barrel of liquor if he would drink it up and kill himself.” Furthermore, Mary discussed his consistent intemperate habits and told Meeker that John Myers “was living off her, and if she kept a tavern he would lay about and drink all her liquor.”⁶⁰ Mary made it clear she was unhappy in the marriage. Amos

⁵⁷ Roth, *American Homicide*, 268.

⁵⁸ *Ibid.*

⁵⁹ “The Trial of Mary Myers and John Parker, in the Court of Oyer and Terminer of Venango County Of May Term, 1847,” courtesy of the Venango County Historical Society, Franklin, Pennsylvania, 5-15.

⁶⁰ *Ibid.* 6.

Brown testified that he heard Mary say once, “d—n such a man as him, he ought to be poisoned, she said he blamed her with whoring; not being an honest woman, she said he blamed her wrong, she was innocent.”⁶¹

Mary did not hide the fact that she wanted out of the marriage. Mary’s sister-in-law, Nancy Myers, testified that Mary came to her house to ask Henry Myers (John’s brother) about getting a divorce. Nancy Myers stated that Mary “said she was determined to have a divorce” but that Henry said it would be difficult to procure one if John treated her well and wanted to stay married to her.⁶² Nancy Myers testified that the news from Henry did not placate Mary who told Nancy “she would have a divorce at the risk of her life.”⁶³ The issue of divorce came up in other testimony as well. Joseph McClurg stated the Mary Myers had asked him if he ever had written a divorce and whether he thought she could get one. He told her he had not and figured she would not be able to get a divorce. He also testified that Mary asked him “if I had ever written a will, she said she wanted me to write a will for John Myers.” McClurg noted that John Myers had not taken sick yet, thus “I told her he was not going to die, tried to laugh it out of her.”⁶⁴ With this testimony regarding divorces and wills for her husband before he was sick, Mary Myers was not hiding the fact that she wanted her husband out of the way. The lengths she went to inquire about a divorce, and ultimately to poison her husband to get out of the marriage can be seen as acts of desperation. In a time when a woman could not easily procure a divorce to get out of an unhappy marriage, and Mary

⁶¹Ibid. 36.

⁶²Ibid. 16.

⁶³Ibid. 17.

⁶⁴Ibid. 18.

Myers' marriage did seem to have elements of unhappiness with her husband's intemperance and possible physical abuse, poisoning may have seemed like the only viable option.⁶⁵

In addition to the blatant attempts to get out of the marriage, testimony about Mary Myers' demeanor during her husband's sickness and subsequent death also appeared to raise red flags for the jury. Dr. C. Klotz testified that Mary Myers asked him "if I thought he was really poisoned – I told her I did." Myers did not seem to believe the doctor and laughed off the illness as a consequence of his drunkenness. The doctor responded to this excuse by telling Myers "he was poisoned with arsenic; I told her this repeatedly."⁶⁶ Another physician, Dr. W. E. Bishop, told the court: "she said if John Myers got well and heard the story [that he was poisoned], she had better be dead; she had lived in hell all her life-time; that she would have a good deal worse times than she had ever had." Furthermore, he noted that Mary Myers said to him, "I wish you, or they would contradict the story" of her husband being poisoned.⁶⁷ In this interaction between Dr. Bishop and Myers, one can see Myers' attempt to deny the poisoning as fact by either

⁶⁵ In Pennsylvania, a 1785 law allowed the Pennsylvania Supreme Court to issue divorces, but in 1804 shifted the authority to the county courts. Actions that would most likely allow a couple to get a divorce and allow the parties to remarry legally included "adultery, bigamy, desertion for a period of more than four years, and impotence that existed at the time of the marriage." See Merrill D. Smith, *Women's Roles in Eighteenth-Century America* (Santa Barbara, CA: Greenwood, 2010), 35. A woman who received a divorce benefitted a great deal from the end of the marriage because she "became a feme sole able to transact business as a single woman, or she could remarry." Merrill D. Smith, *Breaking the Bonds: Marital Discord in Pennsylvania, 1730-1830* (New York: New York University Press, 1991), 12. It seems that in Mary Parker's case, her situation was not dire enough for her to be granted a divorce. If extreme physical abuse had been proven, a divorce may have been an option for her, but as it was not, she turned to other means to get out of her marriage. Karen Halttunen argues that some wives were killed by husbands when they attempted to seek divorces, suggesting that in Myers' case, she simply took matters into her own hands and did so in a way to try to protect herself. Halttunen, *Murder Most Foul*, 163-164.

⁶⁶ Trial of Mary Myers and John Parker, 7.

⁶⁷ *Ibid.* 9.

trying to evoke sympathy from the doctors about her poor marriage, or to cast doubt amongst the doctors that John Myers was sick with poisoning.

Other witnesses who were not doctors also mentioned Mary's attempts at playing the sickness off as a drunken frolic. Henrietta Mays said that Mary told her that her husband "had been in the habit of spreeing...and he had taken his last spree now." Later in her testimony, Mays stated that Mary "appeared very anxious that the thing should be over" and kept blaming the sickness on alcohol. Mays stated that "she shed tears on one occasion, when talking about the property being taken away from her, but at no other time."⁶⁸ There was obviously no love lost between husband and wife as Mary seemed to be little grieved and more annoyed at her husband's illness.

What was the role played by Mary's co-defendant, John Parker? Parker appeared to be a sometimes boarder at the Myers' residence, although he was married. Evidence from the trial suggests that there may have been a love affair between Parker and Mary Myers. Parker spent a great deal of time around the Myers' property, although doing what is unclear. While John Myers was ill, Dr. Bishop testified that Mary and John Parker conversed with each other and that after Parker had left, John Myers "called to Mrs. Myers to go to bed; he said she had been courting long enough."⁶⁹ Rumors swirled in the community regarding Mary Myers and John Parker, but both denied the affair.⁷⁰ Probably fueling the rumor mill were several encounters that took place between Parker and Mary Myers. Several community members saw the two supposed lovers dancing at a

⁶⁸ Ibid. 22.

⁶⁹ Ibid. 9.

⁷⁰ Ibid. 18.

frolic.⁷¹ Furthermore, the two were witnessed talking secretly in the days before John Myers' death, making it appear that the two were conspiring together to kill Myers or were having a lovers' conversation.⁷² To make matters worse, only a few weeks before John Myers' death, Dr. George A. Meeker testified that Mary came to him and told him she was pregnant and wished to have an abortion.⁷³ From the continuing testimony, it is clear that the doctor did not grant her wish and the transcript suggests Mary Myers was pregnant at the time of the trial.⁷⁴ With the rumors that she and John Parker were lovers, the timing of her pregnancy and her husband's quick demise, it is little wonder that the community thought there may have been an affair going on between Parker and Mary Myers. Finally, evidence came to light that John Parker purchased arsenic in the community, ultimately sealing the fate for himself and Mary Myers.⁷⁵

On May 31, 1847, the jury found both John Parker and Mary Myers guilty of first-degree murder.⁷⁶ Ten days later, they were both sentenced to hang for the murders. In his sentencing speech, the judge told the defendants and the courtroom that the crime was committed by "hearts desperately wicked" and is "an instance of such a cold-blooded, deliberate, and wilful [sic] murder as the annals of human depravity seldom furnish."⁷⁷ The judge stated that although the pair of murderers used "secrecy, caution

⁷¹ Ibid. 20.

⁷² Ibid., 33, 34, 35, 40.

⁷³ Ibid. 31.

⁷⁴ Ibid. 32.

⁷⁵ Ibid. p. 23, 48.

⁷⁶ Ibid. 50.

⁷⁷ Ibid. 54.

and ingenuity” in the perpetration of the crime, they could no longer hide from God and they would have to deal with His punishment for their crimes.⁷⁸ With that, he sentenced both to die by hanging in the yard of the county prison.⁷⁹

A decade later, in November 1857, in Lancaster County, Pennsylvania, Mary Jane Sebastian was put on trial for murdering her husband, Henry Myers Sebastian. The defendant was young, only seventeen, a “light mulatto” and “rather good looking.”⁸⁰ Mary Jane had administered “white arsenic” to her husband over a course of several weeks. The prosecution stated that her motive was “a dislike for him, and the object to get rid of him.”⁸¹ A local man, James Armstrong, who was identified as being African American, testified that Mary Jane had confessed to the crime. According to Armstrong, when word got out that she was to be arrested, he spoke with her and asked her about her involvement. Mary Jane was frank, stating that she had poisoned him by purchasing the arsenic at a local drug store and dosing her husband in his coffee. When Armstrong asked her if she was sorry, Mary Jane replied, “I was in a passion; I was angry at him at the time I did it.”⁸² Armstrong testified that Mary Jane and Henry had only been married a few months and did not really get along. He also stated that the “slow dose” or the

⁷⁸ Ibid.

⁷⁹ There is no indication that these two were actually hanged. I have not been able to find anything about the aftermath of the trials.

⁸⁰ *Lancaster Intelligencer*, November 24, 1857.

⁸¹ Ibid.

⁸² Ibid. See Chapter 4 for a discussion of the free black population in Lancaster County.

poisoning over a period of weeks was a “prevailing custom among the blacks – especially in the Southern country – to poison each other.”⁸³

Others testified to Mary Jane’s behavior. Henry Myers Sebastian’s sister also took the stand. She described her brother’s physical condition the day before he died, stating that he “vomited green stuff” and when she told Henry’s wife that he was dying, Mary Jane replied, “Oh s—t, let him die!”⁸⁴ Mary Jane’s mother, Nancy Patterson, testified that her daughter was “dumb” and “simple” probably because Mary Jane had “been living so long among the Dutch.”⁸⁵

Physicians also took the stand to discuss Mary Jane’s mental status. At the time of her trial, Mary Jane was pregnant. Doctors Grove and Armor testified that sometimes pregnant women suffered from a short term monomania, a lapse in sanity. The doctors recalled cases where women exhibited “extreme hatred” of their spouses while pregnant, which sometimes resulted in a mental break. In one case, the wife murdered her husband and proceeded to eat parts of his body. Other mothers suffering from monomania occurring due to pregnancy murdered their children when they were born.⁸⁶ The defense tried to establish that Mary Jane Sebastian suffered from a type of monomania which caused her to kill her husband. The prosecution declared that “the mono-mania alleged

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid. The Dutch referred to here are the Pennsylvania Dutch, or the Amish people, many of whom settled in Lancaster County.

⁸⁶ Ibid.

was not insanity of the mind, but insanity of the heart – human depravity” since she admitted to wanting rid of her husband.⁸⁷

Mary Jane Sebastian was convicted of first-degree murder and sentenced to hang. While the verdict and sentence were read, the defendant betrayed no emotion, being “the only unconcerned person in the room.”⁸⁸ Her ordeal was not over, however. A year later, she was granted a second trial. During this second trial, many people testified to Mary Jane’s mental instability, stating that she was “soft” since childhood and “not got right wit.”⁸⁹ Mary Jane was found not guilty on reason of insanity, and was sent to prison to await removal to a local almshouse or hospital.⁹⁰

The same year as Mary Jane Sebastian’s original trial, in late spring 1857, a pair of mysterious deaths in Montour County, Pennsylvania, captured the small town of Danville’s attention. Catherine Clark, wife of William Clark, died of poisoning, according to her autopsy. Her death prompted local officials to exhume David Twiggs, who had died three weeks earlier. Both corpses had arsenic in their stomachs. Their

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ *Lancaster Examiner and Herald*, November 24, 1858.

⁹⁰ Ibid. Many nineteenth-century doctors believed that women were likely to become insane due to pregnancy or post-partum psychosis. They believed that the female reproductive system, in addition to women’s propensities for highly emotional responses to situations, and a generally weaker mind than that of males caused women to be more susceptible to bouts of insanity. Mary Jane Sebastian is a prime case for seeing how these beliefs played out in a criminal court. See Edward Jarvis, *On the Comparative Liability of Males and females to Insanity, and their comparative curability and mortality when insane*, (Utica: Published at the New York State Insane Asylum, 1850); Andrew Combe, *Observations on Mental Derangement: being an application of the principles of phrenology to the elucidation of the causes, symptoms, nature, and treatment of insanity*, (Boston: Marsh, Capen & Lyon, 1834); J.G. Spurzheim, *Observations on the Deranged Manifestations of the Mind; or, Insanity* (Boston: Marsh, Capen, & Lyon, 1836).

spouses, William Clark and Mary Twiggs were alleged lovers, and were arrested for their murders.⁹¹

William Clark was tried first, in February 1858. During his trial, it became apparent that Clark was trying to cover up his guilt in the murder. A letter written by Clark to a friend out of town was entered into evidence. Clark asked his friend: “if you would be so kind as to buy the following amount, it would save my life and enable me to reward ten-fold for the said trouble and expense: that is, to buy me three ounces of arsenic and eight grains of strychnine. Get two and a half ounces by itself, and half an ounce by itself.”⁹² Clark then asked his friend to deliver the poison to him in jail so that he had the exact amounts on his person that the local druggist claimed to have sold him. In that way, Clark would try to counter the evidence against him. His ploy failed, and the jury convicted him of first-degree murder, and the judge sentenced him to death by hanging.⁹³

After a delay caused because of trouble finding unbiased jurors, Mary Twiggs was tried for murdering Catherine Clark in May 1858.⁹⁴ She entered the courtroom “with a smile upon her countenance, and exhibited other outward signs of a stout heart.”⁹⁵ The *Danville Intelligencer* reported Twiggs as having a full face with coarse features, but that

⁹¹ The Danville News, “A Tale of Passion and Poison,” *Remembering the Past: A Photo History of the Danville Area* (Danville: The Danville News, 1992) 203-204; D.H.B. Brower *Danville, Montour County, Pennsylvania: A Collection of Historical and Biographical Sketches*, (Harrisburg: Lane S. Hart, 1881), 213.

⁹² *Danville Intelligencer*, February 19, 1858.

⁹³ *Danville Intelligencer*, February 26, 1858.

⁹⁴ “A Tale of Passion and Poison,” 204.

⁹⁵ *Danville Intelligencer*, May 21, 1858.

the reporter was “prepared to see a woman even less devoid of beauty.”⁹⁶ Many of the same witnesses who testified against Clark also testified against Twiggs, noting her romantic relationship with Clark and her appearance at Catherine Clark’s deathbed. Twiggs “frequently brushed tears from her eyes” during the trial.⁹⁷ The trial was over quickly, and the jury returned a guilty verdict. She was also sentenced to death.⁹⁸

William Clark was hanged in September, 1858. Twiggs was scheduled to hang in late October. While in jail, she attempted to escape, digging a tunnel using “a small iron spike, and a rib bone” being very close to completing her task when the jailer caught her and found heaps of dirt under her bed and loose stones in the wall.⁹⁹ While she awaited the gallows, local ministers met with Twiggs, urging her “very pressingly to make a frank confession, quietly assuring her, that if she died with a lie on her lips she would be condemned in another world.”¹⁰⁰ During her last nights in prison, “several kind and sympathizing ladies stayed up with her” to comfort her, and her children were allowed to spend the last night with her in jail.¹⁰¹ Twiggs showed “maternal feeling too deep for utterance” and shed many tears over her children and her impending fate.¹⁰² She maintained her innocence, even on the gallows.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid. *Danville Intelligencer*, May 28, 1858.

⁹⁹ *Danville Intelligencer*, October 1, 1858.

¹⁰⁰ *Danville Intelligencer*, October 29, 1858.

¹⁰¹ Ibid.

¹⁰² Ibid.

A contemporary tale of a Pennsylvania female murderer parallels the true experiences of Harker, Myers, Sebastian, and Twiggs: that of Pamela Lee Worms, a woman convicted of murdering her husband, in Pittsburgh in the early 1850s. A pamphlet telling of her case, along with several previous murders committed by Pamela Worms, cannot be corroborated by court records or newspaper reports.¹⁰³ Her story is a morality tale at best. Unhappy marriages and monetary greed spurred Worms to murder her step-children and finally her husband in order to secure her inheritance. She poisoned her husband, by, in her own words, a “vegetable” which “was shown to me many years ago by an old Irish woman.”¹⁰⁴ The author of the pamphlet wrote that she was a “mysterious and doomed woman, whose inhuman murders cry to heaven for vengeance.” He reported that “no language is adequate to describe, nor mind to conceive, the enormity of the offences perpetrated...in the very midst of Christian society.”¹⁰⁵ It is interesting that her crimes are noted in the context of Christian society, suggesting how antithetical her actions were to what society expected. Her crimes were hellish almost, in their deviousness and strategic execution. At her trial, Pamela was recorded as looking “calm and serene,” seemingly at peace with her crimes and her fate.¹⁰⁶ The judge stated that she was “devoid of even one solitary incident to palliate your guilt” and that her hands were

¹⁰³ Rev. Augustus Dimick, *Private History and Confession of Pamela Lee, Who was Convicted at Pittsburgh, PA., December 19th, 1851, for the Wilful Murder of her Husband and Sentenced to be Hanged on the 30th Day of January, A.D. 1852* (Pittsburgh, PA, 1852). The story of Pamela Lee Worms, a serial murderer convicted in Allegheny County in the early 1850s, while having the trappings of a real case, cannot be verified in court records or newspaper reports. In any case, the printed pamphlet regarding Worms’ case can only really be seen as a morality tale.

¹⁰⁴ Ibid. 29.

¹⁰⁵ Ibid. 5.

¹⁰⁶ Ibid. 13.

“yet dripping with innocent blood.”¹⁰⁷ He urged her to make her final days before her execution profitable by repenting and confessing her sins to the Lord.

While she was in prison awaiting her execution, she was visited daily by people who had the “intention to alleviate the misfortune and administer the wants of the unfortunate.” Some of these visitors were “a number of our worthy and esteemed ladies” who wanted to aid Pamela in her last days.¹⁰⁸ This passage is telling in that it makes a clear distinction between the esteemed ladies of the town and the prisoner. Worms could never be one of these admirable ladies, she was an outcast from that circle of femininity. Part of Worms’ celebrity may have stemmed from the fact that she was essentially a serial killer. It could be that many of these visitors were simply curious to see the woman who had committed five murders. Pamela became a spectacle for the community. Not only was she separated from the circle of respectable womanhood, but her crimes separated her from respectable society in general as she came to be viewed like a caged animal in a zoo.

Pamela Lee Worms was never hanged. Only a few days before her execution date, she died in her prison cell. Doctors said she died of a burst blood vessel, but the circumstances of her death seem suspicious. She left a note for Rev. Dimick:

I will not commit suicide – do not be afraid of that. I fear that I will never see you in this world. There is something that whispers to me that my birth, my fatal marriage, and sentence on the 19th, which I remarked to you, forms a coincidence of more than ordinary nature; then should my guilty soul take flight from this mortal body before another sun, do not infer that such was procured by my instrumentality.¹⁰⁹

¹⁰⁷ Ibid. 17.

¹⁰⁸ Ibid. 18.

¹⁰⁹ Ibid 32.

Although she claims she did not take her own life, it is interesting that she would take so much time to say it was not suicide. Maybe her death was natural. Maybe the note was written to protect what was left of her reputation. Perhaps the note was simply a way to assuage her guilt for taking her own life. The circumstances of her death are unclear. While the facts of Pamela Lee Worms' life and death cannot be corroborated, the tale is one of warning to women of what their fate might be if they choose to commit murder. Female murderers become outsiders, not only in their communities, but also from the realm of respectable womanhood.

Taken together, the cases of Harker, Myers, Sebastian, and Twiggs, as well as the tale of Worms, shed some light on the role of love and marriage in the commission of crimes. Examining the mode of killing in these cases illustrates the common use of poison.¹¹⁰ The victims first become sick and so make the deaths look accidental,

¹¹⁰ Lane, *Murder in America* (202). Roger Lane suggests that women used poison as a weapon in a higher proportion than men and that usually these crimes of poisoning were motivated by "jealousy, greed, and lust." We see elements of these motivations, particularly in the crimes by Harker, Myers, and Twiggs. Two other cases in Pennsylvania resulting in the hanging of women for murder should be noted. In Clearfield County, Lena Miller was executed for poisoning her husband in 1867. Miller's execution was the first of the county. See M.L. McQuown, *History of Capital Crimes, Confessions and Death Penalties In Clearfield County From 1816 to July 1, 1914* (no publication information available. Courtesy of the Clearfield County Historical Society), 8-9. In Pittsburgh, 1866, Martha Grinder was hanged for murdering two women by poison. Although she was only convicted for these two murders, it was widely believed that she murdered many other people, earning her the moniker 'the American Borgia.' There seemed to be no apparent motive for the murders other than sheer opportunity and exhilaration. See *The New York Times*, January 20, 1866; Segrave, *Women and Capital Punishment*, 49-56; and Marlin Shipman, "'The Penalty is Death:' U.S. Newspaper Coverage of Women's Executions" (Columbia, MO: University of Missouri Press, 2002), 127-132; *The Life and Confessions of Martha Grinder, the Poisoner; Embracing a Complete History of the Crimes Committed by Her up to the Time of Her Execution*, (Pittsburgh: John P. Hunt, and Co., 1866). These cases follow the characteristics of the other female murderers discussed in this chapter.

The sample of Pennsylvania counties in this dissertation yielded only a small number of women who committed violent crimes, particularly murders. Even fewer of these have any type of paper trail remaining. I have included murders committed by females in other Pennsylvania counties in this chapter in order to analyze patterns of crime and motivation. I queried all county historical societies in Pennsylvania (outside those counties that I included in my sample since I already examined those court records) regarding female murderers. I sampled sixteen counties out of Pennsylvania's sixty-seven. Twenty-four other counties responded to my query stating that no cases of female murderers occurred from 1820-1860. Clearfield, Venango, and Montour Counties had cases, and these are included in this chapter. A Margaret Mabon, from Indiana County, was indicted in June 1845 for poisoning with an attempt to commit murder,

diverting attention away from the perpetrator. It is a way for women to overpower their victims, particularly men who were most likely physically larger and stronger. The use of poison is a seemingly passive way to kill, allowing the women murderers to retain some feminine characteristics, such as being non-aggressive. At the same time as they were breaking the mold of womanhood by committing heinous crimes, these women did so in a fashion that might be more expected of women.¹¹¹

Secondly, in all three cases there is some level of desperation in their motivations for killing. Mary Myers's case exhibits the most direct link to desperation. She was continuously vocal about wanting a divorce and having a will written up for her husband. She made no secret of her unhappiness. While the trial was complicated with rumors of an affair with John Parker, the desire to get out of the marriage for some reason or another was the driving motivation for Myers. In Harker's case, there is no sense that her marriage to her husband was unhappy. That she killed her sister and her own husband to free herself to marry her sister's widower suggests wanting out of the marriage for selfish reasons. In her situation, a divorce was going to be very unlikely, so murder became a way to extricate herself from her marriage. To go to such lengths to set up a second marriage suggests a level of desperation, no matter how selfish it is. Similar arguments

but no other information about this case is available. See Quarter Sessions Docket Book 3, Indiana County Clerk of Courts Office.

In Sullivan County, In Sullivan County, Pennsylvania, in 1855, Anna Maria Veitengruber was imprisoned for her part in the murder of her husband John. The Veitengrubers were German immigrants and allowed another immigrant, John Kamm, to live with them. John Veitengruber was killed by Kamm with an axe after he discovered Kamm and his wife romantically linked. Mrs. Veitengruber assisted Kamm in burying the body. While Mrs. Veitengruber maintained her innocence, she accused Kamm of the murder. Kamm was hanged in the fall of 1856. See Chapter 5 for more details of Mrs. Veitengruber's time in jail.

¹¹¹ Roger Lane suggests that poisoning captured nineteenth-century society's imagination because of "the stealthiness of the method" and "its violation of the cozy sanctuary of the home and kitchen." Lane, *Murder in America*, 202. Others argue that it was natural for women to use poison because they seized "weapons available to them." Furthermore, "poisoning food was consistent with women's roles as homemakers or maidservants and required little physical strength." Hull, *Female Felons*, 47.

might be said for Twiggs' reasoning to commit murder. Sebastian's case presents a different situation where insanity may have influenced her motivation to get rid of her husband. Even though insanity appeared to play a role in Sebastian's trial, ultimately saving her from a conviction, all four women calculated their murders, seeking out poison and slowly administering it to their victims. These were not necessarily crimes of passion. All of these women used poisonings to get themselves out of marriages and although these were acts of desperation, the exact motivations for their killings differed.

Finally, it is worth considering the role of community in these cases. For these cases, the murders and trials took place in rural counties, in small towns. Although Lancaster County was more highly populated, Sebastian's murder took place in a small town called Marietta.¹¹² It is likely that most of the people involved in the trial knew the defendants or victims in some manner. From the Myers, Sebastian, and Twiggs trial, one can see how many different people testified to the character of Myers and Parker or discussed community events where they saw the two interacting. While we do not have the testimony for the Harker trial, one can logically assume that it would have been similar to that of the other three trials. When a murder takes place in a small town, the trials become almost a spectacle, and even more so when the perpetrator is a woman. From the sentencing speeches for Myers and Harker, it is clear that the judge, and by extension, the community was disgusted at the crimes. The sanctity and peace of their communities had been taken away, and people abhorred the violent nature of these

¹¹² The total population in Huntingdon County for 1850 was 24,786, and in Venango County the population was 18,310. Montour County's population was 13,239, and Lancaster County's was 98,944. Compare this to the largest urban center in the state, Philadelphia, which at the county level had 408,762 citizens in 1850. *Historical Census Browser*, Retrieved 8/23/2011, from the University of Virginia Geospatial and Statistical Data Center, 2004, <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html>.

women. The ideals of womanhood had been shattered by these murderers. Although all these women were convicted of their murders (or in Sebastian's case, originally convicted), the connection between the murderer and the community probably played a role in how they were viewed or how the community was affected by the crimes.

Nineteenth-century women were thought to be inherently virtuous, suited for the domestic sphere, and embodied characteristics of gentleness, compassion, and piety. But how did women's physical makeup alter views of their actions? Carroll Smith-Rosenberg and Charles Rosenberg suggest that according to nineteenth-century medical tracts, a woman was "frailer, her skull smaller, her muscles more delicate....The female nervous system was finer, 'more irritable,' prone to overstimulation and resulting exhaustion."¹¹³ Furthermore, the two authors argue, women were seen as "more spiritual than man, yet less intellectual, closer to the divine, yet prisoner of her most animal characteristics, more moral than man, yet less in control of her very morality."¹¹⁴ It was also thought that the female reproductive system affected women's physical and mental state. "Not only were women doomed to be weaker and less robust than men," Rosemarie Zagarri notes, society believed women's "more vivid emotional life constricted their intellect. Female physiology created a heightened sensitivity to feelings, both physical and emotional."¹¹⁵ Women's sensibility made them "less logical and less

¹¹³ Smith-Rosenberg and Rosenberg, "The Female Animal," 334.

¹¹⁴ Ibid. 338.

¹¹⁵ Zagarri, *Revolutionary Backlash*, 168. See also John Corrigan, *Business of the Heart: Religion and Emotion in the Nineteenth Century* (Los Angeles: University of California Press, 2002). Chapter Six, "Men, Women, and Emotion" discusses the same topic of the physiological and emotional differences of men and women and comes to the same conclusions as Smith-Rosenberg, Rosenberg, and Zagarri.

rational.”¹¹⁶ Women were trapped in their own weaker physicality and mentality according to nineteenth-century society and were prone to double standards. In the crimes detailed above, the use of poison might suggest the women’s physical weakness, but the passion that caused them to commit the crimes is evident of the double standards that women criminals faced in terms of their own physical and mental development.

While the women who committed murders using poison seem to fall directly into categories set up by nineteenth-century society regarding women’s inherent physical and mental nature, what does one make of women who committed violent crimes of a more physical and aggressive nature? The case of Charlotte Jones and Henry Fife in McKeesport (right outside of Pittsburgh) in 1857 provides one such example.¹¹⁷ The two were convicted of killing George Wilson and Elizabeth McMasters who were brother and sister and were elderly.¹¹⁸ Jones was the niece of the pair, allowing this case to fall into the category of family killings. The murder occurred late on the night of May 30 into June 1, 1857. Suspicion soon fell on Jones and Fife for several reasons. Dr. William Penney said he noticed the pair out on a street in McKeesport at 3 a.m. Friday, June 1. It struck him as odd that a woman should be out at that time.¹¹⁹ Many people noticed the

¹¹⁶ Ibid.

¹¹⁷ The population for Allegheny County in 1850 was 138,290. Pittsburgh was a much smaller city than Philadelphia as its western location slowed its growth rate. Because Philadelphia was the entry point for European settlers to Pennsylvania, the eastern section of the state was more highly populated even into the nineteenth-century than towns and cities in the middle and western sections of the state. By 1860, the population in Allegheny County had grown to 178,831. Philadelphia, by this time had reached over half a million in population. *Historical Census Browser*. See D.W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History: Volume I, Atlantic America, 1492-1800*, (New Haven: Yale University Press, 1986), 138-140.

¹¹⁸ Census records for 1850 show that George Wilson and Elizabeth McMasters were living in Elizabeth Township, aged 58 and 59 respectively. See U.S. Federal Census, 1850, Pennsylvania, Allegheny County, Elizabeth Township.

¹¹⁹ *Pittsburgh Daily Dispatch*, May 5, 1857.

strange woman, Jones, around town in the early hours of Friday morning wearing a distinctive red calico dress and sunbonnet.¹²⁰ Furthermore, Jones was seen visiting the victims a week before the murder.¹²¹ Witnesses saw her in the same red calico dress the week earlier as they did on the day of the murder. Jones was not from the area, which is why people seemed to notice her and her male companion and to suspect them of the murder.

Two weeks after the murder occurred, the *Pittsburgh Daily Dispatch* published a long article summarizing the evidence of the crime before the trial started almost two weeks later. Interestingly, the article illustrates that public opinion was already against the suspected offenders even before the trial started. The victims were portrayed as “two infirm, aged people, whose years and feebleness alone should have been a protection against the violence” perpetrated upon them.¹²² In the article, the public learns that Jones was the niece of the two victims, that she and Fife were lovers and sometimes passed as husband and wife, and that Charlotte Jones had confessed to some part of the crime. After Charlotte was found with blood on her bonnet and dress, the author of the article states: “Of *her* connexion with the crime, there can be no doubt. It will be a matter for a jury to decide whether she was a passive or active instrument in the murder.”¹²³ Jones, however, did not act alone. The author could not believe that the murders were committed by only one person “and that one a woman.” The author and the public

¹²⁰ Ibid.

¹²¹ *Pittsburgh Daily Dispatch*, May 8, 1857; July 2, 1857; and July 3, 1857.

¹²² *Pittsburgh Daily Dispatch*, June 15, 1857.

¹²³ Ibid. Emphasis in original.

believed that Fife was an accomplice, and that they “are *all* guilty” even though the trial had not yet begun.¹²⁴

The local newspapers daily provided full coverage of the trial. Readers learned of the gruesome beatings of the two victims, particularly Elizabeth McMasters. Wilson was stabbed three times. Wilson was found on his back, lying in front of the doorframe, while Elizabeth McMasters was found face down in a large pool of blood by her head and a bloody fire poker nearby.¹²⁵ On the third day of the trial, the motive for this crime emerged when one witness said that Charlotte Jones knew the elderly pair had a great deal of money.¹²⁶ Charlotte implicated herself with a confession that stated that she was present at the murder scene when Henry Fife and another accomplice, Monroe Stewart, killed the two victims. This confession made her an accessory to murder.¹²⁷ Blood found on the clothing of Fife and Jones implicated the two further in the murder.¹²⁸

On July 12, 1857, the jury returned a verdict of murder in the first-degree against Fife and Jones. The newspaper reporters noted that after the verdict was read, “not a nerve trembled, not an eye fell. They [the prisoners] were the least unmoved, apparently, of all the vast assemblage. We noticed strong men weep in that audience, moved by the deep and tragic solemnity of the scene; but the prisoners were strangely composed and self-controlled.”¹²⁹

¹²⁴ Ibid. Emphasis in original.

¹²⁵ *Pittsburgh Daily Dispatch*, July 2, 1857.

¹²⁶ *Pittsburgh Daily Dispatch*, July 3, 1857.

¹²⁷ *Pittsburgh Daily Dispatch*, July 6, 1857, and July 7, 1857.

¹²⁸ *Pittsburgh Daily Dispatch*, July 7, 1857.

¹²⁹ *Pittsburgh Daily Dispatch*, July 13, 1857.

Even after the trial, discrepancies regarding who really committed the murders circulated. In her initial confession provided during the trial, Jones claimed not to have actually committed the murders. In another, final confession, she exonerated Monroe Stewart and claimed that she and Fife were the two murderers.¹³⁰ This change of story occurred after the Pennsylvania Supreme Court chose not to give Fife and Jones a new trial. As their fate on the gallows was sealed, it appears that Jones decided to come clean about her true involvement in an attempt to save the life of Monroe Stewart.¹³¹ It could be seen as an act to clear her conscience or to do something selfless before meeting her fate.

The Confessions of Henry Fife and Charlotte Jones, Under Sentence of Death for the Murder of Geo. Wilson and Elizabeth M'Masters: Together with a History of the Case and Statement of Monroe Stewart was published in 1857 and provides further information on the crime. The pamphlet recounted the earlier confession of Jones, in which she implicated only Fife and Stewart with the murder, suggesting that the two men forced her to take them to her aunt and uncle's house to steal their money. She claimed she begged them not to kill her relatives.¹³² The second confessions of Fife and Jones after their convictions shed more light on their relationship and what caused them to commit the murders. Fife stated that after Jones had visited her aunt and uncle in McKeesport, the subject of robbery arose as Charlotte relayed that her relatives had

¹³⁰ *Pittsburgh Daily Dispatch*, January 26, 1858.

¹³¹ *Pittsburgh Daily Dispatch*, February 12, 1858.

¹³² *Confessions of Henry Fife and Charlotte Jones, Under Sentence of Death for the Murder of Geo. Wilson and Elizabeth M'Masters: Together with a History of the Case and Statement of Monroe Stewart*. (Pittsburgh: Hunt & Miner, 1857), 9.

\$1100 in gold in their home. She told Fife, “she would have that money.” Jones continued by telling Fife that “if she did get it, she expected to get it by *poisoning* them.” Fife then asked Charlotte if she could kill them, to which she replied “she *hated her aunt*, and could kill her.”¹³³ A few days later, Charlotte told Fife she could not obtain the poison and that they would have to kill Wilson and McMasters by some other means. Jones claimed “she was able to kill the old woman, if I was able to kill the old man.”¹³⁴ Henry Fife had a knife with him, and the two proceeded with their plan. Fife quickly killed the old man by stabbing him three times and Charlotte tried to strangle her aunt. Charlotte failed to finish the deed, and Fife became angry and “stamped upon her head with the heel of my boot; but failing to kill her, I seized the poker and beat her until I saw her brains oozing from her head.”¹³⁵

Charlotte Jones’ confession corroborated much of Fife’s in terms of the execution of the crime.¹³⁶ Other aspects of her confession tell more about the motivations to commit the crime. She stated in her confession that her “parents were poor” and her “education was neglected.”¹³⁷ She noted that she loved Fife from the first time she saw him, and they often would pass as husband and wife.¹³⁸ Her desire for money is evident in the crime, in that she told Fife she would have that money and was willing to kill for it. That she grew up poor may have had something to do with this ardent desire.

¹³³ Ibid. 28. Emphasis in original.

¹³⁴ Ibid. 30.

¹³⁵ Ibid. 31.

¹³⁶ Ibid. 39, 40.

¹³⁷ Ibid. 36.

¹³⁸ Ibid. 37.

Furthermore, her love for Fife also seemed to drive her to commit the crime. Love and the need for money were therefore linked. From the confessions, it is clear that she masterminded the plan and had a role in the murders, even if she failed to kill her aunt with her own hands.

Fife and Jones went to the gallows on February 12, 1858 in the courtyard of the Allegheny County Courthouse. According to newspaper coverage, on the day before the execution “thousands visited the jail yard to be gratified with a sight of the scaffold, but the throng became so dense that the avenues leading to the jail had to be closed.”¹³⁹ Inside the prison, Charlotte Jones’ demeanor was said at times to be “equivocal,” but that she was prepared to some extent for her spiritual reckoning after death even though her “spiritual convictions were not very deep.”¹⁴⁰ In her scaffold speech, Charlotte tried one last time to set the record straight about her motivations and involvement in the crime. She addressed the crowd saying: “any statements that I was not sorry are untrue; because I have suffered continually since the perpetration of that offence.” She said that she believed her punishment was just and that she hoped to make peace with the Lord after her death.¹⁴¹ Finally, her composure failed as the moment of her demise approached. She was reported to have been “lamenting, hysterically, praying audibly...It was with the greatest effort that she maintained anything like composure....Fife attempted to reassure her, embracing and kissing her.”¹⁴² The two died within minutes of the floor of the scaffold dropping away.

¹³⁹ *Pittsburgh Daily Dispatch*, February 13, 1858.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

In this case, one sees a woman committing a violent murder with a male accomplice. Although she tried to obtain poison to commit the deed, in the end she resorted to physical violence. The bloody affair may have made it easier for the jury to convict the two. Although Fife was more involved in the killings than Jones, it was Jones who had masterminded the plan and took an active role in the murders. She was seen as a fiend for committing such a horrid crime, but her motivations again illustrated that she was guided by womanly desires: wanting money to create a proper home with Henry Fife. She was led astray by love and a desire for material wealth. That the murders were committed in a small town (albeit adjacent to a large urban area) and that the perpetrators were outsiders may have made it easier for the community to convict them in the newspapers and the jury to convict them in the courtroom.

In addition to the case of Charlotte Jones, two other cases from Philadelphia help to shed light on the issue of female murderers and female victims.¹⁴³ Mrs. Tamar Filbert was murdered by Mrs. Marian Wilson on July 28, 1840. Wilson fatally beat Filbert after the two were embroiled in a lawsuit over an altercation. The doctor who was summoned before Filbert died noted in his testimony that “the skull was broken in a horrible manner.”¹⁴⁴ We get a glimpse of Wilson’s character from courtroom testimony. The landlady of the house “heard Mrs. Wilson say, three times successively ‘I’ll beat you,’ . . . Mrs. Filbert afterward came down stairs to the witness, and told her, ‘that woman [Wilson] has been beating me with my own broom.’” The landlady later found the

¹⁴³ *Historical Census Browser*. The population in Philadelphia County in 1840 was 258,037. These two cases illustrate crimes that were not committed within the family. It is possible that more highly populated urban areas provided the opportunity more often for violence to be committed against mere acquaintances or even strangers. The crime rates in Appendix C seem to corroborate this.

¹⁴⁴ “Murder,” *Public Ledger*, August 1, 1840.

deceased on the stair landing laboring under her wounds.¹⁴⁵ Another tenant in the house, stated to the court that Wilson said, “that she would trammel the bones out of Mrs. Filbert’s body, and that she felt as if she could whip any man.”¹⁴⁶

Wilson’s trial in the Court of Oyer and Terminer commenced on November 12, 1840, and lasted for three full days. Witnesses spoke at length regarding the temperaments of the two women involved. Margaret Horner testified that she told Wilson “to cool down her temper, and that she was speaking very wrong; then she raised both arms above her head and clenched her fists, and said she felt as if she could crust a strong man; she said if I get hold of that old woman, I’ll beat her flat as the broom, I’ll leave no life in her.” Mrs. Mary Ferrell, another tenant, noted that as people worked to try to save Mrs. Filbert, authorities knocked at the door of Mrs. Wilson who “opened the door and looked unconcerned” denying the charge of murder.¹⁴⁷ On Friday, November 13, 1840, the landlady, Mrs. Steele took the stand, testifying that Wilson was querulous and that she did not like her.¹⁴⁸ For the victim, the descriptions are more positive. Maria Becker an acquaintance of the deceased for sixteen years stated that Mrs. Filbert, “was a calm, mild, religious woman...I never knew her to quarrel, and never knew her to say an angry word to any one.”¹⁴⁹

Most of the testimony of the three days corroborated the witnesses’ testimony in the initial investigation and developed a thorough timeline of the events, but these few

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ *Public Ledger*, November 13, 1840.

¹⁴⁸ *Public Ledger*, November 14, 1840.

¹⁴⁹ *Public Ledger*, November 16, 1840.

examples of the women's temperament and character show how victims and perpetrators were portrayed to the public and how the people involved in the trial perceived womanhood. Mrs. Filbert, who was described as being calm, industrious, mild, and religious, embodied womanhood, while Wilson's strength and anger do not fit the expected norms of womanhood, especially in her repeated declarations that she felt she could kill a man. At the close of the trial, Wilson was convicted of second-degree murder and sentenced to ten years in Eastern State Penitentiary.¹⁵⁰ Wilson, who was described in the records of Eastern State, as illiterate, sober, and widowed, served her full sentence, and was released on December 26, 1850. The discharge records also note that on admission her mental health was good but on discharge she was deemed insane.¹⁵¹

In November, 1840, Philadelphia newspapers reported another female murder trial from the Court of Oyer and Terminer: "Sarah A. Coleman [alias Davis]...stands charged with the murder of a female, whom, it is alleged, she killed from jealous motives."¹⁵² She was accused of murdering Juliana Jordan in July of 1840.¹⁵³ Jordan was found with her throat cut by a razor, her sewing, shoes, and the razor lying in the blood. Davis claimed Jordan had taken her own life and insisted the blood found on her hands by eyewitnesses came from trying to stop Jordan from committing suicide. Other witnesses claimed to have heard cries of murder coming from the victim. Mrs. Ann

¹⁵⁰ *Public Ledger*, December 28, 1840.

¹⁵¹"Discharge Books, 1830-1858"; "Admission and Discharge Books, 1844-1850," Record Group 15, Bureau of Corrections, Pennsylvania State Archives, Harrisburg, Pennsylvania. Although not in the scope of this dissertation, it is worth noting that Wilson's time in prison could be used as evidence that the solitary system of punishment used at Eastern State did have detrimental effects on the inmates, a charge that reformers repeatedly denied.

¹⁵²*Public Ledger*, November 4, 1840.

¹⁵³*Public Ledger*, November 6, 1840.

Norbury testified, “I first heard an awful screech; I first thought it was the screech of a pig in the hands of hog catchers, it was so shrill; it was a woman’s; then the screech came ‘murder.’”¹⁵⁴

What is most interesting about the case is the way that the witnesses regarded the victim and the accused. As in the Wilson case, the witnesses testified about both women involved, and through their words, a sense of how these individuals viewed women’s proper roles. Throughout the trial, numerous people spoke about Davis during the prosecution phase of the trial. A man in the neighborhood, Joseph T. Vankirk stated that “Mrs. Davis seemed very much excited; her lips quivered and she was pale and colorless; her conduct was not such as to excite any suspicion in my mind that she was guilty of the murder.” Another witness, James Shermer noted that the prisoner “asked me if the deceased was dead, and I told her she was dead... that I was going for the coroner; she seemed to be somewhat agitated.” William Bramble, a constable for the city, testified that the defendant “said ‘I done it.’” When told she spoke like a crazy woman, Davis said, “she was not crazy, and I done it, I was obliged to do it or she would have thrown me downstairs.”¹⁵⁵ Rebecca Bell stated that Davis’ “manner was light and trifling; she seemed to be laughing and talking about something.”¹⁵⁶ Witness Joseph A. McDaniels testified that he asked the defendant “if it wouldn’t be prudent for her to clean up the blood? She said she wanted to take advantage of the weather in getting out her clothes.”

¹⁵⁴*Public Ledger*, January 6, 1841.

¹⁵⁵ *Public Ledger*, January 7, 1841.

¹⁵⁶ *Public Ledger*, January 9, 1841.

On cross-examination, McDaniels noted, “I thought she acted very strange in being so calm; she had no respect for the woman although she was an inmate [in Davis’ home].”¹⁵⁷

The defense witnesses paint Davis in a different light. Mrs. Mary Louderbach stated that Davis boarded with her at one point and “she behaved herself respectably and decent, and I took her to be so; have seen her but once since; at that time she appeared to have a very good disposition; don’t know her reputation for peace and quiet.”¹⁵⁸ The defendant’s sister Susan Hall had good things to say about both women. She stated that her sister and the deceased “were very friendly and affectionate, and appeared always to me like two sisters.” She described her sister as “kind...her character among her acquaintances was considered of a kind nature; she was always called a good hearted soul who would wrong no one; her treatment to Julia was always kind....Never knew Sarah to be a jealous disposition.”¹⁵⁹ Davis, in these testimonies, is portrayed in several different ways. For the majority of the prosecution’s testimony, witnesses seemed a little disturbed by her aloof reaction to the death, commenting on her laughter and her desire to hang out her clothes. Only the last few character witnesses for Davis’ defense painted her in a positive light, considered her respectable, decent, and a kind woman, someone seemingly incapable of such a murder and embodying virtues expected in an upstanding female.

The information regarding Juliana’s character and personality is quite varied. The sister of the deceased, a witness for the prosecution, noted her dead sister’s disposition to

¹⁵⁷ *Public Ledger*, January 13, 1841.

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*

be “always lively, cheerful, full of jokes and fun.” She noted that to her knowledge, she “never took laudanum or opium” a fact that Davis’ defense exploited.¹⁶⁰

The defense used Jordan’s possible drug use extensively to cast doubt on Davis’ involvement in the murder. Mary Sutton’s testimony is worth quoting at length:

Knew the deceased, Mrs. Jordan, she told me she was in the habit of taking laudanum and opium... she told me she had taken laudanum once, and but for the timely assistance she got it would have killed her; she said she knocked and thumped against the partition, and the neighbors came in and rescued or relieved her; she didn’t tell on what account she had taken the laudanum; I shouldn’t suppose she wanted to die, or else she wouldn’t have knocked for assistance....

Cross-examined. She never told me she took the laudanum or opium for the purpose of destroying her own life; she never told me that she wanted to take her own life; she was very lively, good natured, and kind; I never saw her low spirited at all; I didn’t think she ever had any trouble; I always thought her health was very good; she appeared to me to be industrious and always behaved like a lady when she came to my house....¹⁶¹

By promoting the possibility that the deceased wanted to take her own life and used drugs casts doubt on who killed Jordan. Roger Lane, in his study on violent death in Philadelphia notes that generally considered suicide was “a sin for Christians since the time of Augustine... [and] was also a crime at common law.”¹⁶² Lane, however, argues that Philadelphia “was heir to an Anglo-American culture that had never regarded suicide with the horror demanded by Catholic tradition.”¹⁶³ Even if this was the case, invoking the idea of suicide still may have provided an opportunity for the jury to question the

¹⁶⁰ *Public Ledger*, January 12, 1841.

¹⁶¹ *Public Ledger*, January 13, 1841.

¹⁶² Roger Lane, *Violent Death in the City: Suicide, Accident, and Murder in Nineteenth Century Philadelphia* (Columbus, OH: Ohio State University Press, 1999), 15.

¹⁶³ *Ibid.* 32.

guilt of Davis. It is important to note how the prosecution on cross examination of this witness attempted to cast Jordan as an upstanding, kind lady, who was not prone to suicidal thoughts. By promoting the possibility of suicide, the defense painted Jordan as unstable and disturbed, characteristics that blacken Jordan's reputation as a kind, calm woman. This trial, like that of Marian Wilson, illustrates how the testimony regarding the character and portrayal of women in these trials acted as a lens into how society believed women should act and what was unacceptable behavior for women.

In addition to Jordan's supposed drug use, John Hoskins for the defense noted that Juliana "owed me some money." When he asked her to repay, she said, "she was poor and destitute; and that her husband had left her, and did not assist her." Hoskins testified, "I told her to return to virtue, that her husband was a clever man, and would perhaps forgive her transgressions." Hoskins admonished, "I said Juliann, go and do better."¹⁶⁴ By describing Juliana as a fallen woman, someone who had lost her "clever" husband and her virtue, the defense attempted to remove sympathy from the victim by showing she was not an innocent, kind woman, but one who had vices and strayed from the mores of expected womanhood.

The trial closed on January 18, 1841. On Saturday, January 23, 1841, the jury returned with a verdict of guilty of murder in the first-degree.¹⁶⁵ Five months passed between her conviction and her sentencing. Although the testimony plastered over the front page of the newspaper in January caused intrigue and sated morbid curiosity, the most dramatic report followed the sentencing of Sarah Ann Davis. The judge's speech is

¹⁶⁴ *Public Ledger*, January 14, 1841.

¹⁶⁵ *Public Ledger*, January 25, 1841.

an interesting study of how authorities viewed female offenders. The judge addressed Davis and the courtroom: “Your protestations of innocence can now avail you nothing. They can but excite emotions of mingled amazement and compassion that, standing upon the verge of the grave, you should continue so blindly insensible to the awful condition in which your crimes have placed you.” The initial portion of the speech portrays Davis as a foolish woman who lacked reason by thinking that her innocence would be believed after all the evidence against her. Her blindness and lack of sense regarding her guilt appalled the judge, and he did not hide his disgust for her in his statement.

One of the most interesting portions of the sentencing speech is the judge’s admonition to Davis for being “driven, in the very desperation of your defence, to blast [the victim’s] reputation and blacken her memory.” The judge made clear his disgust at both Davis’ and Jordan’s immorality. He said to Davis: “You have proved that her life, like your own, was frail; that her means of subsistence were the wages of sin.” He admonished Davis for taking the woman into her home and killing her out of jealousy for thinking that Jordan was taking away Davis’ husband. The judge continued: “Like the life of Julia Ann Jordan, yours has been one of guilt and shame.”¹⁶⁶ Most striking in these passages is the articulation of the frailty of women’s morality. The judge’s words illustrate that stepping into a life of vice and crime leads to major consequences. Both women lost their moral footing in different ways, and both would deal with severe consequences because of their actions.

¹⁶⁶ *Public Ledger*, May 18, 1841. All quotes from the speech derive from this issue.

Following the speech and the sentence of death, the newspaper reporter noted that the convicted wept and “experienced several spasms” before finding her composure.¹⁶⁷ While certain aspects of the speech are most likely common to all death sentence speeches and not only those directed at females, this speech does provide an interesting insight on attitudes that might be solely directed at female offenders, such as the traits of foolishness and frail morality that the judge discussed at length.

These two cases show how female murderers could be more physically violent towards their female victims. Wilson and Davis attacked their victims as opposed to poisoning them like other female murderers. Charlotte Jones might also fit into the same category of female murderers, but she could not complete the deed, while Wilson and Davis did. It is possible that the victim determined how the murderer decided to commit the act. With male victims, women might have felt they were physically too weak to overpower and kill men with physical force. Poison may have been the only option. With female victims like Filbert and Jordan, the murderers may have felt they were physically strong enough to overpower their victims. Wilson, with her protestations that she felt like she could kill a man certainly suggest that this was the case. Finally, these cases seem to be acts of rage and frustration, possibly over living in such tight quarters. It seems that in both cases, the perpetrators and victims lived close to one another and tensions between the tenants may have run high. In a sense, these crimes can be seen as acts of desperation as well, almost as efforts to rid themselves of competitors. The lack of a distinct motive, as was apparent in other murders committed by women, may suggest

¹⁶⁷ Ibid. I have not been able to track down whether or not she received a pardon from the state. I could find no record of her execution.

more random acts of violence in larger urban settings. To see more on the rates of violent crime, see Appendix C.

Barbara Cutter argues that because antebellum Americans believed that outside appearances implied moral qualities, criminal women needed to “put on the trappings of virtue” such as modest clothing, projecting a remorseful demeanor, or even cry to try to create doubt in her ability to be a murderer.¹⁶⁸ Cutter argues that “it became more and more difficult for Americans to convict a woman of murder – even if she admitted killing someone – as long as she made a claim to respectability, however superficial.”¹⁶⁹ The women examined here were all convicted of their crimes, but there are instances where ideas of feminine behavior are shown at the trials, such as Elizabeth Harker’s tears in court, or testimony that promotes the defendants’ virtuous qualities such as in Sarah Ann Davis’ case. In these cases above, these exhibitions of virtue or femininity failed to get these women acquitted. Instead, the juries saw these women as inhuman, depraved, wicked, and aggressive. Furthermore, descriptions of the female defendants that depict them as calm, serene, or unbothered by their situation may have made juries think these women had no remorse for their crimes.

It is also worth noting that in the sources that detail the trials and describe the offender, rarely do we hear from the offender herself, except in cases where confessions or dying speeches were printed. Instead, the judges, witnesses, and authors of pamphlets and newspaper articles are the voices more commonly heard. Because these voices are observers of the situation, we can get a clear sense of how public society viewed these offenders. American society saw these women as breaking the mold of womanhood and

¹⁶⁸ Cutter, *Domestic Devils, Battlefield Angels*, 26.

¹⁶⁹ *Ibid.*

placing themselves in a category of their own, outside the mainstream due to their violent crimes. It is unknown in many of these cases how the offenders themselves would have described their actions and motivations but from the few confession pamphlets printed, like those from Worms and Jones, one can see how the desire to commit the crimes developed due to events in their lives.

When Femininity Aids an Acquittal

In all of these cases, the crimes ended in conviction. The accused were seen by the juries and society as broken women who acted outside the mold of respectable womanhood. They were either viewed as sneaky and cunning as is evident in the poisoning trials, or aggressive or even masculine as is seen in the cases where the perpetrators acted more physically toward their victims. Many women who were taken to trial for violent crimes, however, were acquitted for one reason or another. It is worth exploring a few of these cases to see what caused some juries to acquit. In these cases, the issues of women's domesticity and reputation for virtue were usually part of the reason for the acquittal.

In Philadelphia in 1841, a young African-American servant, Harriet Aikens, was charged with poisoning several members of the family for whom she worked.¹⁷⁰ One child died, while others merely became ill. During the trial, it was shown that Aikens got along well with the family. The mother of the children never suspected her of the crime. Aikens had brought home custard and a cupcake to share with the children, which is what

¹⁷⁰ *Philadelphia Public Ledger*, January 4, 1841.

was believed to have contained the poison. It was later thought that Aikens made the custard as opposed to buying it like she claimed.¹⁷¹ Many people testified to the point that Aikens was a good, respectable woman. Witnesses stated that she was a “very honest and good tempered woman” and was an “inoffensive girl.”¹⁷² Testifiers on Aikens’ character seemed shocked that she could commit such a crime. A previous employer of Aikens’ stated: “When we heard it was our little Harriet, we thought it impossible for her to be guilty of such a thing; we had a very good opinion of her.”¹⁷³ The character witnesses may have helped in this case, as Aikens was acquitted.¹⁷⁴ Aikens had the characteristics of a doting child nurse. She loved the children she cared for, got along well with her employers, and generally was a hard worker. These virtues of a hard working domestic servant probably helped procure Aikens’ acquittal. Because Aikens was a servant, the characteristics of what made her a respectable woman might have differed from the overall middle class view of respectable antebellum womanhood. In this case, we know nothing of Aiken’s piety or charity, but the witness statements do show that she was caring and loving and had the makings of a good mother in the way she interacted with children, even though they were not her own. That she was respectful to her employers and knew her place in the family may have been enough to illustrate to the jury that she was a hardworking servant, and a respectable woman in her own right.

The issues of womanhood and violent crime are evident in one famous case for which the accused was acquitted. Lucretia Chapman, along with her lover, Lino Amalia

¹⁷¹ *Philadelphia Public Ledger*, January 30, 1841.

¹⁷² *Philadelphia Public Ledger*, February 2, 1841.

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

Espos y Mina, were accused in Andalusia, Pennsylvania (outside of Philadelphia), in 1831 of poisoning Chapman's husband William. She was acquitted in 1832 while Mina was convicted and hanged. Her lawyer, David Paul Brown, spoke of the problems of dealing with female offenders. Chapman was a woman "whose character we are ever accustomed to associate all that is lovely in tenderness, affection and fidelity. That female a wife! -- charged with the deliberate murder of the husband of her affections... That wife a mother! -- stigmatized and denounced as the fell destroyer of the father of her infant children."¹⁷⁵ Brown argued for the impropriety of convicting Chapman because she was a loving wife and that to convict her would not only stigmatize her but would harm her children by taking her away from them. The defense used ideals of domesticity in Chapman's case, and played to the expected characteristics of womanhood to make a claim for Chapman's innocence.

Brown insisted said she had an "unblemished moral reputation" and that this accusation of murder would become "mildew on a once unspotted reputation."¹⁷⁶ Chapman was presented as "an oppressed fellow-creature – a woman – hapless, helpless, friendless, and forlorn."¹⁷⁷ This statement makes her seem almost meek, incapable of committing a murder and distraught at her loss and the accusation. The emotional tone set by the defense was meant to evoke sympathy for Chapman and protect her womanly

¹⁷⁵ David Paul Brown. *The Forensic Speeches of David Paul Brown*, (Philadelphia: King & Baird, 1873), 137.

¹⁷⁶ *The Trial of Lucretia Chapman. Otherwise called Lucretia Espos y Mina, who was jointly indicted with Lino Amalia Espos y Mina, for the murder of William Chapman ...in the court of oyer and terminer, held at Doylestown, for Bucks County, December term, 1831, continued to February term, 1832*, (Philadelphia: G.W. Mentz & Son, 1882), 72, 151.

¹⁷⁷ Karen Halttunen, *Murder Most Foul*, 152. Refer also to Halttunen's chapter on the case in Shirley Samuels, ed. *The Culture of Sentiment: Race, Gender, and Sentimentality in Nineteenth-Century America*, (New York: Oxford University Press, 1992).

virtues. According to Karen Halttunen, the defense team's portrayal of Chapman was of "a woman of respectable social standing, a devout Christian, a teacher, a devoted mother of five children, and a loving wife."¹⁷⁸ Chapman could not have committed the murder, she was merely duped by Mina.

The prosecution, not surprisingly, countered these claims of respectability, labeling her a "household fiend." Chapman apparently embodied "masculine intelligence and habits" and had a "radically diseased" sense of morality and a "licentious appetite."¹⁷⁹ These phrases attempted to destroy claims of Chapman's femininity and project unwomanly characteristics on her. She was monstrous, masculine, and diseased: a far cry from being gentle, meek, and virtuous. Halttunen argues that the acquittal may have resulted from the jury wanting to believe the defense's characterization of Chapman, one that upheld domesticity and the characteristics of true womanhood.

The Chapman and Aikens' cases also remind us of Cutter's suggestion that accused female murderers only had to put on the trappings of virtue to cast doubt on their involvement with such heinous crimes. In both of these cases where the women were acquitted, the show of virtue, whether it came through witness testimony as in the Aiken's case or from the defendant's lawyer as at Chapman's trial, may have been successful in saving the women from prison or a death sentence. All of the cases discussed in this chapter illustrate how powerful the issue of women's prescribed role in society was to determining the violent female offenders' guilt or innocence. The issues of virtue and domesticity were wrapped up in the trial evidence, and in some cases, may have played a more important role in the conviction or acquittal than physical evidence.

¹⁷⁸ Ibid.

¹⁷⁹ *The Trial of Lucretia Chapman*, 193, 117, and 112.

Conclusion

The characteristics of domesticity and the traits of respectable female behavior in the antebellum era were critical aspects of how violent female offenders were viewed by juries and the public and also played a role in why women decided to commit crimes. These women, particularly those convicted of crimes, became social outlaws due to their criminal actions. They placed themselves beyond the mold of respectable womanhood. Their actions were violent and aggressive, traits that women in antebellum America were not supposed to have. By placing themselves outside the realm of respectable womanhood, these females still helped to define what roles and characteristics were deemed appropriate for women. In essence, they reinforced the category of respectable womanhood by showing other women what not to do. Violent female offenders were seen as fiends of the household, broken, mysterious, and depraved. Other women reading the trial testimony or confession pamphlets would learn what not to do in order to protect their reputations.

At the same time, while the violent female offenders' actions were not seen as womanly, their motivations to commit crimes were also wrapped up with what it meant to be a woman. For mothers who committed infanticide, their motivations ranged from wanting to protect their own virtue from having a child out of wedlock to simply realizing that they could not provide for a child and chose to kill it in order to protect it from a life of hardship. These women understood the importance of being perceived by society as being respectable women or loving mothers, and it seems that their motivations to commit crimes were, to some extent, driven by feminine characteristics or desires. So

while these criminals were seen as individual women who were beyond the realm of respectable womanhood, their motivations demonstrated that roles for women and mothers were, in part, what drove them to commit the crime.

Feminine motivation lay at the heart of these crimes. While some, like Harker, Myers, or Twiggs may have been motivated by love or wanted to get out of one marriage to enter another. Jones hoped to gain money to pay for housekeeping with the man she loved. Davis and Wilson show other women committed crimes of passion or in a fit of rage. These motivations play into the idea that women were ruled by their emotions, were apt to fall into a passion that caused them to commit violent acts, or were driven by love and lust. These and other murders illustrate a level of desperation amongst those who committed the deeds. In some respect, this desperation indicates how socially trapped women felt during the antebellum era. In crimes involving poisoning, the women wanted to get out of a marriage and felt the only way to accomplish that was to kill their husbands. This speaks to the difficulty of escaping an unhappy marriage. Mary Ryan notes that the antebellum woman should not have expected romance to continue after marriage, instead, she was to “ascertain and supply the affective needs of her spouse.”¹⁸⁰ Her needs were secondary to those of her husband. Divorces were difficult to come by, as was the case in the Myers murder. In order to allow them to remarry and keep their husbands’ estates, some women resorted to secret murder to alleviate their situation. Those who committed murder by poison sometimes tried to keep up the appearances of respectable women, nursing the ill to counter any suspicions against them. In these cases, issues of domesticity and virtue played a role in the motivations of women, not only in

¹⁸⁰Ryan, *Womanhood in America*, 155.

how they carried out the crimes but also the social limitations women faced in trying to uphold these characteristics.

Finally, women who were acquitted of their crimes also dealt with issues of respectability and domesticity in their trials. Aikens and Chapman succeeded in being acquitted of murder by demonstrating their virtue as women during their trials. In some way, these two women proved themselves to be virtuous, caring, respectable women, upholding the norms of acceptable womanly behavior, thus allowing them to remain in the sphere of respectable women and not to become social outlaws like those who were convicted. Overall, the cases of violent female criminality suggest that characteristics of antebellum womanhood and domesticity played a central role in determining the outcome of the trials and helped to reinforce the definitions of acceptable antebellum womanhood.

CHAPTER IV

“AMAZONIAN OUTBREAK”: ANTEBELLUM WOMEN AND POLITICAL CRIME

On March 1, 1850, a mob of women, by some accounts numbering sixty to one hundred strong, interrupted the working rhythm of a rolling mill in Pittsburgh, Pennsylvania. These women armed themselves with “stones and other missiles” and attacked the puddlers and boilers, drove them from their work stations and injured many of them, and proceeded to throw “coal and dirt into the furnaces, ruining the iron, and causing injury to the furnaces.”¹ After the first successful attack, the mob proceeded to a second rolling mill, but was stopped before they could do any harm.² The attacks were a culmination of rising frustrations over wage reductions that were put into effect at the beginning of 1850. Following the wage reduction, many mill workers went on strike, and the women involved in the March 1 riots took it upon themselves to attack the workers brought in from the eastern part of the state to act as strikebreakers.³ One month later,

¹*Pittsburgh Daily Gazette and Advertiser*, March 2, 1850. A rolling mill is a mill or factory where slabs of heated metal are passed between rollers to produce metal sheets at a certain thickness. Puddlers were workers who conducted the process of converting pig iron into wrought iron by melting it in a furnace to oxidize carbon. See *Collins English Dictionary - Complete & Unabridged 10th Edition*, HarperCollins Publishers, accessed October 12, 2011, <http://dictionary.reference.com>.

²*Pittsburgh Daily Gazette and Advertiser*, March 2, 1850.

³ James Linaberger, “The Rolling Mill Riots of 1850,” *The Western Pennsylvania Historical Magazine* 47 no. 1, (1964): 1-11.

several of the female ringleaders of the mob were tried in the Allegheny Court of Quarter Sessions for their participation in the riots.⁴

The actions of these women illustrate that not all antebellum women were content to simply tend to domestic concerns. These women took up the problems that their husbands and other male family members faced as industrial workers and sought change through a violent riot. Rioting was a political and social statement and demonstrated a form of political behavior.⁵ I argue in this chapter that women participated in riots to demonstrate their political and social opinions. Like women who broke from standard definitions of womanhood by committing violent crimes, women rioters used criminal behavior to work for social change. Their participation in such events went beyond expected behavior for antebellum women because the rioting delved into the generally male-dominated realm of politics. This chapter will explore women's participation in what I call 'political crimes.' I define 'political' broadly. Political crimes are not limited to crimes dealing directly with government, political parties, or acts of treason. Instead, I define political crime to include any criminal activity in which women's participation demonstrated a particular viewpoint on a social or political situation. Their criminal activity was meant to evoke some type of change in society or to rebel against a disliked policy. Many times women appeared to be motivated to participate in order to protect their families, homes, and communities in some form. In some cases, women's political crimes simply reflected frustrations over political and social issues of the day, while in

⁴*The Daily Dispatch*, Pittsburgh, Pennsylvania, April 9, 1850.

⁵ Under Pennsylvania law, rioters could be sentenced to "pay a fine not exceeding five hundred dollars, or undergo an imprisonment for a period of time not exceeding two years, or both, at the discretion of the court." See Act of 1705, *Report of the Commissioners on the Penal Code, with Accompanying Documents* (Harrisburg: S.C. Stambaugh, 1828), 120.

other cases, women's participation bordered on treason. Whatever the motivations or outcomes of the riots may have been, women's participation demonstrated political behavior and gave them a voice.⁶

While petty and violent crimes could be committed by women of any social class, participation in riots and political crimes appear to be dominated by those of lower classes or demographic groups with less social and political leverage, such as immigrants, free blacks and runaway slaves, and factory workers. Rioting may have been one of the few ways to have their voices and concerns heard by the larger public. Women could also be placed in the category of the politically voiceless. Their participation in these instances of collective violence offers them a type of voice. This chapter examines three types of riots that constitute examples of political crime: the major nativist riots in Philadelphia in 1844, two fugitive slave riots in southeastern Pennsylvania in the late 1840s and early 1850s, and finally the labor riot in Pittsburgh.

Rioting and mob action has a long history, and much scholarly work has dealt with the issues of collective violence. Several European historians pioneered literature in the field, laying the groundwork for similar work to be done by American historians. Definitions of words like 'mobs' or 'riots' need to be addressed before delving into the workings of collective violence. George Rudé sees riots in the eighteenth- and nineteenth-century European context as "the characteristic and ever-recurring form of

⁶ I draw on Paula Baker's definition of politics here. She defines politics broadly "to include any action, formal or informal, taken to affect the course or behavior of government or the community." See Paula Baker, "The Domestication of Politics: Women and American Political Society, 1780-1920" *The American Historical Review* 89 no. 3 (1984): 622. While her essay focuses on middle-class women, I think the definition of politics given here works for the lower class women I am discussing in this chapter.

popular protest, which, on occasion, turns into a rebellion or revolution.”⁷ Furthermore, Rudé warns against simply assigning “the label ‘mob’ or ‘rabble’ without discrimination to all participants in popular disturbance.”⁸ Contemporaries of the protestors grouped them into two categories: a lower class crowd or agents of a foreign aggressor.⁹ Historians, Rudé argues, have designated them as ‘the people’ or ‘rabble,’ both being stereotypes and “present the crowd as a disembodied abstraction and not as an aggregate of men and women of flesh and blood.”¹⁰ In these cases of collective action and violence, the human element should be remembered and the individual participants, whenever possible, need to be pulled out from the mass of rioters. I attempt to do this to some extent by focusing on women’s participation in antebellum riots in an effort to retrieve them from obscurity.

What seemed to be the impetus behind eighteenth and nineteenth century rioting in Europe? Rudé argues that in late eighteenth-century England and France, changing modes of production, government policies, and the growth of capitalist markets caused the lower classes in these countries to respond violently against the social and economic changes which threatened their stability.¹¹ These rioters resisted the new changes to protect their traditional ways of life. They had specific targets and goals for their action;

⁷ George Rudé, *The Crowd in History: A Study of Popular Disturbances in France and England, 1730-1848*(New York: John Wiley & Sons, Inc., 1964), 6.

⁸ Ibid. 7.

⁹ Ibid. 7-8.

¹⁰ Ibid. 8-9.

¹¹ Michael Feldberg, “The Crowd in Philadelphia History: A Comparative Perspective,” *Labor History*15, no. 3, (Summer 1974): 323-324. See also Rudé, *The Crowd in History*; E. J. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries* (Manchester, UK: Manchester University Press, 1959); E.P. Thompson, *The Making of the English Working Class* (New York, 1963).

the mobs were not without control.¹² I would argue that in most riots in which women were involved in the antebellum period, rioters also protested the established order, so to speak, and worked for social or economic change. E.P. Thompson agrees with Rudé that mob participants believed they were acting in the name of a cause, which gave them a “notion of legitimation.” “Men and women in the crowd,” Thompson posits, “were informed by the belief that they were defending traditional rights or customs” and that they were representing the wider notions of their communities. This belief created the moral economy of the community.¹³

Collective action was deemed to be political activity. Thompson contends that the moral economy of English society had political overtones, to some extent, in that:

it supposed definite, and passionately held, notions of the common weal – notions which, indeed, found some support in the paternalist tradition of the authorities; notions which the people re-echoed so loudly in their turn that the authorities were, in some measure, the prisoners of the people. Hence this moral economy impinged very generally upon eighteenth-century government and thought, and did not only intrude at moments of disturbance.¹⁴

Charles Tilly also suggests that collective violence is political. He argues that “violence flows from politics, and more precisely from political change.”¹⁵ Tilly states that violence is not a solo act, but rather an interaction “that political authorities everywhere seek to monopolize, control or at least contain” and that collective violence is a vital part

¹²Rudé, *The Crowd in History*, 60. Charles Tilly, “Collective Violence in European Perspective” in Hugh Davis Graham and Ted Robert Gurr, eds., *Violence in America: Historical and Comparative Perspectives* (Beverly Hills: Sage Publications, 1979), 97.

¹³ E.P. Thompson, *Customs in Common* (New York: The New Press, 1991), 188.

¹⁴ *Ibid.* 188-189.

¹⁵ Tilly, “Collective Violence,” 109.

of political life.¹⁶ Furthermore, Thompson argues that riot occurs “not among helpless or hopeless people, but among those groups who sense that they have a little power to help themselves.”¹⁷ This is true for the riots in antebellum Pennsylvania. While people in the lower social classes conducted the riots, they clearly realized that they had some power to evoke change or to demonstrate their views on a social issue.

Historians generally agree that eighteenth- and nineteenth-century mobs in Europe were organized, had specific goals, were made up of the lower classes, and that riots were in some respects political actions. When looking at eighteenth-century mobs in the American colonies, historians argue for several differences between European mob actions and those in the New World. One continuity of collective violence between the colonies and Europe was the self-restraint and discipline of the rioters.¹⁸ But there are significant differences between the two geographic regions. Class, for example, constituted a major difference. In the colonies, mobs reacting to British taxation policies were made up of middle-class citizens.¹⁹ Pauline Maier suggests that mob action was not meant to address minor problems but was only justified when all legal avenues for rectifying problems had been exhausted. In essence, mob action was deemed quasi-legal.²⁰ Gordon Wood argues that the biggest difference between European and colonial

¹⁶ Ibid. 109, 111.

¹⁷ Thompson, *Customs in Common*, 265.

¹⁸ Gordon S. Wood, “A Note on Mobs in the American Revolution” *The William and Mary Quarterly* 23, no. 4 (1966): 636-637. Wood, “A Note on Mobs,” 636-637.

¹⁹ Ibid., 636. See also Carl Bridenbaugh, *Cities in Revolt: Urban Life in America, 1743-1776* (New York, 1955); Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill: The University of North Carolina Press, 1998); and Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Vintage, 1991).

²⁰ Pauline Maier, “Uprisings and Civil Authority in Eighteenth-Century America” *The William and Mary Quarterly* 27, no. 1 (1970): 28. See also Kimberly K. Smith, *The Dominion of Voice: Riot, Reason, and*

mobs of the eighteenth-century was the fact that in the colonies the governmental authorities were essentially powerless to resist the mob action.²¹ The “restraint and timidity of the British authorities” helped to limit the damage done by colonial mobs.²² The relatively weak federal government immediately after the Revolution allowed mob activity to continue in the 1780s.²³

While the mobs of eighteenth-century America appeared to be controlled and purposeful, there were differences between colonial riots and those in the antebellum era. Pauline Maier maintains that “nineteenth-century mobs often resembled in outward form those of the previous century, but a new violence was added.”²⁴ In addition, I would add, mobs were made up largely of the lower classes and their actions were more spontaneous. Michael Feldberg suggests that some riots in nineteenth-century Philadelphia were marked by the sort of restraint characteristic of the previous century.²⁵ While this may be true at the outset of the riots, particularly the 1844 ethnic riots, it appears that the violence and destruction easily escalated out of control as more people joined the fray. Furthermore, the slave riots seem to stem from a quick reaction; the violence and riots were not calculated but were opportunistic and driven by necessity. In this respect, antebellum riots differed from those of the previous century. Feldberg claims that

Romance in Antebellum Politics (Lawrence, KS: University Press of Kansas, 1999), especially chapter 1. In this respect I think there is a difference between colonial mobs and those in the antebellum era. While some might be acts of last resort, it appears that some mobs took on a life of their own, ignoring other means to evoke change or were more spontaneous reactions to events as opposed to thought out, calculated actions.

²¹ Wood, “A Note on Mobs,” 639.

²² *Ibid.* 640.

²³ *Ibid.*

²⁴ Maier, “Uprisings and Civil Authority,” 33.

²⁵ Feldberg, “The Crowd in Philadelphia History,” 332.

collective violence was not necessarily bound to the transition from pre-industrial to industrial societies, such as many European scholars contended. He suggests instead a more wide-ranging theory of mob violence, to include “ethnic, racial, cultural, and religious conflicts.”²⁶ Many of the antebellum riots, I contend, were more focused on these issues rather than the consequences of modernization.

Scholars of antebellum riots generally differentiate the nineteenth-century events from the politically driven mob violence in the colonial and revolutionary eras. I contend that the antebellum riots were just as political because they illustrated the social tensions of the time. Feldberg stresses the importance of politics to this collective violence. He reasons that “violence did not replace politics, but rather was a part of politics.”²⁷ People, particularly lower-class individuals, used riots to work for improvements in their lives or to stake a claim to American citizenry when mainstream action could not achieve these goals. Because rioting was a part of politics, women’s participation was an articulation of political behavior and a demonstration of their beliefs, even if they were not considered part of the polity.

Like Maier, David Grimsted argues that rioting in the Jacksonian period became “an immediate redressing of moral wrongs or a removal of social dangers” that could not be managed by standard legal avenues.²⁸ He suggests that riots pose “in stark form many

²⁶ Ibid. 334. See also Roger Lane, *Murder in America: A History* (Columbus, OH: Ohio State University Press, 1997), 103.

²⁷ Feldberg, “The Crowd in Philadelphia History,” 336. See also Carl E. Prince, “The Great ‘Riot Year’: Jacksonian Democracy and Patterns of Violence in 1834” *Journal of the Early Republic* 5 no.1 (1985): 1-19; Elizabeth M. Geffen, “Violence in Philadelphia in the 1840s and 1850s” *Pennsylvania History* 36, no. 4, (1969): 380-410.

²⁸ David Grimsted, “Rioting in its Jacksonian Setting” *The American Historical Review* 77, no. 2 (1972): 365.

of the deepest dilemmas a democracy faces.”²⁹ In an era when issues of immigration and slavery imposed conflicts on the social system, it is no wonder that the decades before the Civil War were fraught with riots.

While it is critical to understand the prevailing scholarly arguments on mobs and rioting, it is also worth exploring women’s roles in politics during the early nineteenth-century. Where do they stand in the political realm? What was considered acceptable political behavior for women? Looking at women’s political behavior necessitates paying homage to the work of Linda Kerber and Mary Beth Norton who in the 1980s demonstrated what vital roles women played in the American Revolution. These patriotic female revolutionaries wrote speeches, wore patriotic symbols on their clothing, and participated in economic boycotts. Numerous historians have considered women’s political behavior in the Early Republic, noting that women were present in many political functions celebrating the young nation.³⁰ Rosemarie Zagarrri argues that in the

²⁹ Ibid. 397. For a comprehensive examination of antebellum riots, see David Grimsted, *American Mobbing, 1828-1861: Toward Civil War* (New York: Oxford University Press, 1998). Grimsted not only looks at northern urban mobbing, which tends to be the focus of most historians when considering Jacksonian rioting, but also spends several chapters looking at southern mobs. By including the South, Grimsted shows how mobbing was one expression of sectional tensions that propelled the nation toward civil war. For a perspective on how nineteenth-century leaders tried to quell these riots through their rhetoric and creating alternatives to rioting as a means to political action, see Kimberly Smith, *The Dominion of Voice*, particularly chapter 2. Ironically, in an era when so much rioting occurred, people in the political sphere viewed mob action as traitorous, and that democracy itself was to blame for the riots. Furthermore, some people suggested that the rioters were not good citizens, and portrayed them as “brutish.” Smith also suggests that nineteenth-century contemporaries used riots “against which to define the proper content of the citizen’s character and, in turn, the proper bounds of the political community.” In turn, then, riotous behavior was linked to disliked social groups, such as immigrants. See Smith, *The Dominion of Voice*, 53, 56, 59, 61, 64.

³⁰ Rosemarie Zagarrri, *Revolutionary Backlash: Women and Politics in the Early American Republic* (Philadelphia: University of Pennsylvania Press, 2007), 2. See also Linda K. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980); Mary Beth Norton *Liberty’s Daughters: The Revolutionary Experience of American Women, 1750-1800* (Glenview, IL: Little, Brown, and Co., 1980). For information on women’s politics in the Early Republic, see Catherine Allgor, *Parlor Politics in Which the Ladies of Washington Help Build a City and a Government* (Charlottesville: University Press of Virginia, 2000); Susan Branson, *These Fiery Frenchified Dames: Women and Political Culture in Early National Philadelphia* (Philadelphia: University

Early Republic, women's participation in party and electoral politics had serious repercussions. Women, many insisted, could better serve the country by staying in the domestic sphere.³¹ By the election of Andrew Jackson, it became clear that "women had no place in either party or electoral politics."³² Instead, women became more involved in civil society and put their political efforts into creating benevolent societies and social reform movements.³³ In their involvement in antebellum riots, women fashioned a more political role for themselves, one that may have been more acceptable of females in the Revolutionary and Early Republic eras. In any case, women found a way to demonstrate their political beliefs in an era when their participation in party and electoral politics was frowned upon.

Women staked their claim in the political realm during the antebellum decades in ways other than riots and benevolent associations. S.J. Kleinberg suggests that women led much of the initial labor unrest in the first decades of American industrialization.

Women seamstresses went on strike in northeastern cities in the 1820s and 1830s and

of Pennsylvania Press, 2001); Simon P. Newman, *Parades and the Politics of the Street: Festive Culture in the Early American Republic* (Philadelphia: University of Pennsylvania Press, 1997); and David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776-1820* (Chapel Hill: University of North Carolina Press, 1999).

³¹ Zagari, *Revolutionary Backlash*, 6.

³² *Ibid.*, 8. In an era when political opportunities were expanding for men in the United States, women were being squeezed out of the political realm and retreated to the home. With this retreat into the home, women became more influential in matters of "religion, morality, and child rearing." See Nancy M. Theriot, *Mothers and Daughters in Nineteenth-Century America: The Biosocial Construction of Femininity* (Lexington: University Press of Kentucky, 1996), 32-33, 35. See Barbara J. Harris *Beyond Her Sphere: Women and the Professions in American History* (Greenwood, CT: Greenwood Press, 1978), 33-34, and S.J. Kleinberg, *Women in the United States, 1830-1945* (London: Macmillan Press, Ltd, 1999), 37-38, for more on the characteristics of the ideal domestic woman. See also Chapters 2 and 3 of this dissertation for further explanation of how women broke this mold by committing crimes.

³³ Zagari, *Revolutionary Backlash*, 8. See also Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century*, rev. Ed. (New York: Hill and Wang, 1999), 55-58; and Baker, "The Domestication of Politics" 625, 632-633. See Chapter Six of this dissertation for how women played an active role in the prison reform movement.

began to form unions in the 1840s.³⁴ The women's rights' movement experienced growth during the 1840s and 1850s oftentimes stemming from the abolitionist movement where women saw correlations between their oppression and that of slaves.³⁵ In 1848, the Seneca Falls convention was a huge step in furthering the women's rights movement. Barbara Harris notes that between Seneca Falls and the Civil War, "scarcely a year passed without the meeting of a woman's rights convention."³⁶ Furthermore, women petitioned state legislatures for married women's legal rights and to end women's "civil death" upon marriage.³⁷ These direct actions illustrate that women were not fully separated from the political realm during the antebellum era.

While much of the literature on women's political activism in the nineteenth-century focuses its attention on white women's struggles, black women were also politically active. Gayle Tate chronicles the evolution of their participation in politics. She argues that this occurred in two stages: "the origins of the politicalization of black women" in looking at women's resistance to slavery and "the political maturation of free black antebellum women" as these women redefined "themselves in freedom."³⁸ She maintains that "enslaved and free black women, by initiating localized struggles, were attempting to create a substantial base of power for the powerless."³⁹ Her arguments can be seen in action by free black communities that came together to defend runaways,

³⁴ Kleinberg, *American Women*, 28-29.

³⁵ *Ibid.*, 92-93.

³⁶ Harris, *Beyond Her Sphere* 74.

³⁷ *Ibid.* 74-75.

³⁸ Gayle T. Tate, *Unknown Tongues: Black Women's Political Activism in the Antebellum Era, 1830-1860* (East Lansing, MI: Michigan State University Press, 2003), 3.

³⁹ *Ibid.* 3.

actions in which women openly participated in violent occurrences or where enslaved women took it upon themselves to escape to freedom.

Protecting America: Philadelphia's 1844 Nativist Riots

In the first half of the nineteenth-century the nature of urban centers was changing. Impressive growth and disorder became the norm.⁴⁰ Violent riots occurred in this era, perhaps as a reaction to these changing social conditions. An economic depression in the 1830s fueled frustrations, as did the changing, and increasingly impersonal, relationships between workers and employers. Growing cities allowed for the development of gangs, because young men had nowhere to turn for recreation, thus leading to increased aggressive male behavior.⁴¹ Furthermore, the arrival of large numbers of Irish Catholic immigrants exacerbated urban tensions during these decades.⁴² The Irish created a huge unskilled labor force which threatened the livelihoods of

⁴⁰ Lane, *Murder in America*, 102.

⁴¹ Lane, *Murder in America*, 104. See also Randolph Roth, *American Homicide* (Cambridge, MA: Belknap Press of Harvard University Press, 2009), 187-188.

⁴² It is worth noting that even the Irish rioted against each other in Philadelphia. In 1831, Irish Protestants and Irish Catholics rioted in the city after the Protestants put on a parade to celebrate the Battle of the Boyne. This resulted in a violent clash between the groups and a subsequent trial in which the Protestants brought the Catholics to trial for riot, and the Catholics countered by taking the Protestants to court for rioting. See *A Full and Accurate Report of the Trial for Riot before The Mayor's Court of Philadelphia, on the 13th of October, 1831, Arising out of a Protestant Procession on the 12th of July, and in Which the Contending Parties were Protestants and Roman Catholics* (Philadelphia: Henry Darley, 1831); Francis W. Hoerber, "Drama in the Courtroom, Theater in the Streets: Philadelphia's Irish Riot of 1831" *The Pennsylvania Magazine of History and Biography* CXXV, no. 3 (2001): 191-232. By 1840, the county of Philadelphia had a population of 258,037, a figure which rose dramatically to 408,762, ten years later. See "Historical Census Browser," University of Virginia Geospatial and Statistical Data Center, accessed December 5, 2011, <http://fisher.lib.virginia.edu/collections/stats/histcensus/index.html>. While it is unclear how many of these people were of Irish descent in 1840, by 1850, the county of Philadelphia had an Irish population of 72,000, approximately 18% of its population. See Dennis Clark, *The Irish in Philadelphia: Ten Generations of Urban Experience* (Philadelphia: Temple University Press, 1973) 27, 86.

Protestant workers who were already established in the cities and the free black population who felt their job security being threatened. These issues led to increased anti-Catholic sentiments in many eastern seaboard cities in the first half of the nineteenth-century.⁴³ Tensions between the Irish Catholics and nativists in Philadelphia reached a breaking point in May of 1844 resulting in two waves of riots over the summer.⁴⁴

Interestingly, it was a woman who appeared to bring tensions to blows between Irish Catholics and Protestant Nativists in Philadelphia in 1844. In 1842, the Philadelphia school board ordered that only the King James Bible be read in the public schoolrooms. Feeling that Catholic children would be inculcated with Protestant notions, Catholic Bishop Francis Patrick Kenrick asked for Catholic students to be allowed to read the Douay Bible. As Protestant office holders feared their positions in power would be in jeopardy if they agreed to the Catholics' wishes, they offered a compromise: Catholic children would be excused from the classroom while the Protestant Bible was being read.⁴⁵ Louisa Bedford, a young Protestant teacher in the working class neighborhood of Kensington who had both Protestant and Catholic pupils, became directly involved in the conflict. She simply wanted to educate the children and grew increasingly frustrated over

⁴³ Lane *Murder in America*, 104-105.

⁴⁴ David Grimsted is quick to point out that although the riots are commonly treated as “an ethnic-religious clash” the “triggering event was political” when the nativists held a rally in Kensington. See Grimsted, *American Mobbing*, 218. Since American nativism was on the rise with the formation of political parties, and with ire focused on Irish Catholics as one target, the combination of ethnicity, religion, and politics made for a lethal combination in Philadelphia.

⁴⁵ Michael Feldberg, *The Turbulent Era, Riot and Disorder in Jacksonian America* (New York: Oxford University Press, 1980), 9-10. For a more detailed account of the Irish and Nativist perspectives, see Michael Feldberg, *The Philadelphia Riots of 1844: A Study of Ethnic Conflict* (Westport, CT: Greenwood Press, 1975), especially chapters 2 and 3.

the disruption in her classroom that occurred when her Catholic students left the room when the King James Bible was read.⁴⁶

In early 1844 when Hugh Clark, a school controller who happened to be Irish Catholic, was inspecting the school in Kensington, Bedford voiced her frustrations at the policy of dismissing Catholic students. Clark offered her an alternative, suggesting that she suspend all Bible reading in her classroom until a new plan could be devised by the school board.⁴⁷ Clark's suggestion was immediately interpreted by his opponents as more insidious than intended, claiming that Clark's goal was to "kick the Bible out of the schools."⁴⁸ Protestant citizens in Philadelphia seized onto this suggestion, worsening tensions between the religious groups and fueling the organization of American nativist organizations in the city, run by middle class, respectable men from Philadelphia.⁴⁹ They believed that Catholics were "planning to make the schools Bibleless, irreligious, and a breeding ground for a Catholic conspiracy to capture the souls of America's Protestant youth."⁵⁰ Furthermore, the nativists believed that Bedford was forced "against her will" to remove the Bibles, when in reality, she made the choice herself to have a more controlled classroom.⁵¹

⁴⁶ Feldberg, *The Turbulent Era*, 10.

⁴⁷ Ibid. 10-11.

⁴⁸ Ibid. 11.

⁴⁹ Ibid. 12-13.

⁵⁰ Ibid. 17.

⁵¹ Ibid. In a subsequent investigation of Clark's actions, the school board admitted, after hearing testimony from Bedford, that it had been her decision to "dispense with the use of the Bible than have such confusion." Bedford was admonished and told that such an approach would never have the board's approval. See Vincent P. Lannie and Bernard C. Diethorn, "For the Honor and Glory of God: The Philadelphia Bible Riots of 1840" *History of Education Quarterly* 8 no. 1 (1968): 66. See also the testimony of Bedford and other female teachers in *The Olive Branch; or, An Earnest Appeal in Behalf of*

On May 3, 1844, the nativist group, the American Republicans held a rally in Kensington to show their determination not to let the Irish Catholics control their schools and city. When they were heckled by Kensington's inhabitants, the nativists chose to reconvene at the schoolyard on Monday, May 6. The second crowd numbered 3,000 but was quickly driven to Nanny Goat Market in the heart of Irish Kensington when a rainstorm erupted. The locals were infuriated that the nativists would encroach on their prized marketplace, and began to shoot at the crowd from their vantage points in their homes surrounding the market. When George Shiffler, a nineteen year old boy was killed, the nativists had their first martyr.⁵² Nativists retaliated by shooting back and breaking into Irish homes using brickbats and stones.

It is clear from contemporary sources that men were not the sole participants in this riot. A writer for *The Philadelphia Ledger* reported that on this first day, “[t]he Irish population were in a dreadful state of excitement, and even women and boys joined in the affray, some of the women actually throwing missiles.”⁵³ The Irish retreated to gather firearms to protect their community and drive out the nativists. The author reported, “many of the women who were not engaged with weapons, incited the men to vigorous action, pointing out where they could operate with more effect, and cheering them on and rallying them to a renewal of conflict whenever spirits fell or they were compelled to

Religion, The Supremacy of Law, and Social Order: with Documents, Relating to the Late Disturbances in Philadelphia (Philadelphia: M. Fithian, 1844), particularly pages 32-33. Interestingly, some Catholic students complained that one teacher, Miss Jackson, told them “that if they heard the Bible read it would kill them.” *The Olive Branch*, 33. The issue of Bible reading was an inflammatory issue, for both the teachers and the children.

⁵² Feldberg, *The Turbulent Era*, 18-19. See also *The Inquirer and National Gazette*, May 7, 1844; and *The Philadelphia Ledger and Daily Transcript*, May 7, 1844.

⁵³ *The Philadelphia Ledger*, May 7, 1844.

retreat.”⁵⁴ From this report, one gathers that some of the women were directly involved in the fighting. Other women offered their participation in voice and direction, almost coaching the rioters to order in the midst of extreme chaos. John Hancock Lee, reflecting on the first day of battle, wrote: “The conduct of the Irish women in the early part of this battle, was no less fierce than was that of the men; for they were seen urging the men on to deeds of violence, and running in all directions, with their aprons filled with stones, rendering all the assistance in their power. One woman was knocked down with a brickbat, but she instantly regained her feet, and shouted at the top of her voice for the men to maintain their ground and give it to the natives.”⁵⁵ In the foreground of Figure 1 below, women can be seen caught in the affray, suggesting that females were directly involved in the fighting.

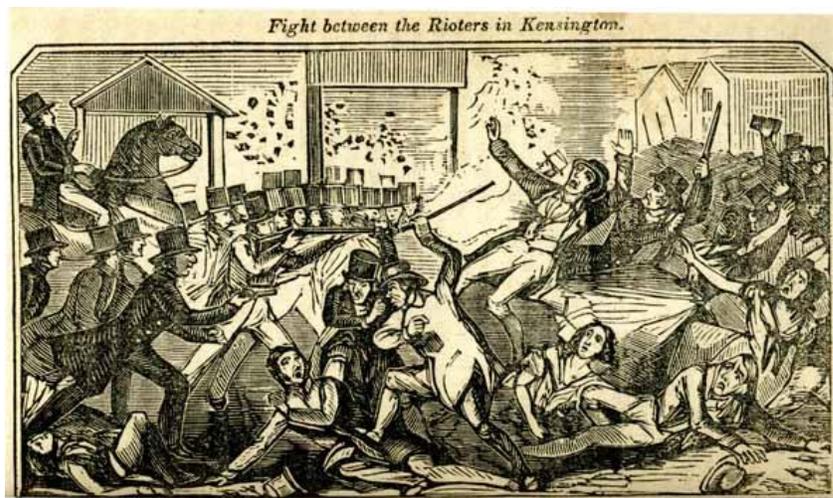


Figure 1: Kensington Riot⁵⁶

⁵⁴Ibid.

⁵⁵ John Hancock Lee, *The Origin and Progress of the American Party in Politics: Embracing a Complete History of the Philadelphia Riots in May and July, 1844*, (Freeport, NY: Books for Libraries Press, 1970), 57. The original publication of this source was in 1855.

⁵⁶ “Fight between the Rioters at Kensington” Historical Society of Pennsylvania, accessed December 5, 2011, <http://www.hsp.org/sites/www.hsp.org/files/migrated/riots3final.jpg>.

On Tuesday, May 7, crowds marched on Kensington to avenge the death of Shiffler. Most of the Irish had fled the city the night before, and those who stayed were ready to fight. Nativists changed their approach and set fire to homes that were still inhabited. The remaining inhabitants fled the city by Wednesday morning, May 8. Nativists turned their rage on the symbols of Catholicism, setting fire to St. Michael's and St. Augustine's Catholic churches, destroying the structures in a matter of minutes. As a result of the rioting, the city was placed under martial law by Governor David R. Porter.⁵⁷

Reflecting on the riot, Philadelphian Sidney George Fisher, who volunteered to be part of the local guard to protect the city against further rioting, noted the women's roles in the riots. While "the boys were the most active," he confided in his diary, women "too, were busy, as in the French Revolution, cheering on the men & carrying weapons to them."⁵⁸ While it is unclear whether these women were nativists or Irish Catholics, it is clear that women did get involved in the rioting, corroborating reports of Lee and the *Philadelphia Ledger*.

Michael Feldberg has argued that the Kensington riots fell into the general characteristics of Jacksonian riots. Only a few combatants were actually armed, the rioters showed a good deal of restraint at least initially and waited to embark on mass destruction until the third day, and those involved in the riots were not "the poorest or

⁵⁷Feldberg, *The Turbulent Era*, 20-23; *The Inquirer and National Gazette*, May 8-9, 1844; and *Philadelphia Ledger*, May 8-9, 1844. For an economic perspective on the Kensington riots, see David Montgomery, "The Shuttle and the Cross: Weavers and Artisans in the Kensington Riots of 1844" in *Journal of Social History* 5, no.4 (1972): 411-446.

⁵⁸Nicholas B. Wainwright ed. *A Philadelphia Perspective: The Diary of Sidney George Fisher Covering the Years 1834-1871*. (Philadelphia: The Historical Society of Pennsylvania, 1967), 167-168.

most oppressed.”⁵⁹ He contends that most rioters were young men who had steady employment and that “many of the older men and women who participated on both sides were established members of their community.”⁶⁰ Feldberg reasons that the rioters were driven by “a deep commitment to their ethnic heritage and their political cause” not because they were hopeless.⁶¹ Feldberg is right to say that both sides were committed to their heritage and politics, and it is in this sense that one can see that women’s involvement was a demonstration of their political behavior.

While these characteristics may be true in some respect, Feldberg’s analysis is not nuanced enough. First, to say that the rioters were restrained may be giving them too much credit. By taking their cause into the heart of Kensington, it almost seems as if the nativists were looking for a fight. While they may not have intended to attack the Irish community, their actions were provocative, so much so that the Irish felt threatened and shot in self-defense. It seems that the initial events allowed the riot to spiral out of control, leading to mass destruction. If the rioters were truly restrained, would they not have simply ended their attacks on the first day, without provoking more citizens to riot on the subsequent Tuesday and Wednesday?

While the combatants may not have been from the poorest classes in Philadelphia, the Irish were certainly a disadvantaged social group who were seen as unskilled, brutish, and a threat to stable American society.⁶² There certainly was a class dynamic at play.

⁵⁹ Feldberg, *The Turbulent Era*, 24-26.

⁶⁰ *Ibid.* 26.

⁶¹ *Ibid.*

⁶² Lannie and Diethorn suggest that “although Irish Catholics had initiated the disorder, they quickly were forced on the defensive and received a great deal of punishment. And whereas the nativists enjoyed strong support from a portion of the Protestant press and many ministers, Catholics never received any

Feldberg argues in his more detailed study of the riots that “upper-class and property-owning Philadelphians recoiled from the massive violence...and nary a voice was raised to justify the behavior of either side.”⁶³ The elite from Philadelphia did, however, step up to ensure peace after the riots, maybe in part due to the “personal shame and guilt” that the upper classes experienced over letting the riots occur in the first place.⁶⁴ In essence, the city had a standard to uphold, and the elite had allowed the masses to turn a portion of their respectable city into rubble.

Even after the rioting in Kensington had subsided, ethnic and religious tensions were still high. On May 27, 1844, the *Philadelphia Ledger* reported a singular case, illustrating this point. In a small bit of local news, “a very genteelly dressed woman, named Isabella Hamilton” was held to the bail of \$50, by the Mayor “for attempting to incite a riot by using threatening and denunciatory language against Catholics and the Pope.”⁶⁵ Hamilton certainly showed her political and religious views in her attempt to start a riot. For a community already sensitive to the potential for further violence and

encouragement from Kenrick [the local bishop] or his clergy.” Lannie and Diethorn “For the Honor and Glory of God,” 76. It could be that the Catholic clergy believed that lending their support would simply prolong the violence or make matters worse for their parishioners when the chaos settled down. In an address to the Catholic community of Philadelphia after the Kensington riots, a member of the Catholic laity wrote “for ourselves, and for the Catholic community at large, we deprecate all violence, intimidation, and other illegal means of checking the expression of public sentiment, and the exercise of political privileges. We wish the right of assembling peaceably to be guarded with jealousy, but we confess our alarm for the safety of our civil institutions, when public meetings are called, and invited to come “armed for defence.” See *Address of the Catholic Lay Citizens, of the City and County of Philadelphia, to their Fellow Citizens, In Reply to the Presentment of the Grand Jury of the Court of Quarter Sessions of May Term 1844, In Regard to the Late Riots in Philadelphia* (Philadelphia: M. Fithian, 1844), 9.

⁶³ Feldberg, *The Philadelphia Riots*, 120.

⁶⁴ *Ibid* 121.

⁶⁵ *Philadelphia Ledger*, May 27, 1844.

property destruction, it is clear that city officials were not taking any chances of letting another riot occur so soon after Kensington.

On June 6, 1844, a murder case opened in the court of Quarter Sessions in Philadelphia. Caroline Sweeney was put on trial for killing her husband Dominick Sweeney in January, 1844. It was purported that Dominick Sweeney's Catholic background was part of Caroline's motive to kill him. In the account of the murder, it was found that Caroline Sweeney, her parents, and her husband were all addicted to alcohol and at the time of the murder, Caroline was intoxicated, stabbing her husband seven or eight times with a shoemaker's knife. She initially claimed that "her husband had threatened to kill her, that she had given him one stab, but did not kill him."⁶⁶ During the trial, it was discovered that Dominick Sweeney was from Ireland and Caroline and her parents hailed from England. It is likely that Caroline and her parents were Anglican rather than Catholic, fostering tensions between the couple. Furthermore, one witness stated that after hearing a screech and a moan coming from Mr. Sweeney, the witness heard Caroline Sweeney say, "now you ---- Catholic."⁶⁷ Others noted that she had yelled, "There, Sweeney, you ---- Catholic, take that."⁶⁸ Another witness stated that Mrs. Sweeney had told him that they "had a discontented life...that he [Dominick] was a Catholic and did not like her not being of the same religion."⁶⁹ On June 10, 1844, the *Philadelphia Ledger* reported that Sweeney had been convicted of manslaughter and was

⁶⁶ *Philadelphia Ledger*, January 18, 1844 and June 6, 1844.

⁶⁷ *Philadelphia Ledger*, June 7, 1844.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

“sentenced to five years imprisonment in Eastern Penitentiary” and would have to take her infant with her to the prison.⁷⁰

Although the difference in religion was probably not the only motive for Caroline Sweeney to kill her husband, social tensions in Philadelphia at the time were so attuned to the differences in religion, particularly toward those who were Irish Catholic, that Dominick’s religious beliefs may have contributed to his murder. Perhaps Caroline was swayed by the anti-Catholic sentiment that had been rising in the years and months leading up to the Kensington riot.

Violence, however, did not stop in May, 1844. A second wave of rioting occurred in July. Both sides were determined to let the Fourth of July holiday pass peacefully, but they were both also prepared for the occurrence of violence. This time, the rioting would occur in the Southwark district in the city.⁷¹ When observers saw rifles being taken to St. Philip de Neri Catholic Church on July 5, rumors swirled that the Catholics were preparing for an attack on the nativists. To quell the crowd, Sheriff McMichael removed the arms to the Commissioners’ Hall. Even so, crowds continued to amass in Southwark.

⁷⁰ *Philadelphia Ledger*, June 10, 1844. Prison records indicate that Sweeney, inmate 1866 at Eastern State Penitentiary, was only 20 years of age when she was incarcerated. She had blue-gray eyes and brown hair, and could read. Although the newspaper noted that she was sentenced to 5 years, the descriptive registers for the Penitentiary state that she actually had a sentence of 2 years. *Descriptive Registers 1829-1903*. Eastern State Penitentiary Papers, Record Group 15, Pennsylvania State Archives, Harrisburg, Pennsylvania. Looking at discharge records for the prison, Caroline Sweeney actually did serve her full five year sentence, being discharged on June 8, 1849, at the age of 25. *Discharge Books, 1830-1858*. The Convict Reception Register also notes that Sweeney, at the time of her incarceration was “enceinte. Apparently within 2 or 3 months of her confinement.” With this information, it is possible that not only did she have an infant to be confined with her, but she was pregnant with her second child as well. *Convict Reception Register 1842-1929*.

⁷¹ In the Southwark district of Philadelphia in 1850, the Irish were the second largest group living there, accounting for an average of 18% of the population in each of the six wards of Southwark. See Bruce Laurie, “Fire Companies and Gangs in Southwark: The 1840s” in Allen F. Davis and Mark H. Haller eds. *The Peoples of Philadelphia: A History of Ethnic Groups and Lower Class Life, 1790-1940* (Philadelphia: Temple University Press, 1973), 72.

General George Cadwalader, the man who drew up a militia to help stem the violence in Kensington, told the crowd to disperse, but few adhered to his command. He returned with troops and three cannon and prepared to shoot into the crowd. The crowd dispersed, but Cadwalader arrested approximately twenty protesters.⁷²

On the morning of July 6, nativists arrived at the church, demanding the prisoners be freed. Captain John Colahan, the commander of the Irish company who held the prisoners overnight, agreed and turned the church over to the nativists to prevent any violence. Later in the evening, General Cadwalader arrived to find the church in the hands of the nativists. Outraged, he used his troops with swords and bayonets to clear the streets. Violence ensued as the civilians used rocks, bricks, and other objects in retaliation. The soldiers fired into the crowd, dispersing most of them. Some returned with a confiscated cannon from the nearby navy dockyards and shot at the soldiers, leading to a battle that lasted through the night and into the morning of the 7th. Once again, martial law was imposed in the district, as soldiers, the new objects of the nativists' hatred, lined the streets.⁷³

While it does not appear that women had as much direct involvement in this phase of the riot, one contemporary report noted that “women seemed more earnest than men, in their conversation upon these most exciting topics, and some of them used language most bitter and inflammatory.”⁷⁴ This indicates that women were at least in the crowd surrounding the church in Southwark, onlookers to any potential excitement. It also

⁷² Feldberg, *The Turbulent Era*, 29-30; *Philadelphia Ledger*, July 6, 1844.

⁷³ Feldberg, *The Turbulent Era*, 30-32; *Philadelphia Ledger*, July 8, 1844; *Philadelphia Ledger*, July 9, 1844.

⁷⁴ *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia: J.B. Perry, 1844), 33.

appears that women were vocal in their opinions of what was going on, which indicates some level of participation. In reaction to the violence that erupted in Southwark on July 6 and 7, one newspaper article reported that “females were seen running distracted through the streets, wringing their hands and uttering the names of brother, husband, father with the wildest gesticulation.”⁷⁵ In this instance, the women were seen as helpless, as victims of the rioting as their male family members were the victims of the militia’s violence and chaos. In Figure 2 below, a woman is depicted running away from the fighting with her children.

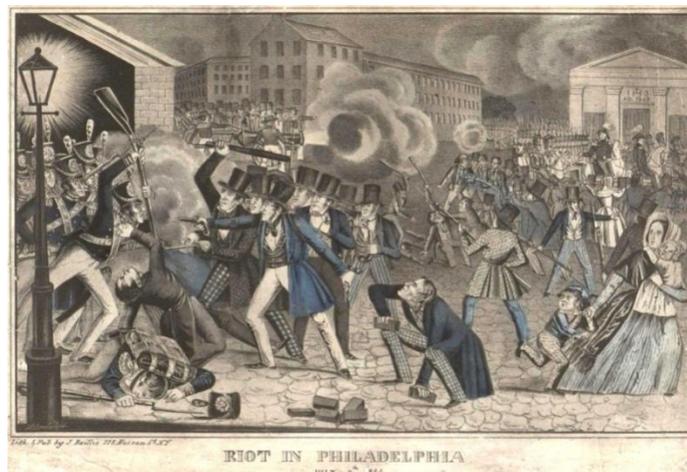


Figure 2: Riot in Southwark⁷⁶

The city held investigations of the riots, and as a result, several of the ringleaders were held to account in criminal trials. Throughout the remainder of July, 1844, the *Philadelphia Ledger* published testimony of the events that had occurred in Southwark, in an attempt to understand why the militia had fired upon civilians and why the situation

⁷⁵ *Philadelphia Ledger*, July 8, 1844.

⁷⁶ “Riot in Philadelphia,” accessed December 5, 2011, <http://explorepahistory.com/displayimage.php?imgId=1-2-680>.

spiraled out of control.⁷⁷ In his testimony on the events in Southwark, General Cadwalader, the leader of the militia stated that “women were our greatest foes.”⁷⁸ This suggests that women may have played a more significant role in the Southwark riots. It is unclear whether the women physically attacked the militia, provided weaponry and support to men like the Irish women had done in Kensington, or simply spewed verbal abuse. In any case, the fact that Cadwalader marked their presence in Southwark suggests they played a significant role.⁷⁹

On August 31, 1844, and continuing into September, riot cases were taken up in the Court of Quarter Sessions. Oftentimes, the ringleaders were tried on charges of arson and murder, while others were charged with rioting.⁸⁰ In October, the Court of Oyer and

⁷⁷ See *Philadelphia Ledger* articles on July 15, 18, 20, 22-23, 25-27, 1844.

⁷⁸ *Philadelphia Ledger*, July 20, 1844. Also quoted in Leonard Tabachnik, *Origins of the Know-Nothing Party: A Study of the Native American Party in Philadelphia, 1844-1852*, (PhD, Columbia University, 1973), 82.

⁷⁹ In the wake of the riots in Philadelphia, a nativist newspaper the *American Woman*, geared towards women and edited by a woman, Harriet Probasco, was published. While it only lasted for about a year beginning in August 1844, it certainly wanted women to know that they had a political role to play in protecting the United States from foreign influences. Articles taught women how to behave patriotically, telling them that women should “impress upon their children the truth, that the exercise of the elective franchise is a social duty, of as solemn a nature as man can be called to perform; that a man may not innocently trifle with his vote....It is in the inculcation of high and pure morals such as these that in a free Republic, woman performs her sacred duty, and fulfills her destiny.” *American Woman*, August 6, 1844. Other articles continue in this vein, showing what power, even some level of political power, women in America held. Another article states: “The influence on woman, in human affairs, has always been of controlling importance....Woman is man’s highest stimulus; and it is her duty to prompt him in his onward career of self-development. She moulds his spirit in childhood, and stimulates to noble deeds, in the maturity of manhood. How much, therefore, does a nation’s destiny depend upon her influence, and how great is the responsibility devolving on an American woman.” *American Woman*, October 5, 1844. While the articles tell women to offer their political influence from the home rather than in public settings, that the periodical focuses its political attention to the nativist cause demonstrates that women could have a political role and choose a particular group or ideology to support. Because the newspaper was published after the riots, one does not know how it would have described the events of the riots and women’s participation in them, but it does show that it was acceptable in certain roles for women to be political actors.

⁸⁰ See *Philadelphia Ledger* September 4, 13-14, 16-21, 1844. Seven men were convicted of rioting or murder charges, and two were acquitted. *Philadelphia Ledger*, September, 21, 1844. Another man was convicted of riot on September 23, 1844. See *Philadelphia Ledger*, September 24, 1844.

Terminer took up more serious cases of murder related to the riots.⁸¹ As people testified to the events in Kensington, some noted women's involvement. Peter Albright testified at Isaac Hare's murder trial that "I saw three Irish women picking up stones in their aprons" with the intent on using them against the nativists.⁸² No women were taken to trial for their participation in riots, indicating that while they participated, they certainly were not ringleaders. E.P. Thompson argues that success of urban riots comes from "greater numbers, and the anonymity which numbers supplied to rioters."⁸³ Although Thompson's study examined English riots, the idea also applies to the riots in Philadelphia. While the crowds involved in these riots were quite large, the vast majority of the participants, including all of the women, were not prosecuted for the violence and destruction they imparted on the city.

Although women in these riots were not the instigators, they were active participants. In earlier riots, such as food riots in seventeenth and eighteenth century England, "initiators of the riots were, very often, the women."⁸⁴ Thompson notes that eighteenth-century contemporaries were cognizant of the political power of women when it came to rioting: "Women are more disposed to be mutinous; they stand less in fear of law, partly from ignorance, partly because they presume upon the privilege of their sex,

⁸¹Several examples include, Isaac Hare's trial, which was covered in the *Ledger* from October 15, 1844 to October 21, 1844. Hare was convicted of second-degree murder. Another murder trial, that of John Paul, was covered from November 8 to 11, 1844. Paul was also convicted of second degree murder. Andrew McClain was tried and acquitted of murder. See articles from November 14 to November 19, 1844. Trials for riots in both Kensington and Southwark continued to occupy the time of the courts well into 1845.

⁸² *Philadelphia Ledger*, October 17, 1844.

⁸³ Thompson, *Customs in Common*, 121

⁸⁴ *Ibid.* 233.

and therefore in all public tumults they are foremost in violence and ferocity.”⁸⁵ Furthermore, he argues that the term mob is generally sexually indiscriminate. He suggests that twentieth-century historians and readers seemingly consider “mobs” to be composed of men and the term may have been defined this way starting in the later nineteenth-century, but in the eighteenth-century “mobs” had a different meaning, one that encompassed women, men, and older children.⁸⁶ This observation rings true for many of the antebellum riots. It is often unclear who is in the crowd, but glimpses from riot reports demonstrate that the crowds were not solely made up of men. The Rolling Mills Riot in Pittsburgh in 1850 is one antebellum riot where women more clearly fit the mold of rioters like those female food rioters in eighteenth-century England. Women in this riot took the violent lead in assaulting the factories.⁸⁷ In the fugitive slave riots discussed below, women again were active participants, but should not be considered the leading instigators.

Running for Freedom: Fugitive Slave Riots

As the nation hurtled towards Civil War, more tensions arose regarding what to do about runaway slaves. Pennsylvania, bordering the slave states of the upper south, was an important place for slaves attempting to reach freedom. As a result, free black

⁸⁵ Quoted in *Customs in Common*, 235.

⁸⁶ *Ibid.* 309.

⁸⁷ During the Civil War, women were again leaders in riots, particularly food riots in the Confederacy when it became increasingly difficult for women and children to subsist as prices skyrocketed and Confederate legal tender weakened. Violent food riots in Virginia and North Carolina in 1863 and 1864 were led by women. See Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge, MA: Harvard University Press, 2010), 174-175.

communities were common in certain southern areas of the state.⁸⁸ When slave catchers and owners became more aggressive in their pursuits of runaways and ventured into free territory, black communities rallied around their friends and neighbors in order to protect them from being captured. In several instances in Pennsylvania, this type of action resulted in riots and collective violence.

Pennsylvania made several attempts to circumvent the federal Fugitive Slave Act of 1793. The 1793 law made it legal for slave owners to recapture runaway slaves in any territory of the United States, regardless of whether the state or territory was a slave state or not. In addition, there were penalties for anyone caught helping a fugitive slave.⁸⁹ Pennsylvania, as a free state that had enacted gradual abolition of slavery in 1780, tried to circumvent the federal law by passing state legislation to regulate the process of reclaiming runaway slaves. In 1826, the state's Personal Liberty law "required documentation of ownership by slaveholders in order to make a valid claim" to their slaves.⁹⁰ When this law was not enough to stop slave catchers, the legislature enacted another law on March 3, 1847. This statute "forbade any officer of the state to assist in

⁸⁸ Carlisle, Pennsylvania was only one such place. "The borough of Carlisle had received its full share of these immigrants from the neighboring Southern States. Taken together, they were a quiet and orderly element of the population. Some of them were freeholders, and had comfortable homes of their own; others, if less thrifty, were above want...The blacks of Carlisle were neither beggars or vagabonds." See George R. Crooks, *The Life and Letters of the Rev. John M'Clintock, D.D., LL.D., late President of Drew Theological Seminary* (New York: Nelson & Phillips, 1876) 144. Martha C. Slotten notes that the 1850 census for Cumberland County recorded 349 blacks in 4581 residents in Carlisle, a very high percentage of the county's black population. Furthermore, she suggests that many of these men and women probably arrived via the Underground Railroad, and then the black community helped others to set up lives in freedom. Martha C. Slotten, "The McClintock Slave Riot of 1847" *Cumberland County History* V.17 n. 1 2000 (no page numbers). See also Carl Oblinger, "New Freedoms, Old Miseries: The Emergence and Disruption of Black Communities in Southeastern Pennsylvania, 1780-1860" (Ph.D., Lehigh University, 1988).

⁸⁹ "Fugitive Slave Act of 1793," accessed November 18, 2011, <http://www.ushistory.org/presidentshouse/history/slaveact1793.htm>.

⁹⁰ George F. Nagle, "Fugitive Slave Incidents in Central Pennsylvania" *Afrolumensproject*, accessed March 3, 2011, http://www.afrolumens.org/rising_free/fugitive.html.

carrying out the federal Fugitive Slave act of 1793 or to take cognizance of any case arising under the law. Judges, jail-keepers or sheriffs were to be penalized for aiding in the restoration of a run-away slave.”⁹¹ The act was to help prevent fraudulent kidnapping, to keep the public peace, and to limit the powers of the local judiciary.⁹² This law would prove important considering the pro-slavery sentiment that was sometimes popular in southern Pennsylvania.

On June 2, 1847, a case in Carlisle, Pennsylvania, put the new law to the test. Three fugitive slaves, Lloyd Brown and his ten year-old daughter Ann, and Hester, a woman known to be married to a free black man in Carlisle escaped from Hagerstown, Maryland.⁹³ Howard Hollingsworth came to claim the Browns, owned by his father, and James Kennedy came for Hester. All three slaves were captured near Shippensburg, Pennsylvania, and transported with their captors to Carlisle where the owners showed proof to the Justice of the Peace that the slaves belonged to them, and in return, the owners received a certificate giving them legal custody of the slaves. Furthermore, Carlisle law enforcement allowed the owners to keep the slaves in the local jail until they were transported to Maryland.⁹⁴

Local free blacks were angered at this event.⁹⁵ George Norman, the husband of Hester, “tried to snatch her away” as the sheriff was taking the three slaves to jail.⁹⁶

⁹¹ Slotten, “The McClintock Slave Riot.”

⁹² *Carlisle Herald and Expositor* Carlisle, PA June 16, 1847. This article states the 1847 law in full.

⁹³ The act of escape can also be seen as a political act of resistance to slavery.

⁹⁴ Slotten, “The McClintock Slave Riot.”

⁹⁵ In 1840, Cumberland County had a population of 30,953. From that total, 996 were designated as ‘free colored’ and 24 were still slaves. By 1850, the total population was 34,327, and 957 were designated as

Norman failed and was forcibly pushed away by the sheriff's assistant, leaving "a group of blacks, mostly women" who "milled around the jail in an angry mood while the prisoners were taken inside."⁹⁷

As the afternoon wore on, trouble seemed to be brewing. The crowd shifted from the jail to the courthouse awaiting a *habeas corpus* hearing at 4 pm. Newspapers reported: "During the hearing a large crowd of infuriated negro men and women gathered in and about the Court House, who evinced, by their violent conduct, a disposition to rescue the fugitives by force."⁹⁸ Judge Samuel Hepburn, ruled that the slaves should not have been under the custody of the sheriff, but that the owners still had rights to the slaves. In addition, Hollingsworth and Kennedy had been arrested for "forcibly entering the house in which the slaves were found" in Shippensburg, and when they left the Carlisle courtroom to pay their bail, they asked the sheriff to oversee their slaves.⁹⁹ Seeing an opportunity, members of the free black community became "increasingly agitated and incensed" and "rushed the prisoners' box and attempted to rescue Hester."¹⁰⁰ The sheriff and his assistant threatened to shoot anyone who attempted to help the slaves escape, and the chaos in the courtroom quieted down.

Dickinson College professor John McClintock entered the courthouse and after observing the trial for a few minutes realized that the judge and the lawyers were

'free colored.' *Historical Census Browser*. Although specific numbers of those living in Carlisle are unclear, there most likely would have been a significant free black population in the town.

⁹⁶ Slotten, "The McClintock Riot."

⁹⁷ Ibid.

⁹⁸ *Philadelphia Ledger* June 5, 1847.

⁹⁹ Slotten, "The McClintock Riot."

¹⁰⁰ Ibid.

unaware that the 1847 law had been passed.¹⁰¹ At this point, the judge and the local constabulary were also in breach of the law. McClintock anticipated that no other violence would ensue after he presented the court with a copy of the new bill. Peace was not to be. McClintock wrote in his diary: “But as they [the three slaves] were going in [a carriage], either they attempted to escape, or others attempted to rescue them; blows were struck, as far as I could judge, by the white men first & a general riot with missiles ensued.”¹⁰² In the trial testimony, one witness stated that “Norman & some women grabbed hold of the woman [Hester]” in an attempt to free her.¹⁰³ The witness also testified that McClintock had warned a law enforcement official that if he arrested “that woman” who had attacked one of the slaveowners, “I’ll hold you accountable.”¹⁰⁴ “That woman” was identified as Mrs. Ann Garver in other testimony.¹⁰⁵ Newspaper articles noted: “A general rush was made on the slave owners and the constables by the negro men and women, and a frightful melee ensued in the street, in which for some minutes paving stones were hurled in showers and clubs and canes used with terrible energy.”¹⁰⁶

¹⁰¹ Ibid.

¹⁰² Quoted in Sloten, “The McClintock Riot.”

¹⁰³ Papers re: Carlisle Riot Trial, John McClintock Papers, MSS33, Box 7, Folder 6, Manuscript, Archives, & Rare Books Library, Emory University, Atlanta, Georgia. Hereafter (McClintock Papers, MARBL.)

¹⁰⁴ Ibid. See also *Baltimore Sun*, June 14, 1847 in The Carlisle Riot Scrapbook, Box 7, Folder 7, McClintock papers, MARBL.

¹⁰⁵ Riot Trial 1847 I, Box 7, Folder 8; Riot Trial 1847 II, Box 7 Folder 9; and Riot Trial 1847 III, Box 7, Folder 10, McClintock papers, MARBL.

¹⁰⁶ *Philadelphia Ledger*, June 5, 1847. See also *Carlisle American Volunteer*, June 10, 1847. Reports of this riot reached beyond the borders of Pennsylvania. The article in the *Ledger* was copied by Washington D.C.’s *The National Era* on June 10, 1847 and *The New York Commercial Advertiser* and *The New York Tribune* on June 4, 1847. *The Cleveland Herald* also printed an account of the event, noting that both men and women participated in the riot and that “about twenty of the robbers were arrested.” *Cleveland Herald* June 8, 1847. It is interesting that the participants were called robbers as opposed to rioters. I wonder if they were referred to as robbers because they were, in essence, robbing the slave owners of their property by helping the fugitives escape.

Hester and the little girl Ann escaped, while Ann's father was taken back to Maryland. As a result of the riot, "the Sheriff and Constables have arrested a score or more negroes, who were identified as leaders in the riot, who are now confined in jail to await their trial."¹⁰⁷

Martha C. Slotten argues that McClintock was seen as an enemy by white citizens on two fronts: he knew more about the law than the judge and the lawyers, and he intervened to help not only the slaves at the hearing, but also the free blacks of Carlisle who were harassed by whites outside of the courthouse. In this respect, it is no wonder that McClintock was charged late on the night of June 2, 1847, with inciting a riot.¹⁰⁸ While Carlisle was seemingly an anti-abolition town, others in Pennsylvania saw the intentions of McClintock as virtuous. An author for Philadelphia's *North American* newspaper wrote: "All the proceedings of Professor McClintock were perfectly legal, and were intended to prevent a riot, not to excite one. That he obeyed the dictates of humanity, and desired to see the laws of Pennsylvania vindicated on the soil of Pennsylvania, is not denied by his friends; but this, instead of being a disgrace, is an honor to him."¹⁰⁹

John McClintock stood trial for riot, along with twenty-eight other men and women beginning on August 25, 1847.¹¹⁰ It is a little unclear as to the actual numbers of people arrested, indicted, and those actually tried. Slotten notes that thirty-four black

¹⁰⁷ *Carlisle Herald* June 9, 1847.

¹⁰⁸ Slotten, "The McClintock Riot."

¹⁰⁹ *The North American* June 11, 1847.

¹¹⁰ Crooks, *Life and Letters*, 159.

individuals had been indicted for riot, “nine were women, six of them wives of men also listed as defendants.”¹¹¹ The names, in addition, to McClintock, included: Anthony Bell, Anthony Boon, Elizabeth Boon, Robert Brisseton, Amelia Butler, Eli Butler, John Clellans, Augustus Coates, John Cox, Rachel Cox, Elizabeth Cribbs, Hannah Decker, George Fisher, William Fisher, Jr., Ann Garver, Jacob Garver, John E. Grey, William Hanson, Hall Holmes, John Hunter, Susan Hunter, Richard Johnson, Sophia Johnston, Clara Jones, Moses Jones, James Jones, Charles Marshall, Henry Myers, Hiram Myers, George Norman, Valentine Thomas, Charles Turner, Achilles Vandegrift, and Nicholas Williams.¹¹²

The trial testimony recounted the alleged action of McClintock in urging on the riot. The emphasis on the thirty-six state witnesses made it appear that the trial was biased from the outset, demonstrating prevailing social opinion on the trial and the defendants.¹¹³ Several witnesses stated that McClintock had yelled “Boys, stand your

¹¹¹ Slotten, “The McClintock Riot.” George Crooks noted “the court-room presented during the trial a spectacle such as has rarely been seen in Cumberland County. The case, from its nature, touched the extreme points of society, and the extremes were represented in the crowd that filled seats and aisles, and watched, with breathless interest, the fluctuations of the legal conflict. The passions certain to be awakened by an outbreak of the endless slavery controversy were there concentrated, and were exerting their utmost force. No prisoners’ box could hold the many defendants; they were massed on one side of the room, under guard of officers of the court. They were a motley group of black, brown, and yellow, and as they gazed on the proceedings in which they were interested parties, with the helpless air so peculiar to their race, they excited in the spectator a deep feeling of pity.” Crooks, *Life and Letters*, 163.

¹¹² In the Docket Books for the Cumberland County Quarter Sessions, records show that Elizabeth Cribbs and Hannah Decker were not arraigned. Furthermore, Rachel Cox, Ann Garver, Susan Hunter, Sophia Johnson, Clara Jones, and an Elizabeth Procter (who was not mentioned by Slotten) were not guilty. The docket books do not mention, Elizabeth Boon or Amelia Butler. See Quarter Sessions Docket Books, Cumberland County Archives, Carlisle, Pennsylvania. Slotten notes that Eli and Amelia Butler were found in the docket book for assault and battery and not keeping the peace with each other at an earlier date. The riot was not their first brush with the law. Slotten, “The McClintock Riot.”

¹¹³ Slotten, “The McClintock Riot.”

ground; I'll see you through" or "Now's your time."¹¹⁴ Other testimony demonstrated women's direct action in the riot. Willis Foulke, a young doctor in the town, stated that as he approached the courthouse, he saw "4 or 5 colored women and several young colored men coming up the steps, one after another, in Indian file." The group "came in such a manner as to attract my attention particularly; they came with a firm step & an apparently determined countenance." Foulke continued: "I knew one of the women well...her name is Hannah Decker. She had a stick in her right hand, two or 2 ½ feet long" which she held "in such a position as to hide it."¹¹⁵ Another witness, Samuel Smith, stated that outside the courthouse, "there was a woman near [the] carriage with a club" whom he identified as Elizabeth Boon.¹¹⁶

Minutes later the riot at the carriage began. One witness testified that "a wench rushed in" towards the carriage which resulted in the escape of Hester and Ann. The witness continued that after the slaves had escaped he saw Susan Hunter close a door to protect the fugitives. He recalled that "she was doing all she could."¹¹⁷ Another witness testified that he "saw Susan Hunter with stones in her hands" outside the courthouse.¹¹⁸ C.E.R. Davis testified that when he was outside the courthouse, he saw Susan Hunter and heard her say that she "was going to fight" and that she would "fight in blood up to her

¹¹⁴ "The Slave and Riot Case" *Philadelphia Ledger* August 28, 1847. In one set of notes from the trial, Edward Hutt, testified that it was an African American woman, whom he could not identify, who said "Now's your time" to people in the crowd. Riot Trial 1847 I, Box 7 Folder 8, McClintock Papers, MARBL. More often, the testimony attributed this statement to McClintock.

¹¹⁵ Riot Trial 1847 I, Box 7 Folder 8, McClintock Papers, MARBL.

¹¹⁶ Papers re: Carlisle Riot Trial, Box 7, Folder 6, McClintock Papers, MARBL. See also Riot Trial 1847 II, Box 7, Folder 9, McClintock Papers, MARBL.

¹¹⁷ Papers re: Carlisle Riot Trial, Box 7, Folder 6, McClintock Papers, MARBL.

¹¹⁸ *Ibid.*

knees for her color.”¹¹⁹ Other women were also vehement about their cause. One witness heard Sophia Johnson say that she would knock down the first man who comes into the alley.¹²⁰ These statements make it clear that women played a critical role in the riot that allowed Hester and Ann to escape. They were not bystanders but in the thick of the fighting.

Deputy Sheriff Robert McCartney testified that the women were considerably troublesome to the proceedings of the court and the events outside the courthouse. He recalled that before the *habeas corpus* hearing, some of the women threatened him. McCartney stated: “There was a great deal of warmth used by the colored women towards myself – by Clara Jones, Seeley Lawson, Ann Garver, & a number of others. They used language against myself, the Sheriff, and your Honor, threatening what they would do.”¹²¹ Lemuel G. Duley, a constable, stated that he saw “Susan Hunter & Elizabeth Cribbs busy with their tongues.”¹²² The women, did not participate only physically, but apparently verbally as well, urging the rioters onward.

An interesting facet to this particular trial is that some women took the stand to testify. Most women who testified seemed to downplay the roles of women in the riot. For instance, three women, all African American, testified that Mrs. Garver was frightened of going into the crowd and was simply in the area looking for her husband. These women, Violet Johnson, Jane Jefferson, and Elizabeth Warfield, all said that Ann

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Riot Trial 1847, Box 7, Folder 9, McClintock Papers, MARBL. Seeley Lawson does not appear in the indictment in either the Docket Book, the newspaper reports, or other trial notes as being arrested or a defendant.

¹²² Ibid.

Garver did nothing in the riot and had no weapons on her person.¹²³ They suggested that she was not actually participating in the riot. In fact, they claimed that the “negroes did nothing” at all and that the “negroes did not strike, throw stones or do anything else.”¹²⁴ These women claimed that the escapes were of the fugitives’ own doing. Other women said that Susan Hunter was with them, inside the Snodgrass house, close to the courthouse when the riot occurred.¹²⁵ It is possible that these women may have been trying to protect their neighbors and friends, particularly the females on trial from conviction with their testimony. Unfortunately, there is no way to determine exactly why the women said what they did or what exactly occurred at the Carlisle courthouse. The discrepancies in the testimony prove only that there was much chaos at the scene, that some violence occurred, and that Hester and Ann made their escape. Who exactly said what and did what remains unclear.

The rioters’ defense counsel alluded to this in the closing speech to the court. In relation to the testimony surrounding Ann Garver’s alleged actions, the lawyer told those in the courtroom that she “was very much excited, & well she might be, believing as she did that the colored women about to be carried away, were free women.”¹²⁶ Furthermore, he determined that the testimony provided no concrete evidence that she was involved.

Some witnesses said she was involved and used weapons in the riot, while others said she

¹²³ Papers re: Carlisle Riot Trial, Box 7, Folder 6; Riot Trial 1847 III, Box 7, Folder 10; Riot Trial 1847 VI, Box 7, Folder 13, McClintock Papers, MARBL.

¹²⁴ Riot Trial 1847 III, Box 7 Folder 10, McClintock Papers, MARBL.

¹²⁵ Papers re: Carlisle Riot Trial, Box 7, Folder 6, McClintock Papers, MARBL.

¹²⁶ Riot Trial 1847 V, Box 7, Folder 12, McClintock Papers, MARBL. Emphasis in original.

was not participating in the mêlée but searching for her husband. With such contradictory evidence, how could the jury rightfully convict Garver?

On Monday morning, August 30, 1847, the jury returned with its verdicts. Thirteen men were found guilty, and McClintock and the rest of the defendants were found not guilty. John Clellan, Jacob Garver, Moses Jones, Augustus Coates, Anthony Boon, John E. Gray, Achilles Vandegrift, Valentine Thomas, George Norman, Henry Myers, and Chris Turner were sentenced to three years each to Eastern State Penitentiary. James Jones was sentenced to six months in the county jail, and Eli Butler had a sentence of ten days in the county jail.¹²⁷ Those sentenced to the state penitentiary were released almost a year later after it was found that the sentence was unusually harsh since riot was simply a misdemeanor.¹²⁸

It is significant that women played such a central role in this riot, even being taken to trial for their actions. It shows a strong community of free blacks in Carlisle and although they could not participate politically at the polls, this community, through rioting, demonstrated their political beliefs and attempted to right moral wrongs by protecting the fugitives from having to return to slavery. For them, rioting became a mode of political voice. They demonstrated the injustice of the system and tried to thwart the power of the southern slaveholders and the laws that allowed slave owners to collect their property. Their actions speak volumes to their beliefs on slavery and the American justice system.

¹²⁷ *Carlisle Herald & Expositor* September 8, 1847.

¹²⁸ Slotten, "The McClintock Riot."

The McClintock riot was only one such event that took place in southern Pennsylvania, and it was not the first event in the state that marked the increasing tension of the issue over slavery and how to deal with runaway slaves before the act of 1850.¹²⁹ Cases of runaway slaves litter the newspapers in Philadelphia and other southern Pennsylvania locales in the decades leading up to the Civil War.¹³⁰ For those slaves who ran away, both men and women, their actions, although criminal in the eyes of national law, demonstrate a form of political action or protest.¹³¹ They ran away to free themselves from the bonds of slavery, and by doing so, they protested the horrors of the system. Those who ran away with children also show that they did not want to put future generations into the system and desired to protect their families.

Aiding the runaways presents another, equally criminal, act of political protest. Women were involved in this aspect of political crime as well. The Vigilant Committee of Philadelphia aided many fugitive slaves on their journey to freedom. The Vigilant

¹²⁹ For a broad analysis of the tensions over slavery between the Lower North and Upper South, see Stanley Harrold *Border War: Fighting Over Slavery Before the Civil War* (Chapel Hill: University of North Carolina Press, 2010). Other instances of race issues in Philadelphia, resulting in major violence can be seen in John Runcie's "'Hunting the Nigs' in Philadelphia: The Race Riot of August 1834" *Pennsylvania History* 39, no. 2 (1972): 187-218; Emma Lapsansky, "'Since they got those separate churches' Afro-Americans and Racism in Jacksonian Philadelphia" *American Quarterly* 32 no. 1 (1980): 54-78. Furthermore, a riot in Philadelphia in 1842 stemmed from a celebration by local African Americans of the anniversary of emancipation in the British West Indies. While started by boys, the riot crowd soon swelled with "men and women mingled with it – brickbats were thrown in showers, a number of persons were knocked down, and several of both colours were seriously if not fatally wounded." *Philadelphia Inquirer and National Gazette* August 2, 1842. Coverage continued in this newspaper and the *Philadelphia Public Ledger* for several days.

¹³⁰ Two such cases of female runaways include that of a pregnant woman with a toddler under the name of Mary Sheppard, and another female runaway by the name of Margaret Brooks. These cases were detailed in the newspaper *Philadelphia Inquirer and Daily Courier* from August 6, 1837-August 17, 1837, and November 29-December 1 1837, respectively. Both cases seem to be dropped by the newspapers before the judge's decision was made. As mentioned above, many other cases of runaway slaves can be found in the newspapers.

¹³¹ Tate, *Unknown Tongues* 58. Running away was a political strategy of resistance for slaves. Their resistance attacked the system of slavery, thus showing the political power slaves had.

Association of Philadelphia, a part of the Vigilant Committee, was organized in 1837 by black and white abolitionists. The Association was to be managed by the Vigilant Committee, an elected board of fifteen members.¹³² The Committee “assisted fugitives with board and room, clothing and medicine, and money. It informed them of their legal rights, gave them legal protection from kidnappers, and frequently persecuted individuals who attempted to abduct, sell, or violate the legal rights of free blacks.”¹³³ While the Association was a public group, the actions of the Committee were “to be shrouded in secrecy.”¹³⁴ Oftentimes, runaways were then ferried to Canada via the Underground Railroad.¹³⁵ In July, 1838, the Female Vigilant Association was formed as an auxiliary to the larger organization. These women helped with fundraising for the Association in order to aid the runaways.¹³⁶ After the 1842 Philadelphia race riot, when members of the Association had their homes threatened, the Association slowly collapsed, and its work was carried out only on a piecemeal basis. A second Vigilant Committee was established as part of the Pennsylvania Anti-Slavery Society in 1852, lasting about a decade and utilizing the Underground Railroad heavily to thwart the 1850 Fugitive Slave Act.¹³⁷

¹³² Philip S. Foner, *History of Black Americans: From the Emergence of the Cotton Kingdom to the Eve of the Compromise of 1850* (Westport, CT: Greenwood Press, 1983), 499.

¹³³ Ibid. 499.

¹³⁴ Joseph A. Boromé, “The Vigilant Committee of Philadelphia” *Pennsylvania Magazine of History and Biography* 92 no. 3 (1968): 323.

¹³⁵ Foner, *History of Black Americans*, 499.

¹³⁶ Ibid. 499; Boromé, “The Vigilant Committee,” 323. See also Tate, *Unknown Tongues*, 210-213 and Erica Armstrong Dunbar, *A Fragile Freedom: African American Women and Emancipation in the Antebellum City* (New Haven: Yale University Press, 2008), 89.

¹³⁷ Foner, *History of Black Americans*, 500; Boromé, “The Vigilant Committee,” 326-329.

Few records survive from these groups, mostly because of the dangerous and illegal work the Vigilance Committees conducted.¹³⁸

Women's participation in this organization was certainly acceptable and common behavior of antebellum reformers. (For more on this, see chapter 6.) The men and women associated with this group, however, involved themselves in illegal actions. They did so in order to evoke social change and take a political stand against the injustices of slavery and to protest the harsh 1850 Fugitive Slave Law. These reformers were willing to take the risk of criminal charges in order to help those who were still enslaved. As Gayle Tate argued, "in overtly challenging the hegemony of slavery, free black women were maintaining consanguineous bonds with blacks in slavery, nourishing the slaves' wellspring of hope and culture of resistance while simultaneously paving the way for emancipation."¹³⁹ Members of Philadelphia Female Vigilant Association did just that.

Attacks on abolitionists also became a problem, adding to the already intensifying sectional discord. In May 1838, Pennsylvania Hall, which was a building financed through individual donations and was constructed to house abolitionist and other public meetings, was burned by an angry mob, only days after it had opened. It opened on May 14, 1838, for use by the Pennsylvania Anti-Slavery Society and the National Anti-Slavery Convention of Women.¹⁴⁰ Unrest in the city grew over the next few days as many citizens were unhappy that a mixed racial and gendered group of abolitionists were

¹³⁸ Archival sources of this group, in both its early organization, and its reemergence in the 1850s include: "Minute Book of the Vigilant Committee of Philadelphia;" "Record of Cases of the Vigilant Committee of Philadelphia;" and "Journal C. of Station No. 2 of the Underground Railroad, Agent William Still, 1852-1857" Historical Society of Pennsylvania accessed November 18, 2011, <http://www.hsp.org/node/2045>.

¹³⁹ Tate, *Unknown Tongues*, 206.

¹⁴⁰ Ira V. Brown, "Racism and Sexism: The Case of Pennsylvania Hall" *Phylon* 37, no. 2 (1976): 127-128.

meeting in their city. Making matters worse were reports that “Negroes were seen walking arm-in-arm with white persons on the streets in the vicinity of the hall.”¹⁴¹ Rumors such as this doomed the building as crowds of angered citizens swarmed the building, threw rocks at the windows while women were speaking inside, and eventually set fire to the edifice on the night of May 17, 1838 after local law enforcement did little to disperse the crowd or help try to save Pennsylvania Hall.¹⁴²

While women were certainly victims of this riot, finding out whether they participated in the destruction is difficult. One newspaper article stated that by the evening of May 17, “there must have been a concourse of Ten Thousand persons, of all classes, sexes, ages and conditions.”¹⁴³ Although the same article noted that “the great majority appeared to be merely spectators” that women were in the crowd that destroyed the hall suggests at least some type of participation on their part.¹⁴⁴ Women’s participation may have been more passive, merely showing support against the conventions and the interaction between races occurring there. Laura Lovell, a delegate to the convention told her co-members of the Fall River Female Anti-slavery Society that the morning after the fire: “As we passed through some lanes, several low-looking women, who I should think fit companions for the leaders of the mob, actually came out of their huts to jeer at us; pointing the finger of scorn, distorting their faces to express

¹⁴¹ Ibid.130.

¹⁴² Ibid. 130-131. For another description of the conventions and riot, see Ira V. Brown, “‘Am I not a Woman and A Sister’: The Anti-Slavery Convention of American Women, 1837-1839” *Pennsylvania History* 50 no. 1 (1983):1-19.

¹⁴³ *Philadelphia Inquirer and Daily Courier* May 18, 1838.

¹⁴⁴ Ibid.

contempt, and saying among other things which I could not understand, ‘you had better stay at home and mind your own business, than to come here making such a fuss.’”¹⁴⁵

While it is unclear just how far women went in participating against the anti-slavery activists at Pennsylvania Hall, that mobs would attack crowds with many women in it illustrates how frenzied the tension was over abolition. It seems strange that the crowd would think it was acceptable to knowingly put women in danger. Perhaps the crowd did not see female abolitionists as proper women, thus justifying their attacks. In any case, the burning of Pennsylvania Hall, the actions of the Vigilant Committee, and the numerous runaway slave cases in southeastern Pennsylvania in the 1830s and 1840s demonstrate the rising tensions over slavery and free blacks that led to violent outbreaks.

After the passing of the 1850 Fugitive Slave Act, the stakes were higher for runaways and those willing to help people escape to freedom. Those caught fleeing from slavery and anyone who helped them were subject to stiff penalties.¹⁴⁶ Free black communities in many of these instances united to protect their neighbors, or even strangers who were fleeing from slavery.¹⁴⁷ Perhaps one of the most nationally renowned

¹⁴⁵ Laura Lovell, *Report of a Delegate to the Anti-Slavery Convention of American Women* (Boston: J. Knapp, 1838), 21.

¹⁴⁶ “Fugitive Slave Act of 1850” The National Center for Public Policy Research’s Archive of Historical Documents, accessed December 5, 2011, <http://www.nationalcenter.org/FugitiveSlaveAct.html>.

¹⁴⁷ One such case in Harrisburg, Pennsylvania in August, 1850 occurred only weeks before the Compromise of 1850 and with it, the Fugitive Slave Act of 1850 took effect. On August 17, 1850, a Harrisburg constable arrested three black men. A slave owner from Virginia, William Taylor, stated that these men had stolen horses from him. When the trial took place almost a week later, several free blacks in the community, and even one white man testified that the men on trial had been working and living in Harrisburg before the horses were stolen. When the judge handed down his ruling on August 24, stating that the charge of horse theft was only a pretext for trying to recapture slaves, the three men were released from custody for the theft charge, but the slave owners were also told they could reclaim their property. The black community outside the Dauphin County Jail attempted to rescue the blacks from the custody of the slave owners, who were waiting in a vestibule to seize their property. Free blacks from the crowd tried to help the fugitives when the owners began beating them into submission, creating a riot. Although he did succeed in allowing one slave to escape, Joseph Pople and several other blacks in the crowd were arrested, along with the two remaining fugitives and the slave holders. In September, 1850, Harrisburg constables

fugitive slave riots to take place after the passing of the 1850 Fugitive Slave Act was the deadly riot in Christiana, Pennsylvania, a small town in Lancaster County.¹⁴⁸ The riot occurred on September 11, 1851, but the story begins two years earlier when four slaves from Maryland left the plantation owned by Edward Gorsuch. Although they were to be freed by Gorsuch at the age of twenty-eight, the slaves had given grain away to a farmer who in turn tried to sell it to someone else, and Gorsuch wanted to punish them for it. Instead, the slaves took flight to Pennsylvania, settling in Lancaster County, near Christiana. In 1851, Gorsuch and a posse of his relatives and friends procured the necessary paperwork to obtain his slaves, and headed north.¹⁴⁹

Meanwhile, the free black and fugitive population in Lancaster County had been growing. It seems that as a result, the local community feared violence from blacks. Lancaster newspapers had taken to reporting acts of violence by blacks in locations outside the region. Even so, these reports fueled fear and distrust of the growing black community in the county's midst.¹⁵⁰ Black immigration into the city of Lancaster, the

returned the slaves to Virginia, and in November 1850, Taylor and his men were acquitted of the riot charge against them. Pople and the remaining blacks awaited their trial for riot until January, 1851. A petition by white citizens asked for the case of riot against the free blacks be dropped. The courts agreed with the petition, putting an end to the matter. See Gerald G. Eggert, "Two Steps Forward, A Step-and-a-Half Back": Harrisburg's African American Community in the Nineteenth Century" *Pennsylvania History* 58, no. 1 (1991): 1-36; Mary D. Houts, "Black Harrisburg's Resistance to Slavery" *Pennsylvania Heritage* 10, no.1 (1977): 9-13; Gerald G. Eggert, "The Impact of the Fugitive Slave Law on Harrisburg: A Case Study" *Pennsylvania Magazine of History and Biography* 109 no. 4, (1985): 537-569.

¹⁴⁸ Jonathan Katz, *Resistance at Christiana: The Fugitive Slave Rebellion, Christiana, Pennsylvania, September 11, 1851* (New York: Thomas Y. Crowell Company, 1974), 4. Accounts were not limited to Maryland and Pennsylvania newspapers. Periodicals in Vermont, New York, Massachusetts, and even Mississippi, to name only a few, covered the riot.

¹⁴⁹ *Huntingdon Globe*, October 2, 1851; *Pennsylvania Freeman*, September 25, 1851; *Philadelphia Public Ledger*, September 19, 1851. See also W.U. Hensel, *The Christiana Riot and The Treason Trials of 1851: An Historical Sketch* (Lancaster, PA: New Era Printing Company, 1911), 21-22.

¹⁵⁰ Thomas P. Slaughter, *Bloody Dawn: The Christiana Riot and Racial Violence in the Antebellum North*, (New York: Oxford University Press, 1991), 34.

county seat, had been increasing at a rate that alarmed white citizens. Between 1790 and 1810, the black population grew at a rate of 126% while the white population only grew at a rate of 43%. By 1820, the city's black population had grown by another 42%, 308 black inhabitants of the 6633 residents. Although it was only about 5 % of the population, the white citizens of Lancaster County were still concerned.¹⁵¹ Thomas Slaughter argued that black community members of Lancaster County were “victims of poverty, ignorance, and lack of professional skills...victims of the slavery that they had escaped and of the law that supported claims against their freedom.”¹⁵² Those who fought at Christiana, however, were not merely victims, but rather “were capable people, courageous, and blessed with faith that the world could change for them and their children” and were not willing to sit idly by and wait for it to happen.¹⁵³ They took matters into their own hands and forced others to try to keep them from succeeding.

Gorsuch's four slaves made their way to this growing black community. One survivor of the riot, Peter Woods stated: “We knew that these new colored fellows were escaped slaves. They were about the Riot House (William Parker's house) and in our neighborhood a couple of years before the riot. We colored fellows were all sworn in to keep secret what we knew and when these fellows came there they were sworn in too.”¹⁵⁴

¹⁵¹ Ibid. 36. After the adoption of the 1850 Fugitive Slave Act, many of Lancaster County's black inhabitants worked their way north to Canada, creating a massive wave of emigration. See Slaughter, *Bloody Dawn*, 46. For Lancaster County, the population in 1840 was 84,203, with 3003 ‘free colored’ and 2 slaves. By 1850, the county had 98,944 inhabitants with 3614 ‘free colored.’ *Historical Census Browser*.

¹⁵² Slaughter, *Bloody Dawn*, 74. Racism and inequality was rampant in the North, not only in more rural places like Lancaster County, but also northern urban centers. See Leonard P. Curry, *The Free Black in Urban America, 1800-1850: The Shadow of the Dream* (Chicago: The University of Chicago Press, 1981). Chapter 5, especially, deals with the issue of racial discrimination.

¹⁵³ Ibid., 75.

¹⁵⁴ Hensel, *The Christiana Riot*, 23.

The support for each other found in this African American community is evident, and is similar to that found in Carlisle and Harrisburg. It seems as though William Parker was the informal leader of this community, having been an escaped slave from Maryland himself.¹⁵⁵ Parker was considered “a leader of his race and the most resolute defender of the runaway slaves in that section. He was a man of force and had strong though untutored intellectual qualities.”¹⁵⁶ Parker had even formed an “organization for mutual protection against slaveholders and kidnappers, and had resolved to prevent any of our brethren being taken back into slavery, at the risk of our own lives.”¹⁵⁷ Therefore, Parker was prepared to help aid Gorsuch’s slaves in their desire for freedom.

On the day before the riot, the fugitives from Maryland went to Parker’s home for help in defending themselves against Gorsuch and his men. Seven blacks, including two of the fugitive slaves, stayed in Parker’s home the night of September 10, 1851 and used the house almost as a fortress against the white slave owners. At daybreak on September 11, 1851, the fighting ensued. They “were in the upper part of the house” and “drove the whites out” and “told the whites to go away, as they would rather die than suffer any of their number to be carried off; also that they would not fire unless the whites made the first attack, and if they did fire first they were dead men.”¹⁵⁸ Parker was resolute in his

¹⁵⁵ Census records for 1850 show that Parker, his wife Eliza, and Hannah Pinckney and her husband were all living in the same household in Sadsbury, Lancaster County. See 1850 U.S. Federal Census, Pennsylvania, Lancaster County, Sadsbury.

¹⁵⁶ Hensel, *The Christiana Riot*, 27.

¹⁵⁷ William Parker, *The Freedman’s Story, in Two Parts. The Atlantic Monthly* v. XVII, February 1866, 161. Jonathan Katz notes that the organization did not appear to have any white members who either helped form the organization or participated in its actions. Most of the white anti-slavery sentiment came from “non-violent Quakers” who would not resist. See Katz, *Resistance at Christiana*, 28.

¹⁵⁸ *Philadelphia Ledger*, September 13, 1851.

plan to fight against the slaveowners. He recalled that he would rather die for the cause than give up the fight.¹⁵⁹

While trapped in the house, Eliza Parker, William's wife, "asked if she should blow the horn, to bring friends to our assistance."¹⁶⁰ Parker recalled, "when my wife went a second time to the window, they fired as soon as they heard the blast, but missed their aim. My wife then went down on her knees, and, drawing her head and body below the range of the window, the horn resting on the sill, blew blast after blast, while the shots poured thick and fast around her."¹⁶¹ Hannah Pinckney, Eliza Parker's sister, wanted the inmates of the house to surrender, fearing that they would simply lose due to the growing number of whites coming to aid Gorsuch. In response, Eliza Parker "seized a corn-cutter and declared she would cut off the head of the first one who should attempt to give up."¹⁶² This passage shows two differing responses of women in the midst of a riot, one who is more cautious and wants to possibly protect their lives by surrendering, and another, bent on fighting on, believing that they had to actively stand up to the whites who wanted to take some of their own back to slavery. Eliza Parker was certainly of the same mindset as her husband. Slaughter argues, and I agree, that the women "were fighting not just for the fugitives from Gorsuch's farm but also for themselves, their families, and others who shared their fate. In this war against slavery, there were no

¹⁵⁹ Parker, *The Freedman's Story*, 284.

¹⁶⁰ Ibid. The horn was a way to signal others in the community that something was wrong and that they were being summoned to help.

¹⁶¹ Ibid. Parker claimed that these shots from the whites at his wife were the first ones fired in the battle. See Katz, *Resistance at Christiana*, 87.

¹⁶² Parker, *The Freedman's Story*, 286.

black noncombatants.”¹⁶³ The women used violence to protect their domestic responsibilities of family and home, not to mention the freedom of other blacks. Furthermore, the house occupants gained strength in numbers when the local black community responded to the call of her horn blasts, inspiring the occupants of the house to keep fighting.¹⁶⁴ These men came with “stones, rails, canes, clubs, rifles, revolvers, pistols, pitchforks, scythes, and corn cutters. Their everyday means of work were taken up as weapons.”¹⁶⁵ The black community’s support swayed the momentum back in favor of the blacks.

At the end of the fighting, which lasted about one hour, Edward Gorsuch laid dead, and his son and nephew badly wounded. The other white fighters retreated. At the end of the battle, one older African American, Isaiah Clarkson, calmed the men who had come to aid the people in Parker’s home, and saw that they had essentially won the battle. It is supposed that at this time Clarkson and the others witnessed “infuriated women, forgetful of all humane instincts, revenging on a humane Christian gentleman’s lifeless body the wrongs their race had suffered from masters of altogether different mould, rushed from the house and with corn cutters and scythe blades hacked the bleeding and lifeless body as it lay in the garden walk.”¹⁶⁶ While it is unknown who killed Gorsuch, Parker noted in his autobiography that “*the women put an end to him*” after the battle was over but does not go into detail about their actions.¹⁶⁷ W.U. Hensel, author of the first

¹⁶³ Slaughter, *Bloody Dawn*, 60.

¹⁶⁴ Katz, *Resistance at Christiana*, 93.

¹⁶⁵ *Ibid.*, 94.

¹⁶⁶ Hensel, *The Christiana Riot*, 33.

¹⁶⁷ Parker, *The Freedman’s Story*, 288. Emphasis in original.

description of the attack on Gorsuch's body, may have been overly dramatic in his interpretation of events, at times giving a more sympathetic view of the southern slaveholder, than of those fighting for the fugitive slaves' freedom. Because Gorsuch was allegedly a kind master, one who gave his slaves their freedom at a young age and allowed them to work for cash parts of the year, he is viewed in Hensel's narrative as an innocent victim, an anomaly to the majority of slaveholders. By saying that the women took out their rage on a man who had never exploited them directly, he paints Gorsuch in a better light and makes the women out to be bloodthirsty savages, unfair in their violence towards Gorsuch. Slaughter contends that rumors surrounding the women's attack on Gorsuch, "the communal hacking and literal removal of Gorsuch's manhood...became part of the riot's lore."¹⁶⁸ He suggested that the mutilation was probably an exaggeration of whites' fears of black violence, but that "in light of the sexual abuse that female slaves sometimes suffered at the hands of white men, the alleged genital mutilation manifests a symbolic retribution that is appropriate to this historical setting."¹⁶⁹ Whatever the specifics of their actions may have been, it is clear that the women had done something to Gorsuch, due to Parker's statement that "the women finished him off." That they attacked the body in some manner demonstrates that they symbolically took some level of power that had been stolen from them in their enslavement, whether or not Gorsuch was their owner.

Once it became apparent that a death had occurred at their hands, the fugitive slaves and a few other men who were in Parker's home, including Parker himself left

¹⁶⁸ Slaughter, *Bloody Dawn*, 95.

¹⁶⁹ *Ibid.*, 94.

hastily for Canada to avoid arrest. Eliza Parker stayed behind, yet had to go into hiding for protection.¹⁷⁰ Over thirty people (a conservative estimate) were arrested for the riot and murder of Edward Gorsuch. While the majority of these were black men, several white men including Castner Hanway who was unsuccessfully tried for treason, and six black women, Elizabeth Mosey, Susan Clark, Tamsy Brown, Eliza Brown, Eliza Parker, and Hannah Pinckney were also arrested for their participation. Some of those prisoners who were charged with treason were taken to Philadelphia to Moyamensing Prison to await their trial while others were kept at the Lancaster County Jail.¹⁷¹ People from the area were questioned as to what they knew about the riot. One of these was Tamsy Brown, a female child who was also arrested. She claimed she was at school during the riot and that her grandmother, Susan Clarkson (presumably Susan Clark) with whom she lived, told her about the death of Gorsuch. She admitted to knowing Eliza Parker and Hannah Pinckney, but did not seem to actually be there at the riot.¹⁷² It is unknown why she was arrested if she was not involved. Perhaps she was merely a victim of circumstance in that her grandmother was arrested and that she knew others who were more directly involved. Eventually, all the women who were arrested and a few of the men were discharged before any trial could occur.¹⁷³ This is interesting considering that several men in the slave catchers' posse identified Eliza Parker as an active rioter.¹⁷⁴

¹⁷⁰ Parker, *The Freedman's Story*, 288. Two months after the riot, Eliza Parker made her way to her husband in Canada. In those two months, "twice they had her in custody; and, a third time, her young master came after her" which caused her to flee further north. Parker, *The Freedman's Story*, 292.

¹⁷¹ *Philadelphia Ledger* September 15, 1851.

¹⁷² *Pennsylvania Freeman*, September 18, 1851.

¹⁷³ Hensel, *The Christiana Riot*, 45.

¹⁷⁴ Slaughter, *Bloody Dawn*, 92.

Slaughter suggests that the court could have made a strong case against Eliza Parker and Hannah Pinckney, if not for treason, at least for some crime associated with violating the Fugitive Slave Act.

There are several possible explanations for why the women were released. One, the lawyers may have figured it was too difficult to find a jury that would convict these women of a capital crime. Taking these two women to trial may have triggered political outrage in an already unstable and volatile political environment. Finally, the lawyers may have viewed the women as merely pawns in their husbands' actions and had not participated on their own volition.¹⁷⁵ The women were fortunate, Eliza Parker in particular, because it is clear they had participated in the violence by their own free will, and in so doing openly defied the law that could send them and others back to slavery. While the women in this case are relatively silent in the historical record, their actions on that September morning and in the days that followed, indicated their sentiments on slavery and the rights they believed they had as free blacks in a free state.

By October 6, 1851, thirty-eight men, mostly black, were indicted for treason in the U.S. Circuit Court. These men were held at Moyamensing Prison, in Philadelphia.¹⁷⁶ The trial, which began on November 24, 1851, was held in the upper floor of Independence Hall.¹⁷⁷ In the end, only Castner Hanway was tried for treason. On December 6, 1851, the jury returned a quick verdict of not guilty, only deliberating for fifteen minutes. Other misdemeanor charges were dropped against Hanway, as was the

¹⁷⁵ Ibid.

¹⁷⁶ Hensel, *The Christiana Riot*, 60.

¹⁷⁷ Ibid. 64.

charge against Elijah Lewis, another white man.¹⁷⁸ The remaining prisoners were taken back to Lancaster on December 31, 1851, and January 3, 1852. By the January court term in Lancaster, all the remaining charges of riot were dropped.¹⁷⁹ The charge of treason was obviously difficult to prove. Although their actions defied a federal law, treason “against the United States is defined by the Constitution, art.3, sec.3, cl. 1, to consist in ‘levying war against them, or in adhering to their enemies, giving them aid and comfort.’”¹⁸⁰ The Christiana rioters simply defended those in their community against the institution of slavery. Treason was an extravagant charge, impossible to prove.

In the two fugitive slave riots in Carlisle and Christiana, free black women joined men in taking major risks to help fugitive slaves escape from bondage. By their actions, they demonstrated their political views and capabilities as political actors. They showed a strong community bond as well, illustrating the strength of free black communities in the late antebellum period. Gayle Tate argues that black women had the ability to “micromobilize” black communities to fight off oppression.¹⁸¹ She noted that Charles Tilly viewed this type of community action as “defensive mobilization [that occurs when] a threat from outside induces the members of a group to pool their resources to fight off the enemy.”¹⁸² In both instances, the free black communities resisted both state and federal laws. Tate argues that “black women played a pivotal role in black communities

¹⁷⁸ Ibid. 90. The *Philadelphia Public Ledger* printed the testimony from the Hanway trial, allowing the public to follow the daily occurrences.

¹⁷⁹ Ibid., 92-93, 99.

¹⁸⁰ *The National Era*, October 9, 1851.

¹⁸¹ Gayle Tate, *Unknown Tongues*, 147.

¹⁸² Charles Tilly, quoted in Gayle Tate, *Unknown Tongues* 147.

in politicizing and recruiting members for political and social participation.”¹⁸³ Evidence of this can be seen in Eliza Parker’s actions in Christiana, as well as in the actions of those women who participated in the Carlisle riot and Philadelphia’s Vigilant Association.

Labor Unrest in Action: The 1850 Rolling Mill Riot

As was mentioned at the start of this chapter, in March of 1850, a group of women precipitated in attacks on iron mills in Pittsburgh, Pennsylvania.¹⁸⁴ While it appeared that women were the main instigators, newspaper coverage noted that they were not alone. Reporters wrote that “a large body of men and boys followed the women and encouraged their proceedings.” They believed that the women were “only put forward as a feint, to provoke resistance, and thus give some pretext for far worse violence by their backers.”¹⁸⁵ Still, only women seemed to employ violence. James Linaberger argues that the women met little resistance because “the solitary policeman and the eastern hands were powerless in knowing how to resist them. If they had used force in turning the women away then most likely the crowd of men and boys would have joined the fray.”¹⁸⁶ On March 2, more threats of riots occurred, this time with men and boys joining the

¹⁸³ Ibid. 148.

¹⁸⁴ Looking at the census data for Allegheny County in 1850, the total population was 138,290, while there were 3431 ‘free colored’ people, 68,986 free white men, and 65,873 free white women. Of the total population, there were 14,653 people or approximately 10.6% of the population at work in manufacturing establishments. *Historical Census Browser*.

¹⁸⁵ *Pittsburgh Daily Gazette and Advertiser*, March 2, 1850.

¹⁸⁶ Linaberger, “The Rolling Mill Riots of 1850”, 12.

women directly in attacking the mills. After the riots were quelled on March 2, no more violence occurred.¹⁸⁷

Because of the rioting and violence, newspapers took up the story of the riots and opined vociferously on the central role of the women. In *The Saturday Visiter*, a Pittsburgh periodical edited by Jane Swisshelm, the initial description of the trial noted that the workmen in the factory “were not prepared for this Amazonian outbreak.”¹⁸⁸ The article’s author continued on to comment that “we [presumably Pittsburgh society] regret this occurrence because of its effect upon the position of the outstanding workers. The men, however, should bear no blame, if we may believe their own protestations.”¹⁸⁹

Another column dedicated to the riots, editorialized further on the events. The author noted that society was sorry for the riots’ occurrence, “sorry for this proof that the working men are not able to take care of themselves – are not fit for freedom. We look upon this whole affair as an insurrection among slaves.”¹⁹⁰ To invoke the phrase of ‘an insurrection among slaves’ is incredibly strong wording, especially when used in an environment more attuned to the rising sectional tension regarding slavery in the country. The author noted that most freemen would not have “been brought to commit such excesses on such slight provocation” and many of the workers repudiated the riots.¹⁹¹ The rioters, the low working class and women were “slaves of centuries” who, in their actions, “disregarded the rights [which] have so long been denied them – the rights of

¹⁸⁷ Ibid. 13-14.

¹⁸⁸ *The Saturday Visiter*, March 9, 1850.

¹⁸⁹ Ibid.

¹⁹⁰ *The Saturday Visiter*, March 9, 1850.

¹⁹¹ Ibid.

property, and the right to labor or refrain at pleasure.”¹⁹² “Woman,” the author argued, “is every day proving her humanity – proving she is not an angel, but of the genus homo – governed by human passions, liable to human wants, and in great want of human rights.”¹⁹³ Men knew they could make changes by voting and other means, but that women “have been taught to succumb to brute force, to resist it in kind, and rely upon noise for victory. They are the slaves of the community, and have done as slaves are wont to do when struck with a sudden fancy for that freedom they do not understand, gather up an insurrection, from which they will subside into calmness and a deeper slavery.”¹⁹⁴

The author seems to be commenting on women’s ignorance of issues and the proper way to evoke social change, determining that women were simply ruled by the sort of impulsive passion which gets them nowhere. Comparing the riot to a slave insurrection not only unveiled the author’s opinion towards slaves, but might also have served to turn public opinion against the women rioters. Furthermore, the column acquits the men of any wrongdoing in the riot.

Interestingly, the *Saturday Visiter* was not done condemning the actions of these women rioters. The articles suggest strongly that the women’s actions at the mills were considered unfeminine and outrageous and not how women in Pittsburgh should behave. A week after the first articles on the riot, another anonymous piece suggested that not all Pittsburgh females were of the same stock as the rioters, yet “it does appear a little

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

strange,” it goes on to say “that the only two serious riots that have ever occurred in our city have been headed by women.”¹⁹⁵ “Pittsburgh women,” the author concluded, “are not remarkable for anything except domestic drudgery.”¹⁹⁶

The author contends that no women’s rights activists would get a receptive audience in the city because most women “pride themselves upon their opposition to women going ‘out of their sphere.’”¹⁹⁷ Yet, the author believed, the women rioters had committed no “greater violence on public sentiment” than the staff of *The Saturday Visiter* did when they began publishing articles on political and moral issues.¹⁹⁸ The “Amazonian tendency” among some Pittsburgh women was a result of “the general belief of woman’s inferiority.”¹⁹⁹ While Pittsburgh’s male population had “too much respect for themselves to violate the laws they have made...they will incite women to do what they themselves would not or dare not do.”²⁰⁰ Women who participated in the riot got “a fool’s pardon” because such actions do not receive the indignation that those of a male mob would. Because they are women, no one expects “them to be very rational or reasonable. Their minds are pinned to the earth by incessant toil, corroding household

¹⁹⁵ *The Saturday Visiter*, March 16, 1850. There is no reference to the other riot in the article, and I have not seen any references to it elsewhere.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid. It is worth noting that for all the very conservative views towards the women rioters, the newspaper was edited by a woman. The author of this article knows that in the case of this particular newspaper and the women rioters, women were pushing the boundaries of acceptable behaviors. The article’s reinforcement of the conservative, domestic nature of Pittsburgh’s women illustrates that only a few women work against the norm.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

cares and the bigotry of creeds.”²⁰¹ The article consistently argued that the actions of the women were rare and unusual and that those involved were pawns in a larger scheme conceived by men. The column seems bent on showing the Pittsburgh public that, although *The Saturday Visiter* was edited by a woman, the newspaper did not condone or applaud the women’s riotous activities. Instead, the article’s conservative tone was intended to reassure society that the city was not going to become a den of progressive feminists.

This conservative perspective is intriguing. The editor of *The Saturday Visiter* was a progressive woman, Jane Swisshelm, and these articles seem somewhat contradictory to what Swisshelm believed and did regarding the rights of women. Although she initially believed that women’s roles were to be loving, nurturing, domestic helpmeets to their husbands, her own frustrating marriage seemed to change her opinion. She began to think that men were not always capable of considering the best interests for those in their care. She asserted that women had the right to get out of a marriage, either by divorce or running away. In her case, she deserted her husband and spent years trying to get her rightful money and property back. Her newspaper venture was a way to provide for herself, allow other women to delve into the professional sphere of work, and create a forum for discussing politics and pertinent social issues. She was an ardent woman’s rights supporter, although she never joined a formal organization.²⁰² Considering her views on the rights of married women, and her desire to discuss political issues, one would think Swisshelm probably would have supported the rioters. There is

²⁰¹Ibid.

²⁰² Sylvia D. Hoffert, *Jane Grey Swisshelm: An Unconventional Life, 1815-1884* (Chapel Hill: University of North Carolina Press, 2004) 24-25, 49, 73, 191, 196.

no way to know who penned the articles in *The Saturday Visiter* or what Swisshelm actually thought about the riot. This leaves a contradiction of opinions between what was published in her paper and what her life events suggest about her views on women. Perhaps the rioters went too far with their violent actions, causing observers to be unable to justify their actions. Since violence was not part of the definition of ideal antebellum women (see Chapters 2 and 3), these rioters may have crossed a boundary of acceptable behavior that even ardent woman's rights supporters would not have crossed.

If the newspaper coverage and denunciation of the women's activities was not enough, the trial of the mob's ringleaders illustrated that the city would not tolerate such behavior. The Rolling Mill Riot Case started in the Allegheny Court of Quarter Sessions on April 8, 1850. Four women, Ann McDermott, Margaret Graham, Mary Reeves (alias Catharine Riley), and Eliza Morgan were indicted for riot along with several men. All of the trial testimony came from employees at the mill; none of the defendants took the stand in their own defense.²⁰³ Managers and owners of the mills under attack in the riots spoke to the women's role in the riot. Samuel Bailey, a partner of the mill, stated: "Women attacked the mill...Don't know whether there were any men among the rioters."²⁰⁴ Bailey had hidden in a building to avoid injury. It was a large crowd that came to the mill that day in early March, including both men and women, but it became clear that the women had a leading role in the violence. F. L. Griesheimer, manager of the mill, testified: "Ten or twelve women came with stones and coal in their hands. One of them had something like a mace hanging to her hand." They threw "as hard as they

²⁰³ Linaberger, "The Rolling Mill Riots," 16.

²⁰⁴ *The Daily Dispatch*, Pittsburgh, PA, April 9, 1850.

could throw, brickbats, coal and cinders. I was struck twenty times, I suppose.”²⁰⁵

Joseph Randolph, high constable of Pittsburgh, testified that the crowd consisted of both men and women, but that he “saw no men throwing them [bricks and stones.]”²⁰⁶ Others testified that men in the crowd encouraged the women to action and spoke of the injuries they sustained at the hands of the female rioters.²⁰⁷

A second day of testimony took place on Tuesday, April 9, 1850, continuing the accounts of the riots from those who were victimized by the rioters. The trial ended the following day, and the jury began deliberations. Partway through the afternoon, the jury returned, stating that “they could not agree that there had been a riot.”²⁰⁸ The judge was enraged by the jury’s indecision and told them that “there *had been* a riot was as clear as that the sun shone” and that “he would starve with the jury till they did agree; and sent them back, to try starving awhile longer.”²⁰⁹ When the jury returned that evening, they had found two men and all four women guilty of riot. While the men, Patrick McDermott and James Bratt received eighteen months in the Western Penitentiary, each of the four women was sentenced to thirty days in the county prison and fined \$50.²¹⁰

Outrage at the sentencing of Patrick McDermott and James Bratt was immediate. The eighteen month sentence struck observers as absurdly harsh considering that all the

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Ibid.

²⁰⁸ *Pittsburgh Daily Dispatch*, April 11, 1850.

²⁰⁹ Ibid.

²¹⁰ Ibid.

testimony had been clear that the men were not participants in the riot.²¹¹ The lack of commentary on the women's sentences suggests that the author of the article believed the sentence to be just. The lopsided sentencing in this trial demonstrates again that convicting women of crimes was difficult for some juries, even when evidence went strongly against them.²¹² Perhaps the severe sentences for the men were meant to send a message that men should do more to stop the women from taking such action.

The day after the sentencing, a member of the staff of *The Daily Dispatch* visited the women in the county jail. One learns that the McDermotts, Ann and Patrick, were Irish, and were considered "noble spirited" and intelligent. The author of the article seems to feel sympathy for Ann McDermott who had her infant in the jail with her as her husband began his long sentence at Western State Penitentiary. Mrs. Reeves was said to be keeping "up her spirits bravely" while Mrs. Graham and Mrs. Morgan were less brave at their incarceration, perhaps due to the fact that they were also mothers and were now separated from their children.²¹³ The women served their sentences but Governor William F. Johnston remitted their \$50 fines.²¹⁴

The Rolling Mill Riot Case is one of great interest in that women took center stage in the act of rioting. Furthermore, the fact that it was a labor riot, one in which the women were not the employees on strike makes the case even more significant. It could

²¹¹Ibid.

²¹² See also Chapter 3 of this dissertation for more on the relationship between juries and female defendants.

²¹³ *Pittsburgh Daily Dispatch*, April 12, 1850.

²¹⁴ Linaberger, "The Rolling Mills Riot," 16. Governor Johnston later lost reelection to Democrat William Bigler over reaction to the Christiana riot. Opponents were irritated that Johnston was out campaigning for votes when the bloodshed and riot occurred and that he would not enforce the Fugitive Slave Act. Bigler supported it. See Hensel, *The Christiana Riot*, p. 48-53.

be that the men felt they could get more accomplished by allowing the women to take the lead. Perhaps the men believed their efforts would have been more readily quashed if they took to rioting at the mills on their own. By the accounts of the events, it appears that police did have difficulty stopping the women, for fear that if the women were attacked in retaliation, the men in the crowd would hurry to protect the women. Perhaps the wives of the workers felt that it was necessary to riot in order to protect the livelihoods of their husbands which in turn supported their families at home. It is quite possible that the women took the initiative to riot.

After four months of striking, the workers were willing to take the reduced wages in order to get their jobs back. The owners of the mills, however, refused to fire the eastern strikebreakers. This move forced the strikers to wait until the mills increased production in order to have a chance at getting work again.

Conclusion

Although these three types of riots stemmed from different motivations and had very different outcomes in the courts, they had several things in common. They were part of the larger riotous atmosphere in antebellum Pennsylvania and the United States. The rapidly changing economy and industrialization, population makeup, burgeoning cities, and national tensions over the institution of slavery led to numerous riots in the United States in the decades leading up to the Civil War. Furthermore, these events were simply not limited to male participation. In the riots analyzed here, women participated at various levels. In the nativist riots in Philadelphia, although a woman may have been

part of the initial debate over Bibles in schools which led to the rioting, women also participated in the mob activity. They hurled stones and other weapons and cheered on their male family members. They were not instigators of the riot, men took that role, and women were not taken to trial for the deaths that occurred in the riots' two waves. In this instance, women were amongst the anonymous rioters, blending into the crowd that caused so much destruction in the city.

In other cases, women played a much more distinct role. In the fugitive slave riots in Carlisle and Christiana Pennsylvania, women were named specifically for their actions in the riots. This is most likely because of the smaller nature of the activities, whereas in Philadelphia, thousands of people participated in the riots, allowing women to remain anonymous. In these fugitive slave riots, the number of participants was small, allowing for women to be identified as rioters alongside men. In both of these cases, women were actively violent, wielding weapons and risking their physical well-being to help fugitives evade a return to slavery. In these cases, women were arrested for their participation and faced incarceration for their actions. Although the women were only held in prison awaiting the trials and subsequent dismissals of their cases for riot, that they were arrested at all shows their willingness to participate in criminal activity to demonstrate their views on political and social issues. Being arrested also shows official recognition of their participation in the criminal activity.

Like the fugitive slave riots, the women who instigated the Rolling Mill Riots in Pittsburgh, faced a criminal trial for their actions. Unlike the women in the fugitive slave cases, however, the wives of the strikers actually had to endure a trial and were found guilty of their crimes and faced subsequent jail time. It could be that because women in

this case were leaders of the riot and appeared to be in control of the actions, the court was willing to try and convict them, while those involved in the fugitive slave cases only sometimes faced trial.

Women participated in these riots to protect their families and their homes which were their domestic responsibilities. Their actions also demonstrated a love of their community and a desire to protect it. In doing so, they stepped outside the bounds of proper female behavior of domesticity and passivity into the male sphere of public action and aggressive, violent behavior. Women's participation in riots demonstrated their political beliefs and provided them a way to address social wrongs and oppressive policies. Rioting gave women a type of voice in the political realm, one of direct action, rather than speechifying or simply casting a vote. These women felt called to resort to what was deemed criminal activity in order to have their opinions heard and to protect what they held dear. Contemporary society sometimes trivialized their involvement by simply mentioning their participation in passing, but women's riotous activity was important. They achieved a level of political power through their activities, showing strong community bonds, a desire to protect family members and their homes, and sometimes brute Amazonian strength against oppressive institutions and political notions that strove to keep certain populations powerless.

CHAPTER V

“THE NEGLECT WITH WHICH THE UNFORTUNATE AND SINNING FEMALE IS TREATED”: THE EXPERIENCES OF FEMALE INMATES IN PENNSYLVANIA PRISONS

Eastern State Penitentiary inmate Julia Moore said to a female visitor shortly before her death in 1843, “I want no better home upon earth than I have here, though the prison walls are around me and the doors fastened upon me.”¹ In this statement, Moore seems contented with her plight in Pennsylvania’s premier penitentiary, happy to be protected from the squalor and evil of her former criminal life. This positive view of the penitentiary through Moore’s experience describes in part the rehabilitative nature of Pennsylvania’s penitentiary program. Moore’s statement, however, does not adequately portray the full range of experiences of female inmates. In reality, the treatment and incarceration of most female inmates in Pennsylvanian state and county prisons in the early nineteenth century was not as rosy. They experienced inequality and neglect. This neglect took different forms depending on the institution. Even with this negative experience, these women were not silenced or forgotten. They made their presence known by resisting, whether it was complaining to the prison visitors, writing letters, vandalizing property, or attempting self-harm. By these actions, female inmates kept their personal identity alive and refused to become anonymous in the prison systems.

One goal of the penitentiary’s system of discipline was to treat all inmates, regardless of sex, race, or type of crime, in exactly the same fashion. Mark Colvin argues

¹ *An Account of Julia Moore, A Penitent Female, who died in the Eastern Penitentiary of Philadelphia, in the year 1843*, 2nd ed. (Philadelphia: Joseph and William Kite, 1844), 11.

that “Pennsylvania, because of the influence of Quaker women, was the exception in carefully separating female inmates. Equitable treatment of women prisoners in Pennsylvania would continue to characterize this state’s prisons even after the adoption of the separate system that placed both men and women prisoners in isolated cells.”² The evidence from prison records and reports that discuss female inmates indicates that this contention is not entirely correct. While in some prisons women were placed in a separate section of the institution, they were not treated the same as men. This chapter argues that officials of the Pennsylvania prison systems failed to uphold their goals of treating female inmates the same as male inmates with the strict protocols of the separate system. These regulations included enforcing total silence and isolation of the inmates. Instead, prison employees often neglected the needs of this small inmate population, treated them differently from the male population, and were inconsistent in their protocols towards female prisoners. The prison employees actively treated women differently, a reflection of their discomfort with having women in the institution. While the idea of neglect may have a passive connotation, I see the differential treatment and the ignoring of female inmates’ rehabilitation as an active form of neglect on the part of the employees. This inconsistency in discipline in county prisons and the state penitentiaries would spawn the need for separate facilities for women (institutions known as female reformatories) after the Civil War. This chapter looks at the experiences of female inmates, explores the breakdown of discipline, and examines the levels of neglect female inmates faced in the state and county prisons in an effort to understand why female reformatories were established.

² Mark Colvin, *Penitentiaries, Reformatories, and Chain Gangs: Social Theory and the History of Punishment in Nineteenth-Century America* (New York: St. Martin’s Press, 1997), 135.

It is generally known that female inmates constituted a significantly smaller prison population than did male offenders. Mark Kann argues that “women’s small numbers in prisons had terrible consequences for the few females residing there. . . . They were considered worse than male criminals because they were expected to be better than men. They were often treated as unsalvageable human refuse to be buried rather than human beings to be rehabilitated.” He suggests that because there was such a small population, prison officials could not justify the expense that it would cost to provide separate staff and provisions for female inmates, which “subjected women to institutional neglect.”³ Kann is not alone in his observations. He and other scholars are correct in contending that the small population of female inmates in most prisons created dire consequences for those individuals.⁴ Nicole Hahn Rafter observes that there was “considerable variation in the degree to which inmates of custodial women’s institutions

³Mark Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* (New York: New York University Press, 2005), 15, 194. Also see Nicole Hahn Rafter, *Partial Justice: Women in State Prisons, 1800-1935* (Boston: Northeastern University Press, 1985), particularly Chapter 1 which provides a brief overview of women’s treatment in state prisons before the Civil War.

⁴ In some respects, women in the Pennsylvania system had a better incarceration experience than women in other contemporary state penitentiaries, but the general sense of neglect of female inmates and not enforcing all the prison rules on them is a trend in many state penitentiaries. In New York’s Auburn prison for example, women were simply relegated to an attic room, “consigned to oblivion” where windows were kept shut even in the summer to prohibit communication with male inmates. Officials at Sing-Sing prison did not even want women at the institution and tried to get female inmates incarcerated at other places in the state, but by the early 1840s, a separate women’s prison was constructed on the grounds at Sing-Sing. Even so, the female prison was tied with Sing-Sing, and the women in the new prison still faced poor living conditions and neglect in their reformation. See W. David Lewis, “The Female Criminal and the Prisons of New York, 1825-1845,” *New York History* July 1961, 220-221, 222, 229, 231. In Illinois state prisons during the antebellum decades, women also faced ill-equipped facilities, no attempt at reformation, and prison employees who blamed the few female inmates housed at the institutions for all the prison’s problems. Employees could not fathom housing women alongside men and considered women to be more troublesome inmates than men. See L. Mara Dodge, “One female prisoner is of more trouble than twenty males’: Women Convicts in Illinois Prisons, 1835-1896” *Journal of Social History* 32 no. 4 (1999): 909-912. The state penitentiary in Maryland made more of an attempt at the outset to treat female inmates more equitably. They were housed in a separate wing of the prison and worked “in a separate yard at spinning, knitting, and laundry” and were not allowed to interact with the male inmates. The women were not, however, subjected to silence and separation at night as was the custom of prisons utilizing the Auburn system of discipline. Women slept up to ten to a room, and two to three to a bed. See Wallace Shugg, *A Monument to Good Intentions: The Story of the Maryland Penitentiary, 1804-1995* (Baltimore: Maryland Historical Society, 2000) 15, 18, 27.

were subjected to rigid discipline.”⁵ Some institutions, she argues, “forced inmates to adhere to standards as strict as those imposed on males” while others “showed little concern for order,” sometimes leading to “chaotic, dangerous, or brutal conditions.”⁶

Kann’s thought that these women were “human refuse to be buried” may be a harsh observation. In the Pennsylvania case, however, neglect of the specific needs of this population and the special treatment many female inmates experienced because officials ignored the penitentiary’s discipline program is evident. What took place behind the walls of Pennsylvania jails indicates that officials wanted to, or felt they needed to treat these inmates differently, sometimes more leniently. As a result, punishment was inconsistent. There was also little rehabilitation. The women, however, rejected the idea that they were to be forgotten or garbage to be buried. They resisted being ignored.

Some contemporaries of the early American penitentiaries honed in on the specific issue of female inmates and were ahead of their time in their observations. In his introduction to Alexis de Tocqueville and Gustave de Beaumont’s *On the Penitentiary System in the United States*, published in 1833, political theorist and prison reformer Francis Lieber asked “are separate penitentiaries for females required?” He answered his own question, stating, “I believe they are, if the Pennsylvania penitentiary system is not adopted.”⁷ In other words, if officials of the Pennsylvania system upheld its style of discipline with the rules of total isolation, silence, and anonymity, female inmates could be treated side by side with male inmates without needing special facilities. In its purest

⁵ Nicole Hahn Rafter, “Prisons for Women, 1790-1980” *Crime and Justice* 5, (1983): 145.

⁶ Ibid.

⁷ Alexis de Tocqueville and Gustave de Beaumont, *On the Penitentiary System in The United States and Its Application in France*, trans. Francis Lieber (Philadelphia: Carey, Lea & Blanchard, 1833), xvii.

form, the Pennsylvania system of discipline could treat a wide variety of offenders in the same way, all promoting individual rehabilitation through silent reflection and hard work.⁸ In essence, inmates would disappear into anonymity and reemerge as rehabilitated citizens. Evidence from the way female inmates were treated made Lieber's prediction of needing separate female penitentiaries come true in the late nineteenth-century. Because incarcerating female inmates caused almost immediate problems for prison officials and subjected female inmates to institutional neglect, and at times exploitation, I contend that the decision to put women in the same penitentiary would lead ultimately to the failure of this system of punishment.

The neglect faced by female inmates in the state penitentiaries differed from the neglect faced by those females incarcerated in the county jails. In the two state penitentiaries, it appears that female inmates received special treatment and did not have to follow prison protocols during their incarceration, particularly so in the early years when the female population was quite small. This special treatment can be seen as a form of neglect as female inmates did not fully participate in rehabilitative programs, which included isolation, silence, reflection, and religious teaching. Their reformation was being neglected, as if prison officials felt female inmates could not be rehabilitated or believed they did not belong in prison at all. It is also in the state penitentiaries where one glimpses women manipulating the rules of the institution and being aided by the employees in thwarting prison protocols. Female inmates were allowed out of their cells, could interact socially with employees, and wrote letters. While the women might have manipulated the prison system to ease their incarceration, prison employees often looked

⁸ This was a very progressive sentiment for its time, essentially putting women on an equal footing with men. Unfortunately, this equality would occur only once a woman was sentenced to a penitentiary.

the other way when it came to upholding prison rules and enforcing rehabilitation protocols on female inmates. In either case, women made their presence known in the prisons and refused to be “buried” as Kann suggested.

In the county prison, the neglect faced by female inmates took on a more physical form. Women in the Philadelphia County Prison, for example, were subjected to a chaotic environment with large and fluctuating inmate populations and violence. Female inmates in other, smaller, county prisons had to deal with poor, unhealthy conditions. In many cases, they were allowed to interact with male prisoners, with little regard for their health or moral well-being. Female inmates in the county prisons, however, also resisted becoming lost in the prison system. Some women violently resisted their incarceration, adding to the chaos that was endemic to county jails. The intransigence took the form of vandalism, sassing employees, and sometimes committing self-harm. In these ways, women in county jails exhibited their identity, and made their presence known in the prisons.⁹

⁹ By arguing that the actions of prison employees and female inmates rendered the Pennsylvania system a failure, I am arguing against the social control theory of prisons set forth by Michel Foucault, Michael Ignatieff, and David Rothman of the 1970s. Employees failed to discipline the female inmates in ways standard to men, allowing them to have more freedoms than the prison allowed. Female inmates also resisted being hidden in the prison and forgotten. They made their presence in the institutions known, by writing, accepting privileges for being women, vandalizing prison property, and other types of resistance. The discomfort of the employees with having to deal with female inmates and the women’s resistance worked in tandem to thwart the Pennsylvania system of discipline. Michel Foucault argues that in the nineteenth-century, a shift in punishment occurred, focusing on the reformation of the soul as opposed to physical punishment of the body. He argues that the goal of this shift in punishment was “not to punish less, but to punish better; to punish with an attenuated severity perhaps, but in order to punish with more universality and necessity.” While the prison, according to Foucault, “marks the institutionalization of the power to punish,” his idea of a carceral society spread the issue of discipline and control beyond the prison walls to other elements of society, such as armies or even schools. Prisons were simply one form of disciplining and controlling society. Furthermore, these institutions were to create “docile bodies,” bodies which were “subjected and practiced.” Through these “complete and austere” or total institutions, the individual was rendered docile. Prisons were to be a total institution, an “exhaustive disciplinary apparatus” which was responsible “for all aspects of the individual” including labor, behavior, morality, and health. In the case of Pennsylvania’s female inmates, prison employees failed to be agents of the total institution in their neglect and unequal treatment of female inmates, and the female inmates themselves refused to become the docile bodies Foucault had predicted. While the Pennsylvania system of discipline’s

While the types of neglect and the resistance of the female inmates differed in the county prisons and the state penitentiaries, the plight of female inmates drew the attention of prison reform activists. These forms of neglect in the prisons across the state frustrated reformers who saw the need for specific treatment for the female population, and worked to create separate institutions after the Civil War to aid their reform and ameliorate the neglect these women faced in prison in the early nineteenth century.

A Tale of Two Penitentiaries: The Construction and Designs of Western and Eastern State

Before turning to the disciplinary issues that arose in the state's prisons, it is necessary to understand the architecture of these institutions and the reasons why these penitentiaries were constructed.¹⁰ The history of the rise of the Pennsylvania penitentiary system stemmed from a perpetual problem of inadequate jails in which inmates lived together in one room without classification according to crime or any hope of rehabilitation. Early prisons acted as holding pens for these offenders, but also often

goal was to punish better, in a more humane way, the experience of female inmates in these institutions marked a failure. Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), 82, 130, 293, 138, 235. See also Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution, 1750-1850* (New York: Penguin, 1978); and David Rothman *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (New Brunswick: Aldine Transaction, 2000), works which also subscribe to the social control argument for prisons.

¹⁰ Ideological origins of the penitentiary stem from the 1770s in England, where John Howard developed the initial thoughts on ideal penitentiary discipline in 1779. Howard traveled around England and Europe observing prisons. Through his travels, he realized solitary confinement and time for reflection would help inmates rehabilitate. Other prisons, like the Maison de Force in Ghent and the Vatican prison Silentium in San Michele had already been experimenting with constructing prisons, which allowed for individual cells. Jeremy Bentham's utilitarian Panopticon design combined solitude with constant surveillance as a means to help inmates reform. These eighteenth-century examples of prisons demonstrate from where the ideas for a new penitentiary system stemmed. The European origins of the penitentiary movement inspired American reformers and influenced the way they constructed their first penitentiaries. Ignatieff, *A Just Measure of Pain*, 10, 53, 77-78.

included witnesses for trials, debtors, vagrants, and those awaiting trial. Reform groups originating in Philadelphia, such as the Pennsylvania Society for Alleviating the Miseries of Public Prisons (later known as the Pennsylvania Prison Society) worked to better the prison system in the state. These reformers wanted to separate inmates from each other which would create more healthful living conditions. Prisoner separation, reformers believed, would allow for rehabilitation. Forcing inmates to live together precluded reformers from paying individual attention to inmates. Prisoners also ran the risk of being further corrupted by other inmates' ideas and behaviors. In the Walnut Street Jail in downtown Philadelphia, which later became the state's first penitentiary in 1790, inmates were grouped together according to the offenses committed. For example, vagrants were separated from individuals waiting to testify in a trial, and defendants waiting to be tried were separated from inmates who had been convicted and were serving a sentence. Separation of inmates was supposed to encourage repentance and rehabilitation. The penitentiary system, beginning with Walnut Street, and continuing with Eastern and Western State Penitentiaries, promoted a style of punishments that combined isolation and rehabilitation. This punishment plan was an innovative, more humane way to punish offenders. It attempted to deter future criminals than the more generally used physical punishments of the eighteenth century.

With the opening of Walnut Street, judges from across the state could choose to send convicts to this prison as opposed to holding them in their respective county jails.¹¹

¹¹Tocqueville and Beaumont, *On the Penitentiary System*, 2. Walnut Street did separate male inmates from female inmates, housing them in separate quarters in 1791, but attempted to use the same penitentiary discipline to treat both men and women, see Mark Colvin, *Penitentiaries, Reformatories, and Chain Gangs*, 135.

For more information on the rise of the penitentiary in addition to Mark Kann and Mark Colvin's works, see Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th-Century American South* (New York: Oxford University Press, 1984); Thomas Blomberg and Karol Lucken, *American*

When Walnut Street failed to serve as an adequate penitentiary since it housed inmates from counties across the state, the Pennsylvania Prison Society “used active efforts to procure the construction of penitentiaries in different parts of the State, so that the convenience of the interior and western counties might be promoted.” The Pennsylvania legislature, in 1818, passed an act to build the Western Penitentiary, located in Allegheny (Pittsburgh), Pennsylvania.¹² While the construction of Western Penitentiary eased the burden on Walnut Street, the growing number of inmates in the Philadelphia prison necessitated the need for a larger penitentiary in the city. In 1821, the state legislature passed an act to build Eastern Penitentiary in Philadelphia promoting “separate and solitary confinement at labour.”¹³

Penology: A History of Control (Hawthorne, NY: Aldine de Gruyter, 2000); Scott Christianson, *With Liberty for Some: 500 Years of Imprisonment in America* (Boston: Northeastern University Press, 1998); Thomas Dumm, *Democracy and Punishment: Disciplinary Origins of the United States* (Madison: University of Wisconsin Press, 1987); Foucault, *Discipline and Punish*; Michael S. Hindus, *Prison and Plantation: Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* (Chapel Hill: University of North Carolina Press, 1980); Adam Jay Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America* (New Haven: Yale University Press, 1992); Ignatieff, *A Just Measure of Pain*; Rothman, *The Discovery of the Asylum*; Andrew Skotnicki, *Religion and the Development of the American Penal System* (Lanham, MD: University Press of America, 2000); Michael Welch, *Punishment in America: Social Control and the Ironies of Imprisonment* (Thousand Oaks, CA: Sage Publications, Inc. 1999).

For works specifically on Pennsylvania prisons, see Harry Elmer Barnes, *The Evolution of Penology in Pennsylvania; A Study in American Social History* (Indianapolis: The Bobbs-Merrill Company, 1927); Jennifer Manion, “Women’s Crime and Prison Reform in Pennsylvania, 1786-1829” PhD Dissertation, Rutgers University, 2008; Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: University of North Carolina Press, 1996); Negley K. Teeters, *The Cradle of the Penitentiary: The Walnut Street Jail at Philadelphia, 1773-1835* (Philadelphia: Sponsored by the Prison Society, 1955); Negley K. Teeters, *They Were in Prison: A History of the Pennsylvania Prison Society, 1787-1937, Formerly the Philadelphia Society for Alleviating the Misery of Public Prisons* (Philadelphia: John C. Winston Company, 1937); Negley K. Teeters and John Shearer, *The Prison at Philadelphia, Cherry Hill: The Separate System of Penal Discipline, 1829-1913* (New York: Published for Temple University Publications by New York University Press, 1957); Kali N. Gross, *Colored Amazons: Crime, Violence, and Black Women in The City of Brotherly Love, 1880-1910* (Durham, NC: Duke University Press, 2006); Jennifer Janofsky, “There is no hope for the likes of me”: Eastern State Penitentiary, 1829-1856,” PhD Dissertation, Temple University, 2004.

¹²William Parker Foulke, *Remarks on the Penal System of Pennsylvania: Particularly with Reference to County Prisons* (Philadelphia: Printed for the Philadelphia Society for Alleviating the Miseries of Public Prisons, 1855), 6.

¹³Foulke, 7. Thomas B. McElwee, *A concise history of the Eastern Penitentiary of Pennsylvania, together with a detailed statement of the proceedings of the committee, appointed by the legislature, December 6th, 1834, for the purpose of examining into the economy and management of that institution, embracing the*

These new penitentiaries ushered in a new era of penal discipline. Alexis de Tocqueville and Gustave de Beaumont best describe the shift in punishment between Walnut Street jail and the new penitentiaries on either end of the state:

The principles to be followed in the construction of these two establishments were, however, not entirely the same as those on which the Walnut Street prison had been erected. In the latter, classification formed the predominant system, to which solitary confinement was but secondary. In the new prisons the classifications were abandoned, and a solitary cell was to be prepared for each convict... Thus absolute solitary confinement, which in Walnut Street was but accidental, was now to become the foundation of the system adopted for Pittsburg and Cherry-Hill.¹⁴

These two state penitentiaries would act as large-scale trials for the use of the separate system and put Lieber's query regarding female inmates to the test.

Western State Penitentiary

The original designs for the penitentiary at Pittsburgh were influenced by the Maison de Ghent and Jeremy Bentham's imagined Panopticon. No original floor plans for this design survive, but the building failed miserably to uphold the Pennsylvania system of isolation and silence. The images below provide a modern rendering of the original plan as well as one of the later reconstruction.¹⁵ One description of this prison notes, "the prison as constructed consisted of an outer octagonal wall, within which were placed a front building for administrative purposes and a single large ring-shaped cell building. The latter consisted of a double row of cells, back to back, each cell fronting on

testimony taken on that occasion, and legislative proceedings connected therewith (Philadelphia: Neall & Massey, 1835), 5.

¹⁴ Tocqueville and Beaumont, *On the Penitentiary System*, 5.

¹⁵ "First Western State Penitentiary" from US Bureau of Prisons, 1949, p. 19. Accessed 10/12/2010 http://www.mnddc.org/wolfensberger/imagegallery/slides201-250/wolf_213.html. "First and Second Western State Penitentiary" from US Bureau of Prisons, 1949 p. 3. Accessed 10/12/2010 http://www.mnddc.org/wolfensberger/imagegallery/slides351-400/wolf_356.html.

an open vestibule in such a way that the adjacent vestibules formed a continuous covered passageway around both the inner and outer sides of the ring.” The cells only received light from a narrow slit in an iron door, and it was planned that a central observation tower was to be placed inside the ring. The observation building was never finished, thus leaving the penitentiary without any means of central surveillance.¹⁶

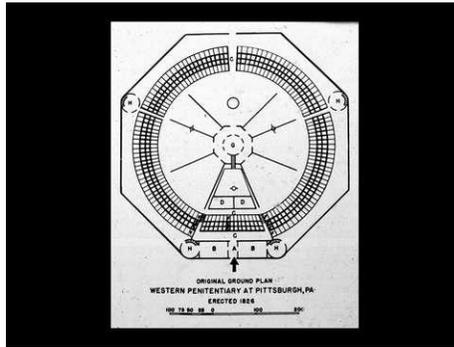


Figure 3: Rendering of the original floor plan for Western State Penitentiary

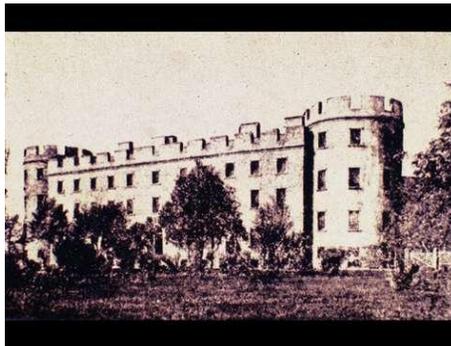


Figure 4: Facade of the reconstructed Western State Penitentiary

Western State received its first inmate on July 31, 1826, even before construction had been completed. The portions completed at the beginning of July, 1826, were viewed

¹⁶ Eugene E. Doll, “Trial and Error at Allegheny: The Western State Penitentiary, 1818-1838” *The Pennsylvania Magazine of History and Biography* 81, no. 1 (1957): 8, 10.

by the Board of Inspectors before admitting inmates and included “the exterior walls and gates, the front building, two of the towers, the northwest section of cells, separate cells for ‘female convicts,’ and the kitchen.” The Board believed they could begin admitting inmates without jeopardizing the silence and isolation required by the Pennsylvania system while the construction was finished.¹⁷ Problems quickly arose. The Pennsylvania penal code indicated that inmates needed to be put to hard labor, which was difficult at Western State as it was built for solitary confinement with limited space in the individual cells. Any hard labor would have to be performed in groups, undermining the idea of isolating prisoners. Furthermore, the goal of silence was not achieved at Western State. Tocqueville declared that Western State’s construction “is so defective, that it is very easy to hear in one cell what is going on in another; so that each prisoner found in the communication with his neighbour a daily recreation.”¹⁸

In 1830, Warden John Patterson also noted the problems of the architecture at Western State, declaring: “The cells being arranged in a circular form, only a part can be seen at one view, and when several convicts are unlocked for the purpose of labour or exercise, and are distributed along the line in front of their cells, some of them are necessarily a part of the time out of the view of the overseer” which presented a major problem in controlling the inmate population.¹⁹ The warden got permission from the state legislature in 1833 to reconstruct the prison along the lines of John Haviland’s radial

¹⁷ Ibid. 12, 11. It is interesting that the designation of female inmates is put in quotation marks in the contemporary sources of the Commissioners Proceedings and Board of Inspectors’ Minutes. The quotation marks almost make it seem as if their presence is an annoyance or a joke that officials simply had to tolerate but not really take seriously. This seems to indicate that the women were not seen as equal to the male convicts either in terms of a threat to society or importance to prison officials.

¹⁸ Tocqueville and Beaumont, *On the Penitentiary System*, 8.

¹⁹ Doll, “Trial and Error at Allegheny,” 18.

Eastern State Penitentiary, which had opened in 1829, using Haviland as the architect for this new structure.²⁰ The new cells allowed for better light and ventilation and provided enough space for the inmates to be employed in labor in their cells.²¹

During the reconstruction, officials used prisoners to work on the structure itself and sometimes required inmates to share cells. A Mr. McCleane, chair of a committee to inspect the reconstruction, noted that due to the interaction between inmates, they “soon lose every feeling of shame or mortification from the circumstances in which they are placed, and their undivided attention appears to be absorbed in devising means for escape; indulging hopes of pardon, or contriving for future depredations on society.”²² Once completed, the new penitentiary worked more efficiently as an institution of solitary confinement.

From the descriptions of the construction of the penitentiary, one can understand that inmates at this prison were expected to labor during their incarceration and also had opportunities for exercise. Little is known about the daily lives of inmates at Western State. One description of the penitentiary notes that male inmates wore coarse linen shirts, trousers, and roundabouts (a type of short jacket) in the summer and woolen or linsey garments in the winter. Women wore clothing “of the same materials.” Furthermore, their diet included one pound of bread and one pound of coarse meat broth on Sundays and Wednesdays, one quart of Indian meal mush with a quarter pint molasses

²⁰ Ibid. 20.

²¹ Mr. McCleane, *Report of the Committee to Visit the Western State Penitentiary*, (Harrisburg: Henry Welsh, 1834), 3.

²² McCleane, *Report of the Committee*, 5.

on Mondays and Fridays and a pound of bread and a quart of potatoes on Tuesdays, Thursdays, and Saturdays.²³

Eastern State Penitentiary

Eastern State Penitentiary must have learned from the early tribulations of Western State as their architectural design was much different. An imposing building, Eastern State dominated the landscape of Philadelphia. The building's exterior design was meant to "impart a grave, severe, and awful character" and it is "peculiarly impressive, solemn, and instructive."²⁴ Imposing stone walls, which surrounded the cell blocks left the public curious and fearful of what happened inside. To those condemned to experience the penitentiary as inmates, the prison was a monument to terror and the unknown.

The outside wall was approximately thirty feet high and the walls and floors were made of stone, two feet thick in order to prevent escape. Inside the walls, in the "centre of the great courtyard is an observatory, whence long corridors, seven in number, radiate. On each side of these corridors, the cells are situated each at right angles to them, and communicating with them only by small openings, for the purpose of supplying the prisoner with food."²⁵ The radial design allowed one "to command a view of every

²³ "Governors' Papers," *Pennsylvania Archives*, Series 4, Volume 5, 728.

²⁴ George W. Smith, *A Defence of the System of Solitary Confinement of Prisoners Adopted by the State of Pennsylvania: with Remarks on the Origin, Progress and Extension of this Species of Prison Discipline* (Philadelphia: E.G. Dorsey, 1833), 21.

²⁵ McElwee. *A Concise History of the Eastern Penitentiary*, 8. Job R. Tyson, *Essay on the Penal Law of Pennsylvania* (Philadelphia: Published by the Law Academy. Mifflin & Parry, 1827), 58.

prisoner without his knowledge or observation.²⁶ Each cell, for light and ventilation had a narrow skylight, known as ‘dead-eyes’ or the ‘eye of God.’²⁷ These skylights can be viewed as tantalizing for the inmates, always having a view of freedom, but never being able to reach it while incarcerated. Furthermore, the religious connotation of the moniker ‘eye of God’ symbolizes God’s omnipresent observation of the inmates. Each prisoner was also provided with “a yard attached to each cell on the ground floor...[and] in the second story each prisoner is allowed an additional cell or bed room” to provide exercise space.²⁸ Great pains were taken in the design of this prison to give inmates a chance to reform through the isolated and sparse accommodations.



Figures 5 and 6: Cell in Eastern State Penitentiary with ‘Dead-Eye’; Exterior Facade²⁹

²⁶ Tyson, *Essay on the Penal Law*, 59.

²⁷ Ibid. 58. For a detailed architectural plan of the penitentiary in Philadelphia, see John Haviland, *A description of Haviland’s Design for the New Penitentiary, Now Erecting near Philadelphia* (Philadelphia: Robert Desilver, 1824). This pamphlet provides more specific dimensions and features used in the penitentiary construction.

²⁸ McElwee, *A Concise History of the Eastern Penitentiary*, 8.

²⁹ Photos taken by author, July 2008.

Upon arrival, the inmate was examined by the prison physician for health concerns, and then the warden and overseers examined the new inmate to become “acquainted with his or her person and countenance, and his or her name, height, apparent and alleged age, place of nativity, trade, complexion, colour of hair and eyes, and length of his or her feet” as well as any “natural and accidental marks, or peculiarity of feature or appearance, as may serve to identify him or her, and if the convict can write, his or her signature shall be written under the said description of his or her person.”³⁰ After this initial admission process, the inmate is “then clothed in the uniform of the prison, a hood or cap is drawn over his face, and he is conducted to his cell. The bandage is removed from his eyes, and he is interrogated as to his former life.” The inmate learned the prison rules and was “then locked up and left to the salutary admonition of a reproving conscience, and the reflections which solitude usually produce.”³¹ The steps toward rehabilitation started immediately for the prisoners, as the process of admission took on a stripping effect of the former life, even including the inmates’ wardrobe.

The food at Eastern State consisted of one pint of coffee or cocoa for breakfast, “ $\frac{3}{4}$ pound of beef or $\frac{1}{2}$ pound of pork, one pint of soup” and potatoes or rice for the midday meal and for supper “as much Indian mush as they please to take, one half gallon of molasses per month, salt whenever asked for, and vinegar as a favour, occasionally. Turnips and cabbage in the form of crout is sometimes distributed. The daily allowance

³⁰ *Acts of the General Assembly relating to the Eastern State Penitentiary and to the New Prisons of the City & County of Philadelphia* (Philadelphia: J.W. Allen, 1831), 15-16. The number of records regarding the procedures of Eastern State Penitentiary are much more copious than those for Western State, resulting in a much more detailed description of daily life in the Philadelphia Penitentiary.

³¹ *Ibid.* 13. It is striking that some sources acknowledge the presence of female inmates, while other descriptions use solely the male pronoun. While the female population consistently remained smaller than the male population in both state penitentiaries, the descriptions leaning towards using male pronouns make it appear that female inmates were an afterthought in the prison procedures.

of bread is one pound of wheat or rye. This is certainly an ample ration, and more than can be consumed by the majority of convicts.”³² Unlike the excerpt for Western State, which described only briefly the clothing of female inmates, similar reports of Eastern State do not describe the clothing of women. It is interesting that although there was a growing, but still small, population of female inmates at Eastern as the nineteenth century progressed, they are almost invisible to those individuals describing the prison and its protocols.

Early Breakdown at Western State

While it may seem from the architectural designs and strict rules of the penitentiaries that prison officials had solid control over inmates, especially after Western State worked to rectify its initial failings, the prison officials were not ready to deal with a female population, however small. In the descriptions of the prisons, the female inmates were merely afterthoughts to the larger male population, indicating that prison officials had not really considered what to do with women who were sentenced to their institutions or were uncomfortable with having women in the prison, which helps to explain why female offenders' treatment was so inconsistent across the state. Almost everything was described in terms of the male inmate, with only rare references to the female convicts. Even passing comments regarding female inmates, like Western's "separate cells for 'female convicts'" seems almost derisive.

³² McElwee, *A Concise History of the Eastern Penitentiary*, 14.

The prison records indicate that efforts were made from the outset at Western State Penitentiary to provide cells for the female convicts, illustrating some level of awareness of the need to treat them differently. Isolation, in theory, could enable officials to treat female inmates in the same manner as the males without having to designate separate cells. In practice, however, this was not the case. Less than a year after Western State opened, on April 2, 1827, convict Hiram Lindsay escaped from its confines. It was later discovered Lindsay was aided by a “colored woman” who from “feelings of humanity, on the part of her Keepers was not confined to her cell.”³³ Only one woman was in the prison at the time: Maria Penrose, 21, born in Huntingdon County, Pennsylvania and described as having a yellow complexion with black hair and eyes, arrived at the Penitentiary on September 6, 1826 to serve a sentence of two years for larceny committed in Bedford County. She would serve a little over one year and would be discharged on December 1, 1827.³⁴ Penrose was a typical female convict in Western State Penitentiary: she was young, African-American, born in Pennsylvania, and convicted of larceny. For further demographic information on the female population of Western State, see Appendix E. Penrose’s action illustrates not only the early failings of the design of the penitentiary, but the issues employees had dealing with female inmates. In this case, the woman appeared to evoke sympathy from the keepers or did not appear to be much of a violent threat to the keepers or the security of the prison and was allowed the privilege of being out of her cell. The special treatment demonstrates the struggles

³³ Doll, “Trial and Error at Allegheny,” 14.

³⁴ “Convict Docket, 1826-1859,” Record Group 15, Department of Justice, Bureau of Corrections, Western State Penitentiary. Pennsylvania State Archives, Harrisburg, Pennsylvania; and “Descriptive Register,” Record Group 15, Department of Justice, Bureau of Corrections, Western State Penitentiary. Pennsylvania State Archives, Harrisburg, Pennsylvania. Hereafter “Convict Docket” and “Descriptive Register, WSP.”

prison officials had enacting the harsh discipline of the Pennsylvania system on female inmates because they may have appeared to be non-threatening in the eyes of the employees. Furthermore, since she was the only female inmate at the time, the employees may not have felt that it was necessary to lock her up. In any case, it was an active choice of the prison employees to let her out of her cell. The fact that she was out of the cell at all presented a major problem to the institution when she helped Hiram Lindsay escape and also indicated a failure on the part of the keepers to help Penrose reform her behavior by keeping her in a cell for individual reflection.³⁵

Eastern State's Struggles with Female Inmates

The evidence that penitentiary officials struggled to know how to deal with female inmates becomes more defined when examining the 1835 legislative investigation into practices at Eastern State Penitentiary. The investigation looked into several issues that had arisen in the early years of the institution's existence, including the main indictment of cruel punishments inflicted on inmates. A different charge, however, is of interest regarding female inmates. The charge reads: "A frequent and illegal practice in the treatment of convicts by the warden, of departing from, and in effect disregarding, the sentences of the courts of justice: relaxing their severity, commuting their inflictions, or evading their real meaning; thus substituting his individual caprice or discretion for the

³⁵ This incident provides an opportunity to explore the humanity of inmates. In a place where anonymity and isolation was to be the norm, this escape can also be interpreted as Penrose's showing pity and compassion towards a fellow inmate. Maybe she felt that her quasi freedom in the prison enabled her to help Lindsay in his escape and provide him with his own freedom. Penrose manipulated her privilege from the keepers to help thwart the system. While we do not know whether she aided Lindsay out of compassion for him or whether she had intentions aimed at hindering penitentiary discipline, her actions indicate that some prisoners had the opportunity and the capacity to work against their punishers. Penrose used her advantage of being the sole female inmate to act against the prison system.

decisions of the law, and defeating the regularity and precision which ought to characterize the penitentiary system.”³⁶ This particular charge and the testimony regarding the offenses implicated female more so than male inmates, suggesting again that penitentiary officials struggled to deal equitably with female offenders, and in essence, neglected their individual reformation.

This issue of different treatment of female inmates is ironic, considering that prison officials and reformers discussed the plight of female inmates and were well aware of the problems that might arise in treating them differently than male inmates. Thomas McElwee, a representative in the state legislature from Bedford County, in his report on the investigation discusses what to do with female offenders and critiques the criminal justice system. He writes: “The disproportion of male and female convicts defies calculation when it is supposed the number of offences committed by females, are nearly equal to those committed by males – and the atrocious nature of those offences altogether on a parity. The omission to convict them must be attributed to the misplaced and criminal sympathy of courts and juries.”³⁷ This passage indicates a sense that not only did prisons have a difficult time treating female offenders the same as men but so did judges and juries.

McElwee argues that “sex or condition should not sanctify crime” and that the actual offense should be the sole reason for conviction or acquittal. The author has no patience for female criminals, declaring, “I have no faith in the ethereal qualities of the feminine gender, and believe much evil has accrued to society, by stuffing their heads with the idea, that they are angels, goddesses...when their faults, their follies, and their

³⁶ McElwee, *A Concise History of the Eastern Penitentiary*, 107-108.

³⁷ *Ibid.*, 26.

vices drive men mad, and produce fatal disruptions in families.” It seems that since the prevailing social thought was that women were paragons of virtue and morality, many people had a difficult time believing that women could commit serious offenses. This struggle to comprehend the actions and motivations of female criminals translated to difficulties in punishing them when convicted. McElwee is clearly frustrated with this general sentiment towards women. His call to treat female offenders equally to men demonstrates a progressive view of women in the antebellum decades. McElwee suggests that society should not “under any circumstance, justify a crime in a female which we condemn in a male.”³⁸ The fact that there were only four women at a given time in Eastern State, seems to prove his point. Table 7 shows the annual admissions of males and females.³⁹ It is interesting that this discourse on female offenders precedes the testimony of the investigation, because what happened inside the walls of Eastern State indicated that female inmates, particularly in their limited numbers, did not experience the penitentiary in the way the original developers had intended.

³⁸ Ibid. 26-27. The point that women should not get away with crimes for which men are convicted is echoed in Francis Lieber’s *A Popular Essay on Subjects of Penal Law, and on Uninterrupted Solitary Confinement at Labor, as contradistinguished to Solitary Confinement at Night and Joint Labor By Day, in A Letter to John Bacon, Esquire* (Philadelphia: Published by the Order of the Society, 1838), 39. The Society is most likely the Philadelphia Society for Alleviating the Miseries of Public Prisons.

³⁹ *Annual Report of the Inspectors, 1829-1858*.

Table 7: Admissions to Eastern State Penitentiary

| Year | Total Admitted | # of females | White Females | Black Females |
|-----------|----------------|--------------|---------------|---------------|
| 1829-1830 | 58 | 0 | 0 | 0 |
| 1831 | 58 | 4 | 0 | 4 |
| 1832 | 24 | 0 | 0 | 0 |
| 1833 | 77 | 0 | 0 | 0 |
| 1834 | 118 | 0 | 0 | 0 |
| 1835 | 137 | 18 | | |
| 1836 | 143 | 11 | 3 | 8 |
| 1837 | 161 | 3 | 1 | 2 |
| 1838 | 178 | 14 | 6 | 8 |
| 1839 | 179 | 8 | 3 | 5 |
| 1840 | 139 | 7 | 2 | 5 |
| 1841 | 126 | 7 | 1 | 6 |
| 1842 | 142 | 3 | 3 | 0 |
| 1843 | 156 | 7 | 2 | 5 |
| 1844 | 138 | 12 | 7 | 5 |
| 1845 | 143 | 12 | 6 | 6 |
| 1846 | 117 | 7 | 3 | 4 |
| 1847 | 124 | 6 | 1 | 5 |
| 1848 | 121 | 5 | 2 | 3 |
| 1849 | 128 | 4 | 2 | 2 |
| 1850 | 150 | 10 | 5 | 5 |
| 1851 | 147 | 18 | 12 | 6 |
| 1852 | 126 | 5 | 4 | 1 |
| 1853 | 117 | 6 | 5 | 1 |
| 1854 | 124 | 5 | 2 | 3 |
| 1855 | 146 | 12 | 11 | 1 |
| 1856 | 146 | 11 | 9 | 2 |
| 1857 | 237 | 15 | 8 | 7 |
| 1858 | 207 | 6 | 3 | 3 |

The testimony of the investigation provides details of some of the female inmates and their experiences. At the time of the investigation, there were only four women in the prison. Amy Rogers, inmate 73, and Henrietta Johnson, inmate 74, were admitted in April of 1831 for manslaughter. Rogers was sentenced to three years, and Johnson was to serve six years. In December 1831, two more women entered Eastern State. Inmates 100

and 101, Ann Hinson and Eliza Anderson respectively, were sentenced to two years each for manslaughter. It is possible these two women worked together to commit the crime since they had the same sentence and entered on the same day.⁴⁰ All women were of African descent. Amy Rogers was a washerwoman. Ann Hinson and Eliza Anderson were married and each had children, and Henrietta Johnson and Ann Hinson were noted as being able to read. All four were relatively young, only in their twenties.⁴¹ Aside from their crimes, these women were typical female inmates. Appendix A at the end of the chapter provides more demographic information. The crime of manslaughter sets these four women apart as few women were sent to the prison for violent crimes; most were incarcerated for property crime.

Several employees gave testimony to the charges, and many noted the involvement of these four women in actions that helped lead to the investigation. The women's central roles in the charges indicate a breakdown of prison discipline and demonstrate that the female population was not treated the same as the male inmates.⁴²

⁴⁰ It is unclear whether these women were convicted of voluntary or involuntary manslaughter, since the prison records only note manslaughter. Looking at the penal code for Pennsylvania, voluntary manslaughter held the punishment of imprisonment at hard labor for no more than ten years, and involuntary manslaughter was punished by imprisonment at hard labor for no more than two years. It can be deduced, then, that Rogers and Johnson would have committed voluntary manslaughter, and Hinson and Anderson, with a sentence of two years, could have been convicted of either voluntary or involuntary manslaughter. *Report of the Commissioners on the Penal Code, with the Accompanying Documents, read in the Senate, January 4, 1828.* (Harrisburg: S.C. Stambaugh, 1828), 122.

⁴¹“Descriptive Registers, 1829-1903.” Record Group 15, Department of Justice, Bureau of Corrections, Eastern State Penitentiary. Pennsylvania State Archives, Harrisburg, Pennsylvania. Hereafter “Descriptive Registers, ESP.”

⁴² The fact that the only four women incarcerated in the penitentiary were central to the investigation raises the issue of prisoner agency. Because the prison records are written from the keepers' and reformers' perspectives, the documents do not indicate that these four women manipulated the employees into receiving their special privileges. Suggesting this in the records would indicate a failure of the prison system to control the inmates. By focusing the charges on a few individuals, such as the warden and Mrs. Blundin, the records make it seem that the inmates were treated more like pawns of these few individuals as opposed to having power over their own imprisonment. At the same time, however, it is entirely possible that the women did manipulate the system in some way, but that the details of the manipulation are simply

One gatekeeper, James Torry, told the investigating committee that the warden, Samuel Wood, used as “his own housekeeper, one colored woman, a prisoner” and other female inmates cooked in the warden’s private kitchen.⁴³

Another employee, Leonard Phleger noted that Rogers and Johnson respectively, had special privileges, such as being allowed out of their cells to cook. Phleger stated that Rogers received extra provisions, including “apples, eggs, roast beef, ham, apple butter, preserves, milk.” She was also seen out of her cell, doing washing for the warden and other prison employees. Considering that she was noted in the descriptive registers as having been a washerwoman, this may not be surprising. That she was out of her cell and interacting with prison employees to perform personal tasks for them on a consistent basis is problematic and goes against prison protocols.⁴⁴

In other instances, female inmates were allowed to drink liquor and attend parties. Inmate 100, “a black woman by the name of Anne...a convict, was present when I (employee William Griffith) went down. She appeared to be sitting looking on – dressed in a calico dress with a turban about her head.” He later noted that after one of these parties, a different inmate, “a black woman by the name of Eliza...was so much intoxicated that she was scarcely able to walk alone – I put her into her cell – continued

silent in the records. Even if they did not manipulate the system to get this special treatment, the women likely would not have complained about their lenient treatment. Because of the employees’ choice to treat the women differently, they experienced a less stringent incarceration. It was to their benefit to go along with how the employees treated them.

⁴³ McElwee *A Concise History of Eastern Penitentiary*, 145, 146.

⁴⁴ *Ibid.* 150-151, 168.

to be a good deal troublesome all the time I stayed up, knocking and crying.”⁴⁵ The acquisition of liquor seemed to be a continuing problem. Griffith noted that on one occasion, Ann was found “lying drunk in the kitchen, when they went for the supper or dinner...there was some stir about this – the watchman’s wife was charged with giving her the liquor.”⁴⁶ By allowing these women to acquire liquor, prison officials were not breaking the vices of these inmates and providing them with special privileges, which went against the path to rehabilitation laid down by the penitentiary system.

Amy Rogers made complaints to inspectors about the prison. She told Judge Charles S. Coxe that “she had been compelled to wash clothes of the officers that were soiled with venereal matter, and medical substances, designed for that disease...that she was apprehensive that the disease might be communicated to her – if there was a fracture of the skin while she was washing.” The complaint continued, that Mrs. Blundin, the watchman’s wife who was supposed to be in charge of the washing and appeared to have been informally in charge of the female inmates, went to Amy in her cell “exhibited to her her person with the mark of the disease and asked her to assist her in washing it, and in applying the remedies.”⁴⁷ These requests went beyond individual, artisanal work that all inmates were supposed to complete. Not only was she asked to do personal laundry for employees, which was an abuse of the system, she felt she was being put in danger by Mrs. Blundin’s requests. On a later date, Judge Coxe visited Amy again. Once he arrived at her cell, he testified:

⁴⁵ Ibid. 172-173. For a more specific account of Ann Hinson, see Leslie Patrick “Ann Hinson: A Little Known Woman in the Country’s Premier Prison, Eastern State Penitentiary, 1831” *Pennsylvania History*, 67 no. 3, (2000): 376-396.

⁴⁶ McElwee, *A Concise History of Eastern Penitentiary*, 184.

⁴⁷ Ibid. 190.

She was very much affected – in tears and crying – she alleged that she had been taken out of her cell, and put into this one without a yard, and that it all arose from her having communicated those facts to me – that two men had come into her washing apartment to put up a stove, that one of them was a first cousin of Mrs. Blundin’s, and that they had contrived to make a quarrel with her – had attacked her about the charge she had made – had roundly taken her to task, and so on – that she answered them pretty sharply – they had complained to Mr. Wood, and Mr. Wood had had her locked up in this cell.⁴⁸

Amy Rogers’ complaint suggests that officials punished her for her insistence that she was being treated unfairly. Her discussions with Judge Coxe suggest that Rogers knew her rights as an inmate.⁴⁹ She was aware that what was being asked of her could be seen as unethical and used the opportunity to make her claim to Judge Coxe who was charged with making sure that the prison was run in an ethical manner. Clearly, Rogers knew her rights. This is one of the rare occasions where one sees an inmate initiating action, as opposed to simply following orders or taking advantage of privileges given to them as women by the keepers. It is also possible that she may have been trying to manipulate Coxe in the hopes of reducing her sentence or receiving extra privileges for her troubles. In any case, the prison employees did not approve of her discussions with Coxe and punished her, which suggests that they realized their actions may have been unethical and went against the procedures of the Pennsylvania system.

William Parker, the sole inmate to testify at the investigation, declared that Ann Hinson was out of her cell often, telling a story about her going to get a light from him

⁴⁸ Ibid. 193-194.

⁴⁹ The duties of inspectors included weekly visits to prisons where they were to “speak to each person confined therein out of the presence of any of the persons employed therein; shall listen to any complaints that may be made of oppression or ill conduct of the persons so employed, examine into the truth thereof, and proceed therein when the complaint is well founded.” *Acts of the General Assembly relating to the Eastern State Penitentiary, and to the New Prisons of the City & County of Philadelphia* (Philadelphia: J.W. Allen, 1831), 12.

for Mrs. Blundin. He stated: “I asked her how she dared to come there, knowing it to be contrary to the rules of the institution – she said Mrs. Blundin sent her to get a light. I gave her a light and told her if she ever came back again, I would inform Mr. Wood of it. I saw her repeatedly after that – on Mr. Wood’s side – could not help seeing her without shutting my eyes.”⁵⁰ This event indicates yet another instance of the employees not caring to uphold the protocols of the institution, and that a female inmate was used in running errands for the employees.

Parker continued his testimony, noting that he had seen “convict females with other than prison clothes on standing at Mr. Wood’s gate.” He testified “I have seen three or four female prisoners – one dancing and swearing at Mr. Wood’s gate. She was a dreadful wicked woman – saw her repeatedly – both morning and afternoon – I heard her swearing...I cannot say whether she was drunk or sober – saw her more than three times three, and three times that. I don’t really think I should know her again – the dress makes a great difference.”⁵¹ Not only were female inmates out of their cells, but they were not forced to wear prison clothing. This is a substantial privilege considering that prison clothing was part of the rehabilitative process that removed the individuality of the inmate to evoke personal reform and protect anonymity.

The effect of being out of the cells, interacting with prison officials in a casual, social manner, and being permitted to have liquor, different clothing, and extra provisions does not disconnect them from the outside world or evoke penitence. These inmates were

⁵⁰ Ibid. 205. Parker was the only former inmate to testify. He had been out of his cell to work for Warden Wood a few times during his incarceration. Although Parker is an example of a male inmate who was let out of his cell to work, the entire female population worked for prison employees and appeared to get more special privileges than those male inmates who had worked outside of their cells.

⁵¹ Ibid. 214.

not forced, as dictated by prison protocol, to stay in their cells and be in constant silent reflection. Prison officials actively ignored their duty to help these inmates rehabilitate, and the female inmates complied with what they were told to do or were allowed to do during their incarceration. Did the minimal female population cause employees not to care about upholding prison rules? Did their race have anything to do with their differential treatment? It seems that the answer to these questions is yes to some extent. The small population probably made it easier for employees to treat them differently than the male inmates, yet similarly to each other in the fact that the entire female population was out of their cells performing duties for prison employees. Like Maria Penrose in Western State Penitentiary, the four women incarcerated at Eastern State during its early years experienced special treatment, presumably because of their sex. That they completed domestic tasks indicates that employees considered female inmates suited for this work and regularly asked them to perform these duties.

That all four were black women suggests that it might have been easier for employees to use these women essentially as servants, especially in the years before the Civil War when many of the city's black population worked in menial positions.⁵² In 1820, the black population of Philadelphia made up only 11.88% of the total city population. In 1840, it fell to 11.21%; and by 1850, it had dropped again to 8.8%.⁵³

⁵² Estelle B. Freedman in her book *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1900* suggests that "the lack of accommodations for female inmates made isolation and silence impossible for them, and productive labor was not considered an important part of their routine." (Ann Arbor: University of Michigan Press, 1981), 15. I would argue against this in the case of Pennsylvania, particularly because the setup for all inmates would allow for the same treatment as the male offenders, it simply appears that the officials at Eastern State did not care to uphold the standards for the women in their charge.

⁵³ W.E.B. Dubois, *The Philadelphia Negro: A Social Study* (Philadelphia: Published for the University, 1899), 47.

Nearly one third of the black population worked as servants.⁵⁴ This number suggests that prison officials may have assumed these four female inmates were suited to domestic work and may have used their race as a reason to justify their exploitation. The race of these four women exemplifies the larger problem of the higher representation of African Americans in the prison system. W.E.B. DuBois notes that “the problem of Negro crime in Philadelphia from 1830 to 1850 arose from the fact that less than one fourteenth of the population was responsible for nearly a third of the serious crimes committed.”⁵⁵

Even with these suggestions, one must not forget that all four women were convicted of manslaughter, suggesting that these were dangerous women. Since prison employees gave these women special privileges, it seems that the employees did not think these women were dangerous, illustrating the double standard which so frustrated McElwee and which impeded efforts to reform female inmates.

Ironically, it was not until after the 1835 investigation that a female matron was officially hired to take care of female inmates. Although the Board of Inspectors approved hiring a matron in 1831, no one was hired to fill the job. Instead, Mrs. Blundin informally acted in that capacity.⁵⁶ Mrs. Harriet Hall was hired in 1835 as the first official matron. Hiring a female matron would remove any discomfort male prison employees might have felt about housing women in the penitentiary. The Board of Inspectors’ Annual Report for 1835 stated: “In consequence of the increase of female prisoners during the last year, the board directed the appointment by the warden of a female

⁵⁴ Ibid. 136.

⁵⁵ Ibid. 238. For lesser crimes, Dubois looked at the statistics of black inmates at Moyamensing Prison, the county prison for Philadelphia. In 1850, he notes that blacks made up only 5% of the population but accounted for 32% of the inmates received at Moyamensing because before the Civil War, blacks were arrested for lesser crimes and received longer sentences. See Dubois, 239.

⁵⁶ “Board of Inspectors Minutes,” December 3, 1831. RG 15, Pennsylvania State Archives.

overseer. In the improvement already manifested among this class of prisoners, and from the christian character and discipline of Mrs. H. Hall, who has been appointed to this office, we feel confident that many of these unhappy females will be reclaimed from vice and wretchedness, and restored to the paths of virtue and true happiness.”⁵⁷ A few years after this investigation, a select committee of Pennsylvania's House of Representatives was sent to examine the management of Eastern State Penitentiary, and noted that they “were much pleased with the peculiar neatness of the female ward. The appearance of both the cells and inmates, clearly indicate the good qualities of the lady who has the care and superintendence of them, and strongly exemplifies the propriety of having a female overseer over female prisoners.”⁵⁸ Much had changed in the government of female convicts at Eastern State after the 1835 investigation exposed the institution's severe disciplinary flaws when it came to dealing with female inmates and treating them according to the penitentiary’s disciplinary program.⁵⁹

⁵⁷ *Seventh Annual Report of the Inspectors of the Eastern State Penitentiary* (Harrisburg: Theo. Penn., 1836), 4. Hall was a widow with no children and was a member of the Presbyterian Church. Board of Inspectors Minutes, November 21, 1835. Eighteen female inmates were admitted to the penitentiary in the year 1835. Dorothea Dix, in her report on prisons in the United States in 1845 noted that only four of the nine penitentiaries in the eastern US that housed female offenders had any female staff to deal with this small, yet different inmate population. Dorothea Lynde Dix, *Remarks on Prisons and Prison Discipline in the United States* (Boston: Munroe and Francis, 1845), 107-108. It seems as though reformers believed that pious matrons could be the catalyst for female prisoner reform as they could exert proper feminine moral influence over these wayward women, see Kann, 198. The Maryland State Penitentiary, which opened in 1811, hired a matron in 1822, one Mrs. Rachael Perijo. She is the first matron hired in a state penitentiary on record. See Shugg, *A Monument to Good Intentions*, 19. In both the Pennsylvania and Maryland cases, hiring matrons for the female inmates was not an initial priority.

⁵⁸ Pennsylvania. General Assembly. House of Representatives. *Report of the Select Committee Relative to the Management of the Eastern Penitentiary, Mr. Curtis, Chairman* (Harrisburg, 1838), 6.

⁵⁹ While order in the female department was helped by hiring a matron, the female inmates found other ways to thwart the system without necessarily being out of their cells like the four original female inmates. Women made noise and broke work equipment and furniture in their cells. One woman, Marian Wilson (see more background information on her in the chapter on violent crime), intentionally spilled “dirty water” under her cell door, which kept the hallway stone floor, and likely her cell floor, “constantly wet & dirty.” See Janofsky, “There is no hopes for the likes of me,” 186, for other accounts of later female resistance.

Prison Writings of Female Inmates: Holding on to Individual Identity

Prison writings, such as letters and poems, were one way that female inmates resisted the anonymity of the prison system. Their writings show an attempt to hold onto with their personalities and maintain a connection with the outside world. Reformers and prison employees tend to dominate the written records of the institutions, and rules prohibiting letter writing to and from inmates reduces the chance of finding their own words. Scholars are left to glean information about the individuals' experiences through the mediated voices of reformers and prison officials, with the inmate voice being heard only rarely. Even if the letters and writings from inmates were mediated by a third party, these sources suggest ways in which female inmates pushed back against the system by writing about their experiences, expressing their feelings, and in some cases, producing creative works. These sources connected these women with the outside world, something that the Pennsylvania system of discipline wished to avoid. The writings show that the women held on to their individuality in the prison, expressing it through their written words.

We only have a few written sources from female inmates from Eastern State Penitentiary. Julia Wilt, otherwise known as Julia Moore, is one such woman. The descriptive registers state that she was aged forty years at the time of her confinement, had a light complexion with blue-gray eyes and black hair.⁶⁰ Another register adds that

⁶⁰ "Miscellaneous Descriptive Books, 1829-1842." Record Group 15, Pennsylvania State Archives. Hereafter "Miscellaneous Descriptive Books."

Julia could only read, was a servant, got intoxicated occasionally, and had left her husband.⁶¹

Although there was not a lengthy trial record in the newspaper (her case is only mentioned briefly in the *Philadelphia Ledger* on May 19, 1839), a pamphlet, written later, provides a detailed account of her incarceration. The pamphlet discusses the criminal exploits that landed her in the penitentiary. Moore, it points out, was “exposed to temptation” and “proceeded from one vice to another, until hardened in guilt,” she “joined hands with the workers of iniquity,” and “participating in a cruel robbery, was arrested, and sentenced to seven years’ imprisonment, before she had completed her twenty-eighth year.”⁶²

Julia is portrayed as a model prisoner, penitent, quiet, thoughtful, and truly thankful for her incarceration. She was thankful for the care given in the prison by the physician and matron, realizing that “all her former acquaintances had been so hard-hearted, that it was very unexpected to her to meet with such kindness in a prison.”⁶³

Although most of the pamphlet is written anonymously and extols the values of the Pennsylvania system through the experience of Julia Moore, it does claim to copy a letter “precisely in her own language,” from Julia to a female visitor of the penitentiary.⁶⁴ This letter, dated April 27, 1843, is the closest we get to Julia’s own voice. She writes “to inform my sincere friend that I am very feeble at present.” Julia is ill and wishes to

⁶¹“Descriptive Registers, ESP.”

⁶² *An Account of Julia Moore*, 4. There is a discrepancy in Moore’s age between the pamphlet and the descriptive registers. I believe the pamphlet made Moore younger in an effort to engage the readers by transforming her into a more sympathetic character.

⁶³ *Ibid.* 10.

⁶⁴ *Ibid.* 18.

express her gratitude to the visitor for making her incarceration easier. She continues, “I feel thankful that I have been spared to express the sense of gratitude I feel for those benefits you have all been pleased to confer upon me.” Moore has found religious salvation in the prison and hopes that in her remaining days “the Lord will give me courage, strength and faith, that my soul may be saved, and his name be glorified.”⁶⁵

Although one might question the authenticity of this letter, since there are so few documents regarding female inmates or coming from the inmates’ perspectives, one has to think about this letter as being, to some extent, genuine. One possibility is that Julia may have spoken these sentiments to someone who wrote it into a letter format to make it appear that she had written the words herself. Prison policies dictated that “none but the official visitors can have any communication with the convicts, nor shall any visitor whatever be permitted to deliver to or receive from any of the convicts, any letter or message whatever” as enacted by article VII of “Rules for the Government of the Penitentiary,” passed on April 23, 1829.⁶⁶ In the 1844 Annual Report for Eastern State, however, there is an indication that letter writing in some instances was allowed. The warden writes, “I have frequently witnessed with pleasure the pride and exultation a convict has evinced on handing out his first letter, written to his parents or relations, as a proof of having attained that art [writing] in prison.”⁶⁷ This is the first annual report to note that inmates were able to send out letters, indicating that the early rule of prohibiting communication with the outside world was at some point not enforced by prison officials.

⁶⁵ Ibid. 18-19.

⁶⁶ Richard Vaux, *Brief Sketch of the Origin and History of the State Penitentiary for the Eastern District of Pennsylvania, at Philadelphia* (Philadelphia: McLaughlin Brothers, 1872), 36, 50.

⁶⁷ See *Sixteenth Annual Report of the Inspectors of the Eastern State Penitentiary Pennsylvania*. (Philadelphia: Ed. Harrington and Geo. D. Haswell, 1845), 22.

Other sources indicate that letter writing may have been more common in the prison than originally intended. Francis Lieber reprints a conversation he had with a female inmate who Dickens interviewed for his *American Notes*:

I have been here four years, and shall remain three years longer. I am nearly twenty-one years old, and feel very well here. They treat me with much kindness. I have learned here to read and write, and pray. Every Monday some ladies come to teach us....I have written my first letter to my mother, asked her pardon and permission to let me come home when I get out here. She has written kindly back to me.⁶⁸

Like Julia Moore, this young woman, only identified as being one of three African-American women sentenced to seven years for a conspiracy to rob, supposedly wrote a letter, connecting her with her family outside the prison walls.⁶⁹ She is no longer an anonymous inmate. Through the letter writing, she is holding on to her identity and working to reform her character. In essence, letter writing and working to reform allows her to resist simply withering away in isolation. Letter writing created a connection to those who were free and thus could undo the strict isolation and anonymity that made the Pennsylvania system unique. It is possible that officials determined that letter writing

⁶⁸ Francis Lieber, *Letter to Mr. Barclay, Honorary Secretary of the Philadelphia Prison Society, September 18, 1843, reprinted in Joseph Adshead, Prisons and Prisoners* (London: Longman, Brown, Green, and Longman, 1845), 116-117. Again, the discussion of letter writing in this case raises the question of penitentiary policy and what actually occurred in the prison. These two instances indicate that the original act prohibiting writing and receiving letters was not actually upheld. For the original interview that Charles Dickens had with the young woman, see Chapter 7 in Charles Dickens, *American Notes for General Circulation* (New York: Penguin Books, 2000).

⁶⁹ While it is unclear exactly who this woman is, we do know who the three women Dickens and Lieber are discussing. Their names are Louisa Harman, Elizabeth Thompson, and Ann Richards. All are young, either teenagers or in their early twenties upon reception, and all are African-American servants. They were pardoned for their crimes in 1844, less than five years after their arrival in 1839. From "Descriptive Registers, ESP." A letter from the Warden, George Thompson, to the Governor, David Porter, asks on behalf of the "Ladies Prison Society" for the pardon of these three women. According to the warden, the benevolent society would vouch for these three released inmates and find them suitable arrangements outside the prison in order to help them avoid a life of future crime. The governor consented. Thompson Family Papers 1607-1934, MG 654 at the Historical Society of Pennsylvania. Series III: George Thompson, 1769-1876, Box 5 Folder 27 Eastern State Penitentiary Outgoing correspondence, 1839-1850.

may have aided in the reformation process as opposed to hindering it.⁷⁰ A more cynical suggestion is that these letters were allowed to be produced because officials needed to promote their prison system and letters of inmates extolling the virtues of the penitentiary might bolster support for their system. Because so few letters from inmates in these early days remain (or ever existed), the appearance of letter writing may be a combination of these possibilities. In any case, these women who were able to write letters for some reason refused to disappear into the anonymity of the penitentiary system.

One set of letters and poems from a female inmate at Eastern State illustrates how writing provided a creative outlet for prisoners to help them weather their incarceration and resist the anonymous environment of the penitentiary. Unlike the letters from Julia Moore and the woman Lieber interviewed, this set of writings appears to have avoided interference from reformers. In early 1862, a female inmate, Elizabeth Velora Elwell wrote a series of letters to another prisoner, Albert Jackson Green. These are valuable sources regarding prison life in the mid nineteenth-century and indicate that Eastern State still struggled with prisoner separation and discipline and that writing created a way for inmates to express their feelings about life and incarceration. On April 18, 1862, Elwell wrote: “It is with in my lonseome sell that I take my pen in hand to inform you that my heart was very sad after leaving you to night but hope to see you every day but my dear Albert there is a time coming when we will not have to run when any one is coming.”

⁷⁰ While at Eastern State, it appears that letter writing was allowed by 1844, in the 1848 Annual Report of Western State Penitentiary, the moral instructor writes, “The privilege of corresponding by letter with absent friends once in three months, has been granted to the prisoners during the year. This favor was forfeited by any violation of the rules of the prison. Whilst then it contributed to make better the heart of the outcast convict, by the softening and humanizing intercourse with beloved objects, it also aided in the preservation of order and good conduct within the prison.” *Report of the Board of Inspectors of the Western Penitentiary of Pennsylvania, for the Year 1848, with the Accompanying Documents.* (Pittsburgh: Johnson and Stockton, 1849), 20. It appears that prison officials were beginning to see the ameliorating effects on behavior that written correspondence could have on inmates and that cutting them off entirely from the outside world was not necessarily a good plan.

She warns him not to “let them hear you speak of me my dear. There is but one thing that you must be carfull not to let them catch you standing at the gate for they will mistrust us.”⁷¹ Not only is Elwell able to send and receive letters from another inmate at the penitentiary, it appears these two conducted a love affair, hidden from prison officials. In another letter four days later, Elwell writes: “Oh dear one if we were out we wood not have but to creep in the holes to talk one minet.”⁷² Three days later, she writes: “My dear I am most dead every night When I come up to the old Sell and leave you my dear honey...may we see the time my dear that we will not have to go to the cole seller to talk one woord.”⁷³

By the 1860s, some of the stricter rules of the penitentiary appear to have been lightened, as excerpts in these letters indicate that Elwell worked during the day out of her cell. It is likely that prison officials made changes in the style of prison labor to be more profitable than the original plan of individual artisanal work in the cells. Elwell's letters also include several to and from her sister, which indicates that letter writing to outside family members became more common and more frequent. Even with these changes to prison discipline interactions between male and female inmates were still strictly forbidden.⁷⁴

⁷¹ State Penitentiary for the Eastern District Papers. Series III, Elizabeth Velora Elwell Correspondence, Folder 1, April 18, 1862. These papers are at the American Philosophical Society. Unfortunately, there is little context for these letters, yet they are invaluable because they represent some of the rarest sources, handwritten letters from a nineteenth century female inmate. Elwell was arrested for larceny of store merchandise and property from the US mail. She was sentenced to 18 months, entered Eastern State on December 10, 1861, and was discharged on June 10, 1863. Information on Elwell from Folder 2, Series III of the State Penitentiary papers at the APS. Hereafter “Elwell Correspondence.”

⁷² “Elwell Correspondence,” April 22, 1862.

⁷³ *Ibid.*, April 25, 1862.

⁷⁴ Jennifer Janofsky notes that by the mid-1850s, officials at Eastern State were even experimenting with housing two inmates in the same cell. This was done in the cases of mentally-ill patients in the hopes that

In addition to these letters, Elwell penned poems in her cell. One in particular seems to capture her feelings at being imprisoned, and it illustrates how writing provided her with a way to deal with her incarceration and to still develop her own personality while imprisoned.

Poetrysies

It is very sad to be so lonley
And far from friends or home
But may my love proove to be true
To cheer my sad hart ever more

It is very hard for me to be so gloomey
But sad misfortune did me imploore
My hart was not weeke nor did it falter
Till I see my sad state in the world so wreched

It makes my hart bleede to think of my place
And hear from friends most dear so faraway
But one friend I trust I have found who is
In the captivity with me and many otherse⁷⁵

The poem illustrates her sadness at being incarcerated, and she mentions several times the struggles she faces with loneliness and knowing that friends and family are far away from her. These seem like typical emotions experienced by an incarcerated person. Poetry becomes a way to verbalize her feelings, and the writing of it would also act as a distraction for a few moments from her incarceration. The poem is interesting also in that it shows, along with the letters, that she has found solace in her incarceration with her friend Albert. It seems that the relationship was a way for Elwell to have something to keep her emotionally connected to not only herself but someone else during her sentence, especially during periods of homesickness and loneliness. In her letters and poetry, one

human interaction would alleviate the symptoms of the inmates' mental illness. See Janofsky, "There is no hopes for the likes of me," 248-249.

⁷⁵ "Elwell Correspondence."

gets a sense of Elwell as a person, a young woman, who experiences natural human emotions. She does not appear to be a monster or fiend in the way that many people viewed female convicts. The writings portray a young woman with a heart and distinct personality. Her writings show how Elwell held on to ideas and thoughts that allowed her to continue to live as Elizabeth, and not merely an anonymous, numbered inmate trapped in a fortress.

The Special Issues of County Jails

The neglect experienced by women in the state penitentiaries included a lack of attention to their behavioral reformation. In addition, in the early years of the penitentiary, they were not given the opportunity to be part of the prison discipline set up by reformers because prison officials had difficulties treating them in the same manner as male inmates. The neglect faced by female inmates in Pennsylvania's county jails was significantly different from the neglect experienced in the larger penitentiaries. The neglect in the county jails was more basic. Women faced poor living conditions, there was little attempt at reform. In some cases, punishments were violent. These poor conditions can also speak to the discomfort or lack of care that employees felt towards the female inmates. Like the women in state penitentiaries who resisted becoming lost in the system, women in the county jails also resisted their incarceration but in more direct ways. The poor conditions they faced in the county jails was reflected in the more violent, desperate resistance.

County jails housed offenders of lesser crimes and also held those awaiting trial as well as vagrants. These institutions exemplified the inconsistent treatment that female offenders experienced in Pennsylvania prisons. County prisons were described as buildings “in which are kept persons of every age, and of each sex and color; of every rank, fortune, education and character; some of whom are charged with no offence, but are held to secure their appearance as witnesses...others of whom are already convicted of trivial offences and are subjected to only a few weeks or months of detention.”⁷⁶ Compared to the large penitentiaries, which worked hard to maintain a rigid lifestyle for inmates in order to reform them, county jails failed to live up to this standard, making daily life in these jails rather chaotic. Inspectors of the various prisons across the state realized “that the discipline and general efficiency of the large penitentiaries themselves, were to a serious extent neutralized by the influences operating upon the prisoners during their preliminary confinement in the county jails.”⁷⁷ One can imagine that if penitentiary officials had a difficult time treating the small female population equitably, then county jails would have had even more problems with their female offenders.

County prisons were inspected for their efficiency, and during the 1830s and 1840s numerous county jails were either built or rebuilt, notably in the southeastern portion of the state, in order to improve the situation of inmates, yet many counties could not afford such construction.⁷⁸ William Parker Foulke, a notable Pennsylvania prison reformer, recounts the situation in many counties: “The sheriff himself feeds his prisoners well, often upon the same kind of food which his own family consumes. He lets them out

⁷⁶ Foulke, *Remarks on the Penal System of Pennsylvania*, 12.

⁷⁷ *Ibid.*, 14.

⁷⁸ *Ibid.*, 15-16.

of their rooms, and into the yard, reasonably often. . . . Besides, it is not his fault that the prisoners are together; he has only four or five rooms, and yet often there are twenty or thirty persons under commitment at one time – white and black, male and female, old and young.”⁷⁹ Foulke blamed the commissioners who built these prisons for the failure to provide enough space for the inmates, illustrating what desperate need there was for improved facilities. The Pennsylvania Prison Society asked the state to force counties to produce annual reports of these prison systems, so that they could be easily monitored.⁸⁰ Unfortunately, very few counties complied, making it difficult to explore the daily workings of the various county prisons. It was not until 1851 when state legislation compelled county prisons to make solitary cells available for all inmates in an attempt to emulate the state penitentiaries’ discipline.⁸¹

An 1839 report of Pennsylvania's Secretary of the Commonwealth regarding county prisons provides snippets of information on different institutions, and illustrates the problems of inconsistency about which Foulke lamented. Bedford County Prison, for example, provided “straw beds, coverlets, and blankets” and meals, including breakfast, consisting of “bread, meat, and coffee. Dinner of bread, meat and vegetables, and supper of bread, meat and coffee or tea.” The report indicated that no moral education was provided for the inmates.⁸² Chester County reported, “male and female prisoners are confined in separate apartments, having no communication whatever between them. The construction of the prison is such, that criminals and debtors – juvenile and old offenders

⁷⁹ Ibid., 20.

⁸⁰ Ibid. 21.

⁸¹ Ibid. 29.

⁸² Pennsylvania. Secretary of the Commonwealth. *Report of the Secretary of the Commonwealth, relative to the County Prisons of the State*, (Harrisburg, E.Guyer, 1839), 7.

– have to mingle together both day and night, all having the privilege of the yard from sunrise to sunset.” This seems to indicate that although men and women were separated during the night, they could interact with one another during the day. Prisoners were given one pound of wheat bread per day.⁸³ Erie County had a different form of discipline: “Males and females, criminals and debtors, are kept in separate apartments. Young and old offenders are kept separate when convenience permits....Books furnished when requested, but are seldom asked for. Criminals generally allowed one hour in the yard each day. When criminals misbehave their shackles are generally increased, or they are committed for a short time to a dungeon connected with the prison.”⁸⁴ In Mifflin County, prisoners were given books if they desired, but “no particular means in use for the moral improvement of prisoners, other than that adopted at the discretion of the jailer” and inmates ate the same food as the jailer's family and were only given blankets for bedding.⁸⁵ In York County, inmates dined on bread and water, and were provided with chaff bags and blankets for bedding.⁸⁶

In Dorothea Dix's 1845 plea to the state legislature to create a state hospital for the insane, she recounts her visits to county prisons in search of insane prisoners and corroborates the inefficiency and inconsistency frowned upon by Foulke and other reformers. Dix discussed the inmates she met in her travels. In Somerset County in southwestern Pennsylvania, she writes: “In one apartment I found a man and woman; they had been tried for adultery, were found guilty, and sentenced to the county

⁸³ Ibid. 8.

⁸⁴ Ibid. 11.

⁸⁵ Ibid. 17.

⁸⁶ Ibid. 28.

jail....What moral benefit was derived by either the prisoners or the community by this, neither separate nor solitary confinement, I leave others to determine; but I think that a law prohibiting indiscriminate association of the male and female prisoners cannot be too soon promulgated and enforced.”⁸⁷ It seems ironic that the jailer would allow these inmates to stay together in the cell, considering their conviction for adultery. There is no evidence that the jailer cared to enact punishment for the crime or push for reformation in behavior by separating these two.

In another instance, Elizabeth Harker, a woman convicted of murder and sentenced to hang in Huntingdon County, was also given special treatment. Harker was never hanged for her crime but remained incarcerated in the county jail. Sources indicate that as time went on and doubt arose as to her guilt, prison officials allowed her to walk about the town as she pleased, returning in the evening. This treatment, if true, indicates again the trouble officials had in dealing with female inmates even those convicted of violent crimes. Furthermore, it illustrates the problems many small county jails faced. The fact that an execution date was never set is evidence that officials may not have intended to hang her at all, but had to sentence her in that way because of the regulations of the Pennsylvania criminal code that established that first degree murder carried the penalty of death.⁸⁸

A case similar to Harker’s took place in Sullivan County, Pennsylvania, in 1855.

Anna Maria Veitengruber, a German immigrant was imprisoned for her part in the

⁸⁷ Dorothea Lynde Dix. *Memorial Soliciting a State Hospital for the Insane: Submitted to the Legislature of Pennsylvania, February 3, 1845*, (Harrisburg: J.M.G. Lescure, 1845), 18.

⁸⁸ Albert M. Rung, *Rung’s Chronicles of Pennsylvania History: Volume II, A Series of Historical Articles* (Huntingdon, PA: Huntingdon County Historical Society, 1984), 184, 358. By 1794, only first-degree murder was punishable by death. Second degree murder was punished by solitary confinement for five to eighteen years. *Report of the Commissioners on the Penal Code*, 121.

murder of her husband John, after her lover, John Kamm, another immigrant, killed Mr. Veitengruber. Mrs. Veitengruber maintained her innocence and accused Kamm of the murder. Claiming mental instability, Mrs. Veitengruber demanded a separate trial, which only delayed her fate. She remained in the Sullivan County Jail where the sheriff treated her kindly and “permitted her more liberties than he would have allowed another prisoner.”⁸⁹ At some point during her incarceration, Mrs. Veitengruber took advantage of her privileges and escaped. She was never apprehended. A reward advertisement was placed in the *Sullivan County Democrat* on November 23, 1858, providing twenty-five dollars for the person who returned Anna Maria Veitengruber to the prison. According to the advertisement, she escaped on November 19, 1858. She was described as being “about thirty-seven years of age...with strongly marked features, and with light, thin short hair. She has a gray blue eye and a large mouth” and only spoke “the English language but very brokenly.”⁹⁰ While we have very little information about Anna Maria Veitengruber’s involvement in the murder, she must have felt that she would have been found guilty. It could be that she believed that by escaping she stood a better chance of survival. Furthermore, because she was an immigrant and had little experience with English, she may not have trusted her chances of receiving a fair trial. Instead, she chose to take advantage of her situation and flee.

These instances of roaming convicts, cohabitation of male and female inmates, and the brief descriptions of varied jail conditions and punishments, illustrate just how inconsistent the county prison experience was for inmates. After seeing the wide range of quality of food, bedding, and discipline, it is little wonder that Foulke was frustrated with

⁸⁹ *Williamspport Grit*, April 1931.

⁹⁰ *Sullivan County Democrat*, November 23, 1858.

what he observed in his travels and desired consistency for the county prisons in order to emulate the discipline of the penitentiaries.

While few county jails kept copious records, sources from the Philadelphia County Prison provide us with details of the daily lives of female inmates in a large county jail setting and illustrate some significant differences between county prisons and the penitentiaries. Philadelphia's need to house a much larger inmate population undoubtedly created a unique set of conditions. Yet its records provide a glimpse into the life of women in county prisons. While female inmates in the penitentiaries appeared to have special privileges, in the county prisons, such as those in Philadelphia, women were subjected to neglect and chaos. The records of county prisons both in rural areas and in Philadelphia indicate that these women were treated as "human refuse" as Mark Kann suggests.⁹¹

The Philadelphia County Prison, located in the Moyamensing district in south Philadelphia, was originally meant to house inmates who had been sentenced for a period not exceeding one year. They were to "suffer punishment...by separate confinement at labour for and during the term of their sentence, and shall be fed, clothed and treated nearly as may be practicable, in the same manner as is provided by law in relation to persons confined in the Eastern State Penitentiary, in solitary confinement at labour."⁹² The prison opened on October 19, 1835.⁹³ By the 1850s, it was receiving fourteen to

⁹¹ Kann, *Punishment, Prisons, and Patriarchy*, 15.

⁹² *Acts of the General Assembly*, 23.

⁹³ *First Annual Report of the Board of Inspectors of the Philadelphia County Prison*, (Harrisburg: J.M.G. Lescure, 1848), 6. Walnut Street Jail thus ceased its function as the county jail, which it acted as after Eastern State began receiving prisoners.

fifteen thousand inmates yearly. Its stable population, however, remained around five hundred.⁹⁴ See Appendix F for the gender and race breakdown of admitted inmates.

One inspector to the prison seemed appalled by the plight of certain inmates, especially females. He writes: “As one instance in many, a decent sempstress who, when an advantage was attempted to be taken of her, endeavored to force her way out of a room, and in so doing broke a pane of glass, was committed to prison for malicious mischief, and when I first saw her she had been there two months without trial.”⁹⁵ This particular account makes the inmate seem like an innocent victim, someone who had been arrested for an offense stemming from self-defense. This case illustrates not only the sympathy directed at some female inmates, but also the high standards to which they were held. The fact that the woman was held to await trial for breaking a pane of glass struck the inspector as gratuitous.

The same inspector also discussed female intemperance and imprisonment. He noted:

unchaste females who are intemperate, soon find their way to prison. They inhabit those worst quarters of the city and those worst dens of infamy....They are swept into prison along with those who create disturbance or shed blood. When released, being without home or other place of retreat than those from which they were taken, they return only to be arrested and imprisoned again upon the next visit of the police. Thus they are continually suffering not only for their own faults, but for the faults of others....There is no sadder spectacle than these girls, oscillating between a life of debauchery and a life of imprisonment....The female who has fallen so low as to be committed to prison for intemperance, becomes soon an habitual visitor. Many of them are committed twenty or thirty times a year.⁹⁶

⁹⁴ By an inspector, “In and Out of the County Prison” *Journal of Prison Discipline and Philanthropy* 12 no. 2 (1857): 64.

⁹⁵ *Ibid.* 65.

⁹⁶ *Ibid.* 72.

It is interesting that he focuses specifically on intemperate women. Again it is as if these women are in some way innocent, and really do not want to live this lifestyle. The blame clearly lies with the violent men who inhabit these neighborhoods and with the police for not being more discriminating. By considering both the intemperate and the woman in jail for breaking a pane of glass as victims, there is a sense that both officials and visitors were sympathetic to these women and did not see them as a threat to society. Their reactions mirrored responses to those female inmates who were left out of their penitentiary cells and given special privileges. They too were seen either as non-threatening or a group who were not worthy of reform.

The records of the Philadelphia county prison indicate that in some respects, these female inmates were treated differently from the female inmates in the state penitentiaries, most likely because of their shorter incarcerations, and lesser crimes. The provisions ledger for the female ward of the county prison suggests that inmates had to pay for their stay, with many entries charging inmates for provisions for a particular length of time or extra clothing. For example, in 1829 (most likely this ledger was from Walnut Street jail before the Moyamensing prison opened), Susan Cork purchased one linsey petticoat and short gown, two old caps, handkerchiefs, shifts, and blankets, an apron, and one pair of shoes, and one pair of stockings. Later in the year, she purchased two summer petticoats and two summer gowns. In addition, she paid for 181 days of provisions. During the year, she racked up a bill of \$48.24. Another inmate, Sarah Engles purchased provisions first for ninety days and later twenty-six days at a cost of \$22.52.⁹⁷

⁹⁷ "Provisions Ledger, Female, 1829-1831." Record Group 38, Philadelphia Prisons System. Philadelphia City Archives. Today, the bill of \$48.24 would be \$958.79, and the \$22.52 would be \$447.59.

These two inmates exemplify the types of goods inmates bought. It is striking that certain inmates purchased extra goods for comfort, while others only purchased provisions. It is unknown what clothing was provided for the inmates on their arrival, if any. While the penitentiaries describe the prison garb inmates wore, this provision ledger suggests that inmates may have worn their own clothing, and could purchase extra garments if funds allowed. While it may have been a struggle for some merely to purchase basic provisions, others could make their incarceration a bit more comfortable with additional clothing and extra blankets. It is also unknown what the purchase of provisions entailed, whether it was meant to provide basic rations or food above and beyond that provided by the prison, or if it consisted of something else entirely, such as hygienic goods such as soap or a comb.⁹⁸

In addition to the provisions ledger, the prison diary for the female ward provides accounts of daily life inside the walls of Moyamensing prison. This volume covers the decade from 1850-1860.⁹⁹ While many of the entries are mundane, simply noting which employees were on duty, which inspectors visited the prison, or which inmates were ill, some entries provide more details, uncovering the darker layers of female imprisonment

⁹⁸I am interpreting this ledger to be what the inmates may have purchased for themselves. Because it appears that not every inmate had the same entries and some had significant amounts of extra clothing, I think these items were purchased beyond what the penitentiary provided. I would think that if this ledger indicated what the prison provided, certain inmates would not have so many extra articles of clothing, and the costs for each inmate would have been similar. In the case of abolitionist Passmore Williamson, who was incarcerated at Moyamensing in 1855 for aiding in the escape of slave Jane Johnson, the inmate was allowed to have goods provided to him from outside the jail. Friends provided meals and furniture to Williamson to make for more hospitable incarceration. See Nat Brandt, *In the Shadow of the Civil War: Passmore Williamson and the Rescue of Jane Johnson* (Columbia SC: University of South Carolina Press, 2007), 98. Although Williamson was not a typical inmate in Moyamensing and received special privileges during his incarceration, that he was able to get furniture and food sent to him suggests that if the inmate had means to ease his or her incarceration, the inmate was allowed to do so either from the goodwill of friends or purchasing goods as recorded in the provisions ledger.

⁹⁹Unfortunately with these sources, the records only give glimpses into the life of the county prison for swatches of time making chronological comparisons impossible.

in this jail. The diary begins by providing the job descriptions of the employees. Mrs. McDaniel was the matron of the women's ward during this decade. She had control of the storeroom of the prison and meted out provisions of clothing and blankets to inmates, and saw "that order and good government is enforced in the Department."¹⁰⁰

In looking at various excerpts from the diary, several things are of interest. One noticeable theme is the level of disorder in the prison. Women were strapped and put in dark cells for offenses such as "indecent singing," for "insolence and abuse," for "loud talking to the Men," "talking down the pipes," and "mutilating their Bibles."¹⁰¹ Other women found themselves in the dark cell for "being Disorderly and breaking cell furniture" or more violent acts like "drawing a knife on the keeper."¹⁰² On April 19, 1850 it was recorded that Catharine Jordin, alias Sarah Smith, was "put in the dark cell for striking at the keeper and abusing the matron and her assistant and threatening them." Prison officials asked the visiting inspector to order Jordin "to be kept locked in her cell and not taken from thence as no kind treatment can subdue the prisoner."¹⁰³

¹⁰⁰"Prison Diary, Female Department, 1850-1860," March 21, 1850. RG 38 Philadelphia Prisons System, Philadelphia City Archives. Hereafter "Prison Diary."

¹⁰¹ Ibid. April 2, 1850; April 11, 1850; May 20, 1851; May 30, 1851; February 15, 1855. Often, women who were put in the dark cell only stayed one day. Lydia O'Connor, a black woman who was sentenced for thirty days beginning on March 30, 1850, was put in the dark cell for "insolence and abuse" on April 11, and was returned to her regular cell the next day after promising to obey the rules. "Commitment Docket, Female Department, July 1849 to November 1851" RG 38, Philadelphia Prisons System, Philadelphia City Archives. Hereafter "Commitment Docket." It is worth noting that it appears that the 'strapping' was not a whipping, but actually a type of restraints used to hold down inmates.

¹⁰² "Prison Diary," April 29, 1850, June 8, 1850. Martha Russell, who broke her furniture on April 29, 1850 was a white woman imprisoned for disorderly conduct, and Susan Barber, alias Kelly, who drew a knife on the keeper was incarcerated many times in the 1850s for assault and battery, disorderly conduct, and breaking the peace. "Commitment Docket," July 1849 to November 1851 Martha Russell spent more time in the dark cell beginning on October 17, 1851, when she was punished "for letting the Hydrant run in her cell & using profane language." "Prison Diary," October 17, 1851.

¹⁰³ "Prison Diary," April 12, 1850. Emphasis in original. Catharine Jordan was imprisoned for disturbing the peace and was sent to prison on July 23, 1849. "Commitment Docket," July 1849 to November 1851."

Some female prisoners were continually troublesome to the prison employees. Margaret Johnston, convicted of larceny in July 1849, occupied much of the keepers' time with her refractory behavior. In late September 1850, the visiting inspectors were asked to deal with "the abusive conduct" of Johnson" because she "has defied all control by the Keepers." The next day, the diary entry noted that she was "still strapped [sic]" for her bad behavior. A few months later, on December 4, 1850, the diary keeper wrote that Johnson was "chained" and "wishes to see visiting inspector." On January 22, 1851, Johnson found herself "put in the Dark Cell...for Insolence to the Keepers." The prison staff informed the visiting inspectors that "this prisoner Cannot be subdued unless by this means."¹⁰⁴ The various accounts of resistance by Johnson illustrate that the punishments of being strapped, chained, or placed in a dark cell did not deter some women.

Resistance appears, in some cases, to be a daily occurrence.

Johnson was not the only habitual offender of prison rules. On March 5, 1851, Elizabeth Wagstaff was put in a dark cell for being insolent to the keepers. Wagstaff was deemed "a great annoyance [sic] to the Prison."¹⁰⁵ In August of that year, the visiting inspectors were called to observe Wagstaff as "her conduct is so bad, she keeps the place in Continual Excitement."¹⁰⁶ In early February 1852, the inspectors were called again to visit Wagstaff because "her conduct is so outrageous that the Keepers cannot do anything

¹⁰⁴ "Commitment Docket," July 1849 to November 1851; "Prison Diary" September 24, 1850; September 25, 1850; December 4, 1850; January 22, 1851. Chaining was apparently a common practice to punish insubordinate offenders in the nineteenth-century penitentiaries. See Ignatieff, *A Just Measure of Pain*, 198. Furthermore, strapping appears to be another form of restraint used on refractory prisoners.

¹⁰⁵ "Prison Diary," March 5, 1851. Wagstaff, a white woman, was imprisoned on June 13, 1850 for larceny. "Commitment Docket, Female Department, July 1849 to November 1851."

¹⁰⁶ "Prison Diary," August 29, 1851.

with her she has destroyed the discipline of the prison.”¹⁰⁷ One month later, Wagstaff spent several days in the dark cell for being unruly and refusing to eat.¹⁰⁸ Throughout 1852, Wagstaff plagued the employees with her behavior and thwarted prison order. She was strapped several times for abusing the matron and noise infractions. Prison officials realized that “good treatment makes her worse” and that “she is so outrageous that she keeps the place in a continual uproar from Morning until night.”¹⁰⁹ In April 1853, she was strapped again for “breaking her door by hamering [sic].”¹¹⁰ After such a record of resistance to prison discipline, it is doubtful that prison officials were upset at the expiration of her sentence on August 9, 1853.

These inmates, (and these few are by no means the only examples of this type of behavior in the diary!), seemed out of control; they were violent, threatening to the keepers, breaking furniture, or in some cases stealing prison property. These refractory inmates concerned officials, prompting inspectors to make frequent visits to their cells. The actions taken by the female inmates in the county jail illustrate blatant resistance to their incarceration. Taking on a more desperate approach, these women fought directly against their imprisonment and refused to become silent victims of the system. They made their presence known to employees and inspectors alike through their struggles against the system. The chaotic atmosphere of these prisons seemed to breed a more

¹⁰⁷ Ibid. February 3, 1852.

¹⁰⁸ Ibid. March 13, 15, 16, 1852.

¹⁰⁹ Ibid. April 10, 1852; August 26, 1852; November 19, 1852; December 4, 1852.

¹¹⁰ Ibid. April 8, 1853. For further sources on issues of punishment in the Pennsylvania system, particularly in Eastern State, see William C. Kashatus, “Punishment, Penitence and Reform: Eastern State Penitentiary and the Controversy over Solitary Confinement” *Pennsylvania Heritage* 25, no. 1 (1999): 30-39. Jacqueline Thibaut, “‘To Pave the Way to Penitence:’ Prisoners and Discipline at the Eastern State Penitentiary, 1829-1835” *Pennsylvania Magazine of History and Biography* April (1982): 187-222.

frenzied resistance. In the penitentiaries where order was of the utmost importance, resistance appeared to be more restrained and subtle, whereas in county prisons where there was much less control, inmate resistance was more widespread and violent.¹¹¹

Women giving birth in prison also added to the disorder of the county jails. Childbirth necessitated special care for inmates and their infants, including separate facilities that catered to their needs. For instance, on August 5, 1854, Anna Cormis, “a coloured woman” who was committed in July for adultery, “gave birth to a female child at 2 o'clock this morning.” It is not clear from the records what became of the infants who were born in the prison. Most likely they were sent to an almshouse or perhaps even an orphanage.¹¹² Childbirth was a more frequent occurrence in county prisons than in state penitentiaries due most probably to the shorter sentences imposed and fluctuating inmate population.

Violence inflicted on the inmates by the keepers is a major theme apparent in the diary. Inmates were sometimes restrained by straps; other times they were chained in

¹¹¹ Nineteenth-century observers often noted that female inmates had a tendency to be considered “incorrigible.” Mark Kann notes that officials in some states, including “Connecticut, Massachusetts, Maine, and Indiana” avoided sending women to penitentiaries because of this trait. Instead, the women were sent to county prisons. In New York, prison inspectors were told that women “were ‘very refractory’ as well as unproductive.” Kann, *Punishment, Prisons, and Patriarchy*, 193. See also Lucia Zedner, “Wayward Sisters: The Prison for Women” in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, eds. Norval Morris and David J. Rothman, (New York: Oxford University Press, 1995), 348. Twentieth-century studies have also shown that female inmates tended to be troublesome, even at times more so than their male counterparts. See Jocelyn M. Pollock, *Sex and Supervision: Guarding Male and Female Inmates* (New York: Greenwood Press, 1986), 28-31, 57-58.

¹¹² “Prison Diary.” Pregnancy and childbirth illustrated the special issues that arose from having female inmates in an institution designed mainly for male offenders. These female needs demonstrate that the facilities designed in the early 19th century did not have female interests in mind. See Dodge, *Whores and Thieves of the Worst Kind: A Study of Women, Crime, and Prisons, 1835-2000* (DeKalb, IL: Northern Illinois University Press, 2002), 26 for a more detailed description of women in male prisons in Illinois in the antebellum decades. Nicole Hahn Rafter’s *Partial Justice* also provides a detailed look at women in state penitentiaries in the 19th century.

their cells; and even on some occasions, doused with cold water.¹¹³ On March 28, 1850, inmate Julia Bower was removed to cell 17 “chained to keep her from injury (Mania).”¹¹⁴ While the diary author notes that the chain was for the inmate’s protection from herself due to her alleged symptoms of some type of insanity, these incidents of the use of chains and strapping for bad behavior is problematic. These punishments were contrary to the goals of the larger penitentiaries, which prided themselves on not using physical violence because officials believed that physical pain did not encourage inmate rehabilitation. The use of physical punishments in the county prison suggests that rehabilitation was a less important priority even though the county jails were ideally supposed to follow the Pennsylvania plan of discipline as Foulke wanted. The shorter sentences of the inmates at the county jail could have made rehabilitation impossible to complete. The violent punishments appear to have been made out of necessity to keep order, especially in such a transient inmate population. It could be that the use of violent punishments also added to the desire of the inmates to resist rules and employees’ control.

Female inmates also utilized their physical bodies as weapons of resistance. Refusing to eat was one way they resisted their imprisonment or punishments for breaking prison rules. On August 2, 1855, Mary Bates was put in a dark cell for “throwing out the wicket her tins into the corridor maliciously.” During her time in the dark cell, a period of a few days, Bates refused “to take her bread” and dashed “her water out of her pan.”¹¹⁵ Others followed suit.¹¹⁶

¹¹³ “Prison Diary,” December 2, 1854; August 26, 1856.

¹¹⁴ Ibid. March 28, 1850.

¹¹⁵ Ibid. August 2-4, 1855.

¹¹⁶ Ibid. August 12, 1856.

Other women found more extreme ways to use their bodies as tools of resistance. During the night of October 28, 1851, Elizabeth Young made such a commotion in the prison that the next day's entry in the diary noted that she was "very outrageous last night & made an attempt to strangle herself."¹¹⁷ On November 20, 1851, prison employees found two convicts in a cell, one of them had "attempted to hang herself."¹¹⁸ The inmate was saved, and the two women were put in separate cells. Caroline Erwin was discovered and cut down by the keepers after she tried to hang herself. For her suicide attempt, she was chained in her cell.¹¹⁹

While some entries on attempted suicides are brief, such as the ones above, other cases prompted the diary author to detail the event more closely. In early November 1854, an inmate named Mary Smith "attempted to hang herself" to the window grating by "tearing up her bed quilt into strips." Prison employees found her in time and cut her down. Prison officials deemed that a deep feeling of despondency caused her suicide attempt.¹²⁰ A little over a month later, on December 12, 1854, the diary entry notes that Ann O'Conner had a fit, causing the matron and assistant "to relieve her." When they arrived at her cell, they "found her face Purple, they tried to resuscitate her, in so doing, they found two cords one on each arm tied very tight also one around her waist stopping the circulation of blood." As a result, O'Conner "was stripped, and she fought manfully

¹¹⁷ Ibid. October 29, 1851.

¹¹⁸ Ibid. November 29, 1851.

¹¹⁹ Ibid. August 12, 1856. Caroline Erwin was imprisoned for vagrancy on January 22, 1856. "Commitment Docket," August 1854 to December 1856.

¹²⁰ Prison Diary," November 6, 1854. It is difficult to identify this particular Mary Smith in the inmate registers. There are multiple Mary Smiths listed, many who were incarcerated multiple times in the 1850s for crimes such as disorderly conduct and breaking the peace. While the Mary Smith in this example may be one of these entries, there is no way to know for sure which Mary Smith this woman might be.

to prevent it, but she was overcome and was ordered to a solitary cell.”¹²¹ In late August 1856, inmate Kate Murray tried at least twice to kill herself. She was chained for her attempt “to hang herself.” She “got a good choke” and was cut down by the prison keeper.¹²² In a second diary entry, Murray had “amused herself by choking herself by wrapping strips of blanket around her throat.” As punishment she “was put in the shower bath.”¹²³

These entries point to the pure desolation of prison life, and the need for more specialized treatment and care for these women. The excerpts suggest that the prisons may have caused depression, leading some to contemplate ending their lives. The cases of self-harm can be viewed as a form of inmate resistance, since the women attempted to take back the control over their bodies and lives. In these cases, suicides were prevented, and the women were promptly punished, indicating that employees may have viewed these actions as a threat to the prison system. The evidence of chaining, being put in a solitary cell, and being doused in a shower bath demonstrated that prison employees viewed these prisoner actions as resistance to the prison regime and not necessarily as a sign of deeper emotional or mental issues. In the cases of self-harm, such actions indicated a need for more individual and specialized care. Because the county jail did not promote inmate rehabilitation, and dealt consistently with a large and transient population, the prison may have promoted a feeling of hopelessness in its inmates. These excerpts indicate the disorder in the county prison and the relative neglect of the inmates’

¹²¹Ibid.

¹²² Ibid. August 26, 1856.

¹²³ Ibid. August 28, 1856. Like Mary Smith, Kate Murray is difficult to identify in the commitment dockets. Multiple Kate and Catherine Murrays litter the registers. Most of these individuals were imprisoned for drunk and disorderly behavior and vagrancy, suggesting a life on the streets.

needs and their reformation. While they had their own department and staff, disorder still ensued and penitentiary discipline was not upheld in Moyamensing.

While the records indicate that in the 1850s violent punishments may have been used to correct inmates, this was not the case a decade earlier (1839-1841). A punishment register, which indicates infractions and punishments illustrates this trend. As Table 8 shows, punishments for female inmates consisted of either time in a dark cell, or something noted as “cell and allowance,” likely a combination of being kept in their cells and a reduction of food rations for the duration of the punishment.¹²⁴ The infractions for which the inmates were punished ranged from talking offenses, which made up the majority of the offenses, to impudent behavior, to breaking cell furniture, and refusing to work. These offenses and their punishments illustrate a more direct connection to the penitentiary ideal of punishment. The punishments were not violent, and because the majority of the infractions were for talking suggests that the county prison tried to emulate the regime of penitentiary discipline for the more serious criminals of the state. By looking at this ledger, and then the evidence in the prison diary a decade later, there is a sense that the county jail did not approximate the penitentiary protocols and let certain regulations lapse as the years progressed. As a result, there seems to be a marked increase in physical punishment of the inmates. The treatment of inmates in the county jail by the 1850s seems almost reminiscent of the conditions of the prisons in the eighteenth century.

¹²⁴“Punishment Ledger, 1839-1841” Record Group 38, Philadelphia Prison Systems, Philadelphia City Archives.

Table 8: Philadelphia County Jail Punishments for Female Offenders, 1839-1841

| Type of Offense | # of Offense | Dark Cell | Cell & Allowance* | Not Specified |
|----------------------------|--------------|-----------|-------------------|---------------|
| Talking Offenses | 140 | 20 | 120 | |
| Destroying Prison Property | 7 | 2 | 5 | |
| Impudence | 12 | 9 | 3 | |
| Not Working | 8 | 4 | 4 | |
| Indecent Language | 3 | 2 | | 1 |
| Stealing | 1 | 1 | | |

* This punishment entailed being left in their cells and reduced provisions.

Conclusion

As scholar Mark Kann argues, nineteenth century prisons acted as warehouses for female inmates.¹²⁵ As a result, the physical and moral needs of female inmates were neglected in both the county prisons and state penitentiaries. The lack of discussion regarding female inmates in the prison reports indicates that rehabilitation was limited to male prisoners and that employees were not comfortable having women in the same institution. “The neglect with which the unfortunate and sinning female is treated” is apparent in the way female inmates experienced Pennsylvania’s prisons before the Civil War, their treatment rife with inconsistency and lack of rehabilitation.¹²⁶ Evidence from the county jail in Philadelphia describes the chaos and specific issues such as pregnancy and childbirth faced by officials in the female ward. The fact that the four original female inmates of Eastern State, all convicted of manslaughter, spent a great deal of time out of

¹²⁵ Kann, *Punishment, Prisons, and Patriarchy*, 196.

¹²⁶ “Female Penitentiaries” *Journal of Prison Discipline and Philanthropy* 3, no. 4 (1848): 190.

their cells or that Elizabeth Harker, who was sentenced to hang was allowed to leave the county jail during the day illustrates the general disregard of female offenders. Prison officials appeared not to care to uphold the protocols of punishment, particularly for violent offenders. Because it appears that officials either saw these women as unthreatening or deemed them too broken to be reformed, they did not bother to keep them isolated and silent and neglected their moral rehabilitation. While prison officials made an active choice not to push for women's moral reform and left female prisoners in a state of neglect, female inmates worked against the prison system. Some women likely accepted the different treatment because it provided them with a less harsh incarceration. Other women resisted the stripping effect of the prisons on their personal identities by refusing to become anonymous by writing, vandalizing the prison, talking back to employees, or even committing self-harm. When examining the experiences of female inmates, both the inmates' and the employees' actions undermined the Pennsylvania system's claim of utilizing the ideal form of punishment. It also illustrated that prisons were not total institutions and that inmates did not always become the docile bodies Michel Foucault suggested.

Francis Lieber made the suggestion that women ought to be treated in ways similar to male prisoners, without needing separate facilities. From the evidence of the prisons, it does not appear that employees tried very hard to test his theory and indicates a failure of the Pennsylvania system of discipline. Furthermore, prison inspectors simply did not want women in the same facilities as their presence was "a disadvantage to the Men."¹²⁷ The small female population in the state penitentiary, the chaos in the

¹²⁷ "Committee on the Eastern Penitentiary, Minutes, 1854-1862." February 21, 1860. HSP. RG 1946 Pennsylvania Prison Society Papers. Series I, Volume 27.

Philadelphia County Prison, and inconsistent treatment of inmates in other county jails made it nearly impossible to treat women in the same manner as their male counterparts. This neglect and disparate treatment suggested the need for separate facilities for female inmates if reformers hoped to rehabilitate female inmates. While many states created female institutions in the late nineteenth century, Pennsylvania did not pass legislation to create a separate female institution until 1913.¹²⁸

Although prison employees did not seem to show much care for the welfare and rehabilitation of female inmates or simply were more lenient to them because of their personal discomfort with treating women harshly, philanthropic reformers realized the need for specifically targeted treatment for female offenders. During the early penitentiary years, official visitors from the Pennsylvania Prison Society and other organizations met with inmates to talk with them, teach them, and provide friendship to ease the traumas caused by isolation and silence in order to help push them to reform their lifestyles. These reformers, mainly women working for change, drove the movement for the establishment of female reformatories after the Civil War. They realized that female offenders were not treated in the same way as male inmates and needed to be helped. While females were ignored, the prison gave “prompt attention and considerate kindness...to the young thief in his prison cell....Once again in the world, the way of return of employment and trust, and even virtue, is not closed against him. But it is closed for ever against the erring girl.”¹²⁹ The next chapter explores in depth the reformers’ interactions with inmates and their work to create better conditions in the penitentiaries more suitable for reform and rehabilitation for female inmates.

¹²⁸ Gross, *Colored Amazons*, 7.

¹²⁹ “Female Penitentiaries,” 190.

CHAPTER VI

“THEIR GENERAL CONDITION WAS TRULY PITIABLE AND AFFECTING”: OFFERING HOPE AND SUPPORT FOR FEMALE INMATES THROUGH REFORM EFFORTS

“Very deceitful, false & desperately wicked,” “Prays daily but not very promising,” “incurably vicious,” and “hardened & hopeless” are phrases that litter the journals of Eastern State Penitentiary’s Moral Instructor, Baptist minister, Thomas Larcombe.¹ These statements belong to entries he recorded on some of the prison’s female inmates. While there are some journal records that show positive reform, most regarding female inmates are negative portrayals. Larcombe determined that many of the female inmates were unlikely to be reformed and returned to society rehabilitated.

Prison reformers questioned how they should approach the rehabilitation of female inmates, particularly after women were admitted to the penitentiaries in the 1820s. Some reformers observed a double standard when comparing male and female inmates and their abilities to reform. They believed that released male inmates could more easily move back into free society, and that the public would view men with less abhorrence for being inmates than formerly incarcerated women. Society viewed men’s crimes as “follies” and not “vices” and that after release, “his blood cools; he steadies down, wonders at his former self, and lives in usefulness and repute.”²

¹ Thomas Larcombe, *Volume B Admissions (#1125-1677) 1839-1843* and *Volume D Admissions (#1941-2600) 1845-1850*. Eastern State Penitentiary Records. Series I. American Philosophical Society, Philadelphia, Pennsylvania. This chapter on inmate reform focuses mostly on Philadelphia where reform groups were prevalent. I have not found records of prison reformers who worked specifically with female inmates in other locations across the state.

² “Female Penitentiaries” *Journal of Prison Discipline and Philanthropy*. 3, no. 4 (1848): 190.

Incarcerated women and released female inmates were not given the same latitude in their social standing. Reformers asked if the criminal woman should “suffer *without hope*, without a chance of repentance, without the means of escape, whether she is *to lose all and forever?*”³ Her reputation was forever damaged following a stint in the prison. One unnamed prison inspector stated that no one could understand “the depth of their misery, wretchedness and degradation” female inmates faced. The female inmates “feel that the door to heaven, to society and to respectability is forever barred against them. They are made to feel that in their case repentance is unavailing.”⁴ From these statements, it is clear that their social standing and any chance at respectability evaporated once a woman was condemned to prison.

The statements paint a bleak picture for incarcerated women. The penitentiary, however, was an institution based on reform, one that subjected all inmates to a regime of isolated reflection in the hopes that it would lead to repentance. This chapter explores the reform efforts to aid inmates in the state penitentiaries, with special focus on the reform of female inmates.⁵ Reform efforts for all inmates started inside the prison walls by the moral instructor who was employed to interact with inmates. He was aided by the general penitentiary rules set up by prison reformers. In the case of female inmates, these efforts were augmented greatly by the work of benevolent female visitors who took the

³ Ibid., 191.

⁴ An Inspector, “In and Out of the County Prison” *Journal of Prison Discipline and Philanthropy* 12, no. 11, (1857).

⁵ This chapter is necessarily focused on the work of Philadelphia reformers and the efforts made to help female inmates in the Philadelphia County Prison and Eastern State Penitentiary. This focus illustrates the importance of Philadelphia as a center of antebellum reform and the copious record-keeping of these organizations. Where I can, I have tried to discuss reform efforts at Western State Penitentiary, but little can be gleaned.

time to meet with female inmates and provide them with moral instruction and domestic education, abilities they would need to lead a successful, crime free life after their release from prison.

I argue that the work of these women and the skills they taught the inmates offered hope for female inmates that they could once again become respectable women outside of prison.⁶ These women fostered this hope and character reformation through a process of companionship, education, and domestication.⁷ Without their efforts, female inmates may have continued to experience the neglect discussed in the last chapter without much hope for a good life after their release. Their work illustrated the need for specific treatment for female inmates and helped to further the arguments that separate prisons for women were necessary. These female reformers pushed the boundaries of acceptable womanly behavior by taking on a public role as prison reformers and putting themselves into environments where they interacted with unsavory characters. The women, however, also reinforced the definitions of acceptable womanhood by helping the erring female inmates to work towards the reformation of their characters by teaching them religious and domestic virtues expected in women of the time. By domesticating

⁶ This idea of offering hope for the future for female inmates was what the reformers believed they were doing. It is difficult to know what the inmates thought of the reformers' work and whether or not they also believed they were being provided with hope. Where I can, I try to show inmates' responses to these reform efforts, but the chapter is mainly focused on the reformers' actions and beliefs.

⁷ I use the term domestication as part of the female inmate's reform process because many prison reformers looked at the women as broken, fallen from the realm of acceptable womanhood. Because antebellum women were supposed to be beacons of virtue and domesticity, women who committed crimes removed themselves from this category. The female prison reformers worked to admit the female inmates to the level of respectable womanhood through training for domestic tasks, better hygiene habits, reading and writing, and moral or religious reform. By working to improve the inmates' character through these facets of reform, female reformers hoped to help the women restore themselves to the realm of female domesticity, thus the inmates would be domesticated. I do not assume that the inmates would have fit the ideal antebellum woman model before their fall into criminal activity, but the reformers' actions appear to assume that each inmate had the capability to fulfill the role of expected womanhood and worked towards that goal.

female inmates, female reformers were embodiments of proper antebellum women and desired to influence the behavior of those less fortunate.⁸

General Sentiments on Inmate Reform

A critical goal of the penitentiary systems set forth by prison reformers in the late eighteenth and early nineteenth centuries was to reform inmates in order to release them back into society as positively contributing members. This emphasis on individual reform and moral improvement illustrated a significant difference between punishments of the past, which were meant to physically hurt and humiliate the offender. These early reformers worked to create a new system of punishment that would help to rebuild the offender. Incarceration would punish the inmate for his or her crime but would also nurture them through rehabilitation efforts to restore their humanity both through religious teaching and artisanal work. Although most of the discussion seemed to focus on the idea of helping the individual inmates, the conversations on reforming prisons ultimately had the goal of perfecting penal institutions. Inmate reform would be a manifestation of the successful institutions.

Reform in morals, industry, and education would be the features of this new style of punishment. “To reform criminals” medical doctor Charles Caldwell wrote, “is to improve them in morality and industry *always*, and in knowledge *very generally*; for vice

⁸ There is certainly a class issue at play in this relationship between the female reformers and inmates. The inmates are from a lower class background and the reformers are approaching these inmates from middle and upper class backgrounds. It is not to say that reformers believed the inmates would somehow become members of the middle or upper classes after their release, but it appears that their actions were meant to help the inmates learn skills and behaviors that any woman could use and apply to her social setting. Piety, moral behavior, and domesticity were traits appropriate for all women, and the reformers’ work with inmates illustrates that any woman could be respectable in her social class.

and ignorance are usually associated.” Caldwell also suggested that “neither labour nor instruction must be enforced as a task, or inflicted as a punishment.”⁹ To penal reformers, work and education were seen as privileges and a means to moral rehabilitation. George Washington Smith, a defender of the Pennsylvania system of isolation, argued that labor “is considered as an alleviation, not an aggravation of his sentence.”¹⁰ By providing work to inmates, not only did reformers relieve the tedium of isolation, but they hoped that the inmate would find joy in work. Upon release, they calculated former inmates would be able to earn an honest living.

Acting with humanity in the treatment of offenders was paramount to proponents of the Pennsylvania system. While physical punishments degraded offenders, the penitentiary’s design allowed inmates to keep their personal dignity by treating them with what was considered the humane punishment of isolation and reflection.¹¹ This emphasis on humanity focused the reformers’ intentions on improving the moral faculties of the inmates. William Roscoe, an English prison reformer, argued that “the best preservative against the commission of crimes is a *correct sense of moral duty*, so strongly enforced by

⁹ Charles Caldwell, *New Views on Penitentiary Discipline and Moral Education and Reform*. (Philadelphia: William Brown, 1829), 2-3, 35. Emphasis in original.

¹⁰ George Washington Smith, *A Defence of the System of Solitary Confinement*. (Philadelphia: E.G. Dorsey, 1833), 23-24.

¹¹ It was believed by early prison reformers that isolating inmates would protect them from being corrupted further by other inmates. The isolation and anonymity of the system would also help inmates when they were released since no one would be able to identify the individual as a former inmate. Furthermore, the isolation and the rule of total silence was meant to provide inmates with ample time to reflect upon the crime which landed the inmate in prison and to think about the ways in which he or she could make amends for their past life and lead a crime-free life upon release. The issue of silent reflection certainly has vestiges of Quakerism, which is understandable since many of the early prison reformers were of Quaker background.

the precepts of Christianity.”¹² Roscoe also pointed out that “readmission into a Penitentiary of any person who has been discharged as *reformed*, affixes a stigma on the character of the establishment itself.”¹³ This comment illustrates just how important a role moral reform played in this new system of punishment. Because they were trying to rebuild the individual inmates and reform behavior through education, work, and religion, recidivism was unacceptable and indicated a failure of the reform program. Reformers strongly desired a system of punishment in which moral reform played a critical role. Roscoe lamented that: “A Penitentiary, where *penitence* is of no avail, is a solecism; and these establishments... would no longer be places of *reformation*, but places of *punishment* subject to most of the objects of the ancient system.”¹⁴ To reformers, the penitentiary was more than a site for punishment, it acted as a place where individuals could be helped and rebuilt.

The importance of penitence and moral reform echoed often in the dialogue between reformers who defended the Pennsylvania system of silent isolation. Quaker Roberts Vaux, jurist and one of the original penitentiary advocates in Pennsylvania, argued that solitary confinement furnished inmates “with every opportunity which christian duty enjoins, for promoting his restoration to the path of virtue, because seclusion is believed to be an essential ingredient in moral treatment, and with religious instruction and advice superadded, is calculated to achieve more than has ever been

¹² William Roscoe, *Observations on Penal Jurisprudence and the Reformation of Criminals*, (London: T. Cadell, W. Davies, and J. and A. Arch, 1819), 21. Emphasis in original.

¹³ *Ibid.* 100.

¹⁴ *Ibid.* 105. Emphasis in original.

done.”¹⁵ Francis Lieber stated that “solitude is the weightiest moral agent to make the thoughtless thoughtful” and has the capability of having “an elevating character.”¹⁶

Solitude, as discussed by Vaux and Lieber, pushed the inmate to reflect. Alexis de Tocqueville and Gustave de Beaumont, in examining the Pennsylvania system of discipline, remarked: “Placed alone, in view of his crime, he learns to hate it...it is in solitude, where remorse will come to assail him.”¹⁷ This passage exemplifies the first step in reforming an inmate. By placing them in isolation, inmates were left only with their own thoughts and reflections on how they ended up in prison. Victory for reformers was achieved when inmates recognized the errors of their ways and could then be put on the path to rehabilitation by learning a trade, and being provided with education and religious instruction.

Tocqueville and Beaumont reflected that moral and religious instruction constituted “the whole basis of the system” in the penitentiary. Isolation freed inmates from distractions that might prohibit thoughts on penitence and remorse. As the two French visitors noted, in an environment of isolation, the meetings between inmates and religious instructors provided inmates with “wise advice and pious exhortations” that most likely had great influence on their minds.¹⁸ Individual religious instruction, solitude, and labor were the main points reformers discussed when defending the

¹⁵ Roberts Vaux, *Letter on the Penitentiary System of Pennsylvania. Addressed to William Roscoe, Esquire, of Toxteth Park, near Liverpool*, (Philadelphia: Jesper Harding, 1827), 10.

¹⁶ Francis Lieber, *A Popular Essay on Subjects of Penal Law, and on Uninterrupted Solitary Confinement at Labor, as Contradistinguished to Solitary Confinement at Night and Joint Labor by Day, in A Letter to John Bacon, Esquire*, (Philadelphia: Published by the Order of the Society, 1838), 63, 64. The Society is most likely the Philadelphia Society for Alleviating the Miseries of Public Prisons.

¹⁷ Alexis de Tocqueville and Gustave de Beaumont. *On the Penitentiary System in The United States and Its Application in France*, (Philadelphia: Carey, Lea & Blanchard, 1833), 22.

¹⁸ *Ibid.* 49-51.

Pennsylvania system. It was a demonstration of their desire to perfect criminal punishment.

The ideals developed for the penitentiary system emerged from the wave of social reforms that swept the United States in the decades before the Civil War. These reforms ranged from dietary reforms and the creation of utopian communities to the more well-known movements of abolitionism and temperance. Historians have suggested a number of reasons for this trend, and I see prison reform being inspired by several of these motivations. The religious fervor spawned by the Second Great Awakening in the early nineteenth-century in which people sought to promote salvation and improve morals as a means to improve society was critical to the development of secular social reforms. For these reformers, enacting change in secular society was, however, still tied up with religion. As historian Robert Abzug argued, reformers “did not abandon the realm of the sacred in championing ‘social’ causes. Rather, they made religious sense of society, economy, race, politics, gender, and physiology.”¹⁹ He contends that the essence of the reform movements was “the radical joining of Heaven and earth.”²⁰ Historian Steven Mintz also recognizes the importance of religion to the growth of reform movements, but notes the tension between “reforms’ religious roots and the secular form that reform took.” He contends that while the motivation for reforms sprang from “religious ideals and aspirations” to reestablish “the moral government of God on earth,” the reformers used secular methods to evoke their social changes through “mass communications,

¹⁹ Robert Abzug, *Cosmos Crumbling: American Reform and the Religious Imagination*, (New York: Oxford University Press, 1994), 4.

²⁰ *Ibid.* 8.

propaganda, social work, and statistics.”²¹ Scholar C. S. Griffin noted that some antebellum reformers believed that God would not improve society and rid it of sins unless the reformers themselves helped. By spreading religiously based propaganda, reformers tried to convince citizens that whatever wrong they committed was a sin against God and that to be saved, they must change their behavior. Griffin argues that “there were no arbitrary distinctions to be drawn between religious reform and humanitarianism. To do the work of God, the reformers said, was to make men happier on earth; to make men happier on earth was to do the work of God.”²² In this way, religion was critical to society’s improvement, even if the improvements were to be secular in nature. Religion and the individual’s spirituality were closely tied to the antebellum reform movements, as is evident in the prison reformers’ actions in pushing for individual moral reform through religious education while spreading their ideas through pamphlets, broadsides, and annual reports.

Not only was the upswing in religious fervor influential to the reformation of numerous social ills, but major changes in American society also propelled the development of antebellum social reforms. The rapidly expanding nation in the early nineteenth-century with its burgeoning cities, influx of immigrants, and westward expansion also broke down the small, tight-knit communities that were the norm during the colonial and Early Republic periods. Several historians have contended that this breaking-up of communities and the creation of a fast-paced, more fluid society, caused anxiety in the American populace. This anxiety was compounded by the rise of crime

²¹ Steven Mintz, *Moralists and Modernizers: America’s Pre-Civil War Reformers* (Baltimore: Johns Hopkins University Press, 1995), xviii.

²² C.S. Griffin, *The Ferment of Reform, 1830-1860* (New York: Thomas Y. Crowell Company, 1967), 48-49.

and vice in cities as well as the lack of control over individuals' behavior. The anxiety over social ills fostered a desire in some citizens to fix society's problems through a variety of reform organizations.²³ Ronald Walters suggests that some historians contend that "status anxiety" and "social control" drove the movements. But he argues these motivations for reform are self-evident. What was more significant, he insists, was the development of a middle-class identity.²⁴ I would suggest that this middle-class identity was allowed to form because of the rapid growth of the United States during the early nineteenth-century. Furthermore, because many reformers probably could be categorized as middle-class, they likely were drawn to reform movements because of what they saw occurring in social classes below them, such as rampant poverty, poor education, or the increase in the immigrant population. Mintz argues that during this time of social upheaval and development, reforms were born out of "a mixture of anxiety and hope."²⁵ Although reformers feared for their society, they also clung to the hope that reforms could improve or even erase the social ills that caused them fear. Fear of social disorder and vice, coupled with the religious ideal that humans could be improved and even perfected, a feature of the Second Great Awakening, created an environment in which

²³ See Ronald Walters, *American Reformers, 1815-1860*, (New York: Hill and Wang, 1978), 3-9; Mintz *Moralists and Modernizers*, xv-xviii; and Lori D. Ginzberg, *Women in Antebellum Reform*, (Wheeling, IL: Harlan Davidson, Inc., 2000), 3-5. For a general overview on the myriad reforms and the work of reformers, see Walters' *American Reformers, 1815-1860*. Robert Abzug's *Cosmos Crumbling* provides a more direct religious interpretation of the antebellum reform trends, while Steven Mintz's *Moralists and Modernizers* examines the goals and actions of the reformers. For a more gendered analysis of antebellum reform, see Bruce Dorsey's *Reforming Men and Women: Gender in the Antebellum City* (Ithaca, NY: Cornell University Press, 2002) and Ginzberg's *Women in Antebellum Reform*. David Rothman's *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (New Brunswick: Aldine Transaction, 2000) provides a perspective on reform focused on the public's desire for order and control of the deviant and lower classes, thus the rise of the institutions like asylums, prisons, and schools.

²⁴ Walters, *American Reformers*, ix-x.

²⁵ Mintz, *Moralists and Modernizers*, xiii.

individuals sought to improve society by throwing themselves into a myriad of reform causes.

The market revolution acted as an impetus for some of these reform movements. Historian Bruce Dorsey suggests that the increase in foreign trade and the withering of household economies in exchange for the rise of factories and industrial work was a major social upheaval for Americans. Working class individuals had to rely on wages for their subsistence and the middle-class now became associated with non-manual labor, creating a distinct class division. Dorsey contends that the market revolution underlies many of these reform movements.²⁶ The class development stemming from the market revolution aligns with Walters' view that middle-class identity had a leading role in spawning reform movements. The bourgeoisie could observe the habits of the working-class population, now that they themselves no longer were associated with manual labor. Immigrants and free African-Americans filled the ranks of the working class, and many fell into lives of poverty, crime, and alcoholism. Unemployment of this population might lead to idleness and vice, and middle-class reformers created organizations to combat the growing social ills they saw arising among the working-class population. The fear of social disorder and rampant idleness and vice led many to want to improve society as a whole, starting with the lower rungs of society.

While some reformers may have had altruistic, purely benevolent motivations for becoming involved in the myriad of antebellum reforms, the specter of social control and class domination looms over the movement. C. S. Griffin suggests that when moral suasion to reform certain aspects of antebellum life failed, reformers used politics to

²⁶ Dorsey, *Reforming Men and Women*, 7, 8.

coerce change in the form of laws.²⁷ I contend that it did not take political action to make reform movements coercive. The development of asylums, poorhouses, and prisons, all inventions of reform movements, are by their very nature coercive, as they are meant to shape human behavior into a form that is socially acceptable. The reformers, while they may have been inspired to help improve the lives of those less fortunate than themselves, may have unwittingly been coercing individuals into images of themselves (proper, virtuous citizens) by trying to persuade them that their habits were wrong or sinful. This tack assumes that reformers believed they were exemplars of the reform they were trying to evoke in the less fortunate.

Prison reform can be viewed as a microcosm of this larger trend of social reforms as it embodied the emphasis on religious teaching and salvation as is evident in the isolation, silent reflection, and religious instruction that was central to the penitentiary's reform procedures. Through its emphasis on work as part of incarceration, prison reformers hoped to instill a solid work ethic in prisoners, to combat the idleness and poverty many convicts faced outside of prison. In addition, it sought to alleviate the problems of growing vice and crime in American society. Robert Gross argues that "incarceration was at once philanthropy and charity: it addressed a social ill at the same time it created new opportunities for service."²⁸ The reformers who worked within the penitentiary system and interacted with the inmates wanted to improve the inmates' morality by instilling the virtues of religion, industry, and education in them so that they could return to society rehabilitated. By rehabilitating inmates, not only were reformers

²⁷ Griffin, *The Ferment of Reform*, 58.

²⁸ Robert A. Gross, "Giving in America: From Charity to Philanthropy," in *Charity, Philanthropy, and Civility in American History*. Eds. Lawrence J. Friedman and Mark D. McGarvie, (New York: Cambridge University Press, 2003), 43.

helping individuals improve themselves, the reformers' actions slowly improved society. They supposedly strengthened communities by removing criminals from the streets and placing them in prison. Inmates would then be returned to society after undergoing spiritual, industrial, and educational reformation in prison. Reformers hoped that their rehabilitation efforts would create improved beings who, after release, would help in the effort to uplift society as a whole. The more inmates that reformers could help transform into virtuous, hard-working citizens like themselves, the better off American society would be.

Reforming female inmates posed a special set of problems, and benevolent women felt they were best suited to promote this cause. Female reformers created their own niche in the larger prison reform movement and were able to create close bonds with the female inmates. These women tried not only to improve the female inmates' morals but also worked to rehabilitate their reputations into a form that would enable them to be seen by the public as virtuous, gentle, domestic women: characteristics that were valued by bourgeois antebellum culture. Male reformers very likely could not have accomplished these tasks. Furthermore, the actions of the female reformers were not as focused on improving the overall institution of the penitentiary but more with helping individual women have a successful, respectable life outside of prison. The female reformers showed a high level of compassion for the inmates; they empathized with the plight of the incarcerated women. In a sense, the female reformers were attempting to get female inmates to emulate their behavior. While their intentions were to help these women to have a successful, relatively comfortable life outside of prison, the female reformers' actions can also be seen as coercive, as they were trying to shape the inmates

into the definition of what antebellum women were supposed to be: essentially, copies of themselves.

Inmate Reform

The road to reform began in the cells of the inmates. As mentioned in the previous chapter, the penitentiary inmates were stripped of their identity, were given a number, and were led, hooded, to their cells to begin their sentences and embark on the path of reform. Artisan labor, completed in their solitary cells, was part of this process to being industrious; but so was the effort to reform inmates' minds and souls by providing them with education and religious teachings. Religious historians note that many antebellum evangelicals believed that the "conversion of the individual heart was the prelude to social action, and without a heart renewed in Christ, no amount of reform could restrain the dissolute from falling into error."²⁹

With this idea that religious salvation was paramount to developing personal reform, it is no wonder that religion was critical to the goal of inmate reform in American penitentiaries, and particularly in Pennsylvania. Skotnicki notes that even the terminology of the prison system, with words like 'cell' and 'penitentiary,' have religious or monastic roots.³⁰ In essence, the name of the penal institution, the penitentiary, explained its own purpose. The inmates were supposed to learn to be penitent while alone in their cells. Skotnicki argues that religion was not merely "an external force outside the walls, simply

²⁹ Andrew Skotnicki, *Religion and the Development of the American Penal System*, (Lanham, MD: University Press of America, 2000), 30.

³⁰ *Ibid.* 2.

reacting to events, but an integral part of the internal logic by which the prisons were governed.”³¹ This is particularly true of the way the prisons in the Pennsylvania system were organized. The daily routine of the inmates at institutions like Eastern or Western State were focused around the inmate having ample time to reflect on his or her crimes and seek religious salvation. Silent reflection, isolation, access to Bibles or religious tracts, visits with the moral instructor, and weekly sermons, all helped to facilitate inmate reform. Even Dorothea Dix, who visited numerous prisons around the United States remarked that “the moral, religious and mental instruction” of Eastern State was “more thorough and complete than is supplied to the convicts of any prison in the United States.”³² Religious instruction was the mainstay of inmate reformation in the Pennsylvania system.

Pennsylvania’s rival in penitentiary systems, New York, which developed the ‘silent system’ of communal silent work during the day and isolation at night, also had religious roots, namely Presbyterian and Calvinist influences.³³ Early attempts in the late eighteenth-century at inmate religious education at Newgate prison in New York City under the direction of Quaker merchant Thomas Eddy failed quickly due to overcrowding which facilitated “frequent social interchange among inmates” and as a consequence defeated “the reformatory ideal.”³⁴ Skotnicki argues that Eddy also failed in his efforts in part because he tried to bring Quaker ideals of individual reform into an area with more

³¹ Ibid. 3.

³² Dix, *Remarks on Prison and Prison Discipline in the United States*, (Philadelphia: Joseph Kite, 1845), 60.

³³ Skotnicki, *Religion and the Development*, 6.

³⁴ Ibid. 39.

religious ties to Calvinist New England than Pennsylvania Quakers. New York's prisons reflected "the Calvinist belief in the natural depravity of men and women" and built their penal system more around the "Calvinist values of order and financial stability."³⁵ The Pennsylvania system of penal discipline, on the other hand, focused on "reclaiming the soul of the offender" while New York paid "lip service to the idea of reform" but in reality considered inmate reform a difficult feat to achieve.³⁶ So, while both penal systems used religious and moral ideals in their rhetoric, the New York system attempted to create more obedient and disciplined citizens, while the Pennsylvania system wished to evoke more honest, moral citizens.³⁷

Skotnicki argues that religious conversion of the inmates was not a controversial part of prison discipline in Pennsylvania, but in New York it was a highly contested issue.³⁸ Religious studies professor Jennifer Graber argues that in nineteenth-century New York, Protestant prison reformers increasingly found themselves marginalized from their work as state officials had more control over the workings of the prisons.³⁹ While reformers believed in the values of religion in rehabilitation, state officials disliked their work and preferred that inmates be shaped into ethical and obedient citizens under secular authorities.⁴⁰ Essentially, the role of religion in New York prisons ebbed and flowed according to the whims of the current state administration. Under state control,

³⁵ Ibid. 39.

³⁶ Mark Colvin, *Penitentiaries, Reformatories, and Chain Gangs: Social Theory and the History of Punishment in Nineteenth-Century America* (New York: St. Martin's Press, 1997), 83.

³⁷ Skotnicki, *Religion and the Development*, 51.

³⁸ Ibid. 83.

³⁹ Jennifer Graber, *The Furnace of Affliction: Prisons and Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011) 4-5.

⁴⁰ Ibid 5.

the focus centered on the creation of profitable and orderly institutions. In Pennsylvania, the Philadelphia Society for Alleviating the Miseries of Public Prisons had more direct involvement in the daily workings of the prison and could install a more complete reform program. Inmate reform and religious salvation was not a high priority in New York whereas religious reform was paramount in the Pennsylvania system. Thomas Eddy wished prisons to be “gardens” where inmates’ incarceration was a “positive experience” and “provided an escape” from the bad influences of society.⁴¹ By the early decades of the nineteenth-century, New York prisons were no longer seen as gardens of reform; they had become a “furnace of affliction.”⁴² Graber argues that New York reformers used religion as an argument to curb corporal punishment, but that religion later was invoked to support the reinstatement of corporal punishment under this new model of “furnace of affliction.”⁴³ Inmates were supposed to suffer for their sins, and physical punishment became part of this. While prison reformers wanted to use religion to redeem inmates, state and prison officials used religion to punish inmates in order to create discipline and obedience. Graber argues that it was not until the middle of the century, when the prison “had become a living hell” that reformers and ministers focused on “ministering to the broken bodies and souls that languished” in the cells.⁴⁴

While New York reformers struggled to meet the individual needs of inmates to facilitate their reform, Pennsylvania’s reformers and inspectors played an invaluable role in controlling how the state’s prisons were run and constantly promoted its main goal of

⁴¹ Ibid. 28.

⁴² Ibid. 48.

⁴³ Ibid.

⁴⁴ Ibid. 156.

inmate reformation. Richard Vaux, son of Roberts Vaux, and later mayor of Philadelphia and member of the U.S. House of Representatives, recorded in the *Brief Sketch of the History of Eastern State* the expectations of prison officials in inculcating the religious education to the inmates. The inspectors' role in this proved to be quite simple as they were to find a suitable person who could instruct inmates in religious matters.⁴⁵ Vaux also described the duties of the religious instructor who would "attend to the moral and religious instruction of the convicts...so that when restored to liberty, they may prove honest, industrious and useful members of society" without disrupting the rules of the penitentiary.⁴⁶ One can see that these duties aimed to aid inmates on their path to recovery. Furthermore, the employment of a religious instructor speaks to the relationship that the reformers felt was there between inmate rehabilitation and religious education.

⁴⁵ Richard Vaux, *Brief Sketch of the Origin and History of the State Penitentiary for the Eastern District of Pennsylvania at Philadelphia*, (Philadelphia: McLaughlin Brothers, 1872), 43.

⁴⁶ Ibid. 49. It is interesting that the words moral and religious seem to be used interchangeably by reformers. For the reformers, there seems to be a direct connection between the two words as religious education acted as a way to instill a morally acceptable lifestyle for the reformed inmates. Several definitions in the *Oxford English Dictionary* elucidate the connections. The use of moral as an adjective provides a clear definition most useful to the situation of Eastern State. The adjective form of moral, defined as, "relating to human character or behaviour considered as good or bad; of or relating to the distinction between right and wrong, or good and evil, in relation to the actions, desires, or character of responsible human beings; ethical" provides insight into what types of distinctions the reformers might have hoped the inmates could discern through their reflection and education. These are the qualities that reformers wanted religion to instill in the inmates in order to allow them a rebirth into law-abiding society. The word religion, defined as "Recognition on the part of man of some higher unseen power as having control of his destiny, and as being entitled to obedience, reverence, and worship; the general mental and moral attitude resulting from this belief, with reference to its effect upon the individual or the community; personal or general acceptance of this feeling as a standard of spiritual and practical life" helps to explain the relationship between this and moral behavior. Religious thought might lead inmates to a moral, law-abiding lifestyle when released as they would have hopefully come to the realization that a higher-being watched over the inmates' actions and that this realization might lead them to a more moral lifestyle where the ex-inmate considers the consequences of his or her actions before committing them, especially criminal actions.

Interestingly, no one took the official role of Moral Instructor in Eastern State Penitentiary for the first few years of the prison's existence.⁴⁷ Rather, volunteers helped in this position until the first chaplain was appointed. Andrew Skotnicki contends that there are two reasons for this lag in appointment. First, "the Philadelphia Prison Society was, and continued to be, the 'de facto' chaplain" because members consistently visited the inmates and took an interest in their reform.⁴⁸ Second "was the Quaker fear and disdain of sectarianism."⁴⁹ Because Eastern State's theories and procedures on punishment were steeped in Quaker heritage and tradition, "only Quakers, or those religious figures exhibiting an affinity to Quaker theology, would be given license to preach and counsel the inmates."⁵⁰ This seems a bit ironic since one of the oppositions to the establishment of the Pennsylvania penitentiary was the fear that the inmates would be schooled in one religious tradition over another. Those acting as moral instructors, however, rarely seemed to be of Quaker heritage, thus potentially appeasing the institutions' critics. Volunteer moral instructors included Reverend Charles Demmé, who was German Lutheran, and Reverend Samuel Crawford and Reverend James Wilson, both of whom were Reformed Presbyterian ministers.⁵¹

Several letters from the religious instructors to the penitentiary were published in *The Register of Pennsylvania* in 1831 providing firsthand accounts of the moral instructors' opinions of the institution. Demmé was skeptical about separate confinement

⁴⁷ Skotnicki, *Religion and the Development*, 59. The first official chaplain or moral instructor was named in 1839 when Baptist minister, Thomas Larcombe took the position.

⁴⁸ Ibid. 60.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Vaux, *Brief Sketch*, 77.

as an improved way of punishment, initially seeing it as cruel. Through observation of the institution in practice, however, he came to the realization that it was a benevolent process that could protect and help the inmates. With this change of opinion, Demmé became more active in aiding the prisoners in their rehabilitation. He wrote:

The time is too short, to say with absolute confidence, that an improvement has taken place in the character of any one of the prisoners. The cure, which is to be effected in those diseased minds, must be slow and gradual. First impressions, indeed, of religious truth, if once it finds an entrance into their heart, may be very strong...but whether these first impressions will have permanency, whether they will overcome the obstinacy of habitual errors, and subdue inveterate passions; whether they will produce a change of sentiment, and of principle, and of taste, so that the prisoner, after the expiration of his term, will despise his former enjoyments, and triumphs of guilt; will prefer honest labor to unlawful gains, will resist the temptation of vice and prosperous villainy, and shun the contaminating circle of his old associates.⁵²

Demmé noted here that it would be a long, slow process to rehabilitate, if a full reform could take place at all. There is a sense of hope too, however, in this observation, that with enough time, change could take place. Demmé also made suggestions in his letter on how religious instruction should be conducted. He wrote:

the voice of the *Unseen Preacher* may produce on the mind the most striking and happy effect. But it ought to be accompanied, as far as practicable, by private conversations in the cells; and I expect more good from stated visits of the same person, than from the occasional calls of different individuals. For in this way, a gradual acquaintance with the peculiar character of the prisoner can be acquired, a plan can be pursued, benevolence can be manifested, a feeling of attachment can be formed, and confidence can be gained, without which nothing can be affected.⁵³

⁵² Charles, R. Demmé, "Eastern State Penitentiary," *The Register of Pennsylvania*, Feb 12, 1831.

⁵³ Ibid.

Demmé clearly knew the power that religion could have on the inmates' rehabilitation and his observations and suggestions illustrated his desire to see this accomplished in Eastern State in the most efficacious way possible.

Interestingly, even with volunteers such as Demmé, the board of inspectors and officials continually noted in their reports the need for religion and consistent leadership in that area of inmate reform. In a letter to the Pennsylvania State Legislature, Prison Society President Charles Coxe discussed the importance of religion to the process of Eastern State. He pleaded with the state to consider the importance of and the need for consistent moral and religious instruction. Coxe praised the early volunteers for their efforts. Of Demmé, Coxe wrote that he "has found leisure to imitate the example of Him, who 'came not to call the righteous but sinners to repentance' by visiting the prisoners in their solitary cells, and affording them the aid, and comfort, of moral and religious instruction."⁵⁴ The direct correlation between Jesus' and Demmé's work is telling. This description with the allusion to Jesus is striking because it illustrates the idea that the moral or religious instructor was a type of savior of the lost souls of the inmates and that they had the power to change the inmates' attitudes and to help them to the path of a Christian lifestyle.

In the 1832 annual report, Charles Coxe again noted the need for someone consistent in the role of moral instructor. Coxe realized the good done by the volunteers and "because we perceive by the good done, that much greater good could be effected by

⁵⁴ Charles Coxe, *The Register of Pennsylvania*, Feb. 5, 1831. This article consists of a letter written by the Prison Society's president.

a regular stated instructor.”⁵⁵ It would be another seven years, however, before someone was appointed officially to this post.

Thomas Larcombe assumed his new post in 1839. He recorded notes about the individual inmates with whom he met. From these volumes, one learns about inmates’ crimes, and Larcombe’s personal opinions about the inmates’ potential reform.⁵⁶ Clearly, Larcombe was not hopeful. Inmate 872, Elizabeth Lemon, for example, served a one year sentence on a charge of perjury. Larcombe learned about her life story, noting that she had “been living in prostitution two or three years” during which time she underwent several abortions. Lemon told Larcombe she “has seen nothing but sorrow in her sinful courses” and “desires to repent & turn to God.” Larcombe noted that she had “not much stability of character.”⁵⁷ For inmate 1162, Mary Jenkins, serving a three year sentence for larceny, Larcombe stated that he “endeavored to spread before her all the prospects of her crime and the truth of scriptures in relation to her character & state” in their meeting. Upon release, Larcombe noted that she “gives some evidence of sorrow for sin but not of faith. I fear that a sensuality of feeling will lead to a speedy fall.”⁵⁸

Other female inmates feigned interest in reformation, perhaps in an attempt to garner privileges in the prison or even a reduced sentence. Larcombe became skilled in

⁵⁵ *Annual Report of the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons*, (Philadelphia: Published by the Order of the Society, 1833), 27. This report is for the year 1832.

⁵⁶ The volumes record Larcombe’s interactions with both male and female inmates, but for the purpose of this chapter, I am focusing only on excerpts relating to female inmates.

⁵⁷ *Volume A, 1830-1839 (# 20-1124)*, Eastern State Penitentiary Records, Series I. American Philosophical Society. From the Eastern State “Descriptive Registers, 1829-1903,” we learn that Elizabeth was 20 years old at the time of her incarceration in 1838, was from Pennsylvania originally, was African-American, and considered her occupation to be a servant. Elizabeth Lemon was a typical Eastern female inmate. Hereafter, “Descriptive Registers.”

⁵⁸ *Volume B, 1839-1843 (#1125-1677)*. Mary Jenkins was 23 at the time of her incarceration in 1839, was from Wilmington, DE, was a servant, and was African-American. “Descriptive Registers.”

seeing through the false professions of sincerity and piety – characteristics of a soul slowly being reformed under the prison’s system. Mary Ann Rogers, inmate 1973, spent a year in Eastern State for robbery. Larcombe wrote in his book that she “feels deeply & bitterly her lost name & liberty and will promise anything to any person who would get her out” and that she “is certain that a complete & perfect reform should take place.” When she was released, Larcombe noted that he had “not much hope” in her reformation.⁵⁹ Rogers may have been attempting to receive a more lenient sentence if she showed remorse or a desire to be reformed. Rogers’ behavior indicates that she knew what the goals of the prison were and tried to use the system for her benefit but not in the way officials desired. Larcombe sensed the lack of sincerity of some inmates and failed to give in to their manipulation.

There were times when Larcombe judged that inmates were beyond the use of religious instruction. Susan Jackson, inmate 2358, spent over two years in prison for killing a man by striking him in the head with an iron pot. Jackson admitted “she was the cause of death but never intended it.” Larcombe believed it was a crime of passion. He observed she showed, “no sense of guiltiness,” and was skeptical of her chances of reform.⁶⁰

While the majority of female inmates were listed as having a bleak chance of reformation following their discharge, Larcombe noted several women who he believed had benefitted from being incarcerated under the Pennsylvania system. Eliza Smith,

⁵⁹ *Volume D, 1845-1850 (#1941-2600)*. Mary Ann Rogers was 25 at her admission in 1845, was from New Jersey, and was noted as having a swarthy complexion. “Descriptive Registers.”

⁶⁰ *Ibid.* Susan Jackson was 22 when she was admitted in 1848, was originally from Richmond, VA, was registered as being a mulatto, and considered herself a housewife. “Descriptive Registers.”

inmate 600, for example, was convicted of larceny and sentenced to three years. She told Larcombe “she is glad of being in prison, is satisfied has no wish to leave it, it has snatched her from the vortex of ruin, will never enter such associations as formerly.” He noted that she reads and prays.⁶¹ Inmate 1208, Ann Smith, served two years for larceny. Larcombe recorded that she “has lived a polluted life and presents no appearance of hopefulness. Seems very anxious for religious instruction, desired one to read a fact to her. While reading wept and was very attentive. Discharged, has conducted well and gone out expressing resolutions of amendment.”⁶² Elizabeth Robinson, inmate 1308, also served two years for larceny. She had escaped from slavery in South Carolina, only to be employed by a black man to take care of his ailing wife. He sent her out with material for a dress. While she was out of the house, she was arrested and “not being able to give acct of herself under the circumstances was condemned for the theft.” Larcombe said the woman “seemed very tender just before discharge.”⁶³

While the entries for each inmate are short, they provide details about the reasons for which the women were sent to prison. Larcombe’s comments indicate that reform for certain inmates worked well. For other women, reformation was beyond their capabilities due to what he described as the hardness of their character. It is admirable that Larcombe kept such copious notes on hundreds of prisoners and met individually with all of them. These volumes indicate the importance placed on tracking the moral

⁶¹ *Volume A*. Eliza Smith was incarcerated in 1835 at the age of 29. She was an immigrant from Amsterdam, and held the occupation as a peddler. “Descriptive Registers.”

⁶² *Volume B*. Ann Smith was sent to Eastern State in 1839 at the age of 23. She was noted as being a black woman who was born in Philadelphia. “Miscellaneous Descriptive Books, 1829-1842.”

⁶³ *Volume B*. Elizabeth Robinson was only 18 at the time of her sentence to Eastern State. “Descriptive Registers.”

and religious reform of the inmates, even if most did not reach full reformation. These journals on the inmates show that the reform protocol in the penitentiary was experimental and only partially successful.⁶⁴

While Larcombe was the only Moral Instructor at Eastern State Penitentiary between 1839 and 1860 when he died, three different men held that post at Western State Penitentiary after 1842. While no papers or notes from these men have been found, their comments in the *Annual Reports of the Inspectors to Western State* indicate they responded to the prisoners in ways similar to Larcombe. A.W. Black, in his report for 1844 states that in his efforts to reform inmates, he had “derived much assistance from the library belonging to the prison.” While it only consisted of approximately two hundred volumes, Black argued that the books, having been “freely circulated amongst the prisoners, and together with the Bible and the Book of Common Prayer found in each cell, have contributed considerably to their moral and intellectual improvement.”⁶⁵

Like Larcombe, Black realized that many inmates would simply profess repentance of their sins in order to possibly receive extra privileges or perhaps an early release. In 1845, Black wrote in his report: “I take their professions [of religious conversion or repentance]...with great caution, and watch with scrutinizing care the

⁶⁴ In a perusal of the *Annual Reports* from the Inspectors to Eastern State Penitentiary, the Moral Instructor’s reports never mentioned female inmates specifically. In many of these reports, Larcombe would mention a particular inmate’s progress; but in all cases of this, male inmates were the examples. This omission seems to illustrate again the focus on the welfare of the male inmates as opposed to showing the public that there were female inmates in the penitentiary, also under the care of Larcombe.

⁶⁵ *Report of the Board of Inspectors of the Western Penitentiary of Pennsylvania for the year 1844*, (Pittsburgh: Franklin, 1845), 14. A report from the Moral Instructor does not appear in the Annual Reports until 1842 when a Nath. Callender reports. He appears to have been Moral Instructor in 1842 and 1843. By the 1844 report, A.W. Black is in the position. Since there is little mention of specific inmates in these annual reports, there is really no way to know how these instructors dealt with the small population of female inmates at Western State. This lack of documentation makes Larcombe’s journals all the more valuable, but illustrates the emphasis on Eastern State Penitentiary as being the premier penal institution in the state when Western State served the same purpose for the other half of the state.

developments of christian character, before I rest satisfied in the reality of their change.”⁶⁶ In the following year, he reported that “imposition in some cases, may be practised by cunning convicts, though imposture in almost all instances betrays itself.”⁶⁷

Thomas Crumpton, Moral Instructor at Western State beginning in 1854, echoed the frustrations of Larcombe and Black in dealing with inmates who feigned reform. He doubted that even those convicts who expressed remorse were forever reformed. In 1858, he observed: “And even in those cases where there is a sincerity of purpose, there is often not that strength of principle, and that cultivation of grace, that will enable them to bear up against the seductions of old associates, and the repulses of the world, when they regain their liberty.”⁶⁸ The reports of the Moral Instructors of Western State Penitentiary, along with the notes of Larcombe indicate that reforming convicts was oftentimes trying. Very few inmates convinced the moral instructors that they were truly reformed.⁶⁹

The emphasis on moral reform was promoted by the Philadelphia Society for Alleviating the Miseries of Public Prisons, later renamed the Pennsylvania Prison Society.⁷⁰ With such notable members as medical doctor and signer of the Declaration of

⁶⁶ *Report of the Board of Inspectors of the Western Penitentiary of Pennsylvania for the year 1845*, (Allegheny: Kennedy & Brother, 1846), 14.

⁶⁷ *Report of the Board of Inspectors of the Western Penitentiary of Pennsylvania for the year 1846*, (Pittsburgh: Johnson & Stockton, 1847), 22.

⁶⁸ *Report of the Board of Inspectors of the Western Penitentiary of Pennsylvania for the year 1858*, (Pittsburgh: W.S. Haven, 1859), 27.

⁶⁹ Unfortunately, the moral instructor’s reports for Western State do not specifically discuss the moral reform of female inmates, and we are left to extrapolate the instructors’ general sentiments on inmate reform to apply to that of female offenders as well as males.

⁷⁰ I use the terms Philadelphia Society and Prison Society interchangeably. Although the Pennsylvania Prison Society is a statewide organization, its early records focus mostly on the institutions in Philadelphia where the organization was located.

Independence Benjamin Rush, publisher Zachariah Poulson, and Episcopal bishop Dr. William White, the group, which was organized in 1787, aimed to help protect and aid the prisoners of the city.⁷¹ This philanthropic organization grew frustrated with the ills of the prisons in the city, their corrupting effects on inmates and lack of inmate rehabilitation, and so began to champion the idea of separating inmates to aid reforming efforts. As mentioned in the last chapter, the reform group's desire for prisoner isolation moved from its experimental confines of Walnut Street Jail, into the Western and Eastern State Penitentiaries in the 1820s.

The Philadelphia Society kept a close watch on the penitentiaries and continued to work for disciplinary improvement. One of its most important roles was providing regular visits to both penitentiaries and county prison by Official Visitors.⁷² Initially, visits by these officials were supposed to occur at least once a month, their aim to “inquire into the circumstances of the prisoners, and report any abuses to the proper officer appointed to remedy them.”⁷³ By the time Eastern State opened in 1829 and “each cell became a prison,” it was necessary to increase the number of Official Visitors. By the late 1850s, there were twenty official visitors to the penitentiary, and twenty who were in charge of visiting Moyamensing, the county prison.⁷⁴ The committees of Official Visitors were “composed of citizens of respectable standing...who from a desire to

⁷¹ *Sketch of the Principal Transactions of the Philadelphia Society for Alleviating the Miseries of Public Prisons, from its Origin to the Present Time* (Philadelphia: Merrihew & Thompson, 1859). This was reprinted in the *Journal of Prison Discipline and Philanthropy*, 14 (1859).

⁷² Official Visitors still play the same critical role in the Pennsylvania Prison Society today, monitoring prison conditions and providing advocacy to inmates.

⁷³ “The Eastern Penitentiary – Its Library, Visitors, Etc.,” *Journal of Prison Discipline and Philanthropy*, 13 (1858).

⁷⁴ *Ibid.*

promote the moral and religious improvement of the prisoners, are willing to give up their time for that purpose....Some of them have for many years, regularly devoted half a day of each week to that purpose.”⁷⁵ The penitentiary only allowed Official Visitors or individuals who had written permission from the Board of Inspectors to visit the penitentiary.⁷⁶ The actions of the Official Visitors illustrate the authority the Philadelphia Society had over the running of the institution and how important it was to them that the institution was ethical and focused on reform.

The Role of Female Reformers

While most of the Official Visitors during the early years of the penitentiary’s existence were men, one of the more prominent visitors who was not a member of the Prison Society was reformer Dorothea Lynde Dix.⁷⁷ Although well known for her advocacy for humane treatment of the insane, Dix also spent a great deal of time visiting and commenting on the prison systems, which sometimes overlapped with her work on insanity. Her written works, which recount her visits to the prisons and interactions with

⁷⁵ Ibid.

⁷⁶ *Acts of the General Assembly relating to the Eastern State Penitentiary, and to the New Prisons of the City & County of Philadelphia*, (Philadelphia: J.W. Allen, 1831), 16. Besides the official visitors from the Prison Society, official visitors included the “Governor, Speaker and members of the Senate, the Speaker and members of the House of Representatives, the Secretary of the Commonwealth, the Judges of the supreme court, the Attorney General and his deputies, the president and associate Judges of all the courts in the state, the Mayor and Recorded of the cities of Philadelphia, Lancaster and Pittsburg, Commissioners and Sheriffs of the several counties,” 16.

⁷⁷ Dorothea Lynde Dix (1802-1887) was a New England social reformer who worked extensively on helping establish separate hospitals for insane patients. During the course of her life, she traveled across the United States, Great Britain, and continental Europe looking at the conditions of institutions that housed insane individuals and worked to establish insane asylums. “Dorothea Lynde Dix,” *American National Biography Online*. Accessed, 2/14/2011, <http://www.anb.org/articles/15/15-00181.html?a=1&n=Dorothea%20Dix&ia=-at&ib=-bib&d=10&ss=0&q=1>.

the inmates, stress reform of inmates and promote a sense of hope for their future. In an address she offered to the prisoners of Eastern State Penitentiary, Dix stated: "I am not willing to leave this prison without proving my interest in your temporal and eternal welfare; without trying to aid your own efforts, and to co-operate with your teachers in advancing the all-important work of reformation."⁷⁸ Dix stressed that her visits were meant to help inmates, because she believed in reform. "My very soul has sickened at these aspects of desolation made by sin" she told inmates, but she was sustained by "hope" and "the desire of making a fellow being *better and happier*."⁷⁹ She was rewarded by the inmates' efforts at individual reform. At another prison where she met with both men and women convicts, she provided the men with books and slates for education and the women with books and sewing materials. In her meeting with the females, she said, "nothing about their wrong-doing. I urged not strongly any rules of life at that time; it was enough to have awakened some feeling of interest, -- some willingness to be employed."⁸⁰ She continued in her plea to the Eastern State inmates: "there is *some good* left in those who are most debased, -- I am *sure* of that." Dix urged the prisoners to seek salvation and God will provide forgiveness.⁸¹

Dix expressed much of the same sentiments in an address to inmates incarcerated at Western State Penitentiary. She told them the important first step in reformation was

⁷⁸ Dorothea Lynde Dix, *An Address by a Recent Female Visiter to the Prisoners in the Eastern Penitentiary of Pennsylvania*, (Philadelphia: Joseph and William Kite, 1844), 3. It can be assumed that either this address was presented to inmates in written form or Dix, if she actually delivered this address verbally, must have stood in the central observation room from which the cell blocks radiated.

⁷⁹ *Ibid.* 5-6. Emphasis in original.

⁸⁰ *Ibid.* 7-8.

⁸¹ *Ibid.* 10. Emphasis in original.

admitting “that *they* are in the wrong; that they have sinned.”⁸² Admitting wrongs, according to Dix, can lead to full repentance of sins. She implored inmates to “cultivate the powers of your memory” by learning scripture, hymns, or other pieces of instructional literature which will “help in the attainment of a good life.”⁸³ Furthermore, she wrote, “I want you to reason on the causes of your fall, and therefrom learn how, in time to come, if life is spared, and years are yet before you for the soul’s improvement, and preparation for future existence, to avoid the snares and the sins that have so easily beset you.”⁸⁴ Here again Dix emphasizes a sense of hope. She wrote: “I believe that even in prison you may possess serenity of soul; peaceful thoughts; encouraging hopes; hours of tranquility, such as the adverse circumstances of your condition can never disturb.”⁸⁵

Dix’s writings to the inmates in both of the state penitentiaries are highly religious in nature, often quoting hymns or prayers. The suggestions she made in her addresses and letters, and the quoted hymns and prayers, indicate the deep connection between inmate reform and the need for religious salvation. Although Dix also mentioned the importance of education and employment on the path to reform, at the heart of her conversations with the inmates was an effort to gain true repentance for their sins and show that the inmates were not beyond being reformed. She stressed that there is good in all people, even those who have committed serious, sometimes violent crimes. By continually telling inmates that she believed in their ability to be reformed and offering

⁸² Dorothea Dix. *Letter to Convicts in the Western State Penitentiary of Pennsylvania, in Allegheny City*. Printed, but not published. July 1848, 4. Emphasis in original.

⁸³ Ibid. 5-6.

⁸⁴ Ibid. 7.

⁸⁵ Ibid. 11.

them religious texts that will help in their repentance and eternal salvation, Dix ultimately provided inmates, both male and female, with hope for the future. It is through Dix's work that one can observe how women felt about the inmates. Female reformers exhibited a sense of deeper compassion towards inmates as individuals than is evident from many male reformers. Karen Halttunen argues that the "moral philosophy of sympathy" led to sensibility towards human suffering amongst men and women.⁸⁶ The sufferings of inmates, particularly female inmates, seemed to tug at the heartstrings of many female reformers and led them to want to make changes in the inmates' lives to help them after their release. Dix saw hope for every inmate, and other female prison reformers felt similarly.

Dorothea Dix was not the only female visitor who met with inmates, but she might be one of the few female reformers who interacted with both male and female inmates. Most female reformers dealt solely with female inmates. In 1823, an Orthodox Quaker, Mary Waln Wistar, organized the Female Prison Association of Friends in Philadelphia after being inspired by Elizabeth Fry's work in England at Newgate Prison in London.⁸⁷ They visited the local prisons and dealt more directly with female inmates

⁸⁶ Karen Halttunen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Cambridge, MA: Harvard University Press, 1998), 63.

⁸⁷ Elizabeth Fry (née Gurney) was an English Quaker, born in 1780. In 1813, she began visiting Newgate Prison in London, particularly paying attention to the poor conditions of the female inmates. Hundreds of women were living in disorder in a large room without proper bedding or hygiene. She "offered them her assistance; she spoke to them words of peace, of hope, of consolation." She worked for better conditions, such as less crowded living quarters, sleeping mats, and allowing them access to an exercise yard. She worked for inmate education and suggested that the women be employed in some type of domestic work such as sewing or knitting.

Furthermore, Fry saw the value in creating associations to improve the living conditions of prisoners. In 1822 she organized the British Ladies' Society for Promoting the Reformation of Female Prisoners. Other ladies' associations sprung up across England to help promote better living conditions, education, and reform of female inmates. "Female Convicts and the Efforts of Females for their Relief and Reformation," *Journal of Prison Discipline and Philanthropy*, 1, no. 2 (1845): 98-107. See also Margaret Hope Bacon, *Abby Hopper Gibbons: Prison Reformer and Social Activist*, (Albany: State University of

and juvenile offenders. As a result of their visits, they saw the need for separate facilities for female inmates. Mary Waln Wistar, along with her husband, Thomas Wistar, and a few other benevolent ladies, began visiting Arch Street prison in Philadelphia where untried offenders were held.⁸⁸ Wistar, along with other like-minded women, continued to visit the prisons of Philadelphia to read from the Bible to the female inmates, and petitioned the Board of Inspectors of public prisons in the city to allow them consistent access to the inmates.⁸⁹ These female reformers exemplified the ideal antebellum woman. They were pious, gentle in nature, and had compassion for those less fortunate.⁹⁰ These women had high moral standards, as was expected of women of the time and thus could be examples of what female inmates should strive to be. Estelle Freedman notes

New York Press, 2000), 52. This organization in Philadelphia is difficult to track down in the written record. Part of the problem stems from the fact that it was called different things. Another name for this organization is The Prison Association of Women Friends. Even looking under various names in the archives and contacting the archivists at the Quaker Collections at Haverford and Swarthmore Colleges has yielded little information on this group. Due to the lack of archival material, it is difficult to identify many of the other women who helped Wistar during the early years of the association's existence.

⁸⁸ Arch Street Prison was built in 1807 at the corner of Arch and Broad Street. It was used as a debtors' apartment, and it housed people awaiting trial. In 1836, the inmates at Arch Street were moved to the new county prison in Moyamensing and the Arch Street property was sold. *Philadelphia in 1830-1: or, a Brief Account of the Various Institutions and Public Objects in the Metropolis. Forming a Complete Guide for Strangers, and a Useful Compendium for the Inhabitants*, (Philadelphia: E.L. Carey and A. Hart, 1830), 134; J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884*, Volume 3, (Philadelphia: L. H. Everts & co. 1884), 1834.

The Wistar family had long been associated with prison reform. Thomas' father, Richard Wistar provided soup to prisoners in Philadelphia in the 1770s, and Thomas was one of the founding members of the Philadelphia Society for Alleviating the Miseries of Public Prisons. Thomas Wistar served as one of two Secretaries in 1790, elected as one of two Vice-Presidents in 1806, and became the second President of the Society in 1836. It seems natural that Mary would be involved in prison reform in some way. Thomas and Mary's daughter, Margaret, married Roberts Vaux, another well-known Pennsylvanian prison activist. Milton Rubincam, "The Wistar-Wister family: A Pennsylvania Family's Contributions Toward American Cultural Development" *Pennsylvania History* 20 no. 2 (1953): 145-146.

⁸⁹ "Female Convicts and the Efforts of females for their Relief and Reformation," *Journal of Prison Discipline and Philanthropy*, 1 no. 2 (1845): 111. As for the other women who originally visited the prisons with Wistar, this article only names one, an Anna Potts, who was deceased by the time the article was published. According to the article, the names of two other women were withheld because they were still alive in 1845.

⁹⁰ Colvin, *Penitentiaries, Reformatories, and Chain Gangs*, 137.

that many female prison reformers in the northeast were of a middle- to upper-middle class upbringing, and that many were Quaker in religious background. Furthermore, she notes that usually these reformers had been brought up with the training to be moral guardians of the home and skilled at domestic tasks.⁹¹ Nancy Cott argues that the cult of domesticity gave women the same purpose in life, thus binding all women together.⁹² With this common bond of virtue and domesticity, female reformers became the ideal individuals to help wayward female inmates reset their lives on a track acceptable for antebellum women.

Once permission was granted, members of the Female Prison Association visited the Arch Street prison for two hours each Monday, and throughout 1823, increased their number of visitors.⁹³ During these visits, the women would read to the inmates, usually from a religious text. The visitors offered “counsel and admonition...as ability was afforded” and ministers often accompanied them on their visits. Because the prisoners at this facility were not classified, the women found it difficult to teach the inmates to read.⁹⁴ As a compromise, they distributed tracts “among those who could read, and short texts of Scripture, printed in large characters and pasted on boards, were hung on the

⁹¹ Estelle Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981), 24-25. Freedman summarized the background of these women from numerous locations, including Massachusetts, New York, and Pennsylvania.

⁹² Nancy Cott, *The Bonds of Womanhood: "Woman's Sphere" in New England, 1780-1835*. (New Haven: Yale University Press, 1977): 98.

⁹³ “Female Convicts,” 111.

⁹⁴ Classification simply means that inmates were categorized and separated according to some characteristic, such as age or severity of crime. The problem that reformers had with the lack of classification is that hardened criminals might be sharing a space with someone who merely committed a minor crime. Reformers feared that more serious criminals would influence and corrupt those inmates who might have simply made a mistake and would easily be reformed.

walls in the prisoners' apartment."⁹⁵ Although some inmates "evinced inattention and lightness, tears fell freely from the eyes of others. Their general condition was truly pitiable and affecting." Because Arch Street Prison held untried offenders, the inmate population fluctuated. The female visitors rarely dealt with the same inmates during visits and thus found it difficult to gauge the long-term effectiveness of their work.⁹⁶

On other days, the women visited the sick inmates in the infirmary as well as those confined to their cells.⁹⁷ From the description of the Association's visits to Arch Street, the inmates were not kept in isolation as was the protocol at Walnut Street, and later Eastern State Penitentiary. Thus, the women were able to reach a larger population of inmates at one time. In addition to providing religious and educational instruction, the women provided the impoverished inmates "with needful apparel" and distributed "combs, needles, cotton, &c., among them to promote habits of neatness." These materials were provided by the Society for Alleviating the Miseries of Public Prisons.⁹⁸

While the Society for Alleviating the Miseries of Public Prisons aided Wistar and her fellow reformers with goods to supply the female prisoners, it appears that some of the male reformers in the Society were skeptical of her work. In an undated letter from Roberts Vaux to his mother-in-law Mary Waln Wistar, Vaux voiced some of his

⁹⁵ "Female Convicts," 112.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid. It is unclear whether the Female Prison Association was officially linked to the larger Prison Society, or if their association was more informal. The Female Prison Association does appear in the minutes of the Prison Society, particularly in the 1850s when the Female Prison Association is seeking to establish the Howard Institution for discharged female inmates. It could be that the Female Prison Association benefited financially from contributions and support from the Prison Society without being officially tied to it. In any case, the goals of both organizations were clearly devoted to aiding prisoners, thus there would be little reason to compete with each other.

concerns. Responding to Wistar's request for clothing for female inmates, Vaux noted that the Society would provide some "short-gowns" for the women, but that the Society rarely provided clothing to inmates "excepting in extreme cases during the winter season."⁹⁹ That the Society provided any goods to Wistar demonstrates that she must have made an impassioned argument for the incarcerated women she visited. Although she succeeded in obtaining some clothing from Vaux, he spent the remainder of his letter warning Wistar against the hardened characters of the female inmates. He wrote that the women with whom Wistar visited formed "a circulating medium of poverty & vice" and that their bad "habits have become chronic" and in "most instances beyond restoration."¹⁰⁰ Vaux believed that if the women were given good garments to wear, within a few hours of their release from prison "their garments would be surrendered as the price of some sensual appetite, the indulgence of which in a few more hours, would insure their return to Prison."¹⁰¹ He tells Wistar to be wary of making the incarceration of habitual offenders easier with material goods, but rather hoped that she would persist in her visiting and "make impressions of good which may yeild [sic] to you, & to them, a recompense more precious" than material items.¹⁰² While Vaux urges Wistar to continue her work, he is skeptical about the women and their ability to be reformed. If Vaux's opinions in this letter are general sentiments of the Society of Alleviating the Miseries of

⁹⁹ "Roberts Vaux to Mary Waln Wistar," no date. Vaux Family Papers, MS 684 at the Historical Society of Pennsylvania. "Roberts Vaux, Outgoing Correspondence" Series I, Box 5, Folder 13.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid.

Public Prisons, it could be that they felt little need to help female offenders who, to some reformers, seemed incapable of changing their lives for the better.¹⁰³

Such skepticism did not stop Wistar and the other members of the Female Prison Association. In 1824, they “urged the propriety of employing a conscientious matron to preside over the female prisoners, as it would be within her sphere to enforce cleanliness and industry, and to contribute essentially to the right conducting of the whole department on the women’s side of the prison.”¹⁰⁴ This passage is particularly interesting. Most of the work done by the Female Prison Association was aimed, at least implicitly, at domesticating these women. By educating them, providing religious teachings, as well as articles to promote personal hygiene, the visitors worked to break bad habits and to give female inmates the means to reform themselves into respectable women. This call for a matron suggests that the women felt it was within their “sphere” to help female inmates to be hygienic and industrious. Ideally, the matron would embody the traits of a respectable woman, who could teach the inmates, in a motherly manner, the proper ways to maintain themselves as well as teach them skills that women should have.

The matron’s role exemplified the growing role of sentimentalism in American society during the antebellum decades. Karen Halttunen argues that sentimentalism led

¹⁰³ The skepticism voiced by Vaux is interesting considering that other male reformers in Philadelphia had created the city’s Magdalen Society in 1800 to help wayward and fallen women, namely prostitutes, reform their lives. The Magdalen Society provided women with a place to stay, and the women received instruction in religion and domestic tasks, very similar to what Mary Wain Wistar wanted to provide to female prisoners. Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: University of North Carolina Press, 1996), 272-273. If male reformers were willing to help prostitutes reform but were more skeptical of the ability of female criminals to reform, it appears that there is a hierarchy of female sins at work in nineteenth-century society. Female prisoners appear to occupy the lowest rung of this hierarchy, having committed such serious acts that some people believed they were beyond hope. Prostitutes, on the other hand, seemed to have been viewed as savable. These women had not yet fallen in social status to the point that there was no possibility of a return to acceptable society.

¹⁰⁴ “Female Convicts” 112.

to new ways in thinking about child-rearing. Instead of using corporal punishment to make children obey, mothers were to “use the powers of persuasion and parental example” to “prepare children for rational self-government.”¹⁰⁵ The matron would be hired to mother these wayward female inmates and prepare them for life after prison. The female inmates, according to the visitors, lacked the characteristics of respectable womanhood, and the prison became the crucible through which these women would be domesticated.

From their early visits to Arch Street, the women became increasingly concerned about the “quite young girls, who were committed sometimes for trivial offences, and who were thus exposed...to the company of women who were hardened in crime.”¹⁰⁶ They worked to see a House of Refuge established for juvenile offenders to alleviate the problem of young minds being polluted by exposure to serious criminals. By 1833, there was still no matron employed in Arch Street. The visitors felt that there was “great loss sustained for want of the influence of a matron, to reprove and restrain the improper conversation and habits of the prisoners.”¹⁰⁷ They redoubled their efforts to place matrons in the county prisons when they learned that the new county prison in Moyamensing was to be established in 1835. They lobbied the Prison Society to request the state legislature hire a matron in the new prison because “little expectation could be entertained of raising female convicts above their deplorable situation, until they should be placed under the superintendence of officers of their own sex.”¹⁰⁸

¹⁰⁵ Halttunen, *Murder Most Foul*, 142.

¹⁰⁶ “Female Convicts,” 113.

¹⁰⁷ *Ibid.* 113-114.

¹⁰⁸ *Ibid.* 114.

In 1835, the Female Prison Association was invited to Eastern State Penitentiary. The female visitors quickly ascertained “the benefit the prisoners were deriving from their entire separation from each other, and the softening influence of the uniform kindness with which they were treated by the *Matron* and the other officers of the establishment.”¹⁰⁹ The women visited “weekly” during which they “read to the women and [taught] them to read; and by their religious labors” exerted “a favorable influence upon those coming under their care.”¹¹⁰ The women were pleased to see that Eastern State exhibited “those Christian principles which had so wonderfully ameliorated the condition of the prisoner” and did not destroy “the sensibility of the woman by chains and stripes, unkindness and reproach.”¹¹¹ At Eastern State, they saw the value of separation and silence, because it enabled inmates to reflect and work on individual reform, whereas at Arch Street, the individuals were lost in the mass of chaos that joint living and no inmate classification promoted. The women visitors at Eastern State could more likely work with individuals and teach them to read and write, something that they chose to forego at Arch Street because of the lack of classification. With the ability to pay attention to specific inmates, it is no wonder that the Female Prison Association was pleased with what they saw in the Eastern State Penitentiary.¹¹²

The inmates at Arch Street were moved to Moyamensing in 1836. In the new county prison, one can observe the progress the Female Prison Association made in their

¹⁰⁹ Ibid. Emphasis in original.

¹¹⁰ “Eastern State Penitentiary – Its Library, Visitors, Etc.”

¹¹¹ “Female Convicts,” 114.

¹¹² Due to the lack of sources on the Female Prison Association, it is unclear whether any members grew concerned over the penitentiary’s regulations on silence and isolation.

reform efforts. Moyamensing provided the female inmates with a matron who continued the reform activities of the Female Prison Association when visitors were not around. Inmates were housed in a clean, neat prison which indicated a desire to promote the traits of neatness and cleanliness in the female inmates. Furthermore, the female inmates completed work that was domestic in nature, such as sewing projects. The women had tasks of “spooling or sewing” and the matron “who appears really interested for their good, often visits them, and attends to their lessons during the recess of the visitors.”¹¹³ In addition, a library was made available for the inmates, in which there were religious tracts and other educational literature. By providing inmates with chores that were feminine in nature and appropriate reading material, the inmates essentially became trained in domestic, feminine behavior during their incarceration with an eye to a domestic life beyond their term of imprisonment.

In addition to their work of providing practical domestic education to the imprisoned women, the Female Prison Association also had religious goals. The visitors wanted to “set before” the prisoners “their sinful condition in the sight of a just and holy God, and to exhort them to flee from the wrath to come by repentance and faith in the Lord Jesus Christ.” Even though at times their reform efforts failed to change the behavior of some of the imprisoned women, the Female Prison Association felt “that we dare not retreat from this field of labour, whilst impressed with a hope that there may be among these degraded ones, those to whom the blessed Saviour will be pleased to manifest his redeeming love.”¹¹⁴

¹¹³ “Female Convicts,” 115.

¹¹⁴ Ibid. 116.

One encouraging story of a black female inmate at Moyamensing exemplifies the purpose of the Female Prison Association:

She had been several times committed for theft; and possessing naturally a weak mind, was easily overpowered by temptation, the sin of intemperance giving strength to her other evil propensities. The labours of the visitors for a while appeared ineffectual; but during her last commitment she was, through divine grace, enabled to see herself in a new light, assuring the committee that she felt more concerned for her soul than she had ever done before, and was determined to seek earnestly for salvation... Upon being reminded that the blessed Saviour came into the world 'not to call the righteous, but sinners, to repentance,' and her visitor pointing her to Him, as *the sinner's only hope*, she received it as glad tidings, and it seemed that the conviction, for the first time, darted into her soul, that SHE could be an object of redeeming mercy.¹¹⁵

The Female Prison Association desired to promote individual salvation in the inmates they visited. Their work in the prisons of Philadelphia was an extension of what Elizabeth Fry had accomplished in England, and the Philadelphia reformers were the first group of Americans to work with female inmates.¹¹⁶ The work of the Female Prison Association is also exemplary of the antebellum reform movement and influences of the Second Great Awakening on antebellum American society. The women of the Female Prison Association were part of a larger trend of female involvement in the antebellum reform movements. Reform groups provided women with a place to become involved in society, outside the home. Bruce Dorsey argues that “women reformers created a female culture of political behavior” where they could influence social change by working to improve public virtue. By having the greater good of the community at heart, women

¹¹⁵ Ibid. 117.

¹¹⁶ Freedman, *Their Sisters' Keepers*, 28.

working for change in the public sphere were not seen as unbecoming.¹¹⁷ Lori Ginzberg argues that the “idea of natural female piety became both the rationale and the means by which women were to reform the world.” These reforming women, according to Ginzberg, had the “obligation and right to assert their moral position to advance America’s mission.”¹¹⁸ This belief in the moral superiority of women allowed them to work outside the home on these social reforms while still being seen as respectable women. The Female Prison Association was, therefore, not atypical of female reform work.¹¹⁹

In their reform efforts, these women pushed the boundaries of what was acceptable female behavior but also reinforced them through their actions. It seems

¹¹⁷ Dorsey, *Reforming Men and Women*, 9. See also Rosemary Zagari, *Revolutionary Backlash: Women and Politics in the Early American Republic* (Philadelphia: University of Pennsylvania Press, 2007), 140-146. Zagari notes that women increasingly saw reform movements as a way to evoke social change as opposed to political parties. Zagari suggests that women’s involvement in political parties in the late 18th and early 19th centuries waned and women sought public involvement in social reforms after 1830. Social reforms became a new arena for public action, one in which it was acceptable for women to participate.

¹¹⁸ Ginzberg, *Women in Antebellum Reform*, 9-10. See also Barbara Cutter, *Domestic Devils, Battlefield Angels: The Radicalism of American Womanhood, 1830-1865*, (DeKalb, IL: Northern Illinois University Press, 2003), 101-103.

¹¹⁹ While Philadelphia reformers pioneered the work in helping female inmates, New York soon followed illustrating the need for specific work with women prisoners. More archival material on the work of New York reformers with female inmates has allowed for a fuller history to be recounted than is possible in Pennsylvania. In the 1840s, reformers created the Prison Association of New York and developed a women’s auxiliary named the Female Department. Quaker Abby Hopper Gibbons became a leader in the Female Department and worked to open a home for discharged female prisoners. In 1845, the Isaac Hopper Home was opened to help discharged female convicts find a new place in society. See Freedman, *Their Sisters’ Keepers*, 29-31. Philadelphia’s reformers were not able to open a house until 1853, after much pleading with the Pennsylvania Prison Association.

A main difference between the work in Pennsylvania and New York stems from the fact that at Sing-Sing, there was a separate women’s prison opened in 1835, called Mount Pleasant Female Prison. While it was under the administration of Sing-Sing prison, it was the first separate female institution. In 1844, the matron of Mount Pleasant, Eliza Farnham, implemented many changes to prison discipline to help the female inmates reform; an action that went against much of how the New York prison system wanted inmates to be treated. She created a detailed educational program, allowed the women to talk quietly, and allowed music, visitors, and flowers in her prison. Farnham received backlash from the state for her innovations causing her to resign in 1847. See Nicole Hahn Rafter, *Partial Justice: Women in State Prisons, 1800-1935* (Boston: Northeastern University Press, 1985), 16-18. This prison was a precursor to the female reformatory movement that arose after the Civil War.

natural that female reformers would be interested in reforming female inmates because they embodied the characteristics of virtuous women, and would be the best role models for the erring women. Like the matrons in the prisons, female reformers could mother and shape the inmates with their visits by emphasizing virtuous conduct and domesticity. While the female reformers might not actually verbalize that they were acting as role models or even mother figures for female offenders, their actions and the types of education they gave to inmates suggests that they sought to rehabilitate this group of offenders by domesticating them. It is in this sense that the reformers' work can be seen as coercive, yet they had the interest of the inmates at heart and probably did not see their work as coercive but a means to allow female inmates back into acceptable society.

The stories of individual female inmates recorded by the Female Prison Association provide historians with a glimpse into the lives of incarcerated women who interacted with these reformers. The Association published "deeply interesting cases...in the form of tracts" in the hope that "they may be instrumental in encouraging other poor wanderers to accept the offers of redeeming love."¹²⁰ Not only do these published accounts depict female incarceration, but they also illustrate the work of the female reformers.

One such case is the pamphlet, *An Account of Julia Moore, A Penitent Female, who died in the Eastern Penitentiary of Philadelphia, in the year 1843*, published in 1844 by the Female Prison Association.¹²¹ Through its description of Moore's incarceration,

¹²⁰ "Female Convicts," 117.

¹²¹ *An Account of Julia Moore, A Penitent Female, who died in the Eastern Penitentiary of Philadelphia, in the year 1843*, 2nd ed. (Philadelphia: Joseph and William Kite, 1844). I have only been able to track down one such pamphlet published by the Female Prison Association. Her name is Wilt in the prison records, Moore is simply an alias provided in the pamphlet.

one gets a sense of not only Moore's pitiable situation in prison, but also of the female visitors' goals in visiting these female offenders. The pamphlet chronicles Moore's religious conversion in prison before her death. The case demonstrates the broad antebellum desire to reduce crime in cities and the belief in the inherent good and redeemable nature of criminals under the penitentiary system. This pamphlet also acts as a pedagogical tool to illustrate to readers what befalls people, particularly women, when they turn to a life of crime.

The pamphlet takes on a didactic tone from the outset. The anonymous author wrote that Julia "was in early life exposed to the temptations and snares of 'a world that lieth in wickedness.'"¹²² At a young age, Julia "forsook the paths of virtue, plunged into a vortex of iniquity, and involved herself in ignominious guilt."¹²³ The pamphlet seems to suggest that her early entry into the criminal world caused her demise. After suggesting that Julia tried to reform her habits, the author noted her failure to leave the life of crime.

Julia demonstrates the nineteenth-century fear that one crime or vice led inevitably to more heinous crimes. Julia is painted as a person of weak morals. "Exposed to temptation, she proceeded from one vice to another, until hardened in guilt," she "joined hands with the workers of iniquity," and participating in a cruel robbery, was arrested, and sentenced to seven years' imprisonment, before she had completed her twenty-eighth year...a wreck of human nature."¹²⁴ Julia is certainly portrayed as an

¹²² Ibid. 3.

¹²³ Ibid.

¹²⁴ Ibid. 4.

individual who not only succumbed to a life of crime but one who was viewed as a depraved creature who only had herself to blame for her actions.

The pamphlet discusses her experience in Eastern State Penitentiary, not from Julia's point of view, but from those of the penitentiary officials and reformers who hoped she would reform. The reformers viewed her as a depraved inmate, but one who needed to understand "the enormity of her sins, and her need of sincere repentance."¹²⁵ The chaplain called Julia an "undone creature." Julia accepted his "unwelcome tidings" causing her "to behold her vileness" and desire mercy.¹²⁶ The author noted that God's mercy helped Julia: "for scarcely had a year registered her imprisonment, before the mists of doubt and darkness began to vanish from her benighted soul, and she seemed to enjoy a perpetual sunshine."¹²⁷ This passage suggests that Julia was righting her own life of sin. But it also expressed the belief that a commitment to a Christian lifestyle will lift the burdens from one's soul. The emphasis on her religious conversion illustrates the great necessity for her to take God into her life to prepare her for eternity, as death was seemingly close due to a lingering illness.

Julia is portrayed as a model prisoner, penitent, quiet, thoughtful, and truly thankful for her incarceration. The author stated: "She spoke of herself with much humility, and great abhorrence of the wickedness of her former life; participating in almost every kind of sin, till in mercy she was arrested and thrown into prison."¹²⁸ This type of portrayal of prison life is exactly what early reformers wanted outsiders to hear

¹²⁵ Ibid. 5.

¹²⁶ Ibid. 6.

¹²⁷ Ibid. 8.

¹²⁸ Ibid. 11.

about their penitentiary: it promoted the superiority of the Pennsylvania penitentiary system of solitude and reflection. It recorded that, although her illness sometimes occasioned the necessity of having another inmate in the cell to care for her, she “preferred being alone...that a companion diverted her mind from a train of useful meditation and communion.”¹²⁹ Such statements promoted Eastern State’s system of solitary confinement and meditation. By describing an inmate who preferred solitude so she could meditate and reflect, this pamphlet argued against people who believed that Eastern State’s system actually promoted insanity and was cruel in its solitary confinement. Julia’s desire to have solitude helps to demonstrate the alleged success of the system.

The letter from Julia introduced in Chapter 5 provides a different perspective on the role of female reformers in prison.¹³⁰ The letter, dated April 27, 1843, was written to a female visitor who spent time with Julia:

I improve this opportunity to inform my sincere friend that I am very feeble at present...I long to hear your instructions once more. I feel thankful that I have been spared to express the sense of gratitude I feel for those benefits you have all been pleased to confer upon me. I thank Almighty God for all his kind mercies to me...I have reason to bless the day I entered this Prison. I feel that I am a great sinner. Oh that I may feel more humble and lowly in heart. In the night when all is asleep, I think I sometimes hear a voice saying, “Be of good cheer; your sorrows shall be turned to joy.” How sweet to my mind is this, “There is room for the chief of sinners.” Here is my hope; Jesus is my refuge. He has heard me in a time accepted, and in the hour of great trouble *He* removed my burden. Blessed be God! I hope what few days I have here below, that the Lord will give me courage, strength and faith, that my soul may be saved, and his name be glorified. “Almighty God! Unto whom all hearts are

¹²⁹ Ibid. 14-15.

¹³⁰ Please refer back to the discussion of letter writing in the previous chapter, which discusses the implications of letter writing in the solitary system.

open, all desires are known, and from whom no secrets are hid, cleanse the thoughts of my heart by the inspiration of thy Holy Spirit, that I may perfectly love thee, and worthily magnify thy Holy name, through Jesus Christ our Lord.”

I sincerely thank you for the present you gave me, “The Sinner’s friend.”
I remain your truly afflicted scholar,
Julia Moore¹³¹

From this letter, and the pamphlet in general, one can see the virtues of the Female Prison Association’s actions. In the case of Julia Moore, the female visitors had a positive impact on her during her last days on earth. They helped her to see the errors of her past life, provided companionship in her ailing days, and provided gifts such as the publication “The Sinner’s Friend.” Finally, the letter indicates a strong bond had developed between Julia and her anonymous female visitor who had been so kind to her and befriended her during her incarceration and sickness.¹³²

The pamphlet closes with the death of Julia on May 10, 1843. When considering the overall motivations for the publication of the pamphlet, several goals become apparent. As already mentioned, the goal of finding religious salvation is central to the document. It can be viewed as a propaganda piece for the penitentiary itself. Julia is a model prisoner brought to salvation by the discipline of the Pennsylvania system and the efforts of female reformers. Mark Kann notes that reformers did not know what to do with female offenders as they were “the refuse of society,” incorrigible characters that

¹³¹ *An Account of Julia Moore*, 18-19.

¹³² Not only does the pamphlet tout the superiority of the Pennsylvania system of discipline, but it demonstrates the positive impact that the female reformers had on the lives of the inmates with whom they interacted. This pamphlet proves that the women’s work is useful in reforming female inmates and promotes their cause to improve the lives of female inmates, especially since many male reformers felt there was little hope of female reformation. Furthermore, the pamphlet indicates that Julia Moore was grateful for the work the female reformers did on her behalf and while she was going to die in prison, she had hope for an eternal life in heaven.

any penitentiary stint would not reform.¹³³ Julia, in this pamphlet, is the antithesis to this belief. It is possible, that had Julia survived her sentence, she may have turned from her life of sin. Unfortunately, there is no way to know if she had truly repented, and it is difficult to know the extent to which this pamphlet exaggerated the claims of success.

While one might think the reform association inflated its success to prove a point regarding the virtues of the penitentiary system, looking at the Moral Instructor's report on Julia, however, corroborates the pamphlet's claims. Larcombe noted that Julia "hopes for happiness not here but in heaven because God is all sufficient." Before being sent to Eastern State she had "sunk into debased and brutal vice & hardness." Larcombe noted her long road to salvation, stating that she "has been subsequently the Subject of some very deep mental anguish on acct of her sins & now possesses a hope in the merits of Christ." After her death, Larcombe rounded out his entry, writing: "presented entirely satisfactory evidence of preparation."¹³⁴

Finally, the pamphlet is most simply a warning to the public and future criminals of the damages living a life of sin and crime can have on a person. The pamphlet at first portrays Julia as a horrible wretch, who had totally succumbed to crime and cavorted with other felonious associates. Later, Julia turns her life around albeit in the prison and wants to forsake her life of crime, an indication that the reform process worked for some inmates. The pamphlet is a morality tale, one that speaks of the public's fear of

¹³³ Mark E. Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic*, (New York: New York University Press, 2005), 82.

¹³⁴ Volume A. *The Seventeenth Annual Report of the Inspectors for Eastern State Penitentiary* noted that Julia, inmate 1109 entered with syphilitic disease and eventually died of syphilis and erysipelas.

degeneration of people into a life of crime and their reliance on a strong relationship with religion to save wayward souls.

There are other examples of successful reform. Francis Lieber described a meeting with a female inmate of Eastern State who told him that the female reformers had educated her.¹³⁵ The female visitors helped this inmate to read and write, and offered her religious training. Because of this education, she was able to ask her mother for forgiveness for her life of crime. From both of these examples of the positive work the female reformers accomplished, one can see that bonds were formed between some inmates and reformers. Estelle Freedman argues that a rhetoric of ‘sisterhood’ was used when reformers talked about their work. Reformers saw these women as peers, ignoring class and racial differences to emphasize “the common bond of an innate womanly spirit.”¹³⁶ The reformers felt a kinship with these women, and used that feeling to propel their benevolent work. While the female visitors might not be able to make such progress with all the women they visited, even a few success stories of providing hope to the female inmates, like this young woman and Julia Moore, probably fortified them in their work.

¹³⁵ Francis Lieber, letter to Mr. Barclay, Honorary Secretary of the Philadelphia Prison Society, September 18, 1843, reprinted in Joseph Adshead, *Prisons and Prisoners* (London: Longman, Brown, Green, and Longman, 1845), 116. For the full quotation, refer to chapter 5.

¹³⁶ Freedman, *Their Sisters’ Keepers*, 33.

Female Reform Efforts Outside of the Prison

The weekly visits with inmates were only part of the duties the Female Prison Association undertook. In the early days of their organization, the women of this association also worked to aid discharged female prisoners. Some of the discharged inmates were provided with “situations at service, in respectable families, generally in the country” made possible by “the exertions of the visitors, for those prisoners, who, at the expiration of their sentence, appeared to be sincerely penitent and anxious to ‘cease to do evil and learn to do well.’”¹³⁷ Some of these prisoners were “coloured, and from some of them, we have received testimonials of their being comfortably provided for, and we are encouraged to believe that they have been strengthened to adhere to the good resolutions formed while they were in prison. One of these individuals has been several years in a public institution in the neighbourhood of this city, where she continues to conduct in a becoming manner.”¹³⁸ These testimonials suggest some success at domesticating these women and providing them with suitable service positions after their release. The women visitors, however, were at the mercy of the sincerity of the inmates; there was no foolproof way of knowing if prisoners were truly reformed.

This fear was voiced by members of the Female Prison Association. They lamented “the want of an asylum, in which, as a temporary home, we could place the liberated convict and test her resolutions, before venturing to obtain a situation for her in

¹³⁷ “Female Convicts,” 115.

¹³⁸ Ibid. 116-117.

a private family.”¹³⁹ To this end, the Association worked diligently throughout the antebellum decades to establish such an asylum. The Acting Committee Minutes on October 12, 1852 for the Pennsylvania Prison Society indicate that the Association wanted a “Refuge in which the penitent female might find both occupation and moral training calculated to discipline them for future usefulness.” The women saw this refuge as “a stepping stone between the Prison, and the wide world.” They argued that their work in the prison has “sustained a loss without such an auxiliary; and we believe the time has come for us to make a vigorous effort, in aid of these miserable females many of whom now young in vice, may be permitted to grow old in sin, for the want of efficient helpers.” In the plea, the organization noted that “[w]e tell them to shun the haunts of wickedness; to engage in some honorable employment; but we point them to no safe retreat; we afford them no means of procuring an honest living.”¹⁴⁰ Without a place for the discharged inmates to enter, the Association feared that their hard work in the prison would be forgotten and the freed inmates would eventually lapse into a life of crime.

Four months later, the women were still pleading with the Pennsylvania Prison Society about their desire for a home. On February 26, 1853, Susan Lloyd stated before the Prison Society meeting that they wanted an institution designed to “protect such females as are exposed to temptation and crime; and where they may be trained in habits of neatness and industry.” The women in the home would be “instructed in useful

¹³⁹ Ibid. 117.

¹⁴⁰ Pennsylvania Prison Society Papers, *Acting Committee Minutes, Volume 7, 1836-1854*, October 12, 1852. RG 1946, Historical Society of Pennsylvania. Emphasis in original. It is interesting to note that these female reformers had a difficult time pleading their case for a home for discharged female prisoners considering that a home for the Magdalen Society, providing some of the same services the female prison reformers wanted to offer, had existed in the city for decades.

knowledge to qualify them for eligible situations” and would be given “the advantage of a religious influence and be strengthened in their resolutions of amendment.”¹⁴¹ From this statement, one can see that the proposed institution might not only cater to discharged female inmates, but also to women who were suspected of eventually becoming criminals. At the same time, the institution would act preemptively as well as aiding in the continued redemption of freed inmates.

The Association soon got its way. The Howard Institution opened its doors on September 1, 1853, first on Spring Garden Street then moved soon after to a larger location on the 16th block of Poplar Street. The home would “board and clothe” women for three to six months. The Committee believed that six months was adequate in helping women “sincerely desirous of amending their lives, and by endeavoring to surround them with right influences” to help them lead a virtuous life.¹⁴²

The Institution, like the prisons themselves, published annual reports. Unfortunately, the run of reports is incomplete. The first extant copy is the one for 1857. In any case, these reports provide a glimpse into the workings of the home, the female managers of the society, and its influence on its inhabitants. Out of the thirty-one different women who served as managers of the Institution during the years 1858-1860, five had husbands who were part of the Howard Institution’s Board of Advisers. Many of the women who were part of the Howard Institution had husbands with middle- and upper- class occupations, such as attorneys, gentlemen, merchants, tea dealers, and

¹⁴¹ Pennsylvania Prison Society Papers, *Minute Book, Volume 3*, February 26, 1853, RG 1946, HSP. Lloyd was a manager of the Institution, and was credited with making the home a successful venture. Elma B.M. Holloway, *A History of the Howard Institution* (Philadelphia, 1945), 1. Quaker Collection, Haverford College. Holloway was a past president of the Howard Institution in the early twentieth-century.

¹⁴² Holloway, *A History*, 1. The Howard Institution was named after the British prison reformer John Howard of the eighteenth-century.

presidents of coal and railroad companies.¹⁴³ By belonging to the middle- and upper-class of society, these women had time to spend in running the organization, helping with the upkeep of the Home, and working with its inhabitants. The report for 1857 noted that the women “are instructed in a knowledge of household duties by the matron and her valuable assistant, who also evidence a conscientious regard for the moral and religious welfare of those under their care.”¹⁴⁴ The emphasis in the institution continued to be on domesticating these women and molding them into suitable females for domestic work. By providing former inmates with a place to be educated and reformed, the Howard Institution sought to create women like themselves: gentle, educated, and domestically industrious. The managers also reported that some inmates who had left the home “have purchased useful articles and presented them to the Institution.”¹⁴⁵ From these instances of returned kindness from former inhabitants, one can see that this institution made an impact on the lives of these women by continuing the work that was begun inside the prison walls.

Later reports and documents provide further insights into the reasons why the Association wanted a home for discharged female inmates. The report for 1858 noted

¹⁴³ Information regarding the locations and occupations of the members of the Howard Institution came from the Institution’s *Annual Reports* and *McElroy’s Philadelphia City Directory for 1858* (Philadelphia: Edw. C. & John Biddle, Printed by Henry Ashmead, 1858); *McElroy’s Philadelphia City Directory for 1859* (Philadelphia: Edw. C. & John Biddle, Printed by Henry Ashmead, 1859); and *McElroy’s Philadelphia City Directory for 1860* (Philadelphia: Edw. C. & John Biddle, Printed by Henry Ashmead, 1860).

¹⁴⁴ *Third Annual Report of the Board of Managers of The Howard Institution*, (Philadelphia: Henry B. Ashmead, 1857,) 6. This sentiment is corroborated by members of the Pennsylvania Prison Society who visited the Howard Institution and noted that these inhabitants of the Institution were “deficient in the elements of School learning, and ignorant of the duties pertaining to females, that would qualify them to be useful in families.” The visitors found that the Institution’s “practical and moral influences, were calculated to improve the condition of those coming under its care.” *Minutes of the Pennsylvania Prison Society*, Volume 3, January 12, 1857. Historical Society of Pennsylvania.

¹⁴⁵ *Ibid.* 6.

that the Institution aided approximately fifty women, most of whom came straight from prison. The report suggested that the public had little idea of “the trials and disabilities, to which the discharged female prisoner is subjected.” Whatever her offense, however insignificant, “the *name* and *stigma* of *convict*, is upon her....She is pointed at with scorn....*None* will receive her into their houses.”¹⁴⁶ No matter how well the former inmate behaved while incarcerated, “there is a moral atmosphere about her, which repels even the charitable, and which makes the unthinking and the selfish turn from her with abhorrence.”¹⁴⁷ The public still viewed these women as broken, even after their release: they had broken societal rules and as such had revoked their womanly nature. Because of the moral standard to which women were held, criminal women were viewed as beyond hope. The female reformers sought to change this attitude and help readmit former female inmates to the realm of respectable womanhood.

Unlike the general public sentiment, the Association believed that young criminal women still retained “a remnant of womanly feeling, and a hope of redeeming the past.”¹⁴⁸ The managers of the Howard Institution reported that “it is this ‘*helping hand*’ in the ‘*needful time*,’ that we have endeavored to extend to those, who have been the objects of our care.”¹⁴⁹ Upon arrival, “[a] kind matron welcomes her; inquires into her wants, her history, her feelings; gives her the means of cleanliness and decency; finds

¹⁴⁶ *Fourth annual Report of the Board of Managers of The Howard Institution*, (Philadelphia: Henry B. Ashmead, 1859), 3-4. Emphasis in original. The number of fifty women being helped by the Howard Institution per year seems to be the average in the early years of its existence.

¹⁴⁷ *An Appeal to the Citizens of Philadelphia, for means to Purchase a Lot and Suitable Building for The Howard Institution for Discharged Female Prisoners*, (Philadelphia: Henry B. Ashmead, 1858). The pages are unnumbered.

¹⁴⁸ *An Appeal to the Citizens of Philadelphia*.

¹⁴⁹ *Fourth Annual Report*, 4.

employment for her; searches for what germs of goodness may yet be remaining; and if there be but a smouldering spark of virtuous hope, sedulously preserves it from extinction.”¹⁵⁰ Each inhabitant was treated “as a woman and sister.”¹⁵¹ They argued that “the Institution has been a blessing to those who have been the subjects of its discipline. Many have given evidence of *radical* improvement.”¹⁵² The Female Prison Association and the Howard Institution were bent on providing hope to this class of females and treating them as women, not as wretched creatures. With this persistent belief in the redeemable nature of the criminal women, the reformers again exhibited their sisterhood with the erring women. By treating them as women and sisters, the reformers were able to treat them with respect and aid them in re-entering society as acceptable, self-sufficient women.

Some women were grateful for the hope and support the Howard Institution provided.¹⁵³ The annual reports often included letters from former residents. One resident, identified only as M.L.F. wrote: “If it had not been for Mrs. W. and Miss H. where would I have been at this time? perhaps in eternity, for I was tempted by Satan on every side, but the Lord heard my prayers and delivered me out of all my troubles, by raising up friends for me who I never thought existed a few days before.”¹⁵⁴ On December 13, 1858, a woman named R.G. wrote to the institution: “How indebted to you

¹⁵⁰ *An Appeal to the Citizens of Philadelphia.*

¹⁵¹ *Ibid.*

¹⁵² *Fourth Annual Report.* 5.

¹⁵³ Although only few notes survive from former inmates, these do indicate that the reformers’ work did change some inmates’ lives for the better.

¹⁵⁴ *Third Annual Report.* 10. Mrs. W. is most likely the matron Susan Wiggins, but it is unclear who Miss H. might be.

for the kindness bestowed, and the very comfortable home, I with the rest of my erring sisters have found through your charity. I frequently think of the pleasant days I have spent in the sewing-room with Miss M., she was always so very kind to us.”¹⁵⁵ These letters, words from women who received direct help from the Institution illustrate the importance of the Association’s efforts at establishing the Howard Institution and helping female inmates beyond the prison walls.

Conclusion

Reform of female inmates was a multi-layered process. It began in the prison cells with the prison moral instructor, men who were employed by the institution to promote the penitentiary’s goals of individual reformation and repentance. The moral instructors dealt with all prisoners, male and female, thus had less time to spend with individual inmates. Because the moral instructors were male, one must question if they understood that they might need to approach errant women in a different way than they did the male inmates or even if they cared much to help reform the female inmates if they were truly seen as broken, degraded creatures.

Members of the Female Prison Association believed that the female inmates might respond more positively to reform efforts if they were guided by women themselves. These women saw the neglect the female inmates were exposed to in the prisons, wished to improve the inmates’ situation, and saw themselves as the means by which that improvement could be attained. These female visitors provided

¹⁵⁵ *Fourth Annual Report*. 9.

companionship, encouragement, domestic education, and moral instruction to the female inmates. It is possible that these ladies approached the inmates in a gentler, sympathetic manner, than did the penitentiary's moral instructor who was paid to uphold the penitentiary's rules and ideals. The female visitors embodied the characteristics expected of antebellum women and could thus provide the inmates with figures and traits to emulate during their rehabilitation and after their release from prison. Even with their benevolent motivations, the female reformers may not have realized that their actions were also coercive. By trying to reshape the female inmates, the reformers placed expectations on what final form that reshaping should have. By providing their behavior and morality as the guide for female inmates, the female reformers were assuming that they demonstrated the ideal form of womanhood and were working to mold female inmates into copies of themselves.

The female reformers also realized the failure of the penitentiary system to help inmates after their release. Without a program to help women after prison, there was little reformers could do to ensure that ex-prisoners would stay away from vice and crime again. The Female Prison Association, in their conception of the Howard Institution in Philadelphia, provided released female inmates with a place to continue their individual reform efforts. The Institution allowed former inmates to continue to be molded into respectable women; they were, in effect, being domesticated by learning household duties and womanly skills such as sewing so that they could provide for themselves legally in the future. The members of the Female Prison Association believed that female inmates needed to be treated differently than their male counterparts and thus created opportunities for benevolent women to aid female inmates in their moral and domestic

rehabilitation. The efforts of the visitors from the Female Prison Association and those who worked with the Howard Institution provided female inmates with skills and hope that they could once again, by becoming virtuous and adhering to feminine behavior like the reformers themselves, be part of respectable womanly society.

CHAPTER VII

CONCLUSION

The problems of dealing with female offenders stemmed from deeply entrenched social ideologies regarding what it meant to be a proper woman during the antebellum era. As this dissertation has shown, definitions of proper womanhood influenced every part of the female offender's journey. Some women exploited social norms of proper womanhood to commit crimes. Female swindlers and shoplifters often used the guise of respectable femininity to enact their cons or get away with a crime. Others stole items in order to try to appear respectable or raise their social status or to provide their families with needed items such as food or clothing so that she could be a good mother or wife. Some unwed mothers committed infanticide in order to spare their children a tough life, knowing that they could not live up to the standards of being a good mother or proper woman. Others committed similar crimes to try to protect their reputations. Many women, however, eschewed social conventions with the committal of violent crimes or participating in political riots. By stepping out of the realm of proper womanhood, women ventured into the territory of typically male behavior and actions – aggression, violence, and politics, thus defining how women were not supposed to behave.

Local communities, judges, and juries also used what they believed proper womanhood to be to condemn women who committed crimes. Most female offenders were viewed as monsters, wretched, and fallen women. Many times, women's character was put on trial just as much as were their crimes. Women who failed to pass certain social litmus tests, such as having a drinking habit, being a poor immigrant, being non-

white, having loose morals, or being divorced could very well decide a woman's fate in court. At the same time, if women on trial were viewed by witnesses as respectable, moral, or a good mother, these characteristics often played a role in getting a woman acquitted or at least, perhaps, a lighter sentence. Many female offenders probably did not realize that their actions were helping to define the boundaries of proper womanhood or that they were becoming symbols of how not to act as a proper woman. What it meant to be a socially appropriate woman was evaluated and reconsidered time and again during the commission of crimes and trials of criminal women.

The stigma of crime and the failure to uphold the standards of proper womanhood also influenced women's treatment in prison. In some cases, because employees had a difficult time dealing with female inmates, the women were given special privileges or their rehabilitation was neglected either because the employees believed women were not really capable of committing crimes or that because they committed crimes, they were beyond the boundaries of womanhood and could not be reformed. In either situation, societal ideas of what it meant to be a woman influenced female inmates' treatment.

Finally, definitions of womanhood shaped the way female reformers dealt with female inmates. Members of the Female Prison Association believed that the female inmates might respond more positively to reform efforts if they were guided by women themselves. These women saw the neglect the female inmates were exposed to in the prisons, wished to improve the inmates' situation, and saw themselves as the means by which that improvement could be attained. The female visitors embodied the characteristics expected of antebellum women and could thus provide the inmates with motherly figures and feminine traits to emulate during their rehabilitation.

There is a second, concurrent story being told through the lives of these women. This dissertation shows the agency or power that these criminal women had. Through their crimes and resistance to incarceration and reform efforts, these women challenged societal and institutional control over them. The very systems that were implemented to limit the power or influence of women in the nineteenth century were often thwarted by women's committal of crimes or their insistence on being seen and heard while incarcerated.

From the moment she embarked on her path of crime, a female offender was often at the mercy of how others in power perceived her. Female criminals simultaneously challenged and reinforced nineteenth-century notions of proper womanhood. Elizabeth Harker was considered depraved, and Julia Moore, an undone creature. These two women met their fate in prison, yet their legacies of being remembered illustrates that they were not simply passive victims of Pennsylvania's criminal justice system. Some women never faced incarceration although accused of crimes. Others spent their lives in and out of prison, with little to no hope of rehabilitation. Although some female offenders would see life again outside of prison, and some might emerge as reformed with hopes of a decent life, the experiences of female offenders in Pennsylvania were as varied and dreary as the prison walls often surrounding them.

The problem of dealing with female offenders did not disappear at the outset of the Civil War. After the conclusion of the war, the development of female reformatories became one new approach to dealing with the problem. Female offenders in Pennsylvania in the first half of the nineteenth century faced a bleak existence upon conviction and admission to prison. For those women condemned to a stint in county

prisons, especially rural counties, living conditions were poor. There was rarely structured discipline in these small institutions, and no attempt was made at reforming these wayward women. Women sentenced to the state penitentiaries, especially those in Eastern State, encountered a more defined disciplinary routine. Furthermore, the women in Philadelphia's penitentiary and in the city's county prison, Moyamensing, had the opportunity to reform their behavior and character through interactions with moral instructors and the benevolent female visitors who aided inmates during their incarceration and continued their work after release through the Howard Institution.

While these reform efforts probably did have a positive impact on the lives of some of the inmates, holding women in the same institutions as men presented numerous problems, many of which appeared almost immediately after women were admitted to the predominantly male institutions. Pennsylvania was not the only state that faced the problem of what to do with female convicts. New York, which pioneered the way in developing solely female penal institutions, saw the inherent problems of housing women in the same institutions as men in the early years of the state's penitentiaries' existence. Yet the prison at Auburn experienced problems similar to Eastern State when it came to dealing with female inmates. Sing Sing's officials wanted nothing to do with female inmates. They attempted to get all the state's female inmates sent to Auburn. When that plan was rejected, women were housed at Bellevue in New York City. This solution did not last long. As early as the late 1820s, plans were put in place for a women's prison on the grounds of Sing Sing.¹ After years of discussion regarding the best plan for a women's prison, New York planned to build two women's prisons, one in the vicinity of

¹ W. David Lewis, "The Female Criminal and the Prisons of New York, 1825-1845" *New York History* (July 1961): 222-224.

Auburn, the other near Sing Sing. By 1839, however, due to financial difficulty, Auburn's women's facility would send most of its inmates to Sing Sing, thus making the women's institution at Sing Sing the sole facility for females.²

Even with this separate institution for women, disciplinary problems remained. The new facility was located close to the men's quarters, making it possible for interaction between the sexes. The women's building was not equipped with a kitchen, requiring male inmates to bring food over to the women's prison. Furthermore, the women's prison's construction allowed for communication between the inmates. Overcrowding also became an issue.³ While officials thought women would be better behaved in their own facility, this was not to be the case. Women "carried knives, fought with one another, and made the air ring with ribald songs and lusty yells."⁴ Under the guidance of Eliza Farnham, in 1844 the women's prison at Sing Sing became more organized with educational programs, and rehabilitation efforts. State officials believed Farnham's programs were too lenient and as a result ended her tenure. By the 1870s, the state had reverted back to the plan of shipping female inmates to New York City. During the next two decades, three reformatories for women opened at Hudson, Albion, and Bedford Hills, ushering in a new era of discipline for women offenders, something started by Farnham almost a half century before.⁵

² Ibid., 224-229.

³ Ibid. 229-231.

⁴ Ibid. 231.

⁵ Ibid. 232. Women prisoners in Illinois suffered similarly to those in New York and Pennsylvania. Women were housed within the male penitentiary system until 1896 in Illinois when a separate facility was built. See L. Mara Dodge, "'One female prisoner is of more trouble than twenty males': Women Convicts in Illinois Prisons, 1835-1896" *The Journal of Social History* 32 no. 4 (1999): 918 and L. Mara Dodge,

Pennsylvania lagged behind New York in moving to the reformatory model. New York built Elmira Reformatory for men in 1870 and the three women's institutions at Hudson, Albion, and Bedford Hills soon after. Pennsylvania did not get its first reformatory until 1889. This institution, known as the Huntingdon Industrial Reformatory, was opened to provide a correctional institution for young men guilty of less serious crimes.⁶ Unlike the state penitentiaries which focused on the anonymity of the inmates, these reformatories dealt with inmates as individuals. Inmates were classified according to crime, health, age, and other determining factors. In addition these institutions provided inmates with skills and education that would benefit them after release and offered a promotional system with rewards for good behavior.

A female institution, similar to the one at Huntingdon was approved by the state legislature in 1913. The State Industrial Home for Women was built in Muncy in 1920.⁷ Initially, women and girls from ages sixteen to twenty-five could be sent there for no more than three years.⁸ By 1922, officials at Eastern State Penitentiary began removing inmates to the new facilities or to the Philadelphia County Prison at Moyamensing. Three years later, the state designated monies for a new department to be built at Muncy for older women, thus creating both an industrial reformatory and a penal institution on the same grounds. Two years later, in order to alleviate overcrowding at county jails, the

“‘The most degraded of their sex, if not of humanity’: Female Prisoners at the Illinois State Penitentiary at Joliet, 1859-1900” *Journal of Illinois History* 2 no. 3 (1999): 223-226.

⁶ Harry Elmer Barnes, *The Evolution of Penology in Pennsylvania: A Study in American Social History* (The Bobbs-Merrill Company, 1927), 401.

⁷ *Ibid.* 402. Reformatories sprang up across the United States during the late nineteenth and early twentieth centuries. In addition to New York, institutions in Massachusetts, New Jersey, Maine, Connecticut, Ohio, Indiana, Iowa, Kansas, Minnesota, Nebraska, Wisconsin, Illinois, Arkansas, North Carolina, Virginia, and California opened for female inmates. Nicole Hahn Rafter, “Prisons for Women, 1790-1980” *Crime and Justice* 5 (1983): 148.

⁸ Barnes, *The Evolution of Penology*, 402.

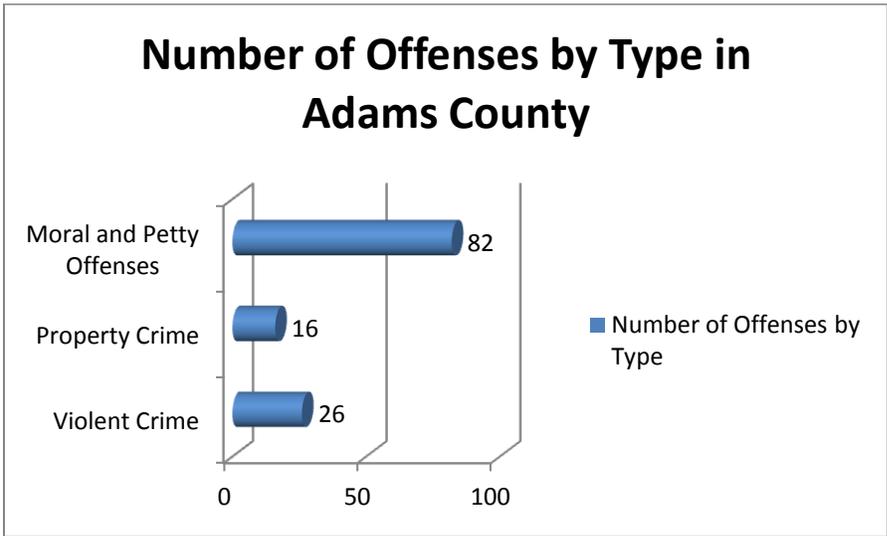
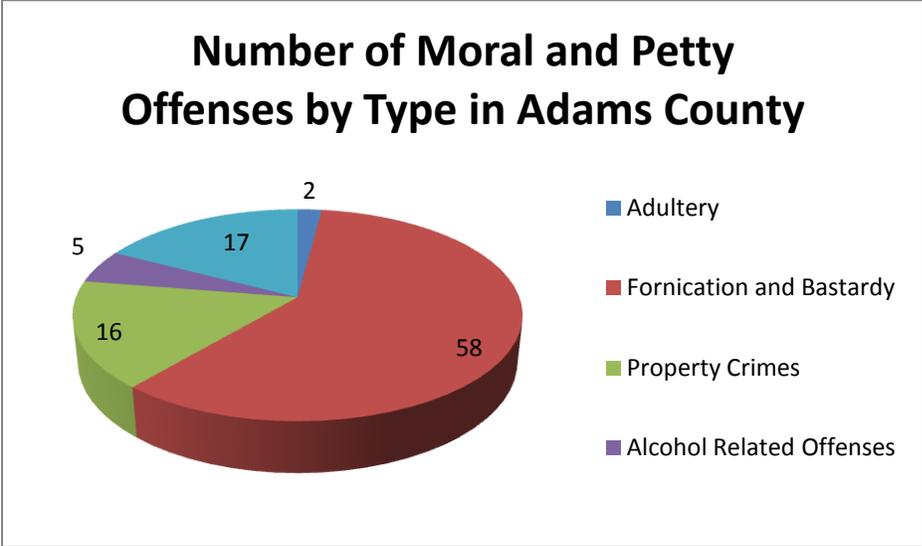
state allowed women who were sentenced to county prisons for one year or less to be sent to the appropriate institution at Muncy.⁹

⁹ Barnes, *The Evolution of Penology in Pennsylvania*, 402.

APPENDIX A

MORAL AND PETTY OFFENSES BY COUNTY

ADAMS

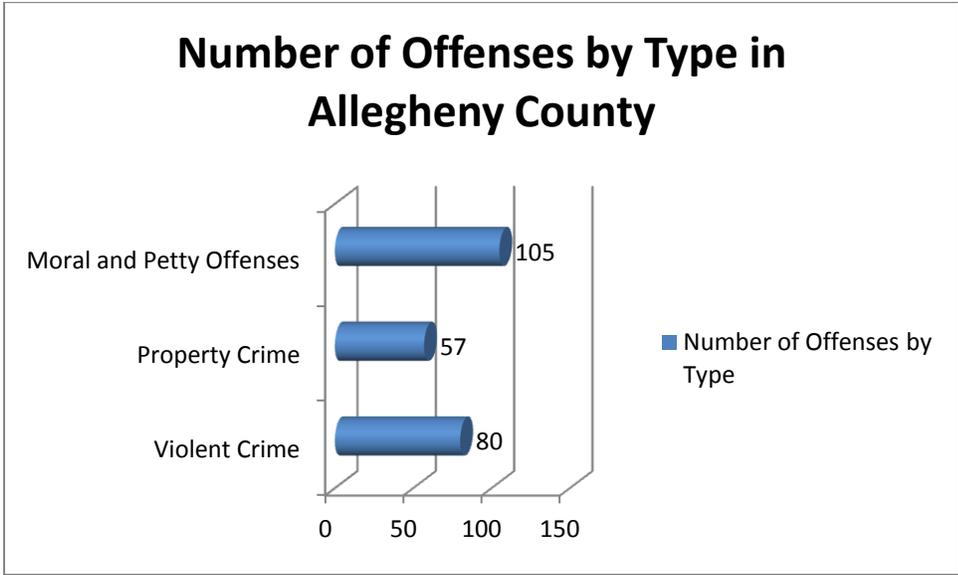
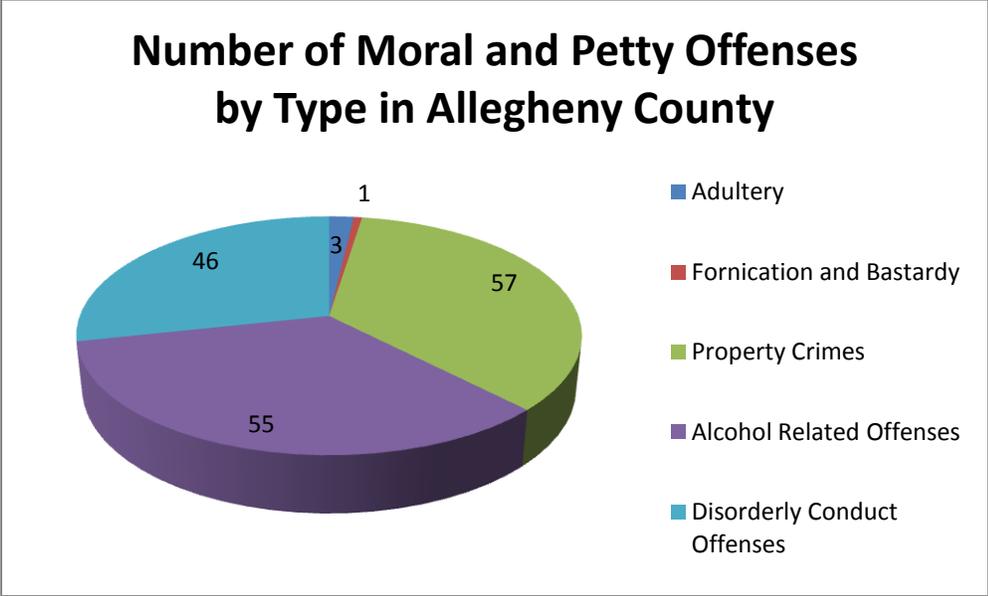


Percentage of total Crime in

Adams County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 66.1 | 12.9 | 21 |

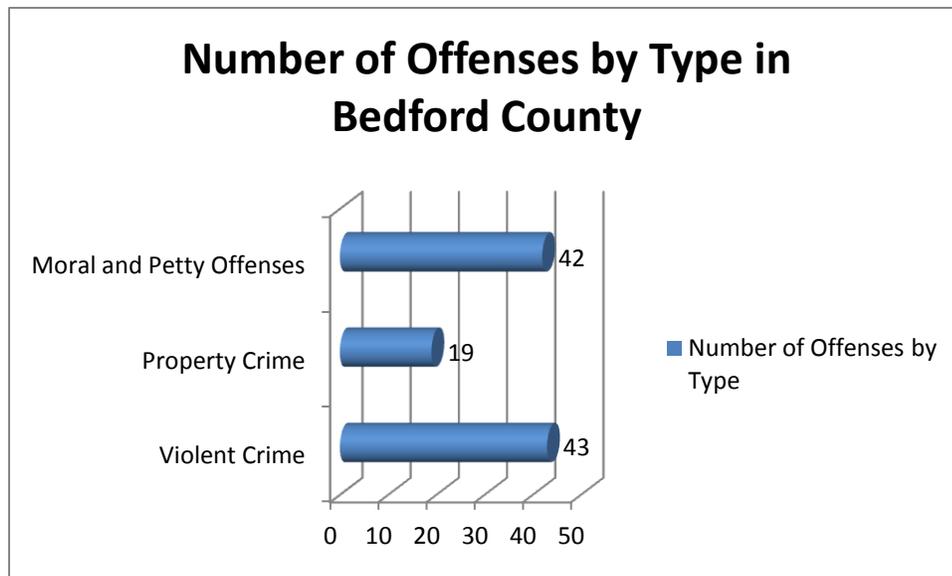
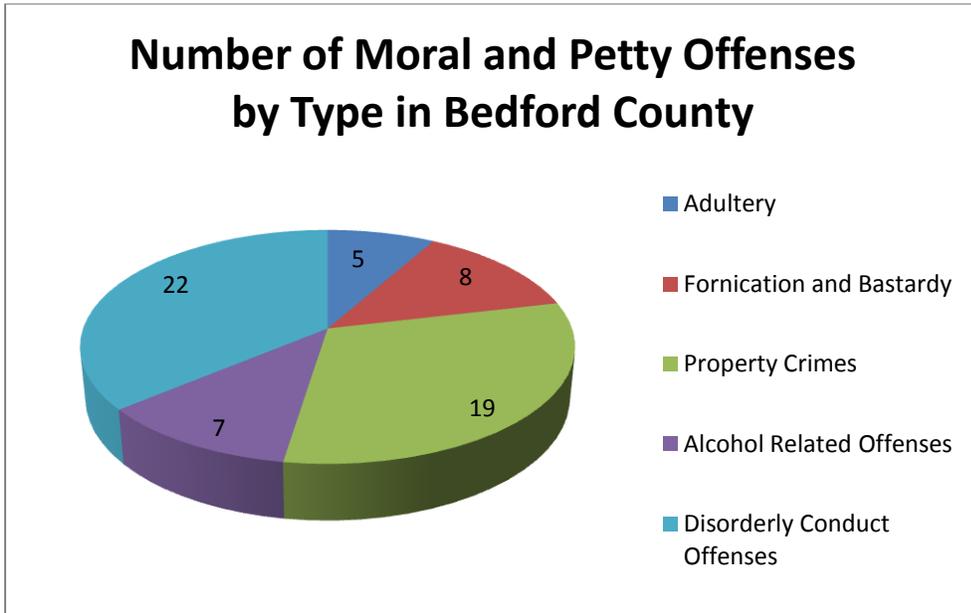
ALLEGHENY



Percentage of total Crime in Allegheny County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 43.4 | 23.6 | 33.1 |

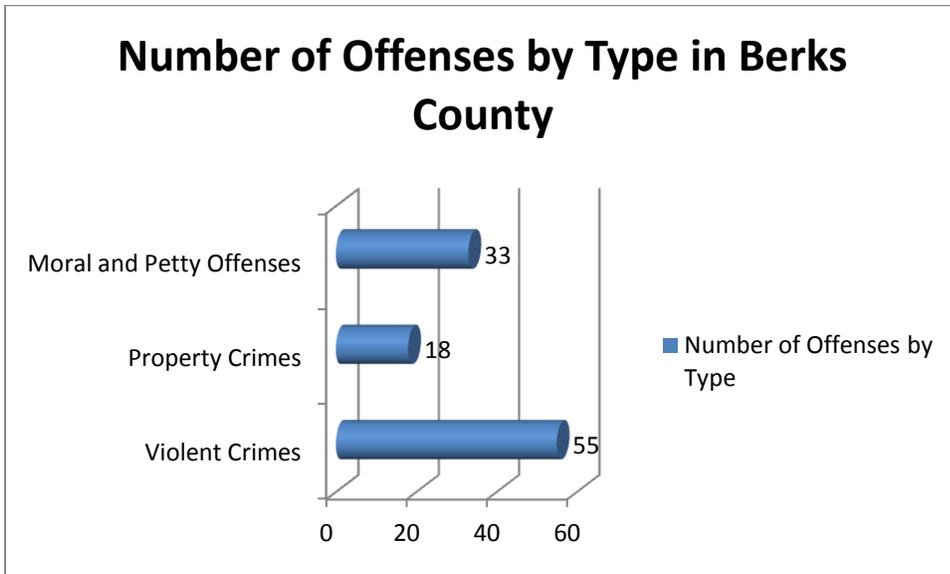
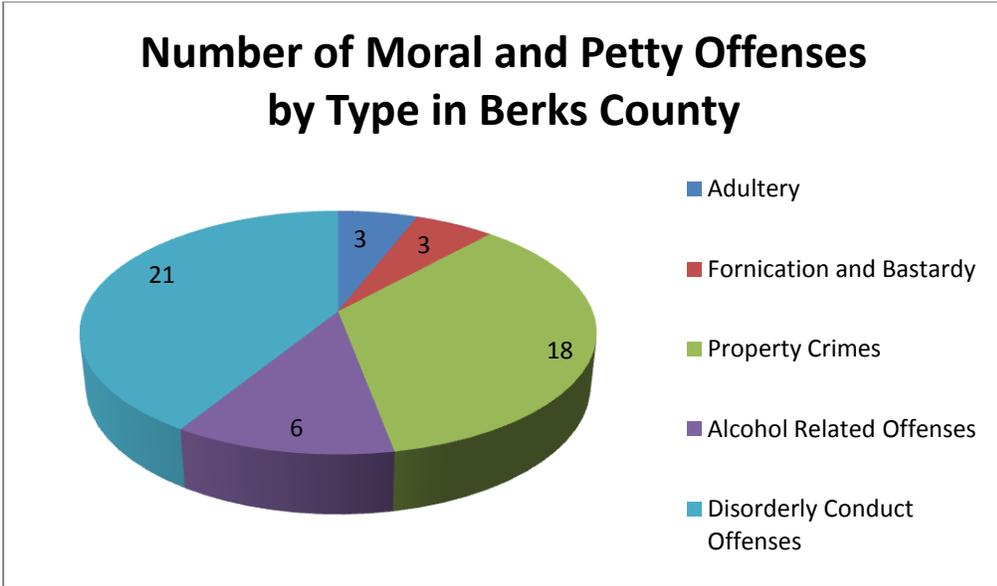
BEDFORD



Percentage of total Crime in Bedford County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 40.4 | 18.3 | 41.3 |

BERKS

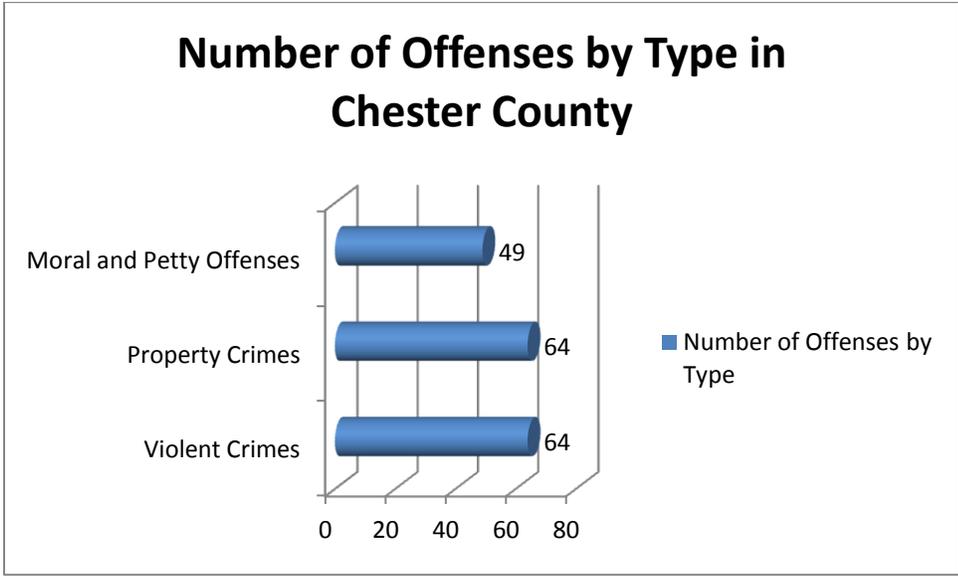
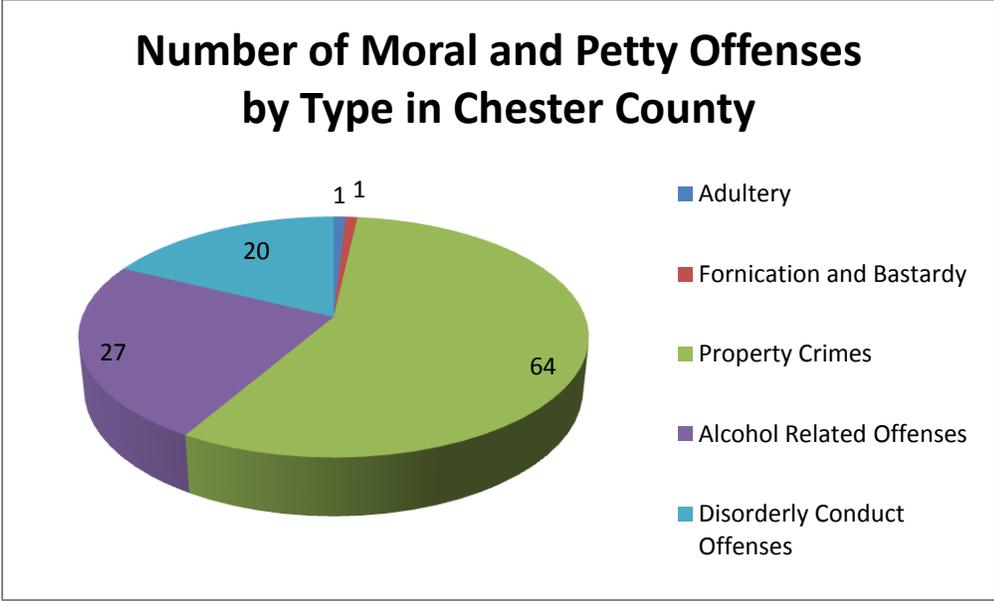


Percentage of total Crime in

Berks County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 31.1 | 17 | 51.9 |

CHESTER

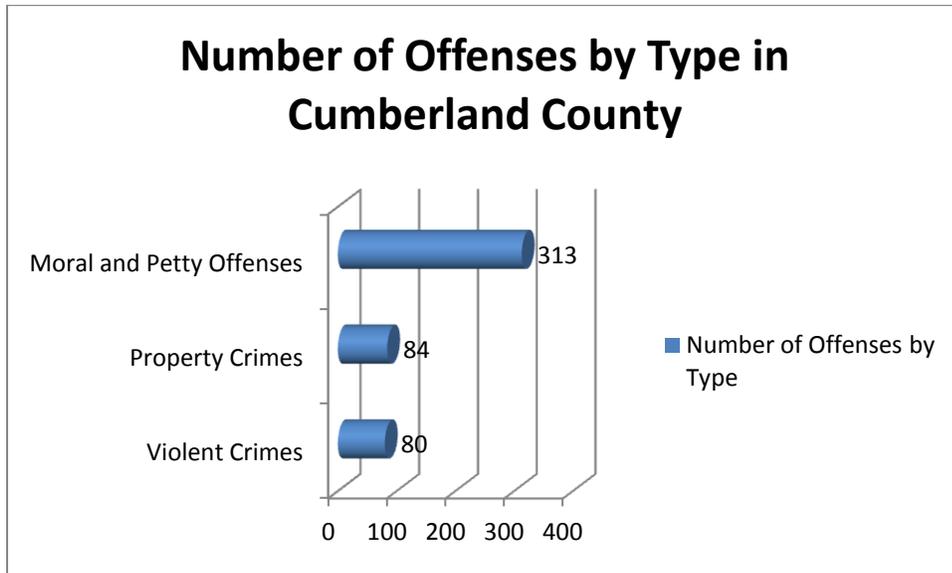
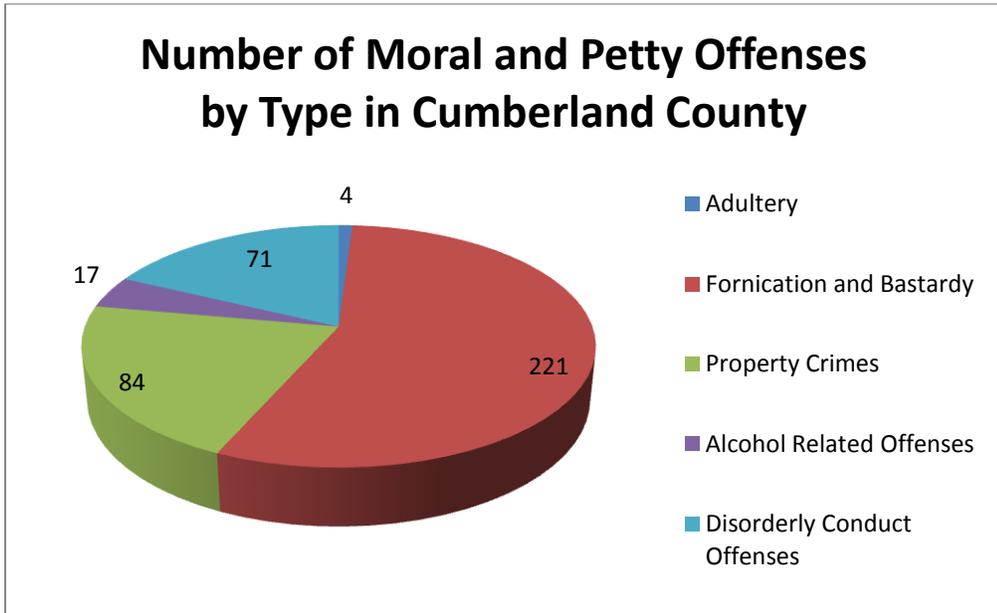


Percentage of total Crime in

Chester County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 27.7 | 36.2 | 36.2 |

CUMBERLAND

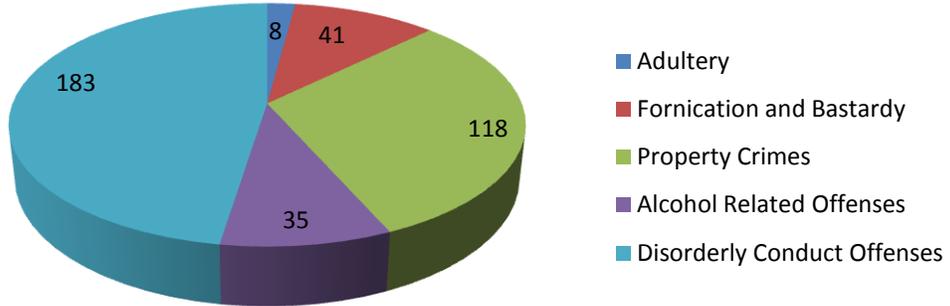


**Percentage of total Crime in
Cumberland County**

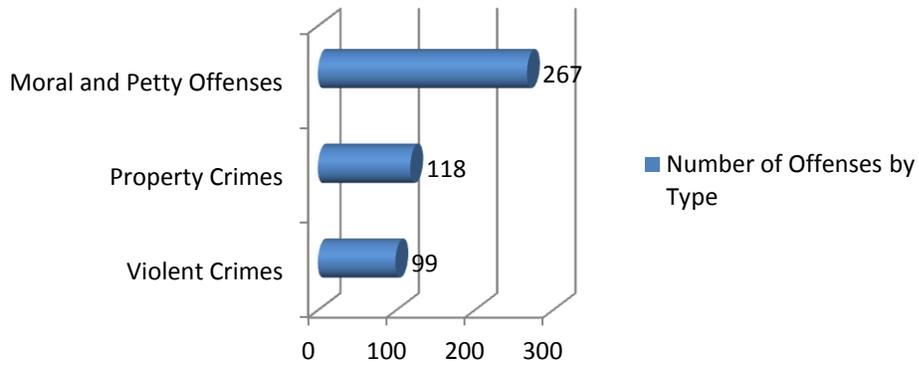
| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 65.7 | 17.6 | 16.8 |

DAUPHIN

Number of Moral and Petty Offenses by Type in Dauphin County



Number of Offenses by Type in Dauphin County

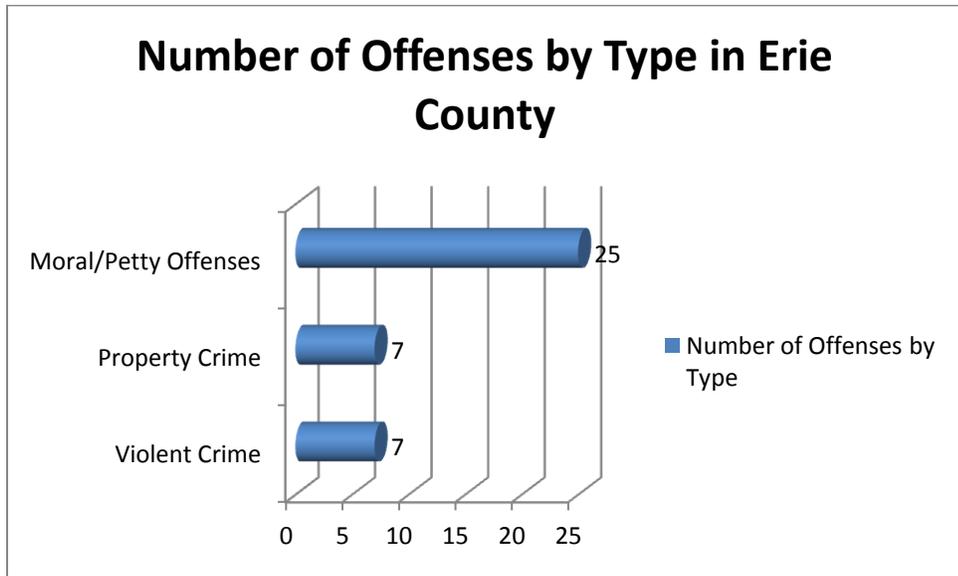
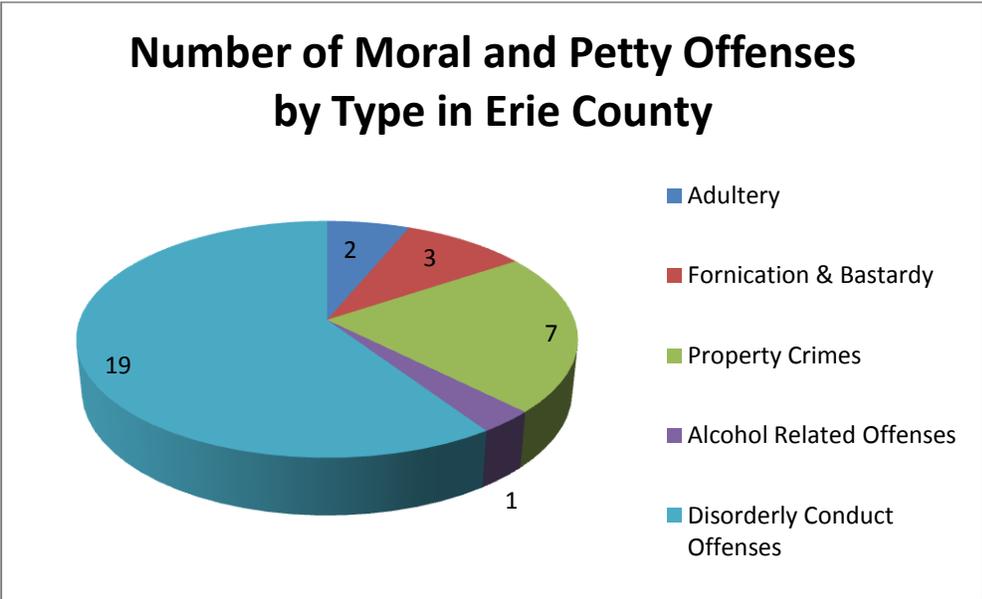


Percentage of total Crime in

Dauphin County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 55.2 | 24.4 | 20.4 |

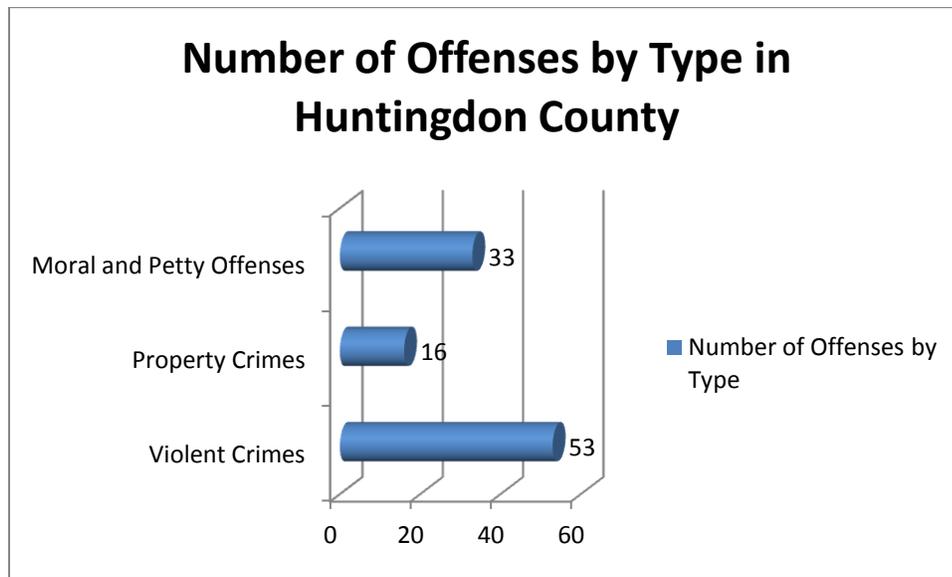
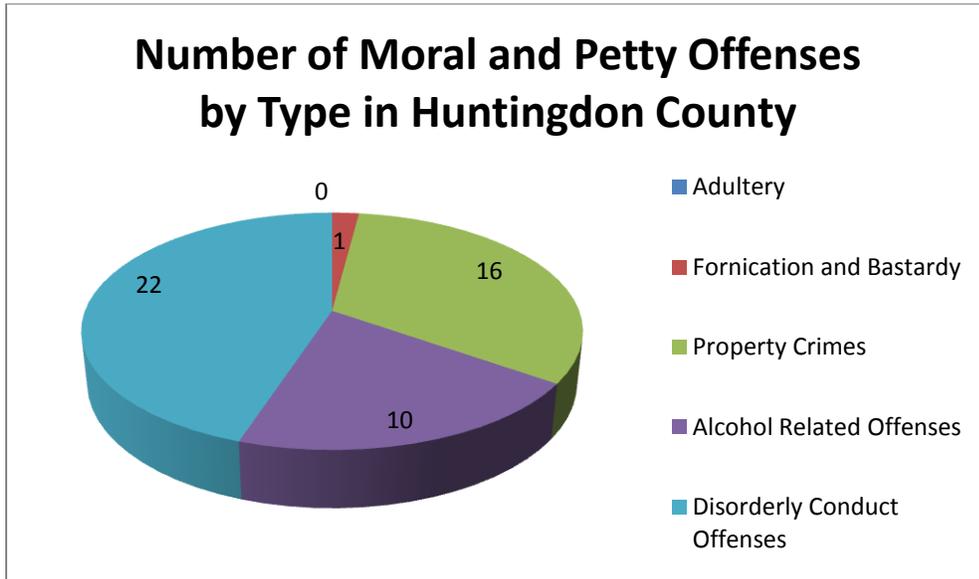
ERIE



**Percentage of total Crime in
Erie County**

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 64.1 | 17.9 | 17.9 |

HUNTINGDON



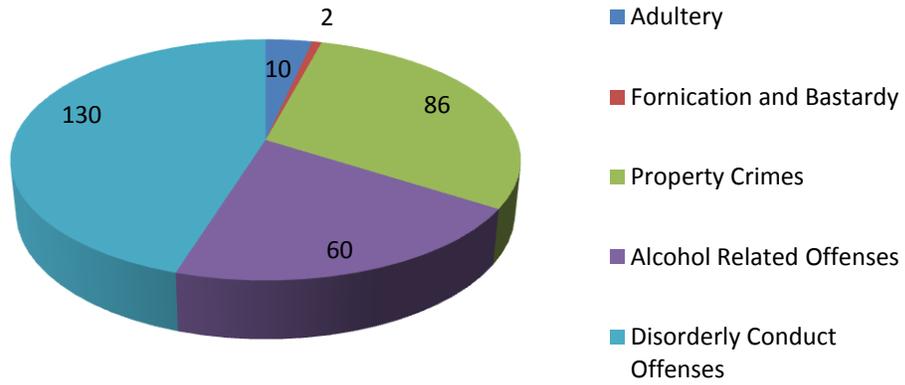
Percentage of total Crime in

Huntingdon County

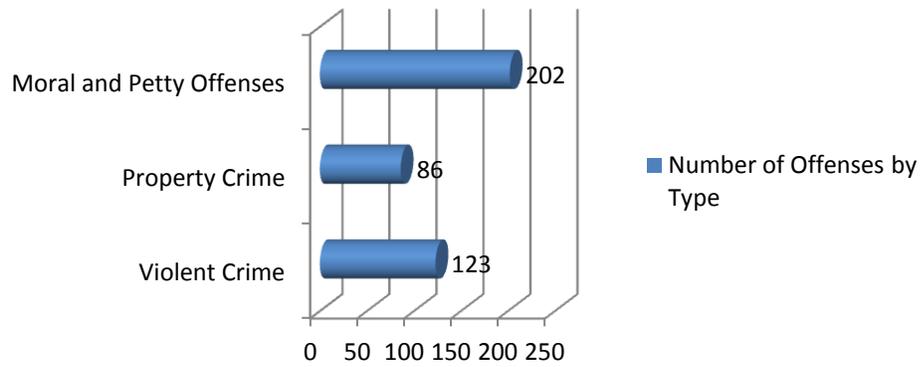
| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 32.4 | 15.7 | 52 |

LANCASTER

Number of Moral and Petty Offenses by Type in Lancaster County



Number of Offenses by Type in Lancaster County

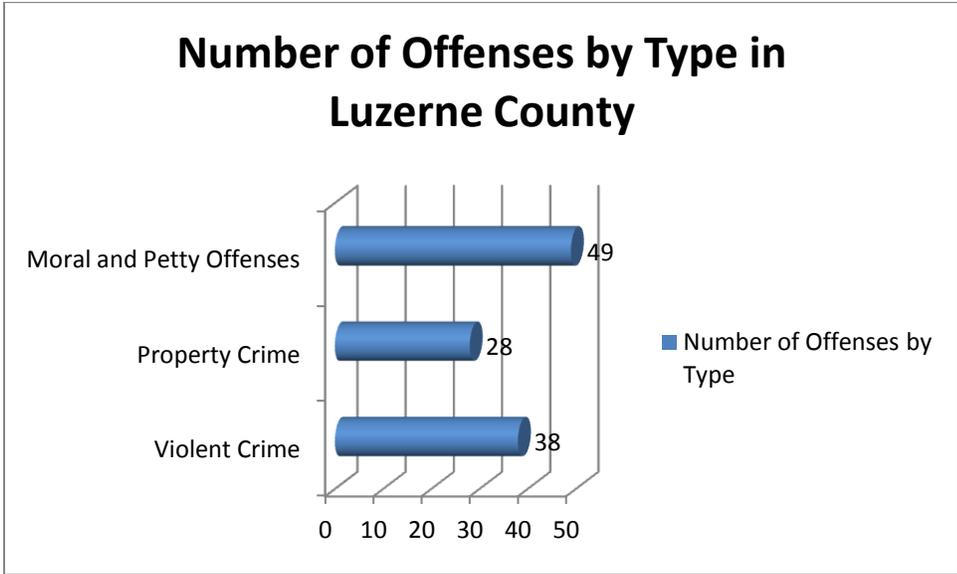
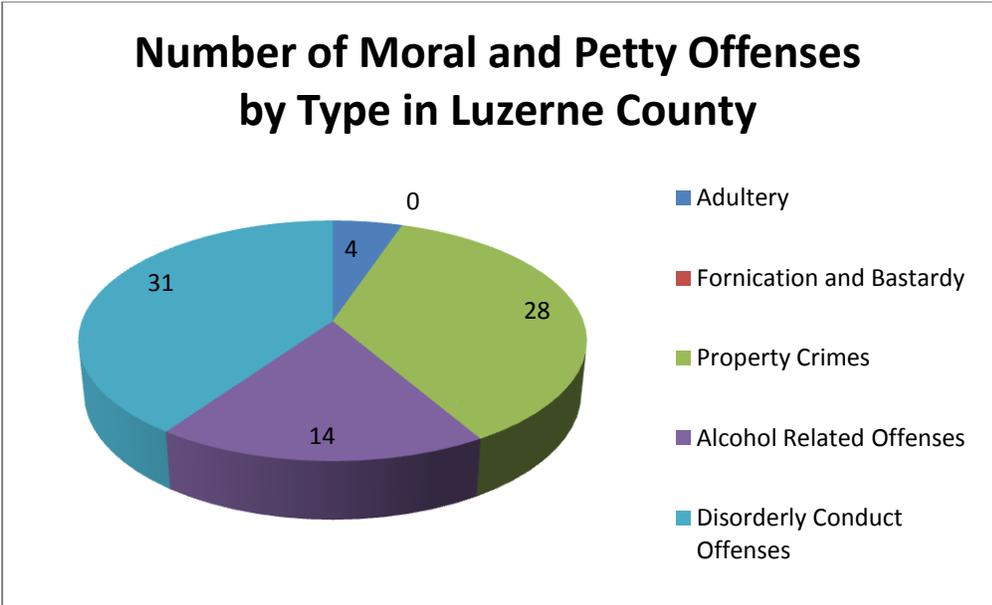


Percentage of total Crime in

Lancaster County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 49.1 | 20.9 | 29.9 |

LUZERNE

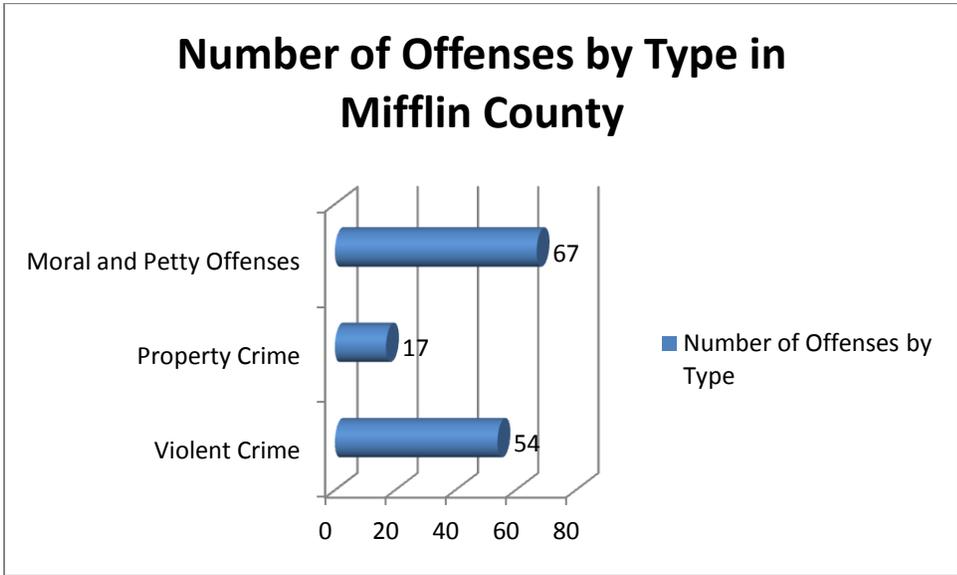
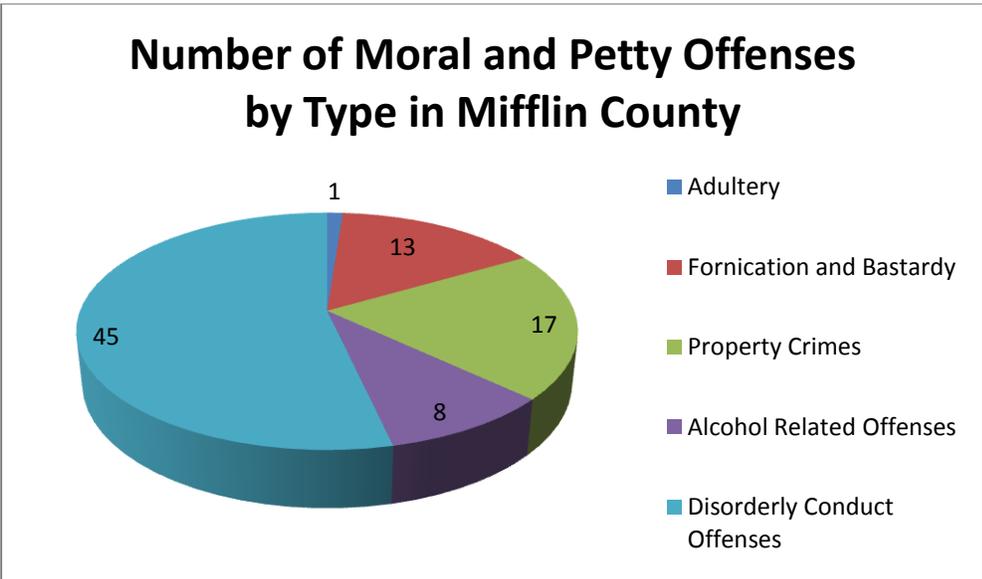


Percentage of total Crime in

Luzerne County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 42.6 | 24.3 | 33 |

MIFFLIN

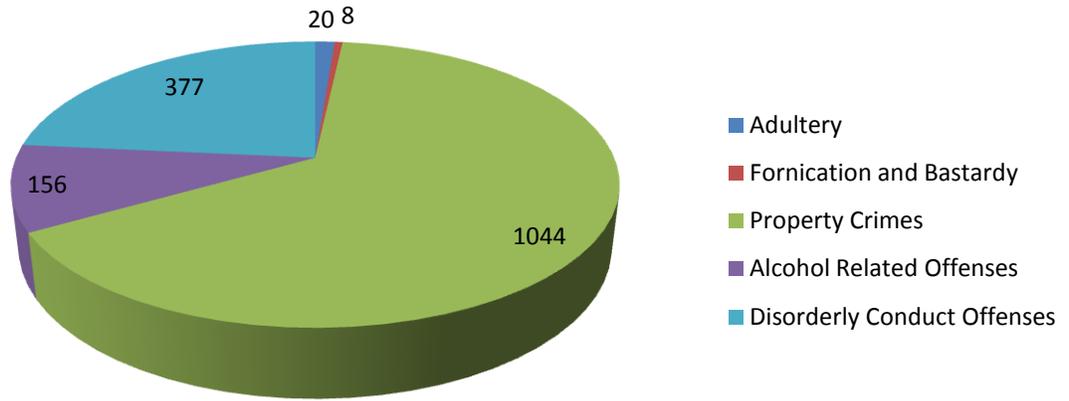


Percentage of total Crime in Mifflin County

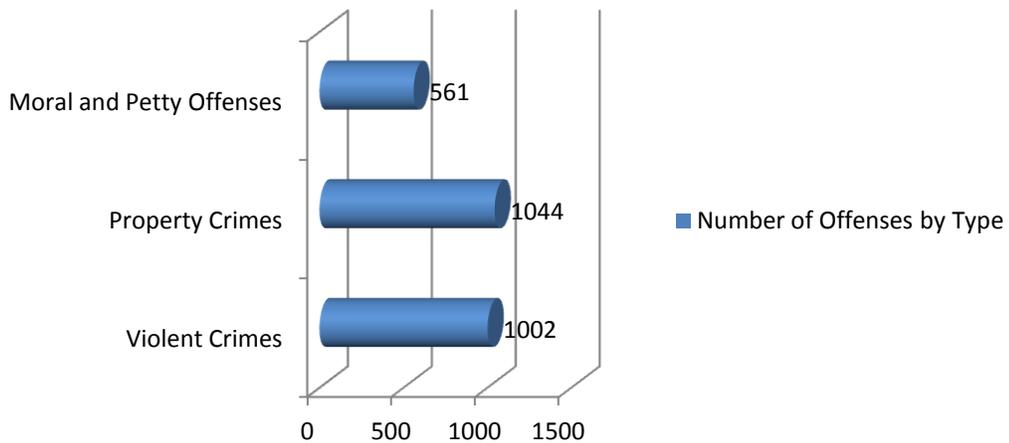
| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 48.6 | 12.3 | 39.1 |

PHILADELPHIA

Number of moral and petty offenses by type in Philadelphia County



Number of Offenses by Type in Philadelphia County

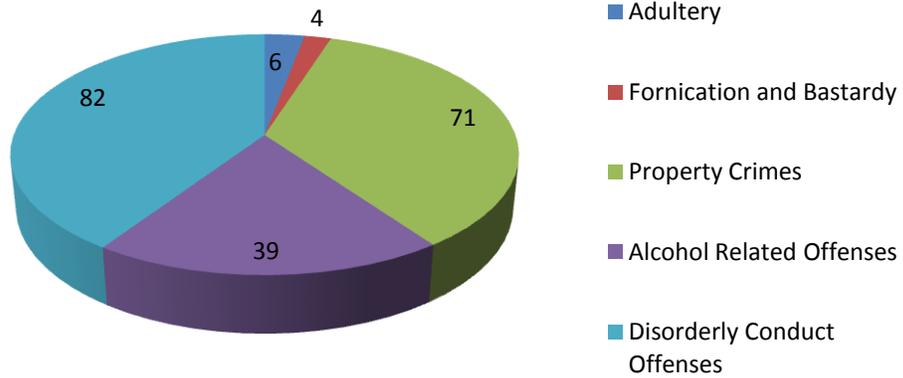


Percentage of total Crime in Philadelphia County

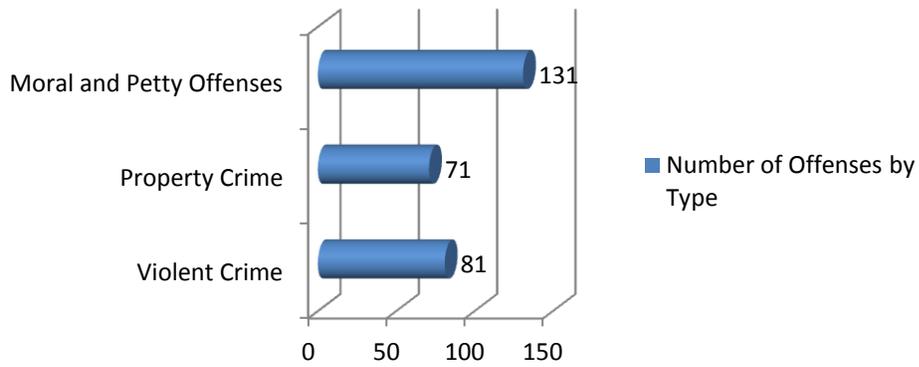
| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 21.5 | 40 | 38.4 |

WASHINGTON

Number of Moral and Petty Offenses by Type in Washington County



Number of Offenses by Type in Washington County

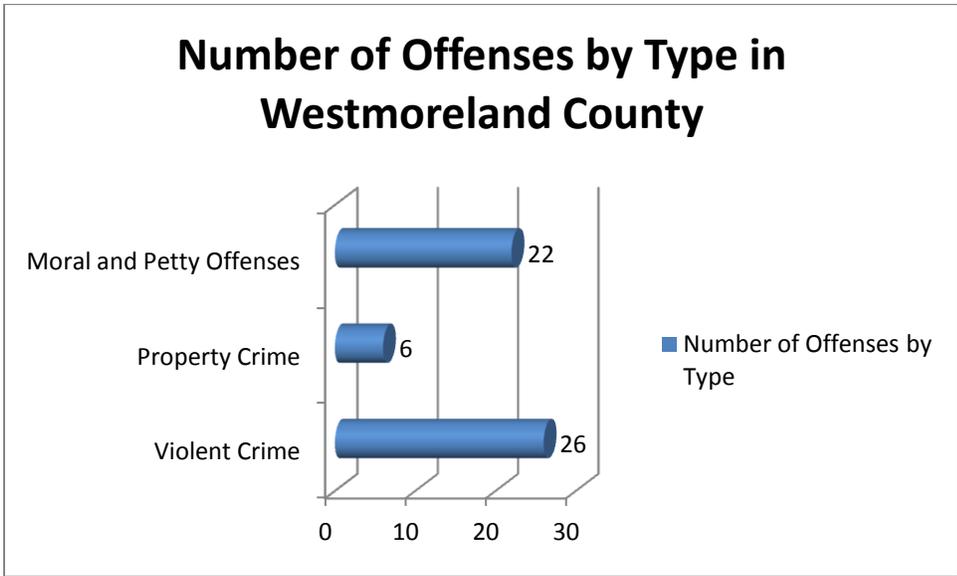
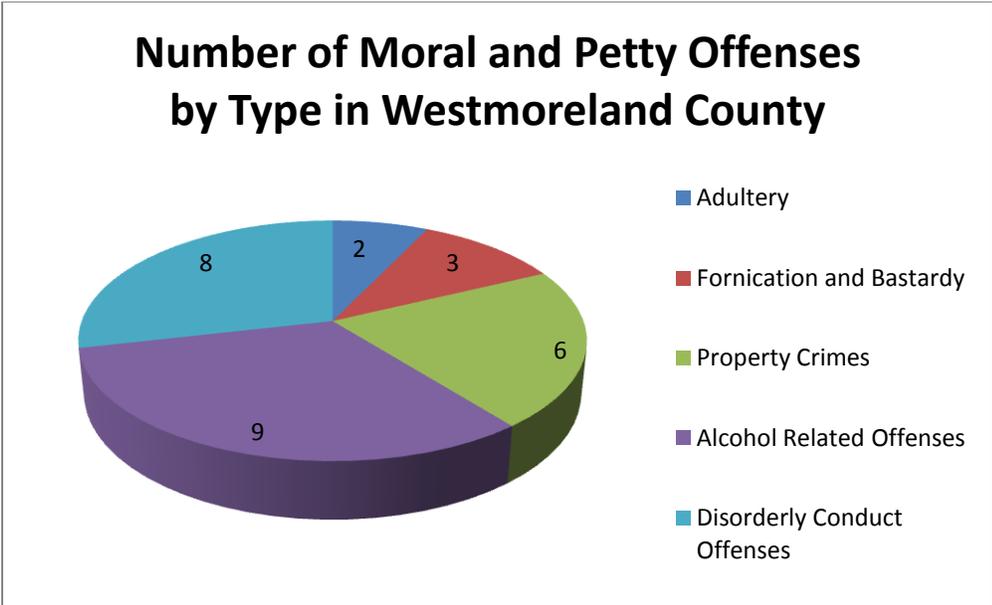


Percentage of total Crime in

Washington County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 46.3 | 25.1 | 28.6 |

WESTMORELAND



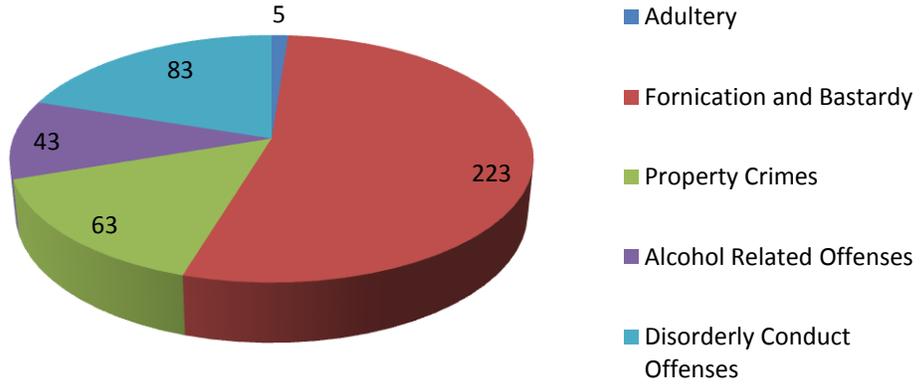
Percentage of total Crime in

Westmoreland County

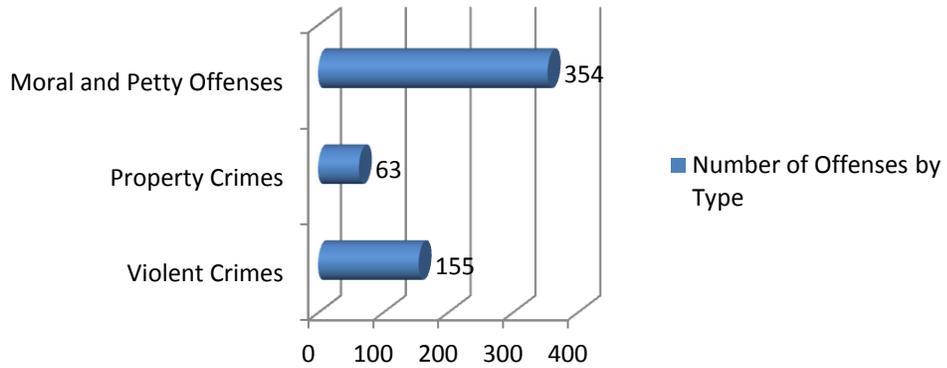
| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 40.7 | 11.1 | 48.1 |

YORK

Number of Moral and Petty Offenses by Type in York County



Number of Offenses by Type in York County



Percentage of total Crime in

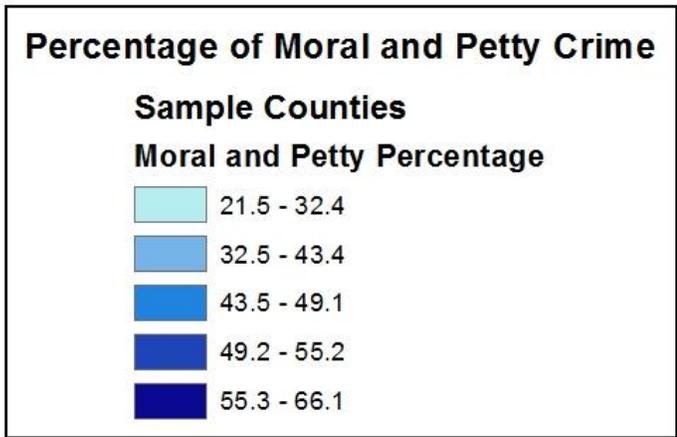
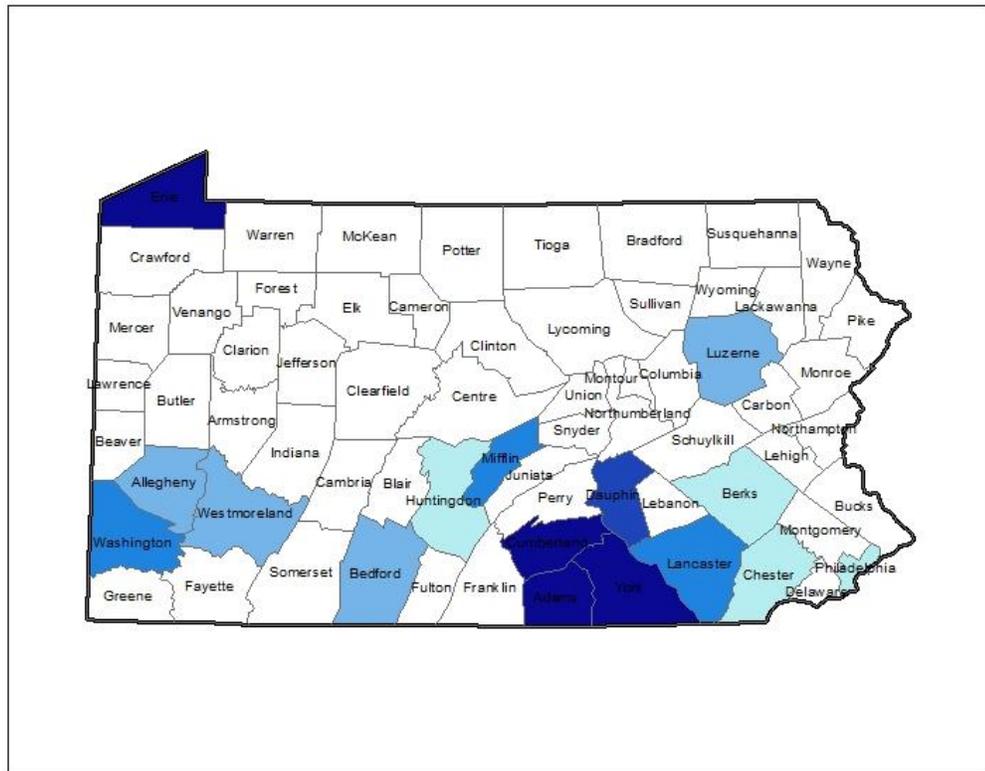
York County

| Moral/Petty | Property | Violent |
|-------------|----------|---------|
| 61.9 | 11 | 27.1 |

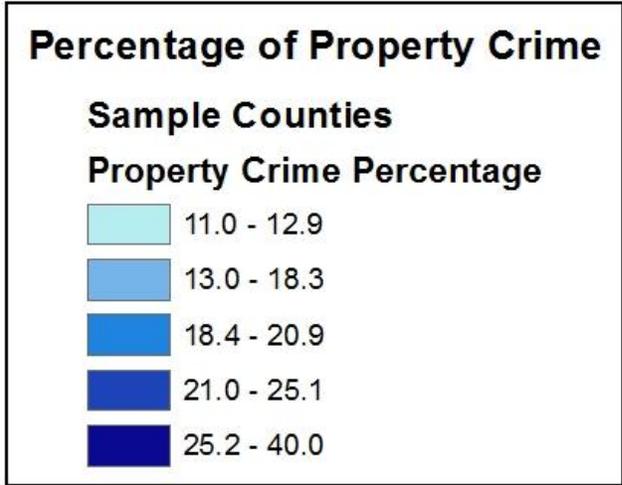
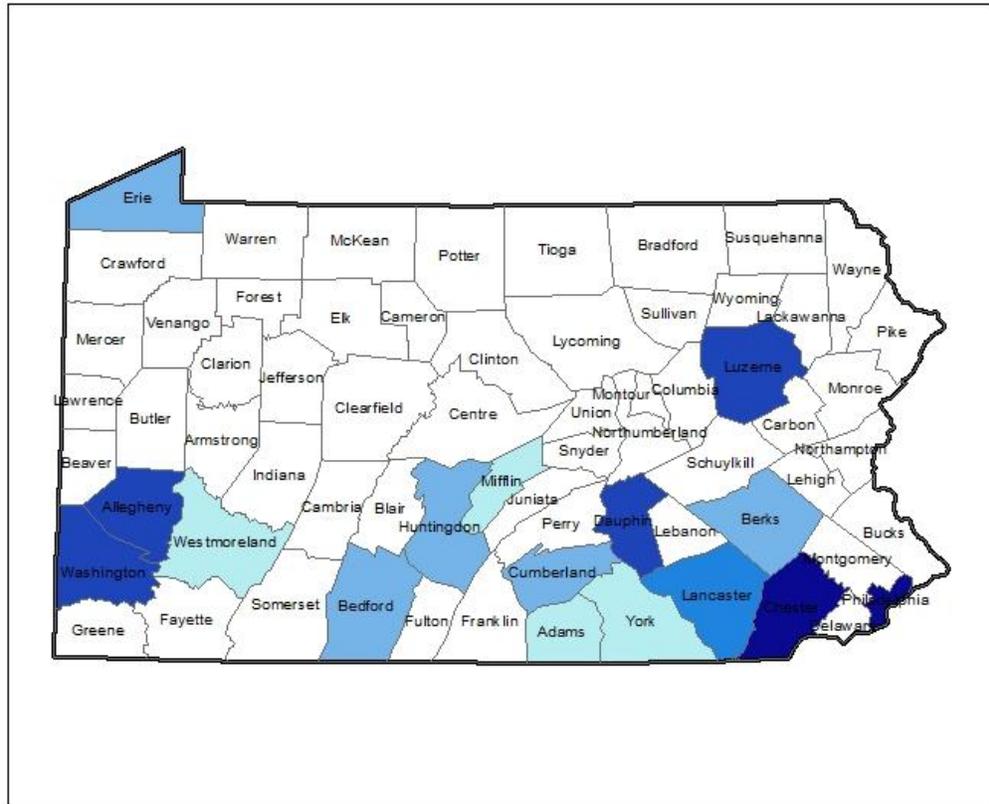
APPENDIX B

MAPS OF CRIME BREAKDOWN

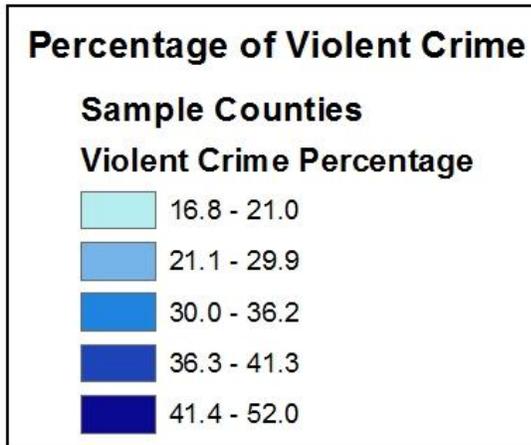
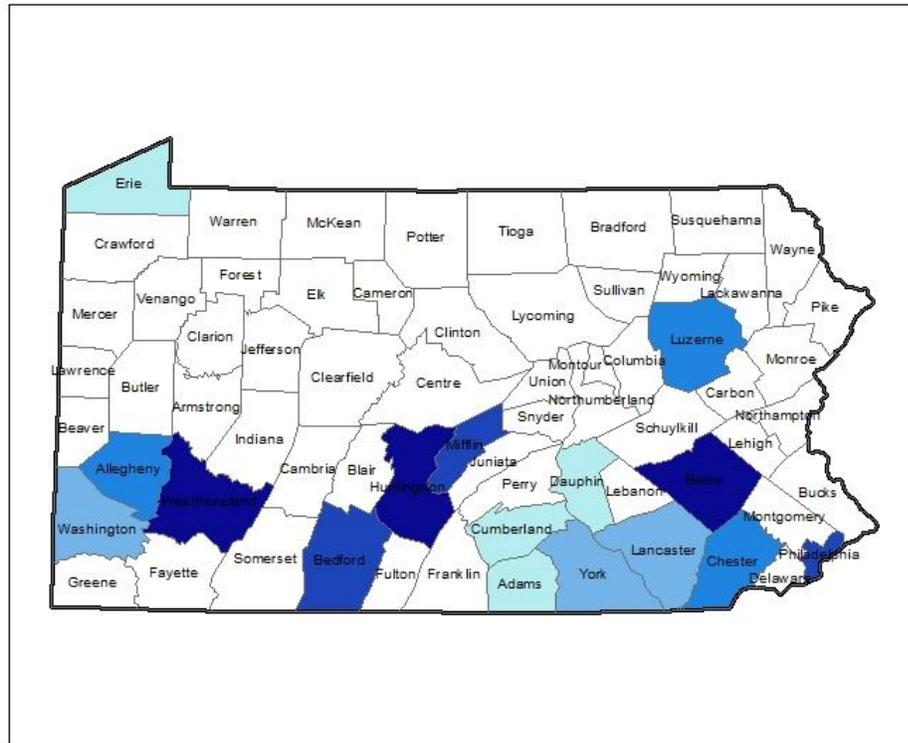
Moral and Petty Crime in Pennsylvania, 1820-1860



Property Crime in Pennsylvania, 1820-1860



Violent Crime in Pennsylvania, 1820-1860



APPENDIX C

CRIME RATES BY COUNTY

Female Average Moral Offenses Rate per Decade per 10,000 people¹

| County | 1820s | 1830s | 1840s | 1850s |
|---------------------------|-------|-------|-------|-------|
| Adams | 3.3 | 1.6 | 1.3 | .07 |
| Allegheny ² | - | - | 2.8 | - |
| Bedford | 1.7 | .30 | .78 | .74 |
| Berks ³ | .08 | .07 | .26 | .51 |
| Chester | .73 | .22 | .16 | .51 |
| Cumberland | 6.4 | 4.5 | 5.1 | 3.8 |
| Dauphin | 5.0 | 2.2 | 1.7 | 6.6 |
| Erie ⁴ | .23 | .52 | .41 | .46 |
| Huntingdon | .53 | .47 | .90 | .54 |
| Lancaster ⁵ | .72 | .70 | .29 | 2.6 |
| Luzerne ⁶ | 1.3 | .36 | - | .69 |
| Mifflin | 1.3 | 2.5 | 2.2 | 2.6 |
| Philadelphia ⁷ | 1.6 | 2.3 | 3.1 | 3.6 |
| Washington | .74 | 1.0 | 1.6 | 2.5 |
| Westmoreland ⁸ | .56 | .25 | .75 | .38 |
| York | 6.8 | 4.7 | 2.4 | 1.1 |

¹ Calculated by (# of moral crimes in decade/ # of years represented in decade)/average population from census for decade.

² Only had dockets from 1841 to 1847, so I only calculated 1840s rate

³ Used Oyer and Terminer and Quarter Session Dockets, 1820-1860

⁴ Dockets only available from 1823-1860

⁵ Dockets available from 1827-1860. For 1820s, I estimated the 1825 population by averaging 1820 and 1830 records, then used the 1825 value and averaged that with the 1830 population.

⁶ Same years as Lancaster County (see note above), and missing 1840s

⁷ Because of sampling every five years, the rates calculated are for 1820, 1830, etc. only. The odd years, 1825, 1835, etc. are calculated as follows. Rate for 1825 = 2.0, 1835 = 1.9, 1845 = 3.5, 1855 = 5.3, 1860 = 5.6.

⁸ Dockets available from 1824-1842, 1858-1860. To find the average population for the part of the decade, I calculated as follows. For the 1820s: ((average of population of 1820 and 1830)averaged with 1830 population). For the 1840s: ((average of 1840 and 1850)average with 1840). For the 1850s ((average of 1850 and 1860) averaged with 1860).

Female Average Property Crime Rate per Decade per 10,000 people⁹

| County | 1820s | 1830s | 1840s | 1850s |
|----------------------------|-------|-------|-------|-------|
| Adams | .3 | .9 | .24 | 1.1 |
| Allegheny ¹⁰ | - | - | 1.5 | - |
| Bedford | 1.1 | - | .24 | .33 |
| Berks ¹¹ | .04 | .07 | .03 | .33 |
| Chester | .47 | .67 | .52 | .71 |
| Cumberland | 1.8 | .87 | .85 | 1.3 |
| Dauphin | 1.8 | .44 | 1.3 | 2.7 |
| Erie ¹² | - | .26 | .06 | .14 |
| Huntingdon | .27 | .54 | .07 | .31 |
| Lancaster ¹³ | .54 | .30 | .07 | 1.2 |
| Luzerne ¹⁴ | .55 | .30 | .04 | .49 |
| Mifflin | .34 | .37 | 1.0 | .52 |
| Philadelphia ¹⁵ | 3.2 | 8.4 | 8.6 | 5.4 |
| Washington | 1.6 | .62 | .56 | .43 |
| Westmoreland ¹⁶ | - | .19 | - | .38 |
| York | .59 | .98 | .42 | .32 |

⁹ Calculated by (# of property crimes in decade/ # of years represented in decade)/average population from census for decade.

¹⁰ Only had dockets from 1841 to 1847, so I only calculated 1840s rate

¹¹ Used Oyer and Terminer and Quarter Session Dockets, 1820-1860

¹² Dockets only available from 1823-1860

¹³ Dockets available from 1827-1860. For 1820s, I estimated the 1825 population by averaging 1820 and 1830 records, then used the 1825 value and averaged that with the 1830 population.

¹⁴ Same years as Lancaster County (see note above), and missing 1840s

¹⁵ Because of sampling every five years, the rates calculated are for 1820, 1830, etc. only. The odd years, 1825, 1835, etc. are calculated as follows. Rate for 1825 = 6.3, 1835 = 2.9, 1845 = 5.3, 1855 = 9.0, 1860 = 10.0.

¹⁶ Dockets available from 1824-1842, 1858-1860. To find the average population for the part of the decade, I calculated as follows. For the 1820s: ((average of population of 1820 and 1830)averaged with 1830 population). For the 1840s: ((average of 1840 and 1850)average with 1840). For the 1850s ((average of 1850 and 1860) averaged with 1860).

Female Average Violent Crime Rate per Decade per 10,000 people¹⁷

| County | 1820s | 1830s | 1840s | 1850s |
|----------------------------|-------|-------|-------|-------|
| Adams | .69 | .09 | .72 | .58 |
| Allegheny ¹⁸ | - | - | 2.0 | - |
| Bedford | .82 | - | .78 | 1.3 |
| Berks ¹⁹ | .12 | .13 | .25 | .91 |
| Chester | .46 | .63 | .35 | .25 |
| Cumberland | 1.9 | .93 | .66 | 1.3 |
| Dauphin | 1.7 | .58 | 1.1 | 1.9 |
| Erie ²⁰ | - | - | - | .18 |
| Huntingdon | 1.9 | .74 | .41 | .77 |
| Lancaster ²¹ | .27 | .15 | .21 | 1.5 |
| Luzerne ²² | .27 | .53 | - | .51 |
| Mifflin | 2.4 | 1.6 | 2.1 | .64 |
| Philadelphia ²³ | 1.6 | 5.1 | 5.0 | 5.7 |
| Washington | .83 | .43 | 1.1 | .99 |
| Westmoreland ²⁴ | .93 | .44 | .30 | .76 |
| York | 1.2 | 1.8 | 1.1 | 1.2 |

¹⁷ Calculated by (# of violent crimes in decade/ # of years represented in decade)/average female population from census for decade.

¹⁸ Only had dockets from 1841 to 1847, so I only calculated 1840s rate

¹⁹ Used Oyer and Terminer and Quarter Session Dockets, 1820-1860

²⁰ Dockets only available from 1823-1860

²¹ Dockets available from 1827-1860. For 1820s, I estimated the 1825 population by averaging 1820 and 1830 records, then used the 1825 value and averaged that with the 1830 population.

²² Same years as Lancaster County (see note above), and missing 1840s

²³ Because of sampling every five years, the rates calculated are for 1820, 1830, etc. only. The odd years, 1825, 1835, etc. are calculated as follows. Rate for 1825 = 2.9, 1835 = 2.5, 1845 = 4.2, 1855 = 8.5, 1860 = 11.0.

²⁴ Dockets available from 1824-1842, 1858-1860. To find the average population for the part of the decade, I calculated as follows. For the 1820s: ((average of population of 1820 and 1830)averaged with 1830 population). For the 1840s: ((average of 1840 and 1850)average with 1840). For the 1850s ((average of 1850 and 1860) averaged with 1860).

APPENDIX D

EASTERN STATE PENITENTIARY FEMALE DEMOGRAPHICS (Collated from Convict Reception Records and “Descriptive Registers, 1829-1903”)

| Age at time of incarceration | Number | % of all women |
|-------------------------------------|--------|----------------|
| 13-19 | 53 | 23% |
| 20-29 | 128 | 55.6% |
| 30-39 | 31 | 13.4% |
| 40-49 | 15 | 6.5% |
| 50-59 | 1 | .4% |
| 60+ | 2 | .9% |

| Place of nativity | Number | % of all women |
|--------------------------|--------|----------------|
| Pennsylvania | 90 | 39.1 |
| Northern US | 72 | 31.3 |
| Southern US | 10 | 4.3 |
| Germany | 18 | 7.8 |
| Ireland | 21 | 9.1 |
| England | 6 | 2.6 |
| Scotland | 4 | 1.7 |
| Canada | 3 | 1.3 |
| Holland | 2 | .9 |
| Wales | 1 | .4 |
| Jamaica | 1 | .4 |
| France | 1 | .4 |
| none listed | 1 | .4 |

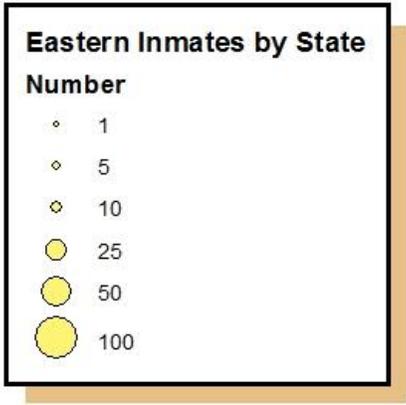
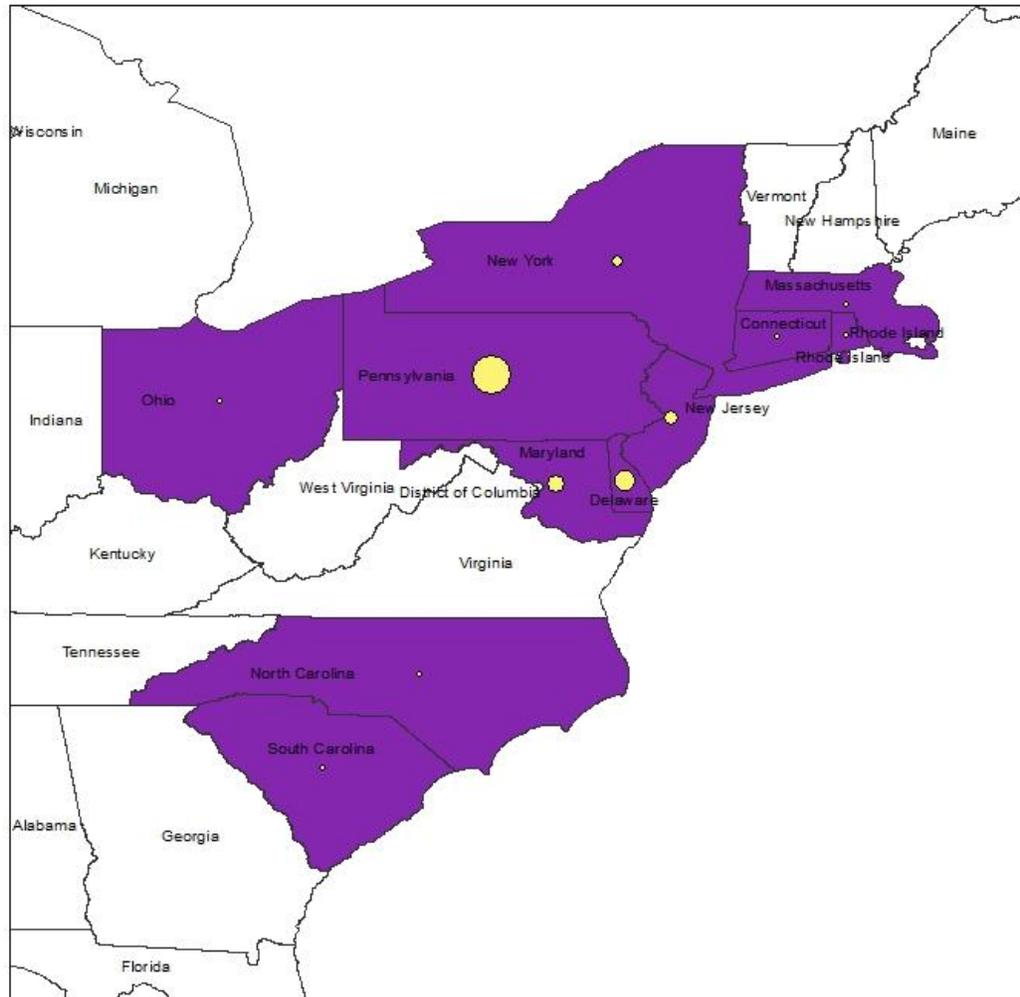
| Race | Number | Percentage |
|----------------------|--------|------------|
| African American | 127 | 55.2 |
| Non African American | 103 | 44.8 |

| Race Listed | Number | Percentage |
|--------------------|--------|------------|
| Black | 50 | 21.7 |
| Dark | 19 | 8.2 |
| Dark Mulatto | 4 | 1.7 |
| Mulatto | 40 | 17.3 |
| Light Mulatto | 11 | 4.7 |
| Brown | 1 | .4 |
| Light | 59 | 25.7 |
| Fair | 6 | 2.6 |
| Swarthy | 14 | 6.1 |
| Florid | 9 | 3.9 |
| Sanguine | 6 | 2.6 |
| Sallow | 1 | .4 |
| Sambo | 2 | .9 |
| Light Sandy | 1 | .4 |
| Sandy | 2 | .9 |
| Indian | 1 | .1 |
| None Listed | 4 | 1.7 |

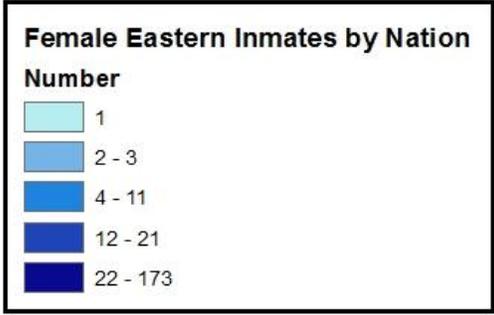
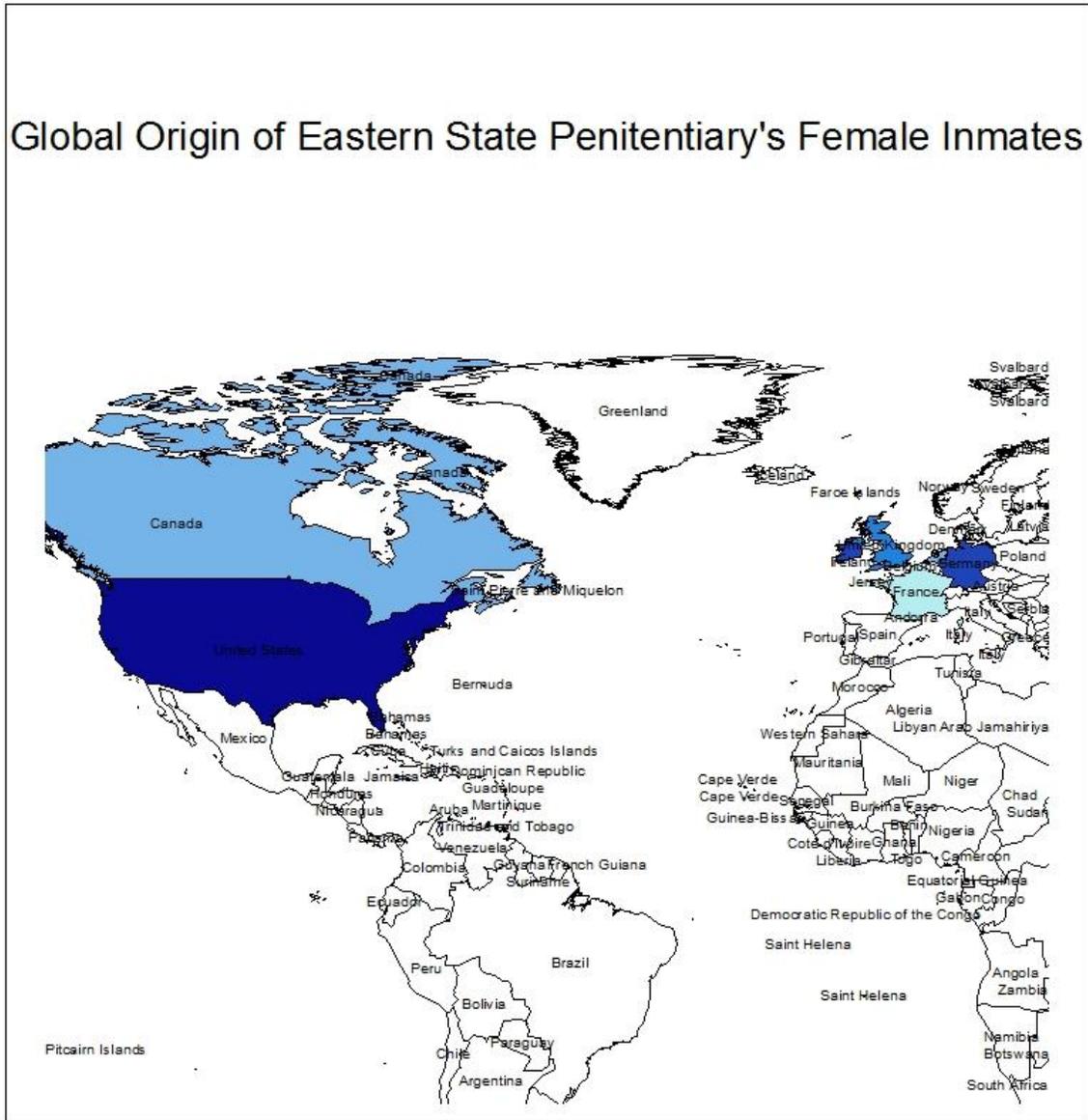
| Occupation | Number | Percentage |
|--------------------|--------|------------|
| Servant | 104 | 45.2 |
| None Listed | 49 | 21.3 |
| Washerwoman | 6 | 2.6 |
| Shoebinder | 2 | .9 |
| Pedlar | 2 | .9 |
| Seamstress | 22 | 9.6 |
| Weaver | 2 | .9 |
| Nurse | 3 | 1.3 |
| Huckster | 1 | .4 |
| Cook | 8 | 3.5 |
| Dressmaker | 14 | 6.1 |
| Bobbin winder | 1 | .4 |
| Housewife | 8 | 3.5 |
| Factory Girl | 1 | .4 |
| Bawdy House Keeper | 1 | .4 |
| Shopkeeper | 2 | .9 |
| Flax Spinner | 1 | .4 |
| Midwife | 1 | .4 |
| Umbrella Maker | 1 | .4 |
| Silk Weaver | 1 | .4 |

| Crime | Number | Percentage |
|---------------------------------|---------------|-------------------|
| Manslaughter | 9 | 3.9 |
| Burglary | 5 | 2.2 |
| Robbery | 11 | 4.8 |
| Larceny | 149 | 64.8 |
| Assault and Battery | 7 | 3.0 |
| Conceal. Death of Bastard Child | 3 | 1.3 |
| Arson | 7 | 3.0 |
| Receiving Stolen Goods | 5 | 2.2 |
| Perjury | 1 | .4 |
| Passing Counterfeit Money | 5 | 2.2 |
| Misdemeanor | 1 | .4 |
| Bawdy House | 12 | 5.2 |
| Conspiracy | 4 | 1.7 |
| Murder (2 nd Degree) | 5 | 2.2 |
| Bigamy | 2 | .9 |
| Mayhem | 2 | .9 |
| Kidnapping | 1 | .4 |
| None | 1 | .4 |

Origin of Eastern State Penitentiary Inmates



Global Origin of Eastern State Penitentiary's Female Inmates



APPENDIX E

WESTERN STATE PENITENTIARY FEMALE DEMOGRAPHICS
From the “Descriptive Register”

| Age at time of incarceration | Number | % of all women |
|-------------------------------------|--------|----------------|
| 14-19 | 27 | 31.8 |
| 20-29 | 44 | 51.8 |
| 30-39 | 5 | 5.9 |
| 40-49 | 7 | 8.2 |
| 50-59 | 1 | 1.2 |
| unlisted | 1 | 1.2 |

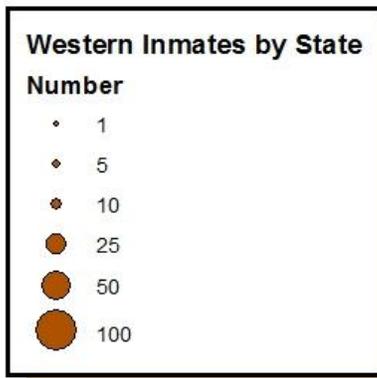
| Place of Nativity | Number | Percentage |
|--------------------------|--------|------------|
| Pennsylvania | 58 | 68.2 |
| Northern US | 14 | 16.4 |
| Southern US | 5 | 5.9 |
| Germany | 5 | 5.9 |
| Ireland | 3 | 3.5 |

| Race | Number | Percentage |
|-------------|--------|------------|
| Black | 21 | 24.7 |
| Dark | 16 | 18.8 |
| Brown | 4 | 4.7 |
| Dark Yellow | 2 | 2.4 |
| Yellow | 18 | 21.2 |
| Fair | 16 | 18.8 |
| Light | 3 | 3.5 |
| Sallow | 2 | 2.4 |
| Swarthy | 1 | 1.2 |
| Unlisted | 2 | 2.4 |

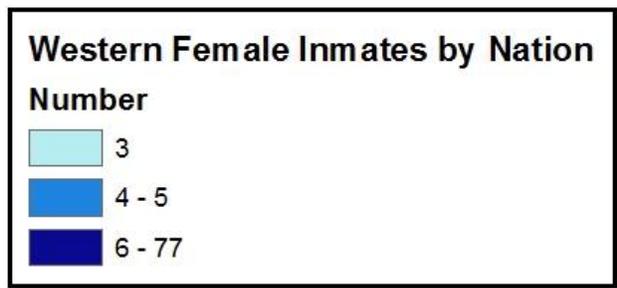
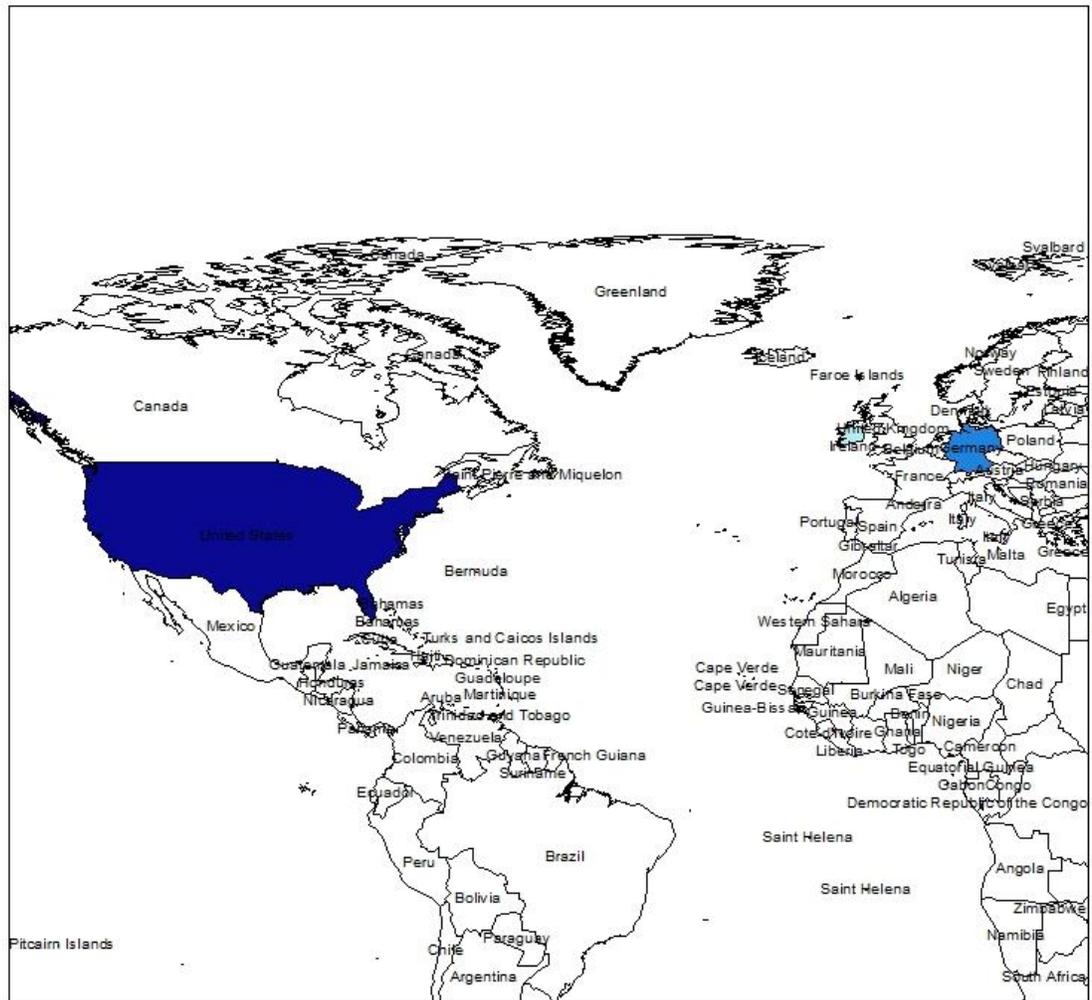
| Occupation | Number | Percentage |
|-------------------|---------------|-------------------|
| Servant | 42 | 49.4 |
| Cook | 2 | 2.4 |
| Dressmaker | 2 | 2.4 |
| Seamstress | 5 | 5.9 |
| Washerwoman | 2 | 2.4 |
| Nurse | 2 | 2.4 |
| Laborer | 1 | 1.2 |
| None Listed | 29 | 34.1 |

| Crime | Number | Percentage |
|---------------------------------|---------------|-------------------|
| Larceny | 68 | 80.0 |
| Burglary | 2 | 2.4 |
| Arson | 6 | 7.1 |
| Murder | 2 | 2.4 |
| Receiving Stolen Goods | 2 | 2.4 |
| Perjury | 2 | 2.4 |
| Conceal. Death of Bastard Child | 3 | 3.5 |

Origin of Western State Penitentiary Inmates



Global Origin of Western State Penitentiary's Female Inmates



APPENDIX F

GENDER AND RACE OF MOYAMENSING ADMISSIONS

From Pennsylvania Abolition Society Papers, Series S.10, Volume – Miscellaneous Statistics on Black Crime in Philadelphia, 1859, Historical Society of Pennsylvania

| Year | White Males | White Females | White Total | Black Males | Black Females | Black Total | Total Admissions |
|--------|-------------|---------------|-------------|-------------|---------------|-------------|------------------|
| 1835 | 70 | 10 | 80 | 53 | 23 | 76 | 156 |
| 1836 | 150 | 22 | 172 | 92 | 41 | 133 | 305 |
| 1837 | 136 | 18 | 154 | 92 | 38 | 130 | 284 |
| 1838 | 120 | 8 | 128 | 84 | 36 | 120 | 248 |
| 1839 | 99 | 15 | 114 | 105 | 41 | 146 | 260 |
| 1840 | 75 | 11 | 86 | 76 | 40 | 116 | 202 |
| 1841 | 91 | 20 | 111 | 78 | 27 | 105 | 216 |
| 1842 | 91 | 15 | 106 | 77 | 38 | 115 | 221 |
| 1843 | 92 | 10 | 102 | 59 | 13 | 72 | 174 |
| 1844 | 79 | 9 | 88 | 52 | 12 | 64 | 152 |
| 1845 | 95 | 8 | 103 | 68 | 18 | 86 | 189 |
| 1846 | 95 | 9 | 104 | 56 | 18 | 74 | 178 |
| 1847 | 86 | 11 | 97 | 58 | 20 | 78 | 175 |
| 1848 | 83 | 13 | 96 | 46 | 18 | 64 | 160 |
| 1849 | 88 | 13 | 101 | 67 | 8 | 75 | 176 |
| 1850 | 99 | 10 | 109 | 35 | 10 | 45 | 154 |
| 1851 | 157 | 20 | 177 | 54 | 15 | 69 | 246 |
| 1852 | 212 | 21 | 233 | 71 | 13 | 84 | 317 |
| 1853 | 171 | 28 | 199 | 57 | 17 | 74 | 273 |
| 1854 | 181 | 25 | 206 | 49 | 11 | 60 | 266 |
| 1855 | 133 | 23 | 156 | 53 | 20 | 73 | 229 |
| 1856 | 146 | 29 | 175 | 44 | 9 | 53 | 228 |
| 1857 | 171 | 37 | 208 | 43 | 18 | 61 | 269 |
| 1858 | 230 | 33 | 263 | 61 | 19 | 80 | 343 |
| TOTALS | 2950 | 418 | 3368 | 1530 | 523 | 2053 | 5421 |

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