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Constructing Criminalities: Gender, Labeling and Social Control in London, 1720-1760

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Constructing criminalities: gender, labeling and social control in London, 1720-1760

by

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Table of Contents

Figure 1 John Roque's Map of London (1746)

"From thence my friend conducted me to Bridewell, being Court day, to give me the diversion of seeing the lechery of some town ladies cooled by a cat-o'-nine-tails."

--Ned Ward, *The London Spy*, 1709

Introduction

On the ninth of December, 1720, Grace Cully, an apparent "town lady," was brought before the court at Bridewell Prison in London. She had been arrested on misdemeanor charges of night-walking, an ancient offense originally designed to catch curfew-breakers, but more recently aimed at potential prostitutes. Her prosecutor, likely a constable, charged that she had been "strolling about the streets" in the wee hours attempting to prostitute herself to passing men. He described her succinctly as a "lewd, idle and disorderly person." Having no one to speak in her defense, she was sentenced to be whipped, the common punishment for sexual offences, intended to chastise the body and reform immoral behavior. Cully was then released back into the teeming streets of London, with any luck, authorities hoped, having learned the error of her offensive conduct.

Grace Cully, however, was not so easily reformed. She would appear in the Bridewell Court five more times over the course of the following decade. Three months later she was again arrested and whipped for creating a disturbance when arguing loudly in the street with another "notorious" woman. In 1723, she was prosecuted for stealing a man's snuffbox and handkerchief; though the records list no details in this case, in many similar cases prostitutes were prosecuted by their clients after picking such small items from their pockets. As a known recidivist, Cully was kept in the Bridewell and put to hard labor, allowed to "eat no more than she earn." [1] Perhaps her stay left an impression, as she did not return until 1725 having raised a drunken ruckus at the home of the owner of the Bunch of

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[1] Bridewell and Bethlem Hospital Court Books [hereafter BHC] 19, fos. 468, 477.

Grapes tavern, in the seedy neighborhood near Bridewell. Twice more over the course of the next three years she entered the Bridewell, for disturbances at night and picking up a man, but after an appearance in 1728, Cully slips from the records.[2] Her disappearance from the court books may indicate that life improved for her, or that her reformation in Bridewell was successful, but this seems unlikely. As women grew older, especially during the years of childbearing, life grew more difficult and work more arduous. It may be that Cully was finally charged with a felony crime and hung or transported. Illness and death are also possible; life expectancy was short in the crowded and unsanitary slums of London.

Although the court records contained no biographical information on Cully, we can imagine what her life was like at the time of her court appearances by using information about London women of the period. That she was poor is indicated by her stints in street prostitution and petty theft. She was likely young, as prostitutes in this period were rarely older than their late twenties.[3] She may have been one of the thousands of young women who arrived in London each year looking for places as domestic servants in order to save a small dowry. Women with no friends and family to turn to in the capital city were particularly vulnerable to economic hardship. The records of her third arrest state that she had "no visible means of livelihood," suggesting that as the time she had no legal employment. However, the timing of her brushes with the law certainly suggests sporadic

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[2] BHC 20, fos 39, 100, 111, 176.
[3] Tony Henderson, *Disorderly Women in Eighteenth Century London: Prostitution and Control in the Metropolis, 1730-1830* (London, 1999), 22-27. See also Randolph Trumbach, *Sex and the Gender Revolution, Vol. One: Heterosexuality and the Third Gender in Enlightenment (Chicago,* 1998), 117.

employment, punctuated by periods in which she was jobless, and turned to theft or prostitution to get by. As a young woman, she may have been a domestic servant or done needle work; these were the most common jobs for women like Cully, all together employing nearly half of London's young women. Both careers were notoriously ill-paid and transitory. Desperate young women from these trades were often obliged to delve into occasional prostitution to survive. [4]

In any case, by necessity or chance, Cully was a tough woman to reform. Though her sentences and labels seem harsh compared to her petty offenses, they reveal the concerns of civic officials. To London's leaders, uncontrolled women like her were a threat to the stability of the entire community. They undermined social and gender roles necessary to an orderly society with their overtly sexual and public behavior. They threatened the wealth of men and their families by luring them into sinful and illegal activities. Not every person who appeared before the Bridewell court was labeled as explicitly as Cully, but women who committed sexual crimes nearly always were. To city authorities, Cully was not just a poverty-stricken young woman, but a "notorious," "lewd, idle and disorderly person" "known to be a common nightwalker."[5] Her recidivism only confirmed fears that immoral women like her who had long walked the slippery slope of crime would not reform, but continue their criminal careers all the way to the gallows at the end of the line. Placed in historical context Cully becomes representative of the experiences of thousands of similar London women who became objects of concern

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[4] Tanya Evans, *Unfortunate Objects: Lone Mothers in Eighteenth Century* (Basingstoke, 2005), 29-30; Henderson, *Disorderly Women*, 44.
[5] BHC 19, fo. 477; 20, fos. 39, 111.

for male authorities. In this study, we will investigate the social conditions and problems of eighteenth century London that led to fears about women like Cully and attempts to control them.

The purpose of this study is to explore the meanings, significance and reasons for labeling inmates of the Bridewell prison, especially as it relates to the social control of women. I explore this issue in four sections. The first section deals with the development of London, both physically and culturally, into the eighteenth century. London's rapid development in the previous centuries had serious consequences for social control in the capital. The growing population, and especially the increasing majority of independent women in the city, concerned civic authorities, who constructed new methods of dealing with delinquency, and especially with perceived female immorality and criminality. The ideologies of city officials are examined, as are the lifestyles of the working poor that often crossed the line of acceptable to criminal behavior.

The second section deals with social control in the capital and the central place of Bridewell in this program. Bridewell was one of the city's most flexible and useful tools in the fight against criminality and the immorality authorities believed led to crime in London. As a part of the capital's reliance on summary justice, Bridewell made prosecution of petty criminals cheap and convenient for officials and citizens alike. Bridewell was not simply a prison but an institution of social transformation. Offenders were not merely incarcerated, but reformed through a regime of physical correction to chastise the body, hard labor to instill a

work ethic, and moral teaching from Bridewell's chaplain. The object of Bridewell, we shall see, was not to punish but to redeem London's unruly poor. This social agenda was essential to choice and application of labels.

The third section details the numbers of labels in the Bridewell Court Books, my main source, which survive intact for the entire period. I will review what labels were used, when they were used and which labels were applied to men and for women. Trends are an important part of the labeling process. Although there are few long term patterns in the labeling process, some significant short term patterns appear which have important implications for understanding the meanings and significance of labels chosen for either sex.

In the final section, the meanings and significance of labels applied to both men and women are explored. Authorities chose labels selectively to classify offenders based on their information and conception of individual cases. In many instances, the choice of label reflects the ideologies of magistrates about the London poor, and especially women. We will see that labels not only identify delinquent traits, but emphasize, and in some cases, recast the crime in such a way as to gender the crime itself. Thus female pickpockets are labeled prostitutes, while male pickpockets are simply referred to by their crime. The labeling of female crime in particular reveals officials' concerns with female mobility and unrestrained sexuality in the capital. By exploring the use of labels we can see how authorities in London hoped to construct criminality in a way that met their own social goals and reform efforts for the disorderly.
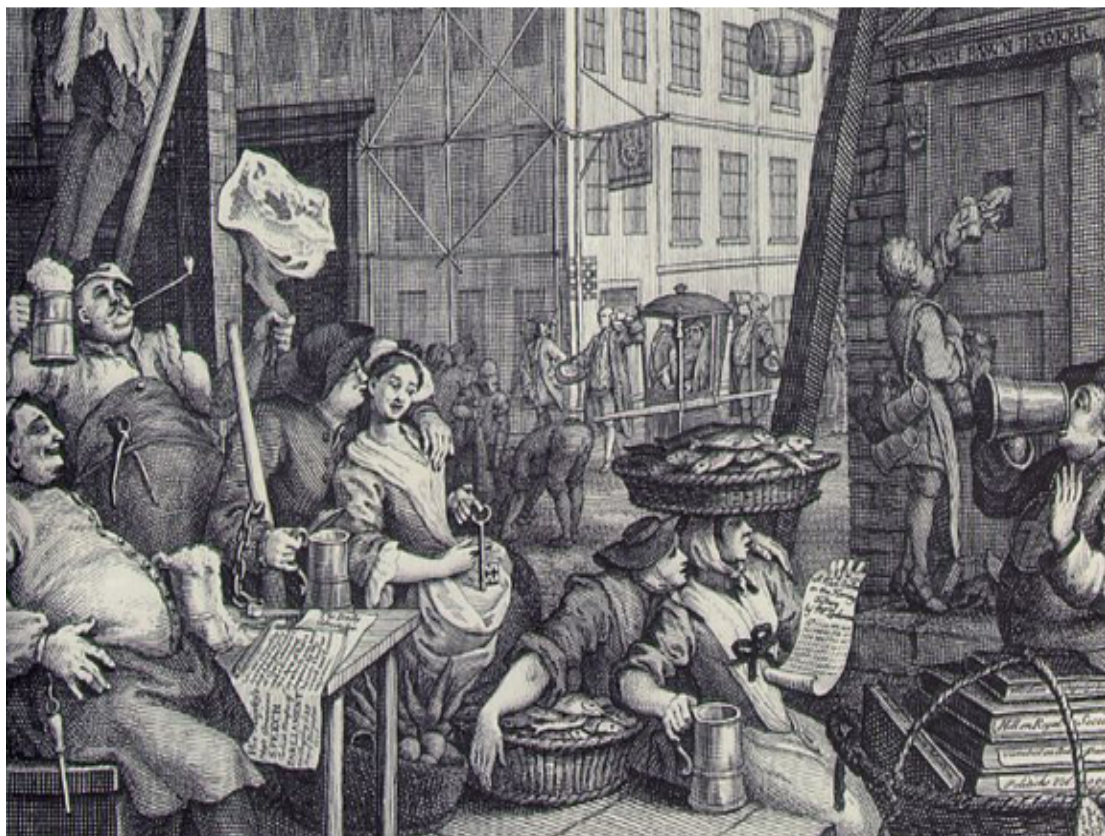
Figure 2 Hogarth's Beer Street (1751)

1 – Grace Cully's London

Grace Cully's London was a city of contradictions; old methods of social organization strained to stay relevant in the face of modern developments, wealthy new houses overlooked dingy tenements, emerging professions like investment banking prospered while traditional routes to social mobility stagnated. The rapid growth of the previous two centuries turned London into Europe's most prosperous and wealthy city, while creating desperate poverty and social disorganization. Contrasting levels of wealth and opportunity were apparent at street level. The streets of London were its face to the world, and keeping the streets and those on them orderly and efficient was essential to civic administrators. Londoners of all walks of life interacted on streets in different parts of the city and in so doing reflected the wealth and progress, or poverty and decline, of their inhabitants.

The profusion of contemporary texts about London, such as maps and guidebooks, revealed concerns about controlling and making sense of the ever-growing city. Each advertised a complete view of the growing town, but none could wholly succeed, as London was always changing and in constant motion.[6] The city was made up of 26 wards which themselves contained more than 200 precincts. Traveling from one part of the city to another was arduous, as Jonathan Swift attested in 1736, saying that the town has "grown to such an enormous size, that above half a day must be spent in the streets going from one place to another."

[6] Cytnhia Wall, "'At Shakespear's Head, over against Catherine-Street in the Strand:' forms of address in London Streets," in Tim Hitchcock and Heather Shore, eds. *The Streets of London: From the Great Fire to the Great Stink* (London, 2003), 13.
[8] [7]Leonard Schwartz, "London 1700-1840." in Peter Clark, ed., *The Cambridge Urban History of Britain, Vol. 2* (Cambridge, 2000), 645.

Although most Londoners were familiar with the general topography of the capital, their own neighborhoods were the primary focus of everyday life. Different parts of town were associated with different professions and classes of people: in 1712, Joseph Addison wrote that he considered the "great city...an aggregate of various nations distinguished from each other by their various customs, manners and interests."[7] The city, with its bustle of pedestrians, rushing carriages, variety of professions and people, and maze of streets and alleyways, simply defied attempts at control and definition. Such efforts manifested themselves in movements to improve the city such as night lighting, widening passage in the streets and relegating pedestrians to sidewalks, and, above all, keeping the streets clear of refuse, both inanimate and human.[8] To London's authorities, the streets should reflect the grandeur and elegance of the center of an empire and world trading hub. However, the poverty of the city was as visible as its wealth, a recurring reminder of the downside of rapid growth in Europe's largest city.

Let us venture onto the streets as Grace Cully might have experienced them. One would first be struck by the profusion of sights in the city: buildings of all materials and sizes, houses both elegant and humble, street level businesses displaying their wares through shiny new plate windows, and, everywhere, people. Streetlamps made the town glow, "as though it were illuminated for some

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[8] John Marriott, "The spatiality of the poor in eighteenth-century London," in Hitchcock and Shore, *Streets of London*, 122.

festivity." [9] But the streets could be filthy and hectic as well. Sidewalk pavements were a recent improvement and found mainly in wealthy areas. Carriages, the preferred transport of the wealthy and upper middle classes who wished to avoid contact with hoi polloi, clattered in "an unending stream" down the middle of the streets. People crowded the streets: porters hurrying to deliver their goods, children sweeping the streets before pedestrians for coins, stray animals looking for a meal, pickpockets on the hunt for crowds to hide in while sizing up victims, people looking for employment, running errands, shopping, or simply observing the chaotic bustling of their fellows.

The sounds of London were as impressive as the sights, a din of voices and noise that must have been overwhelming. Street vendors hawked their wares with loud calls, from pamphlet and ballad vendors to the infamously loud and quarrelsome fishwives. [10] Beggars cried for alms and crowded gates, blocking traffic and offending the well-to-do with their infirmities and odors. [11] Prostitutes teased and tempted passersby, plucking at coat sleeves and, as Defoe complained, "[making] insolent demands of wine and treats." [12] Ballad singers rattling tambourines, grinding organs or sawing at fiddles belted out popular airs. Over all, the cacophony of bells chimed the time from each of London's 109 parish churches.

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[9] Robert B. Shoemaker. *The London Mob: Violence and Disorder in Eighteenth Century England*. (London, 2004), 1.
[10] Ibid, 246.
[11] Ibid, 2.
[12] Ibid, 3.

Equal to the sights and sounds of the city were the smells. The city was clouded with coal smoke, coating the streets in soot and choking fumes.[13] In poorer areas of the city open sewers still ran down the middle of the road, afloat with human and animal waste.[14] These were colorfully described in Swift's "Description of a City Shower:" "sweepings from butcher's stall, dung, guts and blood, drowned puppies, stinking sprats, all drenched in mud, dead cats and turnip tops come tumbling down the flood." The decaying aroma of dung heaps outside the city, trash heaps within the city, and open common graves mingled the odor of unwashed bodies. And everywhere unwary pedestrians risked getting drenched as maids and housewives tipped the contents of chamber pots out of upper windows onto the streets below.[15]

Despite the clamor and filth, the streets could be a place of pleasure as much as business for all types of Londoners. Children and adults, having no more convenient place to make use of, played games and sports in the streets. Unscrupulous entrepreneurs pushed wheelbarrows filled with dice and other (illegal) gaming supplies, attracting gamblers. Civic processions entertained the high and low with pomp and pageantry, highlighting the traditions and importance of the city. Gallows processions attracted mobs, pickpockets and vendors of food, drinks and confessional pamphlets that outlined the condemned person's life and downfall. The simplest entertainment for Londoners of all classes was walking. On

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[13] Peter Earle, *A City Full of People: Men and Women of London, 1650-1750* (London, 1994), 6.
[13] Dorothy George, *London Life in the Eighteenth Century* (New York, 1925), 67, 73.

[15] Earle, *City Full of People*, 5, 7; George, *London Life*, 106.

the outer reaches of the city could be found public gardens, where the wealthy and poor alike spent Sundays strolling and gawking at each other while in their finest clothes.

As we can imagine from the hodge-podge hustle and bustle of the city, nothing had influenced life in eighteenth century London more than the population explosion. London's rapid growth in the sixteenth and seventeenth centuries had produced numerous problems for city administrators, who strained to keep up with the poverty, overcrowding and crime. From a population of 200,000 in 1600, the city grew to over half a million by 1700, and continued to grow to nearly a million by 1800. At the turn of the eighteenth century, one out of every ten people in England was a Londoner. Women were a large percentage of these, having surpassed the male population of the city by 1695, and continued to constitute a majority of Londoners throughout the eighteenth century. [16]

There are a number of causes for London's dramatic expansion: agricultural innovation, the growth of overseas trade, the decline of rural economic opportunity, and the centralization of government. Many wealthy and elite people resided for part of the year in London as part of the royal court or Parliament. Some were drawn to new economic opportunities for investment and to further professional careers. London was also a magnet for professionals. By the end of the eighteenth century, one third of the nation's lawyers and doctors resided within

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[16] Tim Meldrum, *Domestic Service and Gender, 1660-1750: Life and Work in the London Household* London:, 2000), 12.

the city, not to mention the large numbers of investors, bankers and merchants who made the capital their home.[17] The poor flocked to London to find work. The decline of the medieval agrarian society had unsettled many rural agricultural workers: crop failures, rising food and rent prices and enclosure were only some factors in the exodus from the countryside. As less labor-intensive methods of farming took hold, wage laborers and small farmers found it increasingly difficult to find work or make a living.[18] Multitudes of displaced rural workers took to the road to seek opportunities that cities such as London were said to offer. Those who were not absorbed into the workforce joined the city's poor, depending on parish charity, petty crime or prostitution to get by.[19]

Until at least the 1780s, London's death rate outnumbered its births; the city depended on migrants not only for growth but to maintain its population. Immigrants tended to settle within groups of their own ethnicity or regional origin within the capital. There they would find the support of family or acquaintances to assist with their transition into city life. For the mobile poor, however, putting down roots could be difficult. The poor laws did little to assist immigrants to the capital. They were needed to fuel the capital's industries, but could rarely establish residency in parishes under the old poor laws. Without residency, women and men who became ill or unemployed were extremely vulnerable to criminal

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[18] Schwartz, 'London', 649.

[19] A.L. Beier and Roger Finlay, 'The significance of the metropolis', in Beier and Finlay eds. *London, 1500-1700: The Making of a Metropolis* (London, (1986) 18.

behavior, as they had no access to parish poor benefits. The similarity of rates of rent throughout the city made mobility easy. The poor, not surprisingly, were the most mobile group in London, though they only tended to move a few blocks at a time. The working class made up three quarters of the eighteenth century population of the city.[20]

Faced with the threat to systems of poor relief and civic order that immigrants presented, city magistrates of the sixteenth and seventeenth centuries were understandably obsessed with controlling and containing immigration and its effects. Civic and royal administrators saw the casual laboring poor as an affront to the culture of "sobriety, thrift, hard work and respectability" that they embraced.[21] Metropolitan stability, as authorities saw it, was based on the parish system, investment in one location, establishing a permanent residence and good relations with one's neighbors. The large influx of workers from the countryside undermined this system as servants and laborers changed their jobs and places of residency with unprecedented frequency. Migrants also overwhelmed London's guild system, which had regulated work life in the city for centuries and were crucial to social mobility. The social consequences of potentially disruptive and unhappy masses of unemployed and unsettled Londoners haunted authorities. Vagrancy and poverty were on the rise, and officials feared that theft and unrest would follow. Official views held that vagrants brought diseases to cities and spread dangerous, even seditious, rumors.

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[20] Schwartz, "London," 650-62; Marriott, "Spatiality of the poor," 124.
[21] Marriott, "Spatiality of the poor," 123,

In a patriarchal culture like that in early modern London, concerns about female behavior were innate. Social policies directed towards women were intended to direct and control female behavior, especially in instances when it seemed to have escaped the bonds of male authority. "Acceptable" women to on board domestic, conjugal and childcare duties; all fostered a sense of dependence on men and required submission to male authority to be performed within societal expectations. Indeed, each confined women and kept their movements and behaviors under male surveillance, in theory, at any rate. [22]

Social roles for women were clearly associated with their place inside the home, as stated over and over again in the literature of the time; "the house is the woman's center" and "domesticall business is for the woman's employment."[23] Many popular parables of the time centered on a man or woman stepping out of their proscribed social roles and spaces into the other's shoes with predictably disastrous and comical results. Should women step out of their social position and "affect mastership, seek to rule and overrule" men, the basis of society and government would be seriously undermined. Numerous tracts outlined the doom facing men who allowed their wives to rule them, and showed by example that female rule on a national scale would in turn ruin English society. While the raising of boys emphasized their independence, the upbringing of girls was ideally strict

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[22] Peter Lawson, "Patriarchy, Crime and the Courts," in Greg T. Smith, Allyson N. May and Simon Devereaux eds., *Criminal Justice in the Old World and The New* (Toronto, (1998), 18, 45.
[23] Ibid., 46.

and closely monitored. Girls should be taught to restrain themselves, be humble and obedient, especially to their male superiors. [24]

The world of men was outside the home in the public arena while that of women was confined to private, domestic duties. By keeping their women indoors, fathers and husbands could regulate their behavior, speech and sexuality.[25] However, in London, notions of female space were hindered by the lack of privacy in homes. Most middle and lower class families shared a home with other boarders. Only middle and upper class wives could stay at home, tending to house and family; plebian women were expected and obliged by economic necessity to go out and work. Unlike the London of the Victorian age, when the ideal (though rarely the reality) became a stay at home wife, women of the eighteenth century were expected to find work.[26] Although the male was the dominant economic force within the family, women's work supplemented often meager incomes.[27] It was considered of secondary concern to male work, most positions were low status and low pay. Single women found it difficult to survive on their earnings, but single women were exactly what officials in London hoped to control. Women were not meant to survive on their own, but under male control.

However, the necessities of life in London undermined traditional female gender roles. Women were everywhere on the streets. Wives spent much of their

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[24] J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford, 1986), 99; Lawson, "Patriarchy Crime and the Courts," 47, 48 & 51.

[25] Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford, 1996), 134.

[26] Earle, "Female labour market," 346.

[27] Lawson, "Patriarchy," 48.

time on the threshold of their homes, interacting with neighbors and passersby as they did piecework, housework and minded their children. Areas of common usage in the neighborhood, such as water pumps and courtyards, were social hubs for women, where they could gossip and work at the same time. The public parks outside of the city served a similar purpose; women washed and laid out their laundry while socializing with their neighbors. Daughters, servants and wives hurried along streets running errands for their homes and businesses. Many women of the lower class made their living as street sellers, buying their goods early in the morning and calling their wares throughout the streets for the rest of the day. Fishwives were perhaps the most notorious of the female street vendors, and multiple city ordinances testify to the civic authorities' concerns about their public behavior and sexuality and threats to the financial well being of the city. A mayoral order against these "lewd and wicked women" who "swarm about in all parts of the city" criticized their mobility, pricing of their wares, and, perhaps most importantly, dictated that these very public women must be the wives or widows of London citizens and above the age of thirty.[28]

Women made up a large number of migrants to the capital city. Most female migrants hoped to find work serving in a household. In addition, a persistent stereotype of the London working class as deceitful and unhealthy led employers to demand workers, especially domestic servants, from the countryside. In fact, it was customary for employers seeking maids to meet wagons as they came into the

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[28] Gowing, *Domestic Dangers*, 135-8, 142-4.

city from the country side to survey the girls and choose help from among them.[29] Female immigrants tended to be in their late teens or early twenties, with the average age of arrival in the city being 23. These young, mobile women, freshly out of male control were a great source of fear for authorities.[30] Although neighbors could be very critical of disruptive and immoral elements in their midst, they were often sympathetic and charitable towards those they felt deserving of assistance, regardless of moral mishaps. Thousands of young women came to capital every year, and it was certainly not unusual for some to become single mothers. Working class neighborhoods were generally accepting and ready to be of assistance to migrants. Places to stay, food and childcare, assistance with finding work and giving birth were only some of the ways in which neighbors and acquaintances assisted each other.[31]

Few wives worked with their husbands in our period; Peter Earle found only 26 of a sample of 256 women were employed with their husbands. Most working women, then, were responsible for their own employment. Domestic service, charring or taking in laundry, and needlework were the most common trades for working women. Nursing, hawking wares in the streets, shop keeping and food service were the next most common professions. These were also the professions of older women, who could no longer accurately thread a needle and who were rarely employed as domestic servants. Domestic service was generally limited to young women, and was typically short-term employment, with a median of 6 months to a

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[29] George, *London Life*, 110, 113.
[30] Earle, "Female labour market," 331, 345.
[31] Evans, *Unfortunate Objects*, 192-3, 201.

year of service at each place. Nursing too was a temporary position, with most women living in for the duration of their job, generally for a few months. Needlework was a diverse field, ranging in professions from dress makers to women who did piece work for shops, making buttons or gloves, for example. As one of the few professions thought decent enough for the daughters of respectable families, it was always flooded with workers, and wages were permanently depressed. Because of the low wages and strong competition, needlework was also associated with casual prostitution. Street vendors were a highly visible and mobile part of the female work force, carrying anything from fish, pastries, fruit, used clothes or water through the streets for sell.[32]

More than half of all households had a live-in servant and eighty percent of them were women, the maid-of-all work, and even a lower-class family might hire a laundress to assist with household chores. Opportunities to work as a servant drew many, if not most, of those who migrated to London from rural regions. Live-in servants were provided room, board and usually clothing. Young domestics were able save a small dowry with their earnings, which averaged 4 pounds per year, though pay varied from household to household, as did living conditions. The work of female servants was hard, long, and low-status. Turnover rates were high, which no doubt contributed to official fears of mobile women and servants. Jobs as servants were apparently easy to get; Earle's research shows that servants who changed jobs readily found other employers, and few listed in his records went for

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[32] Earle, "Female labour market," 338-41.

long without a position. Less than fifteen percent of servants stayed in one place for more than a year, compared with an average of four years of service in the seventeenth century. It is difficult to find an average period of employment for female servants, but Earle found that one year was the median figure.[33]

The mobility of female servants was decried by observers; in 1723, Defoe blasted female servants who "rove from place to place...ever unsettled and never easy." Ideally, female servants were to be an extension of the patriarchal family, under the control and direction of the man of the house. However, when women were not long under one roof, the virtues of obedience and chastity which their masters were supposed to instill were often found wanting. "Roving" female servants also raised other fears. The ability of domestics to disappear into the anonymity of the city at will made them potentially untrustworthy. Fears of thefts by servants were plentiful in this period, as authors warned that young women could "let friends and lovers or gangs of men into their masters' houses at night to rifle them." Many bills were introduced into Parliament to help masters regulate and monitor servants. Few became law, but one that did in 1713 mandated the death penalty when servants stole items worth more than 40s from their masters and mistresses. This act was specifically directed at "divers wicked and ill-disposed servants."

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[33] Earle, 124-9.

The mobility of domestic servants was risky; time out of work would soon drain a servant's savings. [34] Nearly all female professions were seasonal or temporary. Servants and seamstresses could find work more readily during London's season, when fashionable gentry took up residence in the capital. Nurses were only employed so long as their services were needed. High competition for positions, as three-quarters of the capital's women sought employment, meant that wages were consistently low. Life did not let up for old women; it was not unusual to find a woman in her seventies supporting herself through carrying wares in the streets or taking in laundry. Earle found that older women commonly relied on their own small earnings rather than depending on charity or the work of husbands for their maintenance. [35] As the century wore on, women's ability to work became even more restricted. Many fields that had been traditionally occupied by women became "professionalized" as male trades; the clothing industry, that bastion of lower middle class females, was one field which became dominated by males. The *Times* warned in 1786 that the encroachment of men into female trades "are some of the many causes to which we owe that awful excess of female prostitution." [36] Throughout the century, guilds were losing control of production, which meant that much work was farmed out as piecework to low paid women, especially in the clothing trades. These workers were employed irregularly and

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[34] Paula Humfrey, "Female Servants and Women's Criminality in Early Eighteenth Century London," in Greg T. Smith, Allyson May and Simon Devereaux eds., *Criminal Justice in the Old World and the New*, 64-73; J.M. Beattie, *Policing and Punishment in London, 1660-1750: Urban Crime and the Limits of Terror* (Oxford, 2001), 69; Trumbach, *Sex and the Gender Revolution*, 287.
[35] Earle, "Female labour market," 342 & 245.
[36] Henderson, *Disorderly Women*, 15.

were deeply vulnerable to seasonal slumps in demand and economic downturns.[37] Periods of poverty were normal in the life cycle of most women. The years of child-rearing were often difficult, as the ability of a woman to work was hindered while her expenses increased.[38] Illnesses, desertion by their husbands, and other mishaps commonly threw poor families onto the mercy of parish charity. Other women, like Grace Cully, turned to brief forays into crime to make ends meet. Petty theft and occasional prostitution were always an option for working class women.

Over the sixteenth and seventeenth centuries civic institutions were designed specifically to deal with the problems created by the population explosion. Poverty and crime went hand in hand, as officials saw it, though poverty itself was not seen as a motive for criminal activity. The poor also had their place in England's growing prominence, according to social thought of the day. They fueled England's war and industrial machine with their labor and produced children "who may hereafter be usefully employed in trade and manufacture, or supply the waste of war in our fleets and armies."[39] However, the often disorderly behavior of London's poor concerned authorities, who recognized that some poverty was out of the control of the poor themselves: injury, the death of the breadwinner, and old age were some of the criteria by which the "deserving" poor were separated from the "undeserving" poor. For those deemed to be in the latter category, poverty was a sign of moral degeneracy, the end result of laziness and indulgence. Such people would easily turn to crime to maintain their love of luxury and idleness, as

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[37] Shoemaker, *London Mob*, 14.
[38] Earle, "Female labour market," 338.
[39] Evans, *Unfortunate Objects*, 146.

officials saw it. As such, many of the strategies for dealing with the poor had a distinctly punitive tone. Transportation, drafting for service in foreign wars, and incarceration were some of the most popular methods of punishing and expelling the unruly poor.[40]

Even material realities in hard up parishes seemed designed to breed crime. Justice Henry Fielding remarked in 1751 that "Whoever consider London…with the late vast increases [in its] suburbs, the great irregularity of their buildings, the immense number of lanes, alleys, courts and bye-places, must think that had they been intended for the very purpose of concealment, they could not have been better contrived." The parishes of St. Sepulchre, Clerkenwell and St Andrew Holborn had long been particularly notorious areas of criminal activity. Many of Bridewell's most frequent "guests" had homes in these parishes.[41]

Physical conditions in poor parishes were not the only sources of disorder in the eyes of magistrates. Standards of acceptable behavior changed rapidly and pauper behavior was seen to be unruly and dangerous. In earlier periods, behaviours such as fighting or hurling accusations usually too place on the street. By the late eighteenth, however, they were more likely to occur in private places, and public behavior was expected to be more polite. Previously tolerated lower class behaviors, like courtship or drinking or street work were viewed by upper class officials with increasing distrust or labeled outright as disorderly behavior. At the same time, the middling and upper classes tended to withdraw more and more

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[40] Beier and Finlay, 'Significance of the metropolis', 19.
[41] George, *London Life*, 81-2.

from the streets, moving to spacious suburbs, demanding houses with more privacy and larger living quarters. Their physical withdrawal did not indicate a lack of concern, however, as governing classes still sought to control and reform the behavior of the city's poorer inhabitants.[42]

Figure 3 Women's Room at Bridewell

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[42] Wall, "'At Shakespear's Head,'" 7-8; Mark Jenner, "Circulation and Disorder: London's streets and hackney coaches, c.1641-1740," in Hitchcock and Shore, Streets of London, 41.

2 – Bridewell and Police

What forms did policing the streets take? As ever, civic authorities adapted old institutions to new problems, but new institutions also emphasized social concerns of the day. At a local level, the parish was the focus of social activism and control. Parish officials dealt with the problems of over-crowding, sanitation, poverty, illness and local crime.[43] Policing was an essential part of the social program. Each parish had its own watch that patrolled the streets by night. Citizens, too, could arrest miscreants, and were, in fact, expected to prosecute those who stole from them. City-wide, institutions like Bridewell Prison were used to manage and transform the delinquent behavior of the poor. In addition, Bridewell had its own beadles patrolling the city, and had been granted sweeping powers in its charter to punish and detain those deemed in need of the prison's reforming efforts.

Bridewell, which took in its first prisoners in 1555, was the first house of correction in England. It prosecuted, punished and reformed petty criminals, and was an adaptable institution, able to target different groups and behaviors as authorities saw fit. Moreover, punishment and incarceration of offenders was swift; magistrates could do away with indictments for petty criminals, which could leave the criminal at liberty for weeks and were prohibitively costly for prosecutors. Bridewell fell under summary justice; its governors could incarcerate or discharge a person as they saw fit, without the need for a Quarter Sessions referral order or a

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[43] LLee Davison, Tim Hitchccok, Tim Keirn, and Robert B. Shoemaker, 'Introduction', in Lee Davidson, et al., *Stilling the rumbling Hive: Responses to Social and Economic Problems in England, 1689*-1750 (Stroud, 1992), xxxviii.

justice's warrant. Prosecutors, too, preferred the convenience and economy of Bridewell. On carrying the accused before a magistrate, the prosecutor merely paid a shilling for a warrant for the arrest and incarceration of the defendant, a process far easier and cheaper than bringing a charge to city or Middlesex Quarter Sessions. Moreover, constables and other law officials rarely paid anything for a warrant, greatly increasing their numbers of arrests. The spread of houses of correction modeled on Bridewell (they were commonly referred to as "bridewells") throughout England in the second half of the sixteenth century and over the course of the next one attests to the influence of Bridewell. In 1610, in fact, Parliament passed legislation compelling all counties and towns to establish a house of correction.[44]

Bridewell's program encompassed most aspects of London officials' goals: punishment, discipline, and reformation. Morality and social order were intertwined in the mindset of eighteenth century authorities. Discipline and work ethic were seen as essential to the improvement of the poor. Workhouses took in both poor children who needed guidance in growing up, much like charity schools, and adults who needed reformation through hard work. As one commentator stated in 1713, "If the poor are not taken to one side of the House, when they are young, it's great odds but they will deserve to be sent to the other when they are grown up." Although life was indeed strict in institutions like Bridewell, the clothing, food

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[44] Shoemaker, *London Mob*, 167.

and medical care the poor received in them was a far cry from what a great many inmates would have had on the streets.[45]

Bridewell's history mirrors that of the city it served. Founded in the sixteenth century, at the height of efforts to control mobile vagrants, Bridewell was part of the hospital reform movement that had begun in England with the dedication of the Savoy Hospital (formerly a run-down palace) in 1505, a civic act that was heavily influenced by the great hospitals of Italy. Public concern with the condition of the poor and dangers of vagrancy led citizens to petition Henry VIII to institute hospitals as part of a civic restoration in 1538, citing the abundance of poor "lying in every street, offending every clean person with their filthy and nasty savours."[46] As a result, five hospitals were founded or re-founded in London in the 1540s and 1550s.[47] St. Bartholomew's and St Thomas' were dedicated to the ill, the aged and incapable. Bethlem, which shared a board of governors with Bridewell, for the insane, and Christ's for orphans. Bridewell was the last of the hospitals to be dedicated, by Henry's son, Edward VI. It was part hospital and part jail, but encompassed more than either. "Hospitals" of the sixteenth century and before were built to house pilgrims, lepers and the poor. Traditional jails were built to hold those pending trial, debtors, or those waiting for punishment after their trial.

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[45] Stephen Macfarlane, "Social policy and the poor in the later seventeenth century," in Beier and Finlay, London 1500-1700, 264.

[46] William G. Hinkle, *A History of Bridewell Prison, 1553-1700* (Lewiston, 2006). 7.

[47] Lee Beier, "Foucault Redux?: The Roles of Humanism, Protestantism, and an Urban Elite in Creating the London Bridewell, 1500—1560," in Louis Knapfla, ed., *Crime, Gender and Sexuality in Prosecutions* (London, 2002), 35.

[50] Joanna Innes, "Prisons for the Poor: English Bridewells, 1555-1800." In Francis Snyder and Douglas Hay, eds. *Labour, Law and Crime: A Historical Perspective* (London, 1988).

Bridewell was built specifically to detain and treat the working class poor and their "disorderly" behaviors; to "subdue the people to subjection." Bridewell was an instrument of social policy, used as a tool to bring about social reformation.[48]

In Bridewell, the idle poor and petty criminals were confined and put to work in the belief that hard work could reform degenerate paupers and criminals. The "unworthy poor" were the focus of the Bridewell mission; these included "the rioter that consumeth all; the vagabond that will abide in no place; the idle person, as dissolute women and others."[49] Inmates were to have "all things necessary" to life, food, clothing, shelter, and moral instruction.[50] However, equally necessary to the lives of inmates, as Bridewell's governors believed, was discipline in the form of physical correction and the development of a work ethic through hard labor through which the idle would be reformed in character and perhaps one day come to be contributing members of society at large.[51]

The way the founders of Bridewell constructed their mission reveals much about their vision of London and how they and others fit into it. Bridewell's governors at the time of its founding through to the eighteenth century were some of London's most influential and politically active citizens. They had an almost unlimited license to incarcerate and punish where they saw fit,[52] and they readily adapted Bridewell to the changing demands of their fight against crime and moral

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[49] Ibid., 15.
[50] Ibid, 17 . 23.
[51] Beier, "Foucault Redux," 33.
[52] Hinkle, *Bridewell*, 95.

degeneracy. From apprentices and children of more respectable tradesmen that occasionally appeared before the court, to the roving ballad singer or prostitute, policing the morality of London was the explicit purpose of Bridewell. Certain groups, considered in constant need of reforming, became especially associated with the hospital. Bridewell became synonymous with the prosecution of prostitutes; whores were commonly referred to as "Bridewell baggages" or "Bridewell birds."[53] Pickpockets, vagrants, drunks, and those who disturbed the peace were also regular targets for Bridewell's reformative and corrective regime.

Beadles had the authority to police the streets of London and its suburbs, "cleans[ing] all the same wards from beggars and other idle people."[54] Night watchmen and constables brought in neighborhood offenders, as did neighbors, trade masters and even parents. The Reformation Societies of the eighteenth century that had been established by concerned pious laymen with the backing of the city and church were especially dependant on Bridewell as a resource for keeping prostitutes and other criminals off the streets. By teaming up with magistrates and reforming constables, the societies were able to confine thousands to Bridewell. Offenders were generally held until the Bridewell court met, at which time they would be sentenced to whipping and possibly more time at hard labor, depending on the seriousness of their crime and the receptiveness of the individual

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[53] Innes, "Prisons for the poor," 42.
[54] Hinkle, *Bridewell*, 85.

to corrective efforts.[55] Meanwhile, their reformatory work began before they were officially sentenced by the court.[56]

It must be stressed that Bridewell was a prison for petty offenders. This was a period in which the "Bloody Code" extended capital punishment to more and more crimes. However, historians have shown that juries, policemen, judges or prosecutors were often lenient in their interpretation of such crimes to avoid the death penalty. Here is where Bridewell came in. The list of misdemeanors in London was great: gambling, defamation, operating a brothel, trespass, fraud, infractions of the poor law (giving birth to a bastard and refusing to give the father's name, abandonment of family by fathers), vagrancy, theft under 39 shillings, raising riots, and assault are a few of the many reasons for which offenders were incarcerated in Bridewell.[57]

Prosecuting crimes as a misdemeanor had many advantages. It must be remembered that independent citizens were expected to prosecute crimes that had been committed against them. Many prosecutors were reluctant to inflict the death penalty on a person so long as they got their goods back. Prosecution of a felony was a drawn-out business: getting to the court and taking a day or two (and sometimes more) off from work could be prohibitively difficult and expensive. In addition, felony charges were only heard at quarter sessions or assize courts, while misdemeanor charges could be punishable almost immediately under summary

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[55] Ibid, 117.
[56] Ibid, 177.
[57] Shoemaker, *London Mob*, 6.

justice.[58] Even the poor made use of Bridewell to punish their own children, spouses and neighbors.

The introduction of non-capital punishments gave magistrates flexibility to deal with criminals. For felons, transportation, which before the 1718 Transportation Act was used as a condition of pardoning, became the preferred way to deal with convicts who juries did not feel deserved death.[59] Juries and magistrates were both reluctant to impose harsh punishments on minor offenders, preferring instead to reform them if at all possible. Bridewell fit into this idea of providing "a middle punishment … betwixt hanging and acquitting…and that workhouses be set up for that purpose" (especially after legislation in 1706 allowed judges to confine convicted felons for up to two years at hard labor in houses of correction). Discipline and hard labor would be "a proper means to break [criminals] of their idle and wicked course of life."[60] Authorities were concerned not just with punishing criminal activity, but with preventing it also. Contemporaries thought that crime stemmed from immorality, and that the poor were particularly susceptible to vices like laziness, overindulgence and irreverence.[61] It was believed that criminal behavior began with minor disorderly and immoral acts, such as breaking the Sabbath, cursing or drunkenness, all moral slip ups said to be starting points on the path to full blown criminality. Such activity needed to be policed and prevented as surely as crime needed to be

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[58] Ibid, 6-7.
[59] Innes, "Prisons for the poor," 57, 69.
[60] John Beattie, "London crime and the making of the 'Bloody Code,' 1689-1718', in Davidson, et al, *Stilling the Grumbling Hive*, 56-7.
[61] Beattie, *Crime and the Courts*, 421-2.

punished. Reformers and authorities alike were concerned about the moral state of London's youth. Shaping the behaviors and attitudes of the next generation of leaders and laborers was of vital importance, even if it had to be enforced through a stay in the workhouse.[62]

Reforms in the criminal justice system dealt extensively with urban crimes like receiving stolen goods, shoplifting and burglary. As crimes against property rose after 1690, citizens and lawmakers were increasingly anxious to protect wealth. They felt, Beattie argues, that London's authorities were unequal to the task of dealing with rising crime. Beattie argues that the authorities intended the "Bloody Code" of the early eighteenth century to frighten more than to kill offenders. Increasing the range of the death penalty would, authorities believed, not only deter would-be thieves and set an example through actual hangings, but intimidate captured thieves into giving evidence about their accomplices. Even those criminals sentenced to death in the eighteenth century often received a pardon.[63] Both government and private citizens felt that disorder and crime in the capital required a firmer hand. As new problems emerged, Bridewell's mission and authority was updated to deal with them. Late seventeenth century legislation expanded Bridewell's calling beyond merely the idle and immoral to other disruptive elements: bawds, ballad singers, unlicensed hawkers, and those who had money yet no profession. Early eighteenth century legislators added other offences to the growing list including theft of colonial goods of increasing importance such

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[62] Beattie,, "London crime and the making of the 'Bloody Code'," 59-61.
[63] Ibid, 64-7.

as tobacco and dealers who did not measure coal correctly. Prostitution appears heavily in eighteenth century Bridewell records though there was no specific law against it until the nineteenth century. Property crimes also proliferated at Bridewell as they became more associated with the growth in size and wealth of the capital city. [64]

All those incarcerated in Bridewell were put to hard labor, if health allowed. If not, they were sent to another hospital for treatment and returned if cured. Beating hemp or picking oakum were usual jobs for inmates. Picking oakum involved pulling apart bits of rope from ships and picking out tar from the fiber.[65] Hemp-beating had been a feature of Bridewell since its beginnings.[66] It involved separating the fibers of the plant from the stalk by beating the fibers with mallets.[67] Fibers from Bridewell hemp were woven into rope for nooses. Other work within the walls included nail-making and running treadmills. Outside, inmates performed tasks related to public service like cleaning streets, sewers, ditches or dredging the river. Punishment took place in the whipping room, cloaked in black drapery, located right off the courtroom so "that the court might…hear…sentence executed."[68] Men and women were stripped to the waist for the procedure.[69] Prostitutes and vagrants were automatically given twelve lashes on arrival; up to one hundred were threatened to recidivists. When sentencing prisoners,

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[64] Innes, "Prisons for the poor," 87-9.
[65] Hinkle, *Bridewell*, 206.
[66] Ibid, 203.
[67] Ibid, 204.
[68] Ibid, 53.
[69] Ibid, 214.

Bridewell's governors concentrated on the best and most useful form of punishment, as well as the offender's moral and personal failings and the nature of their crime. A female pickpocket might also be a "lewd, disorderly common woman;" an unemployed thief accused of taking wares from the docks could be an "idle, suspicious person." The meanings and purposes of these labels are the focus of this study. In this section, we have investigated the histories and beliefs of London's eighteenth century population. In the next, we will explore the numbers of labels applied by the Bridewell court, and who they were most likely applied to.
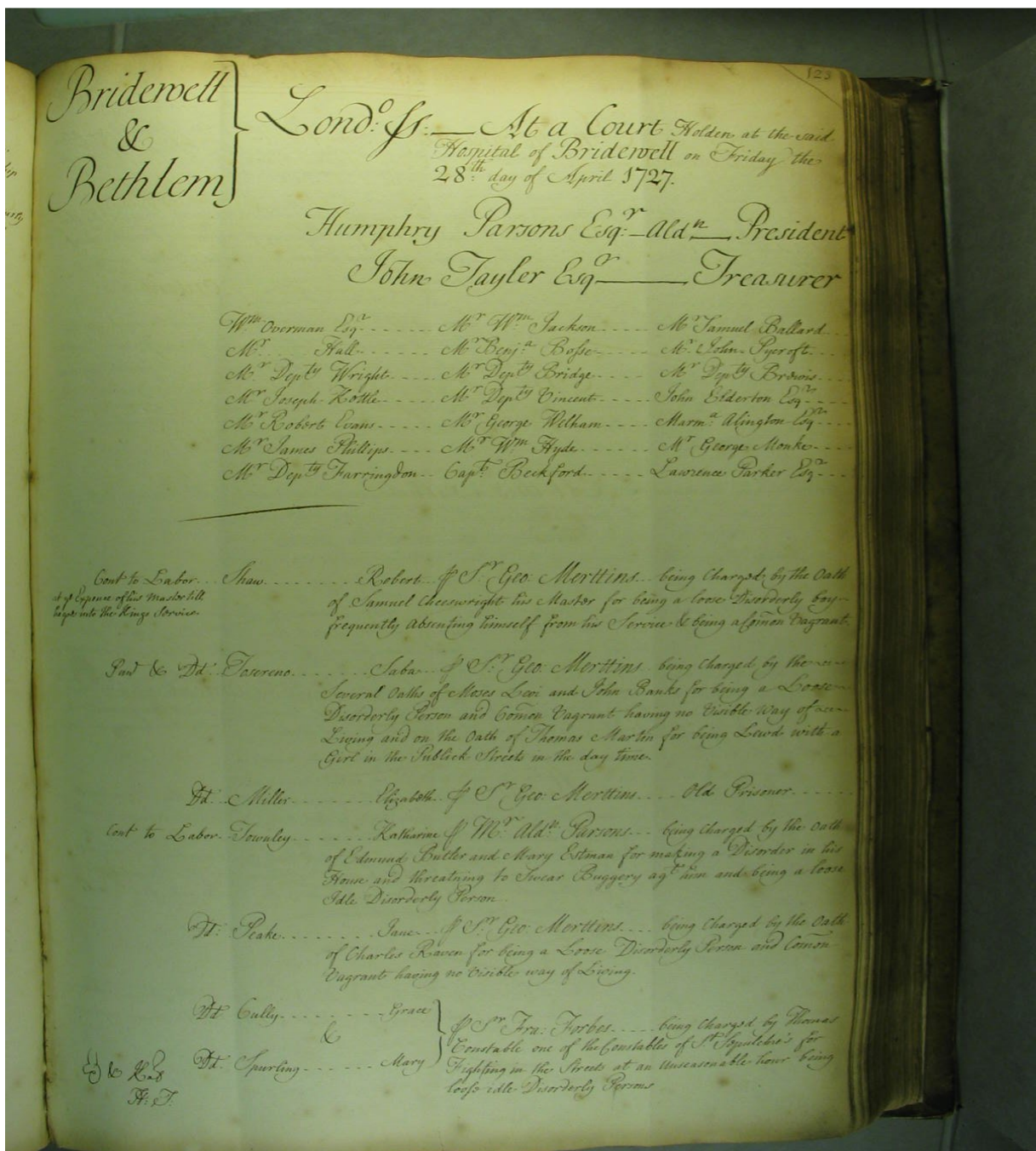
Figure 4 Bridewell Court Book, 28 April 1727

3 - Labels

At the center of this study are the labels listed in the proceedings of the Bridewell court from 1720 to 1760. London was a city obsessed with documentation. As the city grew and new problems arose and were addressed, municipal clerks contentiously catalogued all pertinent names, numbers and details. Bridewell was no exception; since the inception of the prison, precise records detailed court proceedings, expenses, and in some cases the biographical and criminal backgrounds of inmates.[70] However, the two and three page biographies often found in sixteenth century Bridewell court books had been reduced to a terse and formulaic sentence or two by the eighteenth century.[71] Names and aliases, if known, were recorded, as was the area in which the crime occurred, and, of course, the offense for which the person had been incarcerated. In addition to these details were often, though not always, labels which described the delinquent's personal and moral failings, giving weight to arrest charges and underlining the social concerns embodied in the law. What constitutes a "label" in this study? According to sociologists, a label is a way to identify and control deviant behaviors. By identifying the negative behavior of a defendant, authorities hope to isolate and reject this particular behavior.[72] Likewise, labeling in Bridewell was

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[70] Paul Griffiths, *Lost Londons: Change, Crime, and Control in the Capital City, 1550-1660* (Cambridge, 2008), 191.
[71] Ibid, 181, 196.
[72] See Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance* (New York, 1973), and Kai T. Erikson's *Wayward Puritans: A Study in the Sociology of Deviance* (New York, 1966) for two classic studies on deviance and labeling.

intended to teach lower class delinquents to behave in ways acceptable to its middle and upper class governors, who represented the social aimsof the city's officials at large. Here I count labels used in arrest reports to see which labels are used the most and which are applied to each gender. Generally, crimes are listed before the label is applied. The crime is not generally a label, although in some cases the offender was arrested just for the behaviors captured and described in a single label or more.

A typical court entry can be seen at the bottom of the page in figure 4.

Grace Cully and Mary Spurling, being charged by Thomas Constable one of the Constables of St. Sepulcher's for Fighting in the Streets at an Unseasonable hour being loose idle Disorderly Persons.

--Bridewell Court Books, Vol. 20, 28 April 1727[73]

The women's offense was fighting late at night, which likely created enough of a disturbance to summon the constable. While "fighting" was their crime, being "loose, idle, and disorderly" were their labels. The labels used in this case gave added weight to their arrest; a fight might merely land ordinary women in the watch house for the night to be released in the morning with a warning. Cully and Spurling were undoubtedly known to the constable, who was most likely familiar with their previous offenses. As Bridewell authorities saw it, fighting was merely a symptom of the "loose, idle, and disorderly" behavior of the women. These women's reputation and character flaws recommended them to the reforming methods of Bridewell.

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[73] BCB 20, fo, 122.

Although Bridewell's court books remain a valuable source of historical study, they are not without problems. They give little biographical information about defendants, for instance, and rarely list information on the source of labels. In addition, the Bridewell courtbooks are an incomplete archive of those incarcerated. I will address these problems and the consequences they may pose for this study below. The origins of labels are significant because they reflect the values of the ruling social group of the time. Legal and civic authorities drew labels from their own experience with documents and laws. Citizens and constables constructed their cases so as to make the accused appear as guilty as possible. Labels were an easy way to color the defendant's actions and character in a way that left little doubt about their guilt. The exact origin of labels is not listed and it is often hard to know exactly who labeled the offender and whether the word was first used in or out of the court. Labels may have been applied at the time of arrest, when the defendant was taken before a justice for a warrant to incarcerate them or at the time of their court hearing. During our period, magistrates and justices, all 26 city aldermen, the City Recorder, and, most of all, the Lord Mayor had the capacity to incarcerate offenders. Private citizens, constables and watchmen could also bring a perpetrator before a magistrate to obtain a warrant for detention in Bridewell. The Lord Mayor was perhaps the most important of these, holding daily sittings in which he committed petty criminals to the Bridewell, "more than other Justices of the Peace can do." [74] In their judgments on

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[74] Faramerz Dabhoiwala, "Summary Justice in Early Modern England." *The English Historical Review,* 71 (2006), 799.

delinquents, authorities with the power to incarcerate may have applied the labels which stuck in Bridewell records.

Some labels may have been repeated from the arresting constable or citizen's account of the guilty person's character. Depositions certainly record many instances of neighbors brandishing damaging labels against each other.[75] Many individual cases in the records list a neighbor or constable as the origin of the label. Other labels may have originated from the opinion of the magistrate who consigned the offender to Bridewell. Some cases certainly reveal that poor behavior by the accused towards justices and arresting officers that resulted in labels from irate authorities. Richard Jones was labeled "loose, idle and disorderly" for both petty theft "and otherweys for his misbehavior towards me."[76] Many labels were likely the words of the Bridewell governors overseeing the court, filtered through the accounts of prosecutors and faithfully noted by the court clerk, who hurriedly scribbled them down. Whoever chose them, they were considered relevant enough to list in the court books along with the crimes of the women, and were powerful enough to secure convictions.

Determining which prisoners appear in the courtbooks and why is also difficult, and there is no way to tell if those appearing in records are a representative group of criminals in Bridewell or London at large. Many of London's poor were likely to experience incarceration in Bridewell. Summary justice was an integral part of street policing, saving time and money for prosecutors and legal authorities alike.

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[75] See Gowing, *Domestic Dangers*, for an in depth discussion of verbal battles in defamation cases.
[76] BHC 20, fo. 243.

Dabhoiwala estimates that 9-10 of every thousand inhabitants of London were annually confined in the workhouse for petty crimes. The number of offenders punished through these means was far greater than those who faced a jury through judicial process. Variations in the numbers of those incarcerated can usually be attributed to periods of dearth, war and, to a lesser extent, the activities of social reform groups. The records show periods in which certain crimes (i.e. vagrancy or begging) were more prevalent, indicating generalized economic hardship. In addition, the aftermath of demobilizations flooded London's streets with unemployed men, many of whom turned to crime or vagrancy, thus becoming subject to prosecution and punishment in Bridewell. [77]

Although the court records are intact for the period under study, not all those sent to Bridewell went to court or were recorded in its courtbooks. People appear as "old prisoners" whose offences are not listed in previous months, indicating that they were brought in between sittings of the court. Others, as magistrate books show, never appear in the Bridewell records at all. From the late sixteenth century onwards, the Bridewell governors published an annual certificate listing all those who had passed between its doors. These certificates were published at the City's Easter services, an important event in which most city officials and many citizens attended. This served the dual purpose of publicly reminding the city's inhabitants of the fate of those who had transgressed and appealing to the wealthy to donate

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[77] See Beattie, *Crime and the Courts*, chap. 5; and Douglas Hay, "War, Dearth and Theft in the Eighteenth Century: the Record of the English Courts," *Past and Present*, 95, (1982), 117-160 for information on the effects on crime of demobilization and other disruptions.

funds which would keep the hospital's work going. [78] Although numbers do not survive for every year, Faramerz Dabhoiwala, in his survey of summary justice within the City, records the totals for many of the years of our period, some of which appear below for comparison. The totals of those committed to Bridewell *only* are included here as a tool of comparison to the numbers of those reported in court sessions. Dabhoiwala records 293 inmates in 1723, 612 in 1733, 381 in 1743, and 320 in 1753. My counts of those who appeared in court in those years are far smaller: 67/1723, 66/1733, 137/1743 and 72/1753.

Obviously, those who were labeled in the Bridewell courtbooks do not represent all those who passed through the prison's doors. They may show those considered most objectionable or those detained longest by the court. This is evidenced by the fact that many, if not most, of those released between sittings were done so by the order of a magistrate after receiving verbal or written testimony about the accused's character by neighbors or friends.[79] In addition, magistrates could release those they had sent to the prison at their discretion. Those without character testimonies were likely to be incarcerated longer, and thus more likely to be seen by the court. As the courtbooks show, those whom the governors considered to be the most hardened criminals remained incarcerated for much longer periods than those who committed lesser offenses. Many magistrates, including Saunders Welch, a future president of Bridewell, felt that only "the most

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[78]Dabhoiwala, "Summary Justice," 801.
[86]Ibid, 799.

abandoned" should be sent there, and released the rest on promises of better behavior. In the case of prostitutes, for example, only 10-15% of offenders stay in records long enough to be considered career prostitutes, though 40% were deemed degenerate enough to require correction at a workhouse.[80]

This study only covers labels in the original Bridewell, though there were others in built-up Middlesex and Westminster. The numbers of offenders sent to workhouses by justic many houses of correction that had been founded on the model of the original. Another workhouse was opened on Bishopsgate Street in 1701 by the Corporation of the Poor. As Dabhoiwala notes, the jurisdictional processes of both houses seem to have been identical, and magistrates chose to confine criminals to one or the other based on location rather than preference. [81] In addition, the new workhouse ceased to hold criminals by the 1750s. Bridewell, therefore, can be considered representative of the summary justice process as a whole, rather than as a peculiar case. Although brief, court book entries and the labels they included served to identify the defendant, each suggesting familiar meanings and ideologies. Gone were the extensive biographies of older court books, here governors only required that the offenders be identified as in need of reformative efforts.[82] If the court questioned the defendants or knew anything of their lives beyond their name and offense, it was not usually recorded. The court had reduced its methods to brief, standard entries that provide the bare bones for

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[80] Trumbach, *Sex and the Gender Revolution*, 144-5.
[81] Dabhoiwala, "Summary Justice," 803.
[82] See Griffiths, *Lost Londons*, chap. 5 on biographical information in the Bridewell court books in the sixteenth and seventeenth centuries.

classification or justification of the person's incarceration. Each label is counted one time whenever it is recorded in the book. In what follows, we will examine the patterns of labeling found in the Bridewell records based on gender, and, to a certain extent, the offense of the person labeled.

I have found over sixty labels listed in Bridewell's courtbooks over a forty year period. Only about half of these are used with any frequency. The most commonly used terms were those applied to Cully and Spurling in the above case: "loose", "idle", and "disorderly." These terms appear 6,777 times in the records in all, and often together. The most frequently used of these terms was "disorderly," which appeared in 2,990 cases. This was followed by "loose," appearing 2,154 times, and trailed by "idle," which went in and out of favor to appear on 1,633 occasions. These terms are used nearly as often for men as for women, with, at most, only about a 10% increase in usage of "idle" for women. They were the catch-all descriptions for misbehavior, together appearing in over 60% of cases in which offenders appear in records with labels next to their names. Anything from prostitution to stealing a child's clothing right off her body could be described by these terms. The terms "loose, idle, disorderly" reflect legal language of the times, first appearing in Parliamentary statute law in 1610. Bridewell's charter was specifically directed at these people. However, determining who possessed these

personal and moral failings was left to London's elite. The term "nightwalker" first originated in common law.[83]

Some terms originated from literature. So called "rogue literature" had popularized the concept of the destructive, wandering criminal vagrant in the mid to late sixteenth century and introduced the term "rogue" to the popular imagination. The term would later appear in Elizabethan statutes controlling vagrancy. While cant—criminal jargon of the time—terms appears in earlier centuries, none of the terms in my period of study reflect slang words. Instead, most had extensive pedigrees both in the Bridewell court and in documents of the day, both legal and popular commentaries. These words conjured up popular concepts of criminality that were described in other sources: novels (*Moll Flanders*), advice books to magistrates and justices, and opinion pieces published in the ever-growing body of magazines, journals and newspapers.

The records over the four decades under review reveal few long term patterns, but some interesting short-term ones. Some terms are used infrequently, yet appear at least every couple of years and generally were applied to the same gender and offense. The consistent usage of such terms seems significant, despite their infrequency. Those applied to men often highlight a character attribute such as "dangerous" or "sturdy." Infrequently used labels that are applied to women often identify unacceptable behaviors or reputation: "disturber," "drunk,"

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[83] Paul Griffths, "Meanings of Nightwalking in Early Modern England," *Seventeenth Century*, 13 (1998), 216; Dabhoiwala, "Summary justice," 806.

"notorious," and "old offender" are occasionally occurring, but almost solely female, labels.

Some of the most colorful labels are those which appear only once. Most of the one-time labels appear during the 1720s, thirty-nine in the period 1720-25. By contrast, the first five years of the following decades have an average of twenty-two labels each. By later decades labeling seems to have become almost a science at Bridewell, with only 15 labels in regular usage in the 1770's and 1780's. These singular-use labels sometimes indicate interesting or unusual cases and those in which the labels used by arresting officers or citizens are preserved in court records. John Webster was brought to the court in 1721 by his mother and a male neighbor for striking, cursing and threatening to kill his mother. His prosecutors charged him with being "accused as a Common Ballad Singer," implying a dissolute and raucous lifestyle.[84] Street singers and performers were well-known to London authorities as trouble-makers. John Jone was "Esteemed a Jugler in 1726, and "Therefore a Vagrant, Idle Person" after luring Rowland Davis into a public house to show him tricks with balls for money, and, upon finding he had none, trying to cheat Davis out of his clothes.[85] Not all those with a one-time label had backgrounds in entertainment. Prudence Caddock was charged with being a "plyer" by two constables of Farringdon Without after being discovered "frequenting a disorderly house...where robberies have been committed."[86] The words of frustrated masters and mistresses are also preserved when they sought help from

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[84] BHC 19, fo. 478
[85] BHC 20, fo. 106.
[86] BHC 19, fo. 480.

Bridewell to reform their incorrigible servants. Little Mary Kemp was charged by her mistress for being a "very Naughty and Disorderly Girl" after misbehaving herself and swiping things from her.[87] John Acombe's exasperated master complained that he was "vile" after finding him hiding in his house late at night for unknown reasons in 1728. Unlike most servants, who were warned or whipped and released to their master or mistress, Acombe was sentenced to hard labor with no more to eat than what he earned through his labor.[88]

The main patterns are the use of more labels for women and the high number of sexual labels women receive. The most striking differences in labeling are those of gender. Women are labeled more frequently than men during the period, with women accruing 5,850 labels compared to men's 4,414. Overall, men received 2.35 labels each in a single appearance in the court while women received 2.89 labels each. This may have been partly due to a slightly higher number of females appearing in the courts than males. Even so, during most years women received higher numbers of labels. In normal times, they appear to have been a higher priority for policing, thus appearing in court more often and with more labels to their names. Male labels are boosted in overall numbers by occasional periods of increased male crime. One example is the crime wave of the late 1740s and early 1750s, in which thousands of demobilized men turned to crime to keep hunger at bay in the capital following wars. Still, the overall pattern of higher female labeling holds despite far higher numbers of male criminals than usual; over

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[87] BHC 20, fo. 244.
[88] Ibid., fo. 191.

the period of 1745-50, men averaged 2.25 labels each, while women averaged 2.52. By the end of the 1750s men appear infrequently in the court, with only twenty-four coming there in the years 1756-60. In contrast, 167 women appeared before the courts, homeless women and prostitutes in the main. Although the most used labels—"loose, idle and disorderly"—occur in almost the same numbers for men and women, some labels are exclusively applied to one gender. Many of the labels are applied mostly to women.

Male only labels are few. Men were likely to receive one-time labels or one of three major labels to describe their behavior and character. They were more often "reputed", "known," or "suspected" than women, though women were more likely to be "notorious." Men were also more often called a "beggar," "rogue" or "vagrant." Interestingly, more men are called "pickpockets" in the books, though numbers of female and male pickpockets were more or less the same and pickpocketing was more commonly imagined as a female offence during this period. Out of 74 people described as "pickpockets" in the court books only five are women. Other male trends emerge in smaller patterns. In the earlier decades, women are far more likely to be called "pilferers;" 47 of 71 people described as such are women in the 1720s. By the 1740s, the pattern had changed. During that decade forty men are named "pilferers" compared with only ten women. This was likely due to the demobilization and higher incidence of male crime discussed above. The trend continues through the 1750s, with eighteen male "pilferers" compared to a mere two female "pilferers."

Female only terms are plentiful in the period under research, and most deal specifically with sexual and domestic crimes. The term "whore" was never used in the court during my period of inquiry, but the records had multiple words to describe prostitution. Beyond the three main labels ("loose, idle and disorderly"), terms with sexual implications were those most frequently applied to women. "Nightwalker" was by far the most common, with 449 uses, followed by "streetwalker" and "stroller," with 88 and 15 uses, respectively. Other terms were employed only infrequently; "plyer" occurs only once, "woman of the town" turns up in three cases, and "prostitute," a word rarely used in other sources until the next century, appears five times. However, meanings were not always identical. "Nightwalking" could be differentiated from "streetwalking" by the fact that it occurred at night, breaking the ancient common law curfew. Though not designating a specific sexual offense, "lewd" was another term with connotations of illicit sexuality that was applied to women almost exclusively: 74 of 78 of the people given the label "lewd" were women. Not surprisingly, labels which referred to prostitution were generally used for women, though two male nightwalkers do appear. "Common" was another generally female term, with only 144 men receiving the label as opposed to 590 women. For men, the term was usually paired with "beggar" or "pickpocket." For women, it was most often coupled with "nightwalker" or "streetwalker." Additionally, "disturbers" were women over 80% of the time, and 41 out of 54 "old offenders" were also female.

Theft was another offense that was described by a number of different labels and this might have had something to do with how London's magistrates saw different kinds of theft. "Pilferers" were most common in the Bridewell courtbooks with 170 people being labeled in this way. "Pickpocket," an obviously specific type of theft, was the next most prosecuted crime on paper with 74 listed offenders. While plain old "thief" only occurs in three instances in the records. "Imposter" and "cheat" were used to describe fourteen cunning thieves. Repeat offenders were noted by such words as "old offender," "common," "known," and "reputed," among others. Offenders were not always known to the governors of Bridewell, but they were likely to have earned a reputation amongst their neighbors and local law enforcement, if nothing else.

Five-year compilations of labels in the Bridewell courtbooks reveal patterns in both the labels used and who and which behaviors they labeled. Sometimes different words or terms with the same or similar meanings are combined under one label for convenience. For example, "drinking" (as in "a drinking woman"), "drunken," and "in liquor" are all combined under the label more commonly used "drunk." Consolidations of terms are noted below in the table. The numbers of labels applied to women show that, at least during the earlier and later decades of the period under study, women are clearly the main targets of labeling and policing. However, during the 1740s and early 1750s, men appear in the records in large numbers. The significance of female and male labeling will be investigated in greater in the next section.

4 – Meanings of Crime

The IDLE 'PRENTICE return'd from Sea, & in a Garret with a common Proſtitute.

Leviticus CHAP: XXVI. Ve 36.
The Sound of a shaken Leaf
shall Chace him

Figure 5 Hogarth's Idle Apprentice with a Prostitute

The purposes of labels in are multiple. They summed up subversive elements of plebian behavior and often originated from legal documents, justifying arrests. They identified people as problems to be reformed. Labels were useful to the authorities because they implied much without being limited to one meaning. Hearings at Bridewell are similar in form and nature to those of higher courts, Much like eighteenth century Bridewell's court-books, entries about convicts in the Old

Bailey courtbooks are often brief, and end with the court's observations on the character of the accused. Stories by law officers and prosecutors were constructed to show the defendant as clearly and irrefutably guilty.[89]

Character flaws such as those which prompted labeling in Bridewell were commonly associated with the working poor by commentators. Magistrates such as Henry Fielding complained that "luxurious" living afforded to the poor by the fruits of a market economy were ruining their work ethics and morality. The "idleness of the common people" made them reach above their station in life. This view was so common that even Fielding's critic, Richard Rolt, agreed that "The idleness, the insolence, the debauchery of the common people of both sexes [leads to] certain consequences, poverty, diseases, miseries and wickedness." The use of labels like "idle" and "disorderly" summed up such fears. They reached beyond courtrooms to reflect the ideologies of men in power, and their concerns with curbing seemingly inherent flaws with the working poor of London. [90]

Bridewell had been constructed with flexibility in mind. Its mission was as elastic as the labels applied in its courts. Although always aimed at reforming and punishing the immoral and delinquent, Bridewell's specific targets changed to suit the changing concerns of city authorities. Gender problems figured prominently in its prosecution and labeling processes during our period of study. Male labels tend to be general, using the basic "loose, idle and disorderly" in most cases. The few

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[89] Henderson, *Disorderly Women*, 8-9.
[90] Nick Rogers, "Confronting the crime wave: The debate over social reform and regulation, 1749-53," in Lee Davison *et al* *Stilling the Grumbling Hive*, 84-6.

labels which are applied mainly to men indicate acceptable, though dangerous, male attributes of ingenuity or violence. Female labels are more specific, indicating concerns of female independence and uncontrolled sexuality in the city. Women appear and are labeled consistently in Bridewell's records, while male prosecutions and labeling fluctuates. We will examine the labels used in Bridewell by exploring how each gender was labeled and what meanings were intended by these labels.

Male crime both today and throughout much of history, is more prevalent than female crime. However, fewer male offenders appeared at Bridewell than female offenders, and those that did received far fewer labels. Fluctuations in male prosecution at Bridewell indicate periods of intense concern about male crime that interspersed more general and consistent concerns with female immorality. Males made up 42% of those appearing before the court in the 1720s, and received the same percentage of labels. In the 1730s, however, men made up 45% of those prosecuted and received only 36% of labels. The spike in the number of men coming to Bridewell in the 174os and early 1750s boost male overall appearances and labeling during the period: men made up 58.5% of the population of Bridewell inmates and were on the receiving end of the same percentage of labels. However, by the mid-1750s, the old pattern restored itself with only 41% of defendants in the books recorded as male, who received 37% of labels handed down by the Bridewell bench.

The leap in male prosecutions is typical of periods of war and demobilization. Periods of high numbers of male arrests and labeling in Bridewell coincide with the aftermaths of wars: punishment of male theft, begging and homelessness rose in the late 1740s and 1750s. Two periods of demobilization followed the War of Jenkin's Ear in 1744 and King George's War in 1748. Although male convictions remained higher than female in the first half of the 1750s, they drop off drastically in the second part of the decade, perhaps due to mobilization for the Anglo French War, 1754-63. In 1749 alone, 70,000 men were demobilized following the War of Austrian Succession. Crime in the capital, not surprisingly, skyrocketed during this year. Historians have shown that theft prosecutions of males in early modern English cities rose during times of demobilization as high unemployment followed. Demobilized men were often hungry and desperate, often set at liberty with their pay in arrears and little or nothing to live on, resulting in acute periods of male unemployment and crime.[91]

However, even in times of high concerns about male criminality, exclusively male labels are not found. Those that are applied most often to men tend to be rarely used ones such as "sturdy" or "dangerous" that highlight masculine attributes. Sex roles influence the choice of labels applied to both men and women. For instance, "pickpocket" is a label used almost exclusively for men. Only 7.25% of those labeled as pickpockets were women. Part of this is due to the fact that most female crime tended to be linked somehow with unrestrained female

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[91] On variations of crime rates due to disasters and social disruptions, see Beattie, *Crime and the Courts*, chap. 5; Hay, "War, Dearth and Theft in the Eighteenth Century;" Rogers, "Confronting the crime wave;" Schwartz, "London 1700-1840," 688.

sexuality. Although a woman may have picked a pocket, the overriding concern to male authorities would be that she was a nightwalker rather than a pickpocket; it was from her sexual misconduct that her criminal behavior originated. Beyond the tendency to associate all forms of female criminality with uncontrolled sexuality, however, are ingrained cultural ideas of male and female sex roles. The qualities attributed to a career pickpocket—cunning, quickness, assertiveness—were believed to be masculine qualities. The label "pilferer" was at first used almost exclusively for women, but came to be more linked to men later on. This is likely due to the crime waves that followed demobilization in the later decades. However, it is also likely that, as with the gendered characteristics associated with pickpockets, thieves displayed qualities that were more commonly associated with appropriate male behavior: courage, risk-taking and daring.[92]

There is little emphasis on controlling male sexuality in the Bridewell courtbooks. Those males that are punished for illicit sexual behavior are generally servants or apprentices; their behavior was punished less for sexual indiscretion than for putting themselves and their master's possessions and money at risk. "Loose and disorderly" John Pinner, an apprentice incarcerated in November of 1743, was one of the few men punished for his sexual misadventures after being found in a brother stripped on the bed with three prostitutes.[93] Even here, the emphasis was less on Pinner's debauchery than his lack of self-control and

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[92] Lawson, "Patriarchy," 52.
[94] BHC 21, fo. 234.

shamefully "indifferent character." Young men like him should have been at work rather than squandering their time and money with prostitutes. In most occasions involving interaction with prostitutes, it is nearly always the woman who is punished, as in the case of "lewd" Jane Mail, accused in 1722 of "seducing and debauching several apprentices.[94] Records from the 1720s show that only 11% of men caught strolling with or actually having sexual intercourse with a prostitute were arrested. Of those who were arrested, the large majority were of the working class, perhaps reflecting the differing, and less public, sexual practices of the upper class. Policing the sexuality of lower class men, however, was of little concern to authorities; most of those arrested for public sexual indiscretions were released on promises of good behavior.[95]

Vagrancy was the one of the first offences to be prosecuted at Bridewell and an offence of continuing concern. Most of those punished for vagrancy at Bridewell are male, though the problem becomes increasingly female by the end of the 1750s. "Rogue and vagabond," an old combination that had disappeared in the early half of the century, were again used almost exclusively together by the late 1750s, as though dusted off to meet increasing concerns about homelessness and begging. Meanings for women were often different than those for men. Seventy five percent of the men brought to Bridewell for being a "rogue and vagabond" in the 1750s, were arrested for begging, wandering without a pass or "lodging in the

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[94] BHC 19, fos. 22-3.
[95] Trumbach, *Sex and the Gender Revolution*, 93.

open air." Less than half of the women given the same label were said to be beggars or homeless; most were gamblers or unlicensed street sellers.

Some crime words were used infrequently and irregularly, and had extremely loose meanings, such as "cheat." The first two "cheats" in our records are William Robinson, "being a Notorious Imposture," who duped his prosecutor out of ten pence in 1730, while in 1733, Mary Tidman tricked Luce Dennis of nine pence and a sheet.[96] Ann Cox, alias Parker, was given the label in 1738 for no other apparent reason than that she had a false identity and no visible source of income.[97] The first two offenders were incarcerated for swindling money and goods from their victims, while the third has no specific offense leveled against her other than taking an alias, not uncommon for many who appeared in Bridewell's court.[98] According to records, a "cheat" could be male or female; the only common denominator being some form of deceit.

It is in looking at female appearances at court and the ways in which they were labeled that we see the most striking patterns. Studies on eighteenth century female criminality in Britain have found that women only committed a fraction of the crimes of men. In London and other urban areas, rates of female crime were higher, but remained less than half that of all offenders.[99] However, at Bridewell, women appear far more frequently than men. As we know, Bridewell reflected the fears of London's elite, who were obviously acutely concerned about the behavior

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[96] BHC 20, fos. 237, 336.
[97] BHC 21, fo. 44.
[98] Griffiths, *Lost Londons*, 186.
[99] Lawson, "Patriarchy," 22 & Beattie, *Crime and the Courts*, 96-7.

of poor and working class women. In his study on gendered crime in the Hertfordshire Assize courts, Lawson found that though women were accused of fewer property crimes than men, they were punished far more often; 70.2% of women were punished compared to only 52.6% of men.[100] Lawson suggests that this was due to an attempt by juries and judges to restrict women from work, property and behaviors that out to have been exclusively male. In addition, juries and judges alike thought that it was important to punish women for the assertive, masculine behavior practiced by thieves that contradicted societal concepts of modest and submissive female conduct.[101] In London, the notion of proper female submissiveness was also a recurrent theme in prosecutions of women, but so, too, were fears of female insubordination in general. The theft of female servants called up anxieties about housebreaking and servant connections to criminal gangs.[102] In the Hertfordshire records, female crimes often occurred with a male assistant. The petty pilfering of women in Bridewell records does not reveal such a pattern. Most women were prosecuted singly for theft. Groups of females prosecuted together tend to be prostitutes rather than thieves, and husband-wife teams are generally incarcerated for running a bawdy house.

Beattie, in contrasting the differences between the high rates of female crime in the city versus those of the countryside, suggests that women in rural areas were protected by their sheltered gender roles. Women of the city, on the other hand, were thrown into the public eye as a part of the work force along with

[100] Lawson, "Patriarchy," 41.
[101] Ibid, 52.
[102] Humfrey, "Female Servants and Women's Criminality."

men, "and they were less protected, sheltered and restricted."[103] The labels applied to women at Bridewell suggest more than a lack of protection for women in the city. Women were the focus of Bridewell's reforming mission throughout most of the period under study. They are arrested more, labeled more, and were also more likely to receive female specific labels, especially ones that indicate out of control female sexuality. Anxieties about female crime, as shown in the Bridewell records, revolve around these two main problems concerning women: their sexualtie and their independence.

During most of period under study female crime was the focus of prosecution and labeling in the Bridewell. With the exception of the 1740s and early 1750s, women averaged over 55% of those punished at Bridewell, and received over 60% of all labels. This indicates that, excepting periods of unusually high male crime, anxieties about female behavior were of utmost concern to the authorities. Ideologies of appropriate female behavior seem to be the source of many of the labels that were imposed on women. Women who were perceived to be beyond male control comprise the majority of those incarcerated in Bridewell. Few of the women who appear are recorded as being married, and when they are, their husband is generally prosecuting them or prosecuted with them. The indications from the labeling in the Bridewell court suggest that women in London were still held to prescribed gender roles, but that the sheer number of women, and the social threat they seemed to pose, meant that authorities were willing, and

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[103] Beattie, *Crime and the Courts*, 241.

perhaps felt forced, to resort to harsher methods to control their behaviors. In fact, "unseemly" behaviors such as cursing, drinking and overtly sexual behaviors are far more often ascribed to women than men in Bridewell.

Records show that women were prosecuted for different types of crimes than men. Simple petty larceny is the most recorded crime for which women are prosecuted.[104] Theft is the most recorded of any crime committed by men and women in Bridewell, but labels used for female thieves emphasize their general disorderliness and overt sexuality rather than their light fingers. Female thieves are "disorderly and idle" or "have no visible way of living," a catch-all label that implied earnings from criminal activity (often hinting at prostitution). Perhaps because it is a crime most often punished by individual citizens rather than authorities, male and female petty thefts are the least labeled infractions. Many such thieves are simply listed by name along with their petty crime, as in the case of Elizabeth Herbitt, arrested but not labeled in November of 1743 for "pilfering a pewter pott." [105]

Labels that reveal unruly conduct are most often applied to women; these are specifically targeted at behavior that was deemed "unwomanly." Women make up 90% of those listed as "disturbers" of the peace or of their neighbors. These were most often brought in by parish officials or constables (generally the very targets of public female abuse that resulted in this label). Women, according to the ideology of the day, were supposed to be the backbone of domesticity; loud and

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[104] Lawson, "Patriarchy," 23.
[105] BHC 21, fo. 235.

rowdy behavior by women was not tolerated by neighborhood authorities. Female drunkenness was also suspect. Women received 78% of "drunk" or "drunken" labels. Many of those arrested for prostitution were drunk at the time of their arrest. Women who harassed neighborhood officials like churchwardens were also often listed as being intoxicated. Any actions that defied the chaste and modest behavior demanded of women would certainly be suspect, and eventually would bring the woman before the Bridewell governors. As one case states, Fanny West was arrested after picking up a man in November of 1730 and "behaving herself in a very rude and immodest manner."[106]

Using unfeminine language, as authorities in Bridewell saw it, was also an indicator of disruptive and sexually suspect behavior. Only females were arrested specifically for and labeled as "swearing," "blaspheming," or "cursing" women. Words were often a source of dissension in London. Singers of ballads were often arrested for crass language or disorderly songs. Any drunken or loud woman in the streets at night was likely to be arrested as a prostitute, though the records of watch house lock ups show that at least some were released in the morning on finding that they could prove they were merely ordinary women "overcome with liquor."[107] Amy French, a blind woman, was a recurring "nuisance" who was whipped in 1736 for sleeping drunk in a street at night, causing a "gentleman" to trip over her and break his arm. Revealing perhaps her reaction to this rude awakening or her past behavior, she was labeled as a "common blasphemer and

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[106] BHC 20, fo. 261.
[107] Trumbach, *Sex and the Gender Revolution*, 155 & 165.

swearer."[108] Speech was also a way for prostitutes to drum up business, titillating passersby with suggestions. Although many women found this speech objectionable, it is likely that such language was not out of place for most lower class women.[109] The common speech of poor women was often colorful and crude, as defamation cases reveal .[110] The verbal battles of fishwives and other market women were famous in their scope of insults and curses. However, to their social superiors, such speech was not just offensive and inappropriate for women, but disorderly and socially disruptive behavior, subject to arrest.[111]

Sexual labels were almost always reserved for women. Most were synonyms for prostitution; words like "light" that described a woman who was sexually available had dropped out of fashion. "Lewd" was the sexual adjective of choice in eighteenth century Bridewell. Ninety-five percent of those listed as "lewd" were women. The word had definite sexual overtones and was used to describe sexually explicit behavior in women. When Mary Cotton and Jacob Moses were arrested in 1753, it was for picking up each other at night "to commit the act of lewdness."[112] Likewise, Dorothy King was taken late at night "committing lewdness" with a strange man in an alley.[113] Other women struck "lewd postures" for male enjoyment. By contrast, the few men who were labeled with the term display no indication of sexual behavior. The application of "lewd" to men was bafflingly

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[108] BHC 20, fo. 426.
[109] Trumbach,*Sex and the Gender Revolution*, 155.
[110] See. Gowing. *Domestic Dangers*.
[111] Trumbach, *Sex and the Gender Revolution*, 47.
[112] BHC 20, fo. 142.
[113] Ibid., fo. 235.

inconsistent. In December 1725, John Glover was deemed a "lewd" apprentice for selling the clothes his master bought for him.[114] Two young men suspected of being pickpockets were considered "lewd" by the court in 1723 for unknown reasons.[115] These two examples, implying criminal but not sexual behavior, are typical of the term's infrequent application to males throughout the period.

Prostitution, not surprisingly, was a regular female offense. Female sexuality and independence were issues that went hand-in-hand. Contemporary estimates of prostitutes varied widely; it was hard to count roving whores. Although their numbers were open to question, authorities were adamant to track down and punish such women. Magistrates' books show that at least half of women arrested were accused of prostitution.[116] Most terms that indicated immoral sexual behavior for women also indicated female mobility and movement. "Nightwalker," "streetwalker," and "stroller" were the most common words for prostitutes. Three women were condemned as "women of the town," while Hester Ravington and Sarah Price were both labeled "common wanderers" after picking up men in 1755.[117] Despite their mobile labels, most prostitutes seem to have had regular areas in which they plied their trade. Men stated that they knew where to locate a particular whore by knowing "her beat." The fights for which many prostitutes were sent to Bridewell were likely often over areas of business; new prostitutes were required to "treat" those who were regulars if they wished to infringe upon

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[114] Ibid., fo. 99.
[115] Ibid., fo. 50.
[116] Trumbach, *Sex and the Gender Revolution*, 112-3.
[117] BHC 22, fo. 226.

someone else's territory.[118] Ironically, though their mobility was stressed by authorities, it was unpractical for prostitutes.

"Nightwalker" is the label most often applied to prostitutes recorded in Bridewell's courtbooks. A "nightwalker" was more than simply a curfew violator. The term had originated to describe suspicious men who were caught walking late at night, but came to be more specifically used to describe to describe female offenses over the course of several centuries. Its origins were old; in 1286, officers were given orders to round up all curfew breakers "wandering about the streets" ("unless they happen to be a great man or other lawful person of good repute"). Almost all those arrested for nightwalking in the fourteenth and fifteenth centuries in London were male. They were considered dangerous men, armed, and sometimes suspected of robbery. The term came to imply female offending in the seventeenth century, when aldermen heard "dayly complaints …of lewd and idle women being common nightwalkers in the streets of this city to attempt and entice youth and other people to lewdness." In the eighteenth century, Samuel Johnson's *Dictionary* defined it as merely "one who roves in the night upon ill designs."[119] Although the term was feminized in London, in smaller towns and rural areas, it still largely retained its masculine identification with burglary and trouble-making.[120]

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[118] Trumbach, *Sex and the Gender Revolution*, 155.
[119] Griffiths, "Meanings of Nightwalking," 213.
[120] Ibid, 217-227.

In Bridewell, after 1625, the term was almost entirely feminized; 99.54% of those labeled nightwalker in the four decades under review here were women. Their crimes, however, were not limited to actually prostituting themselves. There is no doubt that watchmen were aware of which women in their beat were known or reputed sexual offenders; many are listed as having been warned to go home numerous times by officers, but details about female arrests show that their unruly public behavior rather than overt sexual advances had identified them as nightwalkers. Any woman who drew public attention to herself was suspected of sexual looseness. . In three sample years, 1721, 1731 and 1741, only 45.7% were brought before the Bridewell court for actually soliciting a man. The remaining 54.3% had been picked up for other behaviors: making disturbances at night, for example, using uncouth language, and abusing constables. 26% were picked up for cursing in public or making a disturbance in the street. Nearly 10% of the women were arrested for insulting watchmen or their social superiors. Some are simply listed as being nightwalkers with no further details. One was a pick pocket.

In nearly all sexual offenses, women were the culpable parties; they were automatically assigned the blame for their explicit and uncontrollable sexuality. Male clients of prostitutes were often their prosecutors; the Bridewell records contain many cases of men who dragged a whore before the magistrate only after the sexual exchange had begun, claiming to have had a pocket picked or been otherwise cheated in their transaction. The construction of their cases reveals a distinct gender bias about sexuality; most men claimed to have been innocents,

"seduced into lechery" or "tricked" by cunning prostitutes rather than indicating that they entered the "trade" willingly. Male sexual behavior was a given in this society, but any overtly sexual behavior by a woman was suspect, if not dangerous.[121]

Women who faced the courts were subject to an all male inspection and judgment of their behavior. Tony Henderson notes that proceedings against prostitutes in the Old Bailey were arranged in such as way as to intimidate the accused.[122] The records of prosecutions of prostitutes in Bridewell are similarly one sided; governors and prosecutors had the only say, if the accused was allowed to speak, her words went unrecorded. However, those women punished by the courts as nightwalkers were not easily cowed. Many appear multiple times, seemingly unrepentant. Authorities likely were exasperated by resilient repeat offenders who defiantly refused to reform. Sarah Walworth, labeled "loose and disorderly" and "a common nightwalker," was punished for drunkenly mouthing off to the watch in her parish and "insisting she has a right to do so."[123] Mary Gunn, a repeat offender who had been before the court the previous month for prostitution, herself became a prosecutor in the court when John Cook, an apparent customer, and another man assaulted her in August 1732.[124] She would reappear later at the court on charges of prostitution, refusing to work in the parish workhouse and pawning charity clothes, but she clearly knew the system and was not afraid to use it to her own

[121] Trumbach, *Sex and the Gender Revolution*, 153.
[122] Henderson, *Disorderly Women*, 9.
[123] BHC 21, fo. 66.
[124] Ibid., fo. 317.

benefit. Gunn's case also illustrates how Bridewell's governors did their best to try and maintain some sort of consistency in their treatment of both prosecutors and offenders. As always, the purpose of Bridewell was first to reform, even with the most hardened cases. Descriptions such as that of Mary Kirk, a prostitute "appearing to be incorrigible, though she hath often been sent to Bridewell," are not uncommon expressions of magisterial exasperation.[125] As one pamphlet stated, "The Ends of punishment are, *in all cases*, to deter others from committing the Like Offences; and *in most cases*, to reclaim the Offender also."[126]

Other types of sexual crimes were also punished at Bridewell. Many dealt with family problems. Wives brought husbands and, more commonly, their mistresses before the court. Peter Hanon's wife charged him with both "keeping company with lewd women" and physically abusing her in 1739.[127] Parish officials, ever concerned with keeping tax rates low, brought to court both women who had given birth to bastards and men who had abandoned their families to parish charity. In the 1730s, fourteen men and seven women appeared in Bridewell for bringing charges on the parish. Surprisingly, labels referring to sexual immorality are few in these cases; Anne Jones is the only single mother charged with being "lewd and disorderly" by parish overseers of the poor for refusing to give the name of her bastard child's father.[128] Most such women were labeled with the common

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[125] Trumbach, *Sex and the Gender Revolution*, 93.
[126] Rogers, "Confronting the crime-wave," 89.
[127] BHC 21, fo. 86.
[128] BHC 20, fo. 231.

terms "loose," "idle," and "disorderly;" a quarter of each of these left the courtroom without being labeled.

These cases are interesting because marriage among the working class was one area of concern for authorities. Although the poor accepted that formal marriage in a church was the standard, not all of them were able to attain this ideal. Marriage ceremonies, despite their legitimacy, were prohibitively expensive for most of London's working poor.[129] In addition, the mobility of so many of London's poor men, especially those who were drafted for war or worked at sea, was a barrier to long term relationships. Informal marriages were traditional to many families amongst London's lower classes. In addition, transient domestic relations were common as husbands abandoned wives or died. Many marriages were proven to be invalid when it was shown that one of the partners had a living spouse elsewhere. Women assumed that their husbands had died at sea or war after long periods without hearing word from them. Both men and women abandoned their spouses and took up new lives in other parts of London or in other areas of the country.[130]

Although the expense of maintaining charity cases was a major concern, it was not the sole motivation for parish officials to prosecute familial crimes. The ideology of Bridewell's governors and of middle class prosecutors, parish officials and magistrates also came into play. Women's natural duty was as spouses and mothers. Those who were seduced from this virtuous life were at risk of

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[129] Evans, *Unfortunate Objects*, 47.
[130] Ibid, 37, 39, 42.

jeopardizing not only their souls, but the health and wealth of the nation also. Sermons, records from charities, and other sources stressed the duty of parents to the nation in raising children to fuel England's growing industrial and war machine: "It is from them we are to supply our fleets and armies—from them we are to be supplied with the ingenious mechanic, the industrious manufacturer and labourers."[131] Working class women in London may have accepted a less restricted norm of sexual behavior. Although they knew that the standard was marriage through the ceremonies of the established church, it was by no means uncommon for a woman to have intercourse before marriage or to engage in occasional prostitution at any point in her youth and middle-age as the need or opportunity presented itself.[132] These women were not necessarily barred from future marriage or claims to respectability once married, but achieving and maintaining such status was incredibly tricky for a woman with a tarnished reputation.

Reputation identified and classified offenders and was the cornerstone of labels that were intended to help London's officials in their ongoing struggle to describe problem behaviors and attitudes. By summing up the faults of men and women in one or two loaded words, Bridewell officials targeted multiple offenders considered guilty of a single character offense. In the case of women especially, labels reconstructed offenses by identifying them with specific social problems. A nightwalker, to Bridewell's governors, was not simply a woman who was walking late and breaking curfew, but a woman who roved the streets, out of male control

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[131] Evans, *Unfortunate Objects,* 146-8.
[132] Trumbach, *Sex and the Gender Revolution*, 174.

and open to sexual advances. Rather than an individual troublemaker, the offending woman became a symbol of an entire range of female related problems in London. Movement, sexuality and work, including protecting the fruits of honest people's labor, were the main problem areas of the lower class according to Bridewell labels. Labeling identified these problems to both the court and the offender, letting him or her know the source of their offensive behavior.

Conclusion

Labeling at eighteenth-century Bridewell reveals sharp concerns about social problems. Petty crimes were re-cast during the labeling process as symptoms of personal and moral failings. Thus, a woman who shouted at her parish overseer of the poor was a "loose, idle and disorderly" person; a woman without the necessary, and necessarily male, boundaries to keep her in line. More strikingly, female sexuality was seen as a cause for criminal behavior. Women who stole were rarely labeled as a thief but more often re-imagined by the court as sexual offenders.

Most labels were associated with infractions of gendered social behaviors. Mobility, sexuality and work were at the top of authorities' lists of societal anxieties for both men and women. "Loose" women roamed free of male control, changing jobs and addresses as they saw fit. Mobility was not just the problem of an individual woman, but a risk to all she encountered. Sexuality, as we have seen, was specifically identified with uncontrolled movement in Bridewell labels. An overtly sexual woman corrupted both men and women by her enticing and unruly conduct, luring them from the path of virtue to a life of "idle and disorderly" behavior. Free women labored for their own gains rather than to benefit society. A working woman in her proper place toiled for her or her master's family. A woman out of place became a free agent, corrupting herself and others. The wealth of society, too, was at risk as these "idle" women gave birth to illegitimate children who became objects of parish charity and/or helped themselves to the dazzling

array of goods and possessions that decorated houses in times we now call the "consumer revolution."

Although, according to the numbers or incarcerations and labels, women were the main priority of Bridewell's social program, men, too, had problem behaviors authorities wanted to address. They roved the city, destabilizing proper social institutions by abandoning masters and families. They engaged in illicit activities, like gambling and indulging in prostitution, that squandered their own and their masters' wealth. They lived homeless or stole to survive rather than engaging in employment that would profit society and the budding empire.

Authorities did not always recognize that the problematic behaviors of the working class were often due to circumstances out of their control such as seasonal bouts of unemployment. Individual problems like sickness or deaths in the family could be understood by parish officials when mothers and families turned to charity for relief. However, to access parish charity one needed to have established residency, not an easy feat for servants and the casual working poor, who took work when and where they found it. To civic officials and reformers, those who turned to crime to survive were considered to have made a conscious choice to reject societal and moral boundaries.

Combating crime and immorality in the capital required an extensive array of social tools. Bridewell was one of the most flexible, and, to many in London, the most useful means of dealing with social delinquents. Its purpose was to reform the problematic activities of lower class offenders, rather than just punish them. These

behaviors were identified not as merely their specific crimes, but also as their labels. Their "idleness" and "lewdness" caused their criminality, and was to be coached and coaxed out of them by penal correction, hard labor and compulsory moral lessons from Bridewell's chaplain. Identification of these failings through labeling was essential not only to Bridewell's regime, but to the social agenda and ideology of London officials in general.

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Appendices

Master Table: 1720-1760

Label	Male	Female
Able Bodied	1	
Abusing/Abusive	2	1
Ballad Singer	1	
Beggar	9	1
Cheat	1	2
Common	144	590
Counterfeit		1
Cursing/Swearing		2
Dangerous	5	1
Disobedient	1	1
Disorderly	1486	1504
Dissolute	2	
Disturber	2	19
Drunk	9	32
Fallen Into Bad Company	1	
Faulty	1	
Gambler	1	
Idle	787	846
Ill Course of Life	2	
Imposter	10	1
Impudent	1	1
Juggler	1	

Master Table: 1720-1760, cont.

Label	Male	Female
Lewd	4	74
Loose	1063	1091
Mischievous	1	
Naughty		1
Nightwalker	2	449
No Good Acct	112	197
No Means of Support	36	98
No Good Reputation	4	6
Noted/Known	1	1
Notorious	9	41
Nuisance		1
Old Offender	13	41
Outrageous	1	
Person of Ill Fame/Character	2	2
Pickpocket	69	5
Pilferer/Pilfering	106	64
Plyer		1
Profligate	1	
Prostitute		5
Quarrelsome	1	
Reputed/Known/Suspected	45	11
Rogue/Vagabond/Vagrant	126	100
Rude	1	1

Master Table: 1720-1760, cont.

Label	Male	Female
Runaway	2	
Streetwalker		88
Stroller		14
Stubborn	3	
Sturdy	9	2
Swearer/Blasphemer		2
Thief		3
Undutiful		2
Unfaithful		1
Unruly	1	
Untoward	1	
Vile	1	
Wanderer		3
Woman of the Town		3
Unknown	2	
No Label Applied	377	360
Total Labels Applied	4414	5850
Total People	1878	2023

1720-25 Labels	Male	Female
Ballad Singer	1	
Common	6	32
Counterfeit		1
Cursing/Swearing		2
Dangerous	1	1
Disobedient	1	1
Disorderly	146	151
Dissolute	1	
Disturber	2	3
Drunk/Drunken	2	13
Fallen into Bad Company	1	
Faulty	1	
Idle	143	126
Incorrigible	1	
Lewd	9	36
Loose	77	84
Mischievous	1	
Nightwalker		36
No Account of Self	20	8
No Good Reputation	2	4
No Means of Support/Livelihood	7	12
Notorious		12
Old Offender	6	16

1720-25 Labels, cont.	Male	Female
Outrageous		1
Pickpocket	23	1
Pilfering/Pilferer	2	1
Plyer		1
Rogue	1	
Runaway	1	
Streetwalker		1
Stroller		1
Stubborn	3	
Sturdy	8	
Thief		3
Undutiful		1
Unfaithful		1
Unruly	1	
Untoward	1	
Unknown	2	
Vagrant/Vagabond	25	14
Not Labeled	52	79
Total Labels Applied	486	563
Total People	116	148

1726-1730 Labels	Male	Female
Abusive		1
Beggar	1	1
Cheat	1	
Common	6	46
Dangerous	3	
Disorderly	178	253
Drinking/Drunk	1	4
Imposter	2	
Idle	118	168
Juggler	1	
Lewd	2	18
Loose	168	225
Naughty		1
Nightwalker		43
No Account of Self		5
No Way of Living/Livelihood	17	46
Notorious	2	1
Offender	2	
Person of Ill Fame/Bad Char/No Char	2	2
Pickpocket	3	
Pilfering	22	46
Rude	1	1
Runaway	1	

1726-1730 Labels, cont.	Male	Female
Streetwalker		3
Stroller		7
Sturdy		1
Suspected	3	
Vagrant/Vagabond	25	47
Vile	1	
Total Labels Applied	538	845
Not Labeled	20	24
Total People	212	304

1731-1735 Labels	Male	Female
Cheat		1
Common	6	145
Dangerous	1	
Disorderly	240	327
Disturber		6
Drunken		6
Idle	223	298
Imposter	1	
Impudent	1	1
Lewd		37
Loose	219	312
Nightwalker		93

1731-1735 Labels, cont.	Male	Female
No Way of Living	12	40
Notorious		12
Old Offender		4
Pickpocket	3	
Pilfering	5	2
Prostitute		1
Streetwalker		20
Stroller		2
Vagrant	5	11
Woman of the Town		2
Total Labels Applied	630	1266
Total People	255	365
Persons Not Labeled	32	14

Labels 1736-1740	Male	Female
Abusive	1	
Beggar	2	
Cheat		1
Common	13	141
Disorderly	207	236
Dissolute	1	
Disturber		3
Drunk		4

Labels 1736-1740, cont.	Male	Female
Idle	142	95
Lewd		13
Loose	179	215
Nightwalker		88
No Account of Living/Livelihood	36	55
Noted/Known	1	1
Notorious		4
Nuisance		1
Of Ill Fame	1	
Old Offender		3
Pickpocket	4	
Pilfering/Pilferer	7	2
Quarrelsome	1	
Reputed		1
Strolling/Stroller		2
Streetwalker		39
Sturdy	1	
Swearer/Blasphemer		2
Vagrant	3	1
No Label Applied	90	67
Total Labels Applied	599	939
Total People	290	309

1741-1745 Labels	Male	Female
Able-Bodied	1	
Common	52	59
Disorderly	180	147
Disturber		2
Drunken	2	1
Gambler	1	
Idle	39	31
Imposter	1	
Lewd	2	5
Loose	125	106
Nightwalker	1	53
No Way Living/Acct Self	90	54
Notorious	2	4
Old Offender	4	3
Pickpocket	14	
Pilferer	33	8
Profligate	1	
Reputed/Known	15	2
Rogue	3	
Stroller		1
Suspected	6	
Undutiful		1
Vagabond/Vagrant	9	
No Label Applied	124	113

1741-1745 Labels, cont.	Male	Female
Total Labels Applied	568	455
Total People	351	298

1746-1750 Labels	Male	Female
Beggar	5	
Common	35	43
Disorderly	306	175
Disturber		1
Drunken	1	1
Idle	48	41
Imposter	2	1
Loose	190	103
Nightwalker		37
No Way Living/Acct. Self	114	60
Notorious	3	4
Pickpocket	16	1
Pilferer	17	1
Reputed/Suspected	13	1
Rogue	15	1
Streetwalker		1
Thief		1
Vagabond/Vagrant	17	7
No label Applied	43	44

1746-1750 Labels, cont.	Male	Female
Total Labels Applied	896	589
Total People	399=2.25	234 =2.52

1751-1755 Labels	Male	Female
Beggar	1	
Common	22	95
Disorderly	206	178
Disturber		2
Drunken	2	1
Idle	56	70
Ill Course of Life	2	
Imposter	4	
Loose	158	105
Nightwalker		70
No Account Self/Living	96	60
Notorious	2	3
Old Offender	1	5
Pickpocket	5	3
Pilferer	17	1
Prostitute		2
Reputed/Suspected	7	3
Rogue & Vagabond	22	7
Streetwalker		16

1751-1755 Labels, cont.	Male	Female
Vagabond	1	3
Wanderer		1
No Label	14	14
Total Labels	604	626
Total People	231	198

Labels 1756-1760	Male	Female
Abusing	1	
Common	4	29
Disorderly	23	37
Disturber		2
Drunken/In Liquor	1	2
Idle	18	17
Known		1
Lewd		1
Loose	24	25
Nightwalker	1	29
No Account of Self/Way of Living	16	15
Notorious		1
Old Offender		10
Pickpocket	1	
Pilferer	3	3
Prostitute		1

Labels 1756-1760, cont.	Male	Female
Reputed/ Suspected	1	4
Rogue & Vagabond		3
Streetwalker		9
Vagrant		6
Woman of the Town		1
No Label	2	5
Total Labels	93	567
Total People	24	167

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