Expression of the Female Struggle through Theft in Wartime

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Throughout historical and criminological study, women have often been viewed as the "milder" sex, and less likely to commit crimes such as theft. However, as Beattie stated, women stole just the same as men, and stole "for the same reason men stole [during the Revolution] – largely as a means of survival, as a way of supplementing inadequate wages or of supplying the most basic wants."[1]. It can be inferred that women, who were driven to crime by their needs, would have been greatly impacted by the Revolutionary War and attracted to theft as a support. In a time where women were unable to own property or work in occupations that were traditionally male dominated, there were few options to support oneself or one's family with many "heads of the household" at war. There is also a factor to be examined in the seasonal frequency of crime. In a temporal context that is highly dependent upon a quality summer and fall harvest, individuals struggled more during the winter months to survive. Through this understanding, we can begin to question the impact of two variables: gender roles and seasonal impact. The goal of this essay is to examine the impact of gender roles on female theft during the time of the Revolutionary War, along with the impact of seasons and the progression of war on crime. To do so, we will examine cases of theft offences with guilty verdicts archived in the Old Bailey On-Line database for 6 periods: January to March 1776, June to August 1776, January to March 1780, June to August 1780, January to March 1783, and Jun to August 1783.

Seeing that women committed crime for the same reasons as men is an intriguing fact, as female thieves are not as publicized or glamourized in 18th century England as male figures like Jack Sheppard. Sheppard "was once the single most well-known name from eighteenth-century England," whose legacy impacted American convict-heroes like Jesse James, who "wrote letters

[1] John Beattie, " 'Hard Pressed to Make Ends Meet': Women and Crime in Augustan London," Women and History, Valerie Firth, ed. (Toronto, 1995), p. 106.

to the *Kansas City Star* signed 'Jack Sheppard'"[2]. Women did appear as thieves in Hogarth's imagery, such as The Rake's Progress III: The Orgy[3]; in this painting, Hogarth illustrates a scene of cunning prostitutes who are stealing from their unknowing client. Prostitutes stealing from their clients did make up a portion of female thieves, but not as much as other groups. Women committed crime for the same reasons as men, mainly to survive, although they did not commit it at the same rate. From the 6 periods examined, an average rate of female thieves which were found guilty is 33.14%. Male offenders made up the other 66.86%. This disparity between gendered groups may have something to do with the opportunity to commit crime, as when women did commit crime, it was under the watchful eye of their neighbors. As MacKay states "The logic of this situation clearly suggests that women's opportunities for theft occurred within their own [neighborhoods], and consequently, they were more likely to involve the goods of someone they knew"[4]. The risk of stealing in such small circles, and possibly being caught by neighbors, likely lowered the rate of women who were comfortable and bold enough to steal in a situation where the odds were stacked against them. This could also go hand in hand with the criminological chivalry theory, where it is argued "that historically there have been lower rates of female criminality because of the more lenient treatment of female offenders by criminal justice personnel"[5]. Women are less likely to be found guilty, or even accused of committing crimes due to the opinion that they are weaker and less likely to commit crimes like men. We can infer that the role of women in 18th century English society influence their opportunity to commit crime, and how likely they were to get caught.

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[2] Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Verso, 2003).
[3] William Hogarth, *The Rake's Progress III: The Orgy*, 1734, Oil on canvas, Sir John Soane's Museum Collection Online.
[4] Lynn MacKay, "Why They Stole: Women in the Old Bailey, 1779-1789," *Journal of Social History* 32, no. 3 (March 1, 1999): 623–39, https://doi.org/10.1353/jsh/32.3.623.
[5] Banarjee, Islam, and Khatun, "Theories of Female Criminality: A Criminological Analysis."

The items which women stole were also influence by their role in society and chances to commit theft. They stole clothes, household items, and money at the highest rates, in that order. Clothing made up 40.4% of goods stolen by women in 1780, and this was most likely due to how often women were around clothing and would have been able to throw it into their own belongings (bags, up their skirts, etc.). Clothing was also relatively easy to sell and make disappear from the police's eyes, by selling it quickly to a secondhand store or a pawnshop. Items were easily sold and disposed of for a quick profit turned without the fear of being caught with goods. A few cases listed in the Old Bailey On-Line database present this idea, such as that of Elizabeth Hart, Ann Thornton, and Mary Read.

Hart was found guilty on February 26th, 1783, for stealing a black silk cloak on February 17th of the same year. She claimed that the cloak was simply under her feet when a woman pointed out that she had stolen it, and that she had not noticed it was there. Witness reports claim that the cloak was spotted by a fellow patron, Mary Flack, and it was pulled out from under her petticoats. Flack claimed that Hart "begged forgiveness as she had three children and a young child sucking at her breast"[6]. Based on the case record, it can be inferred that Hart may have turned to the quick, profitable turnover of clothing theft to support her children. Thornton was found guilty on February 23rd, 1780, for shoplifting several pairs of leather shoes before and on December 16th, 1779. She was found to have stolen them by the shoemaker, James Ball, and in her defense, she stated "Mr. Ball promised to forgive me if I would tell where the things were; and he had his shoes again"[7]. Within the case transcript, it also states that Thornton had four young children at home, so it can be inferred that stealing the shoes from Ball proved to be a

[6] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), February 1783, trial of ELIZABETH HART (t17830226-15).
[7] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), February 1780, trial of ANN THORNTON (t17800223-1).

profitable means of supporting her children and she returned to keep her family afloat. Read was found guilty on January 9th, 1776, for stealing multiple items of clothing from her employer Mathias Hamburg on December 25th, 1775. Two pawnbrokers – William Fleming and John Quince - spoke in Hamburg's defense, claiming that Read had pawned the stolen clothing to their shops. Although there is no reference to a family she had to support, based on the amount of clothing that Read stole and the fact that she successfully pawned multiple items, it could be argued that this was a financially driven crime. Read's case also emphasizes the fact that crimes that were opportunistic were most likely to committed; the items were "were delivered into her care," [8] giving her ample means and opportunity to take the items and pawn them.

Crime also differs based on the societal needs; during times of high need, such as famine or poor economic conditions, we tend to see crime used as a means to survive. One such time period that can be examined through the Old Bailey On-Line Database is that of the American Revolutionary War. In this time, "the British Army had upwards of 22,000 men at its disposal in North America to combat the rebellion"[9]. Therefore, the male population of London was most likely diminished, with many women being forced to support themselves and their families without the ability to own property or hold a high paying job. This pressure to support oneself without the male status of the time may have a major contributing factor to women who committed theft. The data collected supports the hypothesis that as time progress throughout the war, societal pressures would cause higher female theft rates. Of the 147 cases of female thefts with guilty verdicts examined, 46.94% of these cases occurred in 1783. Additionally, the crime

[8] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), January 1776, trial of MARY READ (t17760109-14).
[9] "American Revolution Facts," American Battlefield Trust, August 24, 2021, https://www.battlefields.org/learn/articles/american-revolution-faqs#:~:text=France%20also%20dispatched%20a%20substantial,America%20to%20combat%20the%20rebellion.

rate increases with each group. 37 cases occurred in 1776, 41 in 1780, and 69 in 1783. We can infer from this data that as the war progressed, conditions in England worsened for women, who turned toward theft as a means to survive.

One case that highlights the desperation of thieves toward the end of the war is that of Jane Hicks[10], a 15-year-old girl who was found guilty on the 26th of February 1783, for stealing clothing and linens from Elizabeth Patridge and Sarah Pettit on the 9th of February 1783. She did not know the women beforehand, and based on the record entered the room where the ill Pettit was resting and stole the items before she was caught in the street with them by Patridge. This theft was not planned, nor done out of opportunity. It appears to be a last-ditch attempt to earn some money, with no plan behind it and rather a need for survival driving Hicks to committing such a risky crime. Another risky, desperate criminal case is that of Ann Holt, who was found guilty on January 25th, 1783, for grand larceny of a wooden box and multiple clothing items on the 25th of November 1782. Ann was taken into a house out of charity, where she was fed and given shelter. It was there where witness Elizabeth Pellam found her breaking into a box, which belonged to spinster Mary Shepherd. Peter Flieureu claimed that he caught Holt with the stolen goods, and "she owned it to me, she said she was very sorry that she had done it"[11]. Holt was already desperate, so it is imaginable that she could have been driven to desperation by a lack of support during the war, and her theft was an attempt to gain some funds to survive.

Another factor which would increase the pressure to survive would be that of innate seasonal impact. The success of individuals throughout the Wintertime depended highly on a

[10] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), February 1783, trial of JANE HICKS (t17830226-74).
[11] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), January 1783, trial of ANN HOLT (t17830115-8).

successful harvest in the Summer and Fall. During the Winter, food availability would drop and food prices would spike, along with the prices of other goods. Individuals would also have to worry about staying warm and sheltered and keeping their families safe from the harsh Winter conditions. Adversely, this pressure dropped in the Summertime, where food was bountiful, and conditions were fair. We can see this clearly in the comparison between the Old Bailey records of the Summer and Winter periods from 1776, 1780, and 1783. Winter crimes make up 57.14% of the 147 guilty female thieves examined, whereas summer crimes make up the other 42.86%. Although this isn't a large percentage difference, it does support the hypothesis of seasonally driven crime. The drive to survive, which is more of a struggle during the Winters than the Summers in 18th century England, can be seen throughout the cases that have been examined.

One such case of this survival is that of Mary Siddon, whose trial on June 4th, 1783, examined a case of her shoplifting a ham on April 30th of the same year. A ham, which is not as easily sold for money as something such as a yard of linen or watches, appears to be an item stolen out of desperation rather than of pure interest. Although in the transcript of Siddon's case there is not a reason for the theft shared, the court does ask how she makes a living, which she responds "By going to market"[12]. From this, many assumptions can be made – does she sell goods? What does she sell, and is it selling well? Perhaps she was in the business of a crop which had a poor harvest, or she was waiting on the new harvest to be able to sell at market again. It is not ridiculous to assume that Siddon was experiencing the societal pressures of seasonal work and harvest, and turned to the theft of food to support herself and any others which she may have found herself tending to. Another case which could support the concept of seasonally driven

[12] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), June 1783, trial of MARY SIDDON, otherwise FIELD (t17830604-5).

crime is that of Ann Dean, who on the 15th of January 1783 was found guilty and sentenced to death after she was indicted on December 14th, 1782, of stealing a piece of muslin worth 5 pounds. Dean dragged the muslin out under her dress and was caught by the shopkeeper's brother. When she was accused of stealing the muslin, she claimed that her child had dragged it around the shop and must've dragged it out as well. No witnesses supported Dean's claims, and she was found guilty. What might have driven Ann Dean to commit this felony? As the text depicts, she had a child with her – of which it can be assumed that she was supporting. Perhaps she was unable to support herself and her child, or her husband was not earning enough money to support them through the Winter? Perhaps she was a single mother, a widow, or a wife to a soldier fighting in the Americas. It can be suggested that Dean was stealing in order to make money off the muslin, or to make her child clothing. She claimed that she "asked [the shopkeeper] for a remnant of cotton to make my child a frock, and he had no remnants"[13]. Out of desperation, Dean may have stolen the muslin to make her child clothes and keep them warm in the desolate Winter.

[13] Old Bailey Proceedings Online (www.oldbaileyonline.org, version 8.0, 11 March 2023), January 1783, trial of ANN DEAN (t17830115-17).

	Winter Months *January, February, and March*	**Summer Months** *June, July, and August*	**Total**
1776	17 45.95% of female theft in 1776 20.24% of female theft in Winter	20 54.05% of female theft in 1776 31.75% of female theft in Summer	37 100% of female theft in 1776 25.17% of yearly female theft
1780	28 68.29% of female theft in 1780 33.33% of female theft in Winter	13 31.71% of female theft in 1780 20.63% of female theft in Summer	41 100% of female theft in 1780 27.89% of yearly female theft
1783	39 56.52% of female theft in 1783 46.43% of female theft in Winter	30 43.48% of female theft in 1783 47.62% of female theft in Summer	69 100% of female theft in 1783 46.93% of yearly female theft
Total	84 100% of female theft in Winter 57.14% of seasonal female theft	63 100% of female theft in Summer 42.86% of seasonal female theft	147 100% of female theft, across seasonal and yearly examinations

Figure 1. The table above lists the number of guilty thefts that were committed by women for each yearly and seasonal period, along with the total percentages for each category.

Overall, this research involved the examination of 147 cases of guilty female thieves in the periods of January to March and June from the years of 1776, 1780, and 1783. From this examination, the societal implications of gender roles, the duration of war, and seasonal factors were found to have a profound impact on the expression of the female struggle through theft. Of the 6 periods examined, women were found to commit significantly less guilty thefts than men. This can be attributed to opportunity to commit crime, along with the how the concept of

chivalry may have played into the likelihood of women being accused of committing crimes or being found guilty. Women were found to commit the theft of clothing at a much more frequent rate than men, which can also be attributed to opportunity. As women were in clothing shops, or dealing with clothing more frequently than men, they would be more likely to steal it. Clothing was also incredibly easy to dispose of for profit in secondhand and pawn shops after it was stolen, so it was a highly coveted item to steal. The examination of the data also found that women were more likely to commit theft as the Revolutionary War proceeded, most likely out of desperation to survive without the ability to own property and to hold a job like men of the time. Finally, a seasonal impact was found – female theft rates were lower in summer periods as opposed to winter periods, which was attributed to a greater need and less resources.

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