

**THE UNIVERSITY OF HULL**

**Women in the Courts: Crime, Punishment and Charity in  
Nineteenth Century Hull**

**Being a Thesis Submitted for the Degree of Doctor of  
Philosophy**

**in the University of Hull**

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**August 2019**

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## **List of Abbreviations**

ECH	Eastern Counties Herald
EMN	Eastern Morning News
ERALS	East Riding Archives and Local Studies
HA	Hull Advertiser
HCR	Hull Census Returns
HHC	Hull History Centre
HMC	Hull Magistrates Court
HN	Hull News
HP	Hull Packet
HPR	Hull Police Returns
HQS	Hull Quarter Sessions Court
HR	Hull Rockingham
HT	Hull Times
HHC	Hull History Centre
LC	Lincolnshire Chronicle
SR	Settlement and Removal

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## **Acknowledgements**

This thesis is dedicated to my beautiful, Autistic little girl Eloise. The challenges and difficulties we face each day together has meant that reaching this point of submission has been a long, hard, rocky road. I could not have got this far without the help of the following wonderful people.

My family – my husband Ian, my parents Christine and David, and my brother John. Thank you for caring for Eloise whilst I spent many a long day and evening at the University working on my thesis.

My supportive supervisors – my special thanks to Dr Rod Ambler (my supervisor in the early days of this thesis before his retirement) and Dr Amanda Capern, who has been there for me throughout. I would also like to thank Professor Valerie Sanders for her faith and belief in me, and seeing me through to the end.

I remain eternally grateful to you all.



## **Abstract**

This is a study about the responses of the law courts, police and social reformers in Kingston upon Hull in the nineteenth century to the 'problem' of female sexual immorality, crime and deviance, uncovering the considerable concerns and gendered ideological beliefs which lay behind the responses. A philanthropic culture and pioneering medical profession in nineteenth century Hull operated alongside a culture of repression and regulation based on fears of the sexual and economic independence of women, fed by a sexual double standard. The testimonies of the targeted women of the poor who were brought before the Hull courts reveal how women challenged the daily surveillance of their lives in the economic and cultural spaces of their world. Women's stories are brought to life; their poverty and subjection, but also their agency, their will to survive. The middle class desire for power and control in the urban space which placed women into prisons and female penitentiaries also saw women fight back, and refuse to carry the shame and stigma heaped upon them by moral reformers. Hull was a nineteenth century town and port with its own agenda, operating its own unique responses to social problems before the advent of national legislation and welfare reforms. The rise to prominence of middle class women in the male dominated world of philanthropy helped make improvements to a greater number of women's lives in Hull, paving the way for a new era of social welfare in the town at the dawn of a new century.

## **Chapter 1 – Introduction**

### **1.1 Aims and Context**

This study considers the regulation of women within a specific local environment - the town and port of Kingston upon Hull in the nineteenth century. It will examine how fears about female sexual immorality saw women's behavior, language and appearance scrutinized and put on trial in the nineteenth century courtroom. The aim is to show, through the case of Hull, how nineteenth century society perceived the 'problem' of female sexuality outside of marriage and responded with the creation of social constructions, the punitive use of the law and formation of institutions of moral reform.

The thesis will bring to life the experience of control, surveillance and repression (as well as sympathy and attempts to come to their aid) brought to bear upon women of the poor whose way of life and behaviour was perceived as deviating from prescribed standards and social norms. Examining the multi-factored responses of the law represented by police and magistrates, and of social reformers and philanthropists, including the role of middle class women, it will be shown how Hull uniquely responded with both punitive measures and charity and welfare. The targeting of 'outcast' groups of women (female criminals, prostitutes and women with illegitimate children) brought increasing numbers of women before the Hull courts in the nineteenth century. The hidden motivations, gendered ideology and a sexual double standard which lay behind the responses are uncovered; were reformers addressing female need or seeking control over women, their minds, bodies and freedoms?

Using a bottom up approach, it will be shown how severe poverty, the repression of the law and a moralizing charitable regime was experienced and resisted by the women themselves in their daily lives and their fight for survival in nineteenth century Hull; hearing women's stories and voices through their courtroom testimonies. This study will link the local to the national, looking at the key areas of debate and reviewing the relevant literature on crime, prostitution, illegitimacy and philanthropy. The theoretical strands weave through the whole study.

## 1.2 Femininity and the 'Fallen Woman'

The move to an urban-industrial society brought new social concerns and unrest. Evangelicalism was concerned with perceived widespread immorality and vice in society. The aim of the evangelical movement was the reformation of manners and morals, especially amongst the seemingly dangerous working class who sought political reform. Evangelicalism led philanthropy to focus on moral reform, and the foundation of reforming societies such as the Society for the Suppression of Vice and Immorality formed in London in 1802, with Hull forming its own branch in 1807.<sup>1</sup>

The reforming zeal of the newly enfranchised middle class was attuned to the evangelical moral crusade. Both sought to impose order upon what was thought to be a corrupt and debauched society. Evangelicalism provided the moral framework and ethos through which the middle class reforming zeal could emerge and their power located. The evangelical middle class believed that society was in need of effective leadership and moral guidance that only they could provide. With its ethos for moral reform and a

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<sup>1</sup> Hull Advertiser (HA), 19<sup>th</sup> December 1807.

new cult of respectability, the middle class sought to lead by example, emphasising their superior morality in contrast to what they considered to be a debauched aristocracy and rough and vulgar working class. Conflicts over urban space and desire for power and social control saw the middle class attempt to mould the working class in their own image and to make areas of working class life subject to surveillance, stigma and persecution. The case of Hull will show this had a particular effect on working class women's lives; over their freedoms to conduct their lives how they wished and go where they pleased. Women of the poor became the targets of the magistrates, police and philanthropists, the subject of social investigation and negative social commentary. Female sexuality outside the confines of marriage and family was turned into female sexual deviance in the social construction of the dangerous sexualities of women.

The middle class desire to find a prominent and influential role for itself in urban-industrial society and politics saw efforts to define themselves as a class with specific values and ideology. This ideology was heavily gendered. Catherine Hall has discussed how gender divisions played an important part in unifying a middle class divided by religion or politics.<sup>2</sup> Middle class ideology involved well-defined notions of masculinity and femininity. A new language of domesticity came to the fore in the nineteenth century with ideas about women's place in society. The attempt by evangelicals to forge a new view of society involved a redefinition of women's role within the family and a sexual double standard. Especial importance was placed on the home and domestic comforts, with women assigned the role of moral guardians of the home and family, whilst men were defined by their public role in the world of business and politics. The idea of separate spheres arose in response to women's economic activity. New concerns

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<sup>2</sup> Catherine Hall, *White, Male and Middle Class, Explorations in Feminism and History* (Cambridge, Cambridge University Press, 1992), p. 95.

were raised by industrialisation about the detrimental effects upon the home and family, with working women held responsible. The aim was to put women back into the home by becoming economically dependent upon the male breadwinner.<sup>3</sup> Conflict over space in urban towns was not just over the desire of the middle class to clean up the streets of working class disorder, but taking women out of the work place, the public houses, the streets and into the private space of the home. The urban space was gendered space.

Changing attitudes towards women are revealed through the nineteenth century social constructions of the 'domestic angel' and her antithesis the 'fallen woman', found in art, literature and religious imagery, which influenced how women were viewed. Women were either idealised pure and virtuous wives and mothers or sexually corrupt 'harlots'. The 'angel in the home' saw women tasked with making the home a haven from the harsh realities of public life; a female inspired place of sanctuary, peace and spirituality.<sup>4</sup> The notion of 'fallen' emphasised the female sexual 'fall from grace' to the depths of degradation leading to eventual destruction and death - the consequence of sexual deviation from women's roles as chaste and virtuous wives and mothers, acting as a warning of what could happen once women crossed the boundaries set out for them. In *Tess of the D'Urbervilles* Thomas Hardy explored the theme of Tess's fall from grace due to her seduction which led to her eventual downfall and death, facing the consequences of her lust.<sup>5</sup> Elizabeth Gaskell's *Ruth* saw the single mother find redemption through motherhood, the idealised role of women cushioning the fall.<sup>6</sup>

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<sup>3</sup> Hall, *White, Male and Middle Class*, pp. 96, 112-120.

<sup>4</sup> Elizabeth Langland, *Nobody's Angels: Middle Class Women and Domestic Ideology in Victorian Culture* (Ithaca, Cornell University Press, 1995), pp. 1-268.

<sup>5</sup> Thomas Hardy, *Tess of the D'Urbervilles: A Pure Woman* (1893), (Oxford, Oxford University Press, 2005), p. 79.

<sup>6</sup> Elizabeth Gaskell, *Ruth: A Novel* (1853), (London, Penguin, 2004), p. 30.

Moral issues were also being propounded by the pre-Raphaelites. Repentance in Holman Hunt's *The Awakened Conscience* took the form of the remorseful mistress. Gabriel Rossetti's painting entitled *Found* displayed the fallen woman as a tragic object of pity, found in a helpless and degraded state by her former sweetheart, who pities her plight and goes to her aid. She is portrayed turning her head away in shame.<sup>7</sup> Christina Rossetti's poem *Goblin Market* about the sexual dangers of the street, highlighted moral values and the importance of the sisterhood in reclaiming lost souls.<sup>8</sup> Pre-Raphaelite paintings of the fallen woman as a tragic repentant figure is in contrast to their paintings of the celebration of female purity, beauty and goodness. Virginal, dreamlike and angelic figures represented the idealisation of femininity.<sup>9</sup> In the theatre representations of women emphasised wicked seductresses, seduced maidens or repentant magdalenes. It was not until the early twentieth century that feminist suffrage plays presented women's agency and stressed economic conditions and environmental influences which challenged views of female moral weakness and inherent character defects.<sup>10</sup>

Women's idealised special morality was a central strand in the evangelical campaign for improving public manners and morals.<sup>11</sup> The cult of the 'angel in the home' produced

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<sup>7</sup> Jan Marsh, *Pre-Raphaelite Women: Images of Femininity in Pre-Raphaelite Art* (London, Weidenfeld & Nicolson, 1987), pp. 32, 93, 96 & Julia Thomas, *Pictorial Victorians: The Inscription of Values in Word and Image* (Athen, Ohio, Ohio University Press, 2004), pp. 1-203 & David Peters Corbett, *The World in Paint: Modern Art and Visuality in England, 1848-1914* (Manchester, Manchester University Press, 2004), p. 37.

<sup>8</sup> Christina Rossetti, 'Goblin Market' cited in Jacey Nicole Greff, *The Fallen Woman in Christina Rossetti's Goblin Market* (Mankato, Minnesota State University Press, 2007), pp. 1-186.

<sup>9</sup> Liana De Girolami Cheney (Ed.), *Pre-Raphaelitism and Medievalism in the Arts* (New York, The Edwin Mellen Press, 1992), p. 9.

<sup>10</sup> Sos Eltis, 'The Fallen Woman in Edwardian Feminist Drama: Suffrage, Sex and the Single Girl' in *English Literature in Transition*, 50:1 (2007), pp. 27-49.

<sup>11</sup> Hall, *White, Male and Middle Class*: pp. 75-78.

influential propaganda aimed at instructing women in their proper roles, and found an outlet in nineteenth century women's household manuals and novels. Sarah Stickney Ellis, writing for women on domesticity in the 1820s to 1840s, sold widely. Her work *The Women of England: their Social Duties and Domestic Habits* written in 1839 had by 1849 gone into 13 editions. Stickney Ellis emphasised female moral guardians where a woman's duty was to act as a man's second conscience to prevent him from falling into the snares and temptations of the world.<sup>12</sup> The sexual double standard placed moral responsibility onto the shoulders of women and saw women judged and perceived in moral terms, leaving men free to follow their apparently natural inclinations.

Working class women were expected to imitate middle class domestic ideology, but without the financial security or leisure that middle class women possessed. Working class women did not possess the economic resources to be 'angels in the home'; they participated in whatever work was available to them and some women of the poor resorted to crime or prostitution to survive. The outcry about the perceived sexual morality of factory girls and the lack of domestic skills of working class girls reflected fears about growing female economic independence. Studies into working class married women's employment included the report of an enquiry undertaken by the middle class Women's Industrial Council in 1915.<sup>13</sup> The findings are in common with the results of this thesis, with poverty and the economic necessity for working class women to earn a wage for the family the reality for the majority. This was especially the case in Hull with its whaling and fishing industries meaning women were alone providing and caring

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<sup>12</sup> Sarah Stickney Ellis, *The Women of England, Their Social Duties and Domestic Habits* (London, Fisher, Son & Co., 1845), p. 53.

<sup>13</sup> Clementina Black (Ed.), *Married Women's Work: Being the Report of an Enquiry Undertaken by the Women's Industrial Council* (London, G Bell & Sons Ltd, 1915), pp. 1-292.

for the family as men were away at sea for long periods of time. Hull women were survivors because they had to be; they were strong women who did not conform to middle class expectations of female roles.

It is this divergence from gendered expectation which caused the middle class attack on women of the poor, although the difficult economic situation of working class women received some sympathy from middle class feminists who sought to improve their lives. The reality of working class women's lives did not fit easily with middle class domesticity values, although amongst those of the (often better off artisan) working class who sought self-improvement and respectability, domestic ideology did have some resonance. Women daily washing the front step (known as donkey stoning in Hull) was a feature of working class life in Hull, as elsewhere.

Evangelicalism not only waged war on women's economic independence but on their pursuit of sexual pleasure. A sexual double standard, whilst recognising men's virility as natural, consigned women to being asexual; female sexual desire, apart from the purposes of procreation within marriage, was regarded as unnatural, abnormal and unwomanly. This view was also given new status in medical and biological explanations. Dr William Acton, writing on female sexuality, stated that 'women are not much troubled with sexual feeling of any kind' and 'the best wives and mothers and managers of households know little or nothing of sexual indulgence'.<sup>14</sup> Husbands were to be the watchful guardians of their wives' honour.<sup>15</sup> The surveillance of women and

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<sup>14</sup> William Acton, *The Functions and Disorders of the Reproductive Organs in Childhood, Youth, Adult Age, and Advanced Life: Considered in Their Physiological, Social, and Moral Relations*, 3rd Edition (London, Churchill, 1862), p. 101.

<sup>15</sup> Hall, *White, Male and Middle Class*, pp. 84-87.



their morality is an essential theme running through this study and saw women closely monitored in the home, workplace, neighbourhood and public streets.

The middle class public façade of respectability hid a private obsession with sexuality. Outwardly condemned, female sexuality was both a source of fascination and obsession with its control. Michel Foucault has argued that far from being repressed in the nineteenth century, sex was discussed and scrutinised more than ever and discourses and specialist knowledge developed around it.<sup>16</sup> Female sexuality became labelled as deviant and criminalised, especially the sexual behaviour of working class women and girls. In the courts of law the theory of ‘double deviance’ meant women were punished for the hidden crime of sexual immorality.<sup>17</sup> Women who transgressed sexual boundaries were treated as bad or mad and placed in a wide range of institutions developed to control, contain and reform female sexual disorder including prisons, female penitentiaries, lock hospitals, and mental hospitals. Women were subject to harassment through the Contagious Disease Acts in the nineteenth century, which were applied to specific towns in England and Ireland between 1864 and 1886. The Acts saw women suspected of loose morals forcibly made to undergo medical examination for venereal disease, whilst men were left untouched.<sup>18</sup> Women of the poor, perceived as immoral, became the subjects of philanthropists and social reformers who sought their moral reform and re-entering of society as domestic servants, good wives and mothers.

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<sup>16</sup> Michel Foucault, *The History of Sexuality: An Introduction* (Harmondsworth, Penguin, 1990), pp. 17-49.

<sup>17</sup> Frances Heidensohn, *Women and Crime* (London, Macmillan, 1985), p. 213.

<sup>18</sup> Judith Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge, Cambridge University Press, 1982), pp. 44, 105.

The gendered nature of the law and philanthropy saw classification of women, separating those perceived as respectable from those seen as dissipated. Particular groups of women were branded and vilified. Prostitutes and women who bore illegitimate children were made social outcasts in respectable society. The main target of moral reformers and the law were the street walking lower class prostitute, viewed as contaminating the public space of nineteenth century towns and cities. Hull prostitutes were subject to police harassment and heavy sentencing by magistrates in the nineteenth century. Despite outward condemnation, prostitution was also seen as necessary for the safeguarding of middle class women's purity and protection from male sexual gratification. The prostitute played a crucial role in the construction of middle class femininity; the 'other' figure on whom virtuous femininity depended. As Jeffery Weeks states 'familial ideology was accompanied by, and often relied on, a vast underbelly of prostitution, which fed on the double standard and an authority moral code'.<sup>19</sup>

### 1.3 The Port and City of Hull

This part of the introduction seeks to introduce Hull as a town and port in the nineteenth century and give an overview of its social structure, economy and social problems in the period. Widespread female poverty, alongside Hull's growth as a port, meant that conditions for large-scale prostitution existed. Hull, like many towns and ports, was experiencing growth and expansion as a result of the increase in trade brought by industrialisation from the late eighteenth century. It benefited from the increase in movement of industrial goods through the port to Northern Europe as well as home markets. Hull's population more than doubled between 1801 to 1851, being 22,161 in

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<sup>19</sup> Jeffery Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800*, 3<sup>rd</sup> Edition (London & New York, Routledge, 2012), pp. 39-40.

1801 to 50,670 in 1851. By 1901 the population had grown to 239,157.<sup>20</sup> Migration into Hull from the surrounding rural hinterland was responsible for much of the increase in population, with men and women in search of employment opportunities. Hull's role as port offered employment in trades connected to shipping, the processing of raw material imports such as timber, dock labour, as well as the fishing and whaling industries.<sup>21</sup>

Industrialisation and urbanisation brought visible social problems to Britain's towns and cities in the nineteenth century, including Hull, with poverty, destitution, rising crime and prostitution. Poverty and unemployment was a particular problem for women in Hull as it lacked large factories offering employment to women and children. Hull had a small cotton industry where employment for women was on a casual basis. Employment for women in Hull was limited to the poorly paid unskilled trades of needlework, charring, domestic service and laundry work. In common with other towns, domestic service was the largest employer of women in Hull with 3200 women in service in 1851.<sup>22</sup> The seasonal nature of trade in Hull was a factor in women's poverty. Less employment and trade took place in the winter months due to difficult conditions at sea, with many lives lost. One third of widows and orphans in Hull were from the loss of men at sea.<sup>23</sup> Female poverty was also due to desertion by husbands or husbands away at sea in the fishing and whaling trades. Families faced huge hardships, with women bearing the burden the most, being responsible for feeding and clothing the family.<sup>24</sup>

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<sup>20</sup> E Gillett & K A MacMahon, *A History of Hull* (Hull, Hull University Press, 1989), p. 270.

<sup>21</sup> (Ed.) K J Allison, *The Victoria History of the County of Yorkshire, The East Riding, Volume 1 – Kingston upon Hull* (London, Oxford University Press, 1969), pp. 189, 207.

<sup>22</sup> Gillett & MacMahon, *A History of Hull*, p. 318 & (Ed.) Allison, *Victoria History of the County of Yorkshire*, p. 227.

<sup>23</sup> (Ed.) Allison, *Victoria History of the County of Yorkshire*, p. 207, 227.

<sup>24</sup> HA, 12<sup>th</sup> February 1831.

Letters to the Hull Poor Law Guardians reveal women's economic distress. In 1832 Rose Jones wrote to the Guardians of her unemployment leading to her poverty and that of her children. This letter includes spelling mistakes, which demonstrates the illiteracy amongst the poor in this period: 'I take the libeity to Ritting to you from Rosey Jones and she would take it as A verry great favour if you would advence me a fue shillings Extry for her youngist Boy is near Lost his Aie sight I have im in Dispensary and he gets no better he ase been Bad this 6 weeks and I have Little Work'.<sup>25</sup> Women were more likely to become dependent on the parish than men. Widowhood, desertion by husbands and the bearing of illegitimate children also caused female poverty. The numbers receiving poor relief in Hull rose in the early nineteenth century. In 1800 there were 845 people receiving relief, by 1834 (the year of the New Poor Law), there were 3266 people claiming relief, of which 1148 were women and 1604 were children. Altogether, women and children made up more than 80% of Hull's paupers.<sup>26</sup>

Debates about the urban town and city and its working class inhabitants became a prominent issue in the nineteenth century. This generated new kinds of analysis from statistical enquiry to investigative journalism into such areas as prostitution, poverty, disease and crime. An investigation into the social condition of the working class in Hull in 1849 found that 1 in 15 of Hull's total population were paupers. The cost to the town of pauperism was found to be £25,570 per annum.<sup>27</sup> Social conditions in Hull in this period were also investigated by the Manchester Statistical Society on a visit to the town in 1839, undertaken by home visits to the poorer working class districts. The

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<sup>25</sup> Cited in N D Hopkin, *The Old and New Poor Law in East Yorkshire* (University of Leeds, MPhil thesis, 1968), p. 550.

<sup>26</sup> Hopkin, *The Old and New Poor Law in East Yorkshire*, pp. 63, 203, 550, 587.

<sup>27</sup> HA, 11<sup>th</sup> January 1850.

report noted the relative lack of employment for women in Hull, compared to Manchester with its many factories and mills which employed large numbers of women and child labour. Out of 20,151 females of all ages in Hull, only 3,857 had any paid labour. Of 11,400 adult females in Hull, 8794 had no occupation.<sup>28</sup>

Despite their poverty, Hull working class women were criticised by social observers. An observer scathingly reported on women of Hull being ‘bold, and imitating male manners’.<sup>29</sup> A further report saw women attacked for lack of domestic skills, vulgarity, for being bad servants, shocking language and drunkenness. They were regarded as victims of their own vices.<sup>30</sup> A conference held at the Town Hall in Hull in 1884 attended by the council, local clergy and concerned citizens, reported on the results of an investigation into the working class entitled *That Other Hull* (the emphasis on the ‘other’ reveals the opinion that the poor were social outcasts in the town). As well as deploring the living conditions of the poor, the report stressed that their own behaviour was responsible for much of their misery. Working class women were especially condemned with the report discussing the ‘dens of drunken and degraded women’, women’s ‘coarse immorality and inherent vice’ was seen as due to the ‘very large amount of depravity amongst young women’.<sup>31</sup> Social attitudes blamed the poor for their own poverty with the sexually debased label attached to female poverty.

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<sup>28</sup> Manchester Statistical Society, ‘Report on the Condition of the Working Classes in Hull’, *Quarterly Journal of the Statistical Society*, 5:2 (July-September 1842), p. 213.

<sup>29</sup> *The Country Magazine and Quarterly Chronicle for Hull and the East Riding of Yorkshire, containing a variety of original essays, poetry etc* (Hull, Craggs, 1813).

<sup>30</sup> HA, 11<sup>th</sup> January 1850.

<sup>31</sup> *That Other Hull: Being Homes of the People, Report of the Conference Held at the Town Hall, Hull, 1<sup>st</sup> February 1884* (1884), Malet Lambert Local History Reprints Extra Volume, 67 (1984).

Rising female crime in nineteenth century Hull saw women turn to petty crime to make ends meet, such as theft of goods or illegal pledging at the pawnshop as well as prostitution. In 1849 3700 people were taken before the Hull magistrates for offences which ranged from theft, violence, drunkenness and prostitution. One in five were female, with 1080 under 25 years of age.<sup>32</sup> In 1849 627 prostitutes were known to the police; the number in reality was likely to be far higher.<sup>33</sup> The 1839 survey found that there were 86 known prostitutes living in brothels; the report stresses that only those who 'acknowledge themselves as prostitutes or whose character was notorious in the neighbourhood, have been included in this number'.<sup>34</sup> Women working as part time prostitutes on the side would not be included in any official statistics. Women turned to prostitution in order to have enough money to eat and buy fuel, entering into prostitution in times of desperation and hardship. A ready clientele was found in the many visitors and sailors to the port. Alcohol abuse and prostitution were regarded as large social problems which the authorities sought to eradicate and control through harsh court sentencing and police surveillance. Although Hull did not come under the jurisdiction of the Contagious Disease Acts, it developed its own social responses and initiatives to deal with what was regarded as a large female sexual immorality problem.

Hull gained a police force in 1836; previously night watchmen had patrolled its streets. Prisoners were sent to Hull Gaol or Hull House of Correction for minor offences with both of these later united in one building. Annual criminal returns compiled by the police revealed high levels of crime. In 1849 3700 persons were charged of which 1 in 5

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<sup>32</sup> HA, 21st December 1849.

<sup>33</sup> HA, 21<sup>st</sup> December 1849.

<sup>34</sup> Manchester Statistical Society, *Report on the Condition of the Working Classes in Hull*, p. 213.

were female and 1080 under 25 years of age. There were 627 known prostitutes, with many more working on the sidelines.<sup>35</sup> Increasing convictions was also indicative of the growth of the law in the nineteenth century, with the new categories of offences applied by the Hull magistrates with the aim of curbing working class disorder, in particular targeting the perceived sexual disorder of working class women. Concern over uncontrolled urban space and fears of working class sexual disorder spilling out onto the public streets of the town, saw heavy policing of Hull's working class neighbourhoods, lodging houses and public houses. Hull's middle class physically separated itself off from the working class in the new suburban streets to the North and West of the town.

The targeting of the sexual behavior of the female poor was also undertaken by Hull's middle class moral reformers. The forming of charities aimed at improving the morals of the poor were further responses of the middle class in this period. The aim of 'saving' fallen women saw the setting up of various institutions offering removal from previous temptations and associations along with repentance of sins to enable a future as respectable women. The education of the women in domestic skills was aimed at enabling them to gain employment as domestic servants. Charities were funded and run by voluntary subscriptions of Hull's philanthropic middle class, drawn from merchant families, the professions and the clergy who formed the power base in the town, active in local government, politics, social reform and cultural life. Hull had a large evangelical community, responsible for much of the social action and moral reform agenda in the town in the first half of the nineteenth century. Evangelical clergy regularly preached sermons on moral reform to their congregations.<sup>36</sup> Hull's reforming

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<sup>35</sup> HA, 11<sup>th</sup> January 1850.

<sup>36</sup> Peter Stubley, *A House Divided: Evangelical and the Establishment in Hull 1770-1914* (Hull, University of Hull Press, 1995), pp. 50, 106.

middle class sought to pass on their ideologies and values to the working class in the town through religion, work, education, and philanthropy including middle class women acting as female role models to the charities' working class 'fallen' recipients.<sup>37</sup>

The axis of social response in nineteenth century Hull went from the philanthropic addressing of social need through to the harshness of punishment and prison. On this axis also sat the controlling middle class response, seeking power and control in the town. This thesis will reveal how Hull's particular social problems created its own distinctive social responses and how this affected women's lives in the town.

#### 1.4 Methodology

This study of Hull in the nineteenth century involves extensive use of local records such as records of the Hull courts, police records, census records, records of local charities and local newspapers. Hull will also be placed in a wider national framework and comparisons made with other towns and cities in this period. As Hull's response to social problems was to bring increasing numbers of women before the Hull courts, the research method used in this study includes a survey of female criminality in the town. Hull Magistrates Court and Quarter Sessions Court records reveal the nature and extent of female criminality as well as the poverty which brought women before the courts.

The extent of the detail found within the Hull court records is rare. The Hull Magistrate court records in particular provide rich qualitative material. The name of the person and their crime usually found in local court records, is greatly expanded on in Hull. Further

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<sup>37</sup> Hull Female Penitentiary, *Plan and Rules of the Hull Female Penitentiary* (Hull, Robert Peck, 1811), pp. 1-16.



details of individuals are available, such as occupation, address, age, marital status. Survival of witness statements and those of the complainant and defendant means the background stories to the cases can be put together. These include the statements of the police themselves - the arresting officer. The (often hostile) questions of the magistrates and the defence have also been recorded, revealing how women were treated within the courtroom, and how their 'respectability' and sexual morality were on trial. The later nineteenth century is especially abundant in detailed information on individual cases as the court administrative recording became more standardised. The Hull Quarter Session courts have additional bundles of documents for the cases, as well as their recording in the minute books. The bundles include witness statements and full accounts of the court appearance and of the crime itself, giving context to the findings in the minute books.

This valuable material takes the Hull study beyond a purely quantitative view of female criminality in the nineteenth century, to a wider perspective on why women committed crime and how this was perceived, which in turn influenced the sentencing outcome.

Sentencing outcomes are included in the Hull court records, including details of imprisonment on default of payment of fines, showing how women struggled with poverty being unable to pay even small fines to the courts, as well as poverty and familial responsibilities driving them to commit offences in the first place. The range and scope of the Hull records are central to this thesis' contribution to knowledge of women of the provincial poor in the nineteenth century, as well identifying the wider perceptions/attitudes towards them of the local police, magistrates and reformers.

The method used in the survey of female criminality has involved the recording of all female offences before the Hull Magistrates Court and Hull Quarter Sessions Court, taking 10 yearly samples in line with census years 1801 to 1891. Where records are

missing for these years the nearest year to this was used instead. The construction of a database has been used to record female offence. The database holds over 7000 records of female crime from the Hull Magistrate Court Minute books. Data is organised by individual, their offence and by the sentence outcome given in each case. This provides information on the most common types of offence women were apprehended for in nineteenth century Hull, typical sentences given for the offences, the numbers of women before the courts, as well as identification of change over time. Quantitative analysis of the crime data is used in the form of various charts and graphs displaying the results.

Circumstances behind the offences are found in the examination of the courtroom testimonies and witness statements in a qualitative analysis of female crime, to draw out the accounts of the individuals involved in crime and those who sat in judgement of them. As well as looking at background details to the cases, where possible details of individuals' life/work and family/social class background have also been included. Women's social class has been assessed by their occupation (if provided), literacy levels (as recorded by the police returns of arrests) and whether they lived in the poorer districts of the town. Individual cases are discussed in rich qualitative depth; the use of non-demographic records throughout the study reveal the experiences and treatment of prostitutes, female criminals and unmarried mothers in nineteenth century Hull.

The overall aim is to show how female sexual disorder offences were dealt with more severely than other crimes committed by women, which are used as a point of comparison. It will be shown that the Hull courts' sentencing policy reflected nineteenth century society's concerns over female sexual immorality and reinforced the sexual double standard. This is identified through examination of the extent to which women who were regarded as sexually immoral, such as prostitutes, brothel keepers, and

women whose offences contained a sexual element, were arrested and put before the courts compared to other women. This will reveal how the Hull police and magistrates used their power through the law to arrest, imprison and make examples of women who did not conform to expectations of their sex, looking at the perceptions, beliefs and value judgements which constructed certain female behaviours as deviant and immoral.

Surveillance of women of the poor by the police force in nineteenth century Hull was a further response of the law and authorities in the town to perceived female sexual immorality. Statistics of crime compiled by the Hull police force in the Police Returns of Crime are used to provide details of arrests of women and additional information on the numbers, activities and whereabouts of prostitutes and brothel keepers. Other useful information includes details on age, place of birth and whether the women could read or write which gives an indication of the social class of the women. These records give an indication of the offences the police were arresting women for in this period which reveals how the police were influenced by wider societal concerns about the behavior of working class women. Police testimonies to the Hull courts also reveal how working class women and the places they frequented were watched and targeted for dissolute behavior. Police testimonies provide details of policing practice in the public houses, lodging houses and brothels of the working class spaces in the town, as well as revealing the relationships of prostitutes with the police, who got to know them well.

The results of the survey of female crime through examination of both the court records and police returns of crime have their limits. These records are of female criminal activity in the town coming to the attention of the police and magistrates, and therefore is not a total picture of female criminal activity as it does not include female crime which was not apprehended by the law. However, the crimes that appear in the courts'

minute books do provide an indication of what the authorities of the law regarded as criminal behavior of women. Thus the sources, if not an exact representation of levels of female criminal activity, provide an idea of contemporary perceptions of what constituted crime and appropriate punishment in the period, providing an insight into the social attitudes towards female crime which this thesis particularly concentrates on. The hidden crime of perceived sexual immorality and judgements on respectability will be shown to be part of women's courtroom experience, affecting the sentence outcome. Appearances counted for much. Attitudes towards 'fallen' women in the courtroom are revealed through examination of the courtroom questioning of women apprehended for prostitution and women who brought their bastardy cases to the Hull courts.

Case histories of individual women involved in Hull bastardy cases are used to illustrate the statistical evidence of increasing illegitimacy in the nineteenth century. Examination of the early nineteenth century Hull Settlement and Removal records reveal the authorities using the courts to rid the town of pregnant single women and women with illegitimate children in order to reduce the burden on the parish and the middle class ratepayers. Case studies provide detail of the circumstances behind the pregnancies. Courtroom testimonies and witness statements reveal the motives and hidden agendas which lay behind the hostile courtroom questioning of the women in bastardy cases, informing on social attitudes held towards single mothers in this period. An unpleasant and degrading experience for women, courtroom questions display the scrutiny of women's sexual history, aimed at portraying women as sexually promiscuous and their children a result of a number of sexual encounters with different men, raising doubt over the paternity of the child. The defending of their reputations by women before the courts is examined; their statements provide a rare voice of working class women in a period when the middle class dominated the discourses.

However, a note of caution is also applicable here as the recording of women's witness statements and courtroom testimonies was undertaken by magistrates clerks or local newspaper reporters (namely middle class men with their own gendered and social class ideologies). Due to administrative procedure, confines of space and word length women's statements were not necessarily taken as verbatim and their voices reshaped and rewritten. This fact applies to all courtroom testimonies but with particular importance for working class women who generally lacked a voice, which women of a higher social class were able to use through their letters and correspondence.<sup>38</sup>

This study seeks to reveal the lived experience of female crime, prostitution and bastardy and how women responded to the restrictions placed upon them. Along with women's courtroom testimonies, case studies are also used to bring to life the lives of women working as prostitutes and thieves in nineteenth century Hull, using two examples of individual women to illustrate the difficult lives such women led, battling poverty, violence and imprisonment. Their lives are uncovered using national census returns from 1841 to 1911, the national index to birth, marriage and death records from 1837, as well as the Hull Magistrates Court and Hull Quarter Sessions Court records.

Census material for Hull from 1861 and 1881 is used to identify the spatial locations of prostitutes and brothel keepers in the town, with the identification of areas notorious for vice such as Waterhouse Lane and Leadenhall Square in the poorer working class areas. However, problems of self-definition within the census, and fears of arrest, means this source does not accurately reflect the numbers of women working as prostitutes or running brothels. Women working as prostitutes alongside poorly paid employment

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<sup>38</sup> Joanna Bailey, 'Voices in Court: Lawyers' or Litigants'?', *Historical Research*, 74:186 (2001), pp. 392-408.

would not usually describe themselves as prostitutes, but by their 'official' occupation such as laundry workers or domestic servants.

The prosecution of publicans for harboring prostitutes through Licensing Act cases in the Hull Magistrates Court records provide further identification of prostitutes' spatial environments and clientele. The police watched lodgings houses suspected as being used as brothels, they watched public houses for women going in unaccompanied, or frequented by those women known to them as prostitutes. The police witness statements to the courts, along with those of the landlords, provide detailed descriptions of the nineteenth century public house environment, and how prostitutes used these popular spaces to meet clients, and also pickpocket drunken men for additional earnings. The mutually lucrative deals going on between prostitutes and landlords are revealed.

This thesis also undertakes a social class analysis as well as a gendered analysis. Hull's middle class sought to both punish female sexuality outside of marriage, and improve conditions for women through their charity work. The, often contradictory, middle class voices - sympathy versus hostility, the desire to punish, the desire to control, the desire to help, are revealed through examination of the records they have left behind. This was not just about control, but also seeking to improve lives, to alleviate poverty and ease suffering; the Hull records reveal a more nuanced view. The social class of the males involved in the Hull bastardy cases has also been examined. The intention is to reveal how in cases involving middle class men, such as the impregnation of servants by their employers, women's cases were more likely to be dismissed due to the gathering of witnesses who attested to the man's character and standing in the community. In cases of prostitution women could expect harsher sentences for 'bothering' men of a higher

social class. Courtroom testimonies are used to reveal the class and gender bias in the law which protected men, especially males of a higher social class.

Social attitudes towards prostitution, crime and illegitimacy in nineteenth century Hull are revealed through the study of Hull's local newspapers in the nineteenth century. Letters to the press, editorials, social investigations, and newspaper reports on female crime expose the popular perceptions and beliefs. The moralizing tone and language used in newspaper reporting of female sexual deviance reveals attitudes held towards women of the poor in nineteenth century Hull. The critical voice will be contrasted with the sympathetic voice, as seen in local newspaper support for charities for women in Hull, publishing their annual reports and funding appeals. Examination of literature aimed at the young to act as warnings against immorality, local poetry by Hull's middle class as well as published sermons of the Hull clergy are a further way of uncovering popular attitudes held towards women of the poor in the town.

The records of charities and correspondence of philanthropic individuals in nineteenth century Hull are used to further identify the social responses and social concerns. A case study is made of the first charity formed in Hull for 'fallen' women – the Hull Female Penitentiary. Its annual reports are used to identify the aim of moral reform of prostitutes and 'wayward' girls. The study of later charities for women, set up in Hull in the late nineteenth century/early twentieth century, will reveal change over time in their aims and objectives and recipients, with the net widening to reach more women of the poor in the town. The study will look at the formation of the charities, their committees and how they were run, who supported them, as well as the motivations behind their formation, including the belief that help to the 'undeserving' was only acceptable if it brought about moral reform. The charities' rules and regulations and annual reports

provide a picture of daily life in the institutions, with training for respectable female employment as domestic servants the objective alongside religious instruction.

The use of subscription lists enables study of the lives of the main instigators of the charities and their financial supporters. Identification of the social standing of the individuals involved reveals the middle class power base in the town and how undertaking 'good works' was a way of raising their social profile, as well as providing middle class women with an outlet outside of the home. Middle class women's role within the charities is examined to see how far women were assigned an active role or kept to a background, periphery role. A strict gendered morality code in society dictated how far middle class women could be exposed to sex. Following the charities over time will reveal how middle class women moved from visitors to committee members, to running and forming their own charities for women, revealing the social and political progress of women in the nineteenth century, but keeping with the domestic training and moral reform agenda despite the headway made. The charities' success rates in helping women move onto better lives is to be assessed by use of the statistics available as well as letters to the charities from women they had helped, providing a rare voice for the women themselves on their experiences, although the women's accounts subject to propaganda with the charities seeking to promote their successes and not their failures.

The Hull charities will be compared to similar charities in other towns and cities in the nineteenth century. Comparisons are also made between the Hull charities themselves, including those aimed at the 'deserving' poor such as the Hull Poor Married Women's Lying-In Charity, shown to have had greater support than the Hull Female Penitentiary. Annual financial reports will show how the 'fallen' women charities faced considerable difficulty in attracting funds with many of Hull's wealthy benefactors unwilling to be



publically associated with prostitution, as well as views about the ‘unworthy’. Stigma and the taint of female sexual immorality meant these charities were less supported. The prolific Hull records also help reveal female agency and survival in face of poverty, repression, and persecution. Women’s courtroom testimonies are a record of women of the poor standing up for themselves and their children in a tough, hostile world. It is a record of their actions; women who chose to enter hostile courtrooms in bastardy and wife desertion cases, and institutions of moral reform for their own practical reasons, making full use of the limited resources and choices open to women in this period.

### 1.5 Chapter Structure

The aims of the thesis, as well as the context of the study, are set out in the first chapter. The setting of the background scene to the study of women of the poor in nineteenth century Hull will involve identification of the moral climate in the period, looking at the influence of evangelicalism and middle class domestic ideology on women’s lives. The social construction of the ‘fallen woman’ is shown to have been applied to women who were perceived as transgressing the social and sexual boundaries set out for their sex. The image of the fallen woman is compared to the ‘domestic angel’; the ideal of womanhood which had far reaching influence in the law, religion, popular art and literature. It is shown how powerful imagery of ‘good’ and ‘bad’ women and a sexual double standard acted as a constraint on women which men were not subjected to.

This chapter will also introduce the town and port of Kingston upon Hull in the nineteenth century and its social and economic structure. This will involve an identification of both Hull’s large working class population and its significant middle class power base seeking control of the town. Hull’s role as a port and its social

problems of poverty, female destitution and a relative lack of female employment opportunities, is related to significant prostitution in the town in the nineteenth century. A discussion of the historiography and how the Hull study sits with other work by historians in the fields of crime, prostitution, illegitimacy and philanthropy takes place in the second chapter of the thesis. The main debates and findings within the historiography are set out. The historiography is also used within the main body of the work to illustrate points made and compare and contrast with the findings for Hull. Examination of Hull's particular responses to its social problems in comparison with other studies of towns and cities in this period will reveal Hull's distinctiveness .

Examination of Hull's use and implementation of the law as a response to social concerns in the town takes place across chapters three, four and five. These chapters show how the institution of the law was active in perpetuating the sexual double standard and gender divides inherent in nineteenth century society, with female sexuality constructed as an offence when outside of the confines of marriage, home and family. The surveillance and persecution of working class women saw the appearance of women of the poor in the Hull courts in increasing numbers in the nineteenth century. Judgements on women's sexual reputation, respectability and character affected their treatment in the Hull courtroom as well as their sentencing outcomes.

The first of the three chapters commences with an examination of female criminality in nineteenth century Hull (Chapter 3). As well as revealing the figures of crime, this is a study of how women were dealt with within the law and court process in Hull using the results of the survey of female offenders. It asks questions of why prostitution and cases of female sexual immorality were dealt with more severely than other female offences. It is to be revealed how all women before the Hull courts were subjected to an

additional moral judgement on their character, dress, language and behaviour which men were not subjected to; the hidden crime of perceived female sexual immorality. The courtroom is shown to be a theatrical arena where the construction of women's sexual reputations, respectability and character were publically played out and judged.

This chapter will also study the expansion of the Hull Magistrates Court in the nineteenth century and the growing power of local magistrates in their implementation of the law. This chapter also looks at the development of the Hull police force and its activity in patrolling the streets, red light districts and public houses of Hull in search of prostitution, female drunkenness and disorderly women. The activities of the police and magistrates as the middle class male power base in the town will be shown to be a form of social control over Hull's working class female poor; the aim of control of the urban space saw particular supervision of female spaces, affecting the freedoms of women.

Chapter 4 concentrates on prostitution and brothel-keeping in nineteenth century Hull. Prostitution in the nineteenth century was regarded as a great social evil and prostitutes were vilified as the symbol of unnatural womanhood and disorderly female sexuality. The response of the Hull magistrates and police to prostitution will be shown to have reflected wider contemporary concerns. The examination of the sentencing of prostitutes will reveal that prostitution was treated harshly by the Hull courts. Questions will be asked of how offences which normally received only a small fine, when committed by a known prostitute was upped to a prison sentence. The chapter will concentrate on identifying the nature and causes of prostitution in the town as well as looking at two cases studies of individual women working as prostitutes. The background to prostitution is identified with poverty-stricken women unable to support themselves and their families, who turned to prostitution when other employment was

scarce, or combined the two as employment for women was limited and poorly paid. An examination of the voice of the Hull press as well as the middle class voice on prostitution reveals both condemnation and some sympathy for their plight.

The study of Hull bastardy cases takes place in Chapter 5 as part of the examination of treatment by the Hull courts of 'fallen' women in the nineteenth century. Women sought financial support from the fathers of their children through the Hull courts, but at the price of hostile scrutiny of their sexual history. The difficulties and hostility women faced when they bore a child out of wedlock, being labelled as prostitutes and sexually promiscuous, are evident in examination of the Hull courtroom testimonies of women exposing the hostile questioning of them. Women with illegitimate children are shown to be subject to removal from Hull under the settlement and removal laws, viewed as a burden on the parish and ratepayers. The highest category of pauper removals in Hull is revealed to be pregnant single women, removed as likely to become liable to the parish for relief. Women were much more likely to be removed than men, especially widows or deserted wives, also viewed as a drain on the public purse. It will be shown how legislative change affected women's ability to pursue the men who failed to support their offspring through the courts with the law favouring men in bastardy cases. Middle class men are shown to be especially likely to get their bastardy cases dismissed.

The social construction of the fallen woman as an object of pity and subject of moral reform is examined in Chapter 6. This chapter reveals middle class desire to help women of the poor but with the equal concern with the reform of their moral character. Motives behind involvement in charitable works will be shown to be not entirely altruistic, but involve hidden aims of social control and social engineering.

Evangelicalism's emphasis on the repentance of sins influenced the early charitable

attempts at reform of fallen women in Hull, as shown in a case study of the Hull Female Penitentiary. Charitable works was also a way middle class women in Hull could safely be involved in activity outside of the home, with middle class women considered an ideal example to their fallen sisters. Discussion focuses on what was considered suitable for middle class women to be exposed to and how far they could be involved in the male dominated charities. The rise of feminism in the late nineteenth century saw women transgressing previous boundaries and becoming leading influences in how charities were run. This growing influence of middle class women in charity work and the growth of social welfare in the early twentieth century will be shown to have resulted in changes in Hull charities, aimed at reaching a wider number of women seen as in need of protection. However, addressing the moral condition of women will be shown to have continued as the main aim of Hull charities into the twentieth century.

## **Chapter 2 – Historiographies of Gender, Crime and Deviance**

This part of the two introductory chapters defines how the thesis is located within the general literature in the historiography, set out with the main ideas/arguments. The broader historiographical debates currently taking place within women's and gender history will be addressed. The thesis links to historiography of prostitution, illegitimacy and criminality of women in the nineteenth century as well as the social response of philanthropy. The thesis addresses the historical problem of women subjected to a sexual double standard inherent in society, as well as the ideology of separate spheres and defining of gender roles, found in work on gender and sexualities in the nineteenth century. The social construction of female sexual deviance and the middle class desire for control of the urban space which drove the social responses, is examined within the histories of institutionalisation, surveillance and urban space conflict.

As much of the historiography concentrates on London, this study of Hull in the nineteenth century further adds to the knowledge and understanding of provincial responses to social concerns in this period, separate to the metropolis. It highlights regional diversity and specialism and enables comparison to other studies of nineteenth century towns and cities in the historiography, whilst also celebrating Hull's uniqueness with its own social responses, placed within a broader national framework. The bringing to life of the personal experiences of Hull working class women make this a study of history from below, looking at how far women had a voice and examining the debates around female agency in defiance of social controls. Hull's strong contribution to historical knowledge across a range of areas, as well as the richness and quality of the Hull historical records, provides a significant insight into the lives of women of the poor in the nineteenth century small town and port, revealing both true hardship and strength.

The attack on female crime, prostitution and illegitimacy in nineteenth century Hull was guided and influenced by a gendered ideology, and was a reaction against the sexual and economic independence of women. The history of gender in the nineteenth century includes the debate on separate spheres which assigned women to the private sphere of the home and family, and men an economic and a public life. Revised historiography on separate spheres has emphasised it as a social construction of the idealised role and place of women by middle class men who felt threatened by the growing independence of women and sought to place them back in the home. Historians of gender such as Catherine Hall and Leonore Davidson have provided evidence of women involved in a more proactive, public role in the family business, employment and philanthropy.<sup>1</sup> Paula Bartley and Kathryn Gleadle have stressed the importance of women's economic role outside of the home in a period of economic and social change.<sup>2</sup> The historiography of gender now emphasises the complexities of the lives of women in the nineteenth century with women's emerging public and political life eventually paving the way for women's access to higher education and entering employment in previously closed off professions. Historians have drawn attention to the fluidity of women's lives with women regularly renegotiating and crossing the boundaries set out for their sex.<sup>3</sup>

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<sup>1</sup> Catherine Hall and Leonore Davidoff, *Family Fortunes: Men and Women of the English Middle Class 1780-1850* (Chicago, University of Chicago Press, 1987), p. 80.

<sup>2</sup> Kathryn Gleadle, *British Women in the Nineteenth Century: Social History in Perspective*, (Basingstoke, Palgrave, 2001), pp. 4-6 & Katrina Honeyman, *Women, Gender and Industrialisation in England 1700-1870* (Basingstoke, Macmillan, 2000), pp. 1-214, & Paula Bartley, *The Changing Role of Women 1815-1914* (London, Hodder & Stoughton, 1996), pp. 1-137.

<sup>3</sup> Jane Hamlett & Sarah Wiggins, 'Victorian Women in Britain and US: New Perspectives', *Women's History Review*, 18:5 (2009), pp. 705-717.

This thesis further adds to knowledge of women's lives in the nineteenth century, revealing Hull women living independent lives, not bound by gendered identities. Hull women in the nineteenth century were found to be running their own businesses, heading households, employers as well as employees, with financially independent women acting as benefactors to local charities. Working class Hull women were the breadwinners in the absence of men away at sea, in contrast to middle class idealized gender roles. Both middle class and working class women in Hull were becoming more visible, engaging in social action and protest, or fighting for their rights in local courts. Middle class women found a public role in charities for women, venturing onto the streets of Hull undertaking investigation into poor women's lives and publishing their findings in order to encourage wider responses to social problems in the town.

New work on masculinity within the history of gender also challenges the separate spheres model. Revisionist work on fatherhood has found the Victorian male to have been a strong presence in the home as well as the mother - as a husband, father and head of the family. Men were involved in the care and upbringing of their children, not just women, in contrast to the distant figure presented by the separate spheres argument. The middle class ideal of fatherhood was a father who was a provider and authority figure in the home, which itself challenges the separate spheres theory.<sup>4</sup>

Historians have argued that the emphasis on fatherhood and male provider was impossible for working class fathers who worked long hours and earned less. Ginger Frost has found that the working class father found it difficult to be a provider and their

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<sup>4</sup> Hamlett & Wiggins, *Victorian Women in Britain and the US*, pp. 705-717 & Michael Roper & John Tosh (Eds.), *Manful Assertions: Masculinities in Britain since 1800* (London, Routledge, 1991), p. 44.



frustration was linked to violence against the mother and their offspring. Failure to provide threatened their masculinity.<sup>5</sup> Julie Marie Strange has argued that the working class father was not absent, drunken and violent but an integral part of the family, representing duty, obligation, protection and authority.<sup>6</sup> By contrast, in nineteenth century Hull many men were away from the family at sea for weeks at time and not a regular presence in their children's lives. Women had to take on the role of both mother and father in many cases, acting as the provider and disciplinarian with responsibility heavy on their shoulders, with the result of their undertaking activity outside the law.

The history of gender in the nineteenth century includes the creation of social constructs to control women. The 'domestic angel' and the 'cult of motherhood' aimed to put women back in the home. Historians of gender such as Eileen Yeo have shown how women were defined by their capacity as mothers.<sup>7</sup> Richard Ball has also studied the social construction of the 'ideal woman', domestic ideology and the cult of motherhood in Canada in the nineteenth century.<sup>8</sup> The historiography of gender reveals how locally, nationally and internationally, in the nineteenth century the family was being redefined as a sanctuary from a harsh, industrial, economic world symbolised by the ideal wife and mother in the form of the female 'angel in the home'.

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<sup>5</sup> Ginger Frost, 'I am Master Here': Illegitimacy, Masculinity and Violence in Victorian England', (Eds.), Lucy Delap, Ben Griffin, Abigail Wills, *The Politics of Domestic Authority in Britain since 1800* (London, Palgrave Macmillan, 2009), pp. 27-42.

<sup>6</sup> Julie Marie Strange, *Fatherhood and the British Working Class 1865-1914*, (Cambridge, Cambridge University Press, 2015), p. 2.

<sup>7</sup> Eileen Yeo, 'The Creation of Motherhood and Women's Response in Britain and France 1750-1914', *Women's History Review*, 8:2 (1999), pp. 201-218.

<sup>8</sup> Richard A Ball, 'Changing Images of Deviance: Nineteenth Century Canadian Anti-Prostitution Movement', *Deviant Behaviour*, 33:1 (2012), pp. 26-39.

Women's reproductive systems viewed as being central to their being are revealed in new laws developed in the nineteenth century to discipline women. Laws such as the Prevention of Cruelty to, and Protection of Children Act (1889) and Elementary School Act (1870) were used by the Hull magistrates to prosecute 'bad mothers'. Concealment of Birth and Infanticide were seen as contradicting women's 'natural' instincts and were punishable by sentence of death. However, Helen Johnston has discussed that despite the central importance placed on motherhood in society and within the law, women who were imprisoned for long periods of time were separated from their children and their identity as mothers was taken away from them.<sup>9</sup> In Hull prostitutes worked the streets to put food on the table for their children but were imprisoned and their children removed to the workhouse of the Industrial school. Women's crime in Hull was linked to their role as providers for the family in men's absence, yet women were taken away from their children for this, leaving their children to cost the public purse in its institutions.

The cult of motherhood went hand in hand with the expectation of women as non-sexual beings, only participating in sexual activity for the purposes of procreation within marriage. Jeffrey Weeks and other historians who have worked on the histories of sexualities have shown that women in the nineteenth century were subject to a strict morality code and sexual double standard which meant they faced scrutiny over their sexual behaviour which men were not subjected to. The social construction of the sexually deviant 'fallen woman', as the antithesis of the pure and virtuous 'domestic angel', has been shown to have encouraged the attack on prostitution and illegitimacy in

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<sup>9</sup> Helen Johnston, 'Imprisoned mothers in Victorian England, 1853-1900: Motherhood, Identity and the Convict Prison', *Criminology & Criminal Justice: An International Journal* (pre-published 13<sup>th</sup> February 2018), pp. 1-17.

the nineteenth century.<sup>10</sup> Condemnation of female sexuality was in contrast to the view of the virility of men as something to be admired and encouraged, which new work on masculinities has brought to attention.<sup>11</sup> However, the working class 'feckless' male was targeted by the Hull courts in bastardy cases and made an example of, whilst middle class males were much more likely to have their bastardy cases dismissed.

New work on the urban space, policing and crime, of which Hull is part of, have shown how the sexual behaviour of the working class was being scrutinised and targeted as part of the drive to 'civilise' the nineteenth century urban towns and cities. Historians have drawn attention to the contest and control over, and the sexualisation of space. Fears of the public space being threatened and contaminated by sex led to the streets becoming regulated; seen as a further expression of the middle class seeking to gain control of towns and cities and their working class populations. The police force was created as a presence to watch over public spaces for disorder, especially sexual disorder. Andy Croll's work on the conflict over urban space has shown how the working class and its cultural and social spaces was subject to increasing attention by the authorities and magistrates.<sup>12</sup> Croll has explored the role of surveillance in the regulation of behaviour in the public spaces of the late nineteenth town in his study of Merthyr Tydfil in South Wales. Middle class civic pride saw it using the newly formed police force and the law to keep the streets free of rowdy and rough behaviour.<sup>13</sup>

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<sup>10</sup> Weeks, *Sex, Politics and Society*, p. 39.

<sup>11</sup> Roper & Tosh (Eds.), *Manful Assertions*, p. 44

<sup>12</sup> Andy Croll, 'Street Disorder, Surveillance and Shame: Regulating Behaviour in the Public Spaces of the late Victorian British Town', *Social History*, 24:3 (1999), pp. 250-268.

<sup>13</sup> Croll, 'Street Disorder, Surveillance and Shame', pp. 250-268.

In his study of nineteenth century policing, David Taylor has found similar results for Middlesbrough. Taylor described Middlesbrough in the early nineteenth century as a 'frontier town', uncivilized and rough. By the end of the nineteenth century Middlesbrough saw its levels of crime reduced which Taylor puts down to rise of working class respectability and the daily presence of the police in tackling petty crimes of drunkenness and anti-social behavior on Middlesbrough's streets.<sup>14</sup> By contrast, Hull's female crime levels were rising, despite a strong police presence on the streets. This had the opposite result to Taylor's Middlesbrough - the police regularly apprehended women on the streets of Hull, in the public houses and brothels, bringing more women before the courts for more offences. The Hull magistrates and police sought to use the law available to them to control women in the town, regularly picking up women for prostitution, theft, drunk and disorderly and making a public disturbance.

David Taylor challenges the Marxist histories view of the social control of the police as part of class conflict, seeing the Middlesbrough police just seeking to keep the streets free of anti-social behaviour.<sup>15</sup> However, Daniel Grey has discussed how the working class and their communities were subject to suspicion and supervision which the middle class were not subject to – 'elite families were never subjected to the same patterns of wholesale suspicion, surveillance and accusation that beset working class neighbourhoods'.<sup>16</sup> The surveillance 'gaze' not being turned to middle class lives has also been found for Hull, where middle class men's impregnation of working class

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<sup>14</sup> David Taylor, *Policing the Victorian Town: The development of the police in Middlesbrough 1840-1914*, (Basingstoke, Palgrave Macmillan, 2002), pp. 1-5.

<sup>15</sup> Taylor, *Policing the Victorian Town*, pp. 1-5.

<sup>16</sup> Daniel Grey, 'Liable to Very Gross Abuse: Murder, Moral Panic and Cultural Fears over Infant Life Insurance 1875-1914', *Journal of Victorian Culture*, 18:1 (2013), pp. 54-71.

women or dalliances with prostitutes was not challenged by the courts, unlike cases involving working class males. Barry Godfrey has also discussed how working class women were given less respect than middle class women and were seen by the local magistrates as rough and uncivilized and likely to commit crime anyway.<sup>17</sup> When middle class women appeared before the Hull courts, for offences against employees or for not paying rates, it resulted in sentences of small fines not the imprisonment given to working class women. Nor were middle class women's sexual reputations on trial.

The Hull study also draws attention to the role of local newspapers in the surveillance of the urban space and its people. The Hull press undertook social investigation into the poorer districts of the town and reported the 'shocking' scenes to their middle class readership. The reporting on crime and court cases in the press, especially prostitution and cases of sexual immorality, was in order to both titillate readers and shock them into social action, with the press acting as the voice of moral guidance. Women of the poor were placed under evermore scrutiny in person in the form of the police, and the printed word in the form of the local newspaper accounts of their 'immoral' behavior. Similarly, Catherine Lee has found how local newspapers were part of the 'web of surveillance' in nineteenth century Kent.<sup>18</sup> Judith Rowbotham has looked at the way crime has been perceived and presented in the press. Hidden values and meanings were attached to the language used with messages to women to be good wives and mothers.<sup>19</sup>

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<sup>17</sup> Barry Godfrey et al., 'Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late-Victorian and Edwardian Period', *British Journal of Criminology*, 45:5 (2005), pp. 696-720.

<sup>18</sup> Catherine Lee, *Policing Prostitution 1856-1886: Deviance, Surveillance and Morality*, (London, Chatto & Windus, 2012), pp. 4, 12, 59-61.

<sup>19</sup> Judith Rowbotham et al., *Crime News in Modern Britain: Press Reporting and Responsibility 1820-2010*, (Basingstoke, Palgrave Macmillan, 2013), pp. 24, 37-38.

The surveillance 'gaze' on the working class was particularly focused on working class women in Hull, who were placed under close observation in all aspects of their daily lives in order to address perceived female sexual disorder on the public streets. Space was gendered with working class women using the streets, shops and neighbourhood for trade and sociability, with men behind closed doors in the public houses or away at sea; women were more visible and thus targeted. The increasing visibility of young women in public spaces, earning money and spending it on nights on the town, led to fears over their uncontrolled sexuality. This thesis shows it was women who were subjected to accusations of sexual and moral contamination of the public spaces; women's use of the streets was sexualised whereas men's was not, revealing the sexual double standard.

The fear of open female sexual display in Hull has also been found in studies of other towns and cities in this period. Jenny Birchall has studied the 'monkey parades' in nineteenth century Manchester. Middle class fears and contests over space were activated by the view of young women parading in their finery on the streets of Manchester on a Sunday evening, hoping to attract a partner. The horseplay of the sexes was deemed offensive. Fears were expressed that girls would turn into prostitutes, with gaudy dress, bad language and jostling between the sexes seen as evidence of this.<sup>20</sup> The sexual double standard saw the girls condemned for parading, not the boys who also sought a partner. The height of fears of the parading took place in the 1860s and 1870s as the fears about prostitution peaked, along with the advent of Contagious Diseases Acts in 1864. However, Birchall does not link this, unlike this thesis, with this period being the height of arrests of women in Hull for disorderly behaviour and prostitution.

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<sup>20</sup> Jenny Birchall, 'The Carnival Revels of Manchester's Vagabonds: Young Working Class Women and Monkey Parades in the 1870's', *Women's History Review*, 15:2 (2006), pp. 229-252.

A study by Sabin Bieri and Natalia Gerodetti has looked at how certain spaces were seen as saturated with sex and viewed as sites of sexual danger for women. Bieri and Gerodetti discuss the train station viewed as a place of sexual danger, with young women arriving in cities believed to be subject to the attentions of waiting pimps and brothel keepers. The independence and mobility of women in the late nineteenth century led to European wide surveillance of young women at train stations, such as Station Assistance in Switzerland.<sup>21</sup> The concentration on young women's independent travelling reveals the sexual double standard and how the sexualisation of urban space was linked to women not men. Similarly, the sexualisation of space saw Hull Paragon train station subject to police patrols for prostitution. Voluntary workers sought out young women new to Hull on their arrival at the station to take them to a safe house for protection from what was considered to be the sexual dangers and temptations of the city which could lead them astray.

This thesis additionally shows how young men too could be subject to attention of missionaries and voluntary workers concerned with protecting their morals. Sailors arriving in port were met by missionaries who encouraged them not to visit the many Hull brothels and public houses where they could be tempted to go with prostitutes. Hull's 'floating chapel' the 'Valiant' was set up as an alternative place for sailors to spend their recreation time. The case of Hull shows the historiography that to a certain extent men were targeted too. This time it was the women who were seen as the danger – the 'immoral woman' in contrast to the 'innocent' young woman to be protected, with women classed into distinct categories separating the 'respectable' from the 'rough'.

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<sup>21</sup> Sabin Bieri, Natalia Gerodetti, 'Falling Women and Saving Angels: Spaces of Contested Mobility and the Production of Gender and Sexualities Within Early Twentieth Century Train Stations', *Social and Cultural Geography*, 8:2 (2007), pp. 217-234.

The history of regulation of prostitution is found in the local systems of police and magistrate repression and control of urban space, connected to rising expectations of public decency and behaviour in public spaces. The historiography on prostitution has demonstrated how female prostitutes became particular targets of the law and moral reformers in the nineteenth century, as part of the wider regulation of the urban poor including vagrants, beggars and drunks. Hull reveals a widespread campaign against prostitution in the nineteenth century with locally directed action leading the way prior to the national Contagious Diseases Act. Hull's police force watched women's use of the streets, undertook raids on brothels and public houses and its magistrates regularly gave women lengthy prison sentences or heavy fines for perceived sexual disorder. Historians of gender and crime have revealed changes in how prostitutes were policed and treated under the law, as well as developments in rescue and reform. A sea change in attitudes from toleration to hostility towards prostitution in this period has also been found by Richard Ball for Canada from the 1820s where previously it had been accepted as important for the men building the towns and railroads. Like Britain, Canada had Contagious Disease Acts and female penitentiaries, revealing not only nationally but internationally widespread fears about female sexuality and a sexual double standard.<sup>22</sup>

The historiography of prostitution has traditionally concentrated upon the Contagious Diseases Acts, such as Judith Walkowitz's study of Plymouth and Southampton under the Acts.<sup>23</sup> However, Catherine Lee in her study of Kent towns under the Contagious Diseases Acts, found earlier mechanisms in place to repress prostitution which continued to coexist alongside the Acts, and which were seen as more draconian than

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<sup>22</sup> Ball, *Changing Images of Deviance*, pp. 26-39.

<sup>23</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 44, 105, 253.



the Acts themselves.<sup>24</sup> Lee noted the harshness of the sentencing of prostitutes in Kent, with magistrates giving out mandatory custodial sentences to prostitutes as the norm.<sup>25</sup> By contrast Hull was not a town under the Contagious Diseases Act but, but also had its own system of regulation of prostitution in place from the early nineteenth century. Prostitutes received automatic prison sentences of hard labour and were subject to heavy police surveillance of their spaces and activities, as well as institutions of moral reform.

The historiography of regulation now recognises the importance of place and highly localised forms of regulation to which the Hull study can greatly contribute, emphasising the importance of local responses, initiatives and local control in the community. Philip Howell's studies of Liverpool and Cambridge, where the University held special powers to apprehend prostitutes, has identified a more informal, localised regulation to control urban space. Howell has shown that regulation in Britain was more present and diverse than historians have previously allowed.<sup>26</sup> Further evidence of local initiative was found by Janet Oswald in her study of nineteenth century Cambridge. University proctors arrested prostitutes to protect male undergraduates, and sentenced them to time in the University lock up (or Spinning House). The University employed its own special constables who policed the market square along with the local police to arrest women suspected of being prostitutes. The Cambridge women were suspected of being prostitutes by their presence at night in the square or talking to male

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<sup>24</sup> Catherine Lee, 'Prostitution and Victorian Society Revisited: The Contagious Diseases Acts in Kent', *Women's History Review*, 21:2 (2012), pp. 301-316.

<sup>25</sup> Lee, 'Prostitution and Victorian Society Revisited', pp. 301-316.

<sup>26</sup> Philip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth Century Britain and Empire* (Cambridge, Cambridge University Press, 2009), pp. 1-312 & Philip Howell, 'A Private Contagious Diseases Act: Prostitution and Public Space in Victorian Cambridge', *Journal of Historical Geography*, 26:3 (2000), 376-402.

undergraduates, which was considered enough evidence to arrest them.<sup>27</sup> The Hull research reveals women arrested as prostitutes for being on the streets at night or in company with men, with evidence similarly based on suspicion and mistrust.

Marion Pluskota's study of Bristol has similarities to Hull as a port with a large prostitution problem resulting in stricter controls being set by local merchants, who as in Hull, dominated the governance of the town and magistracy. Heavy police supervision and control through neighbourhood presence was used as a response to prostitution.<sup>28</sup> Morgan Denton has studied policing of female sexuality in Ireland where women became subject to supervision and arrest by the Garda. Women were expected to publically demonstrate modesty, chastity and sobriety, with women who did not conform to narrow structures of behaviour condemned as prostitutes. The Garda controlled the streets of the towns seeking to police female deviant behaviour.<sup>29</sup>

Julia Laite has shown how the regulation of prostitution went beyond the mid-nineteenth century regulatory system and that an increase in repression of prostitution was encouraged by the 1885 Criminal Amendment Act and further acts into the twentieth century.<sup>30</sup> However, in contrast to Laite's findings, the Hull study has shown how the late nineteenth/early twentieth century saw the 'gaze' on prostitution lift and

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<sup>27</sup> Janet Oswald, 'The Spinning House Girls: Cambridge University's distinctive policing of Prostitution 1823-1994', *Urban History*, 39:3 (2012), pp. 453-470.

<sup>28</sup> Marion Pluskota, *Prostitution and Social Control in Eighteenth Century Ports* (London, Routledge, 2015), p. 99.

<sup>29</sup> Morgan Paige Denton, 'Virginal Mothers and Common Prostitutes: Policing Female Sexuality in Ireland', in (Ed.) Marsha R Robinson, *Women Who Belong: Claiming a Female's Right-Filled Place* (Newcastle upon Tyne, Cambridge Scholars, 2013), pp. 65-84.

<sup>30</sup> Julia Laite, *Common Prostitutes and Ordinary Citizen: Commercial Sex in London 1885-1960*, (Basingstoke, Palgrave Macmillan 2012), p. 2.

broaden out to include other women such as young working women, victims of violence in the home and single mothers and their children. Changing attitudes, encouraged by middle class female activists in Hull, saw more help available to women of the poor.

With much of the historiography concentrating upon the regulation of prostitution, the Hull study also emphasizes the actual experience of prostitution, revealing lives of hardship and poverty, as well as female agency. The case studies in this thesis, following the whole lives of two women working as prostitutes and thieves in nineteenth century Hull, adds further to knowledge of women's lives in this period. The Hull research is part of a new approach to the study of women's lives, using 'whole life' histories to reveal their experiences across their lifetimes, tracing women across multiple sources to uncover personal life stories. Helen Johnston and Barry Godfrey have used whole life histories in their work on nineteenth century crime.<sup>31</sup> Peter King has stressed the need for study of the wider context of women's lives, looking at female work and life cycles in explaining female crime.<sup>32</sup> Tony Henderson has undertaken an economic and social profile of prostitutes in eighteenth century London. Their motivations for entering into the trade included female migration into the city, economic uncertainty and poverty, with heavy concentration amongst the young, orphaned and abandoned.<sup>33</sup> Frances Finnegan for York has shown how economic hardship played an

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<sup>31</sup> Barry Godfrey, et al, *Criminal Lives: Family Life, Employment and Offending*, (Oxford, Oxford University Press, 2007), p. 9 & Helen Johnston, *Crime in England 1815-1880: Experiencing the Criminal Justice System*, (Abingdon, Routledge, 2015), pp. 1-2.

<sup>32</sup> Peter King, 'Female offenders, work and life-cycle change in late eighteenth century London', *Continuity and Change*, 11:1 (1996), pp. 61-90.

<sup>33</sup> Tony Henderson, *Disorderly Women in Eighteenth Century London: Prostitution and Control in the Metropolis 1730-1830* (Oxon, Routledge, 2013), pp. 14-20.

important role in women choosing to enter into prostitution and criminality.<sup>34</sup> Hull has similar findings to York and London with women's poverty leading them into prostitution, but with the additional problem of a town with high female unemployment and men away at sea leaving women economically responsible for the family. A makeshift economy saw women drift in and out of prostitution as need required.

Historians have argued that prostitution was a transition stage in women's lives, taking place before marriage with mainly young women in the trade, as found by Judith Walkowitz.<sup>35</sup> The case of Hull challenges this view as prostitution in the town was dipped in and out of according to need over a life time with older women working as prostitutes after marriage and children to financially help the family. Catherine Lee for Kent and Joanne Turner for Stafford have also argued that there was no single model of prostitution but it was based on individual needs at different times and circumstances.<sup>36</sup>

The ongoing discussion in the historiography over female agency argues whether women were agents of their own destiny or can be seen as victims. Feminist history has previously presented prostitutes as passive victims however new revisionist work seeks to present women as actively challenging authority and controls. Judith Walkowitz's study of prostitution emphasised the autonomy and agency of the women, subjected to forced invasive medical intervention, with women finding common ways of avoiding

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<sup>34</sup> Frances Finnegan, *Poverty and Prostitution: A Study of Victorian Prostitutes in York* (Cambridge, Cambridge University Press, 1979), pp. 6, 213-215.

<sup>35</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 20-29, 31.

<sup>36</sup> Catherine Lee, *Policing Prostitution 1856-1886: Deviance, Surveillance and Morality*, (London, Chatto & Windus, 2012), p. 23 & Joanne Turner, 'Ordinary Female Offenders: Stafford Borough 1880-1905', *Crime. History and Societies*, 16:2 (2012), pp. 55-78.

arrest.<sup>37</sup> Walkowitz sought to challenge the nineteenth century feminist perception of the women as victims. Catherine Lee's findings conclude different results to Walkowitz, with the registered women in Kent more compliant with the law. Lee argued it was because women of the poor lived on their wits and used opportunistic strategies of self-preservation so they went along with regulation as another survival strategy, a way of getting a clean bill of health to advertise themselves. Lee saw the women not as victims or resisters (too simplistic) but as survivors, colluders or beneficiaries.<sup>38</sup>

Garthine Walker's study of women before the courts in early modern Cheshire gave agency back to the women involved in criminality; women did the crimes and they did them for a reason. In contrast to some historians' view of the crime of women being directed by men, Walker didn't see women as victims or acting under male direction and control, but pro-active women using whatever means necessary to survive.<sup>39</sup>

Similarly in Hull women working as prostitutes or thieves were not under the control of male 'pimps', but acted for themselves and their families. Hull women resisted arrest and found ways around the law and to thwart policing of their activities, often working in mutual cooperation. Hull argues for a more nuanced view; although women can be seen as victims of their circumstances and poverty, with limited options open to them, they actively challenged and fought for themselves and their children, using what little resources were at their disposal, using the courts and charities. The individual life stories of Hull women go some way to show how women actively responded to and

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<sup>37</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 2, 4, 44, 105.

<sup>38</sup> Lee, 'Prostitution and Victorian Society Revisited', pp. 301-316.

<sup>39</sup> Garthine Walker, 'Women, Theft and the World of Stolen Goods', in (Eds.) Jenny Kermonde & Garthine Walker, *Women, Crime and the Court in Early Modern England* (London, UCL Press, 1994), pp. 81-112.

survived the range of repressive mechanisms brought to bear on them, both formal and informal, revealing female strategic action within the limitations of their difficult lives.

Shani D’Cruze and Louise Jackson have shown how women used agency in actively using the local courts for their own ends; as an arena to present their cases for maintenance and redress for theft or violence.<sup>40</sup> Similarly, Hull bastardy and wife desertion cases saw women bringing their cases before the courts, displaying courage in face of adversity and the hostility of the courts. Hull women were both complainants and defendants; women also brought cases against their neighbours in disputes over shared space, amenities and fights over husbands and children. Thus women were unafraid to use the Hull courts themselves, they were not just brought before them.

D’Cruze and Jackson have also challenged the Marxist histories of control and regulation of the working class, seeing the working class regulated but also regulating themselves - their own behaviour and morality, by using the courts for themselves. They have discussed that women were more regulated than men through informal means of the home, family and local community as well as sexual controls.<sup>41</sup> Alana Barton has also emphasised the informal controls of women – the local community and domestic space, motherhood and ‘respectability’ being as important as formal control through prison and the semi-penal institutions such as female penitentiaries.<sup>42</sup>

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<sup>40</sup> Shani D’Cruze & Louise A Jackson, *Women, Crime and Justice in England since 1660*, (Basingstoke, Palgrave Macmillan, (2009), pp. 1-7 & Shani D’Cruze (Ed.), *Everyday Violence in Britain 1850-1900: Gender & Class*, (London, Longman, 2000), pp. 1-6.

<sup>41</sup> D’Cruze & Jackson, *Women, Crime and Justice in England since 1660*, p. 1.

<sup>42</sup> Alana Barton, *Fragile Moralities and Dangerous Sexualities: Two Centuries of Semi-Penal Institutionalisation for Women*, (Aldershot, Ashgate, 2005), pp. 4-6.

The findings for Hull has shown how men could also be subject to informal controls of the wider community with the publication of local books, tracts and sermons in nineteenth century Hull aimed at young middle class men in a bid to protect and warn them against prostitutes and sexually debased working class women and girls. Cameron Nunn has also looked at the portrayal of female prostitutes and young males in the broadside street ballads of the nineteenth century, as part of research into masculinity. The ballads portray and applaud young men as strong and cunning, except in cases of 'betrayal' ballads with young men represented as victims of 'wicked' women (prostitutes) to serve as a warning.<sup>43</sup> The celebration was of the masculinity of the young male as violent and living on his wits, with the female seen as the wrongdoer (female sexual immorality being judged more deviant than male juvenile criminality).

This thesis brings attention to the constructions and representations of women in the nineteenth century, looking at the popular perception of prostitution in contrast to the reality of women's lives. Hull links to recent work which examines female clothing, revealing how women's appearance was linked to perceptions of their virtue; clothes had a language, a meaning and a message. Ranging from the concentration in the Hull courtroom on how women were dressed, to local newspapers' descriptions of women's 'showy' dress and decorated bonnets linking them to prostitution. The plain uniform worn by women in the Hull Female Penitentiary was to take away individual expression, believing that to change clothes equalled changing moral status. Women in Hull were arrested on the public streets based on their appearance - those viewed as

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<sup>43</sup> Cameron Nunn, 'Come all you Wild and Wicked Youths: Representations of Young Male Convicts in Nineteenth Century English Broadside', *Journal of Victorian Culture*, 20:4 (2015), pp. 453-470.

‘gaudily’ dressed or dressed in ‘finery above their station’ were suspected as prostitutes, as were women in a state of undress or poorly clothed (often due to poverty).

Mariana Valverde has also discussed the Victorian social construct of connecting female vanity to prostitution. Although acceptable for upper class women, finery on working class girls was directly connected to their morality. Working class females were expected to wear an honest plain dress and those who sought to wear clothes viewed as ‘showy’ were seen as in danger of selling themselves. Servant girls, seeking to imitate their mistresses, were accused of dressing above their station.<sup>44</sup> The belief was that working class girls should know their place. Valverde sees the targeting of working class female dress as a middle class-based fear response to the independence of working class girls earning wages from factory work, something which was also found to be a major concern in late nineteenth century Hull, which saw the widening of the net of social action originally directed at prostitutes to encompass young working women. The connection between female chastity and clothing in the work of Deborah Logan points to a double standard in female clothing with upper class women dressing to show their superiority, and the dress of working class women considered to be revealing of their ‘moral depravity’. Logan connects higher class women’s fine dress to the fall of the poorly paid female needle-worker (a trade linked to prostitution); the working class girl protecting the purity of the middle class ‘angel’.<sup>45</sup>

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<sup>44</sup> Mariana Valverde, ‘The Love of Finery: Fashion and the Fallen Woman in Nineteenth Century Social Discourse’, *Victorian Studies*, 32:2 (1989), pp. 169-188.

<sup>45</sup> Deborah Logan, *Fallenness in Victorian Women’s Writing: Marry, Stitch, Die or Do Worse* (Columbia, University of Missouri Press, 1998), pp. 33, 48, 59.



Nina Attwood has examined popular representations of prostitution and the ‘fallen woman’ in nineteenth century literature, focusing on the seduction narrative leading to the tragic early deaths of young women.<sup>46</sup> Middle class women’s ‘falls’ was hinted at through its representation in the Victorian novel. Gretchen Braun has studied a novel by Emily Jolly written in 1864 of a middle class woman who had borne an illegitimate child but who kept their place in society and social standing; unlike the death and destruction of the working class single mother represented in popular literature. The downward spiral was the working class female’s fate in contrast to the middle class women who could, with support and confidentiality, still marry.<sup>47</sup> Deborah Logan, in her study of Elizabeth Gaskell’s novel *Ruth*, discusses the nineteenth century view that as middle class women had purity of mind they could rise again from their ‘fall’, unlike the working class girl considered depraved and beyond redemption.<sup>48</sup>

Little is known in the historiography about middle class women’s prostitution and illegitimacy as middle class lives were more private and hidden from social researchers, nor did middle class women appear before the courts in bastardy or prostitution cases. This thesis adds to the limited knowledge about middle class women’s sexual lives in revealing the carefully worded advertisements for middle class women’s illegitimate pregnancy care in the Hull press. This thesis has also uncovered nineteenth century Hull poetry written by middle class women on the genre of the fallen woman which also emphasised female shame leading to destruction; the fallen woman as a tragic victim. Local literature aimed at young middle class women and girls warned about the dangers

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<sup>46</sup> Nina Attwood, *The Prostitute’s Body: Rewriting Prostitution in Victorian Britain* (London, Pickering and Chatto, 2011), pp. 1-224.

<sup>47</sup> Gretchen Braun, ‘Untarnished Purity’: Ethics, Agency and Victorian Fallen Woman’, *Women’s Studies*, 44:3 (2015), pp. 342-367.

<sup>48</sup> Logan, *Fallenness in Victorian Women’s Writing*, p. 28.

of the 'fall'. The case of Hull reveals how middle class women's sexual behaviour outside of marriage was both a concern and a reality in the nineteenth century.

The increasing arrests of working class women on the public streets of Hull for perceived sexual disorder links to the historiography of female crime, in particular new research into regional female crime in the nineteenth century. Despite increasing historical research into female criminality after largely concentrating on male crime, there has been a comparative lack of research into provincial female crime, with studies largely concentrating on London using the trial transcripts of the Old Bailey. However, the busy metropolis with its particular social problems and large population can be viewed as unrepresentative of other smaller towns and cities in Britain. Gregory Durston has stressed diversity by region and county in the court system and that London was not illustrative of other areas, although some similarities have been found.<sup>49</sup>

Historiography of female crime has also largely concentrated on the eighteenth century, such as Lynn Mackay's study of women before the Old Bailey in eighteenth century London and the work of Peter King on eighteenth century London.<sup>50</sup> The Hull study is part of new work on female crime which seeks to extend the discussion beyond the London stage to make a more regionally diverse picture emerge and to move the study on from the eighteenth century into the nineteenth century with the influence of rapid urbanization and economic, social and legal change. Historians Helen Johnston, Barry

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<sup>49</sup> Gregory Durston, *Wicked Ladies: Provincial Women, Crime and the Eighteenth Century English Justice System* (Newcastle, Cambridge Scholars, 2013), p. 1.

<sup>50</sup> Lynn Mackay, 'Why they Stole': Women in the Old Bailey 1777-1789', *Journal of Social History*, 32:3 (1999), pp. 623-639, & King, 'Female offenders, work and life-cycle change', pp. 61-90.

Godfrey, Joanne Turner and David Taylor's examination of crime in local settings in the nineteenth century addresses the major changes in the court system and legislation taking place in this period, as well as local and regional variations in the application of justice. The Hull research adds further to current knowledge, looking at female crime and the responses to it, in a port town in the nineteenth century.<sup>51</sup>

With the historiography's large concentration on female crime before the higher courts such as the Old Bailey, historians now recognize that the local lower petty courts require further research for the ordinary everyday offences of women. Gregory Durston has argued that women's crime was mostly heard in the magistrates courts for minor property and theft offences.<sup>52</sup> Historians have disagreed about the 'vanishing female' with women seen disappearing from the (higher) court records, but with the argument that they reappear in the petty sessions records as most of women's crime was petty in nature. The Hull study addresses the historiography's concentration on the higher courts by examination of the detailed and complete Hull Magistrates Court records to provide a window into female petty crime in the nineteenth century small town. The creation and growth of the Hull Magistrates Court, taking over the work of the Hull Quarter Sessions in the nineteenth century, sitting daily rather than four times a year, can be seen as a reflection of the increasing numbers of women before the Hull courts for a wider range of offences, especially those connected with female sexual immorality.

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<sup>51</sup> Johnston, *Crime in England 1815-1880*, pp. 1-2, & Godfrey et al, 'Explaining Gendered Sentencing Patterns', pp. 696-720 & Turner, 'Ordinary Female Offenders', pp. 55-78, & Taylor, *Policing the Victorian Town*, pp. 1-5.

<sup>52</sup> Durston, *Wicked Ladies*, p. 6.

The growing power of the Hull Magistrates Court was also another outlet for the power of the middle class in Hull. Hull merchants began to dominate the magistracy in the nineteenth century, revealing how the law was created and administered by the leading middle class males who carried out justice in the towns and cities. Helen Johnston has also discussed in her study of the Shropshire Magistracy how men of trade, merchants and manufacturers were vastly becoming part of the magistracy traditionally dominated by the local gentry.<sup>53</sup> Peter King has emphasized how local magistrates made the law and the decentralized nature of justice.<sup>54</sup> The case of Hull demonstrates how local magistrates used their own discretion in administering the law; it was how the law was used and applied not just the law itself. Variations in local judiciary and policing, conviction and sentencing differed from place to place, dependent on local concerns and perceptions of social problems. This thesis argues middle class male justice, influenced by social class-based and gendered ideology, had particular repercussions for working class women in Hull, resulting in higher numbers of women before the courts in Hull.

The perception of crime is emphasised in this thesis - the concern about, not just the reality of crime, which drove the responses to and punishment of crime. Hull addresses the broader arguments – crime doesn't exist without law but the law was socially constructed and part of expectations of society. The historiography of crime discusses how crime and deviance was shaped by class and gendered ideologies and beliefs about men and women's roles. Helen Johnston has looked at the impact of gendered views affecting the responses to criminality and influencing the perception of female crime.<sup>55</sup>

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<sup>53</sup> Helen Johnston, 'The Shropshire Magistracy and Local Imprisonment: Networks of Power in the Nineteenth Century', *Midland History*, 30:1 (2005), pp. 67-91.

<sup>54</sup> Peter King, *Crime and Law in England 1750-1940: Remaking Justice from the Margins*, (Cambridge, Cambridge University Press, 2006), p.2.

<sup>55</sup> Johnston, *Crime in England 1815-1880*, pp. 1-2.

Shani D’Cruze and Louise Jackson have argued that the history of crime cannot be separated from the history of gender. Women’s criminality was perceived and treated differently to men’s. Working class women were disadvantaged by their social class, being vulnerable to poverty and perceived as disorderly and rough, but also by their gender.<sup>56</sup> Likewise, women felt the full force of the law for their criminality in Hull, for behaviour accepted in men as manliness and virility but in women seen as unnatural, with the result they were condemned both as criminals and ‘abnormal’ women

Feminist historians have argued that women were additionally punished for going against gender norms in committing crime in the theory of ‘double deviance’.<sup>57</sup> Women before the courts were perceived by male justices as doubly affronting, for the offence itself and for transgression against the nature of their sex, idealised as pure and virtuous. Karly Kehoe, in her study of female crime in Scotland, has discussed that whilst women were less likely to be accused of breaking the law than men, they could be punished more harshly for going against gender norms and ‘feminine’ behaviour expected of women. This was particularly the case if sex and violence was involved. Violence was accepted as a male trait and received less condemnation when committed by men.<sup>58</sup>

Barry Godfrey has challenged the ‘doubly deviant’ view. In his examination of sentencing patterns of men and women, Godfrey found that magistrates sought to punish male violence more than female violence as part of targeting the ‘dangerous

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<sup>56</sup> D’Cruze & Jackson, *Women, Crime and Justice in England since 1660*, pp. 1-5.

<sup>57</sup> Lucia Zedner, *Women, Crime and Custody in Victorian England*, (Oxford, Clarendon Press, 1994), p.75.

<sup>58</sup> Karly S Kehoe, ‘Crime and Punishment, Immorality and Reform’, in (Eds.) Esther Breitenback, Linda Fleming, Karly Kehoe, Lesley Orr, *Scottish Women: A Documentary History 1780-1914* (Edinburgh, Edinburgh University Press, 2013), pp. 160-201.

masculinities' of working class males as part of the drive to civilise the working class. Godfrey has argued that the magistrates dismissed female violence (especially to each other) as petty squabbles between women and did not take it seriously.<sup>59</sup> In contrast, assault was one of the main categories of female offence before the Hull Magistrates Court, revealing how the Hull magistrates were concerned about and sought to address the violence of women in the town. Joanne Turner has argued that women were not persecuted because they were women, but because they were poor, drunk or destitute.<sup>60</sup> The studies demonstrate the difference in the application of the law between local towns and their magistracy, with differing local concerns and perception of social problems.

This thesis argues that the key factor in the 'double deviance' of female crime was the sexual element to the crime. Men who committed offences were defined as purely criminal but criminal women were also seen as sexually deviant. Female criminality was sexualised even though most women were in the Hull courts for theft, assault or drunkenness. The Hull findings contribute to the debate on the gendering of criminality by revealing how the sexualisation of female crime was a response to perceived transgression from the socially constructed sexual boundaries set out for women.

Women's crime was connected to their morality; although women's crime was usually financially motivated, it was viewed as sexually motivated. All women before the Hull courts were subject to judgements on their sexual morality - their hidden crime.

The concentration on female sexual morality in the Hull courtroom links to the work of Shani D'Cruze. D'Cruze has argued that women's sexual reputation and respectable appearance in the courtroom determined whether they gained a fair trial and conviction

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<sup>59</sup> Godfrey et al, 'Explaining Gendered Sentencing Patterns', pp. 696-720.

<sup>60</sup> Turner, 'Ordinary Female Offenders', pp. 55-78.

of the male who sexually assaulted them.<sup>61</sup> Daniel Grey's work on infanticide has also drawn attention to the importance of women's performance to the courtroom audience of respectability and feminine behaviour, as well as demonstrating visible distress in order to elicit the sympathy of the court.<sup>62</sup> Hull women used the courtroom to present their bastardy cases to the audience, using popular narratives of the innocent victim of male seduction to gain sympathy and win their cases. Joanne Turner has found that women who were married were treated more leniently by the courts than single women or widows as the married state conformed to the feminine ideal.<sup>63</sup> Similarly, Hull cases of wife desertion where women were seen to be 'good wives' or women in bastardy cases who had sought respectable marriage but had been abandoned, were supported.

The case can be made here for a more nuanced argument of the nineteenth century view of 'respectability'. It was accepted as both 'real', as common sense, but it was also an expectation - an essential part of 'decent' female character with all the hidden meaning attached to this. It was also aspired to, by both middle class and working class alike – part of acceptance in the local community, bettering oneself and the family, not just an purely part of an act in the courtroom to gain more sympathy. The working class had their own forms of respectability such as a scrubbed front door step giving a visible message to their neighbours that they were clean and presentable. Cleanliness was

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<sup>61</sup> Shani D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women* (London, UCL Press, 1998), pp. 137-170, & Shani D'Cruze, 'Sex, Violence and the Local Courts: Working Class Respectability in a mid-nineteenth century Lancashire town', *British Journal of Criminology*, 39:1 (1999), pp. 39-55.

<sup>62</sup> Daniel Grey, 'Agonised Weeping': Representing Femininity, Emotion and Infanticide in Edwardian Newspapers', *Media History*, 21:4 (2015), pp. 468-480.

<sup>63</sup> Joanne Turner, 'Punishing Women 1880-1905', *Howard Journal of Criminal Justice*, 50:5 (2011), pp. 505-515.

linked to sexuality with 'slatternly' housewives associated with lax sexual morality, as shown in the work of Melanie Tebbutt.<sup>64</sup> In Hull women regularly were found 'donkey-stoning' the front door step, although in cases of extreme poverty it was difficult for women to keep up such appearances in shared, squalid accommodation.

The Hull research further informs that the concentration on sexual reputation and respectability was particularly the case for women in bastardy cases. Men in the Hull bastardy cases often portrayed women who sought financial recompense for their children as sexually promiscuous or prostitutes, resulting in the loss of their cases. In reality it was women who were on trial in male bastardy hearings before the Hull courts, for their immorality in producing a child out of wedlock. Similarly, Ginger Frost's study of illegitimacy in Cambridge and Cardiff has also discussed how women were put on the witness stand and open to scrutiny about their sexual morality.<sup>65</sup>

In her work on female crime, Lucia Zedner has found female offences with a sexual element were more likely to receive harsher sentencing than other offences committed by women.<sup>66</sup> This study takes this a step further in that prison sentences of hard labour were given to women viewed as possessing dubious morals or prostitutes in comparison to other women who were fined for the same offences. The key finding is that the offence did not always have to have a sexual element to elicit the punitive response – it was the perception of the sexual morality of the woman who committed it which was important. The gender divides between men and women in the law in the historiography

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<sup>64</sup> Melanie Tebbutt, *Women's Talk: A Social History of Gossip in Working Class Neighbourhoods 1880-1960* (Aldershot, Scolar Press, 1995), pp. 22-23.

<sup>65</sup> Ginger Frost, 'Under the Guardians' Supervision: Illegitimacy, Family and the English Poor Law 1870-1930', *Journal of Family History*, 38:2 (2013), pp. 122-139.

<sup>66</sup> Zedner, *Women, Crime and Custody*, pp. 1-364.



is advanced in this thesis, revealing how differences were not just between the sexes but between women themselves, related to perceptions of their respectability and morality, placing women on a sexual sliding scale. These hidden influences on justice for women is an important contribution of this study to the historiography of crime and gender.

The historiography of crime has traditionally presented men as more criminal than women because women have not featured as largely in the records of crime.<sup>67</sup> Garthine Walker has argued that female crime should not be compared to male crime as women do not appear in a comparable number in the court records to men. Instead Walker states that female crime must be seen in its social and economic context to see the significance of women in the legal process.<sup>68</sup> Whereas studies of female criminality have largely concentrated on the extent and nature of female crime, this study of Hull looks at the wider influences affecting women's criminality. The rich qualitative records of the Hull courts reveal the social and economic circumstances of women's lives, something which a purely quantitative analysis or male/female approach to crime cannot provide.

The historiography of crime has examined women's criminality in relation to 'female crimes', stressing gender differences in types of offence committed by men and women, with women's crime petty in nature and men's crime more serious. Lynn Mackay found gender differences in theft with women more likely to steal household items and clothing which reflected women's role as responsible for the home and family.<sup>69</sup>

Garthine Walker also found the most popular items of theft by women were clothes and

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<sup>67</sup> Malcom M Feeley & Deborah L Little, 'The Vanishing Female: The Decline of Women in the Criminal Process 1627-1912, *Law and Society Review*, 25:4 (1991), pp. 719-757.

<sup>68</sup> Walker, 'Women, Theft and the World of Stolen Goods', pp. 81-112.

<sup>69</sup> Mackay, *Why they Stole*, pp. 623-639.

household linens. The gendered economy meant women knew the value of these goods more than men and had knowledge of their disposal through pawning or selling to other women in the female community economic networks in which they operated.<sup>70</sup> Kathy Callahan established that women were particularly likely to engage in the receiving of stolen goods as part of female skills in the buying and selling of goods. Women's domestic role within the household made it easier for them to house and hide stolen goods without raising suspicion, making it the 'perfect crime' for women.<sup>71</sup>

Female theft of household goods and receiving stolen goods took place regularly in Hull. Women are highly represented in certain crimes such as petty theft, and some are unique to women – such as illegal pawning, revealing women's worlds. However, this thesis shows that women were also involved in more serious crime associated with men such as housebreaking, wounding or counterfeit coining. The results of the crime survey reveal Hull's uniqueness; men away at sea saw the women before the courts in Hull for crimes men appear before the courts for in other places. With Hull women forced to take on male roles, part of this was criminal; women took on crime in Hull where men took it on elsewhere. The Hull findings add to the historiography by arguing that women were as criminal as men in the offences they committed, being present in all crime. This is as well as women being subject to the additional problem of being convicted for perceptions about their sexual morality, which men did not experience.

The historiography of female crime also challenges the view of strictly gendered crime in new work on women's violent crime. Violence has long been associated with male

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<sup>70</sup> Walker, 'Women, Theft and the World of Stolen Goods', p. 89.

<sup>71</sup> Kathy Callahan, 'On the Receiving End: Women and Stolen Goods in London 1783-1815', *The London Journal*, 37:2 (July 2016), pp. 106-121.

criminality and the perception of the male character. Anne Marie Kilday's work on women and crime in Scotland, has acknowledged women's own agency in violent crime. Far from the argument that women's crime was influenced by men and that women were coerced to commit offences, women's violent crime such as assault, popular disturbance, robbery and murder was mainly perpetrated by themselves. Kilday argues that Scottish women were particularly disposed to violent crime as part of their culture.<sup>72</sup> Assault, fighting and even wounding were significant offences of women before the Hull courts and local magistrates sought to address female violence in the town. Women created popular disturbances on the Hull streets, rioted, assaulted police officers, fought in public houses and in the neighbourhood fights over space.

The historiography now recognises women's violence as well as men's. Hull women were perpetrators of violence, especially in the cases of neighbourhood disputes between women, but also used violence towards men. Whereas D'Cruze has concentrated on women as victims of male violence towards women, the Hull results show that men also experienced domestic violence from their wives, on occasion women seriously wounding using weapons such as knives, with the victims requiring hospital treatment. Garthine Walker has also found evidence of female violence towards men in her study of female crime in the early modern period, with three quarters of female violence directed towards males. Walker found that women were violent in defence of their households and families. Men often kept quiet about female violence

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<sup>72</sup> Anne Marie Kilday, 'Women and Crime', in (Eds.) Hannah Barker & Elaine Chalus, *Women's History: Britain 1700-1850* (London, Routledge, 2005), pp. 174-193.

due to gendered expectation of masculinity, and instead stressed that women abused them with their tongue rather than fists, 'scolding' being seen as a female trait.<sup>73</sup>

Jessica Steinberg has looked at violence by female prostitutes in eighteenth century London. She notes that violence by the women generated more discussion in the press than violence towards the women. Prostitutes were already deemed deviant and disorderly, hence their violence was viewed as further evidence of their unruliness. Violence towards them was seen as being their fate for their wickedness.<sup>74</sup> In common with Steinberg's findings, Hull prostitutes subjected to male violence were not extended any sympathy by magistrates, with men escaping prosecution when women reported the assault, which was rare due to women's fears of being treated harshly by the courts.

Historians such as Joanne Turner for Stafford have noted a decline in women's criminality by the late nineteenth century.<sup>75</sup> The survey of female crime in Hull has found that to the contrary female crime rose significantly throughout the nineteenth century with particularly high numbers in 1891. This was not that women were more criminal but that women were increasingly brought before the Hull Magistrates Court for a wider range of offences especially sexual offences, disorderly behaviour, drunkenness and violence as part of the drive to clean up the streets of the town. As women grew more independent socially and economically, so they increasingly felt the hand of the law, targeted by the police and courts. Despite national rising living

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<sup>73</sup> Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge, Cambridge University Press, 2003), p. 80.

<sup>74</sup> Jessica Steinberg, "'She was "a common night walker abusing him and being of ill behaviour": Violence and Prostitution in Eighteenth Century London', *Canadian Journal of History*, 50:2 (2015), pp. 239-261.

<sup>75</sup> Turner, 'Ordinary Female Offenders', pp. 55-78.

standards, Hull's particular economic situation with women left as the breadwinner in absence of the men, as well as the comparative lack of female employment in the town, meant that women in dire need continued to be financially motivated to undertake petty theft, illegal pawing, prostitution, or bring cases of bastardy to the courts.

The 'vanishing female' has been associated with the increased sophistication of the criminal justice system and the development of the police force, as well as rising living standards and the growth of 'respectability' amongst the working class. Malcolm Feeley and Deborah Little have also argued that the sexual controls on women meant their decline in numbers before the courts.<sup>76</sup> This thesis has contended that the increase in sexual controls of women had the opposite effect and brought more women before the Hull courts with the increased police surveillance on the activities of local prostitutes, and with the suspicion of sexual immorality and disorder affecting all women of the poor. Although Joanne Turner found a decline in prosecutions of prostitutes from the mid-nineteenth century height, it has been found for Hull that prostitutes were still being convicted and imprisoned but through conviction for crimes such as drunkenness or fighting or theft, with the judgement of 'common prostitute' added onto the offence.<sup>77</sup> It was a way the Hull magistrates got around the law. Julia Laite has found that the late nineteenth century saw more women than ever before the courts on charges of prostitution, relating to the 1885 Criminal Amendment Act.<sup>78</sup> However, the targeting of Hull prostitutes by moral reformers did ease from the late nineteenth century with charities widening their gaze to all women of the poor, not just prostitutes.

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<sup>76</sup> Feeley & Little, 'The Vanishing Female', pp. 719-757.

<sup>77</sup> Turner, 'Ordinary Female Offenders', pp. 55-78.

<sup>78</sup> Laite, *Common Prostitutes and Ordinary Citizens*, p. 2.

The advent of social welfare has also been an argument for less need of women to commit crime as there was more help available for them. However, the Hull results show that new welfare-based (and gendered) legislation saw more women before the Hull courts. Women, deemed responsible for their children's welfare, went before the courts on charges of neglect of children or failing to send their children to school. Therefore the reduction in women's crime before the courts noted in other areas was not the case for Hull and it is more complex than a simple argument of decline over time.

Part of the increase in numbers before the Hull courts was the presence of the court 'regulars' (female recidivists), with the two Hull case studies a perfect example of whole lives dominated by regular court appearances and spells in prison. Historians such as Helen Johnston have talked about the 'revolving door' of the local prison, where women regularly returned with no other means of support open to them.<sup>79</sup> Joanne Turner has drawn attention to the fact that magistrates were just returning women back to their difficult lives, which is why they reoffended with no other options open to them.<sup>80</sup> Catherine Lee has argued that female recidivists reflect the increased police targeting of particular women, something which has also been seen for Hull with police watching certain women known to them as prostitutes.<sup>81</sup> Barry Godfrey has discussed how fear of the habitual criminal was a feature of the late nineteenth century, based on theories of hereditary criminality. However, his survey of crime in Crewe found few habitual criminals, with no genetic link found. Popular beliefs of large numbers of habitual criminals and their criminal families did not fit the reality, confirming this

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<sup>79</sup> Johnston, *Crime in England 1815-1880*, p. 154.

<sup>80</sup> Turner, 'Punishing Women 1880-1905', pp. 505-515.

<sup>81</sup> Lee, *Policing Prostitution 1856-1886*, p. 126.

thesis' central finding of how the perception of crime drives the responses to it and thus can be seen as more important than the crime itself.<sup>82</sup>

The Hull research also highlights that as well as being brought to the courts more, women increasingly brought themselves to court. Bastardy cases, wife desertion cases or seeking justice in neighbourhood disputes were responsible for rising numbers of women in the Hull courts in the nineteenth century. Bastardy especially saw a significant and growing presence of women before the Hull courts as magistrates took over the hearings of cases. Women were forced to take maintenance cases to courts to gain financial support for their children in an increasingly unsympathetic environment.

Historians have found a closing off of access to parish provision to women in the early nineteenth century which occurred as a general backlash against rising illegitimacy rates and perception of female immorality. Thomas Nutt has studied the changes brought by the New Poor Law of 1834 which favoured men over women by placing the emphasis of support of the child onto the mother as her responsibility, not the father. Women could still claim affiliation but it was made more difficult as women had to prove the father in court cases and provide evidence.<sup>83</sup> Pat Thane has studied the historical discourses of illegitimacy with unwed mothers classed as sinners seeking undeserved support and conflict over how they should be supported – by the father, the public purse, or to support themselves.<sup>84</sup> However, Ginger Frost has argued that illegitimacy

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<sup>82</sup> Godfrey et al, *Criminal Lives: Family Life, Employment and Offending*, p. 72.

<sup>83</sup> Thomas Nutt, 'Illegitimacy, Paternal Financial Responsibility and the 1834 Poor Law Commission Report: the Myth of the Old Poor Law and the Making of the New', *Economic History Review*, 63:2 (2010), pp. 335-361.

<sup>84</sup> Pat Thane, 'Unmarried Motherhood in Twentieth Century England', *Women's History Review*, 20:1 (2011), pp. 11-29.

has mainly been written about from the view of the unwed mother - women covering up illegitimate births in infanticide cases and the stress on the hardship of the mother, as well as effects of the reform of the poor laws upon women. Frost's is a new approach to illegitimacy from the perspective of the child, who also carried the moral blame.<sup>85</sup>

Ginger Frost has also argued for more work to be undertaken looking at the role of men in bastardy cases which this study has undertaken.<sup>86</sup> The study of illegitimacy in this thesis links to recent work on masculinity and fatherhood. It reveals attitudes of men towards their responsibilities as fathers within a culture of displaying masculinity which stressed 'sowing of wild oats' but also the middle class fatherhood ideal.<sup>87</sup> Middle class Hull men sought to cover up fathering illegitimate children because they were already married or feared for their social position, as also found by Ben Harvey in his study of illegitimacy in nineteenth century Swinton.<sup>88</sup> The rich and detailed Hull bastardy cases reveal middle class men desperately seeking to hide their illegitimate children for the social shame it brought on them and their family, going to great lengths to do so. The Hull bastardy cases challenge the Victorian middle class fatherhood ideal, with men unwilling to provide for their illegitimate children (or legitimate children in wife desertion cases). Middle class men in nineteenth century Hull advocated domesticity but excluded their illegitimate children, contesting bastardy cases by presenting themselves as victims of greedy women falsely swearing them as fathers of their children. The sexual double standard made women morally blameworthy in bastardy cases, not men.

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<sup>85</sup> Ginger Frost, *Illegitimacy in English Law and Society 1860-1930*, (Manchester, Manchester University Press, 2016), pp. 1-3.

<sup>86</sup> Frost, *Illegitimacy in English Law and Society*, p. 1.

<sup>87</sup> Roper & Tosh (Eds.), *Manful Assertions*, p. 44.

<sup>88</sup> Ben Harvey, 'The Putative Fathers of Swinton, England: Illegitimacy under the Old Poor Law', *Journal of Family History*, 40:3 (2015), pp. 373-398.



As with female crime, studies within the historiography of illegitimacy have largely concentrated on London and the eighteenth century. These include Samantha Williams use of the Old Bailey court records to study infanticide cases of mothers' concealment of illegitimate births, as well as studies of the London Foundling Hospital.<sup>89</sup> Hull is part of new research into regional and local illegitimacy in the nineteenth century. The later nineteenth century in Hull saw increasing numbers of bastardy cases in the courts, despite falling national illegitimacy rates. Ginger Frost has studied Cambridge and Cardiff in the later nineteenth century, a period neglected in comparison to the early nineteenth century with the height of fears about high levels of illegitimacy.<sup>90</sup>

Hull's early nineteenth century parish removals of women with illegitimate children and pregnant single women reveal a harsher climate. Similarly, historians of illegitimacy have noted a change in attitudes from the late eighteenth century which saw a closing off of help to single mothers. Tanya Evans' work on the London Foundling Hospital found that in the early eighteenth century it admitted those facing hardship and misfortune. Admittance was based on need with the women viewed as 'unfortunates', and the morality of the mother not questioned. By the end of the century this had changed to a 'shame criteria' where those admitted had to demonstrate that they felt ashamed of their actions in getting pregnant.<sup>91</sup> Miley and Read's work on the Foundling Hospital also identified a change to harsher attitudes in this period. From the Foundling Hospital admitting all babies, the rules were changed in 1801 to admit only the babies of those women who had sex just once under promise of marriage, left abandoned and

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<sup>89</sup> Samantha Williams, 'The Experience of Pregnancy and Childbirth for Unmarried Mothers in London 1760-1866', *Women's History Review*, 20:1 (2011), pp. 67-86.

<sup>90</sup> Frost, *Illegitimacy in English Law and Society*, pp. 4-5.

<sup>91</sup> Tanya Evans, 'Unfortunate Objects: London's Unmarried Mothers in the Eighteenth Century', *Gender & History*, 17:1 (2005), pp. 127-155.

who felt ashamed (deemed proper objects of charity).<sup>92</sup> These studies have identified a move to a harsher climate from the late eighteenth century in the metropolis. The Hull findings of the beginnings of surveillance, persecution and prosecution of female sexual immorality, and a moral reform agenda aimed at prostitutes and single mothers before the Hull courts, reveals that this change to a hostile mood in charity and the law was also strongly in evidence in provincial towns and cities in this period.

Despite a change to a harsher attitudes, Ginger Frost has noted the law was lenient in infanticide cases of illegitimate births, but saw an uncaring attitude towards the children of single mothers who survived. Frost sees the law and society accepting infanticide as a way of lowering illegitimacy rates, with illegitimacy seen as a problem of women's sexual power.<sup>93</sup> In common with Frost's findings, infanticide was also treated with some leniency by the Hull courts with cases dismissed as women were seen as mentally ill after the birth. The fact that illegitimate children and their mothers were seen as a drain on the Hull parish funds meant it can be argued that illegitimacy attracted more condemnation than infanticide as the children survived to be a cost whereas the children in infanticide cases did not. The moralizing attitudes also hid an economic motivation.

Especially condemned by the Hull courts were the 'feckless' women who had a number of children by different fathers, and who were more likely to lose their bastardy cases. Peter Laslett originally discussed a bastardy-prone sub-society and argued that a small number of families accounted for a large proportion of illegitimate births.<sup>94</sup> Maria

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<sup>92</sup> Frances Miley & Andrew Read, 'Go Gentle Babe: Accounting and the London Foundling Hospital 1757-1797', *Accounting History*, 21:2-3 (2016), pp. 167-184.

<sup>93</sup> Frost, *Illegitimacy in English Law and Society*, p. 9.

Luddy has studied unmarried mothers in nineteenth century Ireland. Those who bore more than one illegitimate child were considered to be either a prostitute (also found in Hull with women regularly accused of prostitution and sexual promiscuity in bastardy cases) or mentally deficient.<sup>95</sup> Ginger Frost noted the poor law Guardians bringing cases to pursue fathers of multiple illegitimate children in Cardiff and Cambridge.<sup>96</sup> King's study of Lancashire, Wiltshire and Somerset found Laslett's findings to be the case to a certain extent but argued that bastardy was pervasive in society in general.<sup>97</sup>

New freedoms of working class women with economic growth, urbanisation and decline in traditional community controls has been used by historians to explain why illegitimacy was higher in industrial areas and growing rapidly in the early nineteenth century, resulting in an attack on illegitimacy.<sup>98</sup> Historians have traditionally studied marriage patterns to link with illegitimacy rates. Cathy Day has looked at marriage patterns in Wiltshire from the late eighteenth century and found that illegitimacy depended on factors for marriage including economics and geographical mobility.<sup>99</sup>

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<sup>94</sup> Peter Laslett, 'The Bastardy Prone Sub-Society', in (Eds.), Peter Laslett, K Oosterveen, Richard M Smith, *Bastardy and its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany, Sweden, North America, Jamaica and Japan* (London, Edward Arnold, 1980), pp. 217-246.

<sup>95</sup> Maria Luddy, 'Unmarried Mothers in Ireland 1880-1973', *Women's History Review*, 20:1 (2011), pp. 109-126.

<sup>96</sup> Frost, 'Under the Guardians' Supervision', pp. 122-139.

<sup>97</sup> Steven King, 'The Bastardy Prone Sub-Society again: Bastards and their Fathers and Mothers in Lancashire, Wiltshire and Somerset 1800-1840', in (Eds.) Alysa Levene, Samantha Williams, Thomas Nutt, *Illegitimacy in Britain* (Basingstoke, Palgrave Macmillan, 2005), pp. 66-85.

<sup>98</sup> Emma Griffin, 'Sex, illegitimacy and Social Change in Industrialising Britain', *Social History*, 38:2 (2013), pp. 139-161.

<sup>99</sup> Cathy Day, *Wiltshire Marriage Patterns 1754-1914: Geographical Mobility, Cousin Marriage and Illegitimacy* (Newcastle upon Tyne, Cambridge Scholars, 2013), pp. 187-217.

A move away from the earlier demographic approach to illegitimacy has seen new research looking at the wider attitudes towards illegitimacy, to which this study of Hull contributes. Sveltla Baloutzova, in her work on oral culture in eighteenth century Scotland, found that illegitimacy was accepted in the community as a breach of social norms in which the usual state was marriage but women did not lose their standing in the community and had some sympathy.<sup>100</sup> In common with Baloutzova's findings, Hull saw acceptance of cohabitation and illegitimacy in the working class community; like prostitution illegitimacy was not cause for social ostracism in the neighbourhood, this was imposed from outside and above. Ginger Frost has also found that the Cardiff and Cambridge Guardians recognized cohabitation as a form of marriage in out relief.<sup>101</sup>

Samantha Williams has examined cohabitation and illegitimacy in early nineteenth century London and found a small proportion of illegitimate births from cohabitation (including servants living in the same households). However, Williams found the centrality of marriage in this period was still strong and most sex was between couples with a view to marriage.<sup>102</sup> Hull bastardy cases reveal that women hoped for marriage but it was not always forthcoming. However, in presenting their cases women could win the support of the court by proving that they were not of loose morals but had sought respectable marriage. Hull bastardy court cases adds new findings to the historiography

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<sup>100</sup> Sveltla Baloutzova, 'When a Lass goes so round, with her tua sides high: Oral Culture and Women's Views on Illegitimacy', in (Eds.), Katie Barclay & Deborah Simonton, *Women in Eighteenth Century Scotland: Intimate, Intellectual and Public Lives* (Farnham, Ashgate, 2013), pp. 55-74.

<sup>101</sup> Frost, 'Under the Guardians' Supervision', pp. 122-139.

<sup>102</sup> Samantha Williams, 'They Lived Together As Man and Wife: Plebeian Cohabitation, Illegitimacy, and Broken Relationships in London 1700-1840', in (Ed.) Rebecca Probert, *Cohabitation and Non-Marital Births in England and Wales 1600-2012* (Basingstoke, Palgrave Macmillan, 2014), pp. 65-79, 221-223.

by emphasizing the importance of women's presentation of bastardy cases to the court. The focus on moral character meant women had to prove they had been in a relationship with one partner whom they intended to marry. The courtroom narrative supported was the seduced and abandoned girl who had sought matrimony from courtship.

Ginger Frost has noted the later nineteenth century saw a change in attitudes towards illegitimacy in Cambridge and Cardiff. She found the guardians expressing more sympathy for women and trying to find families for children in contrast to previous indifference and neglect.<sup>103</sup> Hull also saw more help available to single mothers and their children in the late nineteenth century with the formation of mother and baby homes in a move towards welfare reforms. A new legal importance of the welfare of the child saw Hull women before the courts for neglect and ill treatment of their children, (although this thesis argues it was gendered law, influenced by views of women as the caregiver and the veneration of motherhood). The protection of the middle class young (as seen in the concern about their protection from 'immoral' working class women) was extended to the working class young in new legislation to protect them from abuse in employment and families. However, the removal of women in Hull to prison for petty offences such as failing to send their children to school (with women often unable to afford to do without their labour), saw women taken away from their children to the detriment of the family, as has also been emphasised in the work of Helen Johnston<sup>104</sup>.

Historians' view of an overall decline of women in the criminal process has been linked to the move towards social welfare reforms and a more rehabilitative approach by the late nineteenth century. Joanne Turner has argued that more women were regulated

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<sup>103</sup> Frost, *Illegitimacy in English Law and Society*, p. 3.

<sup>104</sup> Johnston, 'Imprisoned mothers in Victorian England', pp. 1-17.

through welfare than prison with the formation of homes and refuges, which has been found in studies of philanthropy aimed at women, including this study.<sup>105</sup> Helen Johnston has noted that more women were placed in semi-penal institutions whereas previously they would go to prison; the revolving door of the local prison opened to the homes and refuges (and back again).<sup>106</sup> Hull also saw a growth of charitable institutions which women were sent to other than prison. Young women were more likely to be sent to the new reform homes as it was seen as the best chance of reaching them whilst young and malleable. However, the results of the survey of female crime in Hull show that a large number of women were still being sent to prison, especially prostitutes and female thieves. This included prison sentences by default, with poverty meaning women were unable to pay their fines for petty offences and were sent to prison. Despite new forms of dealing with 'problem' women through voluntary action and welfare reforms, prison was still very much a reality for women of the poor in Hull in this period.

The historiography of philanthropy for women draws attention to the role of private charity in removing women who did not fit society's expectations into female penitentiaries, homes and shelters. The debate in the historiography is around whether this was exchange of one prison for another. Martin Daunton and Peter Shapley have argued that philanthropy was not necessarily for altruistic reasons but had hidden motivations of social control, power and self-interest.<sup>107</sup> Alana Barton has studied both informal (semi-penal institutions) and formal (prison) institutions for women, looking at how the refuges, homes and reformatories didn't disappear in the twentieth century but

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<sup>105</sup> Turner, 'Ordinary Female Offenders', pp. 55-78.

<sup>106</sup> Johnston, *Crime in England 1815-1880*, pp. 121-135.

<sup>107</sup> Martin Daunton, *Charity, Self Interest and Welfare in the English Past* (London, UCL Press, 1996), p. 8 & Peter Shapley, *Charity and Power in Victorian Manchester* (Manchester, The Chetham Society, 2000), p. 63.

turned into homes for unmarried mothers or probation hostels for women where women were still expected to conform to idealised forms of 'feminine' behaviour. Despite social progress in charities for women, Alana Barton sees a continuance of controlling women.<sup>108</sup> Led by middle class women, the original charities for fallen women in Hull also saw expansion and change, widening their net to reach and offer help and support to more women in need, including those previously excluded, rather than blame them for their 'sins'. However, continuity of control of women has also been found in Hull with its semi-penal institutions retaining their original focus on the moral condition of women and also sought to infantilise them in the move to protection of women; to protect women from themselves in their domestic space, working lives and leisure time.

The historiography of philanthropy has two counter arguments - whether nineteenth century philanthropists were humanitarian crusaders of social justice and wanted solutions to social problems and poverty in society, or sought control and class domination. Feminist history stress repression and control over women, couched in a language of sympathy and compassion, as a different form of control to state regulation. Charities for women are located within histories of reform and institutionalism, raising questions of incarceration and surveillance found in the work of Michel Foucault.<sup>109</sup> Mary Peace has studied the London Magdalene Hospital and asked the question whether it was a mercantilist hospital to treat diseased bodies, a sentimental asylum (a retreat from the harshness of the world and bad influences) or a proto-evangelical

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<sup>108</sup> Barton, *Fragile Moralities and Dangerous Sexualities*, p. 5.

<sup>109</sup> Michel Foucault, *Discipline and Punishment: The Birth of the Prison* (New York, Vintage Books, 1995), pp. 175, 231-256.

penitentiary (a place of penance, punishment of sin and control of women, which saw the women as the wicked ones not the world).<sup>110</sup>

This thesis sees evidence of genuine compassion as well as a desire to address social problems by removal and control of women done through the guise of private charity. The early nineteenth century philanthropists who believed they were bringing female ‘sinners’ closer to God also believed they were acting in their best interests, as well as seeking to control prostitution in the town. The Hull results reveal a more nuanced argument in that women also used the institutions for their own ends (as they did the courts) and went in and out of them as they chose, and got out of them what they wanted, be it warmth, shelter, regular food and medical treatment. Women couldn’t leave prison, but they could leave these institutions if they wanted, although difficult life circumstances did play a significant part in keeping them there. The argument of control of women also has to take into account that women had some room to manoeuvre and act with some agency within the confines of these institutions.

The historiography shows that Hull was part of a nationwide movement of forming charities for fallen women, with similar outlook and operation. Marion Pluskota has noted in nineteenth century Bristol the growth of charities for women of the poor formed on principles of religion, morality and industry.<sup>111</sup> It was mainly young candidates who were taken in, as in the Hull Female Penitentiary who wanted younger girls to mould and reform not older hardened prostitutes seen as too far gone down the

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<sup>110</sup> Mary Peace, ‘Figuring the London Magdalen House: Mercantilist Hospital, Sentimental Asylum or Proto-Evangelical Penitentiary’?, in (Eds.) Ann Lewis & Ellis Markman, *Prostitution and Eighteenth Century Culture: Sex, Commerce and Morality* (London, Routledge, 2016), pp. 141-155.

<sup>111</sup> Pluskota, *Prostitution and Social Control*, p. 105.



path of debauchery. As a significant number of women in Hull working as prostitutes were older women, so they were locked out of charitable help. Linda Mahood has studied the Magdalene homes and laundries in Glasgow and Edinburgh. Like the Hull Female Penitentiary, there was a classification system by moral character which saw those seen as obedient and suitable for domestic service placed in middle class homes as servants. The wilful and troublesome (the independent factory and mill girls) were found work in the industrial laundry as a punishment.<sup>112</sup> The growth of charities for women as a response to concerns over vice and immorality in urban towns was not just confined to Britain. Marian Morton has studied Cleveland in America, where rescue homes for women were also being formed by moral reformers who were concerned with vice in the city. Many of these were religiously motivated such as the Women's Christian Association and Salvation Army rescue homes. Women were found work in domestic service. Again, aimed at the young, they reveal widespread concerns over juvenile sexual delinquency and a sexual double standard concentrating only on girls.<sup>113</sup>

Hull leads the historiography by the examination of the social make-up of the supporters of the charities for women, something which other studies have not addressed in any depth. Hull charities for women were organised and supported by male mercantile elites and their families with networks of interlinkage through business and marriage, as well as the involvement of the local clergy and the influence of the emerging medical profession. The growing role of middle class women within charities is a significant

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<sup>112</sup> Linda Mahood, 'The Domestication of Fallen Women: The Glasgow Magdalene Institution 1860-1890', in (Eds.) David McCrone, Stephen Kendrick, Pat Straw, *The Making of Scotland: Nation, Culture and Social Change* (Edinburgh, Edinburgh University Press, 1989), pp. 143-160.

<sup>113</sup> Marian Morton, 'Seduced and Abandoned in an American City: Cleveland and its Fallen Women 1869-1930', *Journal of Urban History*, 11:4 (1985), pp. 443-469.

finding for Hull, and is beginning to be addressed within the historiography. As with Hull, Moira Martin's study of Bristol now challenges the view that middle class women were excluded from influential positions in charitable organisations. Martin has found that in Bristol women made significant contributions and were seen as influential leaders in charity work, as occurred in Hull in the late nineteenth century, with women's role expanding from female visitors to sitting on the committees of charities.<sup>114</sup>

The influence of female charity workers is shown in the move to make the cold, uniform female penitentiaries of the early period into homes and shelters in late nineteenth century Hull, with a softer approach. Other studies see similar developments. Jenny Hartley has studied Urania Cottage set up by heiress Angela Burdett Coutts and Charles Dickens. Designed to be like a real home and family, here the girls could learn to read and write, with religious service kept to a minimum. The belief that fallen girls were redeemable led to them finding a new life either through help with employment or emigration.<sup>115</sup> Paula Bartley has looked at rescue work by middle class women in Birmingham as an alternative to female penitentiaries. Bartley notes a strong female network. Women's involvement in the social purity movement in Birmingham led to their forming the Ladies Association for the Care of Friendless Girls.<sup>116</sup>

Historians of gender have discussed that involvement in philanthropy was a way middle class women gained safe access to public life outside of the home, justified as part of

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<sup>114</sup> Moira Martin, 'Single Women and Philanthropy: A Study of Women's Associational Life in Bristol 1880-1914', *Women's History Review*, 17:3 (2008), pp. 395-417.

<sup>115</sup> Jenny Hartley, *Charles Dickens and the House of Fallen Women* (London, Methuen, 2008), pp. 1-287.

<sup>116</sup> Paula Bartley, 'Preventing Prostitution: The Ladies' Association for the Care and Protection of Young Girls in Birmingham 1887-1914', *Women's History Review*, 7:1 (1998), pp. 37-60.

women's caring role. Paul McHugh's work on the campaign for repeal of the Contagious Diseases Acts saw middle class women taking a public platform in their determination to abolish the Acts. Hull had its own prominent branch of the Ladies National Association Against the Contagious Diseases Acts.<sup>117</sup> This thesis shows how involvement in charity work was a stepping stone to empowerment of women. Active roles in forming and running Hull charities gave middle class women a public voice to improve their poorer sisters' lives and encouraged a more sympathetic view of them.

Changing attitudes, led by middle class women's work with the female poor, has also been identified by Susan Mumm in her work on Anglican penitentiaries in London (Clewer House of Mercy). Mumm argued that the nuns saw the girls as no different to other working class girls, but circumstances made them 'fall' not their character. Most of the women had been servants, had been seduced and abandoned, some were victims of incest or rape, or had applied after leaving prison, so it was not just prostitutes being taken in.<sup>118</sup> Similarly the opening of the door of charity to a wider range of women took place from the late nineteenth century in Hull. Under the influence of the increased involvement of middle class women, the original institutions for 'fallen women' recreated themselves, becoming homes for unwed mothers or shelters for women escaping domestic violence, or lodgings for girls viewed as in sexual danger from having money for leisure and pleasure. Now reaching more women and addressing issues previously ignored, shifting societal concerns affected the charitable response.

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<sup>117</sup> Paul McHugh, *Prostitution and Victorian Social Reform* (London, Croom Helm, 1980), pp. 163, 187.

<sup>118</sup> Susan Mumm, 'Not worse than other girls: the Convent-Based Rehabilitation of Fallen Women in Victorian Britain', *Journal of Social History*, 29:3 (1996), pp. 527-546.

Lawrence Rainey has discussed the backlash in the late nineteenth century against the modern woman, active in charity work, employment, education and suffrage, seen as detrimental to the family and challenging the ideal of domesticity for women.<sup>119</sup>

Similarly female supporters of the Hull Female Penitentiary were frowned upon for supporting a charity associated with sex, something which it was believed women of their class should not be exposed to, in contrast to strong female support for the 'respectable' Lying In charity. Despite attempts to form lives outside of the home, this thesis show that women were still controlled by a sexual double standard which acted as a constraint on their freedoms, affecting both middle class and working class women.

This study argues that it was the gendered ideological influences on middle class women that they sought to impose onto working class girls, seeking to create 'domestic angels' in their own image. This thesis has also found much evidence of later charity work aimed at young, independent working girls, seen as in need of education in domestic duties in preparation for roles as wives and mothers. Paula Bartley has also discussed how the middle class women of Birmingham's Ladies Association for the Care of Friendless Girls were concerned about teaching poor and wayward girls domesticity.<sup>120</sup> Despite women's social progress they were still products of their social class and gender, and expectations of women remained limited within these confines.

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<sup>119</sup> Lawrence Rainey, 'From the Fallen Woman to the Fallen Typist 1908-1922', *English Literature in Transition*, 52:5 (2009), pp. 273-97.

<sup>120</sup> Bartley, 'Preventing Prostitution', pp. 37-60.

This review of the historiographies of crime, gender, illegitimacy and philanthropy has shown how the Hull study links to wide ranging areas of research, whilst also emphasising the uniqueness of the Hull research and findings. The qualitative value of the Hull records of female crime, prostitution and illegitimacy make this thesis a major contribution. The time scale of the study, spanning a century of change, is longer than the studies examined in the historiography. This has allowed for investigation into change over time in social concerns and responses in a small regional town and port in the nineteenth century, which other shorter studies are unable to provide. This saw women in Hull move from being regarded as sinners to victims, from the dangerous sexualities of women to women in sexual danger, from punishment to protection, from concern over prostitution to concern over female victims of domestic violence and the safety of young women on a night out in the town. This study contributes to the historiography in demonstrating how social change created new social concerns which in turn impacted on the structures set up to deal with social problems, forcing them to readdress their aims and objectives and those who they focused their attention on.

### **Chapter 3 - Women, Crime and the Courts in Nineteenth Century Hull**

This chapter examines the extent and nature of female criminality in Hull in the nineteenth century, looking at women's presence within the Hull courts and how they were treated by the police and magistrates, and how women challenged this. As well as a quantitative analysis of female crime and sentencing, the language of the courts and the voices of the women who stood before its judgement will be heard. Women were not just victims of their poverty and male control through the courts, but also assertive women who crossed the boundaries set out for their sex in their participation in a criminal world seen as a male domain, revealing initiative and resourcefulness. Despite women's increasing appearance in the gendered nineteenth century courtroom, this study reveals women using the courts for their own ends and using systems to evade arrest and prosecution; the agency of women who were able to use the law as well as stand before it. This study asks whose voices were being heard in nineteenth century Hull, the police and magistrates, the concerned middle class, or the women themselves?

This study is an overview of female criminal activity in Hull in the nineteenth century, however, the results are of female criminal activity appearing before the justices, not a total picture of female crime in Hull. Crime history provides evidence of detection of crime, results of apprehension and prosecution but it doesn't reveal all crime, just an indication of unreported crime. As well as under recording crime, some crimes may be over recorded due to their social significance which changed over time; for example drunkenness and prostitution were overly focused on in the nineteenth century. The social construction of deviance and perception of crime is a key element of the thesis. The study will show that is not the crime itself that is important, it's how its perceived, responded to and treated, as seen in an examination of the sentencing of female crime.

This study of female criminality raises key questions of gender and social class, and how far they shaped criminal policy in Hull in the nineteenth century. The development of the law in the nineteenth century was linked to the aim of regulating a wider range of working class behavior as well as concern over unregulated urban space. The majority of women appearing before the Hull courts were from the poor, unskilled working class (although this group did make up a large proportion of Hull's population). As women of the poor were more visible and more likely to use the streets, they were more vulnerable to surveillance of their activities and arrest. The growth of the Hull Magistrates Court in the nineteenth century (along with private charity) were significant responses to social problems in the town. Female crime, especially female sexual immorality, was regarded as a large social problem and resulted in more women appearing before the courts.

Questions are asked about the attitudes held towards female criminals and how women were dealt with by the Hull courts. Can the actions of the police and middle class magistrates be seen as a form of social control over Hull's female working class? The justice system in nineteenth century Hull was made up of middle class male magistrates with pre-conceived ideas about women's roles, as well as class influenced ideology.

This study reveals the gendered nature of justice with a sexual double standard which ran through the law and society. The social construction of gender roles influenced the creation of laws and impacted on prosecution and sentencing, as well as the courtroom experience and dialogue. Laws were made and helped to reinforce established notions of femininity and masculinity. Nineteenth century discourses on criminality were gendered. Women were regarded as less criminal than men due to beliefs about their superior morality. Female criminals were seen as unnatural women and especially depraved. Unlike male offenders, seen as just purely criminal, female offenders were

viewed as doubly deviant, both for the criminal act itself and the failure to live up to expectations of feminine behavior, especially sexual behavior.

Explanations of criminality, seen as due to the moral failings of the individual, also saw the influence of eugenics and psychiatry. The term 'feeble-minded' was a diagnostic category developed in the 1880s and linked to the working class, poverty and crime. Female criminals, and prostitutes in particular, were viewed as mentally deficient with female sexual immorality connected to weak intellect. Gendered expectations of women as sexually passive meant women seen as promiscuous were labelled both morally and mentally defective.<sup>1</sup> Paula Bartley states "just being a woman meant madness was never far away".<sup>2</sup> The 'feminine malady' (menstruation) of women of reproductive age was linked to female madness with women more at risk of being incarcerated in asylums.<sup>3</sup>

Classification of groups of women saw those viewed as dissolute separated off from other women before the courts. The so called crimes against morality involving cases of female sexuality (the hidden crime of women) were dealt with more harshly than other criminal activity of women, and are examined in depth in this thesis. The 'multiplication factor' shows how sentences rose in severity, dependent on the sexual nature of female crime. The sentencing policy of the Hull courts is examined to see how far it reflected nineteenth century social concerns including female sexual immorality. Comparison to other studies of female crime will reveal if the Hull findings are typical or not.

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<sup>1</sup> Paula Bartley, *Prostitution: Prevention and Reform in England 1860-1914* (London, Routledge, 2000), pp. 123-124.

<sup>2</sup> Bartley, *Prostitution: Prevention and Reform*, p. 126.

<sup>3</sup> Bartley, *Prostitution: Prevention and Reform*, p. 126.



This study of female criminality raises questions of the incarceration and surveillance of women. Michel Foucault has discussed the increase in incarceration and surveillance in the nineteenth century, with the building of institutions such as prisons, lunatic asylums and workhouses to house those judged to be outside of society.<sup>4</sup> Women who did not conform to the feminine ideal were labelled mad, abnormal or deviant and placed in places of confinement. Lucia Zedner has found that women who were sexually active or had illegitimate children were more likely to be institutionalised.<sup>5</sup> Women's incarceration was given an official stamp of approval by male authority figures such as doctors, magistrates, clergy, or members of their own family. This was done under the guise of, and justified, for the protection of society and of the women themselves. In reality this was a way of dealing with social problems such as poverty, pauperism, prostitution and rising illegitimacy, as well as perceived problems which were socially constructed, such as female sexual deviance and unfeminine behavior, outside of society's rules and boundaries. Incarceration and moral reform was believed to be the answer to disorderly female behaviors which were not socially acceptable in nineteenth century society, with a strict moral code which women were subjected to.

A spate of prison building took place in Hull from the late eighteenth century at the height of the evangelical attack on immorality. A new prison was completed in 1789, followed by a joint Hull Gaol and House of Correction in 1829, and the larger Hull Borough prison was built in 1862 to house increasing numbers of prisoners. Central to the growing sophistication and bureaucracy of the legal system was the development of the police force which took place in 1836, replacing night watchmen. Numbers before the Hull courts rose as the police were given powers to arrest, undertook patrols of

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<sup>4</sup> Foucault, *Discipline and Punishment*, pp. 175, 231-256.

<sup>5</sup> Zedner, *Women, Crime and Custody*, pp. 5, 273-276.

working class districts of the town, and raided public houses and brothels. Summons to court could be undertaken privately but the bulk was undertaken by the police. The drive to clean up Hull of its disorderly and undesirable elements increased with the advent of the police force. The police became the watchful agents of the middle class to put into practice their ideology of acceptable behavior of the working class.

The police wasn't the only watchful presence - the public gaze was important. Middle class surveillance of the working class took place through social investigations, with concern about the behaviour of working class women heightened in cases of sexual disorder. Surveillance in the local community was also undertaken; female neighbours watched and gossiped about each other, as well as being a network of support for women. Justice was not just imposed from above, communities had their own sense of justice, as examined in the chapters on bastardy and prostitution. There was the control of the law but also the control and discipline of the community, and this thesis shows that female neighbours could make or break women's bastardy court cases as either supportive witnesses or reporting on the sexual liaisons of women to the courts. Melanie Tebbitt has also identified the pre-occupation of neighbours with sexual conduct and scandal in her work on the history of gossip in working class neighbourhoods.<sup>6</sup>

This chapter also addresses the social class conflict over and the gendering of the urban space. With the ability of the middle class to keep their misdemeanours secret, it was the public, street based nature of working class life which led to the persecution of working class women in nineteenth century Hull. Women of the poor became supervised and marginalised in their world; targets of the public gaze and police patrols of the town.

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<sup>6</sup> Tebbitt, *Women's Talk*, pp. 22-23.

Working class women in Hull were removed from the public spaces into private spaces, cut off from the outside world in the prisons, houses of correction and female penitentiaries. The gendering of space saw the streets as not a place reputable women should venture alone at night. This left women open to being accused of being prostitutes. Prostitution became associated with certain spaces such as public houses, alleyways, lodging houses and in rough areas. By targeting women of the poor for their perceived dissipation, the police sought to protect middle class sensitivities by ensuring they were not exposed to sex in the public spaces of Hull. The fear of uncontrolled spaces such as parks, lodging houses and public houses led the police force in Hull into working class leisure and living spaces. Hull saw the increasing regulation and criminalisation of working class behaviour in public spaces such as drunkenness, begging, fighting and prostitution. The working class population and prostitution became confined to certain areas of the town, with the middle class moving out into the newly built suburbs, creating their own private space away from squalor and vice.

The following results are of a survey of female crime from the Hull Magistrates Court and Hull Quarter Sessions Court Minute books from 1801 to 1891. The Magistrates Court dealt with petty crimes in Hull from 1811, taking over the hearing of cases such as drunkenness, petty theft, vagrancy and prostitution from the Hull Quarter Sessions, which continued to hear more serious crimes. This was in common with what was happening nationally as the summary courts gradually took over with a considerable shift in offences being heard there. This had the effect of increasing numbers of women before the courts in nineteenth century, as they were most likely to commit the petty crimes which the magistrates courts dealt with. This will be shown to be the case for Hull which saw a dramatic increase of women being brought before the Magistrates Court as the century progressed. Because of high numbers of cases, the Hull Magistrates

Court sat every day except Sundays and Christmas Day, whilst the Hull Quarter Sessions were held every quarter at Ephiny, Easter, Summer and Michaelmas.

For the purpose of this study female offences have been grouped thematically under Theft and Property Crimes, Employment and Economic Crimes, Crimes of Disorder, Violent Crime and Vagrancy and Begging. Crimes of Disorder have been separated from Crimes of Sexual Disorder, which are discussed in the chapter on prostitution. However, sexual disorder crimes are referred to as a point of comparison in this chapter to demonstrate the impact of female sexuality on the criminal justice system. A note is also made here of the changing and multi-layered nature of the naming of offences. The offences are as they were recorded by the court scribe. For example, in 1851 theft was described as a Felony, by 1861 theft was described as Larceny. Felonies covered a range of crimes, the most common being theft. It was the amount stolen which would classify a theft as a felony, with theft of goods to value of over 10 shillings ensuring the case was heard at the Hull Quarter Sessions rather than the Hull Magistrates Court.

Figure 1 reveals the female offences under the category of Theft and Property Crimes. By far the largest crime committed by women within this category and overall was theft (Felony/Larceny). Two thirds of the women before the courts for Theft and Property crimes were arrested for theft. Theft is also one of the largest categories of female offence found overall with this study, along with Drunk and Disorderly, Prostitution and Assault. In Hull with high levels of social deprivation, some women were driven by the need to steal. Like prostitution, it was done largely for reasons of economic survival with the absence of adequate opportunities for female employment in Hull. Women and children were especially vulnerable to the variations of Hull's sea trade. Men away at sea leaving women responsible for the family saw some women partake in petty crime.

Women stole essential items for themselves and their family such as food, fuel, domestic utensils, clothing and bedding, which demonstrates the fact that women carried the burden of responsibility for feeding and clothing the family, in keeping with gendered roles. Some women stole to feed their addiction to drink, with high levels of drunkenness amongst women of the poor, drinking was a means of escape in difficult lives. Most of the items stolen by women were under 10 shillings and thus heard by the Hull Magistrates Court; their thefts described in the court minute books as felonies. Figure 2 shows that prosecutions for Felony/Larceny resulted in a prison sentence with hard labour. This reflects the fact that female theft was common and the Hull justices sought punishment and removal from society of the individual rather than address the bigger issue of the widespread poverty which drove women to steal in the first place.

A case from the Hull Magistrates Court in 1871 shows the desperation of women who turned to crime to overcome their poverty. Hannah Roone appeared before the court for stealing a coat. She had a character reference from Robert Hathershaw stating that 'she has been a most exemplary character but driven by poverty into her present position'. This plea did not convince the magistrate who sentenced her to three month's hard labour at Hull Gaol.<sup>7</sup> The sentence reflects the judgement upon Hannah Roone's character in a climate where for much of the period under study, poverty was believed to be due to individual moral failings. It was not until the later nineteenth century that the Hull justices developed wider understanding of female poverty due to the many social investigations reporting of life in the poorer districts of the town.

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<sup>7</sup> Hull Magistrates' Court (HMC), (Minute Books) C DPM/1/90, 1<sup>st</sup> September 1871.

Results of the survey of female crime also highlight the suspicion of women of the poor. Women were arrested by the Hull police in situations where it was considered they were about to commit a crime (Suspicion of Committing a Felony). Some women were well known thieves and regulars in the Hull courts. Their comings and goings were watched by the police and suspicious behaviour resulted in their arrest. However, some women were innocent of this accusation; all women of the poor, because of the linking of poverty to immorality, were under suspicion in their comings and goings. Suspicion of the poor has also been highlighted by Daniel Grey in his work on infant life insurance taken out by working class families. Grey revealed the fears of the middle class that this would lead to murder of the infants for financial reward, although these fears proved unfounded. Grey notes it was the poverty of the families which was seen to imply their guilt, just as Hull women were under suspicion and blamed for their poverty.<sup>8</sup>

Women found other ways to alleviate poverty through procuring goods by illegal means such as passing off stolen goods as their own at local pawn shops (Unlawful Pawning is shown in Figure 1 as the fourth largest crime in this category). Women took stolen items and pledged them for money at the local pawnshop. The pawnshop was an essential service in working class areas, regularly used by women who sought ready cash to buy food and essentials for the family. The poor pledged their belongings and then, if possible, retrieved them for a price later on. If a length of time had passed and they were unable to afford to retrieve them then they would be sold by the pawnshop. With a lack of belongings of their own to pawn some women resorted to theft. Unlawful Pawning was a gendered crime, committed mainly by women, and again reflects women carrying the heavy burden of poverty for the family. Women employed in low

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<sup>8</sup> Grey, 'Liable to Very Gross Abuse', pp. 54-71.

paid occupations such as needleworking and laundry work sometimes stole the items they were employed to clean or mend and pledged them at the pawnshop. Women also stole bedding and clothes off the washing lines of their neighbours and pledged them.

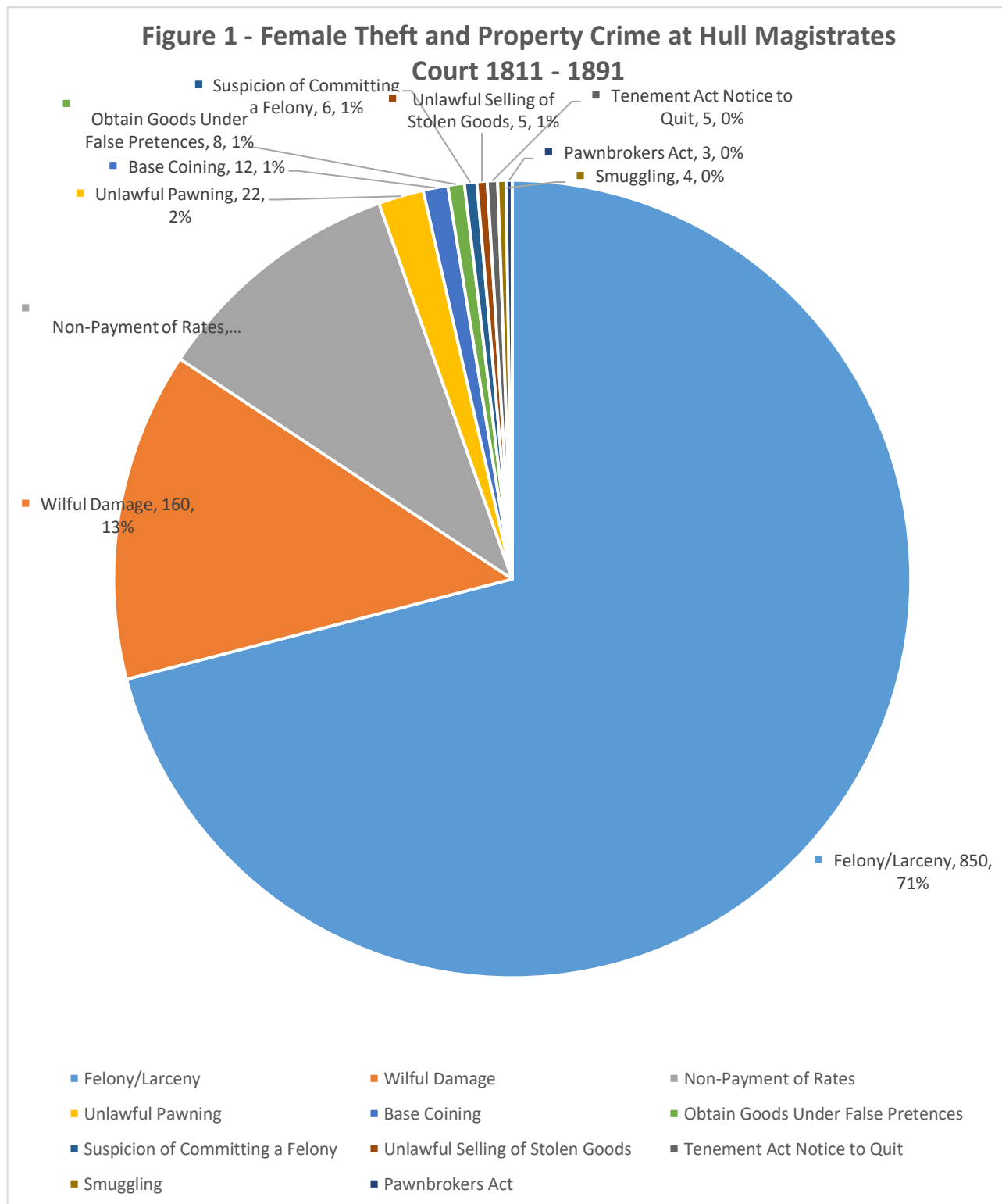
Women were more likely to steal from someone they knew. Their world was local and women usually stole in the immediate neighbourhood. The Hull survey reveals women stealing from the local shop, public house and from their neighbours. This reflects women being more bound to the neighbourhood than men. The borrowing networks which were active amongst working class women are a factor in women stealing from someone they knew, often involving pawning the item borrowed. The offence Obtaining Goods under False Pretences saw women selling and receiving stolen goods. Women stole items such as food and clothing and then sold them to other desperate women in the neighbourhood. Kathy Callahan has drawn attention to the stealth of women; women were less confrontational than men in crime, figuring highly in the crimes of illegal pawing, pickpocketing and receiving stolen goods, revealing the more private world of home and family of women with crime taking place behind closed doors in the community female exchange networks.<sup>9</sup> Female crime was also opportunistic; Hull women they took their chances when and where they could.

These offences of women demonstrate that in order to survive, women of the poor were often driven to live outside of the law, in a society which did not offer them adequate help in times of need, and to avoid the dreaded workhouse which split the family. Private charity was selective of its recipients, with only those of the poor considered deserving and respectable deemed worthy of help. The risk women took was prison.

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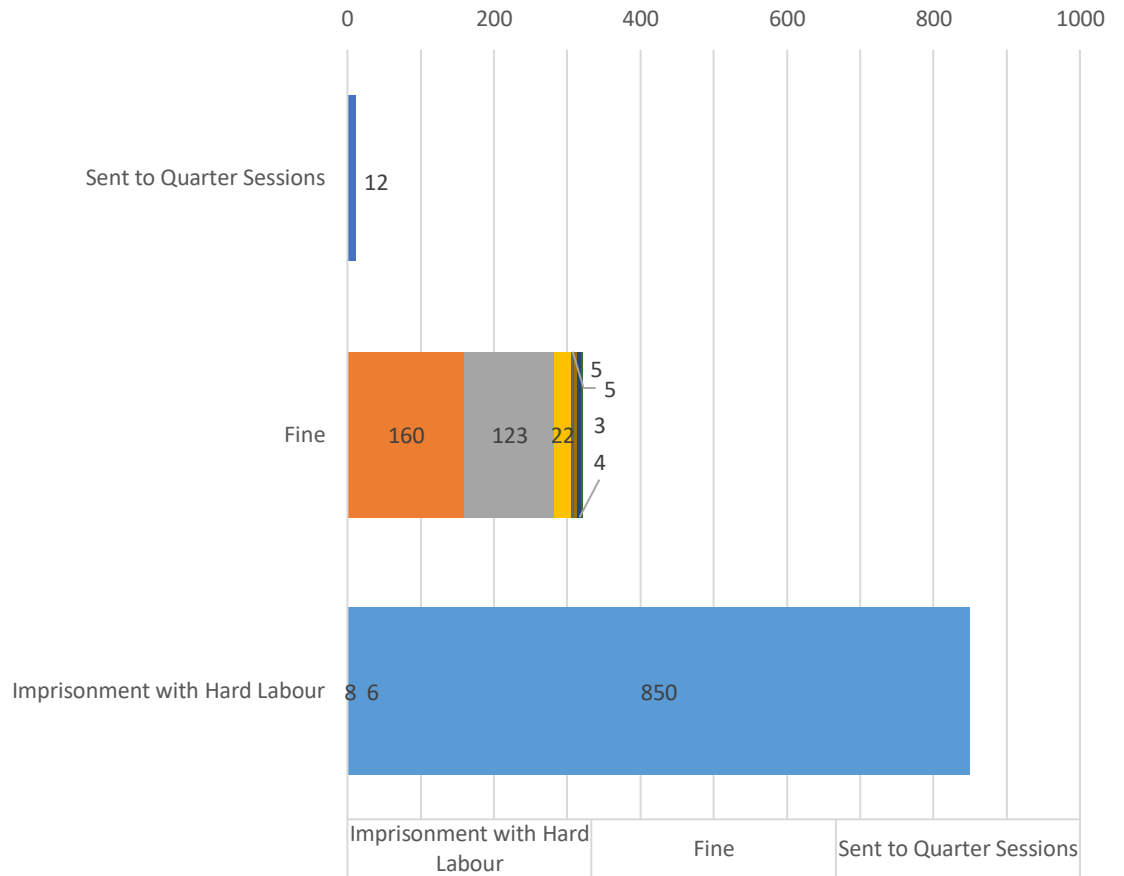
<sup>9</sup> Callahan, 'On the Receiving End', pp. 106-121.

Figure 2 shows, other than felony (theft), offences under the Theft and Property category were given a fine. Failure to pay meant a prison sentence, thus when women were fined their poverty ensured they were imprisoned. Women's precarious economic position in nineteenth century Hull saw them regularly imprisoned for their poverty.





**Figure 2 - Hull Magistrates Court Female Theft and Property Crime Sentences 1811 - 1891**



	Imprisonment with Hard Labour	Fine	Sent to Quarter Sessions
■ Wilful Damage		160	
■ Non-Payment of Rates		123	
■ Unlawful Pawning		22	
■ Base Coin			12
■ Obtain Goods Under False Pretences	8		
■ Suspicion of Committing a Felony	6		
■ Unlawful Selling of Stolen Goods		5	
■ Tenement Act Notice to Quit		5	
■ Smuggling		4	
■ Pawnbrokers Act		3	
■ Felony	850		

Lynn Mackay has asked the question why women stole in her examination of the Old Bailey Session Papers.<sup>10</sup> Although for an earlier period, her findings make a useful point of comparison. Mackay has argued that women's reasons for stealing were more complex than that of men (using a small 12 year sample, Mackay has compared male and female crime, something which given the large time-scale covered was not possible for the Hull study). As found in the Hull survey of female crime, Mackay notes the gendered experience which influenced women to steal, having the responsibility of family to feed and clothe.<sup>11</sup> Mackay studied female offenders' statements made to the court on their reasons for their actions. These include claims to have borrowed or been given the item, others threw doubt on the upright character of the prosecutor, or portrayed themselves as victims of circumstance or not responsible through, for example, drunkenness. Finally, there were those who admitted the theft but begged for mercy. Women were found more likely than men to plead guilty which Mackay relates to women seeking to present themselves as vulnerable and as having responsibilities for children, playing on the gender prejudices to gain sympathy from the court. This seems to have worked as Mackay found that women were more likely to be found not guilty or to have their sentences reduced than men.<sup>12</sup> However the Hull magistrates were not always so lenient, as in the case of Bridget Garbon who was given 14 days hard labour for theft despite her plea to the court that she had a baby at home to take care of.<sup>13</sup>

This thesis stresses a further important factor affecting women's treatment in the courtroom and the outcome of the case. Perceptions of female sexual reputation and

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<sup>10</sup> Mackay, 'Why They Stole', pp. 623-639.

<sup>11</sup> Mackay, 'Why They Stole', pp. 623-639.

<sup>12</sup> Mackay, 'Why They Stole', pp. 623-639.

<sup>13</sup> HMC, C DPM/2/6, 31<sup>st</sup> January 1891.

judgements on respectability were a main influence on how women were treated by the Hull courts. Sympathy did not extend to women regarded as sexually deviant; prostitutes who stole were given harsher sentences compared to other women who stole. The Hull courts' recording of Felony by a Prostitute reveals that social categories rather than just the crime itself were used. Women were defined not only by their crime (Felony) but by the label that they were sexually immoral and the associated moral judgements this invited. This addition of labelling women as 'common prostitutes' was attached to other female crimes to separate off and highlight those seen as disreputable from other women. Mackay does not address the perception of the women by the justices in her concentration on women's own reasons for why they stole,. Perceptions of women - their sexual reputation, appearance and respectability, were vital elements in the judgement and sentencing of the Hull courts and is a central finding of this thesis.

The Hull survey has found that although poverty and desperation drove many women to commit a crime, women acting on their own initiative was important in the decision to steal. Some instances have been found of women working as part of male criminal gangs, as either lookouts or luring men into the hands of thieves by propositioning the men to go with them (some gangs used prostitutes for this purpose). However, most cases before the Hull courts were local petty thefts of individual women using their wits to get by which were not male influenced or led. Women acted by themselves and for themselves and their families, sometimes paring up with other women. Lynn Mackay has also found that women were not more likely to be helpmates of male criminals; they were not under male control but used female agency to get by.<sup>14</sup> Kathy Callahan and Garthine Walker have drawn attention to the dynamics of female criminality; crime was

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<sup>14</sup> Mackay, 'Why They Stole', pp. 623-639.

undertaken by women for women in female socio-economic exchange networks with women stealing, receiving, pawning and selling on stolen goods to other women.<sup>15</sup>

Equality of the sexes was also found in the type of goods stolen. Mackay found that women did not steal items of a lesser value than men and took money, watches and jewelry.<sup>16</sup> Hull women were also convicted for stealing items of higher value, including the pickpocket opportunist prostitutes fleecing men of jewelry, watches, money and valuables after sleeping with them. Hull women also partook in housebreaking and burglary, viewed as male crimes, showing the presence of Hull women in all crime.

Some Hull women sought to imitate the fashionable dress of higher class women which they could not afford. Sarah Davis was given 21 days hard labour for stealing black kid gloves.<sup>17</sup> Charlotte Jewson stole a ladies' handbag and ribbons.<sup>18</sup> This reveals women did not just steal essential household items but also goods which they desired for themselves. Gregory Durston has also looked at the motivation behind female crime and has concluded that female crime was led by either need or greed. He gives the example of servants stealing from their employers due to envy of what they had, rather than economic need as they were provided with basic food, clothing and lodging already.<sup>19</sup>

However, despite some higher value theft, the majority of women in the Hull study were involved in lower value petty theft of day to day items, with gender differences in

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<sup>15</sup> Callahan, 'On the Receiving End', pp. 106-121 & Walker, 'Women, Theft and the World of Stolen Goods', pp. 81-112.

<sup>16</sup> Mackay, 'Why They Stole', pp. 623-639.

<sup>17</sup> HMC, DPM/2/10, 28<sup>th</sup> October 1891.

<sup>18</sup> HMC, DPM/2/7, 13<sup>th</sup> May 1891.

<sup>19</sup> Durston, *Wicked Ladies*, p. 217.

the items which women stole. Women were much more likely to steal household goods and food than men - related to women's knowledge of the value of such items through their family and caring responsibilities, something which has been recognized by other historians of female criminality such as Mackay, Walker and Callahan. Mackay has also noted that the beginning of the nineteenth century saw other factors in female crime such as shortage of food with poor harvests, war, bad weather and general difficult conditions for the working class, which had an impact on women's criminal activity.<sup>20</sup> Food shortages led to bread riots in Hull due to the high pricing of flour, which were led by women. Women seized the bread flour and distributed it amongst the crowd, calling for a fairer price. This reflects the agency of women in their protest and their roles as the feeders of the family in contrast to the passive female role they were expected to play. Violence of women in the riots led to prosecutions for riot and damage to property.<sup>21</sup>

The category of Wilful Damage is the second largest female crime in the section on Theft and Property Crime, as shown in Figure 1. Convictions for Wilful Damage included women breaking windows or damage to neighbours' property and possessions in neighbourhood disputes and quarrels. The close proximity in living space in the working class districts in the town, involving shared amenities and shared accommodation, often led to violent disputes between women.

The Hull study has confirmed that women were economically active, as shown in Figure 3 – Employment and Economic Crimes. Women were prosecuted for failing to pay loans; a resort of the working class when times were hard was to borrow from local

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<sup>20</sup> Mackay, 'Why They Stole', pp. 623-639.

<sup>21</sup> Gillett & MacMahon, *A History of Hull*, pp. 248-249.

money lenders. The offences also reflected women involvement in the world of work, contrary to beliefs about women as homemakers situated in the private sphere. Female employees were prosecuted under the offences Absent from Work Without Leave, and Employers and Workers Act. Female street traders were convicted under the Pedlar Act for illegally selling goods on the street without the required licence. Women who sold goods from a street stall or cart were prosecuted under Street Acts and Byelaws. The working class economy (including the female working class economy) was street based, as seen in the selling of goods and wares on the streets of Hull by women.

These prosecutions were the magistrates' attempts to control the urban space and reclaim the streets of Hull. However, there were some lenience for the high numbers of women who were prosecuted under the Lords Day Act (shown in Figure 3 as the highest offence in this section). The Lords Day Act represented women taking their goods for sale to middle class families enjoying Sunday leisure time around the areas of the Pier or local parks. This included homemade lemonade, sweets and tobacco. The religious connotations connected with this Act was the belief that Sunday was a day which should be kept free from commercial gain, and so women seeking an opportunity to profit from families participating in leisure time were prosecuted. However, there seems to have been some sort of acceptance or condoning of these women as they appeared every week on a Monday morning at the Hull Magistrates Court to pay a shilling fine and were not imprisoned for continuing to undertake the selling of their goods. As these women were fulfilling a need to middle class families, their offence was not taken so seriously as women of the poor selling goods on the streets to working class people.

As well as their own labour, women of the poor relied on the labour of their children and were not always able to afford their compulsory attendance at school with the 1870

Elementary School Act (in an era before free elementary education). This offence was the second largest in the category of Female Economic crimes. It was women who were deemed responsible for their children's education and who received the court summons and sentence, not the fathers of the children, as in keeping with the perceived role of women as carers for the family. This offence usually resulted in a fine of a few shillings with women often facing short prison sentences on failure to pay the fine. However, for offences not connected to female sexuality, women were sometimes given more time to pay their fine. This demonstrates some sympathy of the justices to women's poverty, as poverty became more reported and investigated. This was especially likely in cases of failure to send children to school. Elementary School cases demonstrate that the Hull magistrates may have understood that families of the poor could not afford to pay for their children's education. More time given to pay or granting distress warrants enabled enquiry into the economic circumstances of the mothers. However, time to pay would only be applied to those considered worthy or deserving and the respectability and morality of the women was part of the judgement in these, and all, female cases.

Middle class women also faced poverty but usually had friends or family with the means to support them or partook in 'respectable' employment. Mary Sommers, a widow left destitute by the death of her husband, took on his dentistry business, advertising in the *Hull Advertiser* that she possessed her husband's knowledge in the area and that she was the 'sole possessor of his secret and his instruments'.<sup>22</sup> Appealing to middle class clients, especially ladies, this allowed Mary Sommers and other women of her class to continue a respectable lifestyle, not having to resort to the desperate measures that the women of the poor, without such means, had to undertake.

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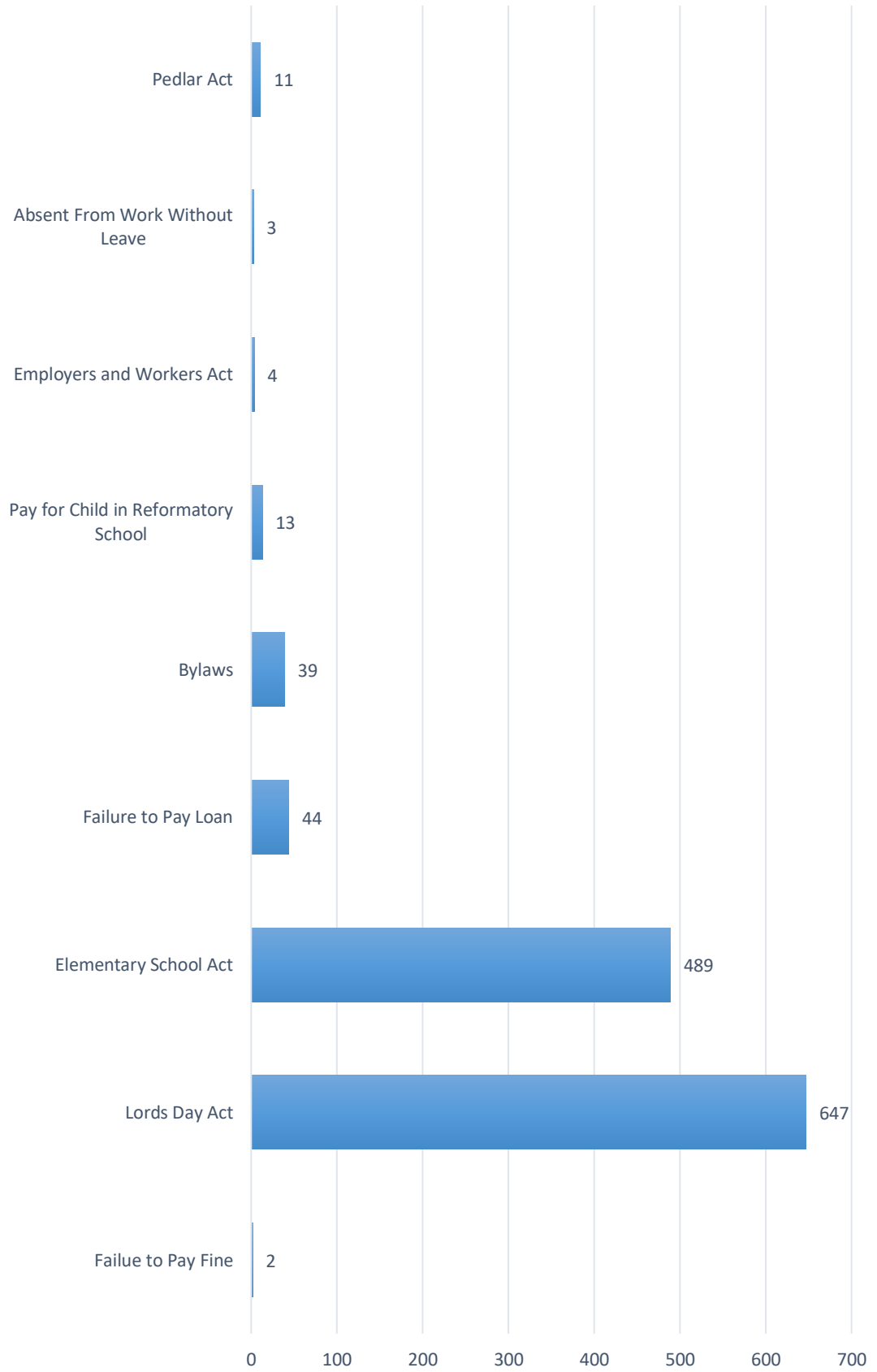
<sup>22</sup> HA, 3<sup>rd</sup> April 1813.

Although it has been found that it was mainly working class women who appeared before the Hull Magistrates Court, there are some offences which women of a higher social class appeared before the Hull courts for under the categories of Theft and Property crime and Employment and Economic Crimes. Middle class women who owned property in their own right were prosecuted for Non-Payment of Rates (shown in Figure 1 as the third largest category in Theft and Property Crime). The rates for amenities such as water and gas or for properties reveal middle class women heading households or living independently. Hence the courtroom was not wholly the preserve of poor women and occasionally women of higher social standing appeared. Middle class female offences in the category of Employment and Economic Crimes included mistreatment of servants or employing underage children (such as employing children as chimney sweeps which was made illegal in the nineteenth century). Again this demonstrates middle class women running households with economic responsibilities, in contrast to views about separate spheres and the domestic world of women.

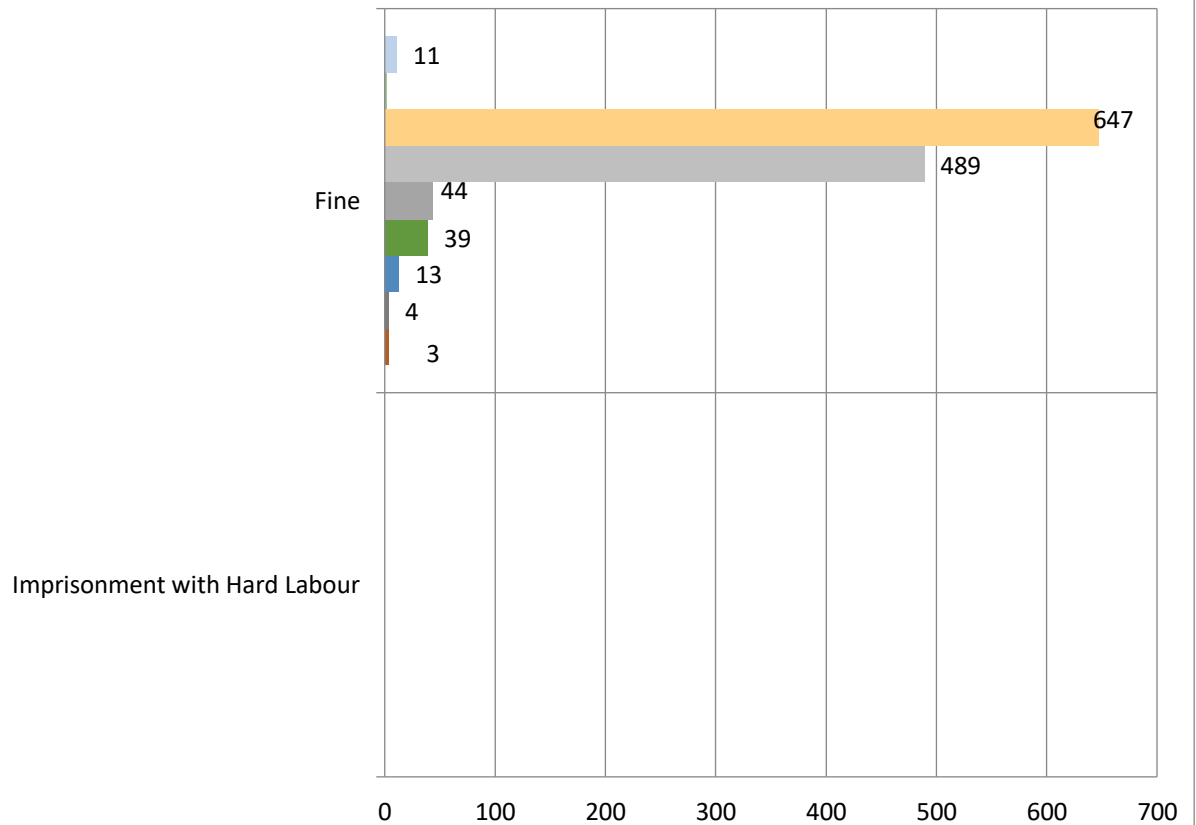
It has been found that social class did have an effect on the sentence received with middle class female crime attracting sentences of fines rather than prison sentences, as shown in Figures 2 and 4. Failure to pay rates usually resulted in an order for the payment to be made plus an additional fine. As these women were better off economically they could usually afford to pay the court fine and so escaped a prison sentence, unlike women of the poor who, when they received a fine, struggled to pay and received a prison sentence on default. Middle class women did not experience the taint of immorality upon them which women of the poor faced in court judgements.



**Figure 3 - Female Employment/Economic Crimes at Hull Magistrates Court 1811 - 1891**



**Figure 4 - Hull Magistrates Court Female  
Employment/Economic Crimes Sentences 1811 - 1891**



	Imprisonment with Hard Labour	Fine
■ Pedlar Act		11
■ Failure to Pay Fine		2
■ Lords Day Act		647
■ Elementary School Act		489
■ Failure to Pay Loan		44
■ Bylaws		39
■ Pay for Child in Reformatory		13
■ Employers and Workers Act		4
■ Absent from Work without Leave		3

Crimes of Disorder were of increasing concern in nineteenth century Hull, especially public drunkenness. Concern about disorder can be related to the mass of activity taking place from the late eighteenth century by Hull's middle class to improve and expand the town and its economy. This occurred in other towns and cities in this period in Britain and has been attributed by Asa Briggs to the advent of civic pride, with the building of town halls, parks, shopping streets and market squares designed for respectable citizens and families.<sup>23</sup> Civic pride in Hull saw the development of public parks, gardens and the laying out of new streets which the middle class sought to keep free of disorderly behaviour. The idea was for civilised space, free of filth, disorder and vice.

Increasing prosecutions under the new legislation of Street Acts and Bylaws reflected the growing concern of Hull magistrates (many of them also Aldermen of the Hull Corporation) to clear the town's streets of anti-social and disorderly behaviour. This ranged from obstruction of the footpath, shouting and swearing, to public drunkenness, fighting and prostitution, all used to bring increasing numbers of women of the poor before the Hull courts throughout the century. The high numbers of women arrested in Hull for both drunkenness and prostitution are evidence of the social concerns of the period. Other high percentage of arrests of women include fighting, using bad language and being generally disorderly - behaviours not viewed as in keeping with respectable women. The fact that women were idealised as pure and virtuous domestic angels in the nineteenth century is related to the increasing arrests of women for what was regarded as disorderly and unfeminine behaviour.

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<sup>23</sup> Asa Briggs, *Victorian Cities* (New York, Harper & Row, 1970), pp. 59-88, 139.

Figure 5 reveals Drunk and Disorderly as the largest category of female offence in the Crimes of Disorder, and one of the highest female offences found overall in the survey. Prosecutions for Drunk and Disorderly increased as the century progressed, rising from the 1870s at the height of the Temperance movement. In 1891 175 women were prosecuted for Drunkenness and 235 for being Drunk and Disorderly at the Hull Magistrates Court (see Appendix 1). Women were arrested for refusing to quit public houses, as well as prosecutions of landlords for permitting drunkenness (public houses being at the heart of working class culture, offering warmth and company and frequented by men and women). To middle class judging eyes women in public houses were prostitutes or 'loose' women, especially if they were unaccompanied.

A high proportion of violent offences of women involved drink, such as drunken assault and fighting. The turning to drink and the local pub to ease the pain of daily struggle of poverty-stricken existence in overcrowded housing was why many women of the poor appeared before the courts on charges of drunkenness. Women were also prosecuted for being drunken domestic servants or drunken prostitutes, adding on the social category to the crime of drunkenness to describe their occupation or beliefs about their immorality. Being a drunken servant caused particular outrage to the middle class that their servants were not behaving with respect and propriety, the image the middle class wanted to present to the world. It was believed that servants were much in need of the moral guidance of their employers. Middle class drunkenness was kept hidden from view in private clubs and dinner parties, hence not inviting condemnation or persecution unlike the street and public house-based drinking of the working class.

Andy Croll has also found a lot of Merthyr's problems in the period stemmed from widespread drunkenness. Like Hull, Merthyr possessed a great number of public houses

in the nineteenth century. Croll discusses that the public drunk was a familiar figure on the streets of Merthyr which resulted in number of complaints from one of the main users of surveillance – the general public.<sup>24</sup> Concerned citizens and members of the Temperance movement were active in surveying drinking establishments and publishing a number of tracts on the evils of drink, as well as prosecuting landlords. The surveillance of public houses by the police and temperance crusaders in Hull led to prosecutions of landlords under the Licensing Act and Disorderly Ale House Act.

The development of the Temperance Movement in the nineteenth century saw drink blamed for both causing crime and for creating the poverty which led to crime. Drink was also blamed for the moral and physical degeneracy of the population. High on the agenda of the Temperance Movement was an attack on female drinking. Female drinking was seen as a crime not only of drunkenness itself but of women going against the high moral behaviour expected of their sex. The sexual double standard was evident in that although male drinking came under attack as causing poverty and misery for families, female drinking was also associated with a sexual morality which men did not experience. It was believed that female drinking caused infertility problems and puny infants. Working women and ‘slatternly housewives’ were also blamed for male drinking by driving their husbands to seek the comfort they lacked at home in the pub.<sup>25</sup>

The Hull temperance movement was a strong operation with public meetings and publishing of temperance tracts such as ‘Strong Drink – the Hull Juggernaut’ criticising the drinking culture of the working class in the town (whilst conveniently ignoring the

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<sup>24</sup> Croll, ‘Street Disorder, Surveillance and Shame’, pp.250-268.

<sup>25</sup> Brian Harrison, *Drink and the Victorians: The Temperance Question in England 1815-1872* (Edinburgh, Edinburgh University Press, 1997), p. 164.

more private middle class drinking as part of the social whirl in the town).<sup>26</sup> Especially criticized was working class female drinking. The Hull Temperance League published a tract condemning female drinking in 1881 entitled 'Female Drinking and Its Consequences'. The sexual double standard is evident in this statement:

There is a considerable amount of mischief occasioned by female drinking that is not perhaps so apparent as in the case of men who indulge in this habit. It was serious enough when the drinking was confined to the men, but now that women are seen to be walking into taprooms and standing at the bar with the men, with their glass of beer before them, the state of things is appalling. It calls for vigorous and immediate efforts to check the evil before it assumes proportions which will render it almost impossible to cope with.<sup>27</sup>

Temperance tracts used examples of women 'gone wrong' through drink. The linking of drink with prostitution was a stereotypical tale of a previously respectable domestic servant, who through love of drink, ended up working as a prostitute. This case was represented as a success story for the Hull Temperance movement who had rescued her and placed her in the Hull Home for Fallen Women where she repented her sins and returned to an upright life as a servant to a local minister.<sup>28</sup>

Female drinkers who had young children caused especial outrage and condemnation. Such women were believed to be deviating from their role as mothers, regarded as the

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<sup>26</sup> *Strong Drink: the Hull Juggernaut by a District Visitor* (Hull, J Wright, 1882).

<sup>27</sup> The Wilberforce Temperance Tracts 11, *Female Drinking and Its Consequences* (Hull, J Wright, 1882).

<sup>28</sup> The Wilberforce Temperance Tracts 11, *Female Drinking and its Consequences*.

main role in life of women. Grace Leng appeared before the Hull Magistrates Court in 1841, accused of being drunk and disorderly in the market place with an infant in her arms. A witness stated that she had come into his dram shop holding the child and stole a decanter of whisky. Grace Leng doubly offended for her drunkenness and theft, and for deviating from her role as a mother (the hidden crime). She was committed for trial at the Hull Quarter Sessions.<sup>29</sup> Ellen Craven was given 14 days hard labour for being drunk with a child in her arms when she fell down and dropped the child.<sup>30</sup> Ann Owen went before the magistrates accused of being drunk and incapable of taking care of her child. The child was taken from her and sent to the workhouse.<sup>31</sup>

Female pauperism was blamed on love of drink. Emma Owen appeared before the Hull Magistrates Court in 1851 accused of leaving her child at the workhouse where it was not found until the next day. She had been chargeable to the parish for six weeks. A witness who knew the defendant stated that 'she drinks'. In her defence Emma Owen pleaded that 'I have not a husband', however, despite her plea for sympathy, she was committed for 14 days hard labour in Hull Gaol.<sup>32</sup> This case illustrates the lack of sympathy for women who were believed to be in poverty through their own moral failings, in this case the observation that 'she drinks' as well as the additional judgement on her moral character by the fact that she was unmarried and had a child. A further case connecting female drinking to the destitution of the family was reported in the *Hull Advertiser* and caused outrage to its readership. Presented as warning of the consequences of female drinking, in this case the death of a mother leaving three

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<sup>29</sup> HMC, C DPM/1/23, 30<sup>th</sup> October 1841.

<sup>30</sup> HMC, C DPM/2/6, 16<sup>th</sup> March 1891.

<sup>31</sup> HMC, C DPM/1/49, 2<sup>nd</sup> August 1851.

<sup>32</sup> HMC, C DPM/1/49, 14<sup>th</sup> July 1851.

children under six years of age. The father, a seaman, was reported to have left 12 shillings to support the family in his absence but it was reported that the money had been spent on drink by the mother. A neighbour testified to the habitual intoxication of the woman. The children were removed from their mother and sent to the workhouse.<sup>33</sup>

As well female drunkenness, other forms of disorderly behaviour of women were given increasing attention. These included Gambling, Profane Language (swearing), Fighting, Quarrelling, Malicious Lying and Inciting A Crowd. Together, they provide a window on women in the neighbourhood. Overcrowding and shared space in the poorest districts of Hull led to quarrels and fighting between women. This was disapproved of by the magistrates as it was perceived that women were going against their feminine nature in undertaking masculine behavior of fighting and swearing. Other cases saw women embroiled in cases of Attempting to Rescue Prisoner (usually their husbands) with women protesting and becoming violent towards police officers when the offender was arrested. Women were prosecuted for smuggling into prison illicit goods such as tobacco to husbands on their visits, risking their own freedoms to assist their spouses.

The development of the Street Acts was used as a way of patrolling and policing women's behaviour in public. The use of these acts by the Hull magistrates can be seen as an attempt to put women back in the home and out of public view and (male) space. The policing of public space in nineteenth century Hull is evident in prosecutions of women for Obstructing The Footpath. Women who sat outside drinking and talking to neighbours were part of the street-based working class female culture. The working class community spirit was misunderstood by the middle class. Women who sat outside

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<sup>33</sup> HA, 19<sup>th</sup> February 1841.



and gossiped were viewed in middle class eyes as unfit housewives and mothers and that they should be inside the home rather than in the public space making a noise. Middle class women would gossip and talk together but in the confines of their own homes after social gatherings where the ladies withdrew to separate space for doing so. The privatization of the home and family which the middle class (and some of the upper working class) adhered to was not part of life for the poor, whose homes were overcrowded, lacked privacy and often squalid. Street-based culture and public houses offered comfort, community and support networks which the working class relied on.

A growing move towards the protection of children and animals was in evidence in the later nineteenth century. This new interest in protecting the vulnerable can be seen as early signs of the move towards a welfare state in the twentieth century. Women were charged by the Hull courts with neglect of children, unknown in the earlier period as new legislation was introduced in the late nineteenth century for the protection of children due to the influence of the NSPCC (formed in 1884). The Prevention of Cruelty to, and Protection of Children Act (1889) allowed the police to arrest anyone ill-treating a child and could enter a home if it was thought a child was in danger.<sup>34</sup> As women's main role in life was seen as a mother and caregiver, neglect of their offspring was seen as a female moral transgression and punished by a severe sentences of prison with hard labour, as seen in Figure 6. Men who deserted their children or failed to acknowledge their illegitimate offspring were not as attacked as women for neglecting their children. Child neglect can be seen as a gendered crime, rooted in ideological beliefs about men and women's roles. Daniel Grey has also noted that women bore the brunt of child neglect, women being seen as carers, with men escaping such charges due

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<sup>34</sup> Parliament of the United Kingdom, 52.& 53. Vict., Prevention of Cruelty to, and Protection of Children Act, Chap. 44, 26 August 1889.

to the emphasis on their masculine role as the breadwinner, (the social construction of gendered separate roles being particularly influential in cases of child neglect).<sup>35</sup>

Sarah Ann Monaghan was imprisoned for 30 days hard labour for leaving her three children unattended, hungry, dirty and naked (having pawned their clothes) whilst she went out drinking. Her husband, who was nowhere to be found, escaped any prosecution, the responsibility for the care of the children being seen as the mother's.<sup>36</sup> Women deserting their children caused more outrage than men who deserted the family. Kate Howard was given three months' imprisonment for running away and leaving her child chargeable to the union workhouse.<sup>37</sup> Men who left their families in poverty were just ordered to pay up, if they could be located. Desertion by husbands often forced women to leave the children alone whilst going out to work, with the cycle of neglect and poverty reproducing itself, often fueled by drink problems.

Figure 6 reveals that most crimes in the category of Crimes of Disorder carried a sentence of a fine. Despite a wider range of offences women went before the Hull courts for, the main focus of the law remained on what was seen as the disorderly and depraved behavior of women, as reflected in the harsher sentencing of these offences. Women who were fined for being Drunk and Disorderly were fined more heavily (five shillings) than other crimes in this category which attracted a smaller fine of a shilling. This often meant that women were unable to pay and were imprisoned. Thus fines were set higher to punish women for their drunken and disorderly behavior. The sentencing of women and the setting of amounts of fines was wholly connected to moral

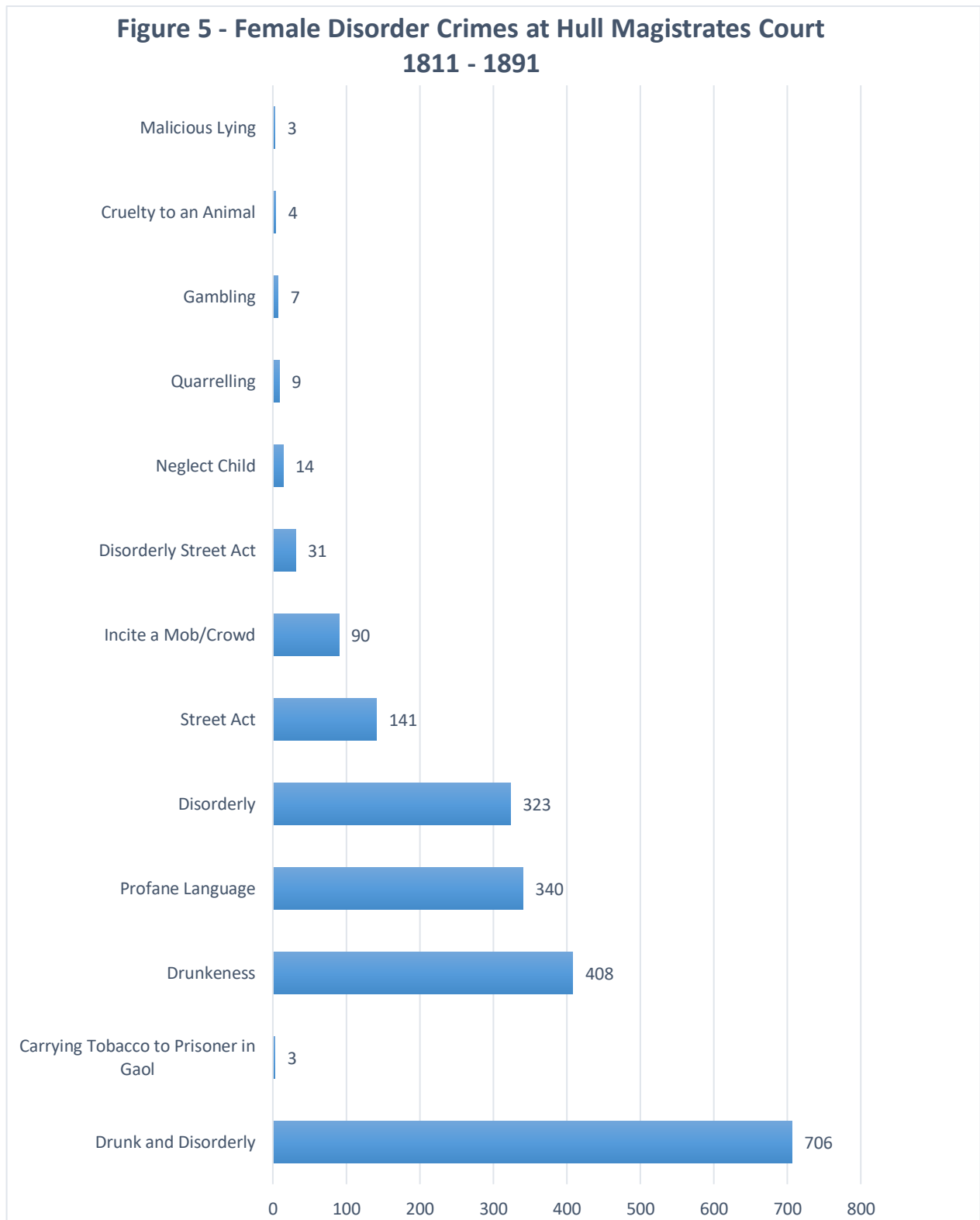
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<sup>35</sup> Grey, 'Liable to Very Gross Abuse', pp. 54-71.

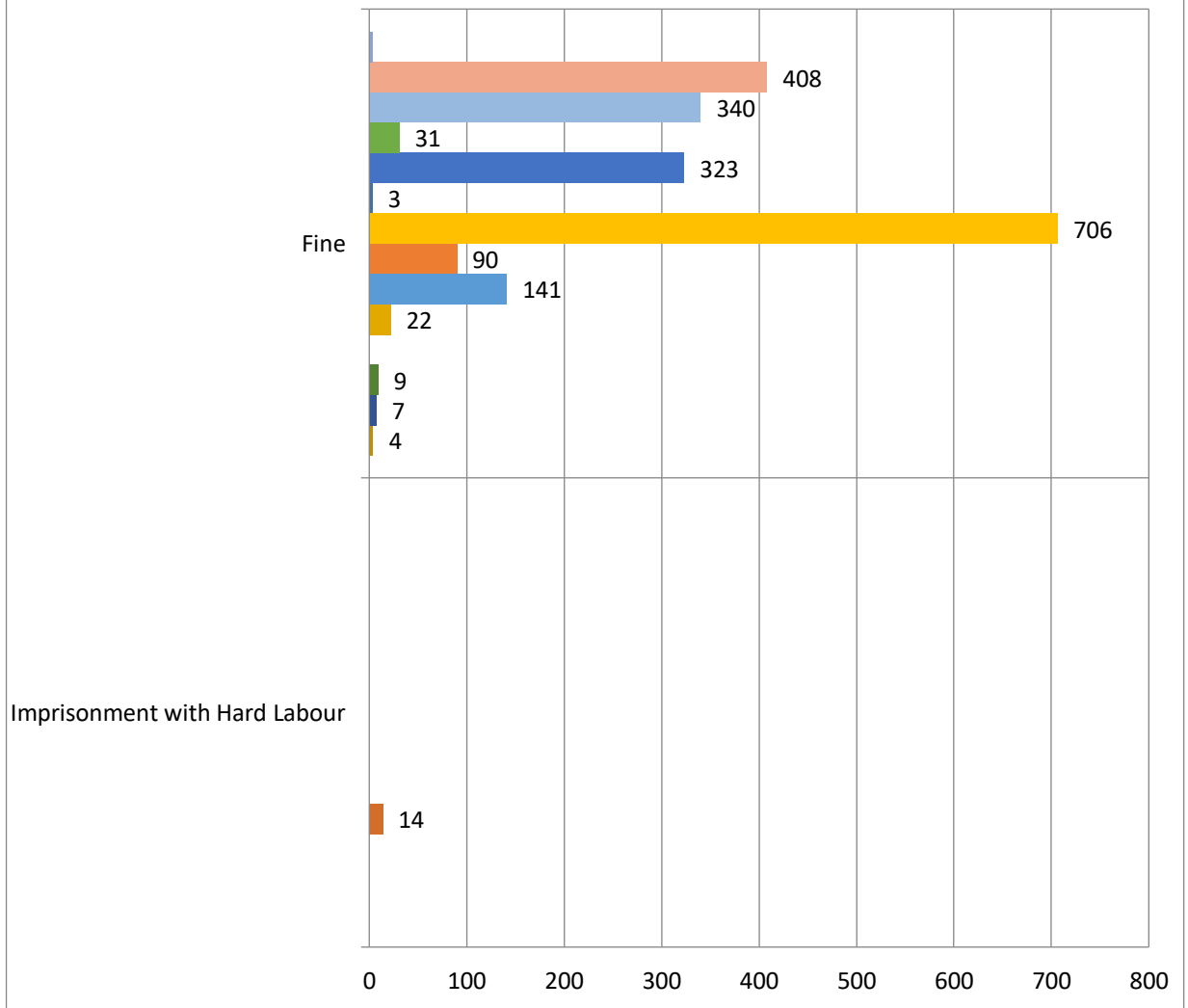
<sup>36</sup> HMC, C DPM/2/6, 18<sup>th</sup> March 1891.

<sup>37</sup> HMC, C DPM/2/8, 20<sup>th</sup> June 1891.

judgements upon women and their offences. Of the more disorderly, a prison sentence with hard labour was given for women who were habitual offenders or seen as immoral.



**Figure 6 - Hull Magistrates Court Female Disorder Crimes Sentences 1811 - 1891**



	Imprisonment with Hard Labour	Fine
■ Carrying Tobacco To Prisoner		3
■ Drunkenness		408
■ Profane Language		340
■ Disorderly Street Act		31
■ Disorderly		323
■ Malicious Lying		3
■ Drunk and Disorderly		706
■ Incite a Crowd		90
■ Street Act		141
■ Rescue Prisoner		22
■ Neglect Child	14	
■ Quarrelling		9
■ Gambling		7
■ Cruelty to an Animal		4

Although fines were the most common sentence, it is important to note here that the results of the survey of sentencing of Crimes of Disorder do not include sexual disorder. Sexual disorder crimes before the Hull courts were given a sentence of imprisonment with hard labour. The key element here is the sexual element which instantly take the crime out of the disorder category and placed it in a separate category which invited greater moral judgements on the crime itself and the person committing it. Such offences were on par with more serious crimes in attracting a harsher prison sentence from the magistrates, explored in the chapter on prostitution.

This study of female criminality also looks at women's involvement in violent crime. How far can women be viewed as victims or perpetrators of violence? Shani D'Cruze has studied female victims of violent crime with male physical and sexual violence towards women in the home, workplace, within courtship, and the streets in which they lived.<sup>38</sup> But, as Shani D'Cruze and other historians of gender have shown, women also fought back against male physical and sexual violence and authority through the help of women's networks in the community and by making use of the law and local courts.<sup>39</sup> Far from being passive victims, women's agency saw them take recourse to the law in Hull. Women took husbands to court for their domestic violence such as Sarah Johnson, beaten and kicked by her husband and rescued by the landlady of the public house they were drinking in.<sup>40</sup> Matilda Meadows was raped and beaten by her husband and sought his prosecution through the Hull courts.<sup>41</sup> Women were in the Hull courtroom both as victims and instigators of violence. They were often both the same person, from

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<sup>38</sup> D'Cruze, *Crimes of Outrage*, pp. 1-195.

<sup>39</sup> D'Cruze, *Crimes of Outrage*, pp. 3-4, 49, 71 & (Eds.) Margaret L Arnot & Cornelia Osborne, *Gender and Crime in Modern Europe* (London, UCL Press, 1999), pp. 1-43.

<sup>40</sup> HMC, C DPM/2/10, 17<sup>th</sup> December 1891.

<sup>41</sup> HMC, C DPM/2/10, 1<sup>st</sup> December 1891.

deprived families living in chaotic social circumstances, facing violence and deprivation and using whatever means to survive this which sometimes meant getting on the wrong side of the law. Victims and criminals blended into each other socially.

The Hull cases show that women were often violent. Violence was seen as a masculine trait and the violence of women regarded as unnatural. Figure 7 reveals the overall largest female offence before the Hull courts was Assault, with 325 convictions at the Hull Magistrates Court in 1891 alone. The majority of cases involved disputes between women in the neighbourhood. Women's world was local and involved fighting and quarrelling with neighbours over children, husbands, as well as shared space in overcrowded housing with shared amenities. The neighbourhood space was a scene of conflict and place of female violence towards one another, as well as cooperation and assistance in times of hardship and poverty. Women took recourse to the law to ensure their neighbours were bound over to keep the peace. Fighting and Making Threats were also significant offences of Hull women, again demonstrating female violence as shown in Figure 7. Maggie Smith was convicted of Assault and Unlawful Wounding of her neighbour in Roper Street whom she had knifed in the back. The victim was taken to the Hull Infirmary and Smith committed for trial at the Hull Quarter Sessions Court.<sup>42</sup> Eva Addey was given 14 days hard labour for attacking and wounding May Rooke with a hatchett, who also needed a trip to the Infirmary for her head to be stitched.<sup>43</sup> These cases show that women could be as violent as men and used violence in their daily lives.

Not only was female violence to each other in evidence in Hull, but also female violence towards men. Whereas D'Cruze's study highlighted women as the victims of

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<sup>42</sup> HMC, C DPM/2/8, 3<sup>rd</sup> July 1891.

<sup>43</sup> HMC, C DPM/2/9, 23<sup>rd</sup> September 1891.

male violence, Hull cases reveal that women were not afraid to take men on. Ameila Wood glassed a man in the Shakespeare pub for calling her a 'bonny lass'. She didn't want anything to do with him and drunk, used her glass on him, receiving 6 weeks hard labour.<sup>44</sup> Women attacked the police who arrested them such as Elizabeth Watson; the police officer needed extra help to take her into custody due to her violence.<sup>45</sup> Cases of abuse of husbands have also been found in the Hull survey, showing that men could also be victims of domestic violence. Sarah Waring attacked her husband Thomas and was convicted of assault.<sup>46</sup> Women assaulting men of a higher social class were severely treated by the Hull courts, as well as being seen as deviating from gendered expectation as a non-aggressive, passive female which formed the basis of condemnation of female violence. Ada Young Marsh was accused of assault upon a man described as a gentleman at the Royal Hotel and received a sentence of 30 days hard labour.<sup>47</sup>

The police and justices were keen to address the violence of working class women as well as that of men. Figure 8 shows that most female violence in the form of neighbourhood disputes, were dealt with by fines or sureties to keep the peace. Women escaped a prison sentence on payment but on default a prison sentence would be put into place. This was a way of trying to ensure that women did not reoffend, although many did. The justices saw such women as in need of firm control.

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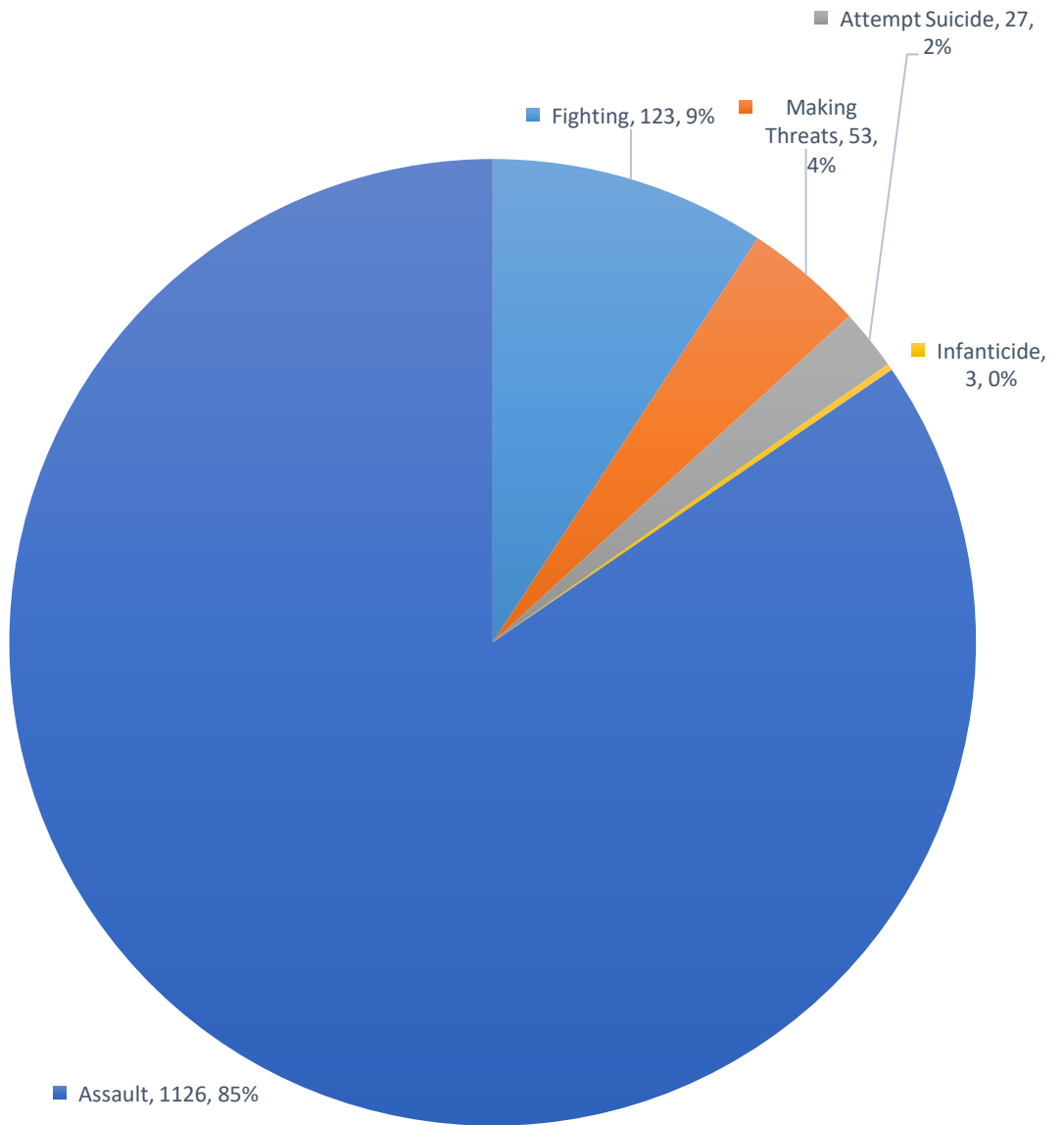
<sup>44</sup> HMC, C DPM/2/8, 20<sup>th</sup> July 1891.

<sup>45</sup> HMC, C DPM/2/6, 10<sup>th</sup> March 1891.

<sup>46</sup> HMC, C DPM/1/90, 3<sup>rd</sup> July 1871.

<sup>47</sup> HMC, C DPM/1/119, 9<sup>th</sup> November 1881.

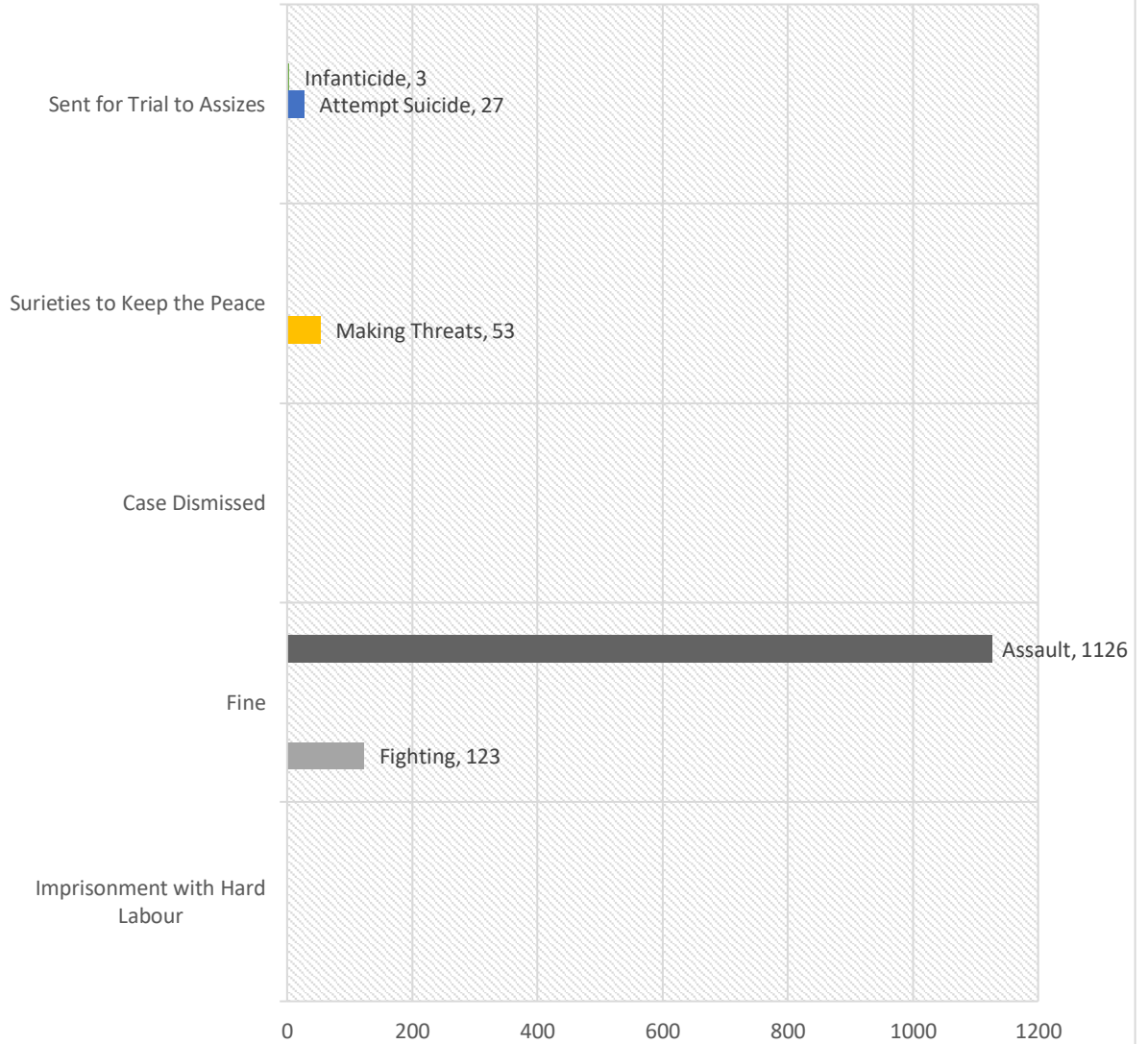
**Figure 7 - Female Violent Crime at Hull Magistrates Court  
1811 - 1891**



■ Fighting ■ Making Threats ■ Attempt Suicide ■ Infanticide ■ Assault



**Figure 8 - Hull Magistrates Court Female Violent Crime Sentences 1811 - 1891**



	Imprisonment with Hard Labour	Fine	Case Dismissed	Sureties to Keep the Peace	Sent for Trial to Assizes
■ Assault		1126			
■ Infanticide					3
■ Attempt Suicide					27
■ Making Threats				53	
■ Fighting		123			

The early nineteenth century does not display a large number of women before the Hull courts for violent crime. This can be largely viewed to the absence of a police force before the 1830s to survey the Hull streets and arrest women for violent behaviour. From the 1840s all categories of crime started to rise which confirms this fact. The violence of working class women also started to be addressed and responded to as a social problem as the nineteenth century progressed. Women arrested for Assault peaked in 1861 and then had a short decline in numbers to 1871 when it rose again to record levels in 1891. This mid-nineteenth century fall coincided with a heavy legal response to prostitution and public drunkenness which peaked as Assault temporarily fell. Crimes can be seen as particular social problems at any one time, with the Hull police and courts' response being increasing arrests and prosecutions made for those crimes. This was the case for Drunkenness and Prostitution, both 'fashionable' targets in the nineteenth century. The Hull police and magistrates, upholders of the law but also influenced by public opinion, sought to make examples of drunken and dissolute women to appease public outcry about the social problems in the town.

Cases of violent crime involving disorderly female sexuality were treated more harshly with prison sentences, as were serious assaults or openly fighting in the public streets and causing a crowd. Elizabeth Owen appeared before the Hull Magistrates Court in 1851 for assaulting a soldier because he had refused to get out of her bed. He had threatened to throw her out of the window so she struck him. The element of female sexuality in this case caused the magistrates to judge her harshly, not just for the violence but also for what was considered her debauchery for having a man in her bed. The male who had threatened her with violence was not prosecuted, with Owen

receiving a sentence of one month's imprisonment, again emphasizing the sexual double standard which ran through the operation of the justice system in Hull.<sup>48</sup>

Offences involving issues of female sexuality and reproduction included Attempting to Procure an Abortion and Infanticide, both of which carried sentence of death as they were supposed to be treated as any other murder. It was deemed unnatural that women could harm their children, unborn or living, as this went against women's natural role in life as mothers. Hull infanticide cases were referred to the York Assizes where crimes punishable by death, as well as where serious felonies and misdemeanors were heard. Isabella Mosley was sent to the Assizes for Infanticide in 1891.<sup>49</sup> However, in most cases acquittals were made or reduced to the lesser charge of Concealment of Birth (as in Mosley's case), as it was required to show proof of Infanticide which was difficult.

Despite these crimes being a capital offence, they were often dealt with sympathetically by magistrates as it was seen as crime committed by decent women and girls who had made a 'mistake' and in their shame undertook desperate measures. This is comparable to the view of 'brazen' women who took the witness stand in bastardy cases asking for financial support for the result of their 'immorality'. There is also the argument that with high levels of infant mortality the loss of a child was more accepted as the norm in this period and lessened the value of a child's life in the court's eyes. Daniel Grey has also noted that juries were reluctant to sentence women to the death penalty in infanticide cases, encouraged by nineteenth century feminists seeking to have the law

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<sup>48</sup> HMC, C DPM/1/50, 28<sup>th</sup> September 1851.

<sup>49</sup> HMC, C DPM/2/9, 12<sup>th</sup> September 1891.

changed and emphasizing the poverty, ignorance and distress behind the cases, as well as a sexual double standard that punished women and left alone men.<sup>50</sup>

Hull infanticide cases show how far sympathetic magistrates were prepared to go in overstepping the law and asserting their own authority in nineteenth century Hull. A case from 1834 demonstrates how a woman's mental state after giving birth formed the basis of her acquittal of the murder of her newborn in an early attempt by the Hull courts at understanding post-natal depression. A neighbour reported that after Anna Marshall's confinement she was 'affected in the head and frequently not herself'.<sup>51</sup> The belief that women were mentally unstable after childbirth and not responsible for their actions, reflected the growing influence of psychiatry in the nineteenth century. A further case of a married woman who was accused of suffocating her newborn child, was heard at the York Assizes. This case was reported in the *Hull Advertiser* in a sensational style under the heading 'Child Murder at Hull'. It was reported that Margaret Parkin was 'remarkably clean in her appearance and respectable, aged 32 years'. Her testimony read that the child had died in her arms and she had panicked. Her eventual acquittal demonstrates how evidence of respectability demonstrated through her dress, demeanor and her respectable married state, meant a fairer hearing compared to women seen as immoral.<sup>52</sup> Although advances had been made in psychiatry and medicine, as well as better understanding of women's difficulties and needs led by feminists, concerns with female sexual morality still held strong.

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<sup>50</sup> Daniel Grey, 'What Woman is Safe..?: Coerced Medical Examination, suspected Infanticide and the Response of the Women's Movement in Britain 1871-1881', *Women's History Review*, 22:3 (2013), pp. 403-421.

<sup>51</sup> HMC, C CPM/4, 24<sup>th</sup> December 1834.

<sup>52</sup> HA, 25<sup>th</sup> July 1823.

Daniel Grey has also emphasized local courts' and newspapers' concentration on the appearance and behavior of women in infanticide cases. As in the Hull cases, those women who appeared as 'respectable', conducted themselves in keeping with expectations of feminine behavior, and expressed emotion and feelings of remorse, were viewed with greater sympathy by the courts and the newspapers.<sup>53</sup> In Grey's infanticide cases newspapers took a more sympathetic narrative style that emphasized previous respectability but had been driven to the desperate act by poverty.<sup>54</sup> This is compared to the lack of sympathy for women in poverty turning to crime and prostitution before the Hull courts, who were condemned by the newspapers for their sexual immorality with their poverty having no effect in these cases. Similarly women in bastardy cases before the Hull courts, seen as a drain on the public purse, were also condemned for their perceived sexual immorality (in contrast to infanticide cases with illegitimate children not surviving to cost the public purse).

Violent crime also included violence to self. Attempting suicide in the nineteenth century was deemed a capital offence and Hull cases were sent for trial at the York Assizes such as Ada Sharp who was arrested for breaking a window but, on attempt of suicide in her cell, was sent to the Assizes.<sup>55</sup> However, magistrates again were often sympathetic to women's desperation and dismissed cases such as Mary Neville who attempted to drown herself and her child Christopher in a drain.<sup>56</sup> Sad cases displaying the depths of despair that women experienced in their difficult, poverty stricken lives or being deserted by their husbands led some women attempting to throw themselves in

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<sup>53</sup> Grey, 'What Woman is Safe..?', pp. 403-421.

<sup>54</sup> Grey, 'Agonised Weeping', pp. 468-480.

<sup>55</sup> HMC, C DPM/1/90, 3<sup>rd</sup> July 1871.

<sup>56</sup> HMC, C DPM/2/6, 1<sup>st</sup> April 1891.

the Hull docks (the most common site of suicide attempts). A more sympathetic approach is revealed in the reduction from 1881 in attempted suicide cases before the Hull courts. Better understanding of mental health as well as poverty took place in the latter part of the century, and saw less women before the courts for trying to take their own lives. This reveals some knowledge by the justices in Hull of the difficult lives women of the poor led, sometimes resulting in mental health collapse. These cases reveal that the Hull justices were not without compassion, however as noted, this did not extend to women regarded as sexually immoral.

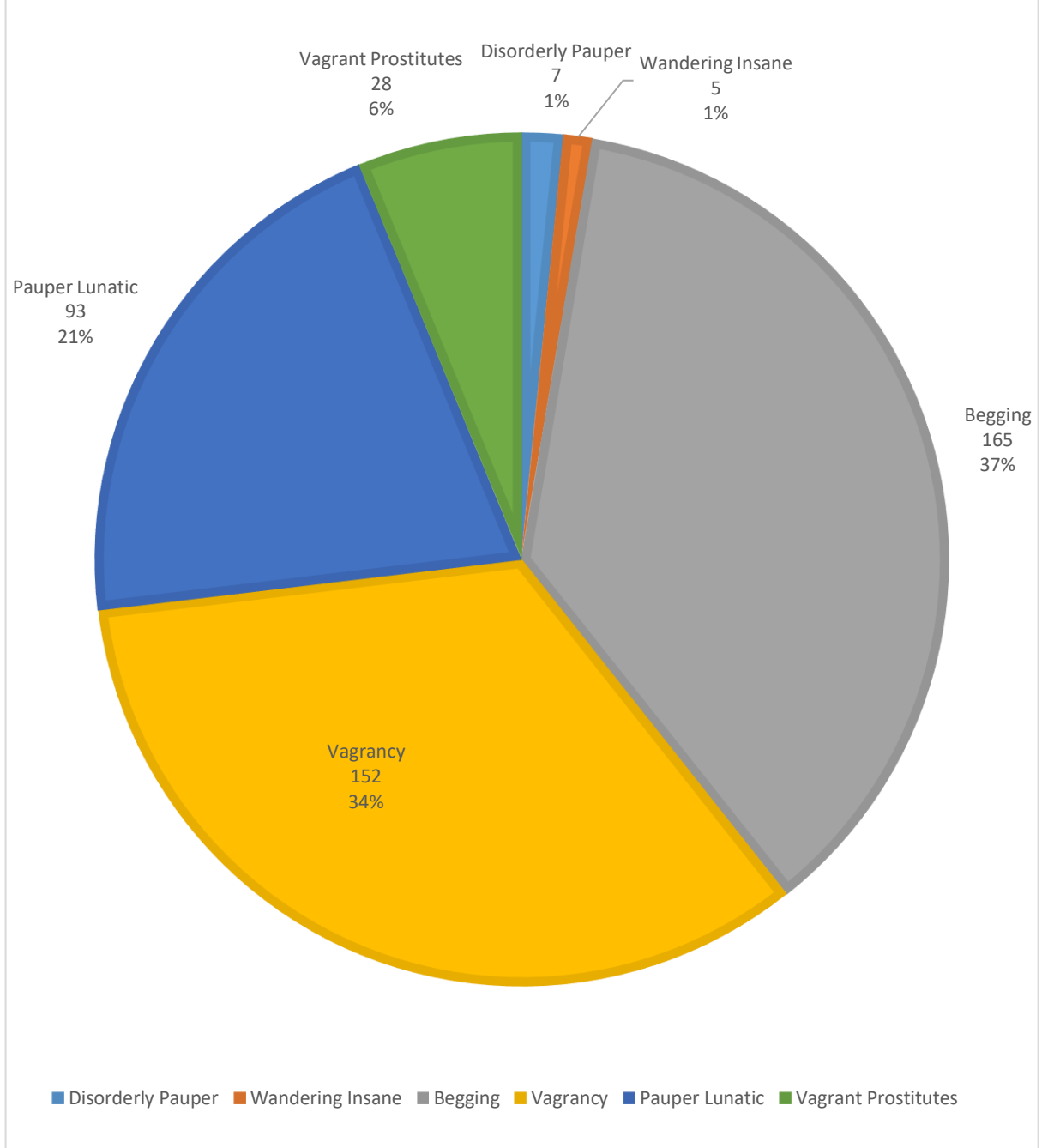
In 1821 fifty two females appeared before the newly formed Hull Magistrates Court, all of which were for Vagrancy offences.<sup>57</sup> The early nineteenth century concern with the rising burden on the poor laws leading to the Poor Law Amendment Act of 1834, was represented in the offences of Vagrancy and Begging. High levels of female vagrants is evidence of the extent of female poverty and destitution in Hull in the nineteenth century, and reflected the lack of female employment in the town. Many female vagrants were widows, deserted wives, or wives of serving soldiers. Some were ex-farm servants who had migrated to Hull from the surrounding rural hinterland in a failed search for employment, or were on ‘tramp’ from town to town for this same purpose. Vagrancy was especially high in the early nineteenth century due to high levels of poverty and food shortages. High numbers of vagrants also tie in with periods of depression in the economy and unemployment affecting both men and women. Women facing hardship resorted to begging door to door or on the streets to feed themselves and their children. Figure 9 displays female vagrancy and begging offences, revealing that

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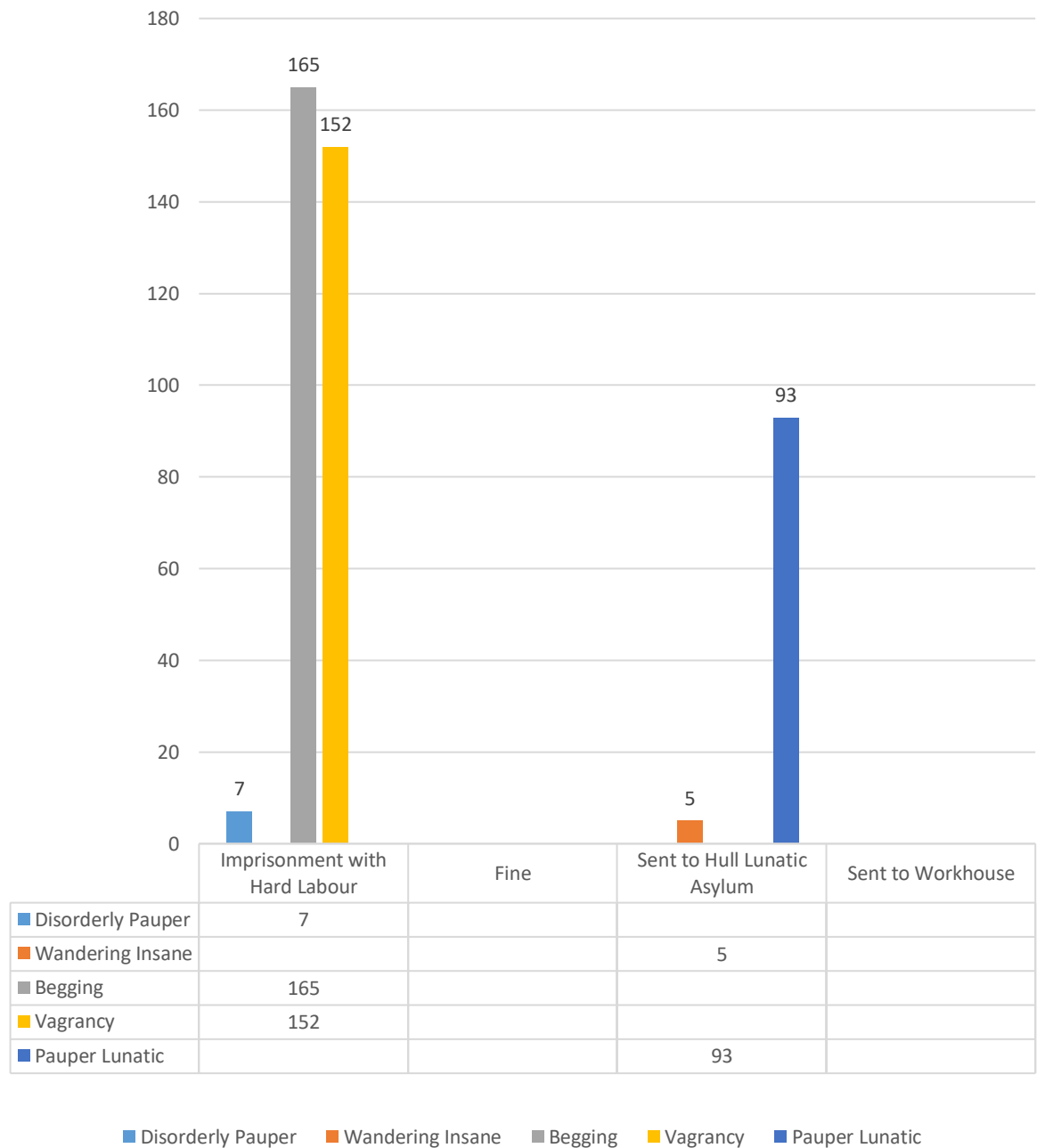
<sup>57</sup> HMC, C CPM/2 & 3, 1st Jan-31<sup>st</sup> Dec 1821.

poverty and the danger of falling into destitution was a feature of many women's lives in nineteenth century Hull, the safety net of the poor law being taken away.

**Figure 9 - Female Vagrancy and Begging at Hull Magistrates Court 1811 - 1891**



**Figure 10 - Hull Magistrates Court Female Vagrancy and Begging Sentences 1811 - 1891**



The Hull courts did not take a sympathetic view of vagrancy and begging. Figure 10 displays the sentencing for crimes of destitution. The typical sentence given for vagrancy and begging by the Hull Magistrates Court was 7 days hard labour and removal back to parish of settlement under the Settlement and Removal Act. Removal ensured they would not become a burden on the parish. Unlike some sentences for



offences committed by women this did not change over time, despite better understanding of poverty and the fact this was a victimless crime. The sentence for vagrancy in 1811 of 7 days hard labour was still the typical sentence in 1881 for vagrancy and begging, although far less numbers appeared before the Hull courts. This reduction reflected the relative rise in living standards amongst the working class later in the century, the advent of the workhouse system as well as the growth of private charity and better understanding of poverty. In being given a prison sentence for vagrancy and begging, women were punished for their poverty; poverty was regarded as of their own making and moral failings, not the responsibility or failings of society.

Harsh sentencing reflected the middle class fears about vagrancy, and finding begging offensive or a nuisance rather than sympathy for the destitute. Like prostitutes, vagrants were feared and despised as an outcast group who did not fit neatly into society. The fact that these were women 'on the loose' and not within a family structure or home and controlled by a male, was why female vagrants were especially seen as figures of fear with suspicions about their sexual morality. The nineteenth century 'terror of the tramp' in female cases had the additional concern that women found wandering in the streets at night and not giving a good account of themselves were suspected of being prostitutes, as shown in the category of Vagrant Prostitutes. The court minute books reveal women apprehended for 'wandering in the open air, in the streets, in a very disorderly manner'.

Vagrant Eliza Dawson was drunk on the flags at 2.00 am and described as being of 'bad character'. She was suspected of being a prostitute and received a sentence of 7 days hard labour in June 1851.<sup>58</sup> Some women who were apprehended as vagrants were

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<sup>58</sup> HMC, C DPM/1/49, 13<sup>th</sup> June 1851.

openly named as prostitutes such as Elizabeth Dixon who was arrested for ‘wandering in the market place of Hull, being a common prostitute and night walker and not giving a good account of herself’. She was given a sentence of 14 days hard labour by the magistrates in April 1824.<sup>59</sup> The vagrancy laws were used not only to apprehend vagrants but to prosecute other social undesirables such as prostitutes, being one of the main laws prostitutes were convicted under. The linking of poverty with immorality was evident, and is discussed further in the chapter on prostitution.

Begging was particularly offensive to middle class eyes and sensibilities; it made them feel uncomfortable about their own wealth compared to the plight of the poor. Giving publically to charities for the poor of the town saw the middle class ease their consciences and enhance their reputations. However, the more visible begging on the public streets caused discomfort and umbrage. Vagrants were an uncomfortable, visible reminder to Hull’s middle class of the abundance of poverty in the town. Complaints were made to the authorities from concerned citizens about vagrants and beggars on the streets such as vagrant Mary Donnell who was sentenced to 21 days hard labour for ‘bothering’ a gentleman by begging and asking for charity.<sup>60</sup>

The Hull Magistrates Court minute books record the treatment of female vagrants and beggars. Vagrant Maria Swinton had applied to the Hull Guardians at the workhouse every day for a week in November 1851 but had been turned away repeatedly even though her settlement was at Hull.<sup>61</sup> Ann Kelly was arrested in March 1891 for begging in Portland Street from door to door. She was reported to be on ‘tramp’ from town to

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<sup>59</sup> HMC, C CPM/3, 30<sup>th</sup> April 1824.

<sup>60</sup> HMC, C DPM/1/71, 23<sup>rd</sup> April 1861.

<sup>61</sup> HMC, C DPM/1/50, 22<sup>nd</sup> November 1851.

town looking for work.<sup>62</sup> Both women received a sentence of 7 days hard labour. Male unemployment also led to the poverty of the family. Ann Smith was apprehended for begging in Waterworks Street, going from shop to shop, and received 7 days hard labour. In an attempt to avert this sentence, her husband claimed employment at Hawtley and Pearson, a Hull company. However, when enquiries were made they denied employing him and the sentence of hard labour was passed by the magistrates.<sup>63</sup>

Destitute women with children could also expect little sympathy in court. In 1851 Maria Clark was found begging with her three young children, destitute at 1.00 am on Blanket Row. She was sentenced at the Hull Magistrates Court to one month's hard labour at Hull Gaol and her children removed to the workhouse.<sup>64</sup> Another mother begging with her child was accused of nipping the child to make it cry to elicit sympathy, and received a month's hard labour.<sup>65</sup> Women who had children with them whilst begging were treated more harshly by the magistrates with sentences of hard labour which exceeded the usual 7 days, as they were regarded as failed mothers who exposed their children to poverty created by their own moral failings.

Prosecutions for vagrancy peaked in 1821 before falling and then rising again in the mid-nineteenth century before falling again. These peaks and troughs can be related to changes in the poor laws, with the New Poor Law and workhouse system put in place in 1834. It was also related to general economic conditions and rises and falls in standards of living. Prosecutions for begging rose in 1834 as vagrancy fell which can be explained

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<sup>62</sup> HMC, C DPM/2/6, 13<sup>th</sup> March 1891.

<sup>63</sup> HMC, C DPM/1/90, 11<sup>th</sup> September 1871.

<sup>64</sup> HMC, C DPM/1/49, 8<sup>th</sup> May 1851.

<sup>65</sup> HMC, C DPM/1/49, 12<sup>th</sup> May 1851.

by the fact that many people would rather beg than go into the feared workhouse, as well as the fact that the authorities were keen to prosecute beggars with the advent of the New Poor Law. Begging, like vagrancy, followed peaks and troughs in the economy, rising when unemployment was high and falling when the economic situation improved. It is also possible to look at this seasonally with trade in Hull affected in the winter meant that more vagrancy and begging offences took place in the winter months. Prosecutions for vagrant prostitutes also rose mid-century, as this period was the height of the outcry against the trade. This is related to the rise in prosecutions for vagrancy as the vagrancy laws were regularly used by the Hull justices to imprison prostitutes.

Women in poverty were also vulnerable to being classed as insane and placed in Hull Lunatic Asylum. Two offences reflect this – Wandering Insane and Pauper Lunatic (as seen in Figure 9). This study of Hull reveals the removal and incarceration of women regarded as troublesome into prison, workhouse, lunatic asylum, as well as the female penitentiary. Women who did not fit society's expectations were taken out of society in the belief in removing the problem, or to use a term commonly used in Hull in the period, removing the 'pest', from society and public view into institutions of control and surveillance. The danger of being labelled insane or mad has shown by Paula Bartley to be a particular problem for women in the nineteenth century, especially women seen as sexually deviant or regarded as a burden on the poor rates, as found in this thesis.<sup>66</sup>

Women who were found wandering the Hull streets with nowhere to go were either condemned as a prostitute, a vagrant, or were viewed as lunatics. Women already placed in the workhouse through poverty were vulnerable to being transferred to the lunatic asylum as pauper lunatics, to pass on the burden of their care and support. A doctor was

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<sup>66</sup> Bartley, *Prostitution: Prevention and Reform*, p. 126.

called by the Hull Magistrates Court to certify that the pauper was insane and they were placed in the asylum with little opportunity of emerging. Women could remain in such institutions for life - out of sight and mind. Female paupers who were viewed as troublesome or disorderly were more likely to be removed as insane.

Figure 9 reveals that Pauper Lunatic was the third largest category of offence in this section, with the Hull guardians making regular appeals to the courts for removal of disorderly or violent women. Assessments of a woman's moral conduct were taken as an indication of her mental state. Evidence of growing numbers of pauper women committed to Hull Lunatic Asylum displays the fact that poverty and pauperism was regarded as not just the moral failings of the individual, but also linked to mental deficiency with the influence of psychiatry and eugenics in the late nineteenth century. Chargeable, unruly women sent to the Hull Lunatic Asylum included Jane Brough who appeared before the Hull Magistrates' Court in 1861 for an assault.<sup>67</sup> Julia Carr was sent to the Hull Lunatic Asylum for shouting in the street.<sup>68</sup> Sarah Gregson was found wandering at night when she should have been incarcerated in the workhouse and was ordered to be placed in the asylum by the magistrates.<sup>69</sup>

Women certified as pauper lunatics continued to rise to 1871 which reflects the fact that private lunatic asylums were being taken over by the local authority in this period to become the Hull Borough Asylum, taking the care out of private hands. A slight fall in the 1880s saw the number of pauper women placed in asylums rise again in the 1890s. This reflected the new interest in the study of female mental health issues and the

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<sup>67</sup> HMC, C DPM/1/71, 2<sup>nd</sup> April 1861.

<sup>68</sup> HMC, C DPM/1/89, 8<sup>th</sup> May 1871.

<sup>69</sup> HMC, C DPM/2/7, 29<sup>th</sup> May 1891.

discourse of the 'female malady' of women's menstruation linked to female madness in the late nineteenth century, which saw women regularly placed in lunatic asylums.<sup>70</sup>

As has been shown, the majority of female crime was for petty offences that appeared before the Hull Magistrates Court. However, an analysis of female crime before the Hull Quarter Sessions Court saw some women moving beyond the neighbourhood petty disputes, drunkenness and petty theft into more serious crime. The Hull records reveal women before the Quarter Sessions on charges normally associated with male crime such as housebreaking, counterfeit coining, serious violence and wounding; challenging the view of women as less criminal than men or purely undertaking petty crime. Women were active at all levels of criminal activity in Hull. These crimes display the agency of women but also the desperate lives women led in crime infested neighbourhoods which led them into criminal activity that was sometimes serious crime.

Figure 11 reveals that theft Felony/Larceny was the highest category of female offence heard at the Hull Quarter Sessions Court, being three quarters of all crime heard there. Women partook in larger value thefts either from the person, property or shop (goods over the ten shilling rule which saw lower value cases heard and sentenced at the Hull Magistrates Court). Figure 11 shows that Felony peaked to 1851 and then Larceny rose which reflects the legal name change for this offence used by the Hull courts. Larceny fell both at the Hull Magistrates and Hull Quarter Sessions courts in the late nineteenth century. This was likely to be due to improved policing methods and surveillance which limited opportunistic thefts and pickpocketing. Rising living standards for the working class in the later nineteenth century reduced the desperate need to resort to theft, as well as more availability of charitable help for women and their families in poverty.

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<sup>70</sup> Bartley, *Prostitution: Prevention and Reform*, pp. 123-124.

However, the fall in Larceny before the courts can also be seen as relative, as the late nineteenth century saw a large increase of women before the Hull courts. There were now many more offences which Hull women were prosecuted under as well as Larceny.

Larceny from the Person was a term used by the Hull courts from the mid-nineteenth century to describe pickpocketing offences, often undertaken by women. Larceny as a Servant reveals how service in wealthy households gave women opportunities to steal valuables from their employer. The fact that the middle class were being stolen from by their employees also meant this offence was judged as a serious crime of mistrust and sentenced accordingly. Stealing in a Dwelling House and Housebreaking saw women involved in burglaries and breaking into properties. These cases were of breaking into wealthier middle class homes and was therefore judged as serious crime, in comparison to the Magistrates Court hearing cases of the poor stealing goods from each other in the neighbourhood. As with servants who stole from them, the threat to middle class property and possessions encouraged the magistrates to heavily sentence these offences.

Stealing from a Quay reflected Hull's role as a busy port with goods coming and going.

Opportunities for theft saw women visit the quayside to undertake such missions.

Women were sometimes employed by male criminal gangs to undertake thefts as women were less likely to be suspected of wrongdoing and to act as decoys. However, most women acted purely for themselves, seeking economic gain. Other female crime of economic motivation included Receiving of Stolen Goods (again to the higher value of over 10 shillings). Base Coining saw women involved in creating counterfeit coins passed off as the real thing and used in transactions and purchases. Women were also prosecuted for Fraud, which could refer to obtaining goods under false pretences.

Forestalling and Re-grating involved purchase of goods (usually food) and selling on at a

higher price at the market. Misdemeanours was a catch all term for less serious offences. Disorderly House cases also appeared before the Hull Quarter Sessions Court, which again reflects the fact how seriously sexual immorality was taken by the Hull justices. Hull brothel-keepers and lodging house-keepers who profited from the trade of prostitutes were given heavy fines and imprisonment by the Quarter Sessions justices.

Women also partook in particularly violent crime. The results of the Hull survey demonstrates that serious violent crime was not just the preserve of men and that women were found to be equally as violent in some cases. Violent offences of women included Unlawful Wounding, Riot and Violent Assault which again reveals the violence of women in the Hull streets and their local communities. D’Cruze’s study of women as victims of male violence does not tell the whole story; as Hull demonstrates, women were as ‘rough’ and ‘tough’ as the men when necessity or situation dictated. Violence of women was especially condemned by the Hull Quarter Sessions’ judges as they saw women acting in defiance of the passive gender roles prescribed to them.

Harsher sentences reflected the more serious nature of crime heard at the Quarter Sessions with the justices keen to set an example that this would not be tolerated, especially not by women (the double condemnation that women experienced of being both branded as criminal and deviating from the expected role of their sex). The gendered bias against women operating in the male world of serious crime was an important factor in the sentencing of violent, criminal women. This hidden crime of going against the expectations of their sex reveals the gendering influence upon women in the courtroom. Men were seen as criminal, aggressive and violent as part of their masculinity which is also evidence of gendering, but male violence, although punished, was seen as natural, whereas female violence and criminality was seen as unnatural. The



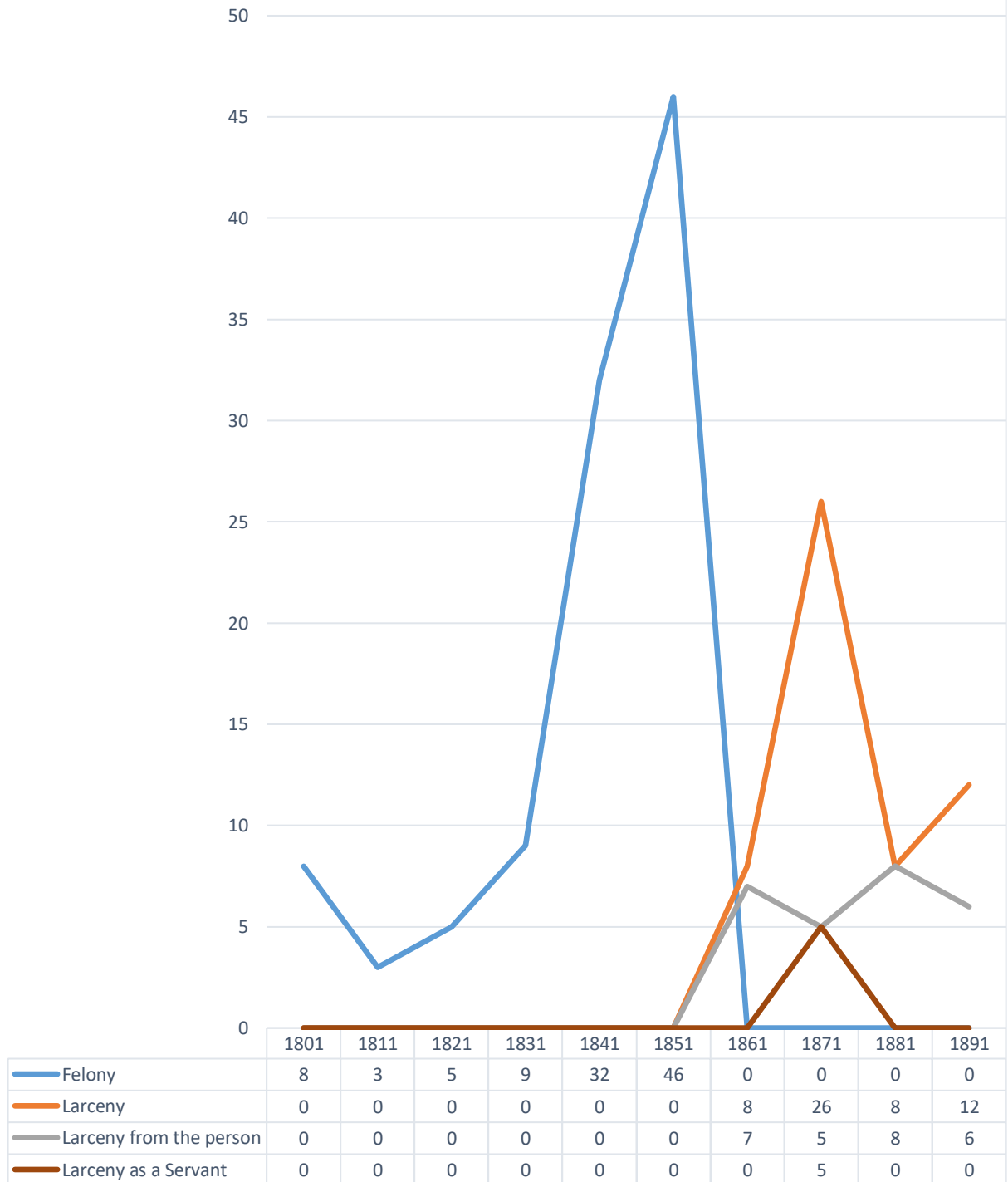
concentration on male crime in the historiography reveals women were traditionally seen as less criminal than men for this reason, something the Hull study seeks to readdress in revealing the presence of women in all crime, both serious and petty.

Figures 13-16 set out the sentences given to women at the Hull Quarter Sessions Court. Lengthy prison sentences ranging from six months to two years with hard labour were awarded for the majority of the offences, in contrast to the shorter prison sentences or fines given by the Hull Magistrates Court. Fines were usually given in cases of Violent Assault. As these were more violent assaults (in comparison to the common assaults heard at the Hull Magistrates Court) the fines were set higher which meant that women usually received a prison sentence for being unable to pay their fines. Sentencing at the Hull Quarter Sessions Court did not alter over time, in contrast to the Hull Magistrates Court which gave more fines than prison sentences in the late nineteenth century as the numbers of criminal offences grew and prisons became overcrowded. Many petty offences were not deemed worthy of imprisonment and as social attitudes changed with poverty better understood. The Hull justices did display some understanding and sympathy to the plight of women as the nineteenth century progressed and they began to look at the circumstances under which they lived rather than make a clear cut moral judgement upon them. This in turn influenced changes in sentencing policy.

Figure 17 shows how fines were taking over imprisonment with hard labour at the Hull Magistrates Court as the century progressed due to the high numbers of women appearing and attempts to save money. By contrast Figure 18 shows the Hull Quarter Sessions Court continuing to give sentences of hard labour in prison for female crime. Evidence of some leniency for certain offences (which did not involve female sexual disorder) in the Hull Magistrates Court was not replicated at the Hull Quarter Sessions

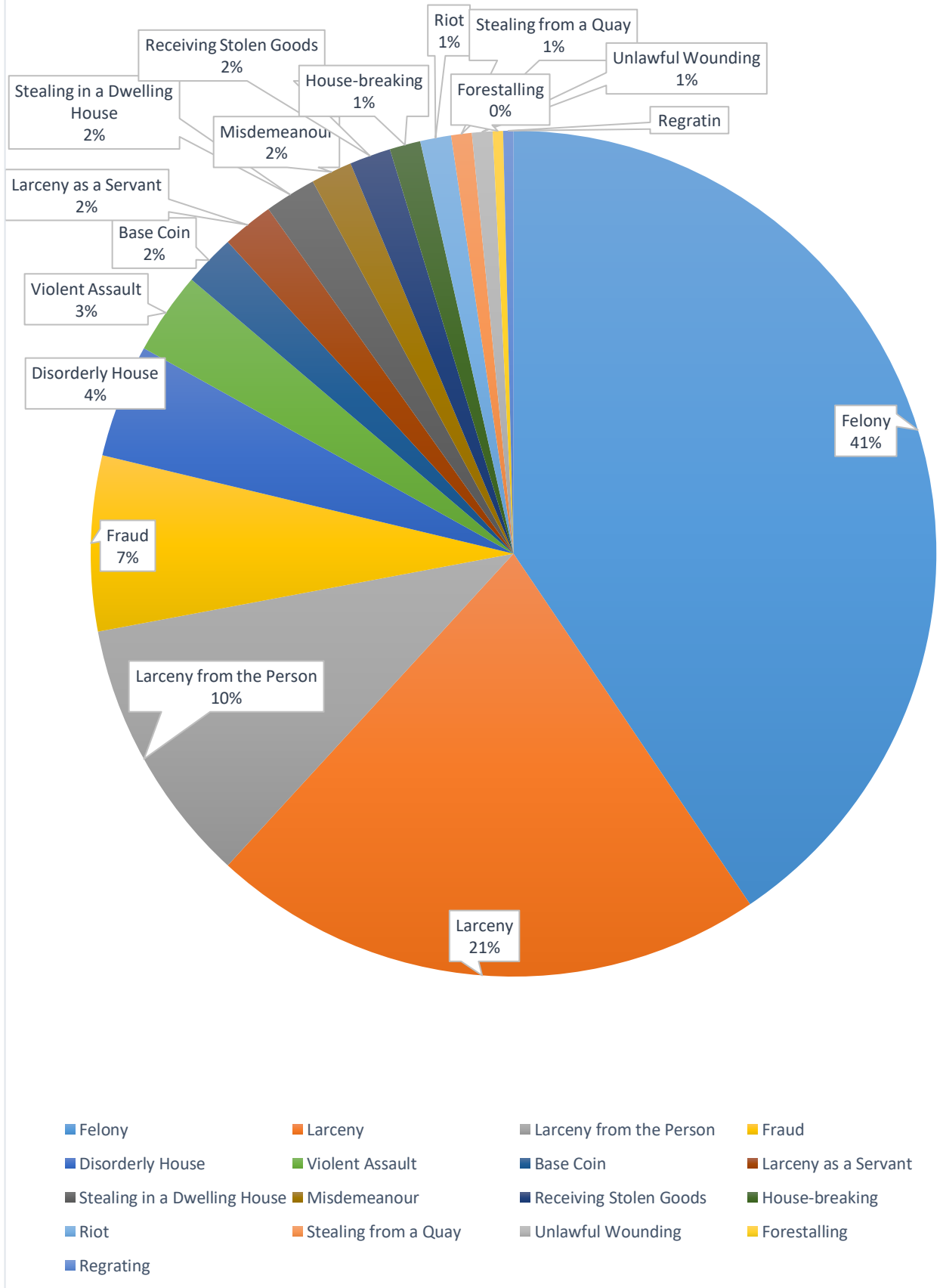
Court which continued to punish women with lengthy prison sentences, reflecting the more serious nature of the crime than the petty crime heard at the Magistrates Court.

**Figure 11 - Hull Quarter Sessions Court Female Felony/Larceny 1801 - 1891**

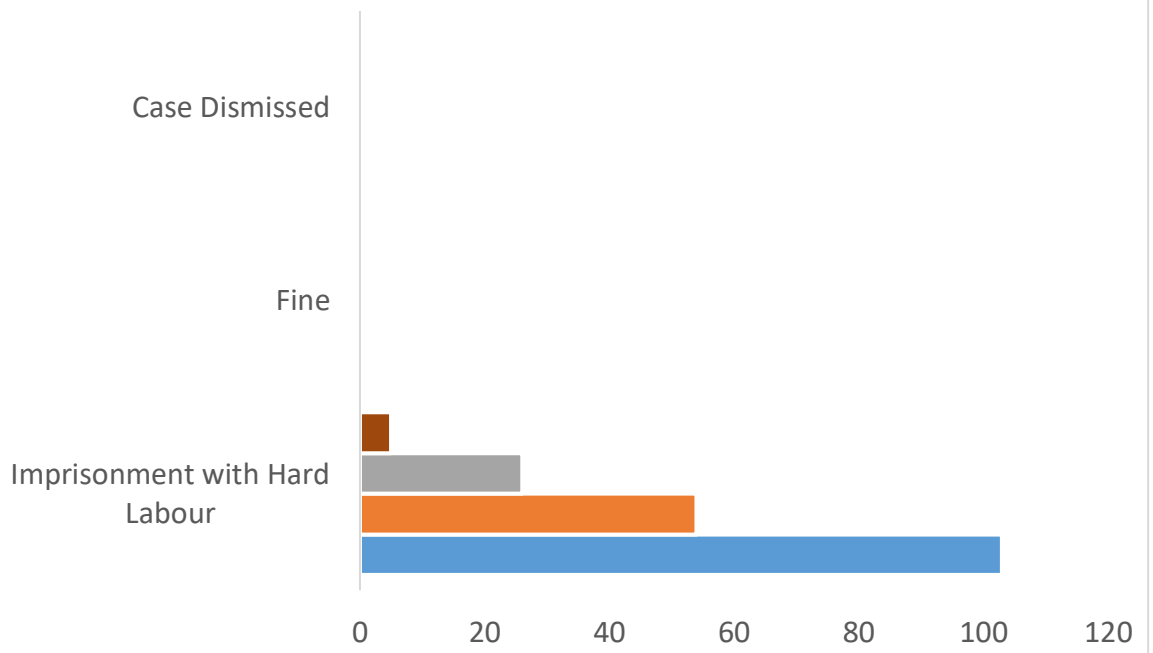


— Felony — Larceny — Larceny from the person — Larceny as a Servant

**Figure 12 - Hull Quarter Sessions Court Total Female Crime 1801 - 1891**

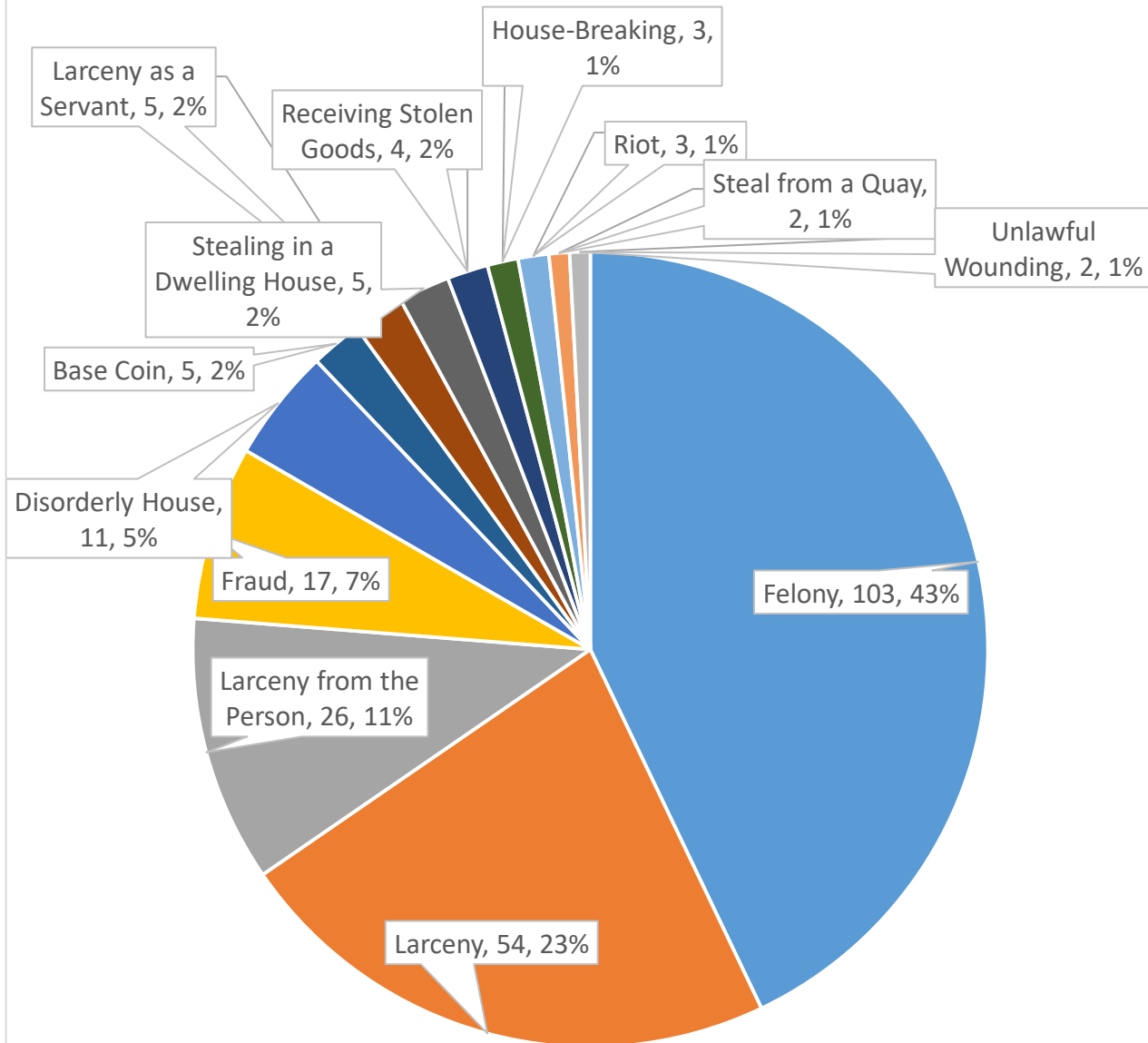


**Figure 13 - Hull Quarter Sessions Court Female Felony/Larceny Sentences 1801 - 1891**

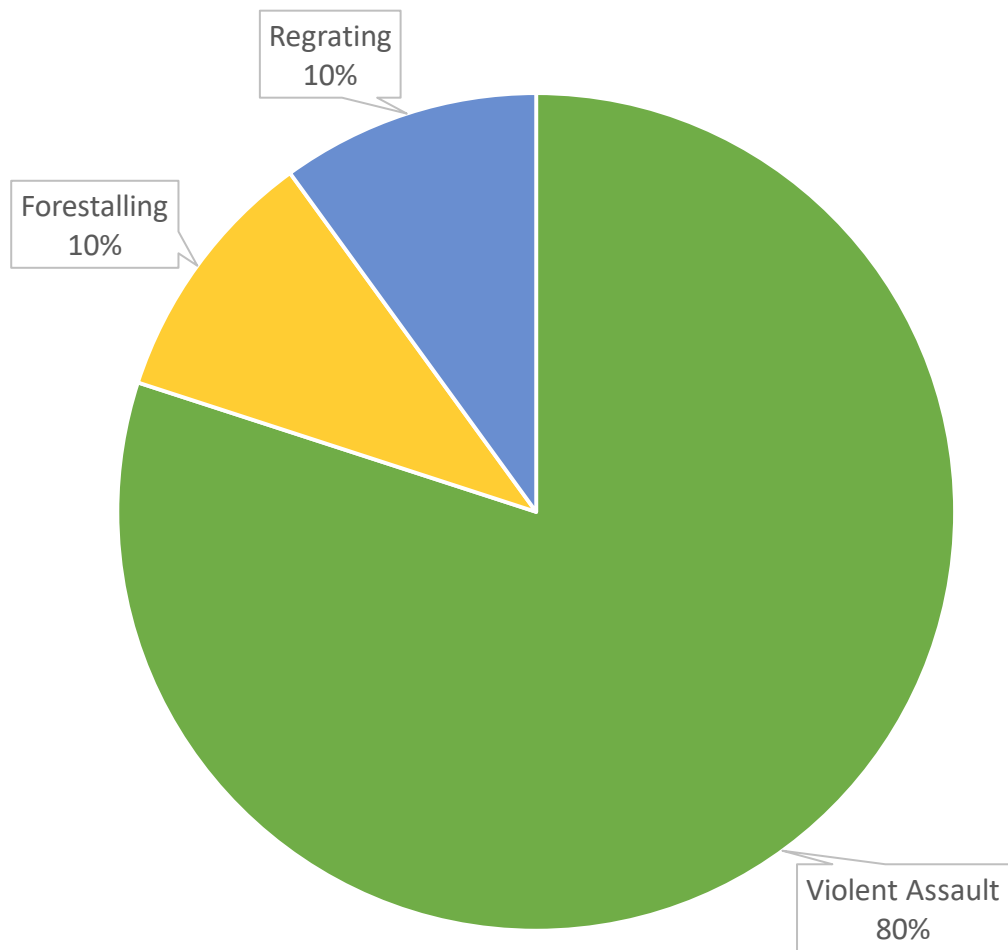


	Imprisonment with Hard Labour	Fine	Case Dismissed
■ Larceny as a Servant	5		
■ Larceny from the Person	26		
■ Larceny	54		
■ Felony	103		

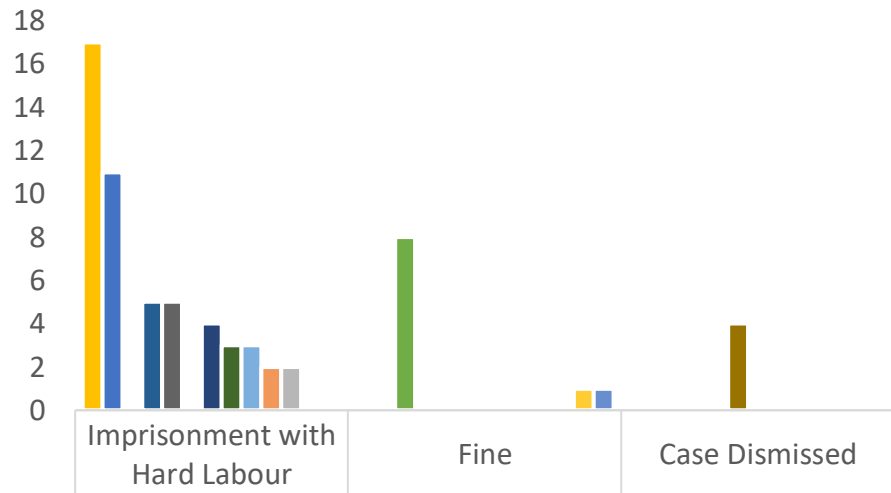
**Figure 14 - Hull Quarter Sessions Court Female Crime Sentences - Imprisonment with Hard Labour 1801 - 1891**



**Figure 15 - Hull Quarter Sessions Court Female Crime Sentences  
- Fines 1801 - 1891**

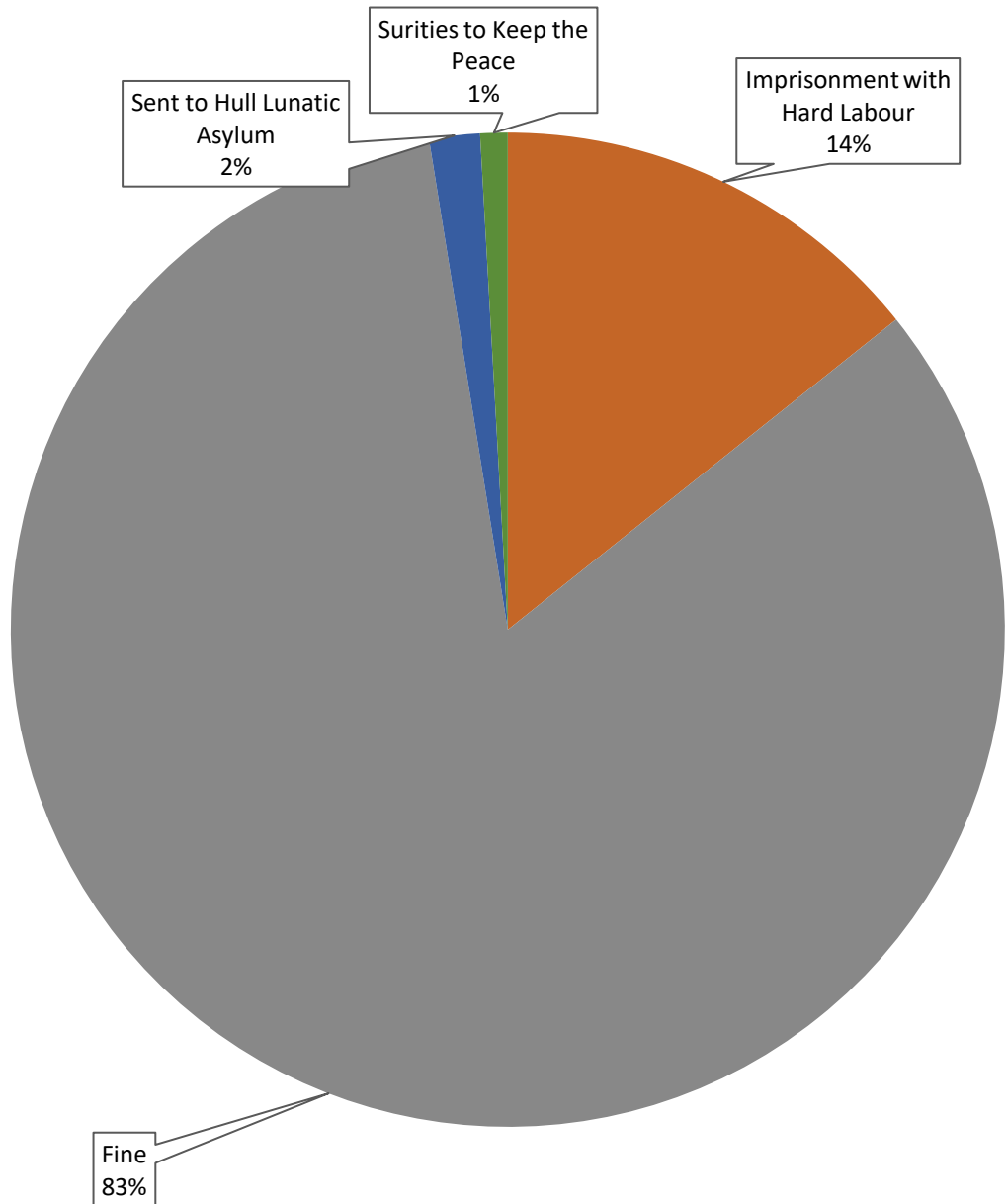


**Figure 16 - Hull Quarter Sessions Court Female Crime Sentences  
1801 - 1891**



■ Fraud	17		
■ Disorderly House	11		
■ Violent Assault		8	
■ Base Coin	5		
■ Stealing in a Dwelling House	5		
■ Misdemeanour			4
■ Receiving Stolen Goods	4		
■ House-Breaking	3		
■ Riot	3		
■ Steal from a Quay	2		
■ Unlawful Wounding	2		
■ Forestalling		1	
■ Regrating		1	

**Figure 17 - Hull Magistrates Court Total Percentage Female Crime Sentencing 1811 - 1891**





Histories of crime have traditionally presented women as committing less crime than men and that women do not feature as largely in the criminal records. However, the result of this study of Hull has revealed growing numbers of women before the courts for a wider range of offences in the nineteenth century. This is especially the case in the late nineteenth century with significantly higher numbers of women before the courts from 1871. Figure 19 shows the steep rise in women before the Hull Magistrates Court in the latter part of the century. Figure 20 reveals that over half of the total of over 7000 recorded female offences took place in the years 1881 and 1891. 1891 in particular saw many more cases (more than a third of all total female crime from 1811 to 1891). This does not mean that women were more criminal later in the century. Rising numbers of women before the Hull courts in the nineteenth century reflects a three way process of changing social attitudes and perception of crime, statutory change with the creation of more offences, along with the increasing sophistication of the court system and the police force, leading to increased detection of crime and higher number of prosecutions.

In contrast to the results of rising female offences before the Hull courts, Malcolm Feeley and Deborah Little found an overall decline in female crime before the Old Bailey in London with women making up 45% of criminal cases in the eighteenth century to only 15% by 1912. They argue that the change was real and not due to shifts in law enforcement policies, but instead related to and run parallel to shifts in the role of women in the economy, the family and society. They state the decline in female crime was due to more private forms of social control of women such as home and family, the rise of industrialisation in the nineteenth century and decline of the family economy.<sup>71</sup>

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<sup>71</sup> Feeley & Little, *The Vanishing Female*, pp.719-757.

The findings of Feeley and Little reflects the influence of public/private gender roles in this period with the aim of placing women back into the home and family – the ‘vanishing female’ in the criminal process in the nineteenth century seen as due to these private forms of social control of women.<sup>72</sup> This thesis has discussed in the historiography new challenges to the prescribed notions of public and private gender divides as too simplistic, showing that women could easily move in and out of both. Women challenged the boundaries and roles set out for them; they were not necessarily put back into the private sphere of home and family as dictated by the ideology, nor was production and industry closed off to them. Hull women in the nineteenth century have been shown to have been active inside and outside of the home in employment, especially working class women, but also included middle class women who were not economically dependent upon men. This thesis uncovers women’s wider experience in the public sphere - in employment, charity work, as well as the criminal underworld.

As well as evidence of women’s economic independence, the Hull study has shown that as women were responsible for the home and family, so they committed offences to help support their family and feed and clothe them. Rather than domesticity reducing female crime as Feeley and Little found, this study has found that this had the opposite effect, and saw increasing numbers of women before the Hull courts for petty theft, receiving stolen goods and illegal pawning in order to meet domestic responsibilities, especially in the absence of men which left Hull women in charge of the economic survival of the family.

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<sup>72</sup> Feeley & Little, *The Vanishing Female*, pp.719-757.

Feeley's and Little's research has only looked at the higher courts (the Old Bailey) and more serious crimes ranging from larceny to murder.<sup>73</sup> Their concentration on the higher courts meant that fewer crimes were heard there as the petty courts took over, hence the numbers are lower. Findings for Hull have shown that women were much more likely to be found committing petty crimes and appearing before the lower courts (the Hull Magistrates Court). As magistrates courts in general took on more of the burden of hearing cases throughout the nineteenth century, many of the offences previously appearing in the higher courts were downgraded to the lower courts, hence the numbers of women before these courts grew. Changes in jurisdiction cannot be ignored with an increasing number of offences in law bring more women before the courts. The Hull research argues that the tightening control over women encouraged the creation of more offences for women to be prosecuted under, alongside the creation of a police force for surveillance of perceived female disorderly behaviour and immorality.

The tightening of sexual controls over women is also a factor attributed by Feeley and Little to the decline of women in the criminal process, with the links made between female crime and sexual morality as a reason for the reduction in numbers of women before the courts. They discuss the rise in the nineteenth century of the view of women as moral regenerators, who when they transgressed this role, were subject to social controls.<sup>74</sup> The Hull study reveals increasing numbers of women appearing before the courts for a wider range of offences linked to female sexual disorder as the nineteenth century progressed. Thus Hull shows that the tightening sexual controls over women could have the opposite effect and saw more women being placed before the courts. Perception of widespread female sexual disorder created an increased legal response.

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<sup>73</sup> Feeley & Little, *The Vanishing Female*, pp.719-757.

<sup>74</sup> Feeley & Little, *The Vanishing Female*, pp.719-757.

Female crime levels in nineteenth century Hull are also related to economic and social factors. Women's experience of poverty and economic hardship had a direct effect on their criminal activity, as well as social factors such as neighbourhood life, marriage and the birth of children. Peaks and troughs in individual crimes, especially those linked to economic survival such as theft of goods, can be linked to the outside influences of the wider economic and employment situation in Hull. The main female offences of petty theft, drunkenness and assault reflected the poverty faced by women; their lives lived in close proximity in crime ridden, violent neighbourhoods where high levels of drinking was common amongst men and women in an attempt to escape their difficulties.

As women couldn't escape their poverty nor could they stop their criminal activity linked to their economic sufferings. The late nineteenth century fears about female recidivism (or habitual criminals) as discussed by Barry Godfrey, Joanne Turner and Helen Johnston with the 'revolving door' of the local prison, was the reality for many Hull women, including the two case studies who were 'regulars' in the court and prison system.<sup>75</sup> Helen Johnston has highlighted women frequently returning to prison with no other means of support open to them.<sup>76</sup> Joanne Turner has drawn attention to the fact that magistrates were just returning women back to their difficult lives, which is why they reoffended with no other options open to them.<sup>77</sup> Catherine Lee has argued that female recidivists reflected police targeting of particular women, as also found for Hull with police watching certain women known to them as prostitutes or thieves.<sup>78</sup>

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<sup>75</sup> Godfrey et al., 'Explaining Gendered Sentencing Patterns', pp. 696-720 & Johnston, *Crime in England 1815-1880*, p. 154, & Turner, 'Punishing Women 1880-1905', pp. 505-515.

<sup>76</sup> Johnston, *Crime in England 1815-1880*, p. 154.

<sup>77</sup> Turner, 'Punishing Women 1880-1905', pp. 505-515.

<sup>78</sup> Lee, *Policing Prostitution 1856-1886*, p. 126.

Developments in the court system and changes in the law were a further important factor in the increase in female crime before the Hull Magistrates Court. The growing sophistication of the criminal justice system meant that women were apprehended under increased categories of law-breaking, with the police and magistrates given powers to arrest and charge women for offences previously not recognised in the law. Early prosecutions by the Hull Magistrates Court were mainly for Vagrancy. Figure 18 shows that in 1891 a total of 2644 women were prosecuted for a wider range of crimes ranging from cruelty to animals to failing to send their children to school. New laws to apprehend minor offences and behaviours saw higher numbers of women before the Hull courts. The fact that Hull Magistrates Court began to take over the majority of hearings of petty crime with daily sittings and cases heard only four times a year at the Hull Quarter Sessions Court, also had an effect on rising numbers.

The lack of a professional police before 1841 saw fewer numbers of women brought before the Hull courts in this period. It was not that less criminal activity took place before the advent of the police force, it was that there was no agency of the courts to watch and arrest women and place them before the magistrates. Less policing of the town meant less men and women before the courts with the reliance on a small number of night watchmen to fulfil the role. The development of the police force can be directly related to rising numbers before the Hull courts from 1841. The police were given increasing powers of surveillance and patrolled working class areas of the town and watched public houses and brothels in order to be at the heart of criminal activity in Hull. As the professionalization of the police force took place with higher number of police officers and organization in patrols of the streets, this meant rising arrests of women. The aim of the police and magistrates was to regulate a wider range of working class female behavior, with the police acting as the agents of social change.

The police and magistrates were also influenced by public opinion and the interests of social reformers. The early part of the century saw the social concerns of that period reflected in the law. Outrage over the old poor law and its abuses led to high levels of arrests under the Vagrancy laws. Numbers of women before the courts reflected these periodical societal concerns, such as the heavy attack on drunkenness and prostitution in the mid-nineteenth century which saw increasing numbers of women prosecuted in the Hull Magistrates Court. Hence the development of the law must be seen alongside the changing societal concerns which it both reflected and influenced in turn. As society changed so the offences before the courts changed. The concerns about the treatment of children and animals and women themselves (such as women seeking separation from violent husbands) which had not been seen in the early part of the century, saw many more women before the Hull courts in the latter part of the nineteenth century. This reflects a move towards social welfare and protection of the vulnerable which characterised the twentieth century, influenced by the rise of feminism with middle class women working to improve conditions for working class women.

Also affecting the numbers of women arrested was the increasing philanthropic work amongst the poor in the town, with the development of charities aimed at the moral improvement of women and girls. Charities for women grew alongside the court system, and increased as the number of women before the courts increased, acting as an alternative solution to a life of crime on the streets and the prison. Shared interests in addressing social problems in the town saw links between Hull's reformers and magistrates, many of whom sat on the boards of Hull charities and supported their work.

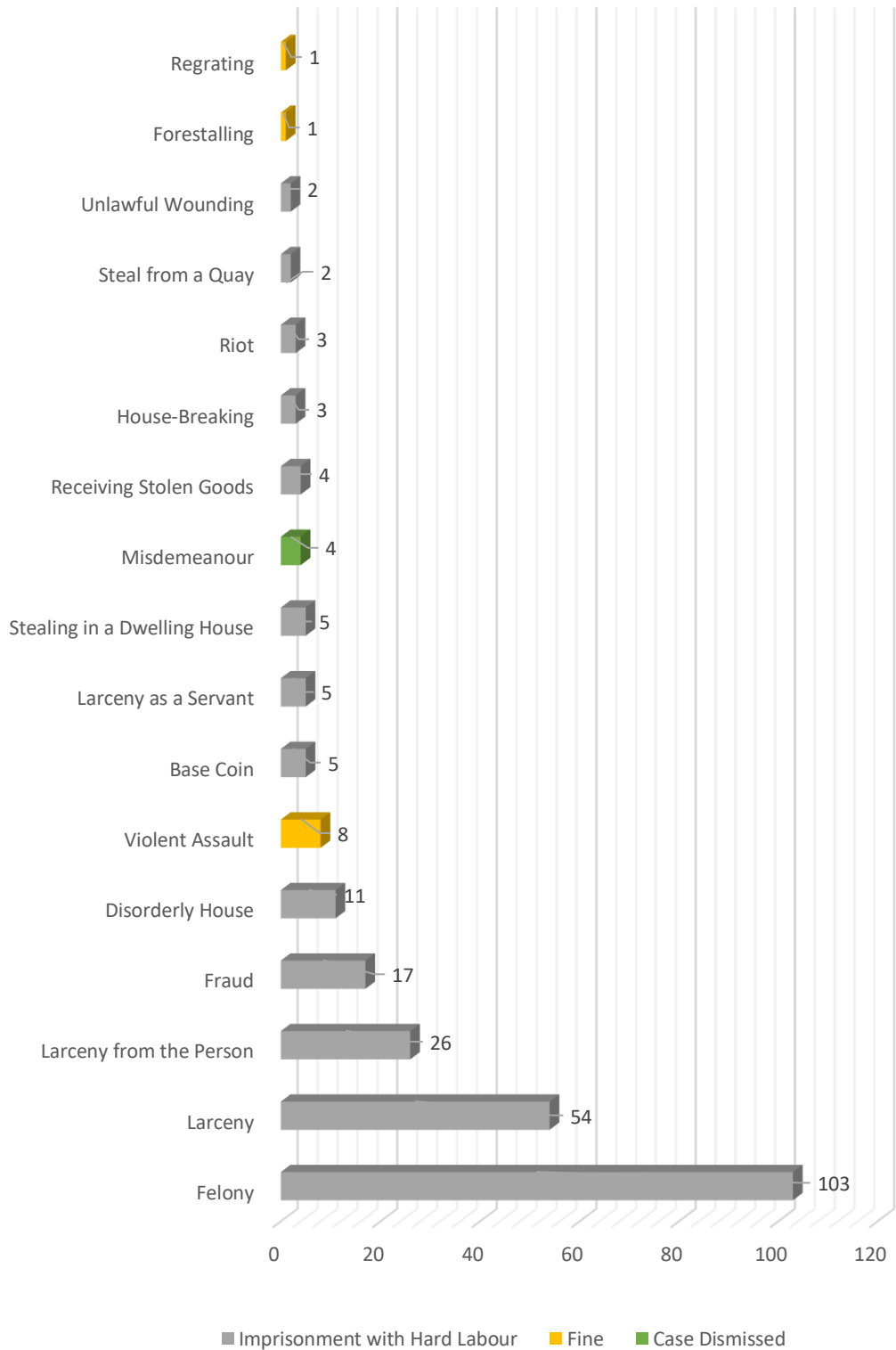
National changes in how prisoners were housed in the nineteenth century was also influential in numbers of women before the Hull courts. In the eighteenth century prisons were holding pens before prisoners were transported or faced capital punishment. They were unregulated and treatment depended on how much money a person or their friends could find. In the nineteenth century prison reforms and a spate of prison building took place with less people being transported. Instead offenders were placed inside the institution of the prison for their moral reform.<sup>79</sup>

Hull followed this national trend with prison building throughout the nineteenth century to house the increasing numbers of prisoners who passed through the Hull courts. Hull Borough Prison was built was in 1862 just as the offences before the Hull courts started to rise rapidly. This also had an effect on sentencing with more fines than prison sentences given as the prisons began to overcrowd with higher numbers before the courts, including higher numbers of women.

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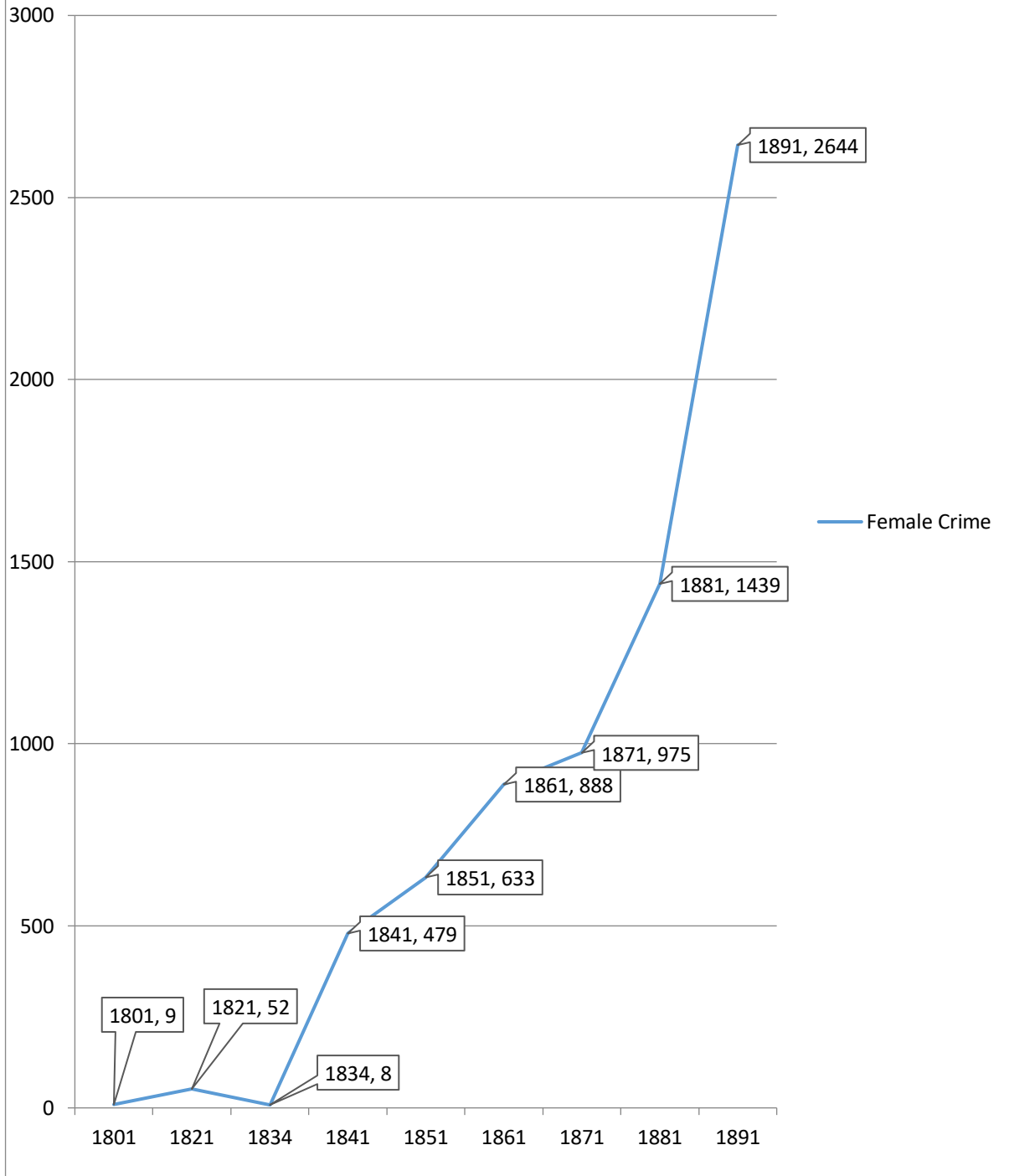
<sup>79</sup> Foucault, *Discipline and Punishment*, pp. 175, 231-256.

**Figure 18 - Hull Quarter Sessions Court Total Female Crime Sentencing 1801 - 1891**

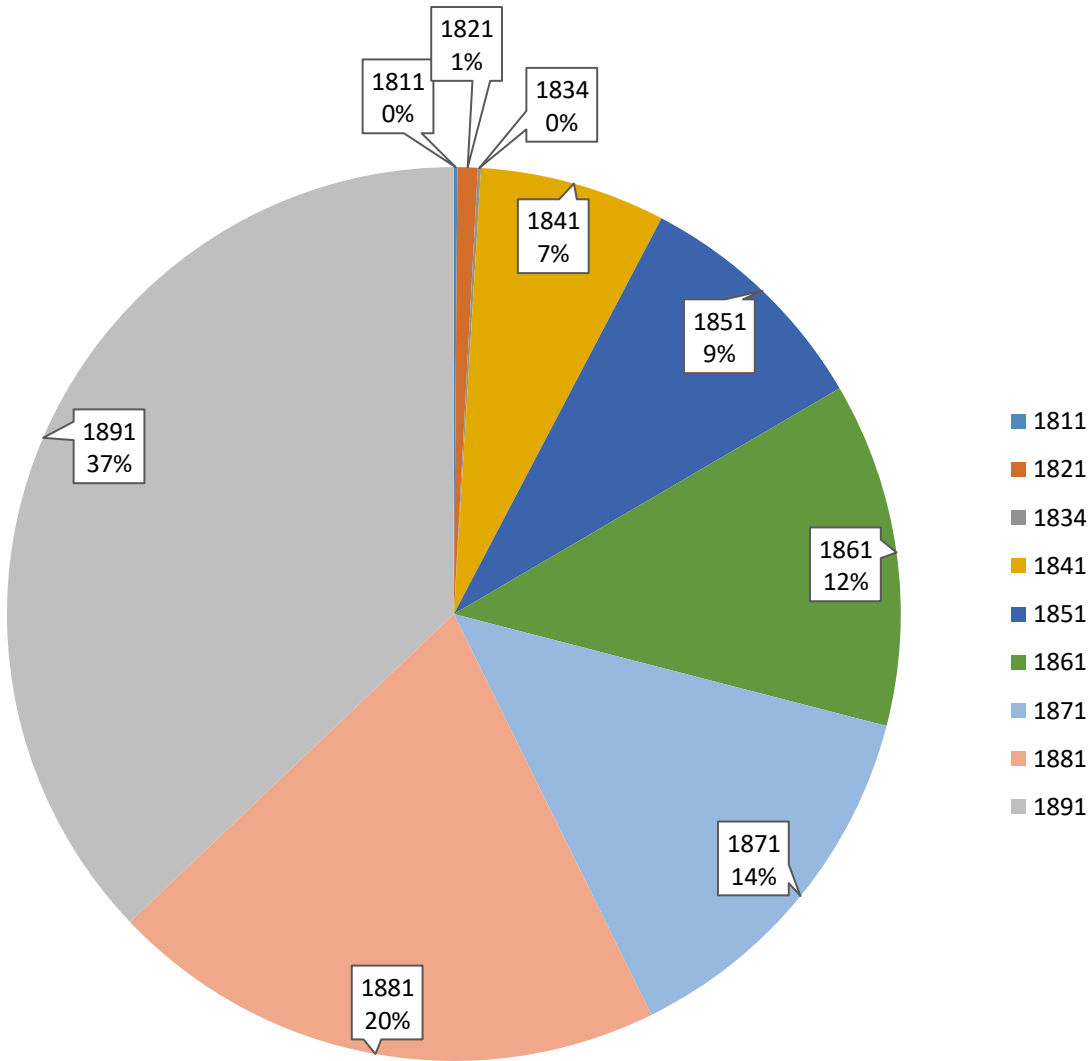




**Figure 19 - Hull Magistrates Court Total Female Crime  
1811 - 1891**



**Figure 20 - Hull Magistrates Court Total Percentage Female Crime 1811 - 1891**



In conclusion, this survey of female criminality in nineteenth century Hull has shown that prosecutions of women of the poor took place in increasing numbers for a growing number of crimes aimed at keeping Hull's streets and public places free of female drunken, violent and disorderly behavior, and connected to fears about female sexual immorality and the place of women in society. The sexual double standard inherent in the law meant female offenders were perceived not just as law-breakers, but as unnatural women. Women who appeared before the Hull courts for criminal offences were condemned not just for their crime, but the fact that they were females committing a crime. Women's appearance in the public courtroom for crimes traditionally associated with men, such as violent assault and robbery saw women regularly crossing the gender divide. Despite their targeting by the police and magistrates, and condemnation by the watchful middle class public, women of the poor were using strategies and agency to enable their families to survive in face of dire poverty. This throws new light on views of women as victims and shows the agency of women in making their own choices in transgressing the social boundaries and breaking the law.

When female crime had sexual connotations it took the punishment and outrage to another level, something which is further explored with prostitution offences. This study has shown that women suspected of having dubious morals were treated more severely across a broader range of crimes resulting in their incarceration in prisons and lunatic asylums for their perceived disorder and moral failings. Perception of women's respectability and sexual reputations could not be separated from their crimes and this affected their treatment in court, the outcome of the trial and the sentence given. The fact that female crime was connected to and perceived as a consequence of sexual deviance rather than just purely criminal behavior (as for men), meant it also began to be addressed through other agencies of protection and control as an alternative to prison.

## **Chapter 4 - Prostitution and Brothel Keeping in Nineteenth Century Hull**

Prostitution in nineteenth century Hull was a feature of life in the busy port. Hull was a major trading route to Northern Europe and drew in sailors, traders, men and women who sought employment, as well as a large working class and rising middle class population. Thus a ready market for prostitution existed in Hull. Prostitution generated many responses and fears. Hull's middle class feared and condemned working class disorder and sexual debauchery, fuelled by drink. As well as attacking, the middle class were motivated by a desire to help those less fortunate than themselves. Prostitution came to be regarded in the nineteenth century as the great social evil of the age, and efforts were made in Hull to address and find solutions to the prostitution 'problem'.

This chapter presents findings from an analysis of sexual disorder crimes from the survey of female criminality in nineteenth century Hull. Cases of interest are used to illustrate the statistical evidence, including two case histories of individual women and their difficult, poverty stricken lives. Examination of courtroom testimonies gives the women accused of being prostitutes a voice as well as the magistrates and the police, although the female voice was subject to male interpretation and reshaping in its recording. It will be shown how a sexual double standard was inherent in the legal system, which was permissive towards the sexual behavior of men whilst regulating women. Women who appeared before the Hull courts were branded as immoral and all women faced judgements on their sexual reputation and respectability which affected their treatment in court and sentencing outcome. A wide spectrum of responses to prostitution ranging from arrest and punishment to rescue and reform are found in nineteenth century Hull. The police force and Hull courts' efforts to deal with prostitution is examined. Local newspaper reports into vice and immorality as well as

the letters to the press of concerned middle class residents, reveals the perceptions of prostitution in the town. Although Hull is not explored as a town under the Contagious Diseases Act, it had its own version of regulation in place well before the advent of the Acts. Change over time in the different responses to prostitution is discussed, looking at the effects of social investigation and increased understanding of female poverty.

There was a spatial geography and demography involved in prostitution in Hull.

Prostitutes lived and worked in particular areas, linked to poverty and social deprivation. The maze of dark courts and alleys offered prostitutes places to take clients where they could not be seen. Back rooms of public houses, cheap lodging houses and brothels offered private space, away from the public streets and the surveillance gaze of the police. Prostitutes were found all over the town where they could meet clients.

These included areas of entertainment and sociability such as theatres, music halls and public houses. In these spaces prostitutes were not the social outcasts of popular belief, but part of the community of urban poor. However, their visibility and freedom of movement on the streets of Hull began to be under threat in the nineteenth century.

Areas of Hull were notorious for prostitution such as Waterhouse Lane and Leadenhall Square. Mary Mills was one of many female arrests in these areas, being charged with being a drunk and disorderly common prostitute in Leadenhall Square in 1841.<sup>1</sup>

Leadenhall Square and Waterhouse Lane were heavily patrolled by the police force. To be seen in these notorious areas for vice would instantly put women under suspicion of being prostitutes; these were seen as places where decent women did not venture.

Waterhouse Lane and Leadenhall Square had a number of cheap lodging houses which

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<sup>1</sup> HMC, C DPM/1/19, 20th January 1841.

housed both seamen and prostitutes and ran as fronts for brothels. Other popular areas for prostitution included Manor Street, Manor Alley and Trundle Street; poor working class districts with many lodgings houses used by sailors and prostitutes. Before the removal of the Hull Garrison in Drypool, local residents complained about the activities of prostitutes visiting the soldiers. Spaces and streets around the town docks were also popular areas where prostitutes waited for sailors to leave the ships.

Prostitutes often lived in the space they worked in. An examination of the Hull census returns for 1861 and 1881 reveals a number of prostitutes living in Waterhouse Lane and Leadenhall Square. In the 1861 census 20 Waterhouse Lane was a lodging house which housed eight young single women between the ages of 18 to 27, of whom six described themselves as prostitutes and two as dressmakers - a poorly paid trade associated with part-time prostitution.<sup>2</sup> In 1861 at 16 Leadenhall Square a lodging house was run by Ann Hall who described herself as a brothel-keeper. This lodging house contained three single women between the ages of 24 to 27 described as prostitutes and three foreign sailors from Germany, Denmark and Norway.<sup>3</sup> A woman who described herself as a prostitute lived in a lodging house with two families at 5 Trundle Street.<sup>4</sup>

In contrast to the middle class view of prostitutes as a separate group, such women were on the whole part of their community. Although some working class districts clearly possessed greater concentration of prostitutes than others, these areas were not exclusively given over to the trade. Hull census returns show that much of the working

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<sup>2</sup> HHC, (Hull Census Returns - HCR), 1861, Registration District 520, Waterhouse Lane, RG 9/3590, RG 9/3594.

<sup>3</sup> HHC, HCR 1861, Leadenhall Square, RG 9/2589.

<sup>4</sup> HHC, HCR 1861, Trundle Street, RG 9/3594.

class population of Hull resided in common lodging houses with prostitutes living side by side with families. Prostitutes were thus not segregated geographically and socially. Their neighbours were more likely to be tolerant than hostile, accepting that this was just another way for women to survive economically, in contrast to how they were viewed by Hull's middle class and the law. The more open sexual behaviour of the working class did not fit with the expectations of middle class moralists. There was a more flexible view of marriage and courtship, with many couples cohabiting and sex before marriage was common. Living in shared, overcrowded space and close contact, sex was not hidden and private. The working class did not share the same views as the middle class on female chastity. Prostitution was an accepted part of life and the urban spaces which the working class occupied also belonged to the prostitutes.

For Hull prostitutes, their space was where they lived, worked and conducted their business, and which they fought for and over. Prostitutes sought to continue their use of this space in conflict with the police force who sought control of public spaces to check vice and immorality in the town. The middle class sought town improvement and creation of orderly places free of immorality and drunkenness. Prostitutes became supervised and marginalised in their world. The battle for space didn't just take place as a form of class conflict between the middle class (seeking to clean up the streets of working-class disorder) and the working class (whose daily lives spilled out into the streets as a form of street theatre) but also within the working class itself. Conflict was between women fighting for space in the overcrowded neighbourhoods, which appeared regularly before the Hull Magistrates Court, as well as prostitutes' battles over space.

Arguments over space or 'patch' meant there was assault and fighting between prostitutes. Elizabeth Hall was arrested for quarrelling and fighting with another

prostitute over space and clients in Waterhouse Lane.<sup>5</sup> Selina Green and Ellen Corby were arrested for fighting and being disorderly prostitutes in Waterhouse Lane over their 'space'.<sup>6</sup> However, some women worked their spaces together in cooperative business. Catherine Mason and Emma Brown stole a purse off Peter Bull in Waterhouse Lane after asking him to go into a passage with them.<sup>7</sup> Hull prostitutes often worked in pairs to rob clients and act as look outs for each other and the police in the area.

Public houses were common spaces for prostitution. The popular culture of the working class in Hull centred around the public house, of which Hull had a large number of, many around the docks where sailors and visitors embarked after landing, in search of drink and women. The high number of brothels and lodging houses also catered to the demand for prostitution. In 1869 there were reported to be 306 brothels in Hull known to the police (and many more that were not known). Based on the findings of the Chief Magistrate T H Travis who sought to investigate the extent of vice in Hull; his work as a magistrate had brought him into contact with many prostitutes and brothel keepers.<sup>8</sup>

Common lodging houses were often fronts for brothels. This made it more difficult for police to detect. Hence both lodging houses and public houses offered a relatively safer place to work for Hull prostitutes, unlike walking the streets where they were subjected to police surveillance and danger of attack. Both publicans and lodging house-keepers encouraged the presence of prostitutes and benefited financially from their trade. All parties benefited from working collectively. Prostitutes could rent back rooms from

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<sup>5</sup> HMC, C DPM/1/90, 28<sup>th</sup> August 1871.

<sup>6</sup> HMC, C DPM/1/90, 28<sup>th</sup> August 1871.

<sup>7</sup> HMC, C DPM/2/8, 3<sup>rd</sup> August 1891.

<sup>8</sup> Eastern Counties Herald (ECH), 21<sup>st</sup> October 1869.



publicans; in return they encouraged clients to buy them drinks. The interests of prostitutes and publicans coincided; prostitutes gained access to drunken men and sailors who would buy them drinks in a warm, congenial atmosphere. Many men were paid their wages in public houses and sought to spend it on drink and prostitutes.

The *Hull Advertiser* reported on the connection between prostitution, drink and public houses - 'thirty-two females, chiefly, if not wholly 'girls of the town' and many of them very young, were taken up a few nights ago at a public house in this place. They were to appear before the magistrates this morning'.<sup>9</sup> This report, along with others used in this study, provides a window into Hull prostitutes and the places they frequented. The description 'girls of the town' reveals the many terms used for prostitutes in the period and how they were in some ways accepted as belonging to the town. The inevitability of prostitutes' existence in Hull was to a certain extent accepted for providing a sexual service, including to middle class males who made public their concern about prostitution whilst privately using its services.

Prostitution could also prove a lucrative trade for male and female landlords of lodging houses. Here a room could be hired by the night or by the hour. In some cases prostitutes lived there and took clients back to their rooms. Lodging house-keepers received a percentage of prostitutes' earnings. As lodging houses were often run by women, usually widows, this was a further way women of the poor supported themselves by letting rooms for use by prostitutes. Crime statistics reveal Hull brothel-keepers were typically older females who were illiterate and poor.<sup>10</sup>

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<sup>9</sup> HA, 8<sup>th</sup> May 1819.

<sup>10</sup> HHC, Hull Police Returns of Crime (HPR), C CQB/193, 197, 201, 213, 217 (1839-1845).

Some women did not own the houses but ran them for wealthy male landlords who were profiting from the vice trade. Two women appeared before the Hull Quarter Sessions for keeping a disorderly house. Since the women had been convicted and imprisoned the house had been re-let by the male landlord for the same purpose and he received more rent for those premises than he had derived from other houses in the same place.<sup>11</sup> A bill was later introduced into Parliament making landlords responsible for knowingly letting their premises as a brothel. A scandal was appropriated in Hull as a brothel was found to be owned by M.P. Henry Broadley in Manor Street. A judge recommended that he pull it down as it was falling apart but Broadley failed to do so. When the police entered the property and a window was knocked out he charged the police for repairs. Broadley was a subscriber to the Hull Female Penitentiary and publically sought the moral reform of prostitutes, but privately was making money from owning a house which operated as a brothel.<sup>12</sup> The hypocrisy of middle class men saw them publically condemning vice but secretly using prostitutes to satisfy sexual need or make a profit from.

Increasing prosecutions of landlords and brothel-keepers under the Licensing and Disorderly House Acts provide further evidence of how cleaning up the town of vice became a priority of the authorities and police in nineteenth century Hull. The police were given powers to enter public houses and placed them under surveillance for several weeks to see if prostitution was taking place there. Once enough evidence was gained the police raided the properties and placed those inside under arrest. Female landlords of public houses were prosecuted for keeping a Disorderly Ale House such as

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<sup>11</sup> Hull Times (HT), 23rd October 1858.

<sup>12</sup> Cited in Bernard Foster, *Living and Dying: A Picture of Hull in the Nineteenth Century* (Hull, Abbotsgate Printers, 1984), pp. 139-140.

Susannah Farrah, fined 20 shillings and costs.<sup>13</sup> The police visited at 20 past 12 in the evening and found a man, a soldier and four young women and found in another bed a man and woman both undressed.<sup>14</sup>

Licensing Act Cases from the Hull Magistrates Court minute books bring to life the scenes in Hull public houses in the nineteenth century, as well as demonstrating the surveillance gaze of the police. Alexander Kerstein, landlord of the American Tavern, was prosecuted for harboring prostitutes. Policeman William Ellis described what he had seen on entering the public house:

On Friday night July the 1st I went into the defendant's house at 9.20 pm and went into the Lock room and found 15 prostitutes and a number of young men. They were sat around the room. I know the women as prostitutes. I watched the house until 10.20 pm. I went back in and saw 14 prostitutes in the room. Some of them sat on men's knees. There were a number of seamen. Some of the women were dancing. Some of them were sitting close to the men. I saw them coupling and talking together. The people who frequent the house are sailors and prostitutes, henchmen and the lower people. The women live in the immediate neighbourhood. I have known the house for many years. I saw the landlord and I said "are you aware that these women are prostitutes?" The landlord said, 'how am I to know, it is a neighbourhood of prostitutes. It is difficult to manage. They come in separately'. He was not undertaking to keep order.<sup>15</sup>

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<sup>13</sup> HMC, C DPM/1/72 , 22nd December 1861.

<sup>14</sup> HMC, C DPM/1/72, 27<sup>th</sup> December 1861.

<sup>15</sup> HMC, C DPM/1/118, 12<sup>th</sup> July 1881.

The prosecution of landlords was how the authorities of the law in Hull sought to move into traditional working class cultural spaces, seeking to impose their middle class values. The Hull temperance movement also had similar aims to control the drunken and disorderly behaviour of the working class and undertook their own surveillance and prosecutions of publicans. The higher fines given to landlords of public houses and lodging house keepers were intended to punish and deter. Kerstein was fined £130 as punishment and a future deterrent. George Wardby was prosecuted under the Alehouse Act for ‘faithfully and knowingly permit disorderly conduct in the house Phoenix Tavern’.<sup>16</sup> He was fined £50 and costs. Edward Cozen was arrested for having a Disorderly Beerhouse. The policeman described the scene. ‘There were a number of prostitutes inside and a prostitute and a man in bed upstairs. She had her clothes up. They said they had gone up to do a little sweethearting. There was fighting between prostitutes too’.<sup>17</sup> Cozen was fined £5 and costs which he paid (obviously the proceeds of having prostitutes in the house was lucrative). Landlords continued to turn a blind eye to their public houses being used by prostitutes and continued to benefit financially from their presence, hence the high fines did not necessarily succeed as a deterrent.

A further case tried under the Intoxicating Liquors Act was the prosecution of John Jones, landlord of the Black Swan in Mytongate, accused of permitting prostitution in the backroom. The prostitutes were well known to the police who had the pub under surveillance for a number of weeks.

Prostitutes go in nightly with men. I know them to be prostitutes. They go in the back room with men and down the passage. Bad language was being used. I

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<sup>16</sup> HMC, C CPM/4, 10<sup>th</sup> December 1834.

<sup>17</sup> HMC, C DPM/1/89, 25<sup>th</sup> May 1871.

know a great number of the women. One is called Kate, another Little Annie. One is called Susan; I have known her as a prostitute for some time. I have seen different men with her. She keeps a brothel. The one called Kate lives at 7 Providence Place. I have seen men at different times at number 7. I saw Susan and Polly who live in Finkle Street. Two more, Kate and Lily, live in Robinson Row. Louise lives in Garden Street. I have known all these prostitutes for three months. They go with different men. They are frequently in the pub. I have been to the public house several times. I have always seen a number of prostitutes in the concert room. I said to the landlord 'are you aware that you have been harboring prostitutes?'. He said 'if I am harboring prostitutes I didn't know.'<sup>18</sup>

A witness who lived opposite the pub believed the women to be prostitutes: 'I took the women to be prostitutes from their conduct outside, their language, their behaviour towards men and their dress'.<sup>19</sup> This is a prime example of the importance placed on female dress, conduct and behaviour in public. Women viewed as deviating from proper dress and behaviour were readily accused of being prostitutes. The defence stated that the women 'pushed men about but not indecently'.<sup>20</sup> But any physical contact with men was suspect and women were regularly arrested for 'pulling men about'.

The landlord stated that he had a notice up in the pub that women who were drinking alone could not stay in the pub for longer than 15 minutes. If they were with their husbands they could stay as long as they liked. This case illustrates the double standard of women going into a public house alone suspected of being prostitutes. Indeed many

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<sup>18</sup> HMC, C DPM/1/120, 12<sup>th</sup> December 1881.

<sup>19</sup> HMC, C DPM/1/120, 12<sup>th</sup> December 1881.

<sup>20</sup> HMC, C DPM/1/120, 12<sup>th</sup> December 1881.

public houses in Hull refused entry to women. The landlord's defence stated that he believed the men and the prostitutes to be married couples, despite the fact he had previously been the landlord of the Earl De Grey public house in Castle Street (a public house notorious for its frequenting by prostitutes over the years). He portrayed his public house as regularly visited by respectably married couples - 'To my knowledge a large number of females who come into the house are respectable married women and they come in with their husbands frequently'. The landlord provided a witness, a customer, who stated that - 'I shouldn't take my wife there is I thought there was something wrong'.<sup>21</sup> This also reveals the view of the need to protect women from sexual immorality. Thus a line was drawn between married women seen as respectable and single women who were viewed as disorderly and thus suspected of being prostitutes. Hence women were classified into two distinct groups by their appearance, behaviour, conduct and the places they frequented. This classifying of women by perceived sexual morality is something men were not subjected to.

Public space was also gendered. Men sought control over the spaces of women. The male-dominated public houses that women sought to enter meant risk of loss of sexual reputation. This kept a control on women venturing out of the 'female space' of home, family and neighbourhood. There were growing fears about the increased visibility of young women in public spaces. Women who stepped outside of controlled space and also controlled time (women on the streets at night were particularly suspect) were vulnerable not only to arrest by the police but sometimes suspicion in their own neighbourhood. Although working class culture was public and street based, women had a place within this. Prostitutes were popularly known as 'street-walkers' or 'ladies

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<sup>21</sup> HMC, C DPM/1/120, 12<sup>th</sup> December 1881.

of the night' which signified their space was the street at night in contrast to women of the working class who sought respectability who did not use the streets at night, nor visit public houses. Prostitutes were an accepted part of community life but also separated off from other working class women in some perceptions, although not in reality, sharing their poverty and living spaces.

Concern with the spacial demography of women is evident not only in public houses but in lodging houses too. Young women who lived alone away from their families in lodging houses were suspected by the police of being prostitutes. Lodging houses were seen as 'dens of iniquity' where young women were corrupted and able to freely take men back and stay the night with them. Single women who lived in such circumstances were viewed as not under the male protection of fathers or husbands and a danger to themselves. The police watched lodging houses for their comings and goings; for women regularly taking men back, and continual numbers of men visiting them. Women known to police as prostitutes who frequented or resided at lodging houses was also used as evidence in brothel-keeping prosecutions and prosecutions of prostitutes.

Margaret Rodger was arrested as a disorderly prostitute for taking three men to a house in Chapel Street.<sup>22</sup> Sarah March (known to the police as a 'disorderly prostitute') was arrested for taking men to various lodging houses.<sup>23</sup> Petra Olsen was convicted as a 'suspicious person' for living for three weeks at a brothel.<sup>24</sup> Mary Ann Moody was observed propositioning men and then taking them back to a house in Roper Street.<sup>25</sup>

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<sup>22</sup> HMC, C DPM/1/120, 5<sup>th</sup> December 1881.

<sup>23</sup> HMC, C DPM/1/118, 19<sup>th</sup> April 1881.

<sup>24</sup> HMC, C DPM/1/118, 31<sup>st</sup> March 1881.

<sup>25</sup> HMC, C DPM/2/9, 26<sup>th</sup> September 1891.

The same brothel, 2–4 Roper Street, also appeared in the cases of Ellen Turner, Emma Percy and Mary Ann Taylor, all known prostitutes, who were seen taking men back to the brothel.<sup>26</sup> Hannah Thompson's arresting officer stated to the court that 'she is a common prostitute, I have known her three months and seen her take different men to her home and she frequents a brothel'.<sup>27</sup>

Communal lodging houses were suspicious places for the mixing of the sexes, which meant they were viewed as brothels. Eliza Marshall Crabb was convicted of 'frequently seen taking men to communal houses in Crown Court, Dock Street'.<sup>28</sup> It was the women in the communal houses who were targeted not the men. The targeting of women only is also evident in the case of Margaret Bennet who was arrested in Paragon Street for shouting and making a scene outside of a brothel. She had asked a policeman to get her husband out of the brothel and he had refused. She then assaulted the policeman for which she received 30 days imprisonment.<sup>29</sup> Rather than intervene in individual cases of men entering brothels it was the brothel-keepers and prostitutes the police targeted, especially when the brothel was a scene of crime or of residential complaints. The sexual double standard in the law saw male clients of prostitutes left alone.

Sometimes members of the public complained about the activities of brothels which gave the police reason to enter the properties. This was the basis of the case against Maria Blunkett for keeping a brothel at Numbers 4 and 21 Cooks Buildings. A client had complained he had been robbed of 16 shillings at the brothel. The police placed it

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<sup>26</sup> HMC, C DPM/2/7, 30<sup>th</sup> May 1891 & C DPM/2/10, 28<sup>th</sup> October 1891.

<sup>27</sup> HMC, C DPM/1/120, 26<sup>th</sup> November 1881 & C DPM/2/10, 7<sup>th</sup> December 1891.

<sup>28</sup> HMC, C DPM/2/5, 10<sup>th</sup> January 1891.

<sup>29</sup> HMC, C DPM/2/10, 17<sup>th</sup> November 1891.



under observation and gained evidence that known prostitutes were taking men there regularly. The policeman's statement read – 'five women live in the house, I saw twenty men go in last night. Between 16<sup>th</sup> March and 4<sup>th</sup> April I have seen various prostitutes and men go in. I have heard the brothel keeper order the girls to bed with men and order men out'.<sup>30</sup> Another brothel at 36 Roper Street was the subject of a complaint about children residing there. The children were named as Emily, Edith and Elida Gorman who were the daughters of a prostitute. Policeman James Dray recalled – 'at 8 pm today I went to 36 Roper Street. It is a brothel. I saw three children in bed by themselves. The children are all suffering from the itch. Prostitutes used the house. The mother is a prostitute'. The children were removed from their mother and taken to the workhouse and later Park Avenue Industrial School.<sup>31</sup> For children to be around such 'evils' brought fears that they too would become prostitutes or be used as child prostitutes.

Prosecution for Keeping a Disorderly House in 1801 received sentence at the Hull Quarter Sessions of solitary confinement at Hull Gaol for six months.<sup>32</sup> The sentence for brothel-keeping continued to be harsh throughout the century. The later period saw large fines of up to £50 as well as sentences of hard labour in Hull Gaol. Cases often continued to be tried at the Hull Quarter Sessions which reveals how seriously the offence was viewed. Mary Clark and Sarah Cogan were sent for trial at the Hull Quarter Sessions for keeping a disorderly house in 1861.<sup>33</sup> Agnes Ingles was sent to the Quarter Sessions for keeping a Disorderly House at No. 45 Dock Street in 1871.<sup>34</sup> Husband and

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<sup>30</sup> HMC, C DPM/2/8, 17<sup>th</sup> June 1891.

<sup>31</sup> HMC, C DPM/2/7, 7<sup>th</sup> May 1891.

<sup>32</sup> Hull Quarter Sessions Court (HQS), (Minute Books and Bundles), C CQB/77 Epiphany 1801 & C CQA/2/7.

<sup>33</sup> HMC, C DPM/1/72, 19<sup>th</sup>/20<sup>th</sup> July 1861.

<sup>34</sup> HMC, C DPM/1/90, 18<sup>th</sup> September 1871.

wife Henry and Jane Macker were both sent for trial at Hull Quarter Sessions for keeping a Disorderly House for the purposes of prostitution in 1871.<sup>35</sup> As most women could not afford to pay the heavy fines then a prison sentence was usually invoked. In 1861 four female brothel-keepers were sentenced at Hull Quarter Sessions to between seven and nine months hard labour in Hull Gaol and on release to pay £100 sureties for their good behaviour.<sup>36</sup> Severe punishment of brothel-keepers was part of the backlash against vice and immorality in Hull in this period which saw prostitutes and those who benefited by their trade treated harshly by the Hull courts.

Who were the women who worked a prostitutes in nineteenth century Hull and why did they enter into prostitution? Should these women be seen as victims or strong women who made their own choices? Examination of the records available provides an insight into who they were and the difficult lives they led. The Hull census returns provides information on individual women working as prostitutes, as well as prostitutes in institutions such as Hull Female Penitentiary and Hull Gaol. However, problems of self-definition means this source does not accurately reflect the numbers of prostitutes residing in the town as women did not always describe themselves as prostitutes or brothel keepers. In the 1861 Hull census women openly described themselves as prostitutes. By 1881 the effects of the heavy targeting of prostitution by the police and magistrates had encouraged women to describe themselves by other trades or as boarding house keepers, to sound more respectable. However, female lodgers, living together independently of family in areas associated with prostitution were likely to be working as prostitutes. In the 1881 census the only time women were described as prostitutes was when they were safely confined in an institution such as Hull Gaol, Hull

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<sup>35</sup> HMC, C DPM/1/89, 18<sup>th</sup> May 1871.

<sup>36</sup> HQS, C CQB/279 Michaelmas 1861 & C CQA/2/17.

Lunatic Asylum, Hull Home for Fallen Women and Hull Female Penitentiary.<sup>37</sup> The enumerators saw it as acceptable to describe them as prostitutes as they were undergoing punishment and moral reform for their 'sins'. They were safely under the control of the middle class philanthropists and justices. It was the women left free to ply their trade that caused the most concern amongst Hull's middle class reformers.

Women in prison and institutions of moral reform provide information on prostitutes in nineteenth century Hull. Female inmates of Hull Gaol described as prostitutes provide information on age and marital status. They were mainly young, single women except two who were married and one older prostitute aged 46. The prostitutes at the Hull Female Penitentiary and Hull Home for Fallen Women were very young, some only 15 years of age, which represented the nineteenth century juvenile prostitution problem and the charity's targeting of young girls before they set off on a life of prostitution. Hull Police Returns of arrests of prostitutes also provides information on the ages of the prostitutes. Of 69 prostitutes arrested in 1839, three were under 15 years of age; 58 under 20; 6 under 30; 1 under 40 and 1 above 40 years.<sup>38</sup> This demonstrates that the high point age for prostitutes was the late teens to early twenties. This links to the view of Peter King of a life cycle to crime and prostitution<sup>39</sup>. It was seen as a life stage, a temporary stage in women's lives, the 20s was the high point age for prostitution before marriage and children. However, the life cycle to prostitution ignores the fact that many Hull women, due to poverty and the need to support their families, continued with prostitution after marriage and children, part time around other work or in times of need.

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<sup>37</sup> HHC, HCR 1881, Registration District 521, HM Prison, Hedon Road, RG 12/3925, Hull Borough Lunatic Asylum, RG 11/4771, Hull Female Penitentiary, RG 11/4778, Temporary Home for Fallen Women, RG 11/4773.

<sup>38</sup> HHC, HPR, C CQB/193, 197, 201, 213, 217 (1839-1845).

<sup>39</sup> King, 'Female offenders, work and life-cycle change', pp. 61-90.

The Hull Magistrates and Quarter Sessions courts reveal many (but not all) Hull prostitutes to be young in their teens or their twenties, single and living apart from family. Prostitutes were often young women without family support or who had run away from difficult home circumstances and from poor families who could not afford to support them, and they were forced to leave their poverty-stricken families and be independent. Some were victims of sexual abuse. Girls entering into prostitution often had early sexual experience with a male of a similar social class background; working class views on chastity were not the same as the middle class and early sexual experience was common and not frowned upon. Some of the young prostitutes were orphans. These women and girls had to survive on their own resources.

Sarah Best had run away from home in Kirkby Moor, Yorkshire and was charged by the Hull Magistrates Court with being drunk and disorderly. Her father had found her in the Stagg Inn and had tried to take her home as she was making a great noise. The arresting policeman stated to the court – ‘I know the defendant, she is a common prostitute. I have frequently seen her with soldiers and disorderly characters’. Best was found guilty and sentenced to the treadmill for a month unless she went home with her father.<sup>40</sup> It was believed women required male supervision and control to keep them in order.

The young age of many prostitutes was cause for concern about child prostitution in the later part of the century. The Criminal Law Amendment Act of 1885 gave the Hull police further powers to enter brothels looking for evidence of underage prostitution. Both male and female brothel keepers were prosecuted. William Parke of 9 Chapel Street was convicted under this Act in 1891 as a manager of a brothel with underage

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<sup>40</sup> HMC, C DPM/1/19, 12<sup>th</sup> January 1841.

girls at 9 and 10 Chapel Street and was given 3 months' imprisonment.<sup>41</sup> Emily Elizabeth Yeoman was a child under 14 living at 60 Roper Street (a known brothel) where she was working as child prostitute. She was removed to the workhouse and then to Park Avenue Industrial School for Girls to be taught domestic skills and laundry work to equip her for work suited to her sex and social class.<sup>42</sup> Hull cases illustrate the fears and reality of child prostitution in the period. In 1871 Annie Moran aged 13 was arrested for being drunk and going with a man. In her testimony she said the man had taken her into the public house and plied her with drink before forcing himself on her. She was referred to the Hull Female Penitentiary for her moral reform.<sup>43</sup>

Despite many younger women working as prostitutes, older married prostitutes worked on a part-time basis to earn extra income to support a family, often using their own home to entertain clients. Jane Judd had picked up a man and took him back to her house. However her husband was at home and chased the man away and beat him. The man protested that she had told him she had a house of her own. Both husband and wife were convicted for assault with a longer sentence for Jane Judd for being a 'common prostitute'.<sup>44</sup> Jane Judd's perceived immorality was more punishable than her husband's assault which reveals the sexual double standard inherent in the law.

Sometimes being married meant that a woman accused of being a prostitute was not convicted. Alice Jackson was convicted alongside Rebecca Cochran for being common prostitutes in a brothel. Cochran got 30 days hard labour, but Jackson, who was married,

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<sup>41</sup> HMC, C DPM/2/6, 5<sup>th</sup> February 1891.

<sup>42</sup> HMC, C DPM/2/8, 16<sup>th</sup> July 1891.

<sup>43</sup> HMC, C DPM/1/89, 15<sup>th</sup> May 1871.

<sup>44</sup> HMC, C DPM/1/50, 7<sup>th</sup> November 1851.

had her case dismissed. The policeman witness stated that – ‘she was fighting in Little Queen Street. She keeps a brothel and is a common prostitute. She has been seen in the company of different men. I’ve seen her loitering about. She parades on Saturday nights. I’ve seen her going into brothels with different men.’ Jackson’s defence was that ‘she is a married woman. I have seen her with her husband lots and no other men’.<sup>45</sup> Alice Jackson’s higher status in the court’s eyes as a married woman meant that she was not convicted unlike Cochran. It was felt that as married, her husband would be able to keep her in check and maintain her respectability. Annie Hewitt also had her disorderly prostitute case dismissed on the statement of her defence witness, George Cornell, who stated that ‘she has been living with me as my wife’.<sup>46</sup> Although not formally married the relationship was recognised in court. The important fact was that she was under the care of a male to keep her in order. Without male protection women were suspected of dubious morals. Independent women were viewed as dangerous.

Hull prostitutes lived in cohabiting relationships, such as ‘sailor wives’ who kept home for sailors whilst they were away at sea, which demonstrates how prostitutes provided a social as well as sexual service. The term ‘wife’ had notions of respectability amongst the poor and cohabitation was not frowned upon, unlike middle class ideals of formal marriage. In some cases prostitutes were deserted wives. Emma Coxon was arrested as a drunk and disorderly common prostitute in 1871. Her marital situation was described in court - ‘she is married. Her husband does not want to live with her. I have seen her at all hours with different men. Her language is shocking’. Without the income of her husband Emma Coxon was likely to have been working a prostitute to support herself which was the fate of many women who were left in poverty through widowhood or

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<sup>45</sup> HMC, C DPM/1/119, 16<sup>th</sup> August 1881.

<sup>46</sup> HMC, C DPM/1/119, 4<sup>th</sup> October 1881.

desertion by husbands or, as in Hull, with husbands away at sea.<sup>47</sup> The fact that her husband had deserted her did not help her case; in the court's view her immorality meant that her husband was justified for leaving her.

As well as a lack of family support, unemployment for women in Hull was a factor in prostitution in the town. Women employed in poorly paid trades occasionally turned to part-time prostitution when it was impossible to make a living at these alone. Charing and needleworking were notoriously low paid trades associated with prostitution. In conditions of extreme want when employment was scarce, some women turned to prostitution in order to survive. Servants without a place of service, migrants looking for employment, were all seen as vulnerable to turning to prostitution. Some women became 'professional' prostitutes whose income was wholly derived from prostitution. Not all women in poverty became prostitutes, it often involved social and personal factors too such the birth of illegitimate children or a drink problem, although economic need figured largely in most cases.

The majority of prostitutes in Hull were of the poorest kind. The Hull Police Returns recorded if the women could read or write. Thirty women in 1839 were recorded as being able to read only a little, 18 could write a little but 39 could neither read nor write. A further category of Superior Instruction had no women listed in it.<sup>48</sup> This tells us about poor levels of literacy in this period and that the prostitutes were likely to have come from a poor working class background with high levels of illiteracy.<sup>49</sup> Kathryn

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<sup>47</sup> HMC, C DPM/1/90, 19<sup>th</sup> June 1871.

<sup>48</sup> HHC, HPR, C CQB/193, 197, 201, 213, 217 (1839-1845).

<sup>49</sup> HPR, C CQB/193, 1839.

Gleadle has identified the social class profile of prostitutes as working class.<sup>50</sup> The Hull study has also found from the cases known, that the majority of women before the courts were from the poor and illiterate class being the most vulnerable to poverty. The kept mistresses and high class prostitutes of the wealthy were kept hidden away from view, leaving the poorest streetwalkers to face society's condemnation of prostitution. In the hierarchy of prostitution from the streetwalker to the highly paid courtesan, what these women had in common was an ability to survive on their own resources. Hull prostitutes' clients were mainly from the working class and the sailors who came into port. There were also male clients described as 'gentlemen' in the court records, although middle class sexual encounters with Hull prostitutes were mostly kept secret.

It is difficult to account for the numbers of prostitutes operating in Hull at any one time as women slipped in and out of prostitution on a part-time or seasonal basis when poverty and circumstances dictated. We only have details of women who came to attention of the law. Prostitution in Hull grew as the town and port expanded and the numbers before the Hull courts rose in line with this, although other factors were responsible such as the increasing attack on the trade. A growing population and more ships passing through Hull meant a significant demand for prostitutes. This fed on the increase in women travelling into Hull to seek employment. Most of the women described as prostitutes came from Hull and surrounding areas in Yorkshire and Lincolnshire. With its trading links Hull had a number of German prostitutes along with immigrant Irish women. German Selina Hoffs was arrested for attempting to board a ship and using bad language. A translator was used in court. Hoffs claimed she was

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<sup>50</sup> Gleadle, *British Women in the Nineteenth Century*, pp. 99-100.



letting people know about lodgings in the town and warning them off ‘swindlers’. She was known to the police as a prostitute and subsequently went before the magistrates.<sup>51</sup>

Hull prostitutes were not a breed apart – they were the daughters, wives, mothers and neighbours of the poor. They lived and worked amongst them, suffered the same hardships and spectre of poverty. Prostitutes participated in urban culture as other working class women, they gossiped, pledged, borrowed and fought with their neighbours. There was little to distinguish them from other women trying to eke out an existence. Given the lack of options available to women in the nineteenth century, prostitution could be a rational choice within the makeshift economy of the poorest. Women used agency and practical calculation of which was the best survival strategies to use. Women were not just victims of male sexual abuse and violence, women were survivors in a hostile world and made the best of the opportunities given to them or found their own way in life. Prostitution was just one of the multiple identities of women. Such women were not likely to have felt shame or seen themselves as victims, nor be regarded as fallen or immoral women amongst their neighbours; it was just a way to earn a living, not a degraded life. The poor did not share the middle class code of morality, and some of the middle class secretly did not follow it as the Hull cases show.

The following case studies are of two women in nineteenth century Hull who worked as prostitutes - Honora Day and Amy Jackson. They survive through the records which tells their stories. Honora and Amy’s stories illustrate the difficult lives such women led, facing poverty, lack of justice, prison and violence. Both women appeared regularly before the Hull courts and were well known characters to the police and magistrates. By

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<sup>51</sup> HMC, C DPM/1/72, 19<sup>th</sup> August 1861.

telling their stories it is hoped that it will bring to life the findings from this thesis and provide a clear understanding of what life was like for a prostitute in nineteenth century Hull. It can be debated whether Honora and Amy were victims of their circumstances or strong women making their own choices. They were likely to be both.

Honora Day's story started in 1871 when she appeared at the Hull Magistrates Court three times in as many months. By 1871 Honora was well known to the police and magistrates as she had appeared before them regularly for working as a prostitute and a pickpocket. By her second and third appearance she received lengthy prison sentences of hard labour for being a disorderly prostitute, stopping men or beckoning men. She was arrested in March 1871 for stopping men and received a sentence of 14 days hard labour.<sup>52</sup> She was before the court again in May 1871 for wilful damage of a door in Waterhouse Lane. For this she received a sentence of 50 days hard labour.<sup>53</sup> Up before the court again in December 1871 for stopping men she got 3 months hard labour.<sup>54</sup> Honora is illustrative of the regular appearance of some women before the courts, and as a repeat offender and a prostitute, she was severely punished, viewed by the Hull magistrates as a hardened prostitute unable to be reformed.

1871 saw Honora in the Hull New Borough Prison and House of Correction. She was housed along with 100 other female and male inmates at the prison, including a 3 month old child soon to be removed from his mother once weaned. Her age was given as 27, she was born in Limerick in Ireland in 1844 and she was a widow. Amongst the female prisoners, she was one of a large number of prostitutes, domestic servants, charwomen,

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<sup>52</sup> HMC, C DPM/1/89, 28<sup>th</sup> March 1871.

<sup>53</sup> HMC, C DPM/1/89, 13<sup>th</sup> May 1871.

<sup>54</sup> HMC, C DPM/1/91, 1<sup>st</sup> December 1871.

washerwomen and factory workers, revealing the poorly paid occupations open to women in this period, proving it was often a lack of well-paid employment which drove women to commit offences and enter into prostitution to combat their poverty. Honora listed herself as having no occupation, however, we know from the court records that she regularly worked as a prostitute. Many of the inmates were like Honora born in Ireland representing the Irish population in Hull, of whom many suffered dire poverty.<sup>55</sup>

After serving her prison sentence Honora then appeared before the Magistrates again in April 1872 after pick-pocketing George Soulsby Friskin in Waterhouse Lane at 12.30 am, taking four shillings and threepence. Honora stated that he had given her the money to go with her (she was still working as a prostitute). Honora was sent to prison again for 6 months hard labour.<sup>56</sup> Honora continued working the streets the following year, around the docks of the Old Town where numbers of drunken sailors could be found. In September 1873 Hull Quarter Session minute books reveal Honora had stolen from a foreign seaman called Simon Neilson at Railway Dock (Simon Neilson needed an interpreter in the court). After asking Neilson to go to a house (brothel) with her, he then fell asleep and she took his money. In her defence Honora stated that she was drunk and didn't know what she was doing. In this case, due to the amount involved which was £3 and 13 shillings, she was sent for trial at the next Hull Quarter Sessions which guaranteed her a longer prison sentence.<sup>57</sup>

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<sup>55</sup> HHC, HCR 1871, Registration District 519, Hull New Borough Prison, Hedon Road, RG/4780.

<sup>56</sup> HMC, C DPM/1/91, April 1872.

<sup>57</sup> HQS, C CQA/2/21, September 1873 & C CQB/326.

Honora next comes to light in February 1880 having stolen £1.00 from Samuel Butterworth, a labourer, in Lowgate. Honora had asked Butterworth to go with her and when he refused she had followed him and begged him for money for her four starving children, playing on his sympathies. According to his testimony he took her to a shop in Manor Street and bought her a loaf and some tea. He had put his change in his trouser pocket and she had playfully pulled him about and pulled at his trousers and he had missed his money. Honora was accused of stealing and propositioning Butterworth to go with her to a brothel. She was sent for trial at the Hull Quarter Sessions and received a long custodial sentence.<sup>58</sup> Honora was a prisoner in the 1881 census, housed at a Female Convict Prison in Woking in Surrey. She was 37 years old and described herself as charwoman (a poorly paid occupation associated with part-time prostitution). She was one of 54 women on board the convict ship housed in harsh conditions and put to hard labour. Again the Irish were highly represented as were women from the poorly paid trades of charwomen, dressmakers, laundresses, hawkers and factory workers.<sup>59</sup>

By June 1886 Honora had done her time on the convict ship and was back in Hull and up to her old tricks. In this instance she appeared before the magistrates for stealing a purse containing 1 shilling and 6 pence, one umbrella and one door key from Eliza Page in the Scots Head Public House on Dock Walls. She was arrested at a brothel in Manor Alley. She claimed she was given money to go to Eliza Page's house with a man (claiming that Eliza Page kept the brothel). Due to her reputation and regularity in the courtroom, Honora was sent for further examination and trial at the Hull Quarter Sessions.<sup>60</sup> Honora next appeared in the Hull Magistrate Court records in 1891 after

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<sup>58</sup> HMC, C DPM/1/114, February 1880.

<sup>59</sup> HHC, HCR 1881, Female Convict Prison, Woking, Surrey, RG 11/773 .

<sup>60</sup> HMC, C DPM/1/132, June 1886.

being charged with being drunk for which she received 14 days hard labour. This demonstrates that many women like Honora who experienced poverty and difficult lives turned to drink to escape the misery of their lives, often funded by their prostitution, with the linking of prostitution and drink being evident.<sup>61</sup>

Honora died in 1896 aged 52 years, old for her social class and trade; despite her difficult life she was a tough, hardy survivor.<sup>62</sup> She was likely to have carried on with prostitution and pick-pocketing with little option other than the workhouse open to her. Honora was one of many women going through similar experiences, having to survive poverty and regular spells in prison without the support of family or husband and taking their opportunities when and where they could. These women were forced to live on their wits to get by and were born fighters. Although Honora's life was shocking to middle class eyes, amongst those in the community where she lived she would have been accepted as just another woman who was trying to get by and feed her children in the only possible way she could by selling herself and using opportunist moments to steal what she needed.

A further case study has been undertaken of Amy Jackson who was a known prostitute, married but who was left in poverty by her husband's regular spells in prison. She was also a victim of her husband's physical abuse of her. Amy was born in Edinburgh in 1853. It is unclear when and why she came to Hull but it was probably through seeking work and meeting her husband, William Jackson, who was born in Hull. William Jackson was a general labourer who worked in-between spells in prison for theft and violence. Amy was attacked by Jackson on the 12<sup>th</sup> September 1888 and Jackson was

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<sup>61</sup> HMC, C DPM/2/10, 23<sup>rd</sup> November 1891.

<sup>62</sup> HHC, General Register Office Death Index, Hull, 1896.

arrested for unlawful wounding. A neighbour at 1 Watson's Buildings where the couple lived had stood as a witness, as did the surgeon, Thomas Watson from the Hull Royal Infirmary on Prospect Street, who had stitched up Amy's wounds. Amy had stated to the court that - 'At 11.30 pm I was waiting for my husband returning home when he came in and said he had been looking for me. He got a knife out of the drawer and plunged it into my cheek. I had to go to the Infirmary to get it dressed. I didn't go back to my husband until the 14<sup>th</sup> September. I was apprehensive'. William Jackson was sent for trial at the Hull Quarter Sessions and received a further prison sentence.<sup>63</sup>

Amy was typical of many women who regularly experienced violence from their (often drunken) spouses. Women of the poor often stuck together to help protect each other in these situations. Domestic violence would occur across all classes but was kept more hidden the higher up the social scale. Domestic violence towards wives was widely viewed as a working class problem, as the middle class male was seen as possessing self-control and restraint which the working class male was seen to lack, as has been found by Daniel Grey.<sup>64</sup> Grey also found that the working class female recipient of the violence was judged by the courts for her sexual morality, with women accused of being unfaithful to their husbands given less sympathy, making the violence justifiable.<sup>65</sup>

The census for 1891 revealed that Amy, then aged 38, shared a house with a couple at 9 Passage Street, Hull.<sup>66</sup> It is likely she had one room and the couple another. Shared accommodation amongst the poor in Hull in this period was common, with several

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<sup>63</sup> HQS, C CQA/2/23, 12<sup>th</sup> September 1888 & C CQB/387.

<sup>64</sup> Daniel Grey, 'Importing Gendered Legal Reasoning from England: Wife Murders in Early Colonial India 1805-1857', *Cultural & Social History*, 14:4 (2017) pp. 483-498.

<sup>65</sup> Grey, 'Importing Gendered Legal Reasoning from England', pp. 483-498.

<sup>66</sup> HHC, HCR 1891, Registration District 520, Passage Street, RG 12/3939.

people living in a small terraced house. William was still in Hull prison in the 1891 census aged 39.<sup>67</sup> It is not clear if the couple had any children. There was none living with Amy in Passage Street in 1891.<sup>68</sup> On the 29<sup>th</sup> April 1891 Amy stole a Lion shilling from John Berry of 13 Austin Terrace, Merrick Street, Hull, who was a labourer. John Berry's testimony read – 'At 10.30 pm on the 20<sup>th</sup> April I met her at the corner of Great Passage Street and Myton Place. She asked me to treat her. I went home with her and gave her a shilling to get some beer with. She got beer and returned and then sat on my knee. Whilst sat on my knee I felt a snatch at my watch guard and in consequence missed a Lion shilling. She denied it. She passed it to another woman in the house'. Amy had a witness for her defence, a client named Theodore Kelwig (a foreign seaman) who said he was with her between 9.30 pm to 10.30 pm at Peter Wilson's Boarding House on Nile Street (a brothel). Despite this Amy received a sentence of 30 days hard labour at Hull Prison. She was punished for her immorality as well as the actual theft.<sup>69</sup>

By September 1891 William and Amy were both out of prison and lived in Watson's Buildings, North Church Side, a poor working class district of the Old Town. Amy regularly appeared before the Hull Magistrates Court on charges of prostitution, theft and pickpocketing. In this she was often accompanied by her husband and another male criminal. Amy was used as a decoy to attract men so they could be robbed and beaten for their money and possessions. Amy and William Jackson stood accused of stealing a purse and £6 12 shillings from Thomas Bunton, a master mariner of Cogan Street. Thomas Bunton's testimony read – 'At 12.15 am on Tuesday 6<sup>th</sup> September 1891 on the Park Street Bridge, Anlaby Road, I saw the prisoner and went into a garden with her

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<sup>67</sup> HHC, HCR 1891, HM Prison, Hedon Road, RG 12/3925.

<sup>68</sup> HHC, HCR 1891, Passage Street, RG 12/3939.

<sup>69</sup> HQS, C CQA/2/23, 29<sup>th</sup> April 1891 & C CQB/398.

and gave her 2 shillings. Then she said that someone was coming and ran off. I couldn't see anyone and I missed my purse. I followed her and asked for my purse back. Then William Jackson came up and pushed me and said for me to leave the woman alone. She then passed my purse to William Jackson (without me seeing it). I went away and got a policeman'. William and Amy were sent for trial at the next Hull Quarter Sessions Court. Both were illiterate, only being able to make their mark in court and not being able to sign their name.<sup>70</sup> This case is unusual as the male of higher social standing reported the crime although he had gone with a prostitute, something which many men tried to keep quiet. It was found that in cases of theft of their money or possessions, men would be more likely to report cases to the police.

Another case involving Amy is illustrative of the use of brothels by prostitutes, often with the aim of robbing their clients whilst they slept. Amy was accused of stealing a silver Geneva watch belonging to Arthur Charles Simpson of 71 Woodcock Street. His testimony read – 'On Monument Bridge at 11.45 pm on Thursday 14<sup>th</sup> July 1892 Amy Jackson asked me to go with her. I had some conversation with her and went to Queen's Dock Side and through a passage into Manor Alley. She knocked on a (brothel) door and asked for a bed and went inside and I walked away. She then followed me and said why did I run away? I said it was because I wouldn't go into that house and was going home. She put her hand toward my right hand near my pocket and I pulled her hand out of my pocket. She said someone was coming but I couldn't see anyone and she hurried away down the passage. I then missed my pocket watch'.<sup>71</sup> A witness was prostitute Ada Cook of 5 Bolton's Square, Manor Alley whose statement read – 'I answered the front door to the prisoner and she asked if she could have a bed. I said I would go and

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<sup>70</sup> HQS, C CQA/2/23, 6<sup>th</sup> September 1891 & C CQB/399.

<sup>71</sup> HQS, C CQB/403, 14<sup>th</sup> July 1892.



ask the Mrs (brothel keeper). In consequence of what she said I shut the door and the prisoner left in the company of the prosecutor. I have known the prisoner by sight for 12 months'. Amy stated that – 'I am entirely innocent of the charge. I was never out on the Wednesday and Thursday night of Beverley race week. I had been out in the afternoon and then was seeking a furnished room and I met a few friends and I got a little drunk. I was in bed at 9 o'clock'. (Beverley races was popular with prostitutes where there would be lots of men and opportunities to pickpocket). Again Amy was sent for trial at the Hull Quarter Sessions and received a custodial sentence.<sup>72</sup>

The connection with public houses, drink and prostitution is also evident in Amy's case. Like Honora, Amy was often before the courts for drunkenness, using drink as an escape. Amy was accused, along with a man called Martin O'Neale, of stealing one diamond scarf pin from Frederick Proctor at 11.45 pm on 14<sup>th</sup> November 1893.

Frederick Proctor was a blacksmith of 89 Argyle Street. He stated in his testimony – 'I was approached by Amy Jackson who put her arms around me on Corporation Field near St Stephen's Street. I then missed a gold pin set with four diamonds from my neck tie. I followed her to the Boy Barrell public house on Dagger Lane. Then a male accomplice (O'Neale) came up when I complained and assaulted me'. Amy Jackson was living down the passage opposite the Boy Barrell public house so this was likely to have been a regular haunt of hers. Amy received a lengthy custodial sentence at the Hull Quarter Sessions as a seasoned offender.<sup>73</sup>

It is not known how long Amy continued to work as a prostitute and thief. She was certainly active into her forties. Honora and Amy demonstrate that not all prostitutes

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<sup>72</sup> HQS, C CQB/403, 14<sup>th</sup> July 1892.

<sup>73</sup> HQS, C CQB/408, 14<sup>th</sup> November 1893 & C CQA/2/24.

were young women and some women stayed working as prostitutes as long as possible; this would have been a way of life to Amy and Honora and their only source of income. Amy died in 1925 when she was 72 years old.<sup>74</sup> Like Honora, Amy was a survivor and used prostitution and theft to eke out an existence in a world which had little to offer her in terms of comfort or security. She was hardened to the lifestyle and took its risks of violence as a matter of course. It was likely she met her final days in poverty in the workhouse when she could no longer make a living from prostitution. It is not clear what happened to her husband William but it is most likely he continued in his life of violence and crime with regular spells in prison and a similar fate in the workhouse.

The two case studies demonstrate the poverty-stricken lives of women in this period with no safety net of social welfare, who sought to survive by whichever means open to them. For Honora and Amy and many more, this meant a life of prostitution and theft; once on this path it would be difficult to leave and find other employment. This could be their choice to earn their livings this way, although it is unclear how far the threat of violence in Amy's case from her husband made her continue to bring in money this way, and many women subject to male violence were not in control of their own lives.

What were the public views and reaction to prostitution in nineteenth century Hull which shaped the social responses? This study will uncover perceptions, judgements and views held on prostitution by local clergy, rescue and charity workers, the medical profession, as well as the wider Hull public. In contrast to how prostitutes were part of the local working class community and generally accepted as part of life, Hull middle class views ranged from outrage and condemnation, philanthropic desire for moral

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<sup>74</sup> HHC, General Register Office Death Index, Hull, 1925.

reform, and some sympathy for their plight. The harshest critics condemned prostitutes as evil seductresses, the more sympathetic sentimentalised prostitutes as seduced victims. Views on prostitution in Hull are identified through examination of various local sources. Local newspapers provide a wealth of information on crime, prostitution, social conditions and charities in Hull. Letters and diaries of individuals, including those written to newspapers, reveal the public's views on prostitution in nineteenth century Hull. Hull evangelical clergy's sermons provide an insight into concern about the morality of the townspeople and advice to avoid both drink and loose women.

In nineteenth century Hull prostitution was regarded as a social problem in line with what was happening nationally. There were fears about high levels of prostitution in towns and cities. Prostitution was seen as posing a threat to the social order, the family and health of the nation. A number of discourses developed around prostitution and explanations ranged from love of fineries, idleness, insatiable sexual appetite, and feeble-mindedness. Evangelicals condemned prostitution as a great evil in society to be banished. Prostitutes were viewed as social outcasts, corrupting the nation's morals and infecting society with disease.<sup>75</sup> Social concerns about prostitution ensured it was the focus of media attention in anti-vice campaigns, such as the Pall Mall Gazette's '*Maiden Tribute to Modern Babylon*' in 1885 which investigated young girls sold for prostitution.<sup>76</sup> Growing concern about prostitution was a major factor in the rising numbers of women of the poor before the Hull courts on charges of sexual immorality.

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<sup>75</sup> Bartley, *Prostitution: Prevention and Reform*, pp. 3, 14.

<sup>76</sup> Greta Wendelin, 'The Prostitute's Voice in the Public Eye: Police Tactics of Security and Discipline within Victorian Journalism', *Communication and Critical/Cultural Studies*, 7:1 (2010), pp. 53-69 & Trevor Fisher, 'Josephine Butler: Feminism's Neglected Pioneer', *History Today*, 46:6 (June 1996), pp. 32-38.

More rational views began to emerge in medicine around the treatment of sexual diseases and regulation of the trade. Scientific and statistical studies of prostitution were undertaken from the mid-nineteenth century, such as Dr William Acton's work on prostitution and journalist Henry Mayhew's investigation into London prostitutes. Acton published his work on prostitution in 1857, which was a medical view of regulation later to become law in the Contagious Disease Acts. Acton saw prostitution as a necessary evil and that regulation by the State was the best way forward. He recognised that poverty and low wages led women into prostitution and that they should be treated humanely and kept free from disease.<sup>77</sup> However, the Contagious Diseases Acts saw women forced into Lock Hospitals for invasive treatment. Middle class feminists joined forces with working class women and took up the cause of the 'frail sisterhood' in agitation against the Acts and the sexual double standard which saw only women targeted not men. These campaigns saw women condemned for discussing sex and immorality, subjects viewed as unsuitable for women.<sup>78</sup>

As well as being figures of hate, the subjects of social investigation and medical intervention, prostitutes were also objects of pity. Fallen women were sentimentally represented in art and literature of the period as tragic figures, such as in pre-Raphaelite art and by popular authors such as Charles Dickens. Dickens also founded a home for fallen women, whilst hypocritically having an extra-marital affair with a teenage actress

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<sup>77</sup> William Acton, *Prostitution Considered in its Moral, Social and Sanitary Aspects* (London, John Churchill & Sons, 1857), pp. 20-21 & Henry Mayhew, *London Labour the London Poor, Vol. 4*, (London, Griffin 1850), pp. 35-272.

<sup>78</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 44, 105, 253 & Fisher, 'Josephine Butler', pp. 32-38.

Ellen Ternan.<sup>79</sup> The sexual double standard saw men, whose standards fell below what was expected of women, expunging their guilt through their philanthropy.

With the influence of published works on prostitution more towns were following suit and undertaking their own social investigations, often led by the local press. Hull was part of this initiative and prostitution become widely debated, written and reported on in the town. The Hull press took an increased interest in the lives of the poor from the mid-nineteenth century and various social surveys were taken of the poorer districts of the town, as well as crime and court proceedings reported daily. Publications such as *The Third Port Magazine* published articles on prostitution in Hull.<sup>80</sup> These articles reveal the popular concern about vice in the town, intending to bring it to public attention.

Local newspapers also sought to police public decency. Newspapers had a large role in presenting prostitution to the wider public. Some of the more radical newspaper editors, such as the enlightened Edward Collins of the *Hull Advertiser*, sought not to just condemn immoral behavior, but bring to the attention of their middle class readers how desperately the poor lived.<sup>81</sup> Collins represented the nineteenth century philanthropic initiative in leading the way in undertaking investigation into the lives of the Hull poor to encourage social reform. This involved regularly reporting on the work of local charities for women and publishing their annual reports in the aim of encouraging financial support. Support for moral reform over prison and punishment was a view that was starting to take hold in nineteenth century Hull. The view that women should not

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<sup>79</sup> Hartley, *Charles Dickens and the House of Fallen Women*, pp. 1-287.

<sup>80</sup> *The Third Port: A Fortnightly Political, Social and Literary Journal*, No. 1 (Hull, Michael Waller, April 1877) & *The Third Port: A Fortnightly Political, Social and Literary Journal*, No. 5 (Hull, Michael Waller, July 1877).

<sup>81</sup> HA, 1<sup>st</sup> February 1850.

just be placed in prison but helped to lead better lives in the future was beginning to create some influence. Hence there were two sides to the same coin; the middle class social conscience who wanted to help, but also who were shocked by and sought to punish female sexual immorality. There was a complexity to the social responses, the middle class voice was not an uncaring voice but we can hear the distaste in it too.

Newspapers published letters from concerned Hull residents at the extent of vice and immorality in the town. Dr Sandwich wrote about the ‘centres of misery’ to describe the poorer working districts in the town, seen as riddled with immorality.<sup>82</sup> Andy Croll has discussed the numerous letters sent to the local newspaper in Merthyr about the social problems in the town, acting as a sounding board for concerned citizens to demand action by the police and authorities.<sup>83</sup> Letters to the Hull press show the willingness of middle class residents to play an active role in the surveillance of working class areas, as well the local newspapers undertaking their own surveillance projects. It was a way local knowledge on disorderly behaviour in the town could be passed on and made aware of. The working class became watched and observed by the middle class, their behavior and lives dissected and discussed whilst the middle class secret lives were kept closely hidden behind closed doors. Thus one of the major social responses to prostitution in the nineteenth century was the response of the middle class who ventured out of their homes and into the working class districts and spaces to observe and survey. This new willingness to go out into the districts of the poor included middle class women who were influenced by rising feminism in the period and sought to investigate how their poorer sisters were living. This saw middle class women tackling taboo subjects such as sex and prostitution, previously closed off to them.

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<sup>82</sup> HA, 12<sup>th</sup> November 1847.

<sup>83</sup> Croll, *Street Disorder, Surveillance and Shame*, pp. 250-268.

Clergyman's wife Louise Phillips published the results of her own investigation into prostitution and sexual immorality amongst the female working class in late nineteenth century Hull. By visiting factories, theatres, music halls and lodging houses, Phillips sought to uncover how working class girls were living. Although sympathetic, Phillips presented her readers with the shock value of the scenes she described in her desire to open eyes to social action: 'to live in the heart of a city with eyes to see and ears to hear means a revelation of appalling wickedness'.<sup>84</sup> 'Here there are girls in the teens, twenties and weary eyed women, each intent upon selling herself to the highest bidder.'<sup>85</sup> 'The streets of Hull become an open scandal as night advances and it is increasingly imperative that evasion of the law should be made less easy'.<sup>86</sup> Phillips advocated moral reform – 'how many strayed souls might have kept the right road, had some good and wise friend been at hand to guide at the crucial point when the wandered stood at the crossways'.<sup>87</sup> Phillips' views are representative of her class and religious influences; a mixture of horror and sympathy. She wanted to help but also was shocked and outraged. Phillips recognised the economic links to prostitution, stating that:

How much the low state of wages, insufficient to live upon when there is no other source of income has to do with the sad immorality amongst the young girls of Hull. I have heard of one such girl advising another that she should supplement her income by selling her honour. I have been wondering how many

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<sup>84</sup> Louise K Phillips, *The Ragged Edge: Being Glimpses of Real Life in Hull* (Hull, Island & Co. Ltd, 1908), in Malet Lambert Local History Reprint Extra Volume, 48 (1983).

<sup>85</sup> Phillips, *The Ragged Edge*, p. 30.

<sup>86</sup> Phillips, *The Ragged Edge*, p.34.

<sup>87</sup> Phillips, *The Ragged Edge*, p. 40.

others look upon the ruin of their bodies and souls simply as a business arrangement to enable them to live.<sup>88</sup>

Hence there was some recognition by the middle class observers of the period that economic circumstances played a part in some women's decision to enter into prostitution and that women could not be wholly blamed for their 'sin'. Just as middle class women sought to encourage working class housewives in their care of their home and children, young women of the working class were also urged to protect their morality. Other local writers sought changes in the law. Hull solicitor Frederick Spink applauded what the Criminal Law Amendment Act had done for the protection of women and girls in Hull with the closure of brothels and disreputable landlords who were put out of business.<sup>89</sup> The Act saw more protection for under-age girls working as prostitutes in Hull. Middle class observers (both male and female) sought improvement to the lives of women of the poor, rather than just condemn them as immoral women.

As well as the voice of reform, a condemnatory and judgemental view of prostitution was evident in Hull. Early outrage included in 1808 the *Hull Advertiser* protesting against prostitutes at the Hull theatres 'bothering respectable theatre goers'.<sup>90</sup> Since the late eighteenth century the press had been reporting on local brothels. In 1797 the *Hull Advertiser* reported the case of blacksmith James Naggs and his wife Ann for keeping a disorderly house in Sculcoates. Each were sentenced to a solitary cell in the House of Correction for one month and also placed in the pillory at George Street - 'This day a

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<sup>88</sup> Phillips, *The Ragged Edge*, p. 73.

<sup>89</sup> Frederick W Spink, *Handbook for The Criminal Law Amendment Act, together with an epitome of the old law on the subject* (Hull, J R Tutin, 1885), pp. 1-12.

<sup>90</sup> HA, 17<sup>th</sup> December 1808.



man and a woman stood in the pillory in George Street, convicted of keeping a house for the ruin of youth and the destruction of public morals in this town'.<sup>91</sup> The very public punishment of the pillory declared that immorality was punishable by ritual humiliation and should be avoided. Brothel-keepers were held up by the press as examples of immorality in the town. The *Hull Rockingham* reported on Elizabeth Clark whom they called 'a well-known character in this town', committed to the House of Correction for keeping a disorderly house in Spencer Street.<sup>92</sup> Reporting of prostitution and brothel-keeping reveals that concern was starting to grow over vice and immorality in Hull from the late eighteenth century, influenced by the growth of evangelicalism. The Hull press both reflected the concerns of the middle class public and encouraged and influenced the formation of views through their reports into court cases as well as more positively assisting charities for fallen women by encouraging their support.

The reporting on cases of sexual immorality reached a crescendo in the mid-nineteenth century. The *Hull Packet* made a feature in 1871 of the '*The Haunts of Vice in Hull*' which reported on a notorious area for brothels - Cooks Buildings, the location of many arrests of prostitutes and brothel keepers.<sup>93</sup> The 1860s and 1870s saw regular reports in the Hull press on the brothels in the town to both shock and titillate readers. Sensational cases included the *Hull Packet* report on a '*Fatal Accident in a Hull Brothel*'. This was the inquest of a pensioner who had died the previous afternoon in the Hull General Infirmary from injuries received after falling down a staircase at a brothel. He was 76 years old and a pensioner in the Royal Artillery in which he had served 21 years. He was addicted to drink and often intoxicated. He received 29 shillings pension money

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<sup>91</sup> HA, 13<sup>th</sup> May 1797.

<sup>92</sup> Hull Rockingham (HR), 29<sup>th</sup> June 1816.

<sup>93</sup> Hull Packet (HP), 28<sup>th</sup> July 1871.

and had set off that morning to collect his pension money. Elizabeth Fenton was a young woman living in Trundle Street (an area of prostitution). She had met him at the Tiger Inn at 3 pm where he had bought her drinks. According to her testimony he went home with her and a friend and had tea. He then got up to go out the room and fell downstairs. She said he was very drunk and also carried on drinking at her apartments. She was 20 years of age and lived in Sheffield before coming to Hull a year previously. She had stated that she did not take any money from him only what he paid for in drink. The press reported that her apartments was a brothel and that she and her friend were prostitutes.<sup>94</sup> The shock value increased in that the old man had spent time in the company of prostitutes. The *Hull Advertiser* also reported on the death of a seaman in a local brothel where he had fallen from a window whilst drunk. The prostitutes were under suspicion of causing his death.<sup>95</sup> These and other cases were used by the Hull press to emphasise the problem of vice in the town and that it should be addressed.

Hull newspapers took on the role of moral guardians of their readership, warning of the repercussions of immorality. With high levels of illiteracy and poverty in Hull the local newspapers were mainly read by the middle class. The sensationalised reporting was designed not only to heighten fears about the immoral women polluting the town, but also to entertain and titillate readers. Andy Croll has also discussed that reports of misbehavior, immorality and incidents of public drunkenness saw many readers buying the papers for the purpose of devouring the goings on in the courts for entertainment value.<sup>96</sup> The middle class moral disapproval hid their voyeuristic interest.

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<sup>94</sup> HP, 6<sup>th</sup> March 1868.

<sup>95</sup> HA, 24<sup>th</sup> August 1832.

<sup>96</sup> Croll, 'Street Disorder, Surveillance and Shame', pp. 250-268.

Hull newspapers particularly concentrated on women's appearance, manner, and language in their courtroom appearances. The *Hull Advertiser* presented the following case as a moral outrage:

Dreadful Depravity – on Tuesday a scene occurred in the police court which sickened and disgusted all who witnessed it. Two wretched girls, who carry on their infamous practices in Leadenhall Square, were placed at the bar on a charge of being drunk and conducting themselves in the public streets in the most obscene and disgusting manner. The girls, when before the magistrates, appeared not to have the least vestige of shame. They were both young, and one of them was good looking, despite her dirty finery and the paint in which her face was besmeared. They appeared half intoxicated and their heads, shoulder and bosoms were without the least coverage. They seemed to view the proceedings with a listless indifference, and it was not until the sentence of a month's imprisonment had been passed upon them, that they were at all aroused. No sooner had this sentence been delivered, however, than they started up, danced, laughed and shouted with frenzied vehemence, and gave expression to the most horrid imprecations that could be uttered. They gave gestures so sickening and disgusting that all seemed to breathe more freely when they had left the court. Surely something might be done to purify the dens of infamy where whole hordes of such wretched live?<sup>97</sup>

Reporting style, language and stereotyping provides a window on social attitudes towards prostitution - 'wanton conduct' described a group of working class women out

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<sup>97</sup> HA, 8<sup>th</sup> September 1843.

on the town.<sup>98</sup> Newspapers hinted at prostitution through their language - ‘unhappy women’, or ‘nymphs of the pave’ or ‘girls of the town’.<sup>99</sup> This was indirect language so as not to shock the sensibilities of middle class readers, but designed to leave them in no doubt that immorality was in abundance in Hull. The *Hull Advertiser* reported on ‘two girls of bad character, Ellen Adams, and Bathsheba Balderson, both sentenced to a month of the treadmill for being disorderly on the Hedon New Road and enticing a number of young boys for a bad purpose, into a hayloft, which they had occupied for several days’.<sup>100</sup> The language was cleverly censored to inform on their activities without actually referring to the women as prostitutes, using more delicately phrased ‘girls of bad character’ which left the reader in no doubt what these women were, placing the blame for disorder in the town on the shoulders of prostitutes.

The press used popular discourses such as the ‘love of finery’ to explain prostitution:

Fanny Lambert, a nymph of the pave, rather good looking but dressed in a garb more suited to mid-summers’ sun than an October’s blast was placed at the bar, charged with being incapably drunk in Mytongate at half past two that morning. The soiled paper bonnet bedecked with dingy roses and drabbed garments of the prisoner bore testimony to the strength of her potations and the truth of the policeman’s statement.<sup>101</sup>

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<sup>98</sup> HP, 16<sup>th</sup> June 1854.

<sup>99</sup> HA, 28<sup>th</sup> October 1842.

<sup>100</sup> HA, 22<sup>nd</sup> July 1842.

<sup>101</sup> HA, 28<sup>th</sup> October 1842.

This was covert language to describe a prostitute. A 'nymph of the pave' indicated she was of the streets (prostitution was assigned a space), along with description of her appearance as bedraggled, which seeks to make the point that prostitution did not lead to finery but unkemptness and poverty. The sexual double standard saw female dress commented on in the press whereas male appearance was not. Women's dress and behaviour placed them under suspicion of being a prostitute. The *Hull Advertiser* reported in 1851 of 'a number of women dressed in bloomers who attracted considerable observation, and in Lowgate were pulled about a good deal by a number of boys who were congregated together'.<sup>102</sup> Women dressed in an unusual way such as the 'bloomers' or who were not sufficiently covered were deemed to be of suspect morals.

The Hull press continued to report on the seedier side of life in Hull to shock and activate the social conscience of their readers. The editor of the *Hull Critic*, Richard Cooke, made a regular feature of reporting on prostitution under the headline of '*Haunts of Vice*'. This included reports on brothels in the town, described as 'reeking with infamous filthiness'.<sup>103</sup> Cooke painted a graphic scene:

We enter one of the houses and see a dirty old man with limbs as crooked as his heart and mind. For many years he had got a living from the prostitution of women and the illicit sale of drink. There are several females in the room, some young and some middle aged but all with dissipation and vice plainly indicated in their soddened features. They are the lowest of the low, against whom some of the unfortunates of the town appear as angels of light. The language of one

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<sup>102</sup> HA, 7<sup>th</sup> November 1851.

<sup>103</sup> (Ed.) Richard Cooke, *The Hull and East Riding Critic: A Satirical and Independent Journal*, Volume 6, 27<sup>th</sup> February 1886 (Hull, Printing Works), p. 5.

young woman is most horrible. She is known as Saucy Poll on account of her vile tongue. Every sentence she uses is a disgrace to her sex. Dozens of young misguided sailors go to this area after a long voyages and are made intoxicated, fleeced of their hard earned money, assaulted and turned out on the street.<sup>104</sup>

This description of ‘young, misguided sailors’, sought to make the point that young men needed to beware of, and be protected from, women of the poor - laying the blame squarely at the feet of women.

The message that young men must be protected from the bad influences of women was a regular theme in Hull publications. In 1872 the *Whitefriargate Papers* published a letter which condemned working class women for corrupting the morals of young middle class men.<sup>105</sup> Working class women were referred to as prostitutes because of their dress and behavior.<sup>106</sup> The emphasis on the working class girl as sexually immoral and corrupting young men reveals the sexual double standard and class divide with no mention of men’s sexual behavior and use of prostitutes. This was a contradiction in itself as young men were also encouraged to ‘sow their wild oats’ before settling down to marriage and family. As middle class girls were not to be ‘soiled’ which would make them unmarriageable, this left working class girls (often servants in middle class households as revealed in the Hull bastardy cases) the object of middle class males’ sexual gratification. The *Young Man’s Companion*: ‘a serial for ‘the promotion of the moral, intellectual and the good’, also expressed concern for young males with advice to

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<sup>104</sup> (Ed.) Richard Cooke, *The Hull and East Riding Critic: A Satirical and Independent Journal*, Volume 1, May 1883 (Hull, Printing Works), p. 5.

<sup>105</sup> *The Whitefriargate Papers*, Number 7 (Hull, M Harland & Son, May 1872), p. 129.

<sup>106</sup> *The Whitefriargate Papers*, Number 10 (Hull, M Harland & Son, July 1872), pp. 166-168.

avoid prostitutes in Hull. The concern over the morality of youth was found in advice manuals aimed at both young men and girls to promote religion and moral guidance.<sup>107</sup> In 1816 the *Hull Rockingham* was reporting in moral outrage on the new dance the waltz which it called an ‘obscene display confined to prostitutes and adultresses’.<sup>108</sup>

The Hull evangelical clergy regularly published moralizing sermons on themes such as prostitution and illegitimacy.<sup>109</sup> Addresses were given to sailors at the Hull Mariners Church, where they were directed to avoid being led astray by prostitutes whilst on shore leave.<sup>110</sup> The concern was for the protection of young men from what was seen as dangerous female sexuality, not the danger of male sexual aggression which young women experienced. The fear was that prostitution discouraged marriage in young men. The sexual double standard also saw concern and anxiety over the increasing freedom of young women, working and living independently. Female challenges to male dominance in urban spaces and the public domain created repercussions for women.

Concerns over prostitution was also found in Hull literary life. The popular theme of the fallen woman on the road to ruin was found in a number of poems written in Hull in the

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<sup>107</sup> *The Young Men’s Companion: A Serial for the Promotion of the Moral and Intellectual and the Good*, 1:1 (Hull, J B Dimbleby, April 1851) & Archbishop of Cambray, *Instructions for the Education of A Daughter*, Second Edition (Hull, J Ferraby, 1810), & *The Weeping Mother: Showing the Sorrowful Mother’s Complaint of a Bad and Wicked Daughter, A chap-book* (Hull, J Ferraby, undated).

<sup>108</sup> HR, 27<sup>th</sup> July 1816.

<sup>109</sup> Rev. John Scott, *The Fatal Consequences of Licentiousness, A Sermon Occasioned by the Trial of a Young Woman for the Alleged Murder of Her Illegitimate Child* (Hull, John Hutchinson, 1810), pp. 1-24.

<sup>110</sup> Rev. J Robinson, *Address to Seamen: The Seamen’s Manual of Religious Instruction and Devotions Comprising Practical Observations on Passages of Scriptures and Prayers for Seamen’s Families* (Hull, 1836), pp. 137-142.

nineteenth century such as *'The Ruined Female'* and *'Emma The Forsaken'*.<sup>111</sup> The *'Outcast Mother'* was a tale of a girl and her illegitimate baby, who took both their lives by jumping in the river.<sup>112</sup> *'Poor Meg, Lost and Found'* was a happier story in which a prostitute listened to a Christmas sermon in a church where she has sought shelter and became converted to religion and returned home to her parents; she was 'saved'.<sup>113</sup>

These poems sought to convey a message to their readership, warning about the fate of the 'wronged' woman whose fallen state led to degradation, social ostracism and eventual death. The prostitute was both an object of pity but also held up as an example of the consequence of uncontrolled female sexuality. That death and destruction was the result of female sexual immorality was meant as a cautionary tale to young women. The 'wrong and right path' or 'good and bad women' was common language used in the period by the courts and social observers. Its use serves to illustrate the point how women were judged on perceptions about their respectability and sexual immorality. None of the poems addressed the role of men but all the consequences fell on women; it was women who paid for sexual 'sin' and it is women who bore the burden of lost reputation and ostracism from society. Literary works were published with the help of local men and women's subscriptions, reflecting the concern about prostitution in Hull amongst the middle class which extended to the cultural life in the town.

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<sup>111</sup> Thomas Wray, *Poems on Various Subjects*, 'The Ruined Female' (Beverley, M Turner, 1813), p. 109, & Charles Frost, *The Kingston Literary Wreath: A Quarterly Magazine of the Belles Lettres*, 1:1, 'Emma The Forsaken' (Hull, M C Peck, July 1838).

<sup>112</sup> William Borsefield, *A Small Selection of Poems*, 'The Outcast Mother' (Hull, privately published, 1886), pp. 26-27.

<sup>113</sup> J Duncan Richardson, *Poor Meg, Lost and Found with other sketches in Prose and Verse* (Hull, W G Page, 1890), pp. 1-5.



Growing concern over prostitution saw it become placed in the hands of the police and the magistrates. This study of Hull reveals how prostitution was policed in the nineteenth century small town. The call for the repression of prostitution saw the development in Hull of two parallel regimes of regulating prostitution - the law and philanthropy. A major response to prostitution was increased police presence on the streets of Hull. The Hull police force were not of the middle class it served, but part of the tier of upper working class who knew well the working class areas and people, but sought to uphold middle class values. The police answered to the local justices and public voice of concern and sought to keep public spaces free of disorderly behaviour. The police sought control over public space in the town, venturing where prostitutes and criminals could be found in the heart of the working class communities, public houses, lodging houses and docklands. They had knowledge of women living and working in the area, often over many years, which provided evidence for prosecutions. Patrolling the streets, following women's movements; the police were the agents of social control.

The freedom of movement of women became under threat; women were under surveillance like never before. Working class street life in Hull saw a new presence of the policeman, watching and waiting and ready to make arrests of those who stepped out of line. Croll discusses that surveillance was focused more on some social groups than others, a fact borne out in nineteenth century Hull with the law targeting women of the poor.<sup>114</sup> It was the women who were most visible on the streets – streetwalkers or ‘common prostitutes’, the poorest of the poor, who were the targets of law and order, not the kept mistresses or high class prostitutes of the wealthy. These women were the

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<sup>114</sup> Croll, ‘Street Disorder, Surveillance and Shame’, pp. 250-268.

most vulnerable - to poverty, crime, violence, and to arrest. The policing of public morality reproduced class and gendered ideologies to discipline working class women.

Hull Police Returns of arrests reveal that targeting of prostitutes was a priority of the Hull police in the nineteenth century. They provide information on the numbers, activities and whereabouts of local prostitutes and brothel keepers. Available for 1839, 1841 and 1845, the statistics kept by the police display the numbers of prostitutes taken into custody for those years. In 1839 69 prostitutes were taken into custody for disorderly behaviour, of which 27 were discharged by the magistrates and 42 convicted.<sup>115</sup> The following years see a steady increase in arrests of prostitutes. This rise coincided with increasing numbers of women before the courts on charges related to prostitution. Police courtroom testimony that the women were known to them as prostitutes was essential evidence in court and affected the severity of the sentence. Police witness statements provide detail on policing practice in the working class areas of the town as well as insights into the activities of prostitutes, the places they frequented, their relationships in the local community and with the police itself.

Arrests and convictions of women for prostitution rested on police judgements of their behaviour, appearance or character. Not all women who worked as prostitutes were arrested, but women who were believed by the police to be prostitutes were. Women were either arrested by the police for being known to them as a prostitute (in which case they were watched and confronted regularly by the police for their activities) or were suspected of being a prostitute. Arrests were not all based on evidence but assumption and personal opinion of the police. The police were influential witnesses, especially if they had known the women a number of years; this meant that the women were labelled

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<sup>115</sup> HHC, HPR, C CQB/193, 197, 201, 213, 217 (1839-1845).

‘common prostitutes’ by the court. Tactics of the police was to patrol particular locations (Hull’s geography of prostitution) looking for recognisable women and women on the streets creating disturbances or acting in a ‘sexual’ manner. Women in the company of known prostitutes or thieves were viewed as the same and convicted by association. The police watched working class women for signs of prostitution. They targeted women on the streets at night, in undesirable company, in public houses, using foul language, dressing provocatively; all seen as markers of prostitution.

Elizabeth Baxter received 14 days hard labour as a Suspicious Person, which usually meant either a thief or a prostitute (as in her case).<sup>116</sup> Suspicious Person was a common tool used to arrest women; their behaviour was suspicious either by stopping men or talking to them or generally being seen with different men was reason enough. Women seen in the company of men, especially sailors or soldiers, included Anna Shultz (a German immigrant) who was observed stopping and talking to men on Waterhouse Lane. She was arrested and received a sentence of 14 days hard labour for being a suspected prostitute.<sup>117</sup> Annie Revell was seen out with three different men and was convicted on asking a man to ‘go with her for a short time’.<sup>118</sup> Mary Ann Brooks was arrested for talking to six sailors in Waterhouse Lane.<sup>119</sup> Annie Brooks was arrested for being a suspicion person as she had been seen out with men for the past 4 weeks.<sup>120</sup> Annie Keycourt, Mary Ann Lunghie, Alice Atkins, Mary Layley , Elizabeth Lock and Allegra McWilliams were arrested as suspected prostitutes for being seen out with

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<sup>116</sup> HMC, C DPM/1/89, 6<sup>th</sup> June 1871.

<sup>117</sup> HMC, C DPM/1/89, 21<sup>st</sup> January 1871.

<sup>118</sup> HMC, C DPM/1/118, 23<sup>rd</sup> May 1881.

<sup>119</sup> HMC, C DPM/2/6, 30<sup>th</sup> March 1891.

<sup>120</sup> HMC, C DPM/1/117, 9<sup>th</sup> March 1881.

different men.<sup>121</sup> Jane Brady and Mary Jewitt were suspected of being prostitutes and fined 15 shillings for stopping and talking to men.<sup>122</sup> Women were expected to fulfil their domestic roles at home, not frequent the streets, talking to men.

It was not just who women spoke to but what they said. As well as women being arrested for swearing (the charge of Profane Language), a sexual element to language meant women faced being arrested as prostitutes for using ‘filthy’ language that women who were regarded as decent would not use. Jane Gladwin was arrested for talking ‘very dirty and having lads about her’ in 1871.<sup>123</sup> Margaret Sutton was convicted for ‘being drunk and disorderly and talking debauchery’ in 1861.<sup>124</sup> As well as watching the behaviour of working class women, the police also listened in to their conversations and sought to control female voices in the public sphere.

Women had to visibly demonstrate respectability through their appearance and behavior in public. Behaviour not in keeping with ‘respectable’ women was reason for arrest by the police, especially women acting in high spirits with men, fooling about and horseplay. Mary High and Rose Knott were arrested for ‘pulling men about’.<sup>125</sup> Elizabeth Oughton was arrested for running after foreign sailors.<sup>126</sup> Mary Hales for ‘grabbing hold of a man and not letting him go’.<sup>127</sup> Bridget Toolar was arrested for ‘throwing herself’ at men (she was later convicted for begging, revealing the poverty

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<sup>121</sup> HMC, C DPM/1/118, 21<sup>st</sup> March 1881.

<sup>122</sup> HMC, C DPM/1/119, 1<sup>st</sup> August 1881.

<sup>123</sup> HMC, C DPM/1/90, 11<sup>th</sup> September 1871.

<sup>124</sup> HMC, C DPM/1/72, 17<sup>th</sup> October 1861.

<sup>125</sup> HMC, C DPM/1/118, 16<sup>th</sup> April 1881.

<sup>126</sup> HMC, C DPM/1/89, 7<sup>th</sup> June 1871.

<sup>127</sup> HMC, C DPM/1/72, 27<sup>th</sup> November 1861.

these women faced and how prostitution was used to combat this).<sup>128</sup> Clothes in disarray and display of the female body was also reason for arrest and included women who dressed in a certain way which was viewed as enticing to men and immoral. Mary Mooney was arrested for lifting up her clothes ‘in a very indecent manner’.<sup>129</sup> Mary Puthelight was arrested for lifting her skirts up.<sup>130</sup> Jesse Walton was laid down on Dock Side. Women being laid down on the flags was seen as sexually inviting.<sup>131</sup> Women had to be careful of their behaviour in public. Open display of sexuality or high spirits with the opposite sex, however innocent, placed them under suspicion of being prostitutes.<sup>132</sup>

On a night in January 1841 three women were arrested in Castle Street for being disorderly. The policeman stated – ‘I was on duty last night in Castle Street when I found the prisoners very disorderly and fighting. They were making a great disturbance. They are common prostitutes’.<sup>133</sup> The women received 14 days hard labour at the House of Correction. Making a disturbance was a common reason why prostitutes were arrested, for being drunk, shouting or fighting. Mary Merrick and Isabella Wright were arrested for fighting, making a great disturbance - ‘they are common prostitutes’ (the real reason they were arrested).<sup>134</sup> Mary Merrick (a regular before the courts from 1841 to 1851) was also arrested for ‘being disorderly and wanting to go to the Star Inn’.<sup>135</sup>

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<sup>128</sup> HMC, C DPM/2/10, 20<sup>th</sup> November 1891.

<sup>129</sup> HMC, C DPM/1/90, 1<sup>st</sup> August 1871.

<sup>130</sup> HMC, C DPM/1/118, 4<sup>th</sup> July 1881.

<sup>131</sup> HMC, C DPM/1/19, 1<sup>st</sup> January 1841.

<sup>132</sup> HMC, C DPM/1/72, 14<sup>th</sup> May 1861.

<sup>133</sup> HMC, C DPM/1/19, 1<sup>st</sup> January 1841.

<sup>134</sup> HMC, C DPM/1/19, 22<sup>nd</sup> January 1841.

<sup>135</sup> HMC, C DPM/1/20, 19<sup>th</sup> February 1841.

Women making a public show or disturbance were arrested. Concern was over keeping the streets free for respectable people to take their leisure, not witnessing immorality.

Police evidence reveals where prostitutes took their clients, places where the police knew to watch for prostitution presence such as the back alleys and courts in the old town. Jane North was convicted of propositioning men in Woods Lane. The arresting officer stated that – ‘I saw her with several men. She took a man to a doorway and had connection with him. She is a prostitute’.<sup>136</sup> Teenagers Mary Grainger and Sarah Fletcher (both of whom had been in Hull only six weeks) came out of a passage with men known to be thieves and of bad character. This instantly labelled them in the police’s eyes as also being of bad character and working as prostitutes (conviction by association).<sup>137</sup> The police watched where people congregated and where prostitutes and thieves were found such as local theatres and music halls. Mary Alice Johnson and Ellie Johnson were part of a gang of thieves, along with John Wolf, at the Queen’s Theatre where the girls attracted and then pickpocketed men.<sup>138</sup> Association with male thieves meant women were suspected of being prostitutes as there was often a connection between them. Women known to the Hull police as both prostitutes and thieves were placed under extra surveillance to keep an eye on their comings and goings.

The connection between prostitution, theft and pickpocketing is evident in the Hull Magistrates Court minute books with prostitutes prosecuted for thefts from their clients. The Hull courts sought to protect men from theft by prostitutes. Some men sought to bring cases of theft to the courts, accusing prostitutes of robbing them of their money or

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<sup>136</sup> HMC, C DPM/2/7, 2<sup>nd</sup> May 1891.

<sup>137</sup> HMC, C DPM/1/23, 15<sup>th</sup> November 1841.

<sup>138</sup> HMC, C DPM/1/49, 3<sup>rd</sup> April 1851.

possessions after spending the night with them. In these cases the men were not judged for going with a prostitute but had the sympathy of the court for being fleeced by them. Once again it was the women who were condemned, and the courts sought justice for the males. Some embarrassed married clients would fail to report theft by a prostitute, especially those of higher social standing who did not want to make their dalliances with prostitutes public. Women stole money, watches and jewellery which they could sell or pawn. Mary Ann Barker was seen going down a dark alley with a man and stole from him and was committed for trial at the Hull Quarter Sessions.<sup>139</sup> The value of the watch she had stolen meant it was classed as a more serious offence. Many prostitutes were known to the police as pickpockets such as Jane Robinson who was apprehended going into a dark alley with a man. The policeman said him ‘have you lost any money?’ Robinson said ‘there hasn’t been time for that yet’.<sup>140</sup> Prostitutes, who lived day to day dependent on how many men they could attract, earned an extra bit of money this way.

Hull prostitutes robbed their drunken clients, taking advantage of their intoxicated state to fleece them of their money and possessions. Jane Snell was accused by Thomas Parker of stealing his money. He saw her in Manor Street (an area of prostitution in Hull) and went home with her and she subsequently robbed him. He missed his money in the morning and he saw her later in a public house where she had a ‘cask of ale and a pint of gin’. He believed this was bought with his money.<sup>141</sup> Prostitutes benefited from drunken men fresh from the public house who were not in a fit state to be aware of what was happening to them. Prostitutes waited for men coming out of the public houses, such as Sarah Ann Green who was convicted for ‘trying to force a man to go home with

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<sup>139</sup> HMC, C DPM/1/21, 18<sup>th</sup> May 1841.

<sup>140</sup> HMC, C DPM/1/21, 26<sup>th</sup> May 1841.

<sup>141</sup> HMC, C DPM/1/15, 14<sup>th</sup> January 1841.

her in Bishop Lane. He was drunk. She is a common prostitute'. She got 14 days hard labour even though no act had taken place.<sup>142</sup> Pickpocket prostitutes targeted drunken men for easy pickings, such as Maria Waudby who stole a pocket watch and a purse from Rob Parker, whilst he was drunk in the Jolly Sailor public house.<sup>143</sup> Mary Taylor and Erin Hopkin appeared before the magistrates for 'dodging about and waiting for men who were drunk' at the Bluebell and Black Horse public houses.<sup>144</sup>

Thefts also took place in brothels. Drunken sailor Andrew Forris accused Ellen Wilson of theft at a brothel she had taken him to - 'I went to a house in Finkle Street with a prostitute. I was in liquor. I went to bed with her. I was asleep and she left after taking my money and watch out of my pocket'. The female lodging house keeper was brought as a witness. Ann Sharp stated that - 'I keep a House 21 Finkle Street. They went upstairs. She gave me 6 shilling and rum. Both were drunk. She afterwards rushed away and he awoke complaining of the loss of his watch'. A further witness stated 'I live in Finkle Street, the young woman took a watch and gave it to a young man and they ran away'. The girl was working alongside a male thief.<sup>145</sup> Many cases follow a similar theme where women took men to brothels and stole their money whilst they slept.

Some women were part of a partnership with a male lover such as Margaret Ingle and sailor Joseph Gawford, accused of taking a man's money after she had slept with him.<sup>146</sup> John Owen robbed men as Mary Halen talked to them at the King William Ale

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<sup>142</sup> HMC, C DPM/1/72, 14<sup>th</sup> September 1861.

<sup>143</sup> HMC, C DPM/1/20, 3<sup>rd</sup> February 1841.

<sup>144</sup> HMC, C DPM/1/20, 20<sup>th</sup> April 1841.

<sup>145</sup> HMC, C DPM/1/49, 29<sup>th</sup> July 1851.

<sup>146</sup> HMC, C DPM/1/50, 22<sup>nd</sup> November 1851.



house. Halen was known to the police as a prostitute.<sup>147</sup> Mary Reynolds was part of a gang of male thieves and prostitutes as the Victoria public house where there was music and a crowd to pickpocket.<sup>148</sup> Prostitutes lured drunken men to dark courts and alleys, or to brothels to deliver them straight into the hands of thieves who stole their valuables. Prostitute Kate Hurst took a man to a house where John Kelly and George Hurst waited. The victim's testimony read - 'the woman took me to a house where Kelly struck me off the chair to the floor. Hurst put his knife to my throat until blood came, and the woman cut my pocket containing 15 shillings'.<sup>149</sup> As with the case of Amy Jackson, some women were subject to male violence and control and forced into these roles.

The police sought to break up alliances between prostitutes and thieves, and also maintain public order. The Hull Magistrates Court minute books refer to women who came to the attention of the police for their public disturbance. Prostitute Ellen Johnson was arrested for climbing on the top of a public house and shouting obscenities to passers-by for which she received 3 months hard labour.<sup>150</sup> The police also acted on complaints from the public. Alice Courtney was arrested for propositioning men in Waterhouse Lane, attracting complaints, and received a sentence of 7 days hard labour.<sup>151</sup> The police could offer warnings before arrest was made. Priscilla Parker, who was propositioning men in Osborne Street, was previously warned by a police officer before arresting her.<sup>152</sup> Anna Richardson was arrested as she 'would not go away'.<sup>153</sup>

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<sup>147</sup> HMC, C DPM/1/50, 25<sup>th</sup> November 1851.

<sup>148</sup> HMC, C DPM/1/72, 27<sup>th</sup> November 1861.

<sup>149</sup> HMC, C DPM/2/9, 9<sup>th</sup> September 1891.

<sup>150</sup> HMC, C DPM/1/72, 14<sup>th</sup> December 1861.

<sup>151</sup> HMC, C DPM/2/10, 9<sup>th</sup> November 1891.

<sup>152</sup> HMC, C DPM/2/7, 1<sup>st</sup> June 1891.

<sup>153</sup> HMC, C DPM/1/72, 14<sup>th</sup> December 1861.

This indicates that the police had given her opportunity to leave and not be arrested.

These cases reveal that to a degree the police would leave prostitutes alone if they were not a nuisance in public. Prostitutes who weren't drunk, laid on the flags obstructing the footpath, fighting, shouting and making a disturbance, being disorderly, escaped police attention. It was the public nature of prostitution rather than the private transaction which offended. The police sought to protect the public and main streets from disorder.

The Hull police got to know the local prostitutes, such as Emma Chapman whose arresting officer called her 'the biggest blackguard in Waterhouse Lane' and that he had known her for a number of years.<sup>154</sup> Good relationships between the police and prostitutes could also go well for the women in court. Annie Manger was arrested for being drunk and disorderly. Her arresting officer stated to the court that she had been seen in the past with different men, but that he had not seen her with anyone for the past few months. Annie Manger was regarded by the justices as reformed and received a smaller sentence of a fine of five shillings instead of the usual prison sentence.<sup>155</sup>

Police officers sometimes faced physical violence from the prostitutes when they tried to arrest them. Mary Alson, arrested for being a drunk and disorderly prostitute, received another 35 days hard labour on top of her sentence of 30 days hard labour for 'kicking at the officer and pulling his whiskers in custody several times'.<sup>156</sup> Ann McMillan, arrested for stopping men and being a common prostitute, received an extra 30 days hard labour for spitting in the police officer's face.<sup>157</sup> Mary Ann Doyle was

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<sup>154</sup> HMC, C DPM/2/10, 9<sup>th</sup> November 1891.

<sup>155</sup> HMC, C DPM/1/91, 13<sup>th</sup> December 1871.

<sup>156</sup> HMC, C DPM/1/90, 27<sup>th</sup> October 1871.

<sup>157</sup> HMC, C DPM/1/90, 19<sup>th</sup> August 1871.

convicted for an assault on the arresting officer in Waterhouse Lane and got an extra 7 days hard labour.<sup>158</sup> Bridget Lyons, given 30 days hard labour for being a disorderly prostitute, received a further two months hard labour for assaulting an officer in custody.<sup>159</sup> Policeman William Robinson was struck by a shovel wielded by prostitute Clarissa Bloomingfield at the Hull Female Penitentiary where she was resident. Witness Mary Ann Aitken stated - 'I am matron of the Penitentiary. The prisoner is an inmate. She behaved in a wanton manner yesterday'. William Robinson testified - 'I was called up the Penitentiary. She picked up a shovel and struck me. I then told her I must take her into custody and she struck me on the finger and hid a while'. Bloomingfield was sentenced to 4 days hard labour for the assault.<sup>160</sup> The extra sentences given for assaults on police officers reveals the demand of respect of the police by the Hull magistrates.

Women's violence toward the police was also a symptom of their frustration at their loss of freedom to come and go as they pleased in the town due to the police surveillance of them. However cases show that women sought to challenge the control over their behaviour by the police. Women were not just passive victims of the heavy police surveillance of their activities, they actively defied and found ways of continuing their way of life either through violence towards the police, or their surveillance of the police. Croll discusses that the surveillance gaze of the police could be inverted with the police becoming under surveillance themselves.<sup>161</sup> This has also been found in the Hull study with women arrested as lookouts for criminal gangs, or women working in pairs with one watching for the police. Women sought to challenge the police presence in

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<sup>158</sup> HMC, C DPM/1/50, 8<sup>th</sup> November 1851.

<sup>159</sup> HMC, DPM/1/118, 18<sup>th</sup> May 1881.

<sup>160</sup> HMC, DPM/1/89, 6<sup>th</sup> January 1871.

<sup>161</sup> Croll, 'Street Disorder, Surveillance and Shame', pp. 250-268.

their lives by means of being one step ahead of the police. They moved around and watched out for each other which reveals some solidarity in the trade. By working collectively they warned each other of police presence in the area and avoided arrest. Hence in this respect the police were not only the observers but also the observed.

As in wider society the law operated on a sexual double standard. Women were arrested and accused of being prostitutes for behaviour seen as normal and accepted in men. Men were able to come and go on the streets and visit public houses without suspicion hanging over them. As well as facing police harassment on the streets of the town, women experienced a courtroom ordeal and a gendered law which increasingly sought the punishment of their sexuality. Throughout the nineteenth century increasing numbers of women went before the Hull courts for perceived sexual immorality. Prosecutions of women for offences associated with prostitution has been found to be the fourth largest category of female offence before the Hull Magistrates Court and Hull Quarter Sessions Court, following drunkenness, assault and petty theft. The strong national trend towards the condemnation of prostitution in the mid-nineteenth century saw a rise in prosecutions of prostitution in Hull from the 1840s to 1870s (shown in Figure 21) peaking in 1871, which also reveals the wider influence of the Contagious Diseases Act of 1864, although not applied in Hull itself.

The most common offence in this category was Drunk and Disorderly Prostitute which reflects the fact that both drunkenness and prostitution were regarded as the two great social evils in the mid-nineteenth century. Drunk and Disorderly Prostitute offences peaked to 1871 at the height of the Temperance Movement when 81 prostitutes were convicted for being drunk and disorderly (see Appendix 4). The connection between drink and prostitution, seen in the prosecution of landlords of public houses for

harboring prostitutes, saw many prostitutes convicted for drink offences including fighting whilst intoxicated. Women who sought refuge in drink from their difficult lives often turned to prostitution to help fund their habit. Women who were found on the streets in a drunken state were also under suspicion of being prostitutes. Elizabeth Newmarch was arrested and charged as being drunk and disorderly and ‘making a great noise in Blankett Row; I took her to be a common prostitute’.<sup>162</sup> This statement reveals how drunk and disorderly behaviour of women was associated with loose morals.

Another main category of arrest was Disorderly Prostitute. Convictions for being disorderly covered a wide range of behavior, however adding in a sexual element to female disorderly behavior ensured women were treated particularly harshly. Ellen Gorman received a sentence of 14 days hard labour for ‘behaving in a very indecent manner, making water on the footpath’.<sup>163</sup> Sexualised behaviour and exposure of body parts and functions meant punishment by the courts for immorality. Sarah Williams was convicted for being ‘nearly naked in a yard’.<sup>164</sup> Her state of undress meant suspicion she was a prostitute. Figure 21 shows that by 1891 previous categories of prostitution offences fell, including Drunk and Disorderly Prostitute, whilst Stopping Men rose as the majority offence for arrest of prostitutes. As social concerns changed, drunkenness peaked and fell as new offences took over. There was a change in terminology and language but with the same aim of arresting women working as prostitutes.

Figure 22 shows the various offences Hull prostitutes were convicted under. Prostitution on its own was not an offence and other means had to be found to get conviction and

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<sup>162</sup> HMC, C DPM/1/19, 1st January 1841.

<sup>163</sup> HMC, C DPM/2/6, 6<sup>th</sup> January 1891.

<sup>164</sup> HMC, C DPM/1/72 12<sup>th</sup> June 1861.

prostitutes off the streets. Prostitutes were prosecuted on a number of chargeable offences with the hidden crime being prostitution. The law now made it easier and more acceptable to openly target sexual immorality. Prostitution was tagged onto other offences such as drunkenness, disorderly, felony, wilful damage, assault, fighting or (under the Street Acts) obstructing the footpath, stopping men, being a nuisance. These offences usually resulted in a small fine, the exceptions being prison sentences awarded to women who were known as prostitutes. This was added to the charge - 'drunk and disorderly common prostitute', 'prostitute fighting', 'felony by a prostitute' were some of the charges given to women. The label 'common prostitute' was made part of the crime although it often had nothing to do with the offence itself. This was the way the justices got around the law. Women were thus doubly condemned, both for the crime itself, and for being a prostitute. Lucia Zedner's work on gender and crime and the theory of 'double deviance' has been found to be the case in Hull with women additionally punished for their sexual immorality, not just for the crime itself.<sup>165</sup>

In 1881 Hull prostitutes were convicted under the following categories - Suspicious Behavior (22), Disorderly (52), Found in a Brothel (5), Drunk & Disorderly (36), Keeping a Disorderly House (1), Stopping men (12). Examples from the Hull Magistrate Court minute books included Ameila Butterworth and Hannah Clayton arrested and imprisoned for being 'very disorderly in Bowlalley Lane and making a noise; they are prostitutes' (the important adage).<sup>166</sup> Elizabeth Watson was 'making a great row in Leadenhall Square; she is a prostitute'.<sup>167</sup> By adding that the women were known to the police as prostitutes ensured the courtroom knew what the women were

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<sup>165</sup> Zedner, *Women, Crime and Custody in Victorian England*, pp. 75.

<sup>166</sup> HMC, C DPM/1/20, 1<sup>st</sup> March 1841.

<sup>167</sup> HMC, C DPM/1/20, 1<sup>st</sup> March 1841.

really on trial for and they were suitably punished for their immorality. In these examples and others, the women were committed for one month's hard labour; the usual sentence for these offences was a fine. The hidden crime of female sexual immorality was the element that made sure they were severely punished.

Hardening attitudes towards prostitution was reflected in a number of laws used to control vice in towns and cities in the nineteenth century. Old legislation such as Vagrancy Acts were joined by new legislation such as the Street Acts which covered a range of offences. The Street Acts were used to convict prostitutes such as Mary Wright who appeared before the Hull Quarter Sessions in 1851 for 'unlawfully did behave in a riotous and indecent manner in a certain public street there situate and for being a common prostitute' (the real reason for her prosecution was being a prostitute). She was imprisoned to hard labour in the House of Correction.<sup>168</sup>

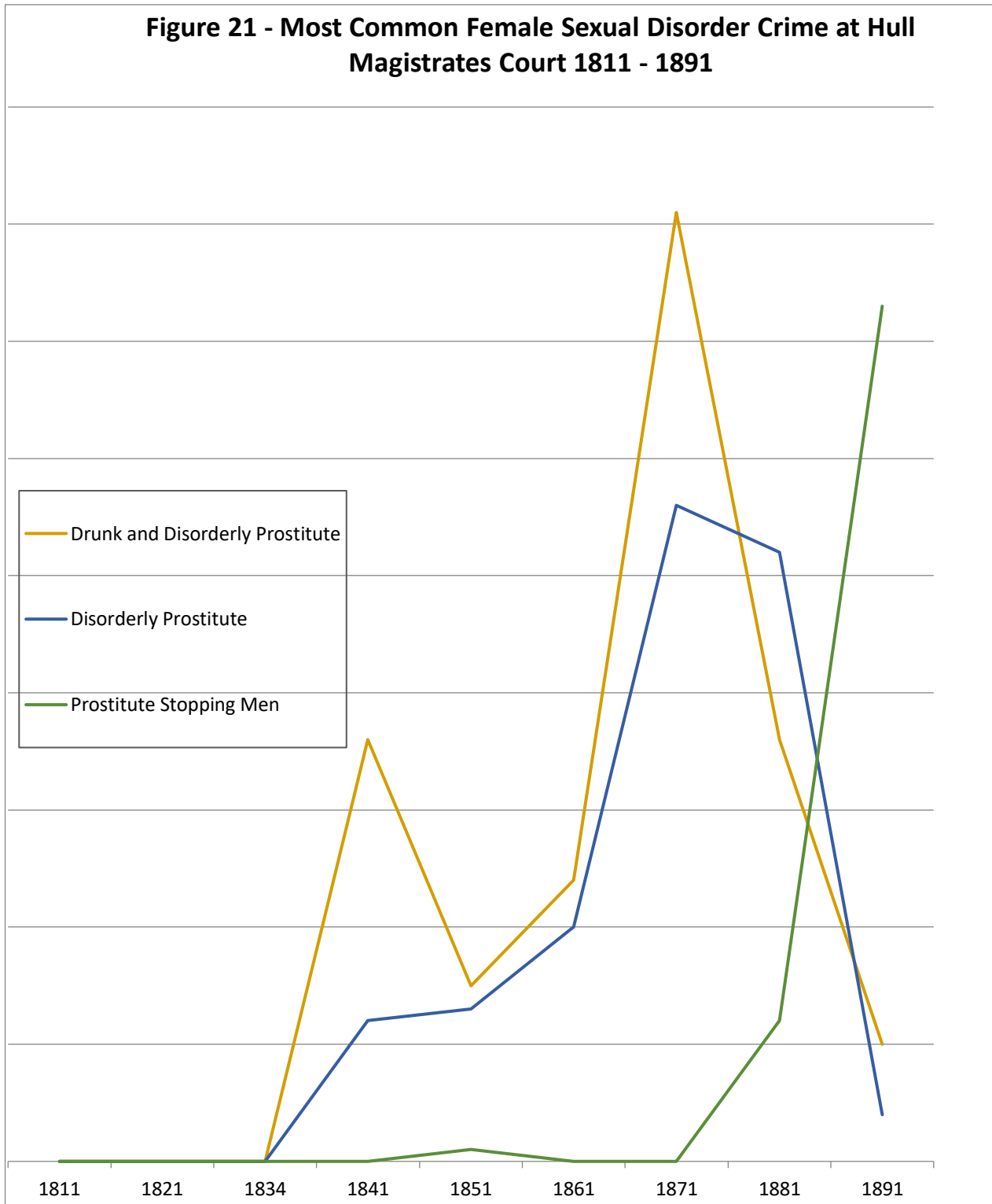
Behaving in a 'riotous and indecent manner' in the public street was used to arrest prostitutes for shouting, fighting, making a disturbance or using bad language. Emma Gill was convicted of 'behaving in a riotous and indecent manner in Waterhouse Lane'. She had been turned out of the Moon public house for fighting with the landlord. She had returned and used 'disgusting' language. The policeman's stated that- 'I know her to be a prostitute. I have seen her propositioning men'. Gill was sent to prison for 14 days on being unable to pay her fine of 10 shillings plus costs.<sup>169</sup> Caroline Glossop was convicted for being drunk and disorderly in Myton Street, shouting and brawling and being a common prostitute. 'She was behaving in a riotous and indecent manner. She

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<sup>168</sup> HQS, C CQB/237, Easter 1851.

<sup>169</sup> HMC, C DPM/2/6, 5<sup>th</sup> March 1891.

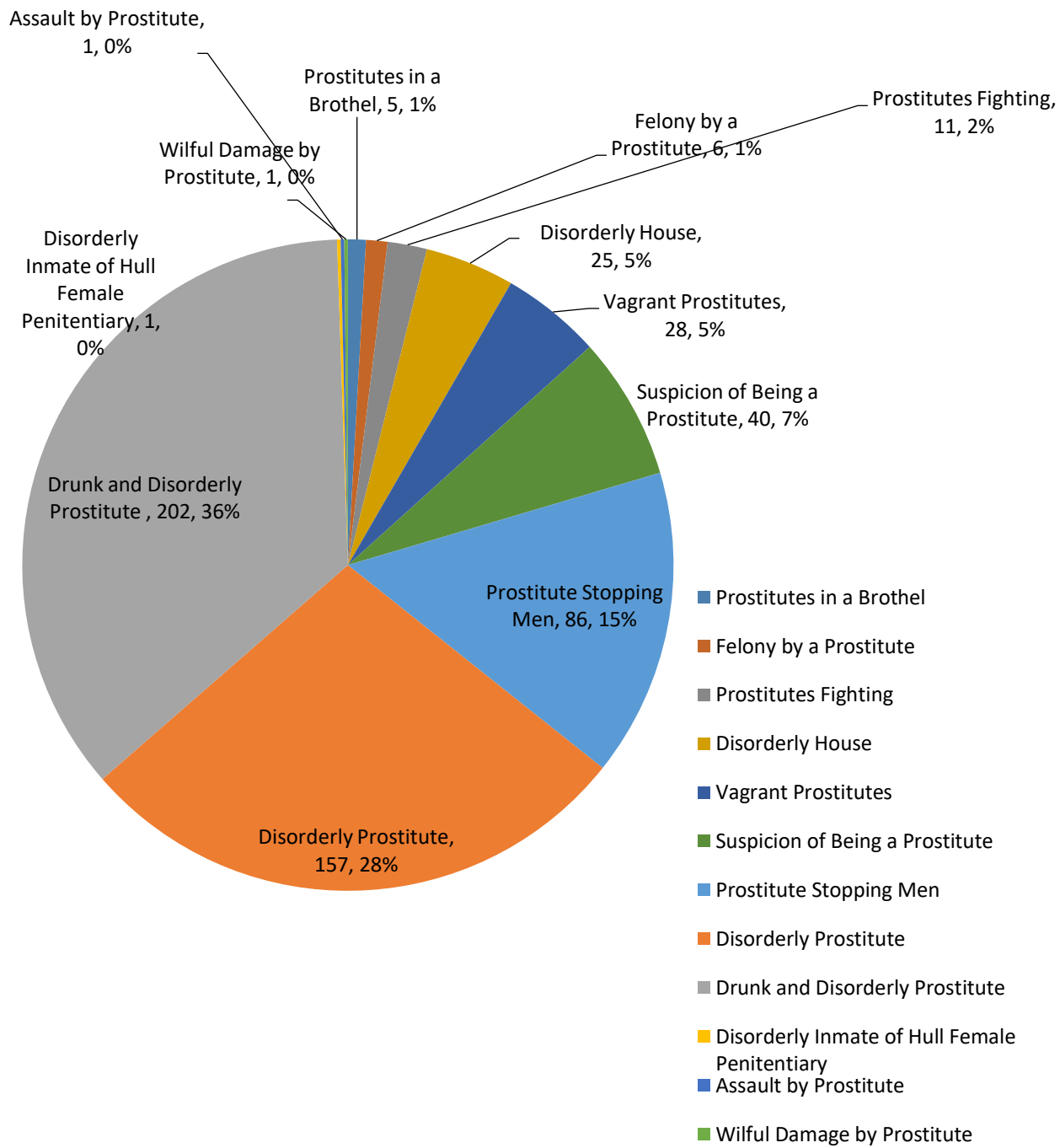
threw herself down and exposed her legs and wanted to fight'. She was fined £2 for her perceived immorality in exposing her body, and on failure to pay 30 days in prison.<sup>170</sup>



<sup>170</sup> HMC, C DPM/2/6, 16<sup>th</sup> March 1891.



**Figure 22 - Female Sexual Disorder Crimes at Hull Magistrates Court 1811 - 1891**



Lavinia Gray, a regular before the courts, was convicted for behaving in a riotous and indecent manner, quarrelling with everyone she met and pulling up her clothes (exposure of the body was seen as particularly immoral).<sup>171</sup> Gray next appeared before the court for ‘behaving in a riotous manner and being a common prostitute’. She had shouted at a man and told him to ‘go to his bloody rotten wife’.<sup>172</sup> She was fined £2 and again being unable to pay, 30 days hard labour. By her third conviction for shouting and brawling and being ‘an idle and disorderly person’ she received a sentence of 2 months hard labour.<sup>173</sup> The heavy sentencing was aimed at discouraging female sexual immorality and the curbing of the free will of women to act and speak as they wished, as well as controlling the public spaces and streets in the town.

The Vagrancy Acts were traditionally used by the Hull justices to rid the town of prostitutes and other social undesirables. Women who frequented the streets at night and ‘could not give a good account of themselves’ were either labelled lunatics and sent to the Hull Asylum or accused of being street-walking prostitutes and imprisoned in the House of Correction for 7 days hard labour (the common sentence for both vagrancy and prostitution). Women in the gendered space of the street at night were treated with suspicion as disorderly, immoral women in association with men and bad company.

In 1824 Elizabeth Dixon was apprehended by Constable Henry Lee for ‘wandering in the market place of Hull being a common prostitute, night walker and not giving a good account of herself’. She received 14 days hard labour in the House of Correction.<sup>174</sup>

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<sup>171</sup> HMC, C DPM/2/7, 23<sup>rd</sup> April 1891.

<sup>172</sup> HMC, C DPM/2/9, 3<sup>rd</sup> September 1891.

<sup>173</sup> HMC, C DPM/2/9, 9<sup>th</sup> October 1891.

<sup>174</sup> HMC, C CPM/3, 30<sup>th</sup> April 1824.

Elizabeth Hartley was arrested for 'wandering in a disorderly manner in the street after midnight'.<sup>175</sup> Vagrant Eliza Dawson was drunk on the flags at 2 am and was described as of 'bad character' and was committed for 7 days.<sup>176</sup> Ellen McGregor was arrested for being a Vagrant Prostitute and committed for a month's hard labour.<sup>177</sup> Emma Richardson received a sentence of 3 months hard labour for being a Vagrant Prostitute with a previous conviction for vagrancy.<sup>178</sup> Mary Butcher was arrested for 'wandering about with no home, of being a common prostitute and a pickpocket'.<sup>179</sup> Elizabeth McIntrye was before the courts for 'loitering around Dock Walls at night'.<sup>180</sup> Suspicious women in the eyes of the court, their poverty and destitution was linked to sexual immorality. The sexual double standard saw male vagrants under suspicion for theft but female vagrants had the added sexual element that they were prostitutes.

Also on the rise later in the century were prosecutions for keeping a disorderly house. This sees the influence of the sensational cases in the national press of the white slave trade with stories of women and children being forced into prostitution by unscrupulous madams or sent abroad (as the famous Pall Mall Gazette case).<sup>181</sup> As with prostitutes, women suspected of running brothels were convicted under a different guise. Mary Lamplough was arrested for being drunk and disorderly. It was stated in court that 'she keeps a house of ill fame'. She received a sentence of 3 months hard labour for being

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<sup>175</sup> HMC, C DPM/1/89, 13<sup>th</sup> April 1871.

<sup>176</sup> HMC, C DPM/1/49, 13<sup>th</sup> June 1851.

<sup>177</sup> HMC, C DPM/1/71, 11<sup>th</sup> February 1861.

<sup>178</sup> HMC, C DPM/1/71, 30<sup>th</sup> April 1861.

<sup>179</sup> HMC, C DPM/1/20, 19<sup>th</sup> May 1841.

<sup>180</sup> HMC, C DPM/1/23, 20<sup>th</sup> September 1841.

<sup>181</sup> Wendelin, 'The Prostitute's Voice in the Public Eye', pp. 53-61.

drunk and disorderly which usually attracted a small fine.<sup>182</sup> Her real crime was that she kept a brothel. Sarah MacDonald was convicted for disorderly behaviour. It was reported to the court that ‘she keeps a bawdy house and there are a number of men drinking there’. She was given a high fine of 20 shillings and costs.<sup>183</sup> Mary Ann Stead was prosecuted for assault after throwing a chamber pot over another woman. It was also noted that she kept a bawdy house in Trundle Street.<sup>184</sup> For this she was imprisoned to hard labour for a month. This was where the real punishment lay, not with the actual crime women were arrested for but the perception by the court of their sexual immorality, something men did not experience in their court appearances.

Figure 12 reveals that Keeping a Disorderly House continued to be heard at the Hull Quarter Sessions Court when the Hull Magistrates Court began to take on the majority of the hearing of crime in the nineteenth century. The fact that Keeping a Disorderly House was deemed a serious offence heard by the Quarter Sessions demonstrates the crackdown on vice in Hull and the attitudes towards female sexual immorality held by those in authority in the town who continued to heavily sentence brothel-keepers. Cases are of female brothel-keepers. This offence would be far higher for the number of men who owned or ran brothels, seeking to profit from women of the poor.

Examination of the sentencing of crimes of sexual disorder reveals that the typical sentence for a Hull prostitute was prison with hard labour ranging from a week to a year. Fines were used in the later part of the nineteenth century (found with all offences as more convictions with the creation of more offences saw prison overcrowding).

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<sup>182</sup> HMC, C DPM/1/72, 9<sup>th</sup> July 1861.

<sup>183</sup> HMC, C DPM/2/6, 12<sup>th</sup> January 1891.

<sup>184</sup> HMC, C DPM/1/90, 19<sup>th</sup> June 1871.

However, in cases of prostitution fines was set much higher than normal so that on default of payment women still received a prison sentence. As most women could not afford to pay high fines then a spell in prison was usually the case. Prostitute Annie Gowrie was arrested for being drunk and disorderly and shouting and bawling for which she received a fine of 40 shillings and on failure to pay, 30 days hard labour in prison.<sup>185</sup>

Figure 23 shows the different types of sexual disorder offence that received a sentence of prison with hard labour. The most likely offence to receive a sentence of prison with hard labour was Drunk and Disorderly Prostitute (over a third). Here women faced the double conviction of being perceived as sexually immoral and a drunk. The second highest category (one quarter of offences) was Disorderly Prostitute. Stopping Men was the third largest category to receive a prison sentence with hard labour, followed by suspicion of being a prostitute and keeping a disorderly house. The findings follow the same order of sexual disorder offences before the Hull courts in Figure 22 - the most common offences prostitutes were prosecuted for. With higher numbers of prostitutes before the Hull courts from the mid-nineteenth century onwards due to the height of debates about prostitution, this period can also be seen as a particularly harsh sentencing policy in operation for prostitutes by the Hull courts. Prison sentences increased from 7-14 days hard labour to 1 months' hard labour. For women working as prostitutes a period of incarceration away from their children, family and friends was the norm.

Prostitutes with previous convictions received longer sentences such as Sarah Cotton who was prosecuted for being drunk and a prostitute (she had a number of previous convictions) and committed for 3 months had labour.<sup>186</sup> Some prostitutes were

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<sup>185</sup> HMC, C DPM/1/120, 7<sup>th</sup> December 1881.

<sup>186</sup> HMC, C DPM/2/7, 16<sup>th</sup> May 1891.

particularly notorious and heavily sentenced, such as Maria Middleton who was described in court as being the ‘most indecent, common prostitute and a very disorderly one’.<sup>187</sup> When prostitutes received a fine it was usually for a first offence, although their fines were set higher than normal to deter them from continuing as prostitutes. Once they appeared before the magistrates a second time they received a prison sentence. If they repeatedly appeared before the magistrates their sentences became longer. Hence there was a classification system to distinguish between the women working as prostitutes with the Hull courts operating on a ‘sexual sliding scale’, the severity of sentencing dependent on if the woman was suspected as or known to be a prostitute.

Hull prostitutes received much severer sentencing for the same offences committed by other women. In 1891 prostitutes arrested for being drunk and disorderly received fines of £2 or 30 days hard labour. In comparison women convicted of being drunk and disorderly who were not prostitutes received a fine of 5 shillings. Prostitute Mary Brown was convicted for being drunk and incapable at 3.45 am on Junction Dock Walls and committed to the House of Correction for a month’s hard labour.<sup>188</sup> The next defendant to appear, Ann Bean, arrested for being drunk and incapable at the Old Dock, was discharged.<sup>189</sup> Brown was convicted for the hidden crime of being a prostitute. The impact of female sexual immorality on the criminal justice system in Hull is evident.

Women before the Hull courts used inventive ways to challenge their targeting. Mary Thomas pretended to be deaf and dumb when arrested.<sup>190</sup> Prostitutes used aliases to

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<sup>187</sup> HMC, C DPM/1/49, 5<sup>th</sup> May 1851.

<sup>188</sup> HMC, C DPM/1/20, 23<sup>rd</sup> March 1841.

<sup>189</sup> HMC, C DPM/1/20, 23<sup>rd</sup> March 1841.

<sup>190</sup> HMC, C DPM/1/72, 25<sup>th</sup> June 1861.

avoid recognition by the justices in the courtroom (dependent on whether they went before a magistrate who had previously tried them). Annie Wilson, alias Watson, received a sentence of 2 weeks hard labour in December 1871 for being disorderly and a prostitute.<sup>191</sup> The next week she went before the Hull Magistrates Court again for being a disorderly prostitute and used another name. It was noted that she was the same person before the court the previous week. Used in evidence was the record of her previous conviction in August 1871. ‘Be it now remembered that on the 3<sup>rd</sup> day of August 1871 at the police court Annie Watson was convicted before me for being an idle and disorderly person, being a common prostitute and unlawfully did wander in a certain public street and behave in a riotous manner therein contrary to the statute’. With evidence it was the same person, Annie Watson/Wilson for her third conviction received a sentence of 3 months hard labour, which reflected not only her regular appearances before the court but also that she had attempted to fool the justices.<sup>192</sup>

Cases before the Hull courts reveal how the law was gendered and sought to protect men from women seen as immoral. Catherine McAlden was convicted for ‘beckoning men’ and got 14 days hard labour.<sup>193</sup> Elizabeth Hessey for ‘annoying men, wanting them to go with her’; she received 14 days hard labour.<sup>194</sup> Jane Morrill was convicted for ‘bothering men and wanting to take them to a brothel’.<sup>195</sup> Emma Summers was arrested for ‘propositioning men in Osbourne Street’ and saying ‘I want you’ to them. She received a sentence of 30 days hard labour, increased for using sexual language.<sup>196</sup>

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<sup>191</sup> HMC, C DPM/1/91, 4<sup>th</sup> December 1871.

<sup>192</sup> HMC, C DPM/1/91, 5<sup>th</sup> December 1871.

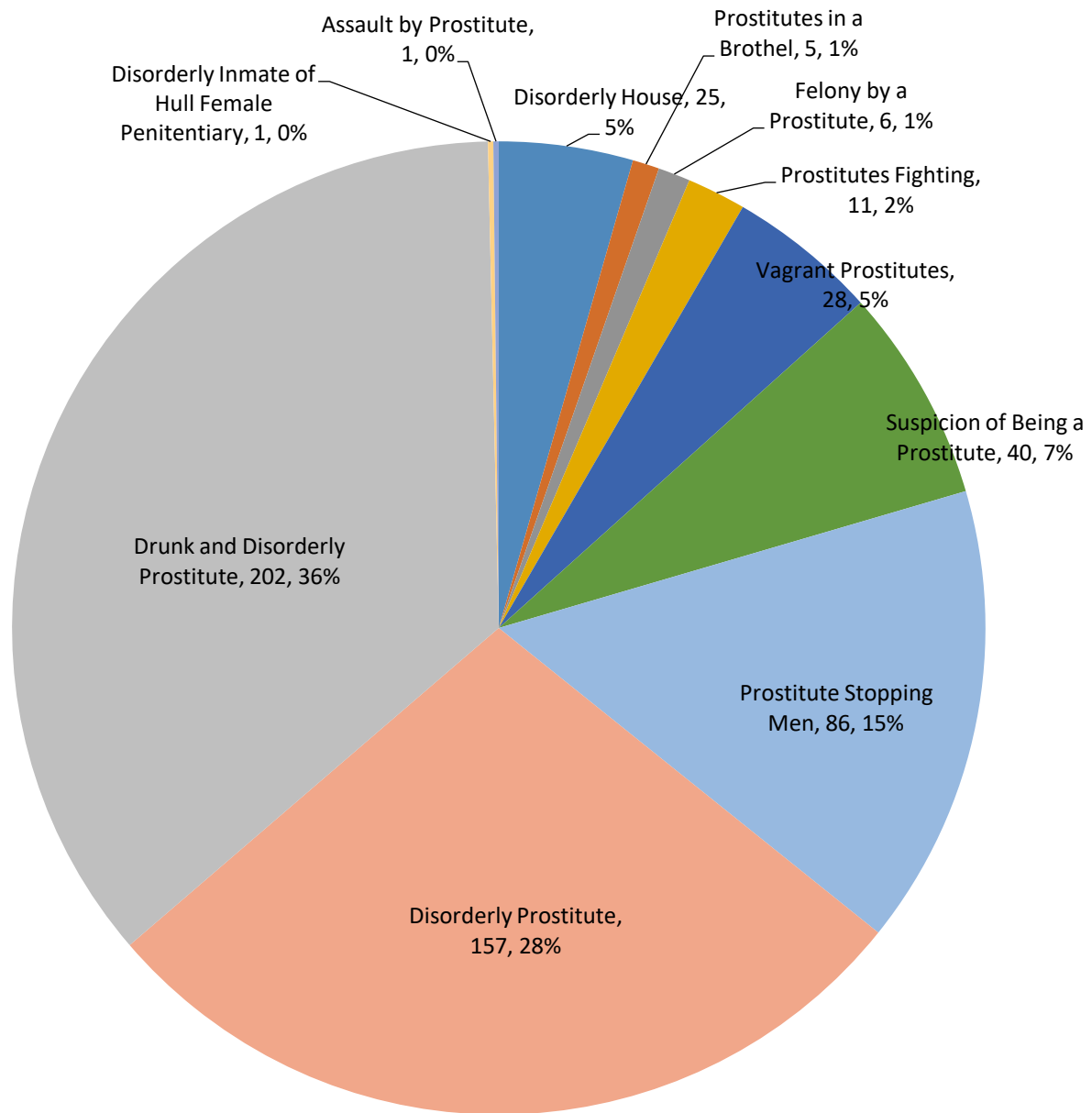
<sup>193</sup> HMC, C DPM/1/89, 8<sup>th</sup> May 1871.

<sup>194</sup> HMC, C DPM/1/72, 9<sup>th</sup> December 1861.

<sup>195</sup> HMC, C DPM/1/118, 6<sup>th</sup> June 1881.

<sup>196</sup> HMC, C DPM/2/6, 16<sup>th</sup> February 1891.

**Figure 23 - Imprisonment with Hard Labour for Female Sexual Disorder Crime at Hull Magistrates Court 1811 - 1891**





Catherine Jane Pollock was arrested for ‘shouting and pushing men and using indecent language’.<sup>197</sup> When a prostitute and a male client were caught in the sexual act, it was the prostitute who was punished. Ellen Dennis was arrested for being disorderly along with William Wilson in Parliament Street, using bad language and being drunk. Dennis was convicted of being a disorderly prostitute and received 6 weeks hard labour. By contrast Wilson escaped with a fine of 5 shillings.<sup>198</sup>

The weight of the law fell on women who were condemned for engaging in sexual behaviour not seen as in keeping with respectable women, whilst it was accepted in men. Mary Mills was charged with being drunk and disorderly in Leadenhall Square and sentenced to 14 days hard labour. The man she was with was also charged with being drunk and disorderly but received a small fine. Mary Mills’ real crime was that she was a prostitute whereas the man escaped moral judgement.<sup>199</sup> Men were protected from slurs on their reputation and women took the blame for sexual dalliances.

How much protection men were afforded depended upon their social class, with those of a higher social class most likely to remain anonymous in the court hearing. Concern was expressed that men of a higher social status should not be bothered by prostitutes. Sarah Eastwood was sentenced to a month’s hard labour for stopping men. The arresting officer stated – ‘she stopped 4 gentlemen last night in Lowgate and asked them to go with her. She is a common prostitute’.<sup>200</sup> That the men were regarded as gentlemen made matters worse; that middle class sensibilities should be affronted by

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<sup>197</sup> HMC, C DPM/2/8, 3<sup>rd</sup> July 1891.

<sup>198</sup> HMC, C DPM/1/72, 16<sup>th</sup> December 1861.

<sup>199</sup> HMC, C DPM/1/19, 20<sup>th</sup> January 1841.

<sup>200</sup> HMC, C DPM/1/72, 14<sup>th</sup> September 1861.

lower class female sexual immorality. This meant a harsher sentence for Sarah Eastwood of a month's hard labour in Hull Gaol. By contrast Phoebe Connor was arrested for asking working men to go with her and received the lesser sentence of 14 days hard labour.<sup>201</sup> These cases illustrate the fact that the social class of the men involved in cases of prostitution did make a difference to the sentence imposed.

The Hull courts in particular sought to protect young middle class men in response to widespread concern about them being targeted and corrupted by working class women. Sarah Ann Hollingsworth was found with a male described as a 'young gentleman' in Waterhouse Lane in the early hours of the morning and received 14 days hard labour. Her gentleman companion remained anonymous and was not called to give evidence before the court.<sup>202</sup> Hollingsworth was described in the courtroom as 'insulting the gentleman'. He did not receive any conviction, although he had clearly gone with her by choice (many young middle class men were introduced to sex this way). However it was the prostitutes who were condemned for leading them astray. It was found that the only time men were apprehended for their sexual behaviour was when this was with another man (homosexuality being severely punished). John Nagley and Isacc Smith were taken in custody for indecently exposing themselves with their breeches down and John Nagley had hold of the private parts of Isacc Smith. Both were sent for trial at the Hull Quarter Sessions Court and committed to prison until their trial.<sup>203</sup>

The gendered nature of the law also meant that although prostitutes were vulnerable to assault and attack by male clients, only rarely did they report violent attacks on them as

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<sup>201</sup> HMC, C DPM/1/72, 24<sup>th</sup> September 1861.

<sup>202</sup> HMC, C DPM/1/72, 22<sup>nd</sup> July 1861.

<sup>203</sup> HMC, C CPM/3, 18<sup>th</sup> November 1823.

their reputation meant that they would not be given justice. Prostitute Ellen Dunning was attacked by Alfred Oliver and Nicholas Blanshaw who threatened her with a dagger and a pistol. However, the defendants were discharged as the prostitute and her witness, a fellow prostitute, were not seen as credible witnesses due to their immoral status. Ellen Dunning spoke to the court of her terror - 'Last night I walked down the Jetty which leads to the Abbey Hotel. I met the defendants . They asked me to go with them. I walked down Low Humber. Oliver had a pistol and he had a dagger also. I was much terrified and I ran down Pie Alley'.<sup>204</sup> Foreign seaman Goak Shneider was fined only a shilling for a violent assault on a prostitute. It was reported that they had quarrelled and he then struck her and continued a vicious attack on her.<sup>205</sup> Such women had no protection from male violence and they also had no protection in the law.

The Hull study raises some theoretical questions about how crime reflects and reinforces the social construction of gender in society as revealed in the strongly gendered courtroom experience and sentencing policy. Although male prostitution took place (but was more hidden from view), it was women who were openly targeted and received harsh sentences for prostitution, for their visibility on the streets and for going against gender norms. Peter King has argued that although women in his study of property crime in London received more lenient sentencing than men, 'some specific circumstances in which female offenders may be more harshly treated than men have been uncovered, the most central finding being that female offenders who do not conform to notions of respectable female behaviour, especially sexual behaviour, were more likely to receive harsher punishment'.<sup>206</sup> The Hull study shows that the important

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<sup>204</sup> HMC, C DPM/1/19, 5<sup>th</sup> January 1841.

<sup>205</sup> HMC, C DPM/1/71, 6<sup>th</sup> April 1861.

<sup>206</sup> King, 'Gender, Crime and Justice', pp. 44-75.

factor was the sexual and moral element to female crime. Female crime had a socially constructed sexual element to it which was not applied to male crime. This was the ‘elephant in the (court) room’ in all female cases; an unspoken judgement of women.

Shani D’Cruze has discussed how local magistrates used the courtroom to punish certain behaviours of the working class, including drunkenness and fighting and the perceived sexual misconduct of women.<sup>207</sup> This study of Hull has found that although both sexes were punished for drunkenness and disorderly behaviour, it was the sexual element which was the important difference; women were punished for perceived sexually provocative behavior, language or dress, whilst men were not. Where women were accused of the same crime as men, in female cases a sexual element was added to the mix with women being vulnerable to being accused of being prostitutes.

A further key finding of this study is that the differences in how women were treated by the courts to men also extended to differences between women too. Within the wider social construction of femininity, women who were seen as sexually immoral were separated off from other female criminals. Agnes Snaith, who appeared for in court drunkenness, was judged on the additional information that she ‘attempted to keep a man with her all night’. Although this had nothing to do with the crime itself, her perceived immorality meant she was jailed for 3 months.<sup>208</sup> The next defendant, Jane McDonald, was also charged with drunkenness but received a fine of a shilling.<sup>209</sup> Snaith was judged not on her drunkenness but for her sexual misconduct. The law

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<sup>207</sup>Shani D’Cruze, *Crimes of Outrage*, pp. 4 & D’Cruze, ‘Sex, Violence and the Local Courts’, pp. 39-55.

<sup>208</sup> HMC, C DPM/1/49, 18<sup>th</sup> June 1851.

<sup>209</sup> HMC, C DPM/1/49, 18<sup>th</sup> June 1851.

operated on a classification system of women, creating a dividing line between those seen as immoral from respectable women. Hull courtroom testimony and newspaper reporting of cases reveals the creation of ‘good and bad girls’. Bad girls were sexually promiscuous, frequented public houses, bore illegitimate children and lived unmarried with men. Good girls got married, were clean housekeepers and good mothers who remained at home, enshrined in domesticity. Hardened prostitutes or naïve seduced young women were narratives played out in the Hull courts with different responses.

Shani D’Cruze has studied the courtroom narratives and the women’s and the court’s use of language, looking at the leading questions of the court, and how women defended themselves against the moral judgements made upon on them. D’Cruze has emphasized the importance of women’s own construction of their respectability, especially sexual respectability, which they used to promote their cases in the courtroom. Testimony of subjects deemed inappropriate for ‘decent’ women to discuss such as sex or illegitimacy turned the judgement against women.<sup>210</sup>

Elizabeth Owen shocked the Hull courtroom – ‘she cut a soldier’s head when he would not get out of her bed. He threatened to throw her out of the window and she struck him and cut him badly’. She was given a month’s hard labour for both her sexual immorality and assault on a man.<sup>211</sup> Mary Peterbridge was convicted for being drunk and entering a neighbour’s house with a young man and wanting to stay all night. ‘She would not go. She became very dirty and he had to throw her out’.<sup>212</sup> Descriptions of women’s

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<sup>210</sup> D Cruze, *Crimes of Outrage*, pp. 148-149 & D’Cruze, ‘Sex, Violence and the Local Courts’, pp. 39-55.

<sup>211</sup> HMC, C DPM/1/50, 29<sup>th</sup> September 1851.

<sup>212</sup> HMC, C DPM/2/6, 21<sup>st</sup> January 1891.

behaviour in the Hull courtroom narratives were sexualized - 'She was laid on the ground with her clothes up', as in a case of female drunkenness, caused suspicion of prostitution.<sup>213</sup> Disheveled clothes was a visible sign of immorality and women's appearance and dress were scrutinized by the court. Clothes had a language, meaning and message - being 'respectably dressed' in the courtroom meant a fairer hearing.

D'Cruze has looked at the key themes of respectability and reputation and how they were constructed both inside and outside of the courtroom. Sexual reputation and the concept of respectability was how women were judged in wider society, in the community, as well as in the courtroom. The community was central to women's sociability and offered help in instances of poverty and domestic violence.<sup>214</sup> This study has revealed how Hull working class women were also subject to close surveillance by neighbours for their sexual conduct. The household and family was where women proved their respectable status in the community; a clean home meant respect whilst a 'slovenly' housewife was viewed as being sexually lax. Despite the acceptance in working class communities of prostitution and sex outside of marriage, there was still those (especially the better off artisan working class) who aspired to respectability.

Certain women were especially subject to scrutiny in the community as well as in the courtroom. Women living on their own through widowhood, desertion by their husbands or single mothers were subjected to suspicion about their sexual morality. Women were viewed as needing the protection of a male to keep them in check and that without this they were seen as sexually available. They could be perceived by female

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<sup>213</sup> HMC, C DPM/1/19, 1<sup>st</sup> January 1841.

<sup>214</sup> D'Cruze, *Crimes of Outrage*, pp. 137-170 & D'Cruze, 'Sex, Violence and the Local Courts', pp. 39-55.

neighbours as a threat, seeking to protect their husbands from women living alone. The courts saw women not under male control as suspicious. Women's legal rights being tied to their husband's in this period, saw independent women treated with hostility.

Wife desertion cases before the Hull Magistrates Court demonstrate the linking of lone women with sexual immorality. The courts were suspicious of women who were destitute because their husbands deserted them or withheld wages as they were seen in danger of turning to prostitution to make ends meet. That women had brought cases against their husbands raised questions in a patriarchal society about women who stepped outside of the prescribed gendered role as subservient wife. Despite facing opposition within the male legal world, women increasingly brought maintenance cases against their husbands for desertion after the 1886 Married Women's (Maintenance) Act, revealing female agency in women's use of the law to challenge men.

An 1891 case of wife desertion had accusations of sexual immorality aimed at a woman who was believed to be a prostitute and using her home as a brothel. This case also demonstrates how neighbours watched each other's comings and goings. Elizabeth Maddison was a victim of her husband Robert's violence. He had assaulted her and left her and the children with no money and nothing to eat. Still the court was hostile and she had to defend her reputation as a respectable wife and that she was not a prostitute – 'I have not had other men in the house'. A female neighbour stated that she had seen her take a man into her house at 11 pm at night and her child then came out with a can for beer. The next morning at 6 am the man was seen leaving her house. A further witness claimed that 'last Friday between 10 and 11 pm I saw her with a man go into the house. She sent the children away and locked the door. I have seen men there before at night

time'.<sup>215</sup> Because of the slurs on her character the case for maintenance against her husband was dismissed. Thus men who had committed the crime of assaulting their wives and deserting the family, escaped justice; women's sexual reputations were the true issue on trial. When women set foot inside the courtroom, especially as a witnesses in cases against men, their sexual reputations were on trial.

Men in wife desertion cases before the Hull courts used to their advantage the perception that their wives were of loose morals and went with other men, in order to avoid having to pay maintenance. Testimonies of deserted wives reveal the hostile line of questioning they faced. Charles Selby, an oil miller, had deserted his wife Agnes 24 years previously. Agnes had to prove her sexual respectability in the courtroom: 'I never went out with Dommison. He did not have connection with me. I was never the worse the wear for drink. I have not lived in a brothel in Matchell Street, I was a housekeeper'.<sup>216</sup> She was accused of going with different men by her husband and of being a prostitute: 'My wife was very unfaithful and Major told me he had seen her doing what she hadn't ought to on Humber Bank and on Williamson Street'.<sup>217</sup> Because Agnes Selby was suspected of immorality and being a prostitute her case was dismissed and the court's sympathy lay with her husband. The poor domestic skills of Martha Barratt was presented as a reason by her husband Thomas to avoid paying maintenance, demonstrating how slovenly housewifery was related to loose sexual morals.<sup>218</sup>

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<sup>215</sup> HMC, C DPM/2/8, 13<sup>th</sup> August 1891.

<sup>216</sup> HMC, C DPM/2/8, 30<sup>th</sup> June 1891.

<sup>217</sup> HMC, C DPM/2/8, 30<sup>th</sup> June 1891.

<sup>218</sup> HMC, C DPM/2/10, 3<sup>rd</sup> December 1891.



By contrast, a case of maintenance where a father had deserted his wife and children five times and they had resorted to parish relief meant that he was sentenced to two months hard labour, with another father abandoning his wife and six children to the workhouse.<sup>219</sup> The fact that the parish now had to step in and support the families meant that the male was now seen as at fault; the monetary expense to the public purse was the overriding element, overriding the sexual reputation of the deserted wife. John Dale, a sailmaker, was made to pay 5 shillings a week for his wife and family as they had become eligible to the Sculcoates Union.<sup>220</sup> Jane Crowther's husband, who had deserted her and gone to Liverpool, was brought back by the court to answer the charge in a case brought by the Hull Guardians as his wife was forced onto the parish with no money.<sup>221</sup> Thomas Wardell was ordered to pay 6 shillings to his wife and child. The details of her desperate situation were described in court. They had been married only 6 months when he left her for another woman. He taken all the furniture and left her with a large shop bill and loan, forcing her to turn to the parish for help.<sup>222</sup> Avoiding threats to the public purse was the priority of the courts, including in wife desertion cases.

The concentration on the sexual morality of deserted wives also had its limits when the female before the court accusing her husband of desertion and assault on her was of a higher social class. Unusually for her social class, who sought to keep their problems behind closed doors, Sarah Wilkinson brought a case against her husband, Major Wilkinson, for unlawfully assaulting her, beating her and threatening to do her some bodily harm before deserting the family. Sarah Wilkinson had been examined on oath

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<sup>219</sup> HMC, C DPM/1/118, 21<sup>st</sup> June 1881.

<sup>220</sup> HMC, C DPM/1/117, 19<sup>th</sup> February 1881,

<sup>221</sup> HMC, C DPM/2/6, 10<sup>th</sup> March 1891.

<sup>222</sup> HMC, C DPM/1/90, 6<sup>th</sup> September 1871.

by the court but in her case no questions were asked about her sexual reputation or respectability which working class women in similar cases faced. The fact that she and her husband were middle class, elevated her in the eyes of the court and the court took a different view of her.<sup>223</sup> Middle class deserted wives usually had other options open to them than the public shaming in a courtroom which working class women were forced to undergo to get help. An advertisement by a Mrs Hewitt for a stationary shop being opened by her brother Mr Heppel, which was carried out solely for the support of her and her deserted children in the 'distressing circumstances that she had been left'.<sup>224</sup>

The case of Hull shows that public shaming of working class women through the courtroom experience was one response to the perceived rise in immorality in society, with the blame laid at the door of women, not the men who sexually used or deserted them. These cases bring to light whose voices were being heard; it was male testimony which was given more credence in the courtroom than women's. Male police officers, runaway husbands and fathers, and men who were regarded as the victims of prostitutes were given the sympathy and the ear of the court. Women's testimony was not to be trusted. The Hull courtroom reflected the general situation of women in nineteenth century society as second class citizens without rights or a voice of their own.

Evidence has been found of a relative fall in prosecutions for prostitution later in the nineteenth century in Hull after peaking in 1871 at the height of fears over prostitution. This can be related to the fact that a number of charities aimed at the reform of women in Hull were in existence in this latter period, including homes for fallen women. These charities gave an alternative solution for the police and magistrates to send women to

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<sup>223</sup> HQS, C CQB/156, Epiphany 1831.

<sup>224</sup> HA, 14<sup>th</sup> May 1808.

rather than give them prison sentences where they would be likely to pick up more bad habits and reoffend. Social reformers and charity workers became the modern managers of prostitution; the idea developed that it could be regulated in humane terms within society, not create social outcasts and prisoners. The prostitute's image became more sinned against than sinner and the heavy condemnation of prostitution in the mid-nineteenth century declined somewhat in this period. The later nineteenth century also saw the influence of the rise of the women's movement and campaign led by Josephine Butler against the Contagious Diseases Act which saw middle class women expressing some sympathy with the plight of working class women working as prostitutes, and saw attempts to change public perceptions of them. Public meetings were held all over the country, including Hull, where Josephine Butler spoke at the Hull Assembly Rooms.<sup>225</sup>

In the late nineteenth century a new understanding of poverty and the difficulties faced by women of the poor started to emerge with social investigation into their lives.

Women also had some protection in law for themselves and their children (as seen in the increasing number of deserted wives willing to go before the Hull courts in maintenance cases, although as shown, this could be used against them). The maintenance payments women received, the help of charity workers along with the wider understanding of female poverty, may have kept some women from having to resort to prostitution to keep themselves and their children. Along with rising living standards in general and more available employment opportunities for women later in the century, better care and changing attitudes saw the spotlight lift somewhat on prostitution in Hull in the late nineteenth century as charities focused on all women in need. This may have had an effect on the numbers of women working as prostitutes in

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<sup>225</sup> HP, 20<sup>th</sup> October 1876.

turn of the twentieth century Hull, although women continued to be brought to the courts in significant numbers for offences in connection with prostitution, with the Hull magistrates making full use of the increased legislation to punish female immorality.

In conclusion, the mid nineteenth century national spotlight on prostitution was also found to be significant in Hull. Prostitution has been shown to have been regarded as a major problem in the port town and measures were taken to deal with it. Society's gaze on prostitutes and brothel keepers, the 'folk devils' of popular imaginations, encouraged by the popular press, saw police persecution of women of the poor in Hull. The law was used to full effect by Hull's magistrates to imprison women in increasing numbers.

Although prostitution was not an offence on its own it was tagged onto other offences, and the so-called crimes against morality was the real crime of women. This survey of sexual disorder crimes before the Hull courts has shown how societal fears about prostitution saw a peak of prosecutions of Hull prostitutes across a wide range of offences in the nineteenth century. New powers in the Street Acts sat alongside older legislation to convict prostitutes for being drunk and disorderly, on the streets at night, obstructing the footpath or 'bothering' men, especially those of a higher social class.

A sexual double standard ran through the criminal justice system which saw women prosecuted and men protected. A classification system of women based on perceptions of their sexual morality saw women regarded as immoral receive harsher sentences than normal in comparison to other women for the same offence. There was a hostile questioning courtroom ordeal for women based on judgement of their sexual reputation and respectability which men were not subjected to. The fear of the sexual disorder of women, saw judgemental language and social constructions used in the courtroom and local press to attack women who did not live up to expectations of female purity.

This chapter has sought to reveal prostitutes real lives in nineteenth century Hull. It has illustrated Garthine Walker's point that women involved in criminality were not just victims, but women doing what they needed to do to survive.<sup>226</sup> Prostitution was in many ways a strategic choice of women who had few choices open to them in this period. The women were typically self-employed, not bound to brothels or pimps. More independent than commonly thought, which saw them challenge their persecution by the police and law courts; however, the case study of one Hull prostitute revealed how some women were also subjected to male control and violence, revealing their vulnerability. Although some women may have been forced into this life through poverty, desertion by husbands, widowhood, birth of illegitimate children, lack of family support, threat of violence or other distressing circumstances, women also chose to work as prostitutes to earn a living and provide for themselves and their families.

In this respect women working as prostitutes in nineteenth century Hull were not victims (nor would they view themselves as victims) but women who chose their own independent path. Young women saw prostitution as a way of earning money before marriage (and something they often returned to later after marriage when they had children to support). For women of the poor prostitution was just another form of employment and they didn't see themselves as tainted; this was something imposed on them from above, by the courts and a middle class who judged them (and also tried to help them), and a society which condemned them as outcasts.

It has been shown that Hull prostitutes were not the social outcasts of popular imagination but mostly accepted within the communities where they lived and worked

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<sup>226</sup> Walker, 'Women, Theft and the World of Stolen Goods', pp. 81-112.

as part of an army of women of the poor who used whatever survival strategies were at hand. Women were not alienated for occasional sex trading; it was accepted as just another way to get by such as petty theft or pawning stolen goods. The urban poor did not practice the moralising of the middle class and the demography of prostitution in Hull did not see prostitutes separated off from rest of the poor, both living side by side.

A more sympathetic and understanding attitude in society later in the century towards women working as prostitutes also gave women more choices. Social reform saw shelters and places of safety being provided for women seeking to escape lives on the streets and violent relationships. The move to improve women's lives led to protection in the law too. A relatively slight fall in prosecution of prostitutes in the latter part of the century reflected an increase in help for women through philanthropy, as well as improved living standards. The language of judgement also saw a language of helping. Gradual improvements in deprived working class women's lives has been attributed to the involvement of middle class women taking up the issue of prostitution and their growing involvement in philanthropy, as will be explored further in this thesis.

This chapter on prostitution has highlighted the lack of justice offered by the Hull courts to women of the poor, regarded as sexually immoral and therefore should be punished. The sexual double standard inherent in nineteenth century society and the law has been shown to have led to a particular type of court process which disadvantaged women in the courtroom. This will be explored further in the next chapter with women who brought bastardy cases to the Hull courts who, like Hull prostitutes, also experienced societal condemnation and a lack of legal protection as so called 'fallen' women.

## **Chapter 5 – Bastardy Before the Courts in Nineteenth Century Hull**

The perceived problem of unmarried mothers has been a historical constant which reached a crescendo in the early nineteenth century with rising illegitimacy rates. With calls for the reform of the poor laws to address illegitimacy; the unmarried mother was considered underserving of parish support.<sup>1</sup> The social construction of the ‘bastard bearer’ resulted in targeting of women of the poor in the nineteenth century. Bastardy cases represent the hidden female ‘crimes against morality’ in the nineteenth century Hull courtroom. Bastardy is included in this study as part of the fallen women discourse in the nineteenth century which affected how women were treated in law and in society. This chapter seeks to reveal the reality of as well as social attitudes towards illegitimacy in nineteenth century Hull, looking at how unmarried mothers were dealt with by the Hull courts and how changes in the bastardy laws affected women in the town.

In common with other towns and cities in the early nineteenth century, bastardy cases were heard by the Hull Quarter Sessions Court and later taken over by the Hull Magistrates Court. Affiliation cases involved the parish authorities seeking maintenance contributions from absent fathers when women and their illegitimate children became a burden on parish funds. Court action was brought by women as the requirement for receiving parish relief. Women who turned to the parish for support, were instructed by the Hull Guardians to bring a court order for maintenance from the father of the child in order to retrieve back the costs to the parish. In all cases, it was about financial support; the parish authorities and the women were united in this arrangement - they wanted

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<sup>1</sup> Laslett, ‘The Bastardy Prone Sub-Society’, pp. 217-246.

fathers to pay. However, changes later in the nineteenth century to the bastardy laws put the burden of responsibility onto the mother, rather than the father.

The Hull courts had the power to grant maintenance orders or dismiss cases, as well as hearing appeals made against the orders. Affiliation orders provided both the names of the pregnant women and the fathers, as well as the fathers' occupations. This informs on the social class of the fathers as well as their financial situation and earnings. The records also provide details of place of birth of both parties involved, which is of interest in tracing migration patterns to Hull. The parish pursued fathers to other towns and cities. In the early nineteenth century men and women travelled for work, with some men making local women pregnant before moving on. Other cases involved women returning home pregnant after working away on rural farms. Hull's Holy Trinity parish sought affiliation orders on non-local fathers such as James Whittaker of Shaw Chapel, Lancashire, a surgeon, who had made Hannah Brocksbank pregnant.<sup>2</sup> In 1812, Mary Duncan was pregnant by Thomas Bee of Louth, Lincolnshire, a yeoman farmer (and most likely her previous employer).<sup>3</sup> In 1811 the parish sought an order from William Frost, a sloopmaster, from Castleford, Yorkshire for pregnant Ann Atkinson.<sup>4</sup>

Local men also failed to acknowledge their illegitimate children such as Richard Woolhouse of Hull, a sacking and suit cloth manufacturer, who had made Elizabeth Cawthorne pregnant in 1813.<sup>5</sup> Successful cases included Elizabeth Lothering who achieved an order on miller Thomas Allison of Cottingham in 1814.<sup>6</sup> Elizabeth Hopper

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<sup>2</sup> HQS, Affiliation Papers, Settlement and Removal Orders (SR), , C CQB/82/21-22, 1806.

<sup>3</sup> HQS, SR, C CQB/87/85, 28<sup>th</sup> April 1812.

<sup>4</sup> HQS, SR, C CQB/87/3, 6<sup>th</sup> April 1811.

<sup>5</sup> HQS, SR, C CQB/89/9-10, 8th June 1813.

<sup>6</sup> HQS, SR, C CQB/90/53, 22<sup>nd</sup> November 1814.



gained an order on Adolphus Gray of Hull, victualler, in 1816.<sup>7</sup> Because of increasing financial burdens upon the parish, the court recognised that fathers should contribute to the upkeep of their illegitimate children. However the law was gendered and women in bastardy cases faced the harsher prospect of being removed from the parish.

Young women travelled into Hull from rural hinterlands to find work and in some cases became pregnant. In these cases the settlement and removal laws were used to remove women and their illegitimate children back to their last place of settlement. The practice of removing pregnant single women was regularly used in early nineteenth century Hull. Settlement and removal were two aspects of the poor law system. Each person had a parish of settlement (usually where they were born or where their husband or father were born or had served an apprenticeship, or where they rented property worth £10 a year). A person who had moved away from their parish of settlement could be sent back (removed) when they applied for parish relief. This system was used for those who had become a liability on the parish and those who were likely to become so; a prime example was unmarried pregnant women, and it was also widely used for the removal of vagrants from the town. Settlement and removal orders were made through the courts. Orders detailed the two parishes; where the person currently resided and where they were to be sent back to, the name of the person to be removed and if a family was involved, the names of the children, spouse and their ages. The removal could be to anywhere in the country or it could be to the next parish. Parishes could appeal against the order and appeals were also heard at the Hull courts, although not often successful.

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<sup>7</sup> HQS, SR, C CQB/91/13, Epiphany 1816.

Settlement and removal orders were hence a useful tool of the Hull courts to rid parishes of the financial drain of single mothers and their illegitimate offspring. A crossover of the parish and the law saw them both working to the same goal of ridding the town of women deemed immoral and costly. Lists of Hull removals were mainly of pregnant single women but there was high incidence of removal of women in general. Other women regarded as problematic included widows or deserted wives who had become chargeable to the parish due to loss of a husband to support them and their children. Women classed as lunatics were also removed. This was a way of getting rid of social undesirables or those causing financial strain on the parish. That single or abandoned women were without male protection and control was also a factor in the removal. Women were viewed as sexually dangerous without male control.

The removals provide information on women's pursuit of employment and migration patterns. Many women seeking work in Hull were from rural Lincolnshire and Yorkshire, with high unemployment in traditional rural trades in this period. Pregnant Sarah Shaw was removed from Holy Trinity parish back to Kinton, Lincolnshire in 1808.<sup>8</sup> Sarah Hilton (also pregnant) was removed to Missingham, Lincolnshire in 1816. Whether the justices had allowed Sarah Hilton some time before removal to give birth is unclear or she may have returned to Hull, but she later appeared in a further removal order in 1816 with her child James (aged seven weeks) with both being removed to Bowby Lincolnshire.<sup>9</sup> Further distance removals included pregnant Charlotte Ashworth, to Westminster, London in 1828.<sup>10</sup> It reveals that women were willing to travel some distances to gain employment.

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<sup>8</sup> HQS, SR, C CQB/83/63, 19<sup>th</sup> January 1808.

<sup>9</sup> HQS, SR, C CQB/94/10, 9<sup>th</sup> August 1816 & C CQB/95/20, 22<sup>nd</sup> October 1816.

<sup>10</sup> HQS, SR, C CQB/144/72, 1<sup>st</sup> March 1828.

Hull lacked employment for women, unlike the large industrial cities of the North, and women struggled to support themselves and their offspring, especially if they had no local family support structures. Hannah Taylor had managed to support herself and her first illegitimate child for a few years. She had two illegitimate children – Mary (5 years) and William (6 months) when she was removed from Hull to Leeds. Hannah Taylor had not become chargeable with her first illegitimate child but a second made it harder for her to support them, and they became chargeable to the parish and removed.<sup>11</sup> Having more than one illegitimate child was especially damning in the courts' eyes.

Some of the removals were short distance, from one Hull parish to another, such as Ruth Griswood, a pregnant single woman, removed from Holy Trinity to Sculcoates in 1808.<sup>12</sup> Mary Pickersgill, a pregnant single woman with two other illegitimate children (Sarah aged 3 and Henry aged 2) was removed from Holy Trinity to Sculcoates in 1817.<sup>13</sup> Mary Gray and Hannah her illegitimate daughter, were removed from Sculcoates to Holy Trinity (this shows that for as many paupers removed from Holy Trinity there were as many who were removed back).<sup>14</sup> The question is whether this parochial organisation was not really cost effective, or socially useful and perhaps rather pointless. The main thing it offered was an exchange of socially unacceptable women.

Not all the women who were removed with their illegitimate children were single. Some cases saw married women removed with their whole families because they had given birth to illegitimate children despite being married. This was the case for the removal of

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<sup>11</sup> HQS, SR, C CQB/417-418, undated.

<sup>12</sup> HQS, SR, C CQB/84/102, 24<sup>th</sup> May 1808.

<sup>13</sup> HQS, SR, C CQB/99/27, 12<sup>th</sup> September 1817.

<sup>14</sup> HQS, SR, C CQB/86/94, 12<sup>th</sup> February 1811.

Alice Howell, wife of Richard Howell, a serving soldier who was absent on duty, and who was pregnant with an illegitimate child. Despite her husband's settlement she was removed from Holy Trinity to Barrow, Lincolnshire in 1828.<sup>15</sup> John Towford, his wife Mary and her two illegitimate children (Elizabeth Wallis aged 9 and Richard Wallis aged 3) were all removed from Holy Trinity to West Haddlesley near Selby. The family were struggling and John Tonford was unable to support them all. This reveals how the taint of illegitimacy carried through the fact that Mary Tonford had since made a respectable marriage.<sup>16</sup> Women had to prove that they were legally married and had the settlement of their husband, as it was common to live together unmarried amongst the working class. By contrast, the Hull Quarter Sessions also listed the money given to the wives and families of militia men for their maintenance in their absence. Thus women who were legally married (and especially to those assisting their King and Country) and their children, were seen as deserving of maintenance by the courts, whereas women with children who were not married were treated as social outcasts and removed.

Another way of ridding the parish of women with illegitimate children in the early nineteenth century was through the Vagrancy Laws. Many women were picked up by the authorities as vagrants and given a prison sentence before being removed from the parish. Examination of lists of vagrants in the Hull Quarter Sessions in 1821 reveals that women who were apprehended as vagrants and removed included a significant number of single women with children, as well as widows and deserted wives. Rebecca Wallis was apprehended by watchman William Ledman in 1821 and appeared at the Hull Quarter Sessions. She stated she was settled at Carlisle but sought a settlement through her last employment to a local farmer. Rebecca Wallis was also a single parent to a

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<sup>15</sup> HQS, SR, C CQB/148/77, 10<sup>th</sup> December 1828.

<sup>16</sup> HQS, SR, C CQB/260/20, November 1856.

child called William. She was given 7 days hard labour (the common sentence given to vagrants) and removed to Carlisle. In 1821 Ann Thompson, who had a 3 year old illegitimate daughter called Margaret, was imprisoned and then removed. Ellen Shaw was apprehended for ‘wandering abroad in Hull being with child and likely to become chargeable to the parish of Holy Trinity in the same town’. She was also removed.<sup>17</sup>

A letter from the surgeon to the Hull Gaol in 1801 to the justices at the Hull Quarter Sessions mentions the case of single woman Elizabeth Smith, a vagrant, who was pregnant. The surgeon appealed to the justices in concern at her plight; ‘by leave I commend to your humane consideration Elizabeth Smith who is in an advanced state of pregnancy’.<sup>18</sup> As the surgeon recognised, conditions in the Hull Gaol meant that it was no place for a pregnant woman (evidence of an emerging medical profession in Hull who were non-judgmental in their attitudes towards women of the poor). However, by regularly imprisoning pregnant single women as vagrants, the justices chose to ignore this fact. It was more important to rid the town of what was widely seen as contagion.

The examination of Hull settlement and removal records reveal that along with prostitutes, vagrants, pauper lunatics, widows and deserted wives, single women with children were seen as social outcasts to be passed on and moved on. That there was an abundance of these orders in the Hull court records in the early nineteenth century, which coincided with the height of fears about rising illegitimacy and effects on the economy, demonstrates that this was Hull’s response to the illegitimacy question. Settlement and removal was part of a continued attempt to deal with the economic and social needs of women and their children on the parish. This practice continued to be

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<sup>17</sup> HQS, Vagrancy Lists 1821, C CQA/2/9 & CQB/112-115.

<sup>18</sup> HQS, Vagrancy Lists 1801, C CQA/2/7 & CQB/77.

used by the Hull courts later in the century. In 1851 the Hull Magistrates Court removed single woman Ann Gardener (a pauper) and her child.<sup>19</sup> Elizabeth Broadwell and her illegitimate child Frederick (3 years) were removed from Holy Trinity to Sculcoates in 1843. However, generally by this period settlement and removal was on the wane and the parish handed over the responsibility for bastardy to the Hull Magistrate Court.

Hull's heavy use of the settlement and removal laws for women with illegitimate children can be linked to a significant shift in perceptions of illegitimacy. Rising illegitimacy in the early nineteenth century has been attributed by historians to economic changes related to the industrial revolution and urbanisation affecting marriage, and sexual emancipation of women due to loosening family and community ties.<sup>20</sup> Considerable concern about, and the social stigma around illegitimacy in this period, was based on a social class and gender bias, with condemnation of women of the poor as feckless and bearing numerous children out of wedlock. Single mothers were seen as causers of poverty by having children who would also inherit the trait to fecklessness and pauperism.<sup>21</sup> Again women of the poor were the scapegoats for social problems in society which were linked to perceptions about their sexual morality. Like the prostitute, the unmarried mother was the symbol of unacceptable sexual activity of women; responsible for discouraging the marriage and family ideal espoused in middle class domestic ideology. Just as the fallen woman was the antithesis of the domestic angel, so the single mother was the antithesis of the exalted motherhood ideal.

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<sup>19</sup> HMC, C DPM/1/50, 30<sup>th</sup> September 1851.

<sup>20</sup> (Eds.) Alys Levine, Thomas Nutt, Samantha Williams, *Illegitimacy in Britain 1700-1920* (Basingstoke, Palgrave Macmillan, 2005), p. 8.

<sup>21</sup> Lisa Foreman Cody, 'The Politics of Illegitimacy in an Age of Reform: Women, Reproduction and Political Economy in England's New Poor Law of 1834', *Journal of Women's History*, 11:4 (2000), p. 7.

However, despite being marginalised social outcasts in popular perception, like the Hull prostitutes, unmarried mothers were identifiable members of the working class communities. Despite the morality issues around bastardy, the main issue was financial concerns about rising burdens of single women and their children on the poor law and middle class ratepayers. Middle class fears of the 'fall' were not just the sexual fall but the economic fall. A fall into poverty and degradation was only one social class away from them. Not cushioned by the wealth of the aristocracy, the middle class were vulnerable to economics as were the working class. Fears of the financial drain of illegitimacy on the middle class was paramount. This was financial self-protection dressed up as a moral issue.

The change in social responses towards illegitimacy in the nineteenth century saw social action directed at achieving a change in the bastardy laws. The commission set up to examine the poor law pointedly reported on families of women with numerous illegitimate children to different fathers, all on parish relief. Women were viewed as free to name any man as the father of their children and extract money from them. The commission into the poor law was heavily influenced by Malthusian fears of over population of society, as well as Harriet Martineau writing on women protected by bastardy provisions, the poor law seen as encouraging sexual irresponsibility.<sup>22</sup> Lisa Foreman Cody has stated that the political support for a free market economy condemned single mothers as a drain on the economy.<sup>23</sup> Letters to the *Hull Advertiser* criticised single mothers as 'anti-Malthusians and violators of the laws of marriage'.<sup>24</sup>

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<sup>22</sup> Foreman Cody, 'The Politics of Illegitimacy in an Age of Reform', p. 1.

<sup>23</sup> Foreman Cody, 'The Politics of Illegitimacy in an Age of Reform', p. 7.

<sup>24</sup> HA, 26<sup>th</sup> July 1829.

The New Poor Law of 1834 was brought in to address these issues and placed the responsibility of poverty and illegitimacy onto the mother rather than on the parish or the father (traditionally fathers of illegitimate children could face prison for non-payment of affiliation orders). With the New Poor Law's Bastardy Clause, single women were made legally and economically responsible for their illegitimate children. Women could no longer expect the parish to support them and their children or pay expenses for lying in, and if they could not support their children they could be forced to enter the workhouse and be separated from their children. Women were still given the right to charge fathers at Quarter Sessions and later Magistrates Courts, but without the backing of the parish with the action brought by themselves and on the production of evidence of the relationship. No mention was made of protection of the children, only relief of public expenditure and the aim of discouraging immorality.<sup>25</sup>

There is an argument here that the law did not care who got blamed as long as someone paid. However, the sexual element meant that, despite aims of savings to the public purse, it was women (of the poor) who were made the culprits. As with prostitution, the aim of the new legislation was to police women sexually with the law placing itself at the heart of women's reproduction. The Bastardy Clause left men free of responsibility for their sexual behaviour and placed it entirely on women's shoulders. It was designed to protect men from false bastardy claims of women; men were seen in need of protection from women regarded as parasites, who sought to seduce men for financial gain. Men could only be made to support their children if they were named as the fathers within twelve months of birth, or if they were shown to have supported their

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<sup>25</sup> Thomas Nutt, 'Illegitimacy, Paternal Financial Responsibility and the 1834 Poor Law Commission Report: the myth of the making of the Old Poor Law and the New', *Economic History Review*, 63:2 (2010), pp. 335-361.



children during that time. The most they could be made to pay was two shillings and sixpence weekly, except for infants' first six weeks of life, when they paid five shillings. Fathers could also be made to pay for the costs of the birth such as paying the midwife; the usual fee was ten shillings. They could not pay bastardy arrears for more than thirteen weeks, no matter how long they had failed to pay support. Their support ended on either the child reaching thirteen years of age or the mother re-marrying.<sup>26</sup>

Thus the law in bastardy cases stood in favour of men and not women or children, again reflecting the sexual double standard in society. Samantha Williams, in her study of bastardy in London in the early nineteenth century, has noted a moral dimension to the payments ordered by the parish officials with higher sums of two shillings and six pence awarded to those women deemed as respectable compared to a shilling for those seen as more abandoned and worthless.<sup>27</sup> The Hull Magistrates Court records reveal how some women were awarded support of only a shilling weekly, and rarely no more than two shillings. This would not go far to feed and clothe their children adequately. Hence the reforms had men's interests over women and children at its heart. Women were blamed for rising illegitimacy and the cost to the poor laws (not the men who impregnated them). Designed in a climate of moral reform and the public shaming of women, as with prostitution the tide had turned in bastardy too.<sup>28</sup>

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<sup>26</sup> Nutt, 'Illegitimacy, Paternal Financial Responsibility and the 1834 Poor Law Commission Report', pp. 335-361.

<sup>27</sup> Samantha Williams, 'The Maintenance of Bastard Children in London, 1790-1834', *Economic History Review*, 69:3 (2016), p. 962.

<sup>28</sup> Jessica A Sheetz-Nguyen & Marilyn D Button, *Victorians and the Case for Charity* (London, McFarland & Co. Inc., 2014), pp. 6, 8-9, 22.

The bastardy reforms had some critics. The public voice of the working class Chartist movement attacked the Bastardy Clause for its treatment of women, and saw it as a further attack on the poor. Parallels were drawn with the failure of the 1832 Reform Act to give the working class a political voice with the debate around illegitimacy used to represent class-based oppression. Feminists condemned the sexual double standard in the Bastardy Clause for ignoring the fact that women were disadvantaged in the market place with women's work less available and low paid than men's work. Women also had the burden of responsibility of child care. Critics warned that without the help of the parish, women would turn to prostitution or use infanticide to rid themselves of the financial burden of their illegitimate children; illegitimacy was seen as a major cause of infanticide. Single mothers were romanticised as weak victims of male seduction, not active in making their own choices.<sup>29</sup>

The view of weak-bodied and weak-minded women in need of protection was especially prominent in philanthropy. Private charity had originally sought to address illegitimacy with the Foundling Hospital in London in the eighteenth century. However, a change in attitudes in the early nineteenth century also affected the hospital's original intentions of helping children of the poor, with female applicants examined for their morality and respectability, what Samantha Williams calls 'on the road to Magdalenism'.<sup>30</sup> The rules of the Hull Female Penitentiary was that pregnant single women were not admitted.<sup>31</sup> Hull's Lying In charity was aimed at married women of the poor, not single mothers.

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<sup>29</sup> Foreman Cody, 'The Politics of Illegitimacy in an Age of Reform', p. 10.

<sup>30</sup> Samantha Williams, 'A Good Character for Virtue, Sobriety and Honesty: Unmarried Mothers Petitions to the London Foundling Hospital and the Rhetoric of Needs in Early Nineteenth Century', in (Eds.) Levene, Williams, Nutt, *Illegitimacy in Britain 1700-1920*, (Basingstoke, Palgrave Macmillan, 2005), pp. 86-101, 87.

<sup>31</sup> Hull Female Penitentiary, Rules for Management, 1811.

Unmarried mothers were excluded from having a Christmas dinner in Hull workhouse in 1850.<sup>32</sup> Fund raising was undertaken in Hull for fatherless children of those lost at sea but fatherless children of single mothers had no provision. This left single mothers and their children wholly excluded from charitable help in Hull, facing prejudice in charitable provision as well as in wider society. Andrew Blaikie, in his study of bastardy in nineteenth century Scotland, has also noted a lack of interest in bastardy by philanthropists, with concentration mainly upon the perceived social evil of prostitution.<sup>33</sup> This gap left women with illegitimate children few options but to seek support through the courts. However, the ‘taint’ of sexual immorality linked to bastardy followed women into the courtroom.

Appendices 5 & 6 shows bastardy cases before the Hull Quarter Sessions Court and Hull Magistrates Court from 1801 to 1891. These are cases recorded in the courts’ minute books, although bastardy cases were also found in the Quarter Sessions Bundles, including settlement and removal cases, which are also recorded. We can see the rise of bastardy cases before the Hull courts in the 1830s with the advent of the New Poor Law’s Bastardy clause. By the 1840s bastardy cases heard at the Hull Quarter Sessions were taken over by the Hull Magistrates Court, as seen in the numbers rising before this court. This rise also reflects the fact that more women were using the Hull courts themselves to try and gain the financial support they needed for their illegitimate children in the absence of parish help. Thomas Nutt, in his study of bastardy in early nineteenth century Essex, notes that a fifth of the magistrates’ cases were bastardy

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<sup>32</sup> HA, 20<sup>th</sup> December 1850

<sup>33</sup> (Eds.) Andrew Blaikie, Eilidh Garrett, Ros Davies, ‘Migration, Living Strategies and Illegitimate Childbearing: A comparison of Two Scottish Settings 1871-81’, in (Eds.) Levene, Williams, Nutt, *Illegitimacy in Britain 1700-1920*, (Basingstoke, Palgrave Macmillan, 2005), pp. 50-65.

cases; bastardy was a big caseload in the new magistrates courts and the magistracy had a key role in bastardy provision, taking on the traditional role of the parish.<sup>34</sup>

Interestingly there is a slight dip in bastardy cases before the Hull Magistrates Court in 1871. This also coincided with the peak in prosecutions for prostitution before the Hull Magistrates Court in 1871. It could be that women with illegitimate children were more wary of bringing their cases before the court in this period for fear of being accused of being a prostitute. Presenting women as sexually immoral prostitutes will be shown to have been common practice by the male defence in bastardy cases before the Hull courts. Women may have feared lack of success because of the increase in persecution of women of the poor in this period, at the height of fears of vice and immorality.

By the later nineteenth century there was a fall in illegitimacy nationally, with greater opportunities for both men and women to earn a living, and rising marriage rates linked to this. However, bastardy cases continued to be a significant and regular presence before the Hull courts despite an overall national fall in illegitimacy, with the highest amount of bastardy cases before the Hull courts for the years 1881 and 1891. This can be viewed as relative to the general overall increase in the numbers before the Hull courts in these years as the law and the courts in Hull grew more sophisticated, with the Magistrates Court taking on the increased burden, leading to higher numbers before the court. This meant that bastardy had a greater prominence than previously. It also reflects the fact that the Hull Guardians were able to bring their own cases with changes in the law, as well as the women themselves in increasing numbers choosing to bring cases to

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<sup>34</sup> Thomas Nutt, 'The Paradox and Problems of Illegitimate Paternity in Old Poor Law Essex', in (Eds.) Alysa Levene, Samantha Williams, Thomas Nutt, *Illegitimacy in Britain 1700-1920*, (Basingstoke, Palgrave Macmillan, 2005), pp. 102-121.

the courts, perhaps encouraged by the better protection of women and children in the law in the later nineteenth century. These are the bastardy cases that went before the Hull courts. As with prostitution, which often escaped the notice of the law, it is difficult to put a figure on illegitimacy. Illegitimacy did not always go before the court if family or the father's support was available, or if the mother used another survival tool and married, or was able to work to support her children herself.

With the linking of female sexual immorality to illegitimacy, how did women fare in bastardy cases before the Hull courts and could they expect fair treatment? To uncover how far women were successful in their bastardy cases the use of court testimonies of the women who brought the action, the defence of the father and the various witnesses has been examined. Courtroom testimonies provide rich background detail to the cases, describing the circumstances of the pregnancy and details of those involved. The outcome of the bastardy cases are studied to expose how far the background to the case, the social class of the fathers, the availability of credible witnesses, and most importantly, how the perceived sexual reputation of the mothers affected the result.

A key point to remember, despite the results, is that women took themselves to court in bastardy cases, rather than were brought to court in indictments as in other cases of perceived female sexual immorality. As increasing numbers of women used the Hull Magistrates Court to bring cases of maintenance of their illegitimate children we can see that women also used the law and the courts to their advantage, they did not just stand before it. This can be seen as a sign of female agency; women were active, willing and able to make use of the law to suit their needs (despite not always being successful in this). They knew their rights and used the Hull courts to secure economic support for

themselves and their children. Thus women were not completely devoid of power in court, even though social attitudes and the law worked heavily against them.

Women sought to pursue through the courts a former lover or their employer who had made them pregnant and who was ignoring their appeals for financial assistance towards the upkeep of the child. This was women making sure their children did not starve. The Hull courts sought both financial solutions and control over illegitimacy. The fact that the courts took action to indict fathers (including those of higher social standing) and sought their compliance with paying for their child, demonstrates that women were able to seek some recourse in law in this period. This was more to do with the finances than any real sympathy for the women by the justices. The courts wanted the fathers to pay, not the expense to the parish and ratepayers. The social need was mutual; the women were looking for a financial solution and so were the Hull courts.

The courtroom could prove to be a site of power for women, where they could prove their respectability in public. It was also a scene of female degradation, with women punished for their perceived immorality through refusal of economic support in bastardy cases. Women fell victim to the prejudices and ideology of the male middle class who sat on judgement on them. Judgements were made about women's respectability on the basis of appearance, language and demeanour. Women who dressed and spoke demurely were offered more sympathy. Thomas Nutt has also noted the trend of pre-judging women on their sexual reputation in his study of women before the petty sessions in Chelmsford, although he sees economics overriding notions of morality.<sup>35</sup> However, Nutt has concentrated on the old poor law, when greater priority was given to

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<sup>35</sup> Nutt, 'The Paradox and Problems of Illegitimate Paternity in Old Poor Law Essex', pp. 110, 113, 120.

affiliating the father than punishing the mother. Andrew Blaikie notes an absence of police persecution of single mothers in nineteenth century Scotland, with the danger seen as greater from the threat of infection by prostitutes.<sup>36</sup> Although the Hull police concentrated on prostitution as it was the more visible, street based female sexual immorality, single mothers faced similar persecution in the Hull courts.

Hull women were subject to a courtroom experience which saw them accused of being prostitutes, sexual promiscuity and having a number of male followers. This was especially the case where there was doubt about the paternity of the child or where the father was of a higher social class and wanted to protect their reputation; in these cases men were likely to win their cases and leave the courtroom with their reputation intact at the expense of women. Despite being witnesses in the bastardy cases of men, in reality it was women themselves who were on trial in the Hull courts for the hidden crime of sexual immorality in bearing a child out of wedlock. Women were treated with a suspicion which male defendants were not. Only women's sexual history was scrutinised and women alone had to prove to the court that they were of good character.

The questioning of female sexual reputation whilst leaving that of men's alone demonstrates perfectly the sexual double standard inherent in the law in this period. Nineteenth-century law reflected middle class anxiety about supposed dangerous female sexuality. The primacy of the nuclear family was seen as under threat by extra marital sex and illegitimacy. Women who brought bastardy cases were condemned both for their immorality and for making sex public; their courtroom testimonies about sex spoken in the public arena of the courtroom and reported in newspapers, saw distaste

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<sup>36</sup> Andrew Blaikie, *Illegitimacy, Sex and Society in North East Scotland 1750-1900* (Oxford, Clarendon Press, 1997), pp. 33, 141-167.

about women speaking about a subject felt unsuitable for their sex..<sup>37</sup> However, class and gender differences were not so much in sexual behaviour but attitudes towards sexual behaviour. Middle class men and women were equally as guilty but were protected from public outing of their secret sexual liaisons.

Seeking justice through the Hull courts was not easy for women of the poor who faced men of higher social standing and education in the courtroom. Whether women received financial support in bastardy cases depended on a number of factors, looking at the circumstances of the case, the evidence women could provide, and most importantly, the sexual reputation of the women themselves. Hull bastardy cases reveal that pregnancy was the result of a number of different situations and circumstances. This was not a mass of feckless and immoral women as popularly believed, but women and children in desperate need. How this need was expressed to the court was key.

Shani D’Cruze has studied the ‘theatre’ of the courtroom as a place where women’s reputations and sexual identities were played out. Women sought to gain sympathy for their plight and have their respectability confirmed in public, as well as gain economic support.<sup>38</sup> Both men and women used the Hull courtroom as a theatrical arena to present their bastardy cases. Various roles were played out to the court in line with the popular genres of the period such as the seduced, wronged woman, the male victim of female greed and gain, or being deceived by a prostitute. The seduction narrative resulting in unwanted pregnancy and abandonment, was a popular theme in the literature of the

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<sup>37</sup> Logan, *Fallenness in Victorian Women’s Writing*, p. 59.

<sup>38</sup> D’Cruze, *Crimes of Outrage*, pp. 137-170 & D’Cruze, ‘Sex, Violence and the Local Courts’, pp. 39-5



period, to serve as a warning of the perils of the female sexual fall, as Tess's 'fall' led to her eventual death in Thomas Hardy's *Tess of the D'Urbervilles*.<sup>39</sup>

Popular images and social stories were used by Hull women to present themselves in a good light to the court. Presenting the image of a wronged woman often resulted in success. This included promise of marriage later reneged on, in order to prove the relationship and their desire for respectability through the marriage state. To achieve success in bastardy cases women had to prove that they were in a relationship with the father of the child and had sought marriage (the middle class respectable ideal).

Otherwise it could be open to suggestion they were of loose morals or even a prostitute.

Charlotte Struths in 1851 stated to the court that Francis Stather had 'paid address to me and I can produce letters in which he sent me money'.<sup>40</sup> However, this worked against her as receiving money could also indicate she was seeking financial gain or worse that she was a prostitute. Because of this doubt her case was dismissed. Hannah Jane Harvill also sought to prove she was in a relationship with Henry Waudby – 'I knew him for twelve months, I was frequently at his house. I went to the theatre with him. We had intercourse whilst at my cousin's house'. In this case an order for maintenance was made.<sup>41</sup> John Hepton was made to pay two shillings a week after a woman successfully presented to the court that she was in a relationship with him and they had visited Drypool Feast and Waterloo Tavern. As these were places popular with local prostitutes

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<sup>39</sup> Hardy, *Tess of the D'Urbervilles*, p. 79.

<sup>40</sup> HMC, C DPM/1/50, 18<sup>th</sup> October 1851.

<sup>41</sup> HMC, C DPM/1/50, 18<sup>th</sup> October 1851.

it was open to interpretation that she was also a prostitute, but as she provided witnesses to the relationship her case was upheld by the magistrates.<sup>42</sup>

Despite the theatrical performance of court testimonies stressing courtship and marriage hopes, Hull bastardy cases reveal that pregnancy was the result of a variety of relationships and sexual encounters including cases of rape, incest, sexual abuse of servants by their employers and associates, sexual intercourse between servants, and cohabitation resulting in pregnancy. The most common reason for pregnancy was courtship between individuals of a similar social class background with the hope and promise of marriage which then failed to take place. Adair has discussed that the historical research into illegitimacy has traditionally identified four main causes of bastardy - exploitation of servants by employers and fellow servants, promiscuity and sexual revolution of women resulting in more independence, unrecognised marriage such as cohabiting relationships or desertion, and thwarted marriage plans.<sup>43</sup> These have all been found in the Hull study but the main point is, whatever the reality, bastardy cases stood on how well the participants could present their cases to an audience made up of police, magistrates, newspaper reporters and public viewers. Presentation was especially important for women, with their cases bound up with sexual morality.

The social construction of bastardy saw a playing out of gendered roles before the courtroom. Women in Hull bastardy cases presented themselves as seeking respectable marriage but had been let down, in order to gain the sympathy of the courtroom. Men's testimony sought to present them as innocent victims of sexually-immoral women who

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<sup>42</sup> HMC, C DPM/1/50, 18<sup>th</sup> October 1851.

<sup>43</sup> Richard Adair, *Courtship, Illegitimacy and Marriage in Early Modern England* (Manchester, Manchester University Press, 1996), pp. 4-9.

sought financial gain. Samantha Williams' examination of applications to the Foundling Hospital in the hostile moral climate of the early nineteenth century, also saw women emphasise promise of marriage and refer to feelings of shame. This was because this was expected of them by those who sat in judgement on their application.<sup>44</sup>

The Bastardy Clause dictated that women had to provide evidence to the court that the sexual intercourse had taken place as part of a relationship where marriage had been promised, or that sex had been unwanted and forced upon them. Women often relied on witnesses to back up their story, usually other women or female family members who were witnesses to the relationship but who also faced scrutiny of their respectability too. Other women could make or break a case, either backing the woman in her story of seeking marriage, or informing on her sexual relationships, revealing the watchfulness which took place of women by women in the neighbourhood. The community usually undertook surveillance of relationships and pregnancy of women in the neighbourhood, important when women needed witnesses to confirm their relationship in court. Women sought to bring fathers to the courts in the main to receive financial support, however it would also serve women in the wider community and female kin networks of assistance that their child was officially recognised by the father she had named and that they were not sexually promiscuous. Bearing illegitimate children, although largely accepted in the community, could also be used as a put down by other women in neighbourhood fights. Mary Marlock was prosecuted for profane language in accusing a woman of having a 'bastard'.<sup>45</sup> Women put down other women by accusing them of loose sexual morals by being prostitutes or bearing bastards (a tactic not just used by men in trying to get off bastardy court cases but used in female neighbourhood disputes too).

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<sup>44</sup> Williams, 'A Good Character for Virtue, Sobriety and Honesty', pp. 93-94.

<sup>45</sup> HMC, C DPM/1/71, 16<sup>th</sup> January 1861.

The Hull bastardy court testimonies show how illegitimacy became linked to prostitution in the nineteenth-century courtroom. Both prostitution and illegitimacy were at the forefront of public debate, part of the general attack on female immorality in this period. Social commentators of the period, such as William Acton, saw the unmarried mother having taken the first step in prostitution.<sup>46</sup> The connecting of bastardy to prostitution was made full use of by men's defence. Women before the Hull courts in bastardy cases (especially those who had a number of illegitimate children) were commonly accused of being prostitutes in male defence, something also noted by Nutt in his study.<sup>47</sup> Men aimed to turn cases in their favour by presenting women as prostitutes using various means such as where the sexual act took place. Women were accused of being prostitutes for visiting feasts and fairs and Beverley races (places of prostitution). Meeting in areas associated with prostitution or where there were a number of brothels also created suspicion. Women who frequented public houses were frowned upon as prostitutes went to public houses to pick up men. There was a spatial geography to female sexual immorality and the idea that there were places respectable women would not venture was used in court against women bringing bastardy cases.

Will Kay managed to evade paying maintenance for his child by stating he had sexual intercourse at Beverley races (a haunt of prostitutes) with the child's mother.<sup>48</sup> Sarah Chadwick, a mill worker, was accused by Nathan Kay's defence as regularly visiting a 'bawdy house'. Chadwick accused Kay of forcing her to have sex with him at his home and in Lower Union Street (an area which housed a number of brothels and lodging houses) – 'he said I should not go home until he had connection with me'. She was

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<sup>46</sup> Acton, *Prostitution Considered in its Moral, Social and Sanitary Aspects*, p. 18.

<sup>47</sup> Nutt, 'The Paradox and Problems of Illegitimate Paternity in Old Poor Law Essex', p. 113.

<sup>48</sup> HMC, C DPM/1/71, 9 May 1861.

accused of being a prostitute for having sex with him and a number of men, and talking to different men. Kay denied going to Lower Union Street with her and that he had 'never laid her on the sofa or on the floor'. Sarah Chadwick's case was dismissed despite her denials that 'I never was in any bawdy house, I never spoke to any men'.<sup>49</sup>

Elizabeth Booth was believed to be a prostitute for having sex against a wall in Oxford Street and 'not laid down'. Sex stood up against a wall was seen as what streetwalking prostitutes did. Booth had to deny that he had paid her.<sup>50</sup> Booth was also believed to be a prostitute because she had previously borne two illegitimate children. In the absence of places of privacy in overcrowded homes sexual intercourse between couples in a quiet place in the street was common. However, this would place the woman at risk of being considered a prostitute in bastardy cases.

Barbara Sheffield was accused by William Laverack of being a prostitute as they met in Hull Paragon train station yard (a further site of prostitution). Laverack stated:

I met the complainant in Paragon Street. She followed me through the station yard. She asked me to stand her a drink and I did. She asked me to go with her. She took me to a house (brothel) in Vincent Street. I had connection with her. She told me she had been kept by a man named Ouser. Then he had left her and she had been compelled to go into prostitution. She told me to go and see her at Mrs Hoppers (another brothel) and took me to her room.

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<sup>49</sup> HQS, C CQA/2/17, 12<sup>th</sup> March 1861.

<sup>50</sup> HMC, C DPM/1/71, 25<sup>th</sup> January 1861.

Sheffield's testimony reveals the hostile questions put to her:

I was not walking about the station yard for the purpose of soliciting men. I was not a prostitute. I did not ask him to stand me a drink. I did not go into the Golden Crops public house and have a drink with him. I didn't say I know a home not far off (Madame Thompsons in Vincent Street). I had never been there before. I have never taken men to Mrs Hoppers and slept with them all night. I never lived as a lodger in Cooks Buildings (Cooks Buildings was a notorious area for prostitutes and brothels in Hull).<sup>51</sup>

A witness was brought (Sheffield's landlady) who stated that 'She came home with men several times. She was a gay girl (a term for prostitute) for years before she came to me'.<sup>52</sup> The witness then went on to list other lodging houses (all brothels) where Sheffield had resided – 'These are all gay houses. I know her sister. She is a gay girl and keeps a gay house in Hull'.<sup>53</sup> This implied immorality ran in the family. Sheffield was also accused of being 'ruined' whilst in service to a man named Oregon who kept the Trinity House Arms public house; hence her bastardy case was dismissed.<sup>54</sup>

The number of times sex took place went against women, with the judges more sympathetic if pregnancy was the result of one 'connection'. Georgina Rowan was accused by William Wood of being a prostitute for having sex a number of times with him. Wood stated that 'she asked me to go with her to a house on Pier Street. She went

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<sup>51</sup> HMC, C DPM/1/118, 19<sup>th</sup> April 1881.

<sup>52</sup> HMC, C DPM/1/118, 19<sup>th</sup> April 1881.

<sup>53</sup> HMC, C DPM/1/118, 19<sup>th</sup> April 1881.

<sup>54</sup> HMC, C DPM/1/118, 19<sup>th</sup> April 1881.

upstairs, put out the light and got into bed. She said that she used to go up Hedon Road with a man named Frank who used to do what he liked with her. I admit I had connection with her four times. I thought she was a prostitute.’ Rowan was accused of going with different men, the defence producing a list, and she lost her bastardy case.<sup>55</sup>

A further ploy by the defence in bastardy cases was calling a number of male witnesses to indicate that the women were sexually promiscuous and had slept with a number of men, any of whom could be the father of their child. John Marshall Butcher and William Hodgson were both called to appear concerning a ‘bastard child born on the body of Mary Nightingale’.<sup>56</sup> A bastardy case from 1834 saw Ann Banworth Dale accuse George Leake of being the father of her child. Her statement read: ‘I was delivered of a child on Saturday 26<sup>th</sup> July last in Philip’s Court, Lean Lane. George Leake is the father of the child’. Witness William Thompson was then called by the defence to give his account. ‘I know John Gardham. I have known him 3 years. He was the father. Leake could not have been the father as well as Gardham. Dale replied: ‘Nothing happened that he could be the father. I never was in a room with him’.<sup>57</sup> Dale had to go through the unpleasant ordeal of the defence attempting to portray her as sexually active with a number of men and calling into account her credibility as a witness. Richard Key also succeeded in having his bastardy case dismissed through the means of accusing the mother of his child of going with different men and seeking money. He was a shopkeeper when he asked a young girl to mind his house and then

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<sup>55</sup> HMC, C DPM/1/119, 10<sup>th</sup> November 1881.

<sup>56</sup> HQS, C CQA/2/9, Thomas A’Beckett 1821.

<sup>57</sup> HMC, C CPM/4, 23<sup>rd</sup> December 1834.

had forced sexual intercourse with her.<sup>58</sup> As a man of higher social standing he was believed by the court instead of the girl; a common theme in the Hull bastardy cases.

Mary Ann Mason had to prove the dates of the sexual act taking place as her child was born a month premature. Mason told the court she had been in a relationship with a man named Dalton and had visited Holme Feast with him. The child was conceived at her father's house whilst her parents had gone to bed. She was accused of being a prostitute: 'I have never been a common prostitute, I have never had consort with Thomas Collins, I have never had consort with William Halliday, I have never had consort with John Huntley. I used to get meat off Will Braithwaite. He did not give me money. I have never had consort with others. I only have one child'.<sup>59</sup> A premature birth being evidence that the child was not the father's was also used in a case against Leack Stutt. Sarah Minder sought to prove the child was a '7 months child who sleeps all the time and whose nails are just forming'.<sup>60</sup>

Especially vulnerable to courtroom attack were women who had borne several illegitimate children and had several appearances before the Hull courts in bastardy cases. Peter Laslett's original study of bastardy discussed the 'bastard prone sub society' (bastard-producing women who lived in the same locality who had kinship and generational links).<sup>61</sup> Although there is evidence in Hull of women bearing a number of illegitimate children with some of these women being related such as sisters, the majority of women had one illegitimate child. This is in line with the findings of Steven

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<sup>58</sup> HMC, C DPM/1/72, 24<sup>th</sup> October 1861.

<sup>59</sup> HMC, C DPM/1/49, 3<sup>rd</sup> July 1851.

<sup>60</sup> HMC, C DPM/1/118, 23<sup>rd</sup> May 1881.

<sup>61</sup> Laslett, 'The Bastardy Prone Sub-Society', pp. 217-246.



King, who acknowledged Laslett to a certain extent in some of his findings of multiple illegitimate children with evidence of family networks and special concentration.<sup>62</sup>

The Hull study has concentrated more on attitudes towards 'repeat offenders' who were regarded by the courts as especially immoral and their cases more likely to be dismissed. In 1861 Elizabeth Lunn testified: 'I am single. I had a child born 10<sup>th</sup> June 1860. The defendant is the father. I have had five bastards, and I had a summons against the defendant at York which was dismissed.' The defence portrayed Elizabeth Lunn as sexually promiscuous for she had a number of illegitimate children. A witness, a neighbour, stated: 'I have called at her home and seen men there. I have seen men go there. I have seen seven men at the complainant's, one on a Sunday'. This increased the impact of her perceived immorality as she was not at church but having sex on a Sunday. Again it was hinted to the court that Lunn was a prostitute.<sup>63</sup>

Jane Tranmere had brought a number of bastardy cases before the court. Tranmere had made a claim in 1819 against a man described as a gentleman - George Brocks of Leeds. The next year Tranmere brought a case against Christian Matson of Sculcoates, a victualler, for two illegitimate children. In 1821 she brought a case against William Strachan of Barton on Humber, Lincolnshire, a watchmaker, for a further illegitimate child. William Strachan, who was first ordered to pay maintenance, successfully achieved his order being quashed on appeal in 1821.<sup>64</sup> This was due to the fact that Tranmere had borne three illegitimate children to three different fathers in as many

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<sup>62</sup> King, 'The Bastardy Prone Sub-Society again', pp. 79, 85.

<sup>63</sup> HMC, C DPM/171, 15<sup>th</sup> May 1861.

<sup>64</sup> HQS, Affiliation Orders 1819-1821, C CQB/114/35 & C CQB/109/21-22 & C CQB/104/4.

years. It is this sort of situation which caused outcry over morally lax women using the poor law funds by bearing a number of illegitimate children to different fathers.

Women who saw their cases dismissed because they had borne more than one child out of wedlock included Sophia Wilkinson, pregnant for the second time by a farm boy in 1881 (his parents complained of her going with different men).<sup>65</sup> Hannah Jubb, who lived in lodgings and had four illegitimate children, was accused of taking men back to her lodgings for sex: 'This is my fourth illegitimate child. A man from Welwick is the father of the second, Hanmen was the father of the first, Worthing is the father of the third, the child died'. Joseph Chambers was accused of being the father of her fourth child and he put up a defence that the child was by her previous partner Worthing and that she had slept with him and others at the last Harvest. Despite her attempts to prove that he had given her money for the child (a form of acknowledgement by the father) Hannah Jubb's case was dismissed.<sup>66</sup> Women who had several illegitimate children faced particularly hostile questioning in the courtroom, and were most likely to be accused of being prostitutes and lose their cases.

Women who appeared before the Hull courts in bastardy cases were overwhelmingly working class, vulnerable to economic difficulties. Middle class women also gave birth to illegitimate children, although they were far more protected from male company within the private sphere of the home and family, and lived in fear of social ostracism. Cases of illegitimate pregnancies amongst middle class women were hushed up. This could mean being sent away to give birth or paying for the child's upkeep by others in order to protect a woman's reputation and marriage prospects. Middle class women did

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<sup>65</sup> HMC, C DPM/1/118, 7<sup>th</sup> July 1881.

<sup>66</sup> HQS, C CQA/2/22, 12<sup>th</sup> August 1881.

not appear in the Hull courtroom in bastardy cases to have their sexual reputations scrutinized and ripped to pieces as did women of the poor. Advertisements in the Hull newspapers appealed to middle class women in such a predicament:

‘Pregnancy – any Lady in this situation, under peculiar circumstances, may obtain a real Friend, and secure her honour and happiness. Enquiries to Mrs Grimston, No. 18 Broad Street, London, where a private interview will be appointed.’<sup>67</sup>

‘To the Ladies - Pregnant Ladies, whose situations require a temporary retirement, may be accommodated with apartments to lye-in, agreeable to their circumstances, their infants put out to nurses and taken care of. The consolation resulting from this undertaking to many of the most respectable families in the kingdom by securing peace and concord amongst relations and friends is sufficiently conspicuous to be countenanced by the humane and sensible part of mankind. Honour and secrecy having been the basis of this concern for many years may be relied upon. Those regardless of reputation will be treated. Ladies may be accommodated in the country if more agreeable than the town. Apply to Mr or Mrs Symons, Midwife, London-House Yard, St Paul’s Church-Yard, London (name over the door). Letters post-paid attended to and advice gratis from ten till twelve.’<sup>68</sup>

Delicately phrased, these advertisements offer the utmost secrecy and a confidential service to higher class women with an unwanted pregnancy, which was denied to poorer

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<sup>67</sup> HR, 5<sup>th</sup> March 1808.

<sup>68</sup> HP, 21<sup>st</sup> November 1809.

women. The hostility and condemnation which pregnant single working class women faced in the open courtroom was not an ordeal higher class women had to endure. Instead middle class and upper class women pregnant with illegitimate children (both married and unmarried) were given help and protection for their plight, being more able to afford it. They were kept safe from society's gaze and condemnation, their reputations kept intact. The sexual morality of the middle class in Hull, although held up in public as exemplary, was hidden behind closed doors. It was woven into the social round of visiting and gossip and 'payment' took form of secret liaisons and under the counter bastardy settlements, as well as newspapers discreet advertisements. The Hull bastardy cases reveal how the middle class were guilty of the same sexual behaviour as the working class they condemned but the response to what was seen as the problem of illegitimacy concentrated on the illegitimate births of women of the poor. Society made working class women the public scapegoats for rising illegitimacy, not their equally 'fallen' middle class and upper class sisters. Economics allowed those of higher social standing to buy their way out of their mistakes. As the poor turned to the public purse for assistance, so they were condemned for their immorality.

However, higher class males did appear in the courtroom in Hull bastardy cases such as yeomen farmers, manufacturers and merchants, as well as gentlemen. George Brocks of Leeds was described as a gentleman in a bastardy case brought by Jane Tranmere in 1819.<sup>69</sup> John Allan, a naval officer, was named by Maria Cass in 1821.<sup>70</sup> This shows evidence of sexual liaisons of people from differing social classes as well as of the same social class. Despite publically declaring their superior morality, the middle class both bore and fathered illegitimate children.

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<sup>69</sup> HQS, C CQB/104/4, 16th March 1819.

<sup>70</sup> HQS, C CQB/112/26, 23<sup>rd</sup> January 1821.

Women were much less likely to win their bastardy cases should they accuse men of higher social standing to themselves as being the father of their child. Whose words would have carried the most weight in the courtroom – a man who was seen as morally upright in society or a working class girl seen as sexually lax for bearing an illegitimate child? Bringing a bastardy case against a man of higher social class saw women place themselves wide open to hostility and scrutiny for daring to accuse their ‘betters’ of sexual misconduct. Women were viewed as seeking financial gain. Powerful and wealthy men could access the best defence lawyers and call witnesses to their upstanding characters. Such men represented middle class values of family and respectability (publically if not privately).

The old trick to resort to damaging women’s sexual reputation was used by middle class men in bastardy cases. Alfred Brown owned a foundry and had £170 pounds a year (his income was declared to the court in because it indicated his status and social worth). Brown made a servant pregnant after sexual relations in a passage. He later married a woman of his social class. He stated the girl was of loose morals, had sex with other men and visited the theatre (a haunt of prostitutes). The fact that she had had sex in the street with him (as did prostitutes) was evidence against her and she lost her case.<sup>71</sup>

Ellen Wacholder brought a bastardy case against a man who had a prominent role in the Hull Jewish Synagogue as its President. With her two year old child she had gone to see him at the synagogue: ‘He said that all the ladies with children must go out of the synagogue. I was in the ladies’ seats and he took hold of me by the arm. He was afraid my child would make a noise and pushed me out of the door and into the street. He did

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<sup>71</sup> HQS, C CQA/2/17, 18<sup>th</sup> June 1861.

not hurt me at all but the shame hurt me. I went home quietly with my child'. The defendant, Simeon Moseley, wanted no public knowledge of his child by Ellen Wacholder. The fact that she had gone to the synagogue meant his secret could come out hence he wanted her gone as soon as possible. Moseley brought in the Jewish Minister in Hull, Phillip Bender, to protect his reputation. He presented the woman as a stranger to Moseley and that he had gone to the ladies' gallery to ask her to leave as her child was making a noise and disrupting the ceremony. Against the testimony of two powerful men, Wacholder had no way of winning her case. Moseley played the benevolent concerned citizen and offered to pay the court costs of Wacholder. This would have further elevated him in the court's eyes as an innocent, upstanding middle class male being falsely accused by an immoral woman, even though he was Jewish and therefore discriminated against.<sup>72</sup>

Men of higher social status had a voice (unlike working class women), and made public their opinions of women involved in bastardy cases. Such men sought to influence social attitudes in their (men's) favour. An example of this was the privately published *'An Appeal to the Public and especially to all Fathers of Families'*, by Thomas Brown (merchant and ship owner of Hull, and committee member of Hull Female Penitentiary, a charity for fallen women). Published for the 'protection' of young middle class men from working class women – 'for by means of a whorish woman, a man is brought to a piece of bread, and the adulteress will hunt for the precious life'.<sup>73</sup>

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<sup>72</sup> HQS, C CQA/2/17, 4<sup>th</sup> February 1861.

<sup>73</sup> Thomas Brown, *An Appeal to the Public and a Few Cursory Remark on the Trial, Evidences and Proofs Adduced at the Quarter Sessions of the Peace held at the Guildhall 6<sup>th</sup> April 1826 on that most Extraordinary and Singularly Unprecedented Bastardy Case* (Hull, Thomas Topping, 1826), pp. 1-20.

Wealthy men were seen as innocent victims of grasping women. However, the real reason for publication was that Brown had his own recent bastardy case heard at the Hull Quarter Sessions Court and sought to defend his reputation in going public (unusually as middle class men sought to keep private their sexual dalliances). Brown had a public image to protect. He had the means and the money to do this, unlike working class women who had no such resort to protecting their reputations. Brown stated that in cases of men being accused of rape and bastardy that ‘the most virtuous and upright person in existence is at the mercy of the most abandoned wretch that ever disgraced the name of woman’.<sup>74</sup> He sought to prove his innocence: ‘I have made my appeal to invalidate the charge of which I am so falsely accused. I feel I am the victim of a prostitute’ (again linking women who bore illegitimate children with prostitutes). Brown condemned the law for giving ‘women of abandoned character every facility in the law’ and bemoaned ‘the oath of a wicked woman was preferred against me’.<sup>75</sup>

The so-called wicked woman was Elizabeth Wells who had borne a son by Brown on the 18<sup>th</sup> January 1826. She lived at 9 Myton Street (a working-class district) with her mother and father. Her father used to work for Brown. To earn a living she cleaned at the Browns’ house at West Parade. Wells was sent to the workhouse and was abandoned by her family once news of her pregnancy was out. She had named Brown as the father of her child causing Brown to visit the Governors of the workhouse to order they bring Wells before the justices ‘not only for her own misconduct and fault, but also for the foul scandal and lies she was propagating against me’.<sup>76</sup> She accused him of raping her after she met him late one evening after leaving his house. Brown

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<sup>74</sup> Brown, *An Appeal*, p.1.

<sup>75</sup> Brown, *An Appeal*, p.2.

<sup>76</sup> Brown, *An Appeal*, p.17.

brought witnesses to state he was ill in bed on the day he was accused of raping her and that whenever she had visited his house his family were there or she was accompanied by her father or brother or sister. Brown disputed her claim that this was her first sexual experience and stated that she was well known as a 'loose bad woman, frequenting our barracks, strolling about the streets at night with soldiers and sailors and of being seen as returning to her lodging house as early as 5 o'clock in the morning and was once fetched from a house of ill fame by her own mother. The woman she lodges with has a son and she is often seen strolling with him at various hours on the night after dark'.<sup>77</sup>

Once again men accused women of prostitution or sexual promiscuity to validate their own reputations at the expense of women's. Brown stated the case was 'a foul and wicked conspiracy, to destroy my own and my family's peace, to destroy my character and reputation and to extort money from me wrongfully'.<sup>78</sup> He was described in court as a 'Christian man and a married man' to emphasise his respectability, with statements of his wife and daughters used to encourage the picture of a middle-class family man.<sup>79</sup>

Brown promoted a petition to Parliament to 'remedy the great defects in the law of Bastardy as it at present stands for who can with safety walk the towns streets, the most virtuous the most innocent person being are liable daily to become the victims of such villainy'.<sup>80</sup> He also published an anonymous letter by a supporter who had read Brown's appeal in the *Hull Advertiser*. The letter advised that 'it is common practice that women were encouraged by male villains to name a wealthy man as a father of their illegitimate

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<sup>77</sup> Brown, *An Appeal*, p.5.

<sup>78</sup> Brown, *An Appeal*, p.9.

<sup>79</sup> Brown, *An Appeal*, p.11.

<sup>80</sup> Brown, *An Appeal*, p.17.



child in order that they can bleed him dry'.<sup>81</sup> This demonstrates the criticism of the bastardy laws and the view that women used the law's protection as a means to an end of achieving financial gain through persecution of innocent men. The sexual double standard in the bastardy laws saw men as the victims, not women and their children. Middle class men had recourse to criticise the law, had access to witnesses and lawyers to assist their case and clear their good name when women did not have this option available to them. Proving bastardy was particularly difficult for a poor uneducated woman with no legal support, especially in cases against higher class men.

Even when (rarely) men of higher social standing were ordered to pay for their children, they appealed and were more likely to win their court appeals such as Joseph Dibb, described as a gentleman, who won his bastardy appeal against Jane Proctor in 1826.<sup>82</sup> Working class men also had some recourse in law to defend themselves against the claims of women in bastardy cases. However, working class men did not have access to expensive defence lawyers nor were they viewed as law abiding, respectable family men like middle class males. They were more likely to be ordered to pay maintenance than wealthy middle class males, and made an example of as part of the wider general attack on the working class, regarded as feckless and sexually irresponsible.

Working class men used different means to avoid paying for their children. As well as tearing apart women's sexual reputations, some men failed to turn up at all in court, as was the case of Henry Smith in 1841. An order was issued for his apprehension as Mary Dilock was chargeable to the parish of Sculcoates, where her child had been born in the

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<sup>81</sup> Brown, *An Appeal*, p.17.

<sup>82</sup> HQS, C CQB/133/10, 25<sup>th</sup> March 1826.

workhouse.<sup>83</sup> Men sought different aliases and told lies to avoid detection. Smith, a tailor, said he was a bootmaker and was called John Fletcher or Wilkinson, and said that he was single when in fact he was married.<sup>84</sup> John Peter Boyes, alias Charles Wilson, alias Fred Johnson, also attempted to avoid detection by using different names.<sup>85</sup>

Implying incestuous relationships was another tactic used. Ann Atkinson had borne two illegitimate children to Henry Revell who was married. However, Revell accused Ann Atkinson of sleeping with her uncle (with whom she lived) and that her uncle was the father of her children. Her case was dismissed.<sup>86</sup> Men who were in the life of women in bastardy cases (including close family members) were often accused as fathering their children. The poor lived closely together, often in one room, and shared beds because of their poverty, and these circumstances were used against women in court.

Other cases of avoidance of payment included John Thompson who failed to abide by his order to pay for his child by Wilhelmina Eggers, a German immigrant. It appeared that the order had never been enforced by the courts as the child had been born at sea giving Eggers no jurisdiction. In a complete state of destitution Eggers had gone to visit Thompson (who had married someone else). He denied paternity of the child and referred her to the workhouse. The case, reported in a local newspaper, roused some sympathy amongst its readership and there was talk of a subscription being set up for her.<sup>87</sup> This case demonstrates that as well as hostility and condemnation of women of the poor who bore illegitimate children, the middle class could also show some

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<sup>83</sup> HMC, C DPM/1/19, 16<sup>th</sup> January 1841.

<sup>84</sup> HMC, C DPM/1/19, 16<sup>th</sup> January 1841.

<sup>85</sup> HMC, C DPM/2/8, 6<sup>th</sup> August 1891.

<sup>86</sup> HMC, C DPM/1/72, 12<sup>th</sup> August 1861.

<sup>87</sup> Lincolnshire Chronicle (LC), 30<sup>th</sup> September 1864.

sympathy to those in dire straits. This was more likely to be the case if this was the only illegitimate child and the women did not have a number of children by different fathers, as well the circumstances behind the case. This was the key to courtroom success of women; their stories had to arouse the sympathy of the court and public.

Other reasons for failing to win maintenance included the low income of the father, his unemployment or that he had another family to support. Some men claimed poverty to avoid paying maintenance. Joseph Rhodes sought the sympathy of the court – ‘I have been out of work. I will try and pay something on Saturday night’.<sup>88</sup> William Graham (who worked on the New Dock) told the court that he was unable to pay because he had to maintain his mother who was 74 years of age, unable to work and eligible to the Union (workhouse).<sup>89</sup> William Overton (a labourer at Stephenson’s mill earning sixteen shillings a week) stated he had to pay his parents fourteen shillings a week for board and lodging.<sup>90</sup> Edward Jackson, before the courts for bastardy arrears, who was the publican of the Crown and Cushion, told the court – ‘I am not in such a good position as I was’.<sup>91</sup> The result of male failure to pay for their illegitimate children saw some women and their children forced into the workhouse, whilst others went out to work when they could arrange childcare, usually by family or neighbours.

Examination of bastardy appeals to the courts reveal that men claimed they could not pay the order as either they were not the father of the child or in reduced circumstances and could not pay the amount specified. Examination of the amount of maintenance

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<sup>88</sup> HMC, C DPM/1/89, 24<sup>th</sup> May 1871.

<sup>89</sup> HMC, C DPM/1/119, 17<sup>th</sup> August 1881.

<sup>90</sup> HMC, C DPM/2/6, 9<sup>th</sup> February 1891.

<sup>91</sup> HMC, C DPM/2/7, 26<sup>th</sup> May 1891.

orders made by the Hull Magistrates Court see orders made on average for two shillings a week (five shillings for the first six weeks) and payment of ten shillings for the midwife. The costs to the court also had to be paid. When men failed to keep up with the payments that the courts had ordered them to pay, then women returned to the court seeking help. Cases of bastardy arrears were regularly heard. Some cases went back some years such as Charles F Wilson, who was brought before the courts in 1891 in order to pay bastardy arrears going back to 1885. The total came to £23 pounds with 40 shillings to be paid to the midwife. Wilson made regular appearances before the courts to pay off his arrears.<sup>92</sup> Occasionally a man who failed to pay arrears was imprisoned such as John Foster, committed for 7 days until he paid 11 shillings arrears.<sup>93</sup>

The Hull records reveal that men regularly took the stand in bastardy cases for impregnation of their female servants. Working class girls were encouraged by middle class philanthropists and reformers to take up positions as domestic servants. This was seen as the safe moral option for working class women - employment in domestic pursuits in a respectable middle class household. However, in some cases this placed women in sexual danger from male employers and their male relatives, friends and associates, as well as fellow servants. They were faced with men's assumptions about their ownership and sexual access to servants in the household, their patriarchal authority and the authority of a higher social class. Live-in servants were especially vulnerable. Pregnancy meant dismissal without references for further employment.

Employer and servant bastardy cases illustrate the difficulties faced by working class women in achieving financial assistance for their children in cases involving an

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<sup>92</sup> HMC, C DPM/2/10, 20<sup>th</sup> October 1891.

<sup>93</sup> HMC, C DPM/1/120, 17<sup>th</sup> November 1881.

authoritative male of a higher social class. Such men were likely to leave court with their reputations intact at the expense of women's reputations. Female servants were unlikely to be awarded in cases against their male employer. A hypocritical middle class sought to keep a close eye on their servants to stop them 'going wrong'. Moral guidance of servants was seen as the role of middle class wives whom female servants were encouraged to look to as an example of how to conduct themselves properly, ignoring the sexual danger they faced from their employers' husbands and sons.

The sexual abuse of servants by men in the household is evident in the Hull study.

Thomas Brown's bastardy case was a prime example of an employer who sought sexual power over his servant and was not unusual. A bastardy case from 1851 reveals how live-in servants were vulnerable to the attentions of their male employers, later to be cast adrift and ending up in poverty. Ann Clark was housekeeper to Thomas Fanthorpe. When she revealed she was pregnant by him he gave her thirty shillings, some bottles for the child and dismissed her. With the difficulty in supporting herself and her child she sought a maintenance order through the Hull courts. The case was dismissed as Fanthorpe was able to acquire witnesses to attest to his respectability and claim that Clark's morality was questionable.<sup>94</sup>

Middle class men also escaped justice in rape cases against their servants. To some male employers their servants were also there to serve them sexually and if they refused it was not uncommon to take them by force. Annie Hunt was a young kitchen maid in the employ of John Thomas who attacked her whilst his wife was at church and threatened to take her life if she told anyone. It was presented in court by Thomas's defence that

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<sup>94</sup> HMC, C DPM/1/48, 11<sup>th</sup> September 1851.

the girl was lying. Lack of witnesses and a working class girl's word against the word of her supposedly upright middle class employer meant the case was dismissed.<sup>95</sup>

Middle class males were able to pay witnesses to assist their cases. Eliza Ann Ella was a housekeeper to a widower with a child. She was 23 years old when George Gorton, her employer, made her pregnant and told her he would look after her but then failed on his promise and she was forced to leave her position. He had told her he would pay for her lodgings in Hull but then failed to do so. His defence brought in a young man, a labourer, as proof that he was the true father of her child after Ella went with him to the Bluebell tavern. But the labourer then turned his defence on its head by stating that he had gone there to give her money from Gorton. This did not prove a setback to Gorton as the case was still dismissed.<sup>96</sup> As a man of higher social class than a lowly labourer and servant, he was more likely to be believed as telling the truth by the court.

As well as their male employers, servants were also subject to the sexual attentions of other male members of the household. John Black, in his study of the fathers of illegitimate children in London in the eighteenth century, found a few master/servant cases but more often the sons of the household fathered the servants' children.<sup>97</sup> The Hull study has also found examples of sons of the household impregnating servants. Servant Lucia Greenfield failed in her court action against Thomas Thompson, the son of her employer, a coal merchant who lived in Posterngate. She was dismissed without pay on discovery of her pregnancy, forcing her to go to court for a maintenance order.

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<sup>95</sup> HMC, C DPM/1/118, 3<sup>rd</sup> May 1881.

<sup>96</sup> HQS, C CQA/2/17, 7th October 1861.

<sup>97</sup> John Black, 'Who were the Putative Fathers of Illegitimate Children in London 1740-1810', in (Eds.) Levene, Williams, Nutt, *Illegitimacy in Britain 1700-1920*, (Basingstoke, Palgrave Macmillan, 2005), pp. 50-65, 51, 62-64.

In court Greenfield had to defend her character in face of hostile questioning about her relationships with other men: 'I have been with no one but him (Thompson). I know Cayall, he kept me company for a few weeks when I was five month's gone. I have written letters to the defendant'. Her friendship with Cayall was used to throw doubt about the paternity of her child. She duly lost her maintenance case.<sup>98</sup>

Female servants were also vulnerable to attentions from male friends and associates of their employers who visited the household. A case involving a rape of a servant took place in the Humber Tavern where Elizabeth Thomson had gone with the defendant (Michael Bury) whilst on an errand. He had said to her he was in need of her service for a short time. She worked for a family (the Wayfields) as a live-in servant and Bury was a friend and associate of theirs and thus known to her. Her testimony read that Bury had forced her to drink a malt whisky and then when the landlady had gone out he kicked her and then attacked her. Bury brought character witnesses – 'The defendant is a married man with five children. He has never done anything wrong. He is well to do and has £100 a year'.<sup>99</sup> Elizabeth Thomson had to answer that she 'was not in the habit of going to public houses drinking with men'.<sup>100</sup> This case shows a married man trying to take advantage of a young servant girl and his powerful defence meant he was merely given a small shilling fine. Joanna Bourke has shown how damaging myths around sexual violence negatively impacted on women's court cases (such as in Elizabeth Thomson's case) resulting in lack of credence given to women's experience.<sup>101</sup>

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<sup>98</sup> HMC, C DPM/1/71, 1<sup>st</sup> January 1861.

<sup>99</sup> HQS, C CQA/2/17, 7<sup>th</sup> February 1861.

<sup>100</sup> HQS, C CQA/2/17, 7<sup>th</sup> February 1861.

<sup>101</sup> Joanna Bourke, *Rape: A History from 1860 to the Present*, (London, Virago, 2007), pp. 1-565.

A further case involved Mary Williamson, aged 20 in 1861, who worked for Mr Dale, a butcher. Dale's business partner, John Duffield (whom she addressed as Sir), saw her as at his sexual disposal when he visited the shop, and against her will had sexual intercourse with her. On discovery of her pregnancy she had to leave her employer's house and was forced to sleep in her father's cow shed (he was a cow-keeper with seven children). The family was viewed as immoral as Williamson's sister also had three illegitimate children and her father was accused of being the father, not the grandfather of the children; again the defence sought to imply incestuous relationships in the working class family. There was hostile questioning of Williamson's sexual history: 'I don't know John Mitchell. He had not had connection with me. I never went with a rifleman. I don't know a Mumby. I don't know a young man on Marine Row. I never had connection with any other man. I don't know where Marine Row is.'<sup>102</sup> A number of men were named as possible fathers. Duffield denied sexual intercourse with Williamson: 'I just put my hand around her waist once'. His defence brought in two witnesses, John Whitehouse and James Firth, both of who claimed to have had sexual relations with her on the Humber Bank and in her father's cowshed. Isabella Dale, the wife of her employer, also testified that she had 'never seen the slightest liberty or misdemeanour between the defendant and the girl'.<sup>103</sup> She accused Williamson of stealing money to further taint her character. Williamson thus lost her case.

The gathering of evidence of relationships with other men was also the case for Ann Hodgeson, pregnant by her married employer at the Victoria Tavern where she was a live-in servant. The defence stated that she had been with male customers to the tavern, including a number of sailors. Hodgeson defended her respectability – 'The defendant is

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<sup>102</sup> HMC, C DPM/1/72, 5<sup>th</sup> August 1861.

<sup>103</sup> HMC, C DPM/1/72, 5<sup>th</sup> August 1861.



the only man I have ever been with. When I told him he wanted me to lay it on someone else and I told him I would not. He told me not to tell Mrs and me and my child would not want for anything. I have never let any man take indecent liberties with me, not a soldier, not a sailor, although they used to come in here, but I had nothing to do with them. I knew Mr Eccles, a stonemason. I never lay with him. He never took improper liberties with me'.<sup>104</sup> Hodgeson was also accused of having sexual intercourse with her brother-in-law as she shared a bedroom with both her sister and Hartley (her brother-in-law) which was common in overcrowded working class homes. However this was taken as a further sign of her sexual immorality. 'I have never slept with Hartley alone. I have never had connection with Hartley. I had no father to go to, only my sister.'<sup>105</sup>

Hodgeson's sister also faced the condemnation of the court for living unmarried with Hartley and was thus not deemed a reliable witness for being seen as a 'fallen woman' herself. Hodgeson was viewed as part of an immoral family and the case was dismissed.

The practice of encouraging working class girls, including so-called lost and wayward girls, to take up domestic service by philanthropists and social reformers, often reproduced a vicious circle. In the sexual abuse of young female servants by male middle class employers, their sons and male friends, women were placed in the sexual danger they had been encouraged to avoid by working as a domestic servant. The reality was that for some young women the sexual danger lay with those who were meant to protect their chastity. To many of the male middle classes, working class girls were seen as 'easy prey' and there to serve their needs both domestic and sexual. In contrast their beliefs and behaviour (at least expressed outwardly) towards women of their own social class emphasised the chastity and virtue of middle class women. By having their sexual

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<sup>104</sup> HMC, C DPM/1/49, 9<sup>th</sup> September 1851.

<sup>105</sup> HQS, C CQB/238, 9<sup>th</sup> September 1851.

needs fulfilled elsewhere (using prostitutes or their female servants) middle class men could preserve middle class women's chastity.

As well as middle class male employers taking the stand in bastardy cases of their servants, sexual relationships between fellow servants were common. Living-in servitude meant sexual liaisons regularly took place between male and female servants. The Hull study has found that male servants were much more likely to receive a bastardy order than their masters were. James Murray, a coachman aged 40, was ordered to pay two shillings weekly for his child by fellow servant Ann Louth aged 22. Both were live in servants and worked for a Mr Bryan.<sup>106</sup> Despite being more likely to win maintenance off a male servant, female servants still had to prove they were in an exclusive relationship and were not of loose morals. In Elizabeth Caley's bastardy case against William Constable, a fellow servant at Westella Grange in 1861, another servant acted as a witness to confirm that she had 'never seen anyone else with the complainant'. Caley declared to the court that 'he wanted me to get some stuff to kill it (the child)'.<sup>107</sup> Constable was ordered to pay two shillings a week for the child's upkeep. Mary Stephenson brought her sister and another servant as her witnesses to the relationship between herself and Thomas Thompson, a servant at the next farm to hers. Thompson's defence claimed she had been seen with William Cole. Despite attempts to slur her character, Mary Stephenson got two shillings a week order from Thompson.<sup>108</sup>

Thus in bastardy cases between servants, it was female servants who were exposed to their sexual reputation and history being laid bare in the courtroom, even in cases of the

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<sup>106</sup> HMC, C DPM/1/72, 6 August 1861.

<sup>107</sup> HMC, C DPM/1/71, 22<sup>nd</sup> January 1861.

<sup>108</sup> HMC, C DPM/1/71, 1<sup>st</sup> January 1861.

same social class relationship. The sexual double standard continued across all social class lines, which saw women, not men, being judged on their sexual behaviour.

Although all servants were viewed as sexually promiscuous, female servants were seen in particular as possessing loose morals. This view of sexually lax female servants was used to advantage in an unusual case brought by a middle class employer against his two nursery maids. The maids were accused of teaching their two charges (a boy and a girl) 'the habits of a man and woman' by laying the boy on top of the girl and talking in a coarse fashion in front of them. The women were described in the court room as 'a disgrace to their sex'.<sup>109</sup> Women who were viewed as going against their perceived nature as nurturers of children caused particular outrage. They were also viewed as betraying the trust of their middle class employer. The servants were dismissed from their employment, fined and ordered to pay costs.

Female servants were seen as open to sexual temptation as they were living away from home and their parents' protection; viewed as likely to attract 'followers' and were vulnerable to the sexual 'slide down the slope'. Ann Mason was a cook in a house in Jarratt Street and was courting a soldier who visited her late one evening at her employer's home when the family were out at a ball. She became pregnant and was condemned not only for this but for deceiving her middle class employer.<sup>110</sup> Clara Smith was a servant on Hessle Road who became pregnant by Herbert Longthorpe. She also lost her position; middle class families did not want the taint of sexual immorality in their household. Her desperate situation was apparent: 'If I don't get a situation I will

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<sup>109</sup> HMC, C DPM/2/6, 17<sup>th</sup> February 1891.

<sup>110</sup> HMC, C DPM/1/48, 8<sup>th</sup> September 1851.

have to go back to Keyingham'.<sup>111</sup> Dismissed without a reference and with a child in tow, their reputation tarnished, it was difficult for female servants to find employment.

The most common reason for bastardy cases before the Hull courts involved pregnancy resulting from courtship. This has also been found by John Black for London with most illegitimacy resulting from everyday relationships which failed due to economic pressure.<sup>112</sup> In times of economic hardship many couples were not able to pay the fees of marriage. Cohabitation was accepted within working class communities. Marriage became more common amongst the working class as living standards rose later in the nineteenth century. Working class culture and economy saw consummation as a form of marriage. When consummation of relationships resulted in pregnancy but not marriage, and the father was unwilling to accept responsibility, women sought the courts' help.

In the bastardy cases of courtship between those of the same social class background, women were more likely to be awarded by the courts and men made to pay. In this the Hull courts were expressing their view that working class men should face up to their responsibilities and provide for their children. The aim was to discourage perceived working class male fecklessness (although this was seen as more acceptable than female immorality in that men were expected to 'sow their wild oats'). In this we can see social class differences. In contrast to the wealthy middle class men presented as victims of sexually voracious women seeking economic gain who got their cases dismissed, working class men were more likely to be ordered to pay maintenance by the courts. In the drive to clean up the working class of their perceived immorality, the Hull courts

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<sup>111</sup> HMC, C DPM/2/6, 17<sup>th</sup> February 1891.

<sup>112</sup> Black, 'Who were the Putative Fathers of Illegitimate Children in London 1740-1810', pp. 50-65, 51, 62-64.

sought to act in judgement on working class sexual behaviour by condemning working class women as sexually promiscuous and working class men as irresponsible fathers.

The courts sought to discourage cohabitation and promote marriage amongst the working class. Some men did marry the women they had made pregnant. This was a further reason women went to court – to jolt men into action and marry them. Ralph Farnaby had his bastardy case adjourned for one month as ‘the defendant has offered to marry the complainant’.<sup>113</sup> Once brought to the courtroom, some men admitted responsibility and agreed to make regular payments for their child. Henry Wilson Proctor declared that ‘I hereby acknowledge the child of Mary Marks is mine and will pay the necessary costs of the case’.<sup>114</sup> Women used the courts to get the result they wanted, either marriage or financial support for their children; as part of the survival tactics used by women of the poor in nineteenth century Hull.

In some bastardy cases (especially of young girls) family members got involved to persuade the man to marry the young woman and provide for the child. Jane Hales became pregnant by a platelayer who said he would marry her. When he failed to act on his promise, her mother went to see him and he said he would come to her house to discuss it but then never turned up. Jane Hales told the court – ‘I have not seen him since’.<sup>115</sup> George Harrison, who was 17 years of age, had courted Elizabeth Mail who had had a child to him at 15 years of age. Her mother asked him what he was going to do about the child and he had said ‘it was a pity the young bastard hadn’t died’.<sup>116</sup> He

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<sup>113</sup> HMC, C DPM/2/9, 22<sup>nd</sup> September 1891.

<sup>114</sup> HMC, C DPM/118, 24<sup>th</sup> June 1881.

<sup>115</sup> HMC, C DPM/1/120, 6<sup>th</sup> December 1881.

<sup>116</sup> HMC, C DPM/1/120, 8<sup>th</sup> December 1881.

failed to sign the agreement her mother had drawn up. The courts ordered Harrison to pay two shillings and six pence a week for the child.

Occasionally men went on to marry someone else, or were already married. Bastardy cases point to the fact that for women a decision to undertake sexual relations in courtship was a gamble with risks of it leading to pregnancy and not to marriage, with the subsequent evasion or unavailability of the father. Servant Eliza Smith wanted to marry Thomas Atkinson who had regularly courted her and she became pregnant. However, Atkinson used various excuses to avoid marriage. The next time she saw him he was calling himself by the name of Parkinson, had shaved off his beard and pretended he did not know her. This case also shows how some men would go to great lengths to evade responsibility for fathering a child through avoidance of the woman concerned once he knew she was pregnant. Atkinson later married someone else. However in this case the justices clearly had sympathy for poor deceived Eliza Smith and ordered Atkinson to pay two shillings and six pence weekly for the child.<sup>117</sup>

In cases of pregnancy by a married man, women had to prove to the court they had not known the man was already married but believed they were courting with a view to marrying them. Some men used elaborate lies to cover their real marital state. Charles Tadman was a married man who went to great lengths to keep secret the pregnancy of Mary Harrison. He worked for his father's tobacco merchant's business at 59 Porter Street in 1891 and would have been regarded as of a higher social standing than Harrison, a barmaid at the Neptune Inn. He had courted her and promised to marry her (he failed to tell her he was already married). On news of her pregnancy he tried to abort

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<sup>117</sup> HMC, C DPM/1/50, 9<sup>th</sup> October 1851.

the baby by giving Harrison some ‘medicine’ which made her sick. On the failure of this he sent her to Grimsby to have the child out of harm’s way; middle class men had access to funds which allowed them to hush up their mistakes. Letters from Tadman were provided to the court by Harrison as proof of their relationship and of his promises to marry her and look after her and the child: ‘Dear little wife Lizzie, I will bring you from Grimsby. I will share my life with you. When my little baby comes we will be happy as a family. I will not leave you, I will give you all you want, I want you to know I love you that you are priceless’. The letters are full of promises of marriage (he calls her his ‘little wife’ and him her ‘loving husband’).<sup>118</sup>

This example displays how deceit and empty promises often lay behind bastardy cases. Tadman’s promises to look after Harrison were not fulfilled, forcing her to go to court to receive a maintenance order. The evidence Harrison was able to provide of his letters and her belief that their relationship would lead to marriage led to success in her case. However, Tadman was only ordered to pay a token one shilling a week for his child (it seems the court was again unwilling to judge a middle class man too harshly). This would not be enough to keep Harrison and their child out of poverty.

Other married men sought to avoid detection by paying for the child to be cared for by another family. Middle class males could afford to pay for their illegitimate children to be sent away out of sight of their family and friends. William Hunt paid money to Catherine Page to keep his child by Frances Pickering. He paid four shillings a week for the upkeep of the boy from birth in 1874 until he failed to continue in 1881 and a maintenance order was brought against him by Pickering.<sup>119</sup> Thus it was only when the

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<sup>118</sup> HMC, C DPM/2/6, 25<sup>th</sup> January 1891.

<sup>119</sup> HMC, C DPM/1/2/9, 15<sup>th</sup> September 1881.

payments stopped that the 'secret' came out in the courtroom and Hunt was ordered to pay 3 shillings a week for his son.<sup>120</sup> Stephen Wright, the married landlord of the Stag Inn on Hedon Road, assisted Sarah Keran, whom he had made pregnant, to acquire an abortion by a Mr Marling who was a druggist. All faced trial at the York Assizes but were acquitted on lack of evidence. The case was picked up by and reported in the *Hull Advertiser* where Sarah Keran's appearance was commented on; she was described as an 'interesting looking girl', again demonstrating the fixation on female appearance in the courtroom which could make or break cases.<sup>121</sup>

As well as illegitimate pregnancy resulting from the secret relationships of married men, some Hull bastardy cases were of married women pregnant by men other than their husbands, revealing that it was not just young single women bearing illegitimate children. Cases involved deserted wives, separated wives or those with husbands away on military service or in prison. With married women there was an expectation of female morality. Sympathies lay with women in court if they were able to prove they had been living in a respectable marriage but had been abandoned by their husband. Women would play to the courtroom their difficulties. However, it was found in cases of deserted or separated wives that there was suspicion that the child could be the legal husband's, even if they had not lived as man and wife for many years. Nutt has also noted for Chelmsford how deserted and separated wives had to prove to the court that their husbands did not have sexual access to them.<sup>122</sup>

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<sup>120</sup> HMC C DPM/1/119, 15<sup>th</sup> September 1881.

<sup>121</sup> HA, 16<sup>th</sup> December 1843.

<sup>122</sup> Nutt, 'The Paradox and Problems of Illegitimate Paternity in Old Poor Law Essex', p. 120.



Married Hull women had to answer hostile questions with regard to when they had last seen their husband, as did Mary Riley, a deserted wife who had not lived with her husband for twelve years. Her bastardy case was brought against a man who was not her husband but with whom she had lived and bore two children to. 'I am the wife of James Riley. He left me twelve years ago. I have had a child. I don't know where my husband is. I haven't seen him for seven years. He has not sent for me. I have not had any money'.<sup>123</sup> Fanny Holdstock, in her bastardy case against Robert Barton, had to prove to the court that she had not entertained lots of men since her husband left her four years previously. 'He went out of the house one day and I have never seen him since. The defendant is the first man I have had'.<sup>124</sup>

Despite their husband's desertion, often to live with other women, women were expected by the middle class justices to remain chaste. Women who left their marriages were particularly condemned in the court's eyes. Eliza Walker had left her husband due to 'his intemperate habits' and had made an independent living as a dressmaker. She became pregnant by a cutter at her employment and had a child. She had to prove that the child was not her husband's and that she had not seen him for some time. Walker was doubly condemned for leaving her marriage (despite her suffering within it) and becoming pregnant by another man, with the result that she lost her bastardy case.<sup>125</sup>

As with deserted wives, independent women on their own through widowhood were seen as sexually dangerous with no man to control them or in authority over them. The widow in a bastardy case against John Ketch Boyes (she was his landlady and he had

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<sup>123</sup> HMC, C DPM/1/72, 4<sup>th</sup> September 1861.

<sup>124</sup> HMC, C DPM/1/50, 9<sup>th</sup> December 1851.

<sup>125</sup> HMC, C DPM/1/90, 25<sup>th</sup> October 1871.

promised to marry her) had to deny that she had ‘never had connection with any other man whilst a widow’.<sup>126</sup> Sarah Millwall was a widow with four children by her late husband and had an illegitimate child by George Atkinson. She told the court that she was regularly visited by Atkinson but when she had told him she was pregnant he had stopped coming and since then he had married another woman. She was accused of entertaining a number of men at her home (as a young widow living on her own she was seen by the court as dangerously enticing to men) and hence lost her bastardy case.<sup>127</sup>

It wasn’t just young single women who were being portrayed as prostitutes in bastardy cases. Widows, deserted wives and those who cohabited were also at risk. A widow involved in a bastardy case against Edward Hoe was believed by the court to be a ‘sailor wife’ (a prostitute who lived with sailors when on shore leave). Hoe, a seaman, had gone home to the woman each time when on shore leave, and was also the father of her illegitimate child born two years previously.<sup>128</sup> Despite their cohabiting arrangement, the fact that she had lived openly with a man she was not married to and had borne an illegitimate child condemned her in the court’s eyes as an immoral woman.

Bastardy cases also involved children born to cohabiting couples. Mary Granton had to prove in court that she had lived with Emanuel Shields as man and wife and he was the father of her child. He denied the charge, stating instead that he was her lodger: ‘I go out to sleep. I only slept in the house when she was out’.<sup>129</sup> Her case was dismissed.

Elizabeth Booth already had two children by William Mayes with whom she had lived

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<sup>126</sup> HMC, C DPM/2/8, 30<sup>th</sup> July 1891.

<sup>127</sup> HMC, C DPM/1/90, 2<sup>nd</sup> August 1871.

<sup>128</sup> HMC, C DPM/1/71, 13<sup>th</sup> April 1861.

<sup>129</sup> HMC, C DPM/1/50, 10<sup>th</sup> December 1851.

with for some time unmarried. However, William Mayes had left her and she told the court she had not heard from him for some time. She then had a child by Septimus Shuttleworth. The fact that she had had three illegitimate children by two different fathers (despite being in long-standing cohabiting relationships with both men) condemned her to the court.<sup>130</sup> Cohabiting relationships of the working class were criticized by a hypocritical middle class (who kept secret their mistresses and illegitimate children whom they set up in separate households, hidden from view).

All aspects of working class relationships were exposed in the courtroom and some observers were shocked by it. This included cases of incest and sexual abuse within families (which of course would also take place in middle class families but again was kept secret and hidden). Although, as seen, some men in bastardy cases used accusations of incest and pregnancy by male family members to escape paying for their illegitimate children, incest was in fact a reality for some women and resulted in pregnancy. Shared accommodation (sometimes sharing beds and one room) of working class families could lead to cases of incest and abuse. However, it was often the case that working class immorality was blamed, not the living conditions.<sup>131</sup>

Margaret England was a victim of sexual abuse in her family. 'I am a singlewoman. I had a child born March 21<sup>st</sup> 1881. The defendant is the father. He is my uncle. He seduced me before I was nine years old. I am not yet fifteen. He has had connection with me a long time. I told him about my being in the family way. He had connection

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<sup>130</sup> HMC, C DPM/1/71, 25<sup>th</sup> January 1861.

<sup>131</sup> Louise A Jackson, *Child Sexual Abuse in Victorian England*, (London, Routledge, 2000), pp. 1-6.

with me up to last Hull Fair. No one else has had connection with me.’<sup>132</sup> She produced a letter from her uncle who left Hull with his wife once he received the court summons. In it he declared that they were both dead to her and that he would never return to Hull. The order was made but it is not known if the uncle was pursued by the courts. The Hull bastardy cases reveal the vulnerability of women and girls to sexual abuse - within their families, in the community, and in the cases of live-in servants, from their employers.

The early twentieth century in Hull saw wider changes that affected the number of bastardy cases. There was a renewed interest in illegitimacy in this period which had moved away from the earlier condemnation of single mothers to new charitable aid. This saw the Hull charities previously aimed at prostitutes now aimed at single mothers, with female penitentiaries turning into mother and baby homes. Charitable provision for women with illegitimate children may have had an effect on the numbers of women using the courts to gain financial help with others means available to them to support their children, or alternatively, acting as an incentive for them to have the confidence to seek financial support without fear of being regarded as fallen women or accused of being prostitutes by the courts. One of the main findings from this study of Hull is how perception of social problems shifted and changed over time. However, women of the poor remained the constant target in the middle class obsession and interest in female sexual immorality. From the outcry over illegitimacy in the early nineteenth century, to prostitution in the mid-nineteenth century, back to renewed interest in illegitimacy in the early twentieth century – affecting the lives of women of the poor in Hull.

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<sup>132</sup> HMC, C DPM/1/119, 1<sup>st</sup> September 1881.

In conclusion, this chapter has discussed the experiences of women who brought bastardy cases before the Hull courts in the nineteenth century. Women of the poor sought the assistance of the courts to achieve maintenance orders from fathers of their illegitimate children. In the early part of the nineteenth century pregnant single women and women with illegitimate children were vulnerable to removal to place of settlement ordered through the courts, used as a tool to reduce the financial cost of illegitimacy. With the attack on women with illegitimate children burdening the parish, the advent of the New Poor Law and the Bastardy Clause, many women without the support of the parish or their families and facing poverty, the workhouse and separation from their children, increasingly sought financial assistance themselves through the courts.

The courts and the women were often united in seeking the same goal of putting the financial burden on the father of the child rather than on the public (middle class) purse. Those who had the least financially were most likely to be ordered by the courts to pay maintenance. Middle class men were able to pay their way out of their mistakes, or in the courtroom talk their way out due to their better education, eloquence and confidence in the public arena. The courts were more likely to pursue working class men to take responsibility for their children and pay towards their upkeep. This was the courts attempting to make an example of the perceived sexual irresponsibility and immorality of the working class, attacking working class cohabitation and promoting respectable marriage. There was a moral stance as well as the main priority of saving money, aimed solely at the working class. Hull bastardy cases reflect social class prejudice as well as the sexual double standard. The social construction of bastardy created the middle class male victim of greedy working class women, along with the creation of the feckless working class male and immoral, sexually promiscuous working class female, producing illegitimate children with abandon.

It was middle class ideology, societal fears and prejudices which saw single mothers perceived as immoral women and their children labelled as ‘bastards’. In this respect bastardy itself can be seen as a social construction; bastardy was a creation of the law and a label society put on children born outside of legally recognized marriage. The different social norms of the classes saw a culture of pre-marital sex in working class life which did not prohibit the free mixing of the sexes in courtship or use chaperones. Social class differences in perceptions about marriage and illegitimacy saw working class culture accept illegitimacy and unmarried living arrangements. This demonstrates the fluidity of working class relationships where the strict marriage ideals of the middle class did not always suit their economic or social circumstances.

Success in bastardy cases has been shown to have been dictated by the perceptions of the women involved by the justices and how they presented themselves and their situation to the courtroom, as well as the testimony of reliable witnesses seen as respectable and credible who could back their story. However, despite being witnesses themselves in trials of men in bastardy cases, it has been shown it was the women who were made the examples of. Women faced hostile questioning about their sexual history and their reputations were made or broken by the courts. Used by male defences to full advantage, common views included the belief that women who had children out of wedlock were likely to become prostitutes because of their uncontrolled sexuality. To be successful women needed to portray themselves as respectable and that they had been in a relationship which they hoped would lead to marriage. Women with a number of illegitimate children were particularly reviled and accused of being prostitutes.

In bringing bastardy cases to court, despite undergoing a humiliating and degrading experience, women of the poor can be seen as acting with agency and taking action to achieve the financial support that they desperately needed. This was a way women used the law in contrast to how the law was often used against them. In a hostile climate of poverty and a lack of social justice, and in an era before social welfare, this was a survival strategy of women of the poor who had a lack of options open to them. Despite attack, women continued to bring bastardy cases and submitted themselves readily to the court without the shame the middle class and justices expected of them. Women did not just stand before the law they used the law to their advantage too to get what they wanted and needed. In a world which perceived them as 'fallen women', with private charity for much of the period closed to them and aimed at the respectable married poor, nineteenth century Hull single mothers thus had some small recourse in law.

The next chapter will explore in depth how, with the turn of the twentieth century, women of the poor's plight began to be noticed by feminist social reformers and philanthropists. This would lead to new initiatives set up in Hull to assist women of need, including those social groups who had previously been ostracized by society, including single mothers and their illegitimate children.

## **Chapter 6 – Charities and Welfare for Women in Nineteenth Century Hull**

This chapter concentrates on the charitable response to the ‘fallen woman’ question in nineteenth century Hull, to serve as a point of comparison and contrast to earlier chapters on the legal response. The growth of philanthropy coexisted alongside regulation and punitive legislation aimed at punishing prostitution, checking the growth of illegitimacy and targeting female sexual immorality. Philanthropy was working in the same climate of moral reform as the police and courts. The social construction of female immorality meant that women seen as sexually deviant, in the form of prostitutes, unmarried mothers and ‘wayward girls’, became the objects of private charity in Hull. Just as the police watched women of the poor in the town and policed their sexual behaviour, Hull philanthropists and moral reformers formed charitable institutions to remove and supervise women of the poor.

Were charities aimed at so called fallen women a further form of power and control or a compassionate response, offering sympathy and help to women of the poor in a hostile climate where few doors were open to them? This chapter will attempt to answer this question through the study of the various charitable institutions formed in Hull throughout the nineteenth century into the early twentieth century, including a case study of the Hull Female Penitentiary. Examining their aims and objectives, finances, committees, their supporters and critics, as well as their intended recipients, it will be asked if the charities well supported and how effective were they in their aims? Did they attract the women they wished to help or did they drive them away with their moral and religious zeal and indoctrination? Were these institutions progressive products of the Enlightenment or instruments of social control? Was this a genuine desire to help or an attempt to control female minds and bodies? Did they disempower those in their charge,



or gave the women choices not previously open to them? Charities provide a window on the perceptions and attitudes of the middle class who formed, ran and supported them in nineteenth century Hull. They reveal two distinct voices – the voice of condemnation and the voice of concern and compassion, both driving the force of social change.

The late eighteenth and early nineteenth centuries saw towns and cities establish female penitentiaries and Magdalene homes for the moral reform of women and girls of the poor. Michel Foucault has discussed how institutions such as prisons, workhouses and lunatic asylums were built to incarcerate the urban poor.<sup>1</sup> Female penitentiaries were not prisons as women entered them voluntarily and their committees did not have the power to hold them against their will. However, despite being non-statutory institutions, they operated on the same ideas of surveillance, discipline and control found in the prison reform movement of this period.<sup>2</sup>

The evangelical idea of reforming the mind and rescuing the soul rather than punishment of the body through hard labour in prison, lay behind the idea of the female penitentiary. Here women could be removed from society and dangerous influences, to repent their perceived sins in order to be converted to respectability and led back to better lives, religious instruction and domestic training in a place of safe isolation with personal supervision. This was in contrast to placing women in prison where it was believed they would be open to criminal influence and further corruption.<sup>3</sup>

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<sup>1</sup> Foucault, *Discipline and Punishment*, pp. 175, 231-256.

<sup>2</sup> Linda Mahood, *The Magdalenes: Prostitution in the Nineteenth Century* (London, Routledge, 1990), p. 30.

<sup>3</sup> Mahood, *The Magdalenes*, p. 54.

Formed for women only, penitentiaries replicated the sexual double standard which targeted female sexuality outside the confines of marriage and childbearing, whilst ignoring men's sexual behaviour. Female penitentiaries replicated social class inequalities, aimed at working class women, not the kept mistresses of the rich or the middle class women quietly sent away to have illegitimate children.<sup>4</sup> The public nature of working class women's lives, their visibility on the streets, their dress, language and behaviour, made them vulnerable to being arrested and punished as prostitutes and ensured they overwhelmingly formed the population of the new female penitentiaries.

The first female penitentiaries had been formed in London (1758), Edinburgh (1797) and Glasgow (1805). Linda Mahood's work on Scotland has examined the impact of the attack on prostitution in the nineteenth century. Known as the Glasgow system, it included a Lock Hospital and the Glasgow Female Penitentiary; Glasgow, like Hull, was not under the Contagious Diseases Acts but had its own regulatory system in place.<sup>5</sup> In Hull the apparatus for regulation of prostitution was put in place in the form of police repression, harsh punishment by magistrates using a range of old and new laws to prosecute women, and the establishment of the Hull Female Penitentiary. In March 1811 a letter was addressed to the Mayor of Hull from a number of leading gentlemen: 'We, whose names are undersigned, believe it to be the opinion of many respectable persons, that it would be advisable to establish a female penitentiary in this town. We do request the favour of you to call a meeting of the inhabitants to take into consideration the property of providing an asylum for the reception of unhappy women who, having followed vicious courses, are desirous of obtaining the means of reformation.'<sup>6</sup>

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<sup>4</sup> Mahood, *The Magdalenes*, p. 3.

<sup>5</sup> Mahood, *The Magdalenes*, pp. 2-3, 119, 130.

<sup>6</sup> HA, 16th March 1811.

Worded to sound like demand for the penitentiary came from unhappy women who sought moral reform, when in fact the desire for a female penitentiary in the town was led by the concern felt by many of its middle class about the growth of vice and immorality in the town, having a significant number of women of the poor working as prostitutes to combat poverty and unemployment. A meeting, chaired by the Mayor, was held about the proposal for a female penitentiary. It was overwhelmingly resolved that the charity should be formed and named the Hull Female Penitentiary.<sup>7</sup> The Hull Female Penitentiary opened its doors in August 1811 as reported in the *Hull Advertiser*:

The Hull Female Penitentiary, we are glad to say, is now opened for the reception of applicants, who when admitted, will be employed in such work as their abilities and health may enable them to perform. They will be treated with kindness, and decently provided for. None are intended to be detained, contrary to their own inclinations, nor will any be suffered to remain who do not strictly conform to the regulations of the institution.<sup>8</sup>

The Hull Female Penitentiary was situated in Church Street, Wincolmllee, on the banks of the River Hull in a largely industrial area. The Penitentiary was outside the main town -a deliberate policy to keep the women away from Hull's main streets and temptations, as well as some distance from the middle class residential areas due to fears of 'contamination'. The house was deemed suitable for the purpose; it afforded opportunity for employment of the women, and it was surrounded by high walls which guarded them from intrusion and from any contact with the outside world and previous influences. Isolation of the women was deemed essential to their successful reform.

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<sup>7</sup> HA, 30th March 1811.

<sup>8</sup> HA, 3rd August 1811.

The main driving force behind the formation of the Penitentiary lay in the vision and work of Rev. Thomas Dikes (1761-1849). Dikes was a leading Anglican churchman in Hull with strong links to the evangelical movement. He was born in Ipswich in 1761 and attended Cambridge University where he came under the influence of leading evangelicals. He was first drawn to Hull due to the work of the evangelical Joseph Milner who preached in Hull. Milner's sermons on the doctrine of salvation were influential on Dikes and he himself began preaching in ways that emphasized repentance of sin and the saving of souls.<sup>9</sup> After an aunt left him a sum of money, Dikes built his own church in Hull - St John's, built in 1792, the first evangelical church in the town and the first church to be built in Hull since the Reformation. As a new church it became fashionable and was frequented and patronized by middle class worshippers and evangelicals.<sup>10</sup> Due to popular demand St John's was enlarged in 1803.<sup>11</sup>

Dikes had many philanthropic interests which served his sense of duty and enhanced his reputation. He was heavily involved in the Hull branch of the Foreign and Bible Society and served as Master of Hull Charterhouse for many years. Dikes was a prominent voice in the move to set up the Hull branch of the Society Against Vice and Immorality. His 1804 sermon on the '*Abounding of Open Profligacy and Immorality*' was designed to encourage the formation of a branch in Hull.<sup>12</sup>

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<sup>9</sup> Rev. John King, *Memoirs and Sermons of Thomas Dikes Incumbent of St Johns Church, with Copious Extracts from his Correspondence, Also Sermons Edited by the Rev. William Knight* (London, Seeleys, 1849), pp. 2-6, 28.

<sup>10</sup> King, *Memoirs and Sermons of Thomas Dikes*, pp. 13, 20-21.

<sup>11</sup> King, *Memoirs and Sermons of Thomas Dikes*, pp. 41, 60.

<sup>12</sup> Rev. Thomas Dikes, *A Sermon on the Abounding of Open Profligacy and Immorality preached at St John's Church 22<sup>nd</sup> January 1804* (Hull, J Ferraby, 1804), pp. 1-31.

St John's was built in the heart of the area connected with vice and prostitution in Hull, next to Waterhouse Lane and the docks. The decision to build a church here could have been an active decision by Dikes to reach out to those he considered in most need of his help and guidance. Dikes and his congregation would have been very aware of the social problems in Hull which could have well inspired his interest in prostitution and moral reform. Dikes sought to play on people's fears to encourage support for his work. He spoke of prostitution as a vice which had 'long corrupted our youth, broken the hearts of parents, tainted our morals, introduced miseries and diseases into private families and plunged thousands of unhappy women into a gulf of wretchedness, infamy and wickedness from which they can never extricate themselves'.<sup>13</sup> He defined prostitutes as 'miserable' women in need of 'God's deliverance and human compassion'.<sup>14</sup> Dikes saw it as his Christian duty to help such women and encouraged his brethren to show mercy to 'sinners' and join him in his patronage of the Penitentiary. Examination of the purchase of pews and family vaults at St Johns reveal Penitentiary subscribers who had followed Dikes to his charity as well as his church.<sup>15</sup>

The impetus behind Dikes' forming the Penitentiary had come from a sermon preached by his former curate Rev. John Scott in 1810. Scott had spoken about a trial at the York Assizes where a Hull girl of 19 was on trial for the murder of her illegitimate baby. The trial was reported in Hull newspapers, and the girl was convicted of concealing the birth

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<sup>13</sup> HA, 8<sup>th</sup> April 1812.

<sup>14</sup> HA, 8<sup>th</sup> April 1812.

<sup>15</sup> ERALS, PE 159/76, Purchase of Vaults at St John's Church, 1792 & PE 159/72, Purchase of Pews at St Johns Church, 1792-1860.

of her child, a crime punishable by death.<sup>16</sup> Dikes visited the girl in prison and also her family, whom he reported as 'honest, industrious and sober people'. Dikes viewed the girl as possessing a previously good character. He stated 'I have been much struck with the awful consequences of debauchery. I think there is scarcely any one vice which produces so many evil consequences. If other sins slay their thousands, I am sure this will slay ten thousands'.<sup>17</sup>

Dikes published a sermon - *'The Fatal Tendency of Lewdness exposed and the establishment of a female penitentiary recommended to the inhabitants of Hull, with an appendix containing accounts of penitentiaries and persons reformed in them'*.<sup>18</sup> He preached compassion and mercy for such 'friendless sinners', and spoke of women who would be 'reclaimed' by the penitentiary, as 'saved from pollution, infamy and eternal perdition'.<sup>19</sup> To Dikes reclaimed women, instead of being 'a temptation to the youths of the town and a pest and contagion around us', would be 'an example and promoter of religion and virtue; at the very least they will cease to do evil and learn to do well'.<sup>20</sup>

The other main driving force behind forming a female penitentiary in Hull was Dr John Alderson (1757-1829), an important and respected physician in the town. Alderson was born in Lowestoft, Suffolk and travelled to Hull as part of his role as a medical officer

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<sup>16</sup> Rev. John Scott, *The Fatal Consequences of Licentiousness, A Sermon Occasioned by the Trial of a Young Woman for the Alleged Murder of Illegitimate Child* (Hull, John Hutchinson, 1810), pp. 1-31.

<sup>17</sup> King, *Memoirs and Sermons of Thomas Dikes*, pp. 68-69.

<sup>18</sup> Rev. Thomas Dikes, *The Fatal Tendency of Lewdness to Corrupt the Morals and Destroy the Happiness of Society Exposed and the Establishment of a Female Penitentiary Recommended to the Inhabitants of the Town of Kingston Upon Hull* (Hull, J Ferraby, 1811), pp. 1-47.

<sup>19</sup> HA, 8th April 1812.

<sup>20</sup> HA, 8th April 1812.

in the Norfolk Militia who were based in Hull in 1780. Alderson settled in Hull and formed a popular medical practice and married into a prominent Hull family. He was an active social reformer, involved with various charities and philanthropic ventures in Hull such as setting up of the Hull Infirmary, a charity for the sick poor in the town where he was elected physician, as well as founding the Sculcoates Refuge for the Insane in 1814. Alderson was the first person to bring the smallpox vaccine to Hull and to encourage its use had his own small daughter inoculated. Free vaccination was offered to the poor of Hull. He was consulting physician to the Hull Married Poor Women's Lying in Charity. He was a great promotor of the arts, literature and science in Hull and served as both president of the Hull Literary and Philosophical Society and the Hull Subscription Library. His interest also lay in education, being active in the formation of the Hull Mechanics Institute for the imparting of what was deemed as useful knowledge to poor working men. His statue was commissioned by the Institute.<sup>21</sup>

Alderson's decision to be involved with a charity for fallen women reveals that as well as aligning himself with respectable charities, he was also willing to be involved with a charity and subject matter which was seen by many as undeserving. The decision reflected his humanitarianism and his interest as a medical professional. Alderson's obituary in 1829 stated that he was 'humane and benevolent and active in promoting every project which promised general good, whether it assumed the shape of scientific and literary association or societies for the prevention of relief of distress'.<sup>22</sup> Alderson was regarded as a medical gentleman, a civic luminary in the town (he was made a freeman in 1813) whose reputation was not just built on his medical skills, but also on being a benevolent philanthropist and man of letters. Alderson's was a compassionate

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<sup>21</sup> Gillett & MacMahon, *A History of Hull*, p. 253.

<sup>22</sup> HA, 18<sup>th</sup> September 1829.

view of prostitutes; he humanized them, to him they were not innately sinful but instead he highlighted their poverty and distress. Male doctors have traditionally been seen by historians such as Judith Walkowitz in her study of the Contagious Diseases Acts as wanting to control and dominate women's bodies.<sup>23</sup> Alderson was a doctor who wanted to help women of the poor. Pre-dating Dr William Acton later in the nineteenth century, Alderson's was an accepting view of prostitution; he saw this was a problem which couldn't be wiped out, but should be regulated and the women made healthier, disease free, and better fed, in contrast to the period's romanticized view of the early death and destruction of the diseased prostitute. In Alderson we can see a medical pioneer.

Hence Alderson had different motivations from the evangelical Dikes in forming the penitentiary. His interest lay in sexual disease and its treatment. Alderson was part of the new university-educated medical profession who were interested in social disease, sanitation and contagion. Sexual diseases were often the preserve of quack doctors and as the medical profession was not yet regulated, many people turned to quacks for treatment for venereal disease. A stigma was also attached to sexual diseases and the influence of evangelicalism portrayed venereal disease as the direful consequence of moral transgression. Orthodox medicine was not keen to align itself to treating sexual diseases unless money could be made from this. Treatment was usually aimed at rich men who could afford to pay and not at poor women working as prostitutes.<sup>24</sup> Alderson can be viewed as an innovator in the medical debate about treating infected prostitutes on a voluntary basis. Despite criticism he strove to treat sexual diseases among Hull prostitutes, that foreshadowed the 1864 Contagious Diseases Acts by half a century.

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<sup>23</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 44, 105, 253.

<sup>24</sup> Walkowitz, *Prostitution and Victorian Society*, p. 253.



Alderson's interest in prostitution stemmed from his time in the West Norfolk militia where he would have come across cases of sexually transmitted diseases amongst soldiers as well as the prostitutes who frequented the military bases. Lock Hospitals had been in existence since the eighteenth century in London and Scotland but not widely available. Female penitentiaries and Magdalene Homes were places where women could be treated for gonorrhoea and syphilis by medical professionals as hospitals refused to admit women with sexual infections, which Alderson tried to rectify.

Alderson put a motion to the Board of the Trustees of the Hull General Infirmary for the loan of two wards in the upper story for the place for cure of diseased women from the Penitentiary. The trustees of the Infirmary were not in favour of their hospital being 'contaminated' by fallen women; 'the very boards upon which they trod would be contaminated', they feared, and they were concerned overwhelming numbers of diseased prostitutes in the port being admitted.<sup>25</sup> Alderson argued that the women would be kept under lock and key on two separate wards and have no communication with other patients.<sup>26</sup> But benefactors to the Infirmary threatened they would withdraw their support if the women were admitted to the Infirmary.<sup>27</sup> One argument was that to extend relief (treatment) to the 'objects in question' was to 'afford an inducement to sin'.<sup>28</sup> The inherent value judgement arose out of early nineteenth century's equation of illicit sex and human sin. The Infirmary was a place of civic pride and patronized by middle class men and women who did not want their pure and clean hospital tainted, as they saw it, with the stench of immorality, which was seen as self-inflicted.

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<sup>25</sup> HA, 29th June 1811.

<sup>26</sup> HA, 1st June 1811.

<sup>27</sup> HA, 1st June 1811.

<sup>28</sup> HA, 1<sup>st</sup> June 1811.

Alderson carried on promoting the idea of the women being admitted to the Infirmary. He sought their acceptance as patients who needed treating like any other and he did not attach to the women the moral judgements which many others of his class did. In this he was ahead of his time. Medical services to the Penitentiary took the form of sympathetic physicians from the Infirmary following in Alderson's footsteps and volunteering their services. Although Dikes supported Alderson's motion of a ward at the Infirmary, his belief was that sexually transmitted disease was 'God's sign of his disapproval of vice.'<sup>29</sup> Dikes sought to save souls and Alderson to treat diseased bodies; here can be seen two different perspectives working together for a common cause. It demonstrates the competing discourses which surrounded prostitution in the nineteenth century.

The social composition of the friends and supporters of the Penitentiary reflected the changing social structure of Hull, with the growth of the middle class due to the expansion of trade from the late eighteenth century. Merchant and ship-owning families dominated the town, as well as the professions in law, medicine, banking, business and commerce. Hull's significance as a centre for evangelicalism was also reflected in the number of clergymen supporting the charity such as Rev. John Scott who preached a fund-raising sermon on the Penitentiary's behalf in 1813.<sup>30</sup> It was a network of people connected through their commercial and business links as well as religious, social, cultural, political connections and inter-marriage. As well as the traditional gentry such as Sir Henry Etherington (known as the 'father of Hull' for his prolific charitable giving), these middle class men and women were wealthy, powerful and influential. All

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<sup>29</sup> HA, 8th April 1812.

<sup>30</sup> Rev. John Scott, *The Lost Sinner, the Object of the Saviour's Mission, A Sermon on behalf of the Hull General Female Penitentiary preached at Holy Trinity Church on Sunday afternoon 29<sup>th</sup> August 1813* (Hull, John Hutchinson, 1813), pp. 1-12.

sought Hull's improvement; they set up committees for a water supply, gas lighting, street paving, and other ventures designed to create a cleaner and better town as well as institutions for cultural life and education. Charitable work was part of their lives and most were involved in various charities in the town as both subscribers and committee members. Their involvement, as prominent citizens of Hull, demonstrates the eagerness amongst influential circles in the town for an institution to deal with what was seen as the problem of working class female sexual immorality.<sup>31</sup>

As well as being a way to control problematic social groups through the guise of appearing benevolent, and part of a respectable and Christian lifestyle, philanthropy was for the upwardly mobile also a way to raise their social status. With the middle class' desire for prominence, acceptance and status, to be involved in good works was a way of gaining social standing. Philanthropy brought together a middle class divided by politics and religion to confirm their leading class position and enhance their power in the town. The diversity of the supporters of the Penitentiary as well as their links and similarities, is evident. Religious denominations included Unitarians, Anglicans, Quakers and Methodists. There was a social gulf between members with the landed gentry down to the small shopkeeper. Philanthropic work for the ambitious small businessman was a way of attracting wealthy customers and patrons and rising up the social scale. A social hierarchy existed within the charity with prominent and powerful individuals such as Alderman, Freemen, wealthy merchants and gentlemen and the clergy forming the committee membership. Further down the scale, tradesmen played a role as financial supporters. The power and influence of the wealthy brought the right to sit on boards of charities and make policy decisions. The middle class stamp on moral

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<sup>31</sup> HR, 17<sup>th</sup> December 1814.

authority was a backlash against aristocratic old corruption. This middle class cultural hegemony was a way to exert moral superiority over both the upper and lower classes.

Subscription lists reveal women, both married and unmarried, supporting the charity. This included independent wealthy females such as Jane Riddell, widow of Edward Riddell a builder and ship owner, who had the contract to build a new Gaol in the town in 1784. Mrs Thornton, wealthy widow of Hull M.P. Henry Thornton and only daughter of Sir Samuel Standidge, a local landowner, inherited her father's large estate in Thorngumbald. She founded a dissenting chapel and a school for children of the poor as well as being a benefactor to the Penitentiary.<sup>32</sup> The power of wealthy and well connected women in a patriarchal world came through charity work, which enabled them to have some important influence. Involvement in charity work was a way middle class women could develop interests safely outside the home and in this way middle class women reinvented themselves through helping working class women of need. Some female benefactors were further down the social hierarchy such as confectioner Jane Horner. Bills from Jane Horner for cakes and other sundries to Hull Corporation reveal that she was the official cake maker for Corporation dinners and functions. This could be the reason for her support of the Penitentiary; she could have gained the knowledge of its' existence from Corporation members who also supported the charity.<sup>33</sup> Supporting this charity was a way Jane Horner could raise her status and develop her links with the Corporation and its members.

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<sup>32</sup> HA, 23rd March 1811 & HA, 13th April 1811.

<sup>33</sup> HHC, Bills for Confectionary to Hull Corporation from Jane Horner 1828-1829, BRF/6/1520-1612.

Despite the financial support of women, a gender divide existed within charity with women assigned lesser roles and locked out of the decision making process. Women were not allowed to sit on the board of the Penitentiary and remained on the sidelines as benefactors and visitors. Their given special role was to be role models to the women, instructing them in respectable and feminine behaviour as positive example setting. The fact that there were no women on the committee of the Penitentiary was not just unique to Hull. At Glasgow Female Penitentiary women could not sit on the board of directors until 1913; its only concession was a separate Ladies Committee formed in 1861.<sup>34</sup> The question is whether this lack of involvement of women on penitentiary boards is to do with women in general having a less high profile role in charities in the nineteenth century or to do with the respectability of the charities? Gendered social expectations meant there was a limit to middle class women's involvement with fallen women.

In contrast, women sat on the committee of the Hull Poor Married Women's Lying In Charity from its formation in 1802. It was deemed acceptable for women to be involved in charities which were in keeping with their roles as wives and mothers (in this case the promotion of respectably married motherhood). Lying in Hospitals were set up for married women of the poor. Patients were expected to be deserving and deferential and usually came on recommendation. Subscription lists for the Lying In Charity reveal the support of many women of wealthy prominent families in the town. To support such a worthy cause was a safe option for middle class women (motherhood was a safe area for middle class women to be in control).<sup>35</sup> The Penitentiary was much less well supported by women and a significant number of men and women gave anonymous donations due to its connections with sex and immorality. Prostitution was not viewed as a subject

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<sup>34</sup> Mahood, *The Magdalenes*, p. 76, 85.

<sup>35</sup> HA, 13<sup>th</sup> March 1802.

respectable women should be involved with. Middle class women joining Josephine Butler's campaign against the Contagious Disease Acts in the 1860s faced abuse from mainly male agitators.<sup>36</sup> However, the male stamp on moral authority hid their own moral failings, as seen in Penitentiary subscriber Thomas Brown, a timber merchant, involved in a public Hull Bastardy trial. Some hypocritical middle class men publically supported the Penitentiary and yet privately used women for their own pleasure.

Motivations for supporting the Penitentiary covered popular concerns including financial savings to the town. Thomas Thompson, Town Clerk and Governor of the Poor, supported the Penitentiary. In 1800 he had written on the increasing cost of the poor rates in the town. Thompson was a Methodist lay preacher at Waterhouse Lane (the heart of prostitution in the town) which indicates his exposure to and interest in prostitution.<sup>37</sup> Charles Frost (solicitor to the Hull Dock Company) also wrote on the poor rates. They and others were keen to support a female penitentiary in Hull in the hope of reducing expenditure on poor rates with concern about high numbers of supposedly immoral women (especially those with illegitimate children) claiming parish relief. It was hoped that the charity would reach young women before they became a burden on the poor rates; immorality was seen as leading to poverty.

Concern with the protection of the morals of the young (especially middle class young men and women) was a further reason for support. Novelist and poet Amelia Opie (Dr Alderson's niece) was the author of *'The Dangers of Coquetry'* (1790) which spoke as a

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<sup>36</sup> Walkowitz, *Prostitution and Victorian Society*, p. 2.

<sup>37</sup> Arthur R B Robinson, *The Counting House: Thomas Thompson of Hull 1754-1828* (York, William Sessions Ltd, 1992), pp. 1, 6.

warning of the dangers and consequences of flirting and female sexual desire.<sup>38</sup> Another female supporter of the Penitentiary, Mrs Randerson, wrote a letter to her daughter about the dangers of ‘seeing the world and of falling victim to the vices of mankind’. She was advised to keep on the right path and preserve her virtue and resist temptation.<sup>39</sup> The story of two girl cousins, one a god-fearing good girl, one a flighty bad girl who ended up dead, was presented as a warning by the District Visiting Tract Society in the *‘Advantages of Early Piety’*.<sup>40</sup> It was not just young middle class women that were feared vulnerable to ‘going wrong’, moral concern over young men was also evident. In a letter to the Mayor of Hull regarding the moral welfare of young male apprentices, employers were called on to offer guidance to save them from a ‘licentious life and teach them moral and religious principles’.<sup>41</sup> Dikes spoke of apprentices robbing their masters to go with prostitutes.<sup>42</sup> Concern over young men being corrupted by prostitutes was a recurring theme in nineteenth century Hull.

Fear of crime and disorder was a large concern in the town. John Cowham Parker, the Mayor and Penitentiary Committee member, appointed a police force in Hull in 1836. Benefactors of the charity lived and worked in close proximity to the site of social problems in the town, with the middle class suburbs just starting to be built to the north and west of the town. Some of the middle class would still have been living in the old

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<sup>38</sup> Teresa M Pershing, ‘Unbecoming: Desire and Futurity in Amelia Alderson Opie’s *Dangers of Coquetry*’, *European Romantic Review*, 28:5 (2017), pp. 571-584.

<sup>39</sup> HHC, Mrs Randerson, Letter to her daughter on ‘Seeing the World’, 30<sup>th</sup> January 1818, DMX/7312.

<sup>40</sup> District Visiting Tract Society, *The Advantages of Early Piety or the History of Two Cousins* (Hull, J Hutchinson, undated).

<sup>41</sup> HHC, Letter to Mayor of Hull regarding Male Apprentices, 3<sup>rd</sup> September 1825, BRL/2514.

<sup>42</sup> King, *Memoirs and Sermons of Thomas Dikes*, p. 450.

town, especially merchants who lived close to their businesses on High Street in grand houses and their warehouses on the banks of the river Hull. Penitentiary supporters, Christopher Bolton and William Levett were residents of the old town and wrote to the Corporation along with other residents of Pier Street, Nelson Street and Wellington Street of ‘nocturnal disturbances of disorderly persons’ (prostitutes and their clients) who ‘make a practice at all hours of the night and making every species of disturbance as well as injuring the propriety of the individuals in the neighbourhood’.<sup>43</sup> The residents petitioned for a night watchman to watch the area. John Scott paid for a gate and wall at his own expense at the upper end of Salthouse Lane due to residents complaining that the corner was being used for criminal and vice purposes. Scott wrote to the Board of Health regarding the area was being used for prostitution and that ‘children running from school’ were being exposed to this.<sup>44</sup>

The roles of Penitentiary supporters as justices of the peace and magistrates also brought them into regular contact with crime, prostitution and illegitimacy and saw them lead the way in making laws in the town. Penitentiary supporter Robert Raikes was a magistrate and Recorder at Hull when he awarded Sarah Bartle at the Easter Quarter Sessions in 1810 a sentence of two months hard labour for keeping a disorderly house where there took place ‘drinking, tippling, whoring of men and women of evil name and fame’.<sup>45</sup> Raikes and other magistrates sentenced increasing numbers of Hull prostitutes in the courtroom and would have known some of the recipients of the charity, perhaps recommending them. This link with the law is important; it reveals that the Penitentiary had support from within the judiciary in the town who, as well as

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<sup>43</sup> HHC, Letter to Hull Corporation regarding nocturnal disturbances, June 1831, ICH/744.

<sup>44</sup> HHC, Letter to Board of Health from Rev. John Scott, 29th May 1872, BHH/109/155.

<sup>45</sup> HQS, C CQB/86, 1 Feb 1810.



regulation through the law, were looking at a reformist charity as a way of reducing the numbers of women before the courts. Although the law was becoming more punitive with regard to prostitution, those working within the system were also looking beyond the law at voluntary efforts to transform immoral women into law abiding citizens through imparting morality and religion.

This joint partnership of the law and voluntary efforts was seen as the answer to the prostitution problem in Hull. The institutions would remove women from public view and public spaces to stop the perceived offence to eyes and ears and their contamination of the streets. This crossover of the law and philanthropy saw local magistrates and judiciary sit on the Penitentiary Committee. They were able to reconcile their dual lives as protectors of the law - punishing women in the courtroom, with their role as philanthropists supporting the moral reform of fallen women. The middle class social response axis stretched from harsh condemnation to help and care; also the controlling response, seeking to control women both through the law and private charity.

The plight of the poor was not yet widely evident to Hull's middle class who only started to venture into the poorer districts through mission work and social investigations in the mid-nineteenth century. Although practical help was given, much of the motivation was for the poor's moral and religious salvation in this early period. The Hull Town Mission into the poorer districts of Hull was formed in 1838 for fears of 'a fearful and threatening amount of moral debasement' in the town.<sup>46</sup> This threat was perceived to be from the working class and their districts of the town. James Henwood, another subscriber of the Penitentiary, was Steward of the Poor and Strangers Friend

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<sup>46</sup> The First Annual Report of the Hull Town Mission (Hull, James Purdon, 1838), p. 7.

Society and wrote a letter in 1831 to the Hull Corporation seeking its support for the work they did amongst the sailors in port and poor: 'Many who were deeply sunk in ignorance and vice have been taught with good effect the principles of the Gospel and have been reclaimed from immoral courses.'<sup>47</sup> The Penitentiary was viewed as a tool of improving the moral health of the town and its working class. Behind the outward display of middle class social conscience lay a desire for social engineering; one way to impose their values and ideology on the working class was through private charity. This can be seen in the moulding of the women to become domestic servants and take on the values and gender specific roles of the middle class female visitors to the Penitentiary.

Cultural ties were important in the attracting of supporters to the charity with fund-raising events such as lectures on behalf of the Penitentiary at the Literary and Philosophical Society. Alderson (President of the Society) patronized the publication of local poetry, with the theme of the fallen woman appearing in local verse. A poem '*The Dying Prostitute*' (1792) could have been the inspiration for Alderson and other future Penitentiary supporters who subscribed to its publication. The poem was about the consequences of the 'fall' resulting in ostracism, loss of health, friends and reputation and leading to a lonely death, to be a warning to women and girls stepping out of the confines and boundaries of their sex.<sup>48</sup> Unusually, it was written by a woman, Charlotte Beverley, in a period when prostitution was viewed as a subject women should not discuss. It reflects Alderson's forward-thinking that he encouraged the poem's publication and, unlike others of his class, did not frown upon a woman discussing prostitution. Dr Joseph Ayre, Physician to the Penitentiary in the 1850s, published his

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<sup>47</sup> HHC, Letter to Hull Corporation from James Henwood, 17th May 1831, DMX8/27.

<sup>48</sup> Charlotte Beverley, *Poems on Miscellaneous Subjects Composed and Selected by Miss Charlotte Beverley* (privately published, Hull, 1792), pp. 60-62.

poems on prostitution - *'The Outcast'* and *'The Destitute'*.<sup>49</sup> He dedicated his poetry to his wife and family, advocating the Victorian family, hearth and home ideology

As well as the motivations of subscribers for forming and supporting a female penitentiary in Hull, what were the motivations of those seeking its help? The Plan and Rules for Management of the Hull Female Penitentiary set out the charity's aim - 'to receive and employ and ultimately restore to society such women, as having followed a vicious course, are desirous of obtaining the means of reform'.<sup>50</sup> It is debatable that the women themselves were desirous of reform. Women who entered the Penitentiary were there for various reasons, among which the desire for salvation of their souls may not have been a priority. The motivations of the women applying to the Penitentiary involved more practical reasoning. This was a better option than the dreaded workhouse, and got them away from police persecution. Desperate women sought help from the Penitentiary as a place of shelter from both the increased repression of the law and the harsh living conditions and poverty they faced outside.

The Penitentiary offered protection, food, warmth and companionship. The desire to leave behind a life of poverty and hardship on the streets of Hull with the chance to find alternative employment with the help of the Committee's contacts. This was an opportunity for women to gain employment in a town where female employment was limited. It was also a way of gaining medical help and treatment for illness or sexually transmitted diseases. Lack of family to turn to was also a factor. Judith Walkowitz has discussed how most inmates of penitentiaries were orphans or from broken homes, who

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<sup>49</sup> Dr Joseph Ayre, *The Christian Philanthropist's Pilgrimage and Other Poems* (Hull, privately published, 1851), p. 512.

<sup>50</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 3.

had a lack of parental support from an early age. Many also had had early sexual experience and most were living in poverty.<sup>51</sup> Some women were also encouraged to go into the Penitentiary by missionaries working the streets of Hull, as well as on the recommendation of local magistrates when first offenders appeared before the courts, with the links of the local magistracy to the charity. For these reasons many women sought to apply themselves. The Penitentiary quickly proved popular amongst women in the town. In 1812 the number of women in the Penitentiary was 12. By 1813 this number had risen to 39 (3 times the original number). The charity regretted they had to turn women away for lack of room and funds.<sup>52</sup>

As applications had proved too numerous for all to be taken, the Committee was selective in choosing 'proper and deserving objects' for the Penitentiary. Consequently they chose young women who had 'not long followed vicious practices' to maximize the success rate.<sup>53</sup> The charity, in common with others, sought out younger women in order to reach them early before they were considered too far down the road of destruction. The majority were between 13 and 20 years. The social construction of the penitent prostitute saw a distinction made between the young seduced victim (seen as redeemable) and the hardened prostitute seeking pleasure (seen as beyond redemption), which influenced decisions on who could be helped. Not all of the girls were prostitutes, but were viewed as sexually promiscuous wayward girls who were in danger of becoming prostitutes due to their lax sexual morals. Thus more and more working class women and girls were drawn into the cold of reform and labelled as 'fallen' or, rather, in 'transition to a better life'. This included women not previously reached by the courts

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<sup>51</sup> Walkowitz, *Prostitution and Victorian Society*, pp. 20-29, 31.

<sup>52</sup> HR, 10th April 1813.

<sup>53</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 2.

or prisons.<sup>54</sup> The Committee held the power to admit and dismiss women. Applicants were on probation for good behaviour and compliance with the rules of the house, and not fully admitted until they had passed two months and conducted themselves in a satisfactory manner.<sup>55</sup> Before admittance women were given a medical examination to check for pregnancy and disease. Pregnant applicants were sent to the workhouse.<sup>56</sup>

The women's keep was to be earned through useful employment in domestic duties with washing and needlework taken in 'to promote industry amongst the females whom it is the object of the institution to reform'.<sup>57</sup> The cleansing ritual was important; laundry work and cleaning served the belief that dirt was linked to female sexual laxness. The emphasis on domestic training was in keeping with middle class notions of femininity. The aim was to guide young women back onto the right path by placing them in suitable positions in households as domestic servants or as laundry and needle workers on leaving, often in households of subscribers to the charity. Service out of town was preferable in order to remove them from previous bad influences and associations.

The charity thus provided a supply of cheap labour to its middle class supporters who received a ready supply of domestic servants as well as their laundry and needlework done at low cost. By training women for employment in low paid occupations of domestic service, laundry work or needlework the charity can be viewed as reproducing the vicious cycle of poverty, low pay and unemployment which women of the poor were vulnerable to, and which often led them to prostitution in the first place. The

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<sup>54</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 5.

<sup>55</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 7.

<sup>56</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 8.

<sup>57</sup> HR, 31st August 1811.

placing of girls as domestic servants also reproduced a vicious cycle of the vulnerability of female servants to sexual use in the household by men of the family or male servants which has been found in the Hull Bastardy cases. Susan Mumm has found that most of the girls who entered the Clewer House of Mercy were ex-servants who had been sexually abused or raped.<sup>58</sup> The idea was not to raise the women above their station in life and domestic service was seen as the best employment for working class girls. It was believed the moral training would stand them in good stead against temptations to sin again. The Committee did not address the practicalities of life and economic limitations for working class women outside the walls of the Penitentiary. The women were prepared for work that was deemed suitable for their gender and social class.<sup>59</sup>

The women wore a 'plain neat dress' provided by the female visitors to the Penitentiary. This uniform of the fallen women acted as way of setting them apart, to take away their individuality and freedom of expression in dress and to subdue them by placing them in a uniform worn like a badge of their shame.<sup>60</sup> This was at least not as bad as the Edinburgh Penitentiary where the practice was to shave the women's heads not only to shame them but also to deter their leaving. The women's lives were strictly regimented. Early rising and early to bed and regular prayer made up their days. Divine service was a very important part of the women's day showing the strong influence of Dikes and evangelicalism on the charity.<sup>61</sup> Time in the garden for fresh air was also part of the cleansing ritual of sin; emphasizing the cleaning power of nature to bring the women back after their corruption. No penitent was allowed to go outside of the house except

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<sup>58</sup> Mumm, 'Not worse than other girls', p. 539.

<sup>59</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 11.

<sup>60</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 8.

<sup>61</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 9.

on very urgent and extraordinary occasions and then not without special leave which was obtained by a request in writing to the Matron and counter-signed by a member of the Committee. They were accompanied by a trustworthy female approved by the Committee. Rule 44 stated that the penitent's father, mother or near relative may be permitted to see and converse with her at the Matron's discretion and in the Matron's presence between 12 and 2 pm on Tuesdays and Fridays but no other persons would be admitted to see them. All letters were read by the Matron.<sup>62</sup> Contact with the outside world and previous bad influences was seen as detrimental to the women's reform, hence the women were kept isolated .<sup>63</sup>

The Matron's main duty was to observe the women's behavior, for which she kept a weekly written record of each inmates conduct - 'the Matron shall strictly observe and command that all the women be clean and neat in their apparel and persons, and take care that they be daily employed, and behave in an orderly and religious manner, and that they constantly attend divine service'.<sup>64</sup> This emphasis on surveillance and policing of the behaviour of the women, combined with the isolation, proved very difficult for some women, and their inability to stick to such a regimented existence resulted in some women leaving the Penitentiary before the allocated time. Other female penitentiaries being formed in this period such as Clewer House of Mercy or the Glasgow Magdalen Asylum were run on the same lines of surveillance, isolation and strictness, with the classification of women by their willfulness, or willingness to knuckle down and conform.<sup>65</sup> The strictness of the controlling regime of surveillance, isolation,

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<sup>62</sup> HA, 13th April 1811.

<sup>63</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 11.

<sup>64</sup> Hull Female Penitentiary, *Plan & Rules for Management*, p. 6.

<sup>65</sup> Mumm, 'Not worse than other girls', p. 531.

incarceration and indoctrination, meant some women found it hard to adapt, given their freedoms outside the institution. This is reflected in the success rates of the Penitentiary.

Examination of the Penitentiary's success rate in restoring women to respectability is limited due to lack of information on individual women's lives once they left the Penitentiary, nor how such women viewed the Penitentiary system. Success can only be measured by statistics provided by the Penitentiary Committee in their annual reports but which we have to be wary of propaganda. It was the success stories of the recipients of the charity which the reformers highlighted to set out its benefit to the town.

Examples of repentant fallen women were regularly preached by Dikes to prove the good work being done. This included a woman who was quoted as being so changed by her time in the Penitentiary that she had 're-claimed her husband from drunkenness and was now an example in her village'.<sup>66</sup> Women brought to repentance included a young woman who prior to her admittance into the Penitentiary had been 'so exceedingly abandoned' that her parents had tried every means of reformation in vain and had sent her to the Charity Hall (workhouse) where she was confined in a solitary cell. Dikes reported that she was 'now completely reformed and had married a very respectable young man with whom she lives in the greatest credit'.<sup>67</sup> Dikes spoke of the decorous behavior of the women during public worship; the women were allowed to attend public service on occasion and were paraded in church to encourage support.<sup>68</sup> Showing the women in public served to demonstrate the success of the charity, measured in the orderly and good behavior of the women.

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<sup>66</sup> King, *Memoirs and Sermons of Thomas Dikes*, p. 118.

<sup>67</sup> HR, 12th March 1814.

<sup>68</sup> HR, 29th March 1817.



The 1818 annual report provided statistics since the opening of the Penitentiary in 1811. The number of women housed to date was 114. Of the 89 known cases, 23 were reported married (part of the moral and domestic training was for young women to become respectable wives and mothers). Nine of the women were in domestic service found by the Committee's contacts. This number is not as high as perhaps the Committee would have liked and may reflect a lack of support for taking on the women after rehabilitation; not all families were keen to have an ex-prostitute living in their household for fear of bad influence on their servants. Four women were at home with friends or relatives (seen as respectable and suitable for the young women to associate with). Six women remained in the Penitentiary, continuing to undergo reform. Seven women had died. Of the known cases almost half (42 women) were deemed to be living successful lives. In 1826, the year of the Penitentiary's closure, it was reported that over the last 7 years the Penitentiary had taken in 68 women, with 33 reported to have turned out well, being respectably married or in service. Nearly half of the women were viewed as successfully reformed which demonstrates that in its fifteen year history the charity did have some impact on helping young women leave difficult lives behind.<sup>69</sup>

How successful the Penitentiary was depended on the willingness of the women to endure the strict regime and discipline it offered of work, prayer and constant surveillance. Despite some success, half of the women were recorded as remaining only a few days or weeks which reveals that women were unable to bear the strict regime and lack of freedom. It was believed this was due to the personal failings of the women.<sup>70</sup> Some women had returned to 'following bad practices'.<sup>71</sup> Dikes preached about a girl

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<sup>69</sup> HR, 11th February 1826.

<sup>70</sup> HR, 14th April 1818.

<sup>71</sup> HR, 14th April 1818.

who had prematurely left the institution and returned to 'evil' ways. She was reported as dying from disease and she regretted leaving. Dikes presented her case as a warning.<sup>72</sup>

It is not clear why women returned to prostitution, which may well have been out of economic necessity, but it demonstrates that women were not internalizing the message of the Penitentiary and that either choice or circumstances had led them back to the life reformers saw as evil but which they themselves saw as a way to earn a living. The women who chose to stay in the Penitentiary may have outwardly gone along with the regime and conformed to the discipline without internalizing the values being imposed upon them. The fact that women rebelled shows the fact that the women were not just passive recipients of the indoctrination, but demonstrated agency, autonomy and choice in order to get out of the charity what they wanted and needed.

The Committee possessed a realistic view of success. Dikes stated 'we have not to do with inert matter, which we can mould into any form we please, we have rough materials to handle, we have to labour to subdue the corrupt (evil) and affections of sinful men, or rather I should say, of sinful women.'<sup>73</sup> This presentation of women as 'rough materials' also shows how working class women were viewed, not as persons with thoughts and feelings but as bodies to be manipulated and controlled by men of authority. In dealing with a social problem which was so widespread it was believed that hopes of a general reformation was absurd and unrealizable. Instead the charity hoped only to 'check an evil' that they were fully aware could not be extirpated.<sup>74</sup>

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<sup>72</sup> King, *Memoirs and Sermons of Thomas Dikes*, p. 118.

<sup>73</sup> HA, 8th April 1812.

<sup>74</sup> HR, 10th April 1813.

Dikes acknowledged the vastness of the prostitution problem in Hull, estimating the number of prostitutes as 'between 1800 or even as many as 8000'.<sup>75</sup> This informs on Dikes' perceptions of the size of the prostitution problem in Hull and demonstrates the problem of how to quantify and define prostitution. The difficulty of arriving at an exact figure arose because of the often temporary and makeshift nature of the work with many women going undetected by the police and the charity. Hence the charity's success would always be limited. By concentrating their efforts on young women who had just started out on a life of prostitution, the charity was limiting itself in those it could help. The charity was also limited in its effectiveness by the numbers it could take in given the size of the institution and the financial constraints placed upon it. It can also be argued that the continuance of the prostitution trade was necessary to reformers' moral authority and justification for the Penitentiary's existence.

As the Penitentiary's existence relied totally on voluntary subscriptions thus it was at the mercy of public support. A large part of its history was the funding problems which continually threatened its existence. The nature of the work and its recipients impacted on the charity's financial success. Competing for support with more popular charities deemed deserving was reflected in the levels of funding and support.<sup>76</sup> The Lying In Charity sought to enquire to the character of applicants and only those seen as respectable and in possession of good morals but facing financial hardship through no fault of their own (such as the wives of absent soldiers) were awarded help.<sup>77</sup> This moral test of character could not be applied to the 'fallen' applicants of the Penitentiary.

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<sup>75</sup> HA, 8th April 1812.

<sup>76</sup> HA, 13th March 1802.

<sup>77</sup> *Craggs Guide to Hull* (Hull, J Cragg, 1817), in Malet Lambert Local History Series Reprints Extra Volume, 11 (1981), pp. 39-40.

The struggle for support and financial problems of running a charity for those seen as undeserving fallen women was also a feature of the annual reports of the Aberdeen Female Penitentiary, Edinburgh Female Shelter, Liverpool Penitentiary and Bristol Penitentiary. Reasons for this lack of support included the view that female penitentiaries were ineffective given the scale of the problem. In 1805 the Edinburgh and London female penitentiaries were criticized for having only reformed 98 women between them in 7 years.<sup>78</sup> A further argument against such institutions was that a female penitentiary was not punitive enough for the crime of female sexual immorality and that prison and hard labour was the best place for prostitutes and immoral women, viewed by many as social outcasts and criminals.<sup>79</sup> Female penitentiaries faced opposition on both economic and moral grounds as the women were not seen as worthy objects of charity and believed to be beyond redemption. There was the belief that penitentiaries would increase prostitution, with help available if they got into trouble.

Dikes referred to a number of complaints by citizens of the town who believed that the establishment would do no good and encouraged women to sin in that an opportunity of repentance was afforded.<sup>80</sup> One argument against the need for a female penitentiary in Hull was that ‘times were hard and young people could not afford to marry and that we must wink at certain offences’.<sup>81</sup> An outraged Dikes replied that vice should ‘never go unchecked due to its evil consequences of wretchedness, disease, blasphemy, robbery, drunkenness, suicide and murder’.<sup>82</sup> Dikes sought to encourage public support by sentimentalizing the women as victims of male lust and seduction; more sinned against

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<sup>78</sup> Mahood, *The Magdalenes*, p. 36.

<sup>79</sup> Mahood, *The Magdalenes*, p. 36.

<sup>80</sup> HA, 8th April 1812.

<sup>81</sup> King, *Memoirs and Sermons of Thomas Dikes*, p. 450 & HA, 8<sup>th</sup> April 1812.

<sup>82</sup> King, *Memoirs and Sermons of Thomas Dikes*, p. 450 & HA, 8th April 1812.

than sinning. The idea of the 'fall' suggested previous respectability but who had fallen into bad company or abandoned by a lover. This was to make the women more acceptable to the public and inspire pity.<sup>83</sup> This was in common with women presenting themselves in Hull bastardy cases as ill-used and abandoned to attract more sympathy. The women were advocated as reclaimable through the moral and domestic training provided by the Penitentiary. Dikes spoke of the prison and workhouse with prostitutes and other inmates all housed together without anyone to watch over their morals with the result that 'they come out ten-fold more the children of hell than they go in'.<sup>84</sup>

On its formation the Penitentiary, being a new fashionable charity of the moment in Hull, attracted initial financial support. However, public support could be fickle and middle class men and women had conflicts of interests over which worthy cause they would support. Dikes stressed the Penitentiary as a worthy cause; 'it is of far more consequence to spread virtue and religion among the profligate and the wicked than to give money to the poor or to impart health to the afflicted'.<sup>85</sup> The charity progressed steadily to 1818 when financial problems forced its temporary closure. An appeal for funds was made in local newspapers in order that 'the door of mercy will not be shut against those poor unhappy beings, who must be left to continue in their sins and to perish without hope, unless an asylum be provided for them'.<sup>86</sup> The Committee asked for support from wealthy benefactors who had been initially interested in the charity. Dikes gave an impassioned public plea, designed to elicit sympathy and question the public conscience in enabling such a worthy and essential institution to close:

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<sup>83</sup> Mahood, *The Magdalenes*, p. 7.

<sup>84</sup> HA, 8th April 1812.

<sup>85</sup> HR, 23rd December 1820.

<sup>86</sup> HR, 14th April 1818.

A Penitentiary has long been considered as a desideratum in this town. The case of those unhappy young women, who had been seduced from the path of virtue, excited much commiseration. However desirous they might be to return, no way was left open to them. However earnestly they might implore help, no ear harkened to the voice of their complaint; they were abandoned to ruin of both body and soul. The Penitentiary was opened, numbers of unhappy women, in perfect health, and in the midst of youth, fled to it for refuge, and found an asylum adapted to their wants, many were reclaimed, and walked no more in the paths of the Destroyer, and will be forever thankful for the blessings which they received, blessings far more valuable to them than thousands of gold and silver. The question then is no other than this; whether the town will shut up the Penitentiary and thus deprive unhappy women of the means of repentance and reformation, or will come forward in support of an institution on which the lives and salvation of many of their fellow creatures depend.<sup>87</sup>

This plea by Dikes shows he wanted the charity to continue as he believed it did good work and was beneficial to the town. The activism of Dikes and others on behalf of the charity would prove its mainstay throughout the crisis. It was resolved that the town be divided into districts and gentlemen of the Committee appointed as visitors to report what sums could be collected. This also involved waiting upon ministers of the different places of worship in the town to request their cooperation in aid of the Penitentiary funds.<sup>88</sup> A series of lectures were given on behalf of the Penitentiary at the cultural institutions in Hull. Worshippers at St Johns Church sought to assist in fund-raising.<sup>89</sup>

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<sup>87</sup> HR, 16th January 1819.

<sup>88</sup> HR, 23rd January 1819.

<sup>89</sup> HR, 6th February 1819.

Success was achieved by April 1819 when the Penitentiary reopened.<sup>90</sup> Dikes stated that there were eleven young women under the charity's care and that all were reported as being well behaved and under the influence of serious religion. The strictest discipline was reported as being maintained and the matrons suitably qualified for their situation.<sup>91</sup> Dikes sought to reassure a worried public that the charity was continuing to do the job it was intended to do on its formation; the moral reformation of what he called 'the most abandoned and profligate characters that ever disgraced humanity'.<sup>92</sup> Dikes spent much time over the years in defence of the Penitentiary from its critics.<sup>93</sup>

The fortunes of the Penitentiary continued to be up and down, despite the best efforts of Dikes and fellow Committee members and the regular church collections by clergymen friends.<sup>94</sup> The swings in funding were also related to general economic conditions in the town with economic downturn meaning that charities received less support. In 1826 once again the Penitentiary faced a major crisis. A meeting of the Committee was held to take into consideration the poor state of the finances and to question whether the charity should continue. It was reported that funds had gone from being £90 in hand to £30 in debt, annual subscriptions were not more than £188 and the average annual expenditure of each female inmate was about £20 (at present the house housed 20 women). The lease on the house was also due to expire. The Committee decided that there was no prospect of going on unless money could be raised to build a suitable house and give some permanency to the institution. It was concluded that the charity

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<sup>90</sup> HR, 17th April 1819.

<sup>91</sup> HR, 23rd December 1820.

<sup>92</sup> HR, 23rd December 1820.

<sup>93</sup> HR, 28th April 1821.

<sup>94</sup> HR, 30th April 1825.

was unpopular.<sup>95</sup> A last appeal was made stressing that if the Penitentiary closed vice and immorality would have no check, in order to shock the readers into action.

Is the nature of the good done sufficiently considered? One unhappy young woman, rescued from the misery of sin, is not only preserved from doing irreparable mischief to others, but receives herself a blessing, perhaps as lasting eternity. Doubtless it is good to bind up with the broken limb, and to restore to health the fainting body, but how much better it is to bind up the broken hearted, and to save from every species of vice and evil, those, who in the days of youth and inexperience, have been allured from the ways of truth and righteousness. It is reminded that the unhappy characters whose case is here considered, are the only persons, perhaps, against whom the door of hope seem permanently shut. If there be no medium through which they may be restored to society, they must, apparently, be abandoned without remedy to profligacy and misery. These remarks are recommended to the serious consideration of the public as being the last appeal which will be made to them on behalf of the institution.<sup>96</sup>

Despite the pleas and the hard work of the charity's supporters, including Dikes who had worked tirelessly on its behalf, the Hull Female Penitentiary finally shut its doors in 1826. The Committee was to remain in existence and still take funds for the future resumption of the Penitentiary. It would be eleven long years before another female penitentiary was formed in Hull. Dikes support of the charity continued until his death in 1847 at the advanced age of 85. Alderson continued to support the reopening of the institution until his death in 1829.

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<sup>95</sup> HR, 4th February 1826.

<sup>96</sup> HR, 11th February 1826.



In the Hull Female Penitentiary we can see the origins of social welfare in Hull which came to fruition a hundred years later. The pioneering charity's help was aimed at those who had traditionally been outsiders, who no other charity would touch. Concerned men and women of Hull came together in the early nineteenth century to form, run and fight for this charity's continuance, facing a sea of hostility or disinterest. What they achieved lay the foundations for future philanthropic work in Hull for women of the poor.

The mid-nineteenth century saw the height of concern about prostitution both nationally, and locally in Hull, due to an increased reforming zeal of the middle class in this period. By the mid-nineteenth century the middle class had established itself as a class for itself and in itself. Political leadership and taking over the law and magistracy from its old aristocratic base meant the middle class developed confidence and interest in addressing social problems. Growing public interest in social welfare, poverty and public health brought prostitution to the attention of the wider public, along with the investigations of Henry Mayhew and William Acton.<sup>97</sup> 'Saving' fallen women was popularised by the efforts of figures of note such as Charles Dickens, who had formed a home for fallen women in London called Urania Cottage along with heiress Angela Burdett Coutts.<sup>98</sup> The early Hull fallen women poetry which had inspired the founders of the first Hull Female Penitentiary, now expounded in wider popular culture, art and literature. The fallen woman was romanticised in the art of the Pre-Raphaelites, and in the literature of Dickens, Hardy and Gaskell. The prostitute was portrayed as an object of pity and a tragic victim, sentimentalised in the Victorian popular imagination.<sup>99</sup>

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<sup>97</sup> Acton, *Prostitution Considered in its Moral, Social and Sanitary Aspects*, pp. 20-21, & Mayhew, *London Labour the London Poor*, pp. 35-272.

<sup>98</sup> Hartley, *Charles Dickens and the House of Fallen Women*, pp. 1-287.

<sup>99</sup> Marsh, *Pre-Raphaelite Women*, pp. 32, 93, 96, & Logan, *Fallenness in Victorian Women's Writing*, p.28.

Feminists brought sympathy to the plight of prostitutes with the campaigns against the Contagious Disease Acts. Josephine Butler visited Hull in 1876 to raise support.<sup>100</sup> She spoke twice - to an all-male audience of local M.P's, clergy and 'gentlemen', and to a separate female consortium of the Hull branch of the Ladies National Association for the Repeal of the Contagious Diseases Act at their annual meeting on the same day. Both meetings were reported as largely attended. As with the separate ladies committees of Hull's charities for fallen women in this period, these two meetings highlight the separation of the sexes for reasons including that of 'delicacy'.<sup>101</sup> The condemnation of the Acts as a 'gross infringement of the liberty of women' was agreed, revealing that significant numbers (both male and female) in Hull supported the Acts' repeal.<sup>102</sup>

Increasing anxiety around the issue of prostitution and growing awareness of its presence on the Hull's streets by its middle class inhabitants who were starting to venture more into the lives of the poor, served charities well in that a social need was identified. This need was seen as being too great to be addressed only through the police and courts intervention, and should be met by charitable intervention too. Hence philanthropy was growing as a social response in Hull in this period and led to the formation of two new charities aimed at dealing with what was seen as the prostitution problem. Hull's middle class could rest easy that they were seen to be doing something to address social problems in the town, encouraged by the coverage in the local newspapers who made their own investigations into the poorer districts of the town. This was married with increasing State intervention into lives of the poor which saw other competing private charities decline.

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<sup>100</sup> Walkowitz, *Prostitution and Victorian Society*, pp.44, 105, 253.

<sup>101</sup> Hull News (HN), 13<sup>th</sup> April 1872 & HP, 6<sup>th</sup> October 1876.

<sup>102</sup> HP, 20<sup>th</sup> October 1876.

A second female penitentiary began its life in this changing climate. The original house in Wincolmllee was regarded as unsuitable for the intended expansion of the charity and new premises were built in 1844 on Anlaby Road (again deliberately outside of town centre) after an appeal for funds in the local newspapers. Renamed the Hull and East Riding and North Lincolnshire Female Penitentiary for its aim of widening its net to take in women and girls from East Yorkshire and North Lincolnshire. It was known as Hope House (as offering hope of a new life to the women). The expansion reflected the findings of police arrests of prostitutes where it was found that many prostitutes had travelled to Hull from the surrounding villages and towns of East Yorkshire and North Lincolnshire. It also ensured that financial support would be gained from a wider public in Yorkshire and Lincolnshire. A mortgage was taken out in the names of the clergy (who continued to take a leading role) and other subscribers, including Rev. John King, Thomas Thompson (son of the first Thomas Thompson), Rev. John Scott (son of the first Rev John Scott), Dr Joseph Ayre, William Hey Dikes (son of Thomas Dikes, also following his father in supporting the new penitentiary), plus merchants, ship owners, manufacturers and small businessmen. Supporters were united in the goal of forming a further penitentiary to deal with a perceived growing immorality problem in the town.<sup>103</sup>

Following in the footsteps of the late Dr Alderson, an Honorary Physician was appointed to the Penitentiary. Hull born Dr John Pearson Bell was awarded the position of Honorary Physician to the Penitentiary and was also Physician to the Lying In Charity.<sup>104</sup> The fact that Bell, a prominent Physician in the town, aligned his name and service to the Penitentiary along with the Lying in Charity shows that by this period a

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<sup>103</sup> HHC, Mortgage, 29th May 1849, WY1 J.

<sup>104</sup> Stephen Bryant (Ed.), *Report of the Sanitary Committee of the Hull Medical Society on the Sanitary State of the Town (1847)*, (Hull, Bradley Publications, 1977).

charity for fallen women was better received in Hull and regarded as an equally important and prominent charity in the town. Concern about prostitution meant it was widely recognized a charity seeking to undertake useful work in this area for the benefit of the town was needed, something earlier in the nineteenth century the first penitentiary lacked. The public began to sit up and take more notice this time, this period being the height of fears about prostitution. The Penitentiary was formed ‘under that deep sense that a further effort ought to be made to rescue, if possible, some of the young who are continually drifting to a life of shame and wretchedness upon the streets of this town.’<sup>105</sup>

The Penitentiary’s main selling card was the ‘crying necessity for some means of reforming the unhappy creatures which infest our streets’.<sup>106</sup> It was reported in 1845 that the town’s missions could not cope with the need out there and found it impossible to reclaim women without the help of the Penitentiary. Religious influence in the desire to reform and reclaim was still evident, but combined with new interest in the lives of the poor which motivated support for the charity. We can hear the women speak for themselves in a report into prostitution by the *Hull Advertiser*, asking ‘what are we to do for a livelihood?’, revealing their reason for working as prostitutes was to keep themselves out of poverty. It brought awareness to readers that economics drove the prostitution problem, not innate sin of the women. Things were starting to change from blaming the poor for their own poverty to recognizing that outside forces were involved. However, the solutions remained the same. The report stated that helping place women in respectable situations, withdrawing them from bad company and teaching them industrious habits, they could become honest and creditable members of society.<sup>107</sup>

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<sup>105</sup> HP, 13th Sept 1861.

<sup>106</sup> HA, 24th Jan 1845.

<sup>107</sup> HA, 24th Jan 1845.

The extent of what was seen as the prostitution problem and the rising numbers of women before the Hull courts on charges of sexual immorality, meant that there was much need out there which social reformers sought to address. In 1861 it was reported that drunk and disorderly arrests of women had risen 100% since the previous year and were four times as numerous as in the previous 10 years. The number of women thought of as being notorious characters and arrested by the police was 533 whilst it was reported a much larger number was 'treading a path of infamy'.<sup>108</sup> Used as propaganda to support the work of the Penitentiary and the formation of a second charity for fallen women in Hull, both charities played on the fears of the public about social problems in the town. The need for another institution in Hull was raised: 'an effort is now being made for providing some additional means of rescuing from otherwise irretrievable degradations and misery these young women whose fall rendering them outcasts from society, too generally shuts against them the door of hope and repentance'.<sup>109</sup> The language was still of sin and redemption, reflecting the evangelical roots of philanthropic work into prostitution and the continued prominence of the evangelical clergy seeking to save 'poor downtrodden women in need of pity and a home to prepare them for that blessed home above, souls saved from being outcasts in heaven'.<sup>110</sup>

Despite the language of salvation, changes were being made. In January 1861 the Hull Temporary Home for Fallen Women for 'girls led away from virtue' was opened at 25 Nile Street, Hull (also known as the Nile Street Home). It was a move away from the terminology of female penitentiary and its prison like connotations, to a home as a place of family as the girls were encouraged to see themselves; a safe place away from the

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<sup>108</sup> HP, 13<sup>th</sup> September 1861.

<sup>109</sup> HP, 28<sup>th</sup> Sept 1860.

<sup>110</sup> HP, 11<sup>th</sup> Oct 1867.

temptations of the streets and outside world. The ideology of domestication, of placing women back into the home was seen in its language. This was a new outlook led by Charles Dickens and Angela Burdett Coutts at Urania Cottage where the women were treated with care and kindness as one big happy family.<sup>111</sup> The Temporary Home's aim was 'to seek and restore recently fallen ones to their friends, rather than to attempt any extended course of discipline with more hardened offenders'.<sup>112</sup> It was not a long-term stay institution like the Penitentiary but a shorter stay refuge, to get young women off the streets and back with families and friends who were deemed respectable enough to take them. It occasionally acted as feeder to the Penitentiary for those deemed in need of prolonged reform or who lacked families they could safely return to.

Like the Penitentiary, the Temporary Home was formed by prominent merchants, gentlemen and clergy in the town. It was reported that they had 'prevailed upon several other benevolent persons to unite with them in the good work'.<sup>113</sup> Wealthy subscribers included Zachariah Pearson (the founder of Pearson Park in Hull) who gave £50 and Sir Tatton Sykes who also gave £50.<sup>114</sup> It had key supporters in the clergy including the Bishop of Lincoln who gave two large donations.<sup>115</sup> To have such important and influential people on board led to others seeking to align themselves with the charity.

Change in social composition of the committees of charities for women in this period is also evident. The 1866 annual report on the Penitentiary revealed a new Committee of Ladies as well as the male Committee. The Rev. John Scott (grandson of the original

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<sup>111</sup> Hartley, *Charles Dickens and the House of Fallen Women*, pp. 1-287.

<sup>112</sup> HP, 13<sup>th</sup> September 1861.

<sup>113</sup> James Joseph Sheahan, *A History of Hull* (Beverley, John Green, 1866), p. 611.

<sup>114</sup> Sheahan, *A History of Hull*, p. 611.

<sup>115</sup> HA, 2nd January 1846.

John Scott – all three generations had been involved with the Penitentiary), was Treasurer in charge of financial affairs and Honorary Secretary. There was a separate Honorary Lady Secretary. This was a move forward for women; with the growing influence of feminism women were now forming Ladies Committees and having some involvement in the running of charities, not just as visitors or benefactors. But this was limited influence, with the male Committee overseeing the charity and managing its financial affairs. A gender divide saw each sex having a separate role to fulfil, with women mainly involved in the day to day activities of the institutions.<sup>116</sup> Women were still given over to the domestic and private in the charities. The Temporary Home had a Committee of Gentlemen and a Committee of Ladies with the main position of Honorary Secretary given to a male – Anthony Atkinson who had for several years taken ‘great interest in the miserable fate of street unfortunates’.<sup>117</sup> A gendered social hierarchy still existed in the running of charities with women given less responsibility than men, who continued with the decision-making and financial operations.

The Penitentiary and Temporary Home sought to justify their existence to the wider public through published annual reports and local newspaper reports. The supportive *Hull Advertiser* and its philanthropic editor Edward Collins, did much to bring to the attention of its readership the two charities, regularly reporting on their activities in a positive light as doing good work in the community, working towards the solving of the prostitution problem in Hull. A change in the annual reports of the Penitentiary and Temporary Home saw them use more qualitative information, moving on from the statistics. Success stories were used to encourage support and overcome the view that the women were not worth helping. It included the young woman who, having been a

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<sup>116</sup> HP, 29<sup>th</sup> June 1866.

<sup>117</sup> Sheahan, *A History of Hull*, p. 611.

previous inmate of the Penitentiary, was reported to be engaged in instructing children in a village school.<sup>118</sup> Another ex-prostitute was engaged in missionary work.<sup>119</sup>

At the 1868 AGM of the Temporary Home, letters written by the women helped were read out as evidence the charities were producing reformed women and girls. They were doing what was expected of them – in service, behaving well and following God.

Dear Mrs Danby (the Matron) I feel it is my duty to return my heartfelt thanks to the Committee and yourself for the kindness and love which I can never forget through all eternity. What would have become of me had you not taken me in – driven to despair, none to look upon me, nowhere to go. And to provide me with a situation where I have been nearly a year and half and hope to stay a long time yet. I am very pleased with my bible which you gave me.<sup>120</sup>

Dear Mrs Danby, I am glad to tell you I am still in my place, happy and comfortable and hope to continue so. I can say from the heart I have cause to thank God that I was ever admitted into the Home and it is a great mercy there are such like places for girls, for what would have become of me if it had not been for the Home. Undoubtedly I should have been lost both body and soul and I thank God he opened a place of refuge where I was first let to see into the errors of my ways. May God bless the kind ladies and gentlemen who have taken such pains with us and to raise such a place.<sup>121</sup>

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<sup>118</sup> HA, 4<sup>th</sup> January 1839.

<sup>119</sup> HA, 4<sup>th</sup> January 1839.

<sup>120</sup> HP, undated 1868.

<sup>121</sup> HP, undated 1868.



As well as the human stories, some statistics were still provided by the charities. In 1841 it was reported that there were 17 women in the Penitentiary, one of which had behaved so well that she had been employed as a domestic servant in the Penitentiary. Three girls had been sent to service, one returned to friends and one was working as needleworker and doing well. Five girls had either run away or been dismissed. The rest remained in the Home.<sup>122</sup> In 1842 the Committee reported that there were now 27 young women in the house (revealing that the institution was attracting more women to its doors) and not one had absconded or been dismissed and their conduct was described as 'generally becoming'.<sup>123</sup> The annual report from 1866 gives some statistics on the Penitentiary since its opening. It was reported that since 1837 it had taken in 489 young women. Of these, 145 were placed in service, 90 were restored to friends, 86 were dismissed and 60 left of their own accord. This reveals that the general success rate of this institution was still around half the women. However, the failure rate was still high with 146 women (just over a quarter of the women) being unable to withstand the strict regime, loss of freedoms and isolation.<sup>124</sup> This is a similar result to the first penitentiary in Hull, with around half of the known cases of women leaving behind prostitution and the rest choosing to leave the institution or return to prostitution.

The Temporary Home had fewer women deciding to leave, which could be due to the fact this was a shorter stay institution and women were not subject to a heavy regime for any great length of time. In 1861 details of help given since the Home opened was provided: 'During the 8 months since the home was opened 47 girls have been admitted to the shelter, of which 20 had lost their mothers (girls being seen as in particular need

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<sup>122</sup> HA, 17th December 1841.

<sup>123</sup> HA, 30th December 1842.

<sup>124</sup> Sheahan, *A History of Hull*, p. 611.

of the moral guidance of a mother in their life), 5 were without a father whilst 12 more had neither father or mother (this demonstrates how a lack of family support meant young women turning to prostitution to support themselves). 'Of these 10 have been restored to friends, 9 sent to service, 3 have gone to work in the factories, 3 have been sent to the sick ward at the workhouse on account of their health and 2 have been forwarded to the Penitentiary. The remaining 16 are in the Home'.<sup>125</sup> One had been dismissed on being discovered she was a married woman (with the view that her husband should reclaim and support her, but ignoring the fact that wife desertion was the reason for some women's poverty and entrance into prostitution).<sup>126</sup> It was reported that as far as known one half of the women housed to date at the Home had been satisfactorily reclaimed from their former course of life.<sup>127</sup> Of these 28 had got married – seen as a success as they had achieved what was seen as women's ultimate role in life as wives and mothers, with an example given of a woman who had married a successful tradesman. Also seen as success was that some of the women had joined 'a Christian church', following the religious example encouraged in these institutions.<sup>128</sup>

It was reported in 1866 that since the Temporary Home had opened in 1861, 223 girls had been admitted to its benefits and of these 64 were restored to friends or parents, 54 placed in service, 20 were sent to the workhouse due to the poor state of their health and 13 remained in the house.<sup>129</sup> This meant that of the 223 girls, 151 (almost two thirds) were deemed success stories: 'the importance of this work of mercy having been fully

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<sup>125</sup> HP, 13<sup>th</sup> September 1861.

<sup>126</sup> HP, 13<sup>th</sup> September 1861.

<sup>127</sup> HP, 13<sup>th</sup> September 1861.

<sup>128</sup> HP, 13<sup>th</sup> September 1861.

<sup>129</sup> HP, 29<sup>th</sup> June 1866.

proved'.<sup>130</sup> It was reported that 42 girls had left on their own request and 13 had ran away. Hence 55 girls (just under a quarter) had been unable to be helped.<sup>131</sup> Although less women had left the Home than had left the Penitentiary, some women preferred hardship on the streets than live under the controlling grip of these institutions.

Rev. Crickmer in his sermon spoke of: 'poor creatures falling into Satan's trap and it was our duty to treat them as Christ treated them and if they were surrounded by good influences much good may be expected to be the result'.<sup>132</sup> This was the middle class advocating their leading by example; follow us and be a success like us. The charities continued to fight against criticism. The Honorary Secretary reported that a gentleman had told him 'it would be a wonder if one tenth of the women could be reclaimed.'<sup>133</sup> Mr Atkinson was pleased to report that the Home had far exceeded that number.<sup>134</sup>

Attracting the financial support of Hull's wealthy middle class was a main part of the charities' work. Fund-raising efforts included sermons preached by clergy to encourage the active sympathy and co-operation of the Christian public in Hull. Rev. John King, incumbent of Christ Church, preached a sermon in support of the Penitentiary on Christmas Day 1842.<sup>135</sup> The women were expected to acknowledge themselves as sinners and 'come to Christ for pardon'.<sup>136</sup> The congregation was to see it as their duty

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<sup>130</sup> HP, 29<sup>th</sup> June 1866.

<sup>131</sup> Sheahan, *A History of Hull*, p. 612.

<sup>132</sup> HP, 29<sup>th</sup> June 1866.

<sup>133</sup> HP, 29<sup>th</sup> June 1866.

<sup>134</sup> HP, 29<sup>th</sup> June 1866.

<sup>135</sup> Rev. John King, *The Willingness of Christ to Receive Sinners: A Sermon on behalf of the Hull General Female Penitentiary preached at Christ Church, Christmas Day 1842* (Hull, John Hutchinson, 1842), pp. 1-23.

<sup>136</sup> King, *The Willingness of Christ to Receive Sinners*, p. 7.

to support the work of the Penitentiary and to take their lead from ‘the willingness of Christ to receive sinners, and to seek salvation for even of the most abandoned of mankind’.<sup>137</sup> King linked prostitution with high mortality rates, disease, suicide, insanity and criminality. His concern was again with the moral health of the young, especially young men (in the belief of their ruin by prostitutes) and appealed to parents: ‘for the sake of your sons, strive to check this growing evil’.<sup>138</sup>

The Rev. John Scott published ‘*A Letter to the Friends of the Hull, East Riding of Yorkshire and North Lincolnshire Female Penitentiary*’ in 1865 to encourage its continued support in light of new competition of the Temporary Home in 1861 and other worthy charities.<sup>139</sup> Competition meant it was imperative that charities continued to court their support base. This was not an easy task due to the taint of immorality compared to charities for the ‘deserving’ urban poor. An examination of the wills of subscribers to the Penitentiary reveal them leaving money to various charities in the town but not the Penitentiary. Charities mentioned in wills tended to be popular and worthy causes such as Hull General Infirmary, Hull and Sculcoates Dispensary, the Lying In Charity and the British and Foreign Bible Society (in the wills of John Hudson and John Todd). The public legacy of the published will was a reason for not listing the Penitentiary which still had associations of encouraging immorality.<sup>140</sup> The Committee complained of lukewarm support, coldness and suspicion.<sup>141</sup> The stigma of supporting women seen as immoral and unworthy of help could not completely be overcome.

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<sup>137</sup> King, *The Willingness of Christ to Receive Sinners*, p. 14.

<sup>138</sup> King, *The Willingness of Christ to Receive Sinners*, p. 17.

<sup>139</sup> Rev. John Scott, *A Letter to the Friends of the Hull, East Riding of Yorkshire and North Lincolnshire Female Penitentiary* (privately published, 1865), pp. 1-11.

<sup>140</sup> ERALS, Will of John Hudson, 24<sup>th</sup> May 1852, DDRO/18/62.

<sup>141</sup> HA, 24th January 1845.

Despite the critics, the financial struggles of the first female penitentiary in Hull were not repeated in the mid nineteenth century institutions as popularity in philanthropic work amongst the poor grew. It was reported in 1866 that the Penitentiary was in full operation with 36 inmates and supported by subscription and industry of the inmates at washing, ironing and sewing.<sup>142</sup> The Penitentiary continued to remain open, avoiding the temporary closures of the first institution. By 1864 the Temporary Home had proved popular enough to be able to afford to purchase the adjoining house to accommodate 50 girls.<sup>143</sup> Social action in Hull would be expanded later in the nineteenth century and continue into the twentieth century. Both institutions would see social progress, forcing them to rethink how they operated and who they chose to help.

What had started as a seed of change in early nineteenth century Hull planted by a few now came to flower and fruition in the late nineteenth century. The Penitentiary and Temporary Home no longer operated in isolation with new initiatives including homes, shelters and clubs to help more women and girls. Hull in particular saw the growth of charities and institutions aimed at women of the poor. Maria Luddy has also found for Ireland that the first Magdalene Asylum had been formed in 1765 but by 1914 there were 33 more.<sup>144</sup> The tide was turning in that rather than punishing women through prison, greater understanding of their problems and needs meant that attempts were made through increased philanthropic initiatives to reach more women. The Hull press led the way in creating greater awareness and influencing public opinion. An 1886 report '*Outcast Hull*' on the institutions supporting women reported on their work.<sup>145</sup>

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<sup>142</sup> Sheahan, *A History of Hull*, p. 610.

<sup>143</sup> Sheahan, *A History of Hull*, p. 610.

<sup>144</sup> Maria Luddy, 'Abandoned Women and Bad Characters: Prostitution in Nineteenth Century Ireland', *Women's History Review*, 6:4 (1997), pp. 485-504.

<sup>145</sup> HT, 2nd October 1886.

Charity work in the latter part of the century in Hull was led by middle class women. Middle class female missionaries and rescue workers ventured onto the streets of Hull which led to greater awareness of other women's lives and greater social action by women for women. Emboldened women venturing into areas they would not have ventured before, meant they saw the poverty first hand and it shocked them into action. This was women recognizing other women's sufferings. It was no coincidence that as women started to play a greater role in the formation and running of charities, we see a flowering of charities formed for women of the poor in Hull. This was the benevolent response of the Hull female middle class. Women started to take a front seat in philanthropic work in more prominent positions. The separate Ladies Committees moved into female-run charitable institutions. Middle class women now sat on the Management Committee of the Hull charities for women.

Moira Martin has also found for Bristol that women moved into influential positions in charities in this period.<sup>146</sup> Paula Bartley has looked at rescue work by middle class women as an alternative to female penitentiaries in women's involvement in the social purity movement in Birmingham (the Ladies Association for the Care of Friendless Girls). She notes a strong female network in Birmingham who were concerned about teaching 'poor and wayward girls' domesticity and morality.<sup>147</sup> There was a move from a supportive role to more leadership in line with new social and political action for women in society. Philanthropy allowed middle class women some freedoms as a safe space to link the private with the public and later led to training women for social work. Although we see more equality of the sexes in the running of charities, this did not translate to the relationships between the women involved and the female recipients.

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<sup>146</sup> Martin, 'Single Women and Philanthropy', pp. 395-417.

<sup>147</sup> Bartley, 'Preventing Prostitution', pp. 37-60.

The social class superiority of middle class women remained a strong feature with women of the poor seen as incapable and in need of their guidance and example: ‘some of these poor girls seem utterly incapable of standing alone, and it is our object to strengthen them and teach them where to obtain help in their often difficult lives’.<sup>148</sup> The matron was a mother figure: ‘The Matron keeps in touch with the girls for years after they leave, and is more than repaid by their love and gratitude for help given in their time of need’.<sup>149</sup> Attention actively focused on creating a home and family for the girls (who often lacked both), with the influence of middle class women saw the new charities advocating the comforts of private family life.

The emphasis on finding women work as domestic servants was still the aim; domestic service continued to be the main area of work considered suitable for working class women and girls and reflected the view that working class women were not expected to rise above their station in life. The late nineteenth century/early twentieth century saw a minority of middle class women and girls being admitted to university and working in the professions, previously closed to them (mainly teaching and social work – seen as appropriate roles for women). However, the same aspirations were not given to the working class. The institutions continued their function as labour exchanges, run to find middle women the domestic help they needed in a period when this was harder to find; it was not wholly altruistic but an exchange of help.

The original institution for women, the Penitentiary, was continuing its work in a climate of social change where more recognition of social need meant that it had to

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<sup>148</sup> Hope House in *Social Services in Hull being Institutions and Charitable Agencies of the City of Hull* (Hull, Hull Community Council, 1930), p. 57.

<sup>149</sup> *Social Services in Hull*, p. 57.

adapt or be left behind. The Penitentiary was now described by the Hull press as ‘a training home for modern magdalenes’.<sup>150</sup> Some traditions remained - the women’s keep continued to be earned through laundry work and training in domestic pursuits. An 1881 census examination of the inmates of the Penitentiary reveal 27 women, the majority under 20 years old (16 women), with the youngest being 15 years old.<sup>151</sup> This aim of getting hold of young girls before being considered too far gone for help was still in keeping with the original aim of the Hull Female Penitentiary when it was formed 70 years previously. The original rule that the inmates should be unmarried saw a change with five of the women being married in 1881.<sup>152</sup> This does not mean they were living with the husbands as wife desertion and separation in the absence of divorce was common. Without the economic support of their husbands some women were forced to live by their own means and enter into prostitution, something the Penitentiary Committee were beginning to realise by this stage in its history.

An important change was that the long term reform solution of the Penitentiary was on the wane and other means of helping women were being explored. The new institutions were now formed as short term stays as it was realized that lengthy isolation from family and friends did not work and that greater success was achieved in shorter stay institutions such as the Temporary Home. The Hull Sheltering Home for Girls was formed in 1885 in Mason Street as a short term solution, a shelter for those seeking temporary assistance, sometimes overnight. The charity sought to restore girls to their parents or find them suitable situations. The 1890 report of the Shelter reported that 77 girls had been in the Shelter and 40 had been placed in service, 7 had been sent to

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<sup>150</sup> HT, 2<sup>nd</sup> October 1886.

<sup>151</sup> HHC, HCR 1881, Registration District 521, Hull Female Penitentiary RG 11/4778.

<sup>152</sup> HHC, HCR 1881, Hull Female Penitentiary RG 11/4778.



permanent homes, 4 to the workhouse, 18 restored to friends, 1 adopted, and 6 remained with only one girl leaving of their own accord.<sup>153</sup> In comparison to the Penitentiary, the success rate of the Shelter was much higher. Girls were sent to a more permanent home of rescue if service could not be found, or friends and family were not forthcoming. The Shelter occasionally acted as a 'handmaid' to the Penitentiary and a shuttle service took place at times with receiving homes sending girls to training homes.

The aim of the Shelter was to 'help girls make a fresh start in a pure and respectable life'.<sup>154</sup> It was described as being designed to 'receive girls who are in moral danger, and to rescue, when possible, those beginning to lead a life of sin and shame'.<sup>155</sup> The terms 'sin' and 'shame' were still in use which shows the continuing involvement of the evangelical clergy (the Shelter's President being the Archbishop of York). The emphasis was still on the morality of young girls and women, but it is possible to see here further change afoot. Moving on from the moral reform of local prostitutes, by this period charities were spreading their wings to seek to protect all women and girls seen as in moral danger. The Shelter's description of itself was 'open at all times to receive women and girls of any place of denomination who may stand in need of temporary protection, shelter and counsel'.<sup>156</sup> There was now some recognition of women needing shelter from domestic and sexual abuse or those who had run away from home and living on the streets with all its perceived moral dangers.

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<sup>153</sup> Hull Sheltering Home for Girls Annual Report 1890 (Hull, George Bromby, 1890), pp. 1-12.

<sup>154</sup> HT, 2<sup>nd</sup> October 1886.

<sup>155</sup> HT, 2<sup>nd</sup> October 1886.

<sup>156</sup> HT, 2<sup>nd</sup> October 1886.

The social gaze had widened; it was no longer just focused on prostitutes, now all women were seen as in need of moral supervision, especially young independent working girls, earning money and out on the town. Rather than immoral women creating the danger, now women were seen to be in moral danger themselves and must be protected. This trend towards protection of women in Hull has also been recognized by Susan Mumm for London.<sup>157</sup> There was new recognition that the women in these institutions were not different to the rest of the working class but circumstances had led them to their difficulties. They were not a breed apart, it was not their character or innate sinfulness which caused their alleged fall as in earlier beliefs. The response was now to protect them for their own good; to rescue them from themselves as it was believed they were not capable of making their own decisions (thus infantilizing the women). Women of the poor were seen as weak (in mind, body and soul), they needed the protection of men and women of a higher social class to direct and guide them.

Despite this widening of the net, charities still continued to show some evidence of being selective whom they would take. The Shelter Committee's concern was at the 'deficient intelligence' of many of the girls and that they were not easily taught 'habits of cleanliness and industry fitting them for domestic service or other useful situations in life'.<sup>158</sup> The new interest in measuring the intelligence of the women was predominant in this period with wider concerns of feeble-mindedness causing criminal and immoral behaviours. It was desired that another home could be formed for these girls as they were generally sent to the workhouse or lunatic asylum.<sup>159</sup> Also reported was the poor state of health of many of the girls and that the Shelter was not designed as a long term

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<sup>157</sup> Mumm, 'Not worse than other girls', p.538.

<sup>158</sup> HT, 2<sup>nd</sup> October 1886.

<sup>159</sup> HT, 2<sup>nd</sup> October 1886.

sick bay but that many of the girls had been in a length of time due to illness.<sup>160</sup> This reveals a new understanding and concern about the health of the poor and their vulnerability to malnutrition and disease. The emphasis on the physiology of the poor is also evident in the annual reports of the Temporary Home. Women were described as frequently being of 'poor physique and enfeebled intellect' and of 'weak character', showing the influence of eugenics.<sup>161</sup> There was a new recognition of the importance of the environment; 'they have grown up amongst surroundings which have checked every good impulse and encouraged the worst tendencies making them a real danger to society'.<sup>162</sup> This view is in contrast to the idea of the moral failing of the individual which characterised much of the nineteenth century and reveals the inroads into the working class homes and areas made by the late nineteenth century social investigators.

Increased enlightenment in understanding of social problems in Hull saw the new involvement of the police force in philanthropy. The Hull Police Temperance Society's Temporary Home, known as Gooday House, was formed in 1884. The Committee was made up of high-ranking officers and policemen who gave their time voluntarily - 'a number of Christian and temperate policemen realizing the dangers of the streets to young persons sought to form the Home'.<sup>163</sup> One of the founders, Inspector Gooday, bequeathed a large sum for its formation. The formation of the police home reveals both the contradiction of the police and magistrates working to quell the tide of immorality through arrest and punishment in prison, but also through rescue work. Philanthropy coexisted alongside and interlinked with the criminal justice system in Hull.

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<sup>160</sup> HT, 2<sup>nd</sup> October 1886.

<sup>161</sup> Newington Home, Annual Report 1925 (Hull, Brombys Ltd, 1926), p. 6.

<sup>162</sup> Newington Home, Annual Report 1925, p. 6.

<sup>163</sup> Hull Police Temperance Society Home, Annual Report 1890 (Hull, Thornton & Pattinson, 1890), pp. 1-17.

The police had been on the front line in the response to vice and immorality in the town since their inception in the 1830s. This latter project shows a more sympathetic response towards the women they watched and policed, moving on from the heavy police crackdowns at the height of fears about prostitution. In this period justice became less harsh with more women given fines instead of heavy prison sentences. A new outlook of those working within the law saw the police and justices support the new initiatives and recognise that punishment was not always the way forward. Now the police were trying to make a difference for those they had previously arrested and put before the courts. It was getting women off the streets in a different way, to homes for their own protection. The Police Home was advertised as, 'Unique: the only Home of its kind in the country, carried out entirely by the voluntary efforts of police officers'.<sup>164</sup>

Again we see Hull leading the way in forward-thinking charitable care of women of the poor, as in Dr Alderson's early pioneering medical help. Where Hull was cutting edge was in the police dual response of both arresting and rescuing women. The police now had a role as protectors of women and 'wayward' girls, not just the tools of the justice system. Rather than being the enemy, the police presented themselves as the 'knights in shining armour', setting out to rescue females in distress, as in its' mission statement:

To rescue from the perils of the streets young persons, especially women, and to restore them to their parents and friends, or where they have neither, to obtain situations for them, an object which will recommend itself to generous consideration, when the dangerous position of a young woman, homeless, friendless and without money in a strange city is revealed.<sup>165</sup>

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<sup>164</sup> Hull Police Temperance Home, Annual Report 1890, p. 1.

<sup>165</sup> Hull Police Temperance Home, Annual Report 1890, p. 3.

The sexual double standard that saw women as weak and open to sexual temptation meant the emphasis in this period was on women needing protection from the harsh realities of life in a port town, being open to prostitution. The previous targeting of women by the police continued but with the police now identifying women considered suitable for charitable assistance. There was still an element of selection to this with younger women alone on the streets being especially seen in sexual danger. Local missionaries and police officers on the beat worked together to bring women to the Police Home which was open day and night for their reception.

The Annual Report of the Police Home reported that during 1890 61 cases had been dealt with, the majority being female. It was reported that these persons would be a 'danger to themselves and to society at large' had they not been helped by the Home.<sup>166</sup> This view, although still seeing the women as a threat to society, had moved on to consider the danger they were to themselves, their vulnerability being recognized. It was also prevention work. A selection of cases were used to illustrate the work. A girl aged 17 described in the report as a 'bad girl' was found destitute on the streets, abandoned by her father who refused to have her.<sup>167</sup> Many of these cases were of destitute young women. All were seen as in moral danger of being led into a life of prostitution. Many were young servants being turned out of their service positions. This included a servant aged 13 who was rescued from a brothel and a situation found for her (again linking domestic service and sexual vulnerability, although domestic service continued to be the preferred situations found for women).<sup>168</sup> Other young women had run away or been turned out of their homes by their families, some were as young as 13 with the average

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<sup>166</sup> Hull Police Temperance Home, Annual Report 1890, p. 4.

<sup>167</sup> Hull Police Temperance Home, Annual Report 1890, p. 6.

<sup>168</sup> Hull Police Temperance Home, Annual Report 1890, p. 6.

age being 15 or 16. Found in brothels or working the streets, one had run away from the Penitentiary and another dismissed as she was pregnant and sent to the workhouse.<sup>169</sup>

One girl, presented in the report as a 'sad case', was from Wakefield who had met a man who gave her drinks and took her on a train to Hull where he took her to a brothel. He attempted to rape her and she was beaten by him and the mistress of the brothel when police were called. She was sent home after treatment by the doctor.<sup>170</sup> Another girl aged 14 was brought to the Police Home by her father as he told the police that he was afraid she might go wrong. The girl was placed in the Training Home for Servants.<sup>171</sup> A girl aged 18 was described in the report as being 'great trouble to her parents' and was the mother of an illegitimate child.<sup>172</sup> Some of the women had been brought by missionaries on account of their attempts to work as prostitutes at the Hull Fair.<sup>173</sup> Success was revealed in the report with 33 females being helped by the police. For 9 females situations had been found, 14 restored to friends, 2 taken to permanent homes, 6 to the workhouse and 1 temporarily relieved overnight. However, in many instances the same person had been dealt with two or three times which reveals that women, despite the help offered, continued to choose to work the streets of Hull.<sup>174</sup>

Although philanthropy began to take steps to venture further into lives of women of the poor, creating greater understanding, still the main intention was of addressing perceived sexual deviance of working class women and girls on which the charities

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<sup>169</sup> Hull Police Temperance Home, Annual Report 1890, p. 6.

<sup>170</sup> Hull Police Temperance Home, Annual Report 1890, p. 11.

<sup>171</sup> Hull Police Temperance Society Annual Report 1890, p. 14.

<sup>172</sup> Hull Police Temperance Society Annual Report 1890, p. 15.

<sup>173</sup> Hull Police Temperance Society Annual Report 1890, p. 15.

<sup>174</sup> Hull Police Temperance Society Annual Report 1890, p. 16.

were initially formed. Prostitution wasn't such a hot topic as it had been in the mid-nineteenth century, but the late nineteenth century saw attempts made to manage working class female behavior (as in the aims of the first penitentiary in Hull) but through different means. There was a new approach through preventative work; to get in before the so-called evil occurred. The Preventative Association, run by middle class ladies of Hull with an all-female committee of women and a female president, aimed for 'the prevention of the growth of immorality rather than the stamping out of the social evil'.<sup>175</sup> This was a more realistic view on what could be achieved; that vice could not be stamped out but prevention was better than cure. Poverty still had a moral judgement attached, despite greater recognition, and for young women in poverty sexual ruination was seen as inevitable. The Preventative Association worked in what they named as the 'low localities' (working class districts) to seek out 'girls whose condition and surroundings are so bad as it simply set them apart for ruin'.<sup>176</sup> Women of the poor were viewed as having no self-control, were weak and without a mind of their own.

Young women without a home or the moral guidance of respectable parents were seen in particular moral danger and work was directed in this area. The Hull Home for Friendless Girls was established in 1886 for 'the reception and training of friendless girls'.<sup>177</sup> The charity provided the girls with outfits and situations. This was wholesome accommodation in response to concerns about mixed sex lodgings. Again the sexual double standard dictated that it was girls not young men who were seen as being in moral danger and these institutions continued to be formed with young females in mind.

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<sup>175</sup> HT, 2<sup>nd</sup> October 1886.

<sup>176</sup> HT, 2<sup>nd</sup> October 1886.

<sup>177</sup> *Social Services in Hull*, p. 70.

The urban space was seen as a dangerous place for the women and girls who worked and lived in it. There was a new watchful gaze, not just the police. Working the streets of Hull were members of the Hull Vigilance Association. A later incorporation of the early nineteenth century Society Against Immorality and Vice, this association now sought the protection of young girls. It was housed in Jarratt Street, where a home was provided for the girls when required.<sup>178</sup> The Association was formed in the backlash of the late nineteenth century fears of child prostitution and white slave trafficking, and founded to campaign against the trade in prostitution. This initiative was part of the late nineteenth century popularity in rescue work which saw the middle class going out onto the streets of Hull to find young women who they believed to be in sexual or moral danger. They looked for girls on the streets at night, runaways or homeless girls, as well as patrolling the docks, stopping those suspected as prostitutes boarding ships. The Association stated that ‘much of the evil arises out of the freedom from control and oversight which is the peril as well as the privilege of present day youth’.<sup>179</sup> The need for surveillance of the streets, and of young people, now encompassed all girls, not just those believed to be prostitutes. The Association reported it was keeping a ‘watchful eye as there is much in the moral condition of the City (Hull) which calls for anxiety’.<sup>180</sup>

The Hull Association reported its aims as ‘to assist in the suppression of traffic in women and children’, to ‘protect women and children travelling through the port’, to ‘advise women and girls stranded in the city’, to ‘ascertain if situations sought by girls, either here or abroad, can be safely recommended’.<sup>181</sup> The multi-layered response also

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<sup>178</sup> Hull Vigilance Association, Report for the Annual General Meeting, 29<sup>th</sup> March 1927 (Hull, M Harland & Sons Ltd, 1927), pp. 1-12.

<sup>179</sup> Hull Vigilance Association, Report for the Annual General Meeting, 29<sup>th</sup> March 1927, p. 6.

<sup>180</sup> Hull Vigilance Association, Report for the Annual General Meeting, 29<sup>th</sup> March 1927, p. 6.

<sup>181</sup> Hull Vigilance Association, Report for the Annual General Meeting, 29<sup>th</sup> March 1927, p. 6.



reflected the concerns around lone female travelers and can be seen as a response to the growing independence of women who were expanding their worlds by travelling alone. Maria Morton has also found for Cleveland in America how the fears around young women alone in the city developed as cities grew.<sup>182</sup> In Belfast the 'Girls Help Society' was formed for 'bewildered and frightened girls to find their way about the city'.<sup>183</sup> It was believed that 'helpless' and lost women would go to brothels or work as prostitutes.

It was the growing independence of single young women which encouraged the formation of these latter Hull charities. The changing position of women in society led to concern about the morals of young working women. There were fears about young independent women leaving behind the private space of the home and entering into the male dominated world of work. Sexual stereotyping of women saw connections made between factory girls and prostitutes. An advertisement for seamstresses in Hull for 'decent' girls' stated that 'strict attention will be paid to their morals'.<sup>184</sup> Women now had money for leisure and pleasure - the concern was how they spent this. The setting up of Hull Working Girls' Club (a club and a boarding house for working girls in Anne Street, later moving to Madeley Street in 1905) was a response to this concern.

Independent living of working class girls in mixed sex lodgings was seen as moral deterioration and meant they were watched by the Hull police as suspected brothels.

An article in the *Eastern Morning News* set out the Club's intentions and appealed for help to 'those who are interested in the work of moral reformation and preservation' -

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<sup>182</sup> Morton, 'Seduced and Abandoned in an American City', p. 452.

<sup>183</sup> Leanne McCormick, 'The Dangers and Temptations of the Street: Managing Female Behaviour in Belfast during WW1', *Women's History Review*, 27:3 (2018), pp. 414-431.

<sup>184</sup> HA, 31st December 1803.

How necessary such an organization must be in a seaport like Hull, where working girls are subject to the temptations of the street. One of the very objects of the Club it to keep working girls in the evening off the streets by providing amusement for them or by finding work that shall be at once restful and enjoyable while useful in their own homes and domestic service. The aim is supply these girls with some purpose and keep them from harmful company. Some may meet temptation on the streets simply because they have nothing to do, no interest or hobby which would prevent them from falling to evil courses. For through the instrumentality of the club many girls have been saved from wretchedness and misery and disparity, and from worse.<sup>185</sup>

The belief that young working women left to their own devices would get into trouble meant it was envisaged they needed a guiding hand to keep them on the straight and narrow path. Domestic pursuits such as sewing, cooking and knitting were seen as suitable employment ready for roles as wives and mothers. The idea was that young girls be kept busy so they would not have the time to think about immorality; the so-called 'idle hands' danger. This was deemed rational recreation; organization of girls' leisure time and the supervision of it. Surveillance was in place; making sure they did not attend the pub or music hall. Keeping them off the streets of the town was the aim; the Club was a place for them to go, so they would not be around the temptations of the streets with the concern about young women in public spaces. Leanne McCormick has found similar responses in Belfast with the formation of the Girls' Friendly Society and Working Girls' Club to offer protection to girls from dangers of the city.<sup>186</sup>

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<sup>185</sup> Eastern Morning News (EMN), 27th May 1905.

<sup>186</sup> McCormick, 'The Dangers and Temptations of the Street', pp. 414-431.

Again middle class women took a leading role in guiding the poorer of their sex. The Club was run by women voluntarily giving their time to assist the girls and seeking to indoctrinate them in domestic ideology. Many of the girls were mill girls and they were found positions as domestic servants instead (factory work was seen as dangerous to the morals of young women with the mixing of the sexes in the close factory environment). Domestic service was still viewed as the ideal occupation for young working class women. Prominent supporters included the philanthropic Reckitt's family (themselves employers of young factory girls, and who were concerned with their moral welfare).<sup>187</sup>

The dawning of a new century saw some continuity in the traditional charities for women of the poor, with philanthropist organisations remaining religiously motivated such as the Salvation Army or the Women's Christian Association. However, changes that had begun to take place in the late nineteenth century in the Hull charities for women now took pace at speed. The move towards a Welfare State saw the Penitentiary taken under the wing of the new social services, appearing in a directory of social services in Hull in 1930, now known as Hope House Rescue Home for Girls. It was described as 'a rescue home for fallen girls who are taken in for two years and given a thorough training'.<sup>188</sup> The language of fallen was still in use, however, it no longer focused solely on prostitutes but included all young women seen as in sexual danger.

Hope House was run on the same lines as in its original intention in 1811 – training young women deemed to be in moral danger for domestic service and respectable married lives. What had changed was the emphasis now was more on the happiness and comfort of the young women, with Hope House being described as 'a real home and a

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<sup>187</sup> EMN, 27<sup>th</sup> May 1905.

<sup>188</sup> *Social Services in Hull*, p. 56.

happy one'.<sup>189</sup> The inmates were now called the family, which reveals how the women were encouraged no longer to feel like prisoners in an institution but part of a family who sought the best for them. The harsh regime too had softened. It was reported that the girls 'enjoy not only the home life and good food but also regular hours and work, and they are particularly appreciative of their comfortable beds. The Matron is thoughtful in arranging they have as much change as possible and sometimes there are games, singing, nice story books and in fine weather, tea outdoors'.<sup>190</sup> It was reported that the 'Friends of Hope House often sent them cakes and that if they have gardens, they were sometimes invited to spend an hour or two in the fresh air'.<sup>191</sup> Events for the girls included a trip to Burton Bushes for a picnic, musical evenings and magic lantern slides.<sup>192</sup> The girls had even been invited to tea with the Lady Mayoress which shows how far the charity had come since its inception, when a stigma surrounding it saw subscribers choosing to be anonymous. An examination of latter subscription lists included middle class women both married and unmarried openly supporting the institution.<sup>193</sup> Middle class ladies and local worthies now saw the Penitentiary as an acceptable philanthropic pursuit and were happy to put their name to its cause.

Visitors to Hope House included 'old girls' who reported on their lives since leaving.

Their stories were used by the charity as propaganda. One was described as 'an earnest

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<sup>189</sup> *Social Services in Hull*, p. 56-57.

<sup>190</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1924 (Hull, A B Walsh Ltd, 1924), p.3

<sup>191</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1924, p. 4.

<sup>192</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1924, p. 5.

<sup>193</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1924, p. 7

Christian and a good wife and mother’; held up as an example of success to the current girls.<sup>194</sup> L H, in service as a laundry maid, ‘spoke most gratefully of the Home and is sorry she gave so much trouble’.<sup>195</sup> Married E C stated: ‘I have always been grateful for what the Home did for me; it made me see things in a different light’.<sup>196</sup> W G was in service at Bolton Abbey Vicarage and was to go to Church Missionary Training College for two years: ‘I shall always thank God for being sent to Hope House because before I went there my life was wasted, and the first seeds were sown at Hope House’.<sup>197</sup> Reports included satisfied employers. One lady wrote: ‘Some years ago I was fortunate enough to secure the services of one of your girls. I kept her for 8 years, after which she left to get married. I was more than satisfied and now require another’.<sup>198</sup>

Statistics were provided in the 1924 annual report of Hope House. 42 girls had been admitted in the past year, with 28 remaining and 12 placed in service with 2 restored to friends and that no girls had run away. This reveals that the softer approach to the girls’ welfare and providing recreation and entertainment was having more success with girls choosing to stay.<sup>199</sup> Hope House finally closed in 1937 after 126 years of work with women and girls. The proceeds from the sale of the building went to the Hull Royal

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<sup>194</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1927 (Hull, A B Walsh Ltd, 1927), p.4.

<sup>195</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1927, p.4.

<sup>196</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1927, p. 4.

<sup>197</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1927, p. 4.

<sup>198</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1925 (Hull, A B Walsh Ltd, 1925), p. 4.

<sup>199</sup> Report of the Committee of the Hull, East Riding of Yorkshire Female Penitentiary for the Year 1924, p. 13.

Infirmery and the Hull and Sculcoates Dispensary (a link back to Dr Alderson whose involvement with the first penitentiary and Hull Infirmery connected them all).

Newington Home (Hull Temporary Home for Fallen Women) had also changed its name in keeping with the new ethos of home and family. Presidents now included women sitting alongside men - Mrs J R Cleminson sat on equal footing with Philip Priestman J.P. The Honorary Treasurer was Miss Mayfield of Newland Park and the Honorary Secretary was Mrs Klaas of Preston. This reveals how far women had come in philanthropy in Hull, just as this period saw women achieving the vote.<sup>200</sup> Women moved into professional roles previously dominated by men. The Honorary Physician to Newington Home was Dr Bertha Hinde MB BS. Charity workers now worked alongside social workers; the middle class women who ran the committees turned into the new social workers. The change in charities for women was filtering down to change perceptions of the women themselves. Newington Home reflected the new outlook:

It is not a place of correction but of opportunity and realization. People are under the impression that institutions such as ours have for their beginning and ending the stern repression of the faults and failings of the inmates. Newington Home acts on no such teaching, but shows the girls under its shelter the beauty of a well-ordered, industrious life and the happiness to be derived therefrom. They are encouraged to realise their latent possibilities.<sup>201</sup>

The thinking was, given help, the girls were not write offs and beyond redemption as was believed in the past, but could achieve. The annual report for Newington Home in

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<sup>200</sup> *Social Services in Hull*, p. 55.

<sup>201</sup> *Social Services in Hull*, p. 55.

1925 compared their work to the novel *'White Fang'* by Jack London. The story of a wolf hound who, when treated badly, was a ferocious animal, but when given a kind master becomes an obedient and faithful friend.<sup>202</sup> The charity sought to 'tame' young women to become disciplined and respectable through kindness and mutual respect. Even those who did not last the course were not seen as beyond hope: 'There are some who seem not to benefit as much as we should like, but who can say that a little heaven has not entered their hearts and will work in time to come'.<sup>203</sup> Newington Home closed in 1939, the proceeds from its sale divided between the Infirmary and the Dispensary.

The law had been influenced by the movement towards greater help and protection for women, seen in the growing prosecutions for domestic abuse and maintenance for deserted wives in the records of the Hull Magistrates Court. Hull Sheltering Home for Girls turned into a new temporary shelter for women who were victims of domestic abuse and had fled their homes. It was renamed Dora Jessop House, named after a local J.P. and social worker, with the support of the Archbishop of York. This demonstrates how, after originally being formed for young women viewed as being in moral danger, these homes now moved into catering for a wider female base with caring for women in danger not just morally but also physically, those beaten or abandoned by husbands and fathers, or had run away from unsafe homes and simply had nowhere else to go.

Hull Police Temperance Society's Temporary Home also housed a number of girls and women who were victims of the domestic and sexual abuse of men and who had run away from home, often some distance. Its mainstay work continued to be in helping the destitute, runaways, and young girls stranded in a strange town. A changing outlook on

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<sup>202</sup> Newington Home, Annual Report 1925, p. 6.

<sup>203</sup> Newington Home, Annual Report 1925, p. 6.

the independence of young women is evidenced in that many cases were young women on a night out on the town who had missed the last train home and were in need of shelter for the night.<sup>204</sup> It was reported since its establishment 5144 persons had been assisted. However, the aims of the Police Home in the 1939 report remained the same: 'to save young women from the dangers and temptations to which they may be exposed to'.<sup>205</sup> The concern over young women's moral welfare was still the main priority. The Committee was made up of male police officers as women were not highly represented in the force in this period (apart from a female Home Manager for the girls), therefore a very male perspective on female moral danger still abounded.

By the late 1930s a new era is evident in Hull with 'fallen' now encompassing a much wider range of potential objects of charity. As well as the original institutions for fallen women turning into shelters for all women and girls in moral or physical danger, there was also renewed attention to illegitimacy and new initiatives in the formation of mother and baby homes. Previously prostitutes had been seen as the main threat in society, now societal gaze turned its attention once more to illegitimacy. The cycle had come full circle; the initial concern about illegitimacy a hundred years earlier, now was addressed anew but with provision made within the age of social welfare. This saw the nineteenth century female penitentiaries turn into single mother and baby homes in the twentieth century. The nineteenth century attack on illegitimacy and the turning away of single mothers from Hull charities for women now saw new interest in their care.

Although stigma still followed these women into the twentieth century, their welfare and importantly, the welfare of their children, was now on the agenda. The concern was

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<sup>204</sup> Hull Police Temperance Society Annual Report 1939, (Hull, J Westoby, 1939), pp. 1-35.

<sup>205</sup> Hull Police Temperance Society Annual Report 1939, p. 2.



not just that they would not starve, which had previously forced women to undertake the trials and tribulations of bastardy cases in the Hull courts, now it was seen that the children and their mothers were cared for, provided for and healthy. This new care of the unmarried mother was happening in other places. Florence Crittendon Homes in the USA, formed in 1883 to rehabilitate prostitutes, turned into homes for single mothers, providing a place to live and learn new skills, supported by new female physicians and local women's groups.<sup>206</sup> Maria Luddy has found that the Magdalene Homes in Ireland changed their role from housing prostitutes to unmarried mothers.<sup>207</sup>

Single, pregnant women in Hull were helped by the York Diocesan Maternity Home on Linnaeus Street which opened in 1915 and was run by the York Diocese of the Church of England. It was associated with the York Association for Preventative and Rescue work of which the Hull Sheltering Home for Girls was a branch in the 1920s. The Chairman of the Maternity Home was the Bishop of Hull, with the Committee made up of a number of middle class men and women and a Lady Superintendent, Mrs Lewis, who resided at the Home. Although a Church of England run home, it admitted girls of any denomination. The girls were admitted before their confinement and remained for six months and if their babies stayed on as boarders they paid six shillings for the maintenance of their baby.<sup>208</sup> They were found suitable employment on leaving and encouraged to visit their children in the Home.

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<sup>206</sup> Otto Wilson, *Fifty Years Work with Girls* (Alexandria, Virginia, The National Florence Crittendon Mission, 1933), pp. 1-580.

<sup>207</sup> Luddy, 'Unmarried Mothers in Ireland 1880-1973', pp. 109-126.

<sup>208</sup> *Social Services in Hull*, p.57.

It is unlikely that many of these girls would be able to take their child home, only the lucky ones with support of their family, and sadly many of the children would have been adopted. There was still a long way to go. The emphasis was still on good character, being aimed at ‘unmarried mothers under 25 years of age of previous good character and for first cases only’.<sup>209</sup> This reveals how women who had more than one child out of wedlock were still viewed as especially immoral and that one so-called mistake was to be forgiven but not two. Although steps had been taken to rehabilitate the unmarried mother some attitudes were harder to change than others. New interest in assisting the unmarried mother shows a more enlightened way of thinking, although it was still a long way off from women being encouraged to keep their children or the social stigma attached to illegitimacy banished. It was reported that since its opening, 300 girls had passed through the Maternity Home.<sup>210</sup> The numbers reflect the need.

The Hull Vigilance Association also turned its attention to helping unmarried mothers with free legal advice and representation in court cases for affiliation orders. The Hull and Sculcoates Board of Guardians sent all their affiliation cases to the Hull Vigilance Association. Once again another charity founded on the principles of moral reform was venturing into wider areas and deeper waters. The Association reported that in recent years the need for rescue work had decreased and that it had acted in conjunction with the police and the Port authorities in making it more difficult for prostitutes to gain access to ships. The Hull Vigilance Association later turned into the Hull Family Welfare Council, representing the wider interest in helping the whole family.<sup>211</sup>

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<sup>209</sup> *Social Services in Hull*, p.57.

<sup>210</sup> *Social Services in Hull*, p. 54.

<sup>211</sup> *Social Services in Hull*, p. 54.

In conclusion, a hundred years of moral reform and charity work in Hull had seen both continuity and change. The case study of the first female penitentiary in Hull has shown an early social response to the perceived threat of prostitution, being aimed at women and girls of the poor who were deemed to be at the heart of immorality in the town, and to work as an alternative to the prison and court system. Viewed in the context of gendered ideology, class control and perceptions about social problems, different discourses united together in Hull - evangelical, the medicalization of sex, humanitarian, concerns about the financial costs of immorality, as well seeking the reduction in numbers of women before the courts. Many supporters gave generously of their time and money and played an active role as committee members and female visitors. Hull philanthropists were motivated by an honest desire to help women as part of new interest in the urban poor in the nineteenth century, and made attempts to alleviate their suffering. Some of the religiously motivated believed that without their help a terrible fate awaited such women. However, humanitarian views were counteracted by the desire of the middle class to control and mould the poor in their own image. Not completely altruistic, involvement in philanthropy was also a way the middle class sought to enhance their power, social status and position in the town, including providing a safe outlet for middle class women to escape the confines of the home.

Although successful in attracting women and girls to its doors, keeping them there was harder due to the strictness of the regimes and female agency in using the charities as a temporary medical aid or shelter from poverty; women 'played the game' to get what they wanted out of the charities. Evangelicalism's original aim of repentance of sins as a measure of success was not internalized by the women, but practical reasoning saw them use their help in times of need when help for these women was lacking. The low wages, unemployment and poverty, the main reasons women entered into prostitution,

was not addressed by the early Hull philanthropists, believing the causes to be internal and based on individual character flaws. Wider awareness of the social and economic causes of prostitution came with the beginning of social investigation into the lives of the poor later in the nineteenth century in Hull, causing charities to change direction.

Hull charities moved away from individual sin and sentimental seduction narratives as explanations for prostitution, with new attention given to the social background and circumstances of the women such as neglect, malnutrition, broken homes, domestic and sexual abuse. It was recognized women were victims of their circumstances and environment. The findings from philanthropy began to filter through to the law and new laws were put in place to protect women and children. Acknowledgement of women's sufferings moved into a response to social need that involved more care, being looked after, and their children too, keeping the vulnerable safe and protected. The overlap between philanthropy and the courts was seen in Hull magistrates supporting the charities and sitting on their committees; recommending women to the charities rather than punishing them in prison. The police forming their own charity for women was a unique response in Hull, revealing a human side to the police, not just punitive justice.

Charities in Hull expanded to include all women seen as in sexual and moral danger. A new approach of preventative rather than cure saw the creation of safe places for women and girls in order to prevent their entering into a life of prostitution, to stop young girls from falling into what was viewed as bad habits and company, and to protect their virtue. Specialism became prominent. Long term institutionalism changed to short term help. The nineteenth century Hull institutions of penance, reform and correction turned into homes for friendless girls, lodgings and clubs for working girls, homes for unmarried mothers and shelters for women from domestic abuse, using the new

language of family life and headed by a maternal figure who sought to keep in touch with her 'daughters' once they had left. Home and family (the watchwords of the middle class domesticity model) replicated the view that this was the best place for women, despite the growth of employment for women. The new leisure time which was incorporated into the regimes was domesticated, rational recreation. The new intimacy in charities for women hid the same control within a softened new guise and sought to control women's whole lives, including their work, leisure, and living arrangements.

Philanthropy remained gender specific; a continuing concern with the morality of the female working class meant Hull charities and institutions continued to be formed for women and girls, not men or boys. It was the moulding and training of young working class girls in order to prevent what was seen as their inevitable sexual fall. Girls from 'dangerous' homes, neglected, on the streets, were removed and sent for service. Boys were removed to reformatories on committing a crime but girls were removed for their sexual morality. Rescue work concentrated on young women believed to be in sexual and moral danger; young men were seen in danger of coming under criminal influence. More girls were taken in than boys for wandering the Hull streets, viewed as for their own protection. The 'fall' meant something very different for young men - the fall in battle in the first world war of this period was seen as heroic and valued, in contrast to the female sexual fall. The continuance in the surveillance and watchfulness of women now involved greater numbers of people not just the police, with male and female philanthropists, missionaries and social investigators patrolling the Hull streets, creating gendered safe spaces and havens for women and girls.

Hull's middle class going out onto the streets of the working class districts of the town to seek out the vulnerable, the knocking on doors to offer help to struggling families and

educating women in domestic skills and economy, was led by middle class women. The history of these charities also charts the progress made by middle class women in the nineteenth century, linked to the rise of the women's movement. From restricted roles as female visitors who gave bible readings, to the formation of Ladies Committees, to women having a say in the decision making process and day to day running of the institutions, sitting on an equal footing with men. Women gained experience in undertaking a public role by running charities for women and their influence saw changes for the good of their sex. However, women were still working within the confines of a gendered society which stressed the domestic and maternal as suitable areas for women's involvement in welfare work. Middle class women sought to educate working class women in domestic pursuits for servitude in their households, with the cycle of low paid domestic work reproducing itself. These institutions gave middle class households a steady stream of domestic servants in a world where this was becoming difficult with other avenues open to working class women such as factory work.

Throughout the history of these institutions, resistance of working class women to their social control has been evident. By choice women entered these institutions and by choice women left and returned to their old lives. As seen with the law and courts, Hull women used the charities for their own reasons; to escape police persecution or in times of particular hardship. With rising living standards in the late nineteenth and early twentieth century, women were more likely to reject the domestic ideology and situations as domestic servants offered by these institutions and sought other employment and independent lives. Women rebelled against the path set out for them by these charities and refused to conform to their disciplines. Hence, despite the evident design of social control of working class women and girls, it can be seen that women were still acting as agents of their own destiny.

Following the paths of the original institutions for fallen women in Hull into the twentieth century saw how these institutions grew and changed but still kept the same core values they were formed in a hundred years earlier - the desire to save and protect young women from moral and sexual danger. The pioneering work of Thomas Dikes and Dr Alderson and their male and female supporters, set the foundations for charity and rescue work in Hull for years to come. In the absence of a welfare state, private charity in the town stood in its shoes setting the way. Their philanthropic legacy and foresight led to changes which saw greater involvement in the lives of the poor of Hull. The move to State provided social welfare and social work in the twentieth century had its roots in the nineteenth century philanthropic initiatives in Hull, with a new updated outlook which looked at the women not as innately sinful, but women with real lives and real problems, not of their own making.

## **Conclusion**

This is a systematic survey of a whole century of prostitution, bastardy and female criminality in one small regional urban centre that was a port and a significant centre of evangelicalism. The particular social responses which took place in Hull have been examined in order to address questions in the historiography such as life stages of prostitution, bastardy rates in Hull and women's voices in the courts, as well as religious and philanthropic responses. Hull developed its own unique responses to crime, prostitution and bastardy in the nineteenth century. The rare quality of the Hull records and the detail they provide has resulted in new discoveries and findings.

This thesis has thrown new light on overall historical questions: of fears of the sexual and economic independence of women; questions of female poverty driving female crime; the agency of women of the poor despite the limitations of their lives; and about the creation of charities and institutions aimed at both addressing female need and asserting control over working class women. The question first posed in the introduction about whether reformers sought to address female need or to control their minds, bodies and freedoms has been shown to be simultaneously the case. Hull's middle class sought to address and control what they perceived as social problems through the heavy use of the law, but this existed alongside their desire to help. The pioneering medical profession in Hull sought fallen women's equality in access to medical treatment in face of a sea of hostility. Hull's magistrates administered punitive punishments of women but also used their discretion in dismissing cases of infanticide and attempted suicide in some sympathy and understanding. The Hull police used repression and control but also turned a blind eye, spoke up for women in court and used their insight to form their own



charity. The middle class were not without sympathy for the poor, as expressed in the abundance of charitable help made available, although this was not totally altruistic.

The Hull research has extended the study of female crime beyond the London stage in the eighteenth century, to a local and regional picture of female crime in a period of rapid urbanisation and industrial change in the nineteenth century. Hull had its own systems of regulation and surveillance, as well as philanthropic initiatives, prior to national legislation and welfare reforms. This study has brought to wider attention the work of the Hull Magistrates Court, taking over the hearing of crimes, and of the growing power of local magistrates. The Hull Magistrates Court records provide a rare insight into women's lives and criminality, including the wider social and economic influences and motivations which drove women to commit crime, taking this study beyond a quantitative analysis of crime into a study with qualitative depth and strength.

The unique economic situation of women in Hull has been highlighted, showing separate spheres to be a social construction aimed at putting women back in the home. Hull women were economically active, running their own businesses, financially independent. Men's frequent absences in the fishing and whaling trades which dominated employment in the port, meant it was women who had to find the means for their families' survival. The 'domestic angel' was not a reality for Hull women of the poor, forced to find work where they could in a town which lacked female employment, leading women into crime and prostitution to feed their children. Prostitution was just another tool of Hull women of the poor, just as theft, pawning stolen goods, 'borrowing' from neighbours and applying for parish relief reflected women's range of survival strategies. This thesis has stressed the complexity of women's lives in nineteenth century Hull; the plethora of roles women undertook before the Welfare State.

Histories of crime and gender which have found male and female differences in crime is questioned within this thesis. Women in Hull took on male roles and undertook crime that has been assessed in the historiography as male crime, as well as participating in the theft of household goods associated with female crime. Hull women were violent, they fought, swore, drank, and were condemned by the courts for being ‘unnatural women’. The theory of ‘double deviance’ in the historiography which saw women doubly condemned for both their crime and for going against expectations of their sex is confirmed, and taken further in cases of female sexual immorality in the Hull courts.

The case of Hull brings to the fore that women weren’t just separated off from men in the law but also from each other. Prostitutes and women regarded as immoral were imprisoned where other women were fined for the same offence and were treated more harshly by the courts than other women across a broad range of crimes, not just prostitution. A key finding is that the offence did not necessarily have to have a sexual element to elicit the punitive response – it was the perception of the sexual morality of the woman who committed it which was important. Judgements on female demeanor, dress, language and respectability meant women’s appearances in the Hull courtroom for non-sexual offences saw them secretly convicted of the hidden crime of female sexual immorality, resulting in their imprisonment or dismissal of their bastardy cases.

The ‘vanishing female’ in the historiography has been challenged by this thesis. Where studies have found female crime declining in the nineteenth century, rising numbers of women were before the Hull courts. The perception of female crime is integral to this study - why women were brought to the courts more in Hull than other places, not because there was more female crime in Hull. Anxiety about female sexual and social disorder, of the economic independence and sexual freedoms of working class young

women with money to spend and leisure time to use it, drove the heavy responses of the police, magistrates and moral reformers in Hull. The prostitute was seen as a danger to the morals of the young, the unwed mother a threat to the public purse, the perceived sexual freedoms of widows and deserted wives threatened male authority, along with terror of female vagrants and beggars making the comfortable feel uncomfortable.

Despite rising living standards nationally, Hull women remained vulnerable to poverty, lacked employment, and continued to be brought before the courts despite the mainly petty nature of their crime. The historiography of crime has stressed the rise of semi-penal institutions and social welfare for the decline of women in the courts; however this study has shown that social welfare reforms brought many more women before the Hull courts in the late nineteenth century for neglect of their children or failing to send them to school. In late nineteenth century Hull women were still sent to prison in high numbers, especially local prostitutes, female thieves and poverty stricken women who could not afford to pay their fines. Female recidivists, as seen in the two case studies in this thesis of whole lives dominated by court appearances and spells in prison, are also a significant presence in the Hull records. Rather than domesticity reducing female crime, increasing numbers of women went before the Hull courts for petty theft of household goods, receiving stolen goods and illegal pawning in order to meet their domestic responsibilities. The sexual controls of women as reason for women's decline in the courts, have been shown to have had the opposite effect in Hull, with more women brought before the Hull courts on charges of sexual immorality. Hull magistrates made full use of the laws available to them to apprehend and imprison 'immoral' women.

This thesis has not just looked at the apprehension of female crime and women brought before the courts, but uniquely has also examined women putting themselves before the

courts as a further reason for the rising numbers of women in the Hull courts. Hull women took their bastardy and wife desertion cases to court and sought protection from violence in the home and neighbourhood in order to gain financial help for themselves and their children, despite the courtroom ordeal that they faced. The deep distrust of the female accuser is highlighted in the Hull research, as well as the fear of economically and sexually independent women – with married women being given more sympathy in the Hull courts. This study has revealed the suspicion that surrounded widows, deserted wives, single mothers, and young independent working girls.

The case of Hull has demonstrated how women challenged the judgements upon them. Hull women in the courts created a narrative of their own. The courtroom as a theatre has been seen in the nineteenth century Hull courtroom performances. Women played the role of the victim of male seduction, the abandoned ‘good wife’, or the wronged innocent girl and a broken promise of marriage in order to win their maintenance cases. This study of Hull has provided a rare voice for working class women where this is often lacking. Their stories have been told through the abundant records of the Hull courts, police and charities. Women’s testimonies spoke of rape, incest, domestic violence and sexual abuse of servants by men in middle-class households, bringing to life the reality of women’s lives in nineteenth-century Hull. The hostile questioning of the courts heard women defending themselves against accusations of sexual promiscuity and prostitution. However, this study has also warned of the female voice being subject to reshaping by the courts and by the propaganda of local charities.

The thesis has brought new findings to the study of gender and masculinity in highlighting the gendering of men as well as women. Hull’s middle class young men were warned about ‘sexually immoral’ working class women in local literature, sailors

arriving in the port were encouraged not to go with prostitutes in sermons preached on Hull's 'floating chapel'. The Victorian fatherhood ideal was held up as an example to 'feckless' working class men in Hull bastardy cases. Hull's 'fallen women' poetry shows that the fertile literary life in the early nineteenth century small town was focused on female sexual immorality prior to the mid-century famous popular literature and art.

This study has also provided a rare insight into middle class secret lives that is lacking in the historiography. Discreet advertisements for middle class women's illegitimate pregnancy care in the Hull press meant middle class women's 'falls' stayed hidden from view, whilst working class women faced the full force of society's condemnation of female sexuality. Social class differences in treatment by the Hull courts has been especially highlighted. Wealthy middle class men got the sympathetic ear of the Hull courts, their bastardy cases dismissed as they were seen as the victims of greedy, immoral working class women, whilst working class men were forced to pay up.

The surveillance of the working class found in studies of the urban space in the nineteenth century has been advanced further in this thesis in the particular surveillance and targeting of working class women in nineteenth century Hull. It was harder for women to escape from moral reformers and police surveillance in Hull. As a small town, women were more exposed, more visible, the scrutiny was very intense in Hull than has been found in the metropolis and larger towns in the historiography. This study has brought to wider attention the suspicion of women of the poor, suspected as prostitutes and thieves; their lives scrutinised and placed under the microscope. The sexualisation of female space in the nineteenth century is especially emphasised in Hull.

The case of Hull has given fresh insights into the nineteenth century local police force, adding further findings to new work in this area in the historiography of crime. Heavy police presence in nineteenth century Hull saw new intrusions into the working class living and cultural spaces of the town such as public houses and lodging houses, examined in this thesis in licensing and disorderly house cases. Traditional working class spaces became closed off to women, accused of being prostitutes if they ventured into Hull pubs unaccompanied. Women experienced police harassment in their daily lives on the streets of the town, limitations placed on their freedom of expression in how they dressed, who they spoke to, and ability to go where they pleased without suspicion.

The use of case studies in this thesis, using the detailed records for Hull, has revealed the real lives and experience of women working as prostitutes and thieves in the nineteenth century town. This is the story of Honora Day and Amy Jackson and an army of poor and desperate women in nineteenth century Hull doing what they needed to do to survive the poverty, domestic violence, police persecution and regular imprisonment. The argument for a 'life stage' of prostitution before marriage and family was found not to be the case in Hull with older married women who continued to dip in and out of prostitution in times of need, as well as young unmarried women. The Hull study has also provided a new look at illegitimacy from the local perspective, using case studies to look at the individual lives of women affected by illegitimacy. The complexity and the diversity of women before the Hull courts stands out, rather than being one homogenous group subject to repression and the attentions of police, magistrates and reformers.

This study has also revealed the difference between middle class perceptions and working class realities. Prostitutes condemned in the Hull courts were neighbours in the local community, not innately 'wicked' but acting in their own and their families' best

interests. Women were not 'bad mothers' for not sending their children to school but needing the labour of their children to help feed the family. The thesis has sought to bring to life the women before the Hull courts, the human stories behind the court cases. Historical debates over female agency and women as victims of male control, have been addressed anew in this thesis in a more nuanced outlook. Whilst revealing the reality of women's hard lives dictated by poverty and domestic and community controls, the study has also exposed the fighting spirit of Hull women. Prostitutes were not controlled by male pimps but worked independently. Female thieves were not under male coercion but stole for themselves and their children. As strong communities of women in Hull, they had to survive without the men around. Women were not afraid to stand up to men and challenge their authority over them, be it the police, male justices, runaway husbands or absent fathers of their children. They were victims of male violence (of drunken husbands, of violent male clients), but they also fought men back in the Hull courts, and fought each other in the local communities over limited space and amenities.

Hull women lived tough lives, but they were survivors who operated some choice and practical reasoning and used the law and charitable institutions to their benefit, exerting some control over their lives whilst those around them sought to control them. Hull women used aliases to avoid detection, attacked the police physically and verbally, and paired up with one another acting as lookouts. Economic exchanges took place between prostitutes and landlords, and familiar relationships with the police were used to advantage by women to get off charges. Women used the law in contrast to how the law was often used against them. Women were not devoid of power in the Hull courtroom. They knew their entitlement and were able to negotiate with the authorities and magistrates, astutely using popular narratives to support their cases and gain sympathy, challenging the judgements on their morality. Whereas historians have seen a

continuance of control of women within the new homes and shelters as an exchange of one prison for another, this thesis has shown women using the help available without accepting their middle class values. Charitable institutions were used for shelter and protection; women resisted their indoctrination and left when they chose.

This is also the story of the social progress and journey of middle class Hull women, as well as the improvements they made to working class women's lives. Middle class women ventured into the depths of poverty and degradation in Hull and emerged enlightened and sympathetic to what other women had to go through, and published their findings to a wider audience. This inspired them to break out of the safe, domestic world they were expected to live in and lead public lives, as seen in the prominent Hull Ladies National Association Against the Contagious Diseases Act, with the result that Josephine Butler chose to visit and speak in Hull . Women's limited roles in the early Hull charities later saw them form and run charities for women. Female influence meant the Hull charities changed their outlook and widened their net to assist more women and girls, and saw the decline in blaming the poor for their own poverty to a more realistic and practical look at how women of the poor could best be helped. The female penitentiaries expanded into clubs for working girls, mother and baby homes and shelters for women escaping domestic violence. The focus on prostitutes changed to encompass all women in physical and sexual danger. A new language of home, family and protection of women saw new voices enter the public arena, including women's.

The length of the Hull study, over a period of a whole century, has enabled examination of significant social change which smaller studies do not provide. A main finding from this study is how perception of social problems shifted and changed over time. Public perception of women in need saw 'fallen women' move from sinners to be condemned



to victims to be protected – from themselves, domestic violence, the moral and sexual dangers of the streets, trains stations, lodgings houses, the work place, as well as in their leisure time from the attractions and hazards of the city at night. The increasing earning power and independence of working class women and girls in the twentieth century had a flip side and led to women becoming infantilized as the State took over where the nineteenth century Hull charities left off. However, the moral condition of women remained the central focus well into the twentieth century in Hull.

This study has brought to wider attention the specialness and uniqueness of Hull, its people, its history, as well as the substantial records left behind. Hull's geographic isolation and distinctive economy and culture saw it develop its own individual responses and solutions to social problems in the nineteenth century. This was not just cost saving but aimed at changing the behaviour of the poor as well as addressing social need. Hull is a prime example of local initiative in action before the advent of national legislation and State welfare assistance; putting things in place much earlier through the working together of the law, the medical profession and private charity in the town. Female poverty and criminality began to be addressed through other agencies of aid, protection and control as an alternative to prison. This is not just a story of punishing but of helping too; of enlightened Hull men and women who moved ahead of the times and created, moulded, influenced and led where others would not dare to follow in tackling taboo subjects. The pioneering work of the Hull charities and those who applied justice in the town, and their ability to evolve and change with the times, led to more help and compassion for women of the poor, including those previously seen as outside the boundaries of society, with Hull providing a template for social progress into the twentieth century.

## Appendices

### Appendix I – Total Female Offences before Hull Magistrates’ Court 1811 - 1891

<u>Crimes and Typical Sentence*</u>	<u>1811</u>	<u>1821</u>	<u>1834</u>	<u>1841</u>	<u>1851</u>	<u>1861</u>	<u>1871</u>	<u>1881</u>	<u>1891</u>	<u>Total</u>
Assault – F and S			2	83	133	240	153	190	325	1126
Felony – P with HL, QS				125	147	166	155	137	120	850
Drunk & Disorderly – F and S				23	17	48	177	206	235	706
Lord’s Day Act – F							2	89	556	647
Elementary School Act – F							1	156	332	489
Drunkenness – F			1	45	64	61	8	54	175	408
Profane Language – F				1	2	85	89	91	72	340
Disorderly – F and S				24	52	58	52	106	31	323
Drunk & Disorderly Prostitute** - P with HL				36	15	24	81	36	10	202

Bastardy** - D or order made 1s – 2s weekly			1	2	16	45	31	52	43	190
Begging – P with HL				49	36	5	25	7	43	165
Wilful Damage – F & cost of damage				6	14	17	19	24	80	160
Disorderly Prostitute** - P with HL				12	13	20	56	52	4	157
Vagrancy – P with HL, SR	9	52		23	48	9	3	8		152
Street Act – F				6	3	17	32	72	11	141
Non-payment of Rates – to pay what owe					6	6	4	11	96	123
Fighting - F				5	6	2	2	13	95	123
Pauper Lunatic – sent to HLA					3	11	20	9	50	93
Incite a Mob/Crowd – F							2	3	85	90
Prostitute – Stopping Men** - P with HL					1			12	73	86
Making Threats – S				2	3	1	6	9	32	53
Failure to Pay Loan – pay what owe					1	1	1	1	40	44
Suspicion of being a Prostitute** - P with HL				2		16	22			40

Bylaws – F				4	5	2		10	18	39
Disorderly Street Act – F								31		31
Vagrants – Prostitutes** - P with HL					19	9				28
Licensing Act – F				1				15	11	27
Attempt Suicide – A or D				2	2	1	2	11	9	27
Disorderly House** - P with HL, QS			1			7	4	1	12	25
Bastardy Arrears** - to pay what owe								2	22	24
Unlawful Pawning – F				4	2	11	5			22
Rescue Prisoner – F				1	2	5		9	5	22
Disorderly Ale House** - F					4	4	5	1	4	18
Neglect Child – P with HL					2	1	1	1	9	14
Pay for child in Reformatory School – order to pay						1	1	2	9	13
Base Coin – QS				2	3	6	1			12
Pedlar Act – F							4	5	2	11

Prostitutes Fighting** - P with HL				7	4					11
Quarrelling – F									9	9
Obtain goods under false pretences – P with HL, QS				3	2	1	1		1	8
Disorderly Pauper – P with HL			1		2	2			2	7
Gambling - F						2			5	7
Felony by a Prostitute** - P with HL				5	1					6
Suspicion of committing a Felony – P with HL								5	1	6
Prostitutes in Brothel** - P with HL								5		5
Wandering Insane – sent to HLA									5	5
Unlawful selling of stolen goods – F				1		2		1	1	5
Tenement Act – Notice to Quit					2				3	5
Cruelty to an animal – F							2	1	1	4
Smuggling - F			1		2		1			4
Employers and Workers Act - F								1	3	4

Absent from work without leave - F							3			3
Pawnbrokers' Act – F							2		1	3
Malicious Lying – F and S				3						3
Infanticide – A or D			1						2	3
Carrying Tobacco to prisoner in Gaol - F				1	1	1				3
Fail to pay Fine – to pay what owe						1			1	2
Assault – Prostitute** - P with HL				1						1
Wilful Damage – Prostitute** - P with HL							1			1
Disorderly inmate of Female Penitentiary** - P with HL							1			1
<u>Total</u>	9	52	8	479	633	888	975	1439	2644	7127

\* P = sentence of imprisonment, HL = sentence of imprisonment with hard labour, F = Fine, D = Dismissed, HLA = placed in Hull Lunatic Asylum, S = Surities to Keep the Peace, A = Sent for trial at the Assizes, QS = sent for trial at the Quarter Sessions, U = Unknown outcome, T = Transportation, PS = Penal Servitude, SR = Removal under the Settlement and Removal Act.

\*\* = Sexual Disorder Offences

Appendix II – Increase in Female Crime at Hull Magistrates Court 1811 – 1891

<u>1811</u>	<u>1821</u>	<u>1834</u>	<u>1841</u>	<u>1851</u>	<u>1861</u>	<u>1871</u>	<u>1881</u>	<u>1891</u>	<u>Total</u>
9	52	8	479	633	888	975	1439	2644	7127

Appendix III – Total Female Offences before Hull Quarter Sessions Court 1801 - 1891

<u>Crime &amp; Typical Sentence*</u>	<u>1801</u>	<u>1811</u>	1821	<u>1831</u>	<u>1841</u>	<u>1851</u>	<u>1861</u>	<u>1871</u>	<u>1881</u>	<u>1891</u>	<u>Total</u>
Felony – P with HL, T & PS	8	3	5	9	32	46					103
Larceny – PS, P with HL							8	26	8	12	54
Larceny from the person – PS, P with HL							7	5	8	6	26
Fraud – P with HL			1			3	4	1	3	5	17
Disorderly House* - P with HL, S	1	7	1	1			1				11
Violent Assault – F, D	2		4	2							8

Base Coin – P with HL				2		1	2				5
Larceny as a Servant – P with HL								5			5
Stealing in a Dwelling House – P with HL							2		3		5
Misdemeanour - D					4						4
Receiving Stolen Goods – P with HL						1	2		1		4
House-breaking – PS, P with HL							2		1		3
Riot – P with HL		3									3
Stealing from a Quay – P with HL									2		2
Unlawful Wounding – P with HL										2	2
Forestalling - F	1										1
Regnating - F	1										1
<u>Total</u>	13	13	11	14	36	51	28	37	26	25	254



Appendix IV – Female Sexual Disorder Crimes before Hull Magistrates Court 1811 – 1891

Crimes and Typical Sentence**	1811	1821	1834	1841	1851	1861	1871	1881	1891	Total
Drunk & Disorderly Prostitute* - P with HL				36	15	24	81	36	10	202
Prostitutes Fighting* - P with HL				7	4					11
Disorderly Prostitute* - P with HL				12	13	20	56	52	4	157
Prostitute – Stopping Men* - P with HL					1			12	73	86
Suspicion of being a Prostitute* - P with HL				2		16	22			40
Vagrants – Prostitutes* - P with HL					19	9				28
Disorderly House* - P with HL, QS			1			7	4	1	12	25
Disorderly Ale House* - F					4	4	5	1	4	18
Felony by a Prostitute* - P with HL				5	1					6
Prostitutes in Brothel* - P with HL								5		5

Assault – Prostitute* - P with HL				1						1
Wilful Damage – Prostitute* - P with HL							1			1
Disorderly inmate of Female Penitentiary* - P with HL							1			1

Appendix V – Bastardy Cases before Hull Magistrates’ Court 1811 - 1891

Crimes and Typical Sentence**	1811	1821	1834	1841	1851	1861	1871	1881	1891	Total
Bastardy* - D or order made 1s – 2s weekly			1	2	16	45	31	52	43	190
Bastardy Arrears* - to pay what owe								2	22	24

Appendix VI – Bastardy Cases before the Hull Magistrates Court and Hull Quarter Session Court 1801 – 1891

1801	1811	1821	1831	1841	1851	1861	1871	1881	1891
QS	QS	QS	QS	MC	MC	MC	MC	MC	MC
5	1	4	29	2	26	40	29	54	75

\*QS = Quarter Sessions Court, MC = Magistrates Court

Settlement and Removal orders regarding pregnant single women or single women with illegitimate children = 28 cases from 1808 to 1856. (In Quarter Sessions bundles).

Affiliation Cases = 18 cases from 1806 – 1829. (In Quarter Sessions bundles).

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