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White female criminals in Civil War Richmond, 1860-1865

Frances Sisson

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WHITE FEMALE CRIMINALS IN CIVIL WAR RICHMOND, 1860-1865

by FRANCES SISSON

An Honors Thesis Submitted to the History Faculty at the University of Richmond

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ABSTRACT

This study tells the story of white female criminals and addresses the problem of the white female criminality and the resulting reaction of the patriarchal society in Richmond, Virginia during the Civil War, specifically the years 1861-1864. During the Civil War, white female criminality became a daily occurrence because of the wartime conditions in Richmond, such as inflation and overpopulation. Because of the established patriarchal society and the lack of emphasis on the women’s rights movement in the South, the female involvement in crime during the war was extremely shocking to the male driven society. The judicial system struggled with how to deal with this new breed of women who violated the morals that society had set up for them, especially after female-led events like the Bread Riot. This riot consisted of thousands of women who stormed downtown Richmond, demanding the government to reduce the price of bread. Many of the women were arrested and society was left in fear and a state of embarrassment. This riot, along with the daily crimes committed by women unintentionally allowed women to establish themselves as political figures by creating a new space in society in which there was no space for them previously.
DEDICATION

This work is dedicated to my grandfather, Jackson Johnson Taylor.
ACKNOWLEDGEMENTS

I would like to thank my content advisor, Dr. Robert Kenzer for all of his help, support, and encouragement through this process. I would also like to think the Honors thesis advisor, Dr. Sydney Watts, who has helped me grow and develop as a historical thinker.

I would also like to thank my fellow Honors History students, Justin Chew, Kevin Kane, and Andrea Stevens, who have offered constructive criticism of my work and been extremely supportive in this process.
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INTRODUCTION

On August 26, 1863, the Richmond Daily Dispatch reported,

Susan Smith, a little pock-marked white woman, whose penchant for taking things which don't belong to her seems to be irresistible, was examined by His Honor yesterday on the charge of stealing from Fleming Gentry, with whom she had been living in the capacity of house servant, one gold pencil, twelve gold dollars, twelve silver dollars, $25 in Confederate notes, two $10 Virginia notes, four gold rings, and four pieces of under clothing. ¹

This study tells the story of white female criminals women like Susan Smith and addresses the problem of the white female criminality and the resulting reaction of the patriarchal society in Richmond, Virginia during the Civil War, specifically the years 1861-1864.² Historians, such as Edwards Ayers, have found that virtually no female crime existed prior to the Civil War: “Seldom could more than one or two women be found in a Southern penitentiary.”³ However, during the war there was a noticeable increase in the number of women who were reported and arrested for such crimes as theft, prostitution, assault, vagrancy, public intoxication, and letting a slave “go at large.”⁴ This thesis focuses on theft—the most prevalent crime among women—due to the wartime conditions in Richmond. The females who were caught stealing food were poor, husbandless women ranging from late teens to about sixty years old. More specifically, many of these women were Irish and German immigrants who had just arrived in Richmond during the mid-nineteenth century due to the failed revolutions and famine in their respective countries of origin.

¹ Richmond Daily Dispatch, August 26, 1863.
² The year 1865 is eliminated from the study because the Richmond Daily Dispatch was temporarily shut down from April to December when Richmond fell to the Union Army.
⁴ This study does not address prostitution because Thomas P. Lowry has investigated this topic in great detail. In Capital Courtesans: Public Women of the Civil War Richmond and Washington, DC, Lowry solely focuses on sexual crime in Richmond and Washington, DC, listing the names of all of the known prostitutes during the Civil War.
Civil War crime is a relatively uncovered topic, especially those committed by white women. Most of the study’s research draws from the *Richmond Daily Dispatch* and Hustings Court records, which reveal the types of crimes, the characteristics of the women committing the crimes, and the outcomes of the trials.\(^5\) Using search term and phrase in the *Richmond Daily Dispatch* database, such as “white woman,” “theft,” “arson,” and “caught in possession,” reveals the majority of female crime that took place in Richmond. Despite the limitations of the *Richmond Daily Dispatch* due to inaccuracy of newspaper reports, it has proved to be a valuable record of women’s crime. Using diary entries and memoirs of middle to upper class women, such as Mary Chesnutt, also help to establish the severe economic hardships among the vast majority of Richmonders. Additionally, the United States federal manuscript census of 1860 reveals socio-economic and demographic characteristics of specific female criminals.

There have been some general studies of wartime crime and some that focus specifically on African Americans, soldiers, and particular regions of the Confederacy. For instance, Carey H. Latimore’s, "Surviving War and the Underground: Richmond Free Blacks and Criminal Networks during the Civil War" gives a detailed description of the African American crime trends in Richmond.\(^6\) Additionally, “Crime and Punishment on the Civil War Homefront” by Robert L. Hampel and Charles W. Ormsby Jr. examines crime and punishment in Lancaster County, Pennsylvania, making a conscious effort to “use rich biographical information in local prison registers...[and] identify soldiers in order to examine their crimes and punishments.”\(^7\) Hampel and Ormsby conclude that during the first year of war, crime rate decreased because the

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\(^5\) When dealing with any newspaper records, it is important to note that 19th century can be somewhat unreliable in what they include and what they leave out. Thus, I have cross-referenced the newspaper reports with the Hustings Court records.


offenders were more fearsome of the decreased ability to secure bail, but as the war went on the law enforcers were not as strict and crime increased at a steady rate into the post-war years. Although this is not a study about crime in the South, it provides an excellent model for my thesis because it uses a similar methodology to draw conclusions. A similar study on San Antonio, Texas by Teresa Thomas Perrin analyzes the community's criminal justice system from 1861 to 1877. Both of the preceding secondary sources, however, do not analyze a single demographic group.

There have also been Southern-specific studies of antebellum crime, such as James M. Campbell's *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond, Virginia*, as well as Edward L. Ayers' *Vengeance and Justice*. The former analyzes the crime rates of both men and women, specifically in Richmond, using Hustings Court records and the *Richmond Daily Dispatch* to come to conclusions about crime from 1835-1860. Campbell blames the rise in white crime of both men and women on "immigration, industrialization, urbanization, and the rising costs of slave ownership that limited social mobility." Campbell also begins to describe that the increase in antebellum female crime challenged patriarchal authority and "contested notions of female domesticity" due to the increase in violent crimes of women, but fails to suggest the social and political implications of the transforming role of women. Ayers' study focuses on crime in the South in general, mostly commenting how the crumbling "walls of slavery" took away the political, economic, moral, and social structure of the South, leading to an outbreak of crime. Ayers does not look extensively into white female

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8 Hampel and Ormsby, Jr., "Crime and Punishment," 238.
10 Campbell, *Slavery on Trial*, 43.
11 Ayers, *Vengeance and Justice*, 141.
crime, but he does mention the lack of female crime previous to the war and the horrible conditions of women in the penitentiaries.

In order to gain a better understanding of the expectations and moral standards for white women in wartime Richmond, the first chapter addresses the conditions of Confederate women in the 1800s and the patriarchal system that determined much of their lives. The second chapter establishes the setting of Richmond during wartime, highlighting the population boom, as well as the severe inflation levels. The third chapter discusses how these detrimental wartime conditions led many lower/middle class Southern white women to commit crimes and how women criminals were viewed by the patriarchal, chauvinistic society. With this gained understanding of the conditions of both women and Richmond, this study then turns to the types of crimes most prominent during wartime: theft, assault, drunkenness, and cases of murder. Theft was the most common crime during the war, and it is useful to compare women's theft to men's theft in order to understand how drastic the increase of women's crime actually was. The fourth chapter analyzes the most notable instance of a collective expression of material need that spurred lawless behavior of women, the Richmond Bread Riot. Although other historians have analyzed this event, my understanding of female criminality reveals a new light on the riot, seeing the female leaders as political figures that were treated as everyday criminals by the public because of the threat that female crime posed to the masculine, public authority who was trying to uphold Richmond's civil society. The final chapter investigates the reaction to the increase in the criminality of white women by looking at the acquittal and conviction rates that show how, by the end of war, the city courts acquitted a larger percentage of women than they convicted. It argues that this variance demonstrates a developed sympathy for the women over time and the gradual acceptance of the "new gender norm" of white women.
CHAPTER 1: POLITICAL AND SOCIAL VIEWS OF WHITE WOMANHOOD IN WARTIME RICHMOND

Never let your husband have cause to complain that you are more agreeable abroad than at home; nor permit him to see you as an object of admiration, as respects your dress and manners, when in company, while you are negligent of both in the domestic circle.

-Martine's Handbook

Politics in the Patriarchal Order

In the nineteenth century, according to Edward Ayers, three aspects defined Southern women: “mere bearers of children, household laborers, or mannequins of finery.” They were pure and genteel when compared to the ugly society of slavery and immorality that existed outside of their household, or the men’s realm. The structure of urban life, John F. Kasson finds, “although performed in the name of honoring women, assumed and encouraged their subservience to men.” A man’s role in society was to promote and respect the idealized image of woman in society. In fact, it was his legal right. With the exception of Louisiana and Texas, in the South a wife’s legal identity was merged with her husband’s. Even in public, women were to be protected. America, unlike other societies at the time, was known for the liberties granted to women because women were permitted, Kasson asserts, to “venture forth in the city without male escorts.” However, these “privileges” were not granted without warnings in etiquette manuals to “not to abuse it,” and to “err on the side of caution rather than...of boldness.” Women unescorted by men in cities would be accused of being prostitutes. Kasson explains, “When middle-class women left the confines of their home to venture out in public, they entered

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13 Ayers, Vengeance and Justice, 29.
15 Kasson, Rudeness, 132.
a realm in which they felt—or were expected to feel particularly vulnerable." Because of the "raucous nature of the city streets and its dangers, as well as the prevailing gender relations of Victorian America," any respectable woman would be accompanied by a male in public, limiting her ability to travel greatly. Whether in the household or in public, a woman existed under male's superiority in an effort to preserve her assumed gentility.

Because of the emphasis placed on the subservience of white women in the South, women had virtually no existence in the political sphere. The South was notably absent from the women's right movement, as opposed to the North, which by the mid-nineteenth century had already hosted the Seneca Falls Convention and the first National Women's Rights Convention and by 1860, in combination with their "agitation for the woman citizen's natural right of suffrage and antislavery," they had already made political inroads. Women's role in the political sphere, according to Stephanie McCurry, "had always been set by the perceived necessities of marriage and its gender asymmetries between man and woman, husband and wife." While the North was making strides to change property laws, in the rural South, women continued to defer to their spouses in most matters regarding family concerns, and they remained rooted in neighborhood kinship networks that discouraged the formation of an independent women's culture. Gregg D. Kimball explains the South's resistance to the women's rights movement: "Next to abolitionism, perhaps no other "ism" frightened Southerners more than the movement for woman's rights." The South was dedicated to the realm of female domesticity

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19 McCurry, *Confederate Reckoning*, 23.
21 Kimball, *American City*, 98.
and any change to that could alter the already challenged slave society. To put women’s lack of political power into perspective, McCurry finds, “In 1860, free black men could vote in only four New England states (and that in small numbers), women of any race in none.”

In some sense, women, although sometimes considered citizens, were barely citizens at all. McCurry explains, “In moving seamlessly between citizens and voters, [politicians] elided white women entirely and arrived at a radically delimited definition of the people. Adult white women were citizens in a constitutional sense although the obligations of citizenship had been defined by gender throughout the nation’s history.”

Male citizens were expected to participate politically through voting, but women were given virtually no responsibility except to her husband and household. A white woman’s task was relatively simple: be morally refined and emotionally-kempt.

**Prescribing Behavior: A White Woman’s Guide to Etiquette**

Although Southern white women lacked a role in the political sphere, there was a large amount of concern about and emphasis placed on their gentility and morality. Because of the importance of a woman’s morality, etiquette guides became an important way to communicate the expectations of women to women. Etiquette books were read by the middle class and were extremely popular in the nineteenth century. Seventy-five etiquette manuals were published in this century alone. The most famous of these books include *The Young Lady’s Own Book*, published in 1833, and *Martine’s Hand-book of Etiquette and Guide to True Politeness*, published in 1866. These types of books demonstrated the male’s perspective of women’s roles during the mid-nineteenth century, since men wrote them for women to read. The lady of the

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22 McCurry, *Confederate Reckoning*, 18.
23 McCurry, *Confederate Reckoning*, 23.
house was directed to “Remember your standing as a lady, and never approve a mean action, nor speak an unrefined word; let all your conduct be such as an honorable and right-minded man may look for in his wife, and the mother of his children.”

This type of direction, written by a male, was what women were expected to live by. In the introduction of Martine’s Hand-Book, Martine described the purpose of the guide: “A complete manual for those who desire to understand the rules of good breeding, the customs of good society, and to avoid incorrect and vulgar habits.”

This book provided a way to avoid the “vulgar habits” that ruined a person’s reputation in a society based on morality, cordiality, and gendered dynamics. In the section entitled “Domestic Etiquette and Duties,” Martine addressed the middle-class woman: “The wife especially devolves the privilege and pleasure of rendering home happy. We shall, therefore, speak of such duties and observances as pertain to her.” This section outlined a wife’s duties to her husband and her obligation to be respectful and honorable as his wife and mother of his children. In the closing paragraph of this section, Martine called to the women: “Lastly, remember your standing as a lady, and never approve a mean action, nor speak an unrefined word; let all your conduct be such as an honorable and right-minded man may look for in his wife, and the mother of his children.”

One of the most important requirements of a white female in society was to restrain her emotions. Any type of “irrational” emotion demonstrated by a woman violated society’s mores. Anger was one of the worst emotions that a typically reserved and respectable woman could produce. The emotional woman was told to exercise self-control over these undesirable sentiments. The Young Lady’s Own Book (1833) called an angry woman “one of the most

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27 Martine and Leland. Civil War Era Etiquette, 2.  
28 Martine and Leland. Civil War Era Etiquette, 144.  
disgusting sights in nature."\textsuperscript{30} A suggested solution to this "disgusting sight" was for women to hold a mirror up to themselves when making angry expressions to observe just how ugly they looked.\textsuperscript{31} These guidebooks even came up with medical reasons for women not to exude these emotions, as envy and anger "were believed to be injurious to the skin."\textsuperscript{32} Women were trained to calm their emotions, but none of the same was true for men. When men were angry, they lost their dignity; when women succumbed to the same emotion, they betrayed their very femininity.\textsuperscript{33} Etiquette guides and the patriarchal society itself restricted women to a particular range of emotion more so than men because of their "special responsibility to provide altruistic charm and comfort as part of the price of their subordination."\textsuperscript{34} The view on anger is just one instance that demonstrates the opposing values of the two sexes that existed in society. Men existed as confidence men, the creatures that lived outside of the household, constantly contaminated by the evils of the outside world, and therefore, their inexcusable behavior became excusable. Women, on the other hand, were expected to remain in their realm of purity and exist as pure creatures, unpolluted by the toxins of the world.

During the war, women became a patriotic symbol of the strong, Southern homefront. Women were not supposed to be politically aware or cause conflict on the homefront, but, as McCurry asserts, "genteel ladies pledged to the national cause in the way mothers guard their young."\textsuperscript{35} They were idealized, and imagined as spending their days sewing grey uniforms for their men. Emma Mordecai serves as an example of the standards that women were held to. On May 18, 1863, after caring for soldiers, she wrote, "Well may ladies devote themselves to

\textsuperscript{30} Kasson, \textit{Rudeness}, 161.
\textsuperscript{31} Kasson, \textit{Rudeness}, 161.
\textsuperscript{32} Halttunen, \textit{Confidence Men}, 88.
\textsuperscript{33} Kasson, \textit{Rudeness}, 161.
\textsuperscript{34} Kasson, \textit{Rudeness}, 180.
\textsuperscript{35} McCurry, \textit{Confederate Reckoning}, 91.
attending their couches, & administering their poor comfort. Pure highminded, noble men! You
deserve all we could do for you if our means were fourfold what they are. I am thankful to be
strong enough to help nurse you, & I pray I may continue so while I can serve you. Mordecai
prayed for her own health to continue to serve the men. She embodied the idealized Southern
homefront woman. Although women had no real political role, their influence was felt, as they
became symbols for the war. On April 23, 1861, the *Richmond Daily Dispatch* reported, in a
section entitled, “Patriotic women:”

>The ladies of the Second Baptist Church and congregation met yesterday morning, and
unanimously resolved to offer their services to the Governor, for the manufacture of
military uniforms, bandages, lint, &c., and some of them to act as nurses, whenever and
wherever required. They have a force sufficient, with the aid of the sewing machines
owned by them, to make uniforms for a company of one hundred soldiers in twenty-four
hours. An order will be given them to-morrow, for one hundred uniforms for one of the
companies just organized in this city. All honor to these patriotic women. May their noble
example be imitated by all the daughters of Virginia!\(^{37}\)

These patriotic women became the women that society desired to see and that all women should
emulate. The household shifted, Mordecai noted, as many “Southern ladies, who had lived their
lives within strictly patrolled gender spheres, now found themselves challenged to take on tasks
for which they had little preparation.”\(^{38}\) They were given more responsibility in a city that would
soon be overcome by hardship.

\(^{36}\) Emma Mordecai Diary, (May 1864-May 30, 1865) 1, 22, Virginia Historical Society.
\(^{37}\) *Richmond Daily Dispatch*, April 23, 1861.
\(^{38}\) Bardaglio, *Reconstructing the Household*, 130.
CHAPTER 2: Wartime Richmond: A City in Crisis

March 23, 1865- "Close times in this beleaguered city! Every day food supplies are rising in price and becoming more scarce, and Confederate money is getting so reduced in value that it is a common remark when one goes out to buy, "you can carry your money in your market basket, and bring home your provisions in your purse."

-Diary of Mrs. William A. Simmons

Figure 1.1: "Richmond Ladies Going to Receive Government Rations"
Sketch by Alfred R. Waud, 1865. Library of Congress.

Wartime Richmond provides a rich social demography to draw from, particularly in regard to the increase in crime that took place during the war years. It was because of

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immigration, inflation and the patriarchal society that women were so affected by the increase in crime both socially and politically. During wartime, Richmond became a melting pot even more so than it had already been. It was a home to slaves, freedmen, poor whites, immigrants, deserters, and middle-upper class citizens, and soldiers. Not only was Richmond the political capital and military center of the Confederacy, it also housed numerous hospital, prisons, and railway links. In essence, it was the very symbol of the independent South. As the institution of slavery crumbled, so did the city. Even the wealthiest did not escape the woes of wartime Richmond. A well-known upper class female Southerner, Mary Boykin Chesnut, commented on the economic situation of Varina Davis, the First Lady of the Confederate States of America, in her diary on March 15, 1864: “Everybody is in trouble...Money, paper money, has depreciated so in value, [the Davis family] cannot live within their income, so they are going to put down their carriage horses.”

Population Boom

One of the main reasons for the Richmond’s wartime crisis was the antebellum population influx caused both by immigrants and relocating rural Virginians. Because of its location in the Tobacco Belt, Richmond became a magnet for white Virginians seeking work and economic advancement. Although more than one-third of Richmond’s population was black, nearly just as many were foreign-born, mainly Irish and Germans, who had fled famine and revolution across the sea. From 1850 to 1860, there was a 135.9 percent increase of foreign-born whites in Richmond. (See Table 2.1.) The immigrant population in the ten largest Southern
cities formed a higher percentage of the adult male population than in most Northern cities.\textsuperscript{43} Although this immense population growth helped fill factories, Richmond's resources were limited and the city became overcrowded. The conditions were especially bad for the Irish who competed with free blacks and slaves for jobs. They could not afford rent in white neighborhoods and, Kimball observes, "they...balanced precariously on the edge of...impoverishment."\textsuperscript{44}

The city became even more overcrowded with the influx of federal prisoners and Confederate and Union deserters that flooded the city. After First Manassas, Richmond was filled with nearly one thousand Federal prisoners and another 500 sick and wounded Confederate soldiers. Richmonders, Ernest Furgurson comments, were forced to open their doors to the wounded: "Homes became impromptu hospitals and women who had been busy sewing uniforms and knitting socks became nurses."\textsuperscript{45} As well as becoming a place to hold prisoners and to house the sick and wounded, it also was flooded "with officers dissipating on furlough and dispirited soldiers heading home, perhaps not to return in the spring."\textsuperscript{46}

\textsuperscript{43} Kimball, \textit{American City}, 61.
\textsuperscript{44} Campbell, \textit{Slavery on Trial}, 49.
\textsuperscript{45} Furgurson, \textit{Ashes of Glory}, 81.
\textsuperscript{46} Furgurson, \textit{Ashes of Glory}, 105.
TABLE 2.1: Richmond Population by Race and Nativity, Showing Percentages within the Total Population and the Increase from 1850 to 1860


<table>
<thead>
<tr>
<th>Census Year</th>
<th>White</th>
<th>Black and Mulatto</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Native Born</td>
<td>Foreign Born</td>
<td>Total</td>
</tr>
<tr>
<td>1850</td>
<td>13,172 (47.8)</td>
<td>2,101 (7.6)</td>
<td>15,274 (55.4)</td>
</tr>
<tr>
<td>1860</td>
<td>18,679 (49.3)</td>
<td>4,956 (13)</td>
<td>23,635 (62.3)</td>
</tr>
<tr>
<td>Percent Gain from 1850 to 1860</td>
<td>41.8</td>
<td>135.9</td>
<td>54.7</td>
</tr>
</tbody>
</table>

Economic Richmond

Population influx was not the only factor that worsened conditions in Richmond. The war witnessed a drastic increase in the inflation rate that left many of the poor starving and even the middle classes suffered, leading many women to commit acts of theft. (See Table 2.2.) One of the many reasons for inflation was the Northern blockade on Southern ports. The blockade prevented the acquisition of many household necessities, such as coffee and tea.

After her mother died in 1863, Emma Mordecai, a North Carolina native, moved to "Rosewood in Henrico County," five miles north of Richmond, to live with her sister-in-law, Mrs. Rosina Mordecai. As a middle class woman, she did not suffer from starvation, but did feel
the effects of the rising inflation rates in her household. In her diary entry on July 11, 1863, she wrote, “Yellow George was sent to this (Saturday’s) afternoon market, with 3 lbs. butter, 2 doz heads cabbage, 1 ½ peck peas, 1 doz bunched onions, & brought back $110.50 one hundred and ten dollars & fifty cents. Butter has been selling at 24 dollars a lb.--He only got 15 for his. I mention this as one of the features of the times.” Mordecai felt the inflation rates that skyrocketed during the war. From 1860 to 1864, the price of flour per pound went from $8.50 to $500.00, or nearly 59 times the original price. (See Table 2.2). Mordecai observed the lower class women during her five-mile commutes to the city. After her trip on June 17, 1864, she wrote:

She [an old lady in Richmond] told me she was a refugee from Fredericksburg, that she had been stripped of every thing three times by the Yankees, “so”, she added, you may suppose that I have to economize in every way. She employs her leisure time in plaiting straw & making hats, which she sells according to quality, from 5 to 15 dollars. She eats no meat, but gets butter at 12 [dollars] a lb. & uses that as the cheapest substitute. Some one gave her an old cow, which gives her about three pints at a milking, and on this & bread she lives.

This old woman represented a typical Richmond poor white woman attempting to make a living in a time of economic turmoil. She barely ate and the Yankees had robbed her numerous times. She exemplified a woman that had come to Richmond to find a better situation, along with the thousands of others that hoped for the same exact thing. The Richmond Daily Dispatch reported on July 2, 1864, “Tomatoes, about the size of an English walnut, made their appearance in the Second Market for the first time this season on Thursday morning. They were held at twenty four dollars per dozen, but the holder failed to dispose of them at that price. Markets rarely sold delicacies such as tomatoes at this time, and when they did the buyers would expect the prices to

47 Emma Mordecai Diary (May 1864-May 30 1865) 1, 44, VHS.
48 Julia Cuthbart Pollard, Richmond’s Story (Richmond Public Schools, 1954), 179.
49 Emma Mordecai Diary, 50.
50 Richmond Daily Dispatch, July 2, 1864.
be steep. A typical breakfast of a middle class woman was "Breakfast—corn bread with drippings (drippings was the grease scraped from the floors of smoke houses); Lunch—bacon, dried peas, rice, dried apples with sorghum (syrup); Evening—cakes made of corn meal and water, "more unspeakable coffee," fruit cake (apples were used for raisons and orange peel for citron—oranges were five dollars each)." Even for the upper class, food was scarce. Although there are few diaries kept by poor white women, the food conditions among them only could have been worse. The city of Richmond suffered as a whole and the lower class population was driven to commit crimes that would ensure their welfare.

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51 Pollard, Richmond's Story, 179.
<table>
<thead>
<tr>
<th>Foodstuffs</th>
<th>1860</th>
<th>1864</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bacon</td>
<td>$.12/lb</td>
<td>$8.00/lb</td>
</tr>
<tr>
<td>Flour</td>
<td>$8.50/bbl.</td>
<td>$500.00/lb</td>
</tr>
<tr>
<td>Coffee</td>
<td>$.12/lb</td>
<td>$12.00/lb</td>
</tr>
<tr>
<td>Tea</td>
<td>$1.00/lb</td>
<td>$22.00/lb</td>
</tr>
<tr>
<td>Butter</td>
<td>$.25/lb</td>
<td>$25.00/lb</td>
</tr>
<tr>
<td>Candles</td>
<td>$.15/lb</td>
<td>$10.00/lb</td>
</tr>
<tr>
<td>Soap</td>
<td>$.05/lb</td>
<td>$.75/lb</td>
</tr>
<tr>
<td>Beef</td>
<td>$.08/lb</td>
<td>$3.00/lb</td>
</tr>
<tr>
<td>Potatoes</td>
<td>$1.00/bu</td>
<td>$20.00/bu</td>
</tr>
<tr>
<td>Apple Brandy</td>
<td>$1.00/gal.</td>
<td>$85.00/gal.</td>
</tr>
<tr>
<td>Eggs</td>
<td>$.05 or .10/ doz.</td>
<td>$6.00/ doz.</td>
</tr>
<tr>
<td>Turkey</td>
<td>$6.00 a pair</td>
<td>$23.00 each</td>
</tr>
</tbody>
</table>

52 Pollard, *Richmond's Story*, 179.
CHAPTER 3: GENDERED CRIMES

Because of the emphasis on a woman’s morality and purity in the nineteenth century South, white female crime was not only uncommon, but was unconceivable. The idea of a female criminal was an oxymoron. Lucia Zedner, a female criminal scholar, explains that in the eighteenth and nineteenth centuries “women criminals were judged against a highly artificial notion of the ideal woman—an exemplary moral being. Women’s crimes not only broke the criminal law, but were viewed as acts of deviance from the ‘norm’ of femininity.”  

When a woman committed a crime she was not just defying the law, but the allocated mores of society. Zedner further explains, “Responses to female crime were deeply embedded in an even more complex value structure, at the heart of which was the highly artificial construct of ideal womanhood.”

Criminal women were such an aberration that society determined that female criminals had an altered biology that led them to this unacceptable behavior. Much of the blame was based on a woman’s reproductive cycle. Zedner explains, “All women were seen to be closely bound to their biology, and their psyche was thought to be intimately connected with the reproductive cycle, the health or pathology of which directly determined their mental health.” Because society did not want to believe that females could be criminals, it blamed something out of their control. The blame society placed on a woman’s biology worked in her favor. Every woman was seen as a prisoner to her biology, and therefore, “she could deny her culpability even for serious offenses.” A woman’s menstruation was not the only way society could blame biology. Mental

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conditions, such as delicate nerves and emotional disorders also explained the female criminal phenomenon could be based off of mental conditions as well. In his book, *The Criminal* (1890), British physician and psychologist Havelock Ellis (1859-1939) claimed that certain types of female criminals had noticeable physical defects: "Women guilty of infanticide were endowed with excessive down on their faces,... female thieves went grey more quickly, were uglier, and exhibited more signs of degeneracy...than ordinary women." A woman who looked "masculine, unsexed, ugly, [or] abnormal" was most likely to be a criminal. Jury members looked for traits in the accused women to represent the "antithesis of the feminine idea." If a woman was unwomanly, the jury had an easier time accepting the type of behavior that she exhibited.

In Richmond specifically, according to a study by James M. Campbell, the number of white female criminals increased in the antebellum years. He interprets the increase of women in the mayor's court as "evidence of a breakdown in the system of male household governance, as well as an indication of women's determination to use the law to regulate their daily lives." Many of these Richmond women who were beginning to use the law to their advantage were Irish and German immigrants. Campbell validates that the Richmond antebellum criminals were described in "highly derogatory terms by Richmond’s mayors and the press," as Zedner suggests in her study. Campbell attributes the rise in female crime to an increase in domestic abuse, or reporting domestic abuse: "In the sample years of 1838, 1852, and 1860, women were the victims or complainants in one-third of 411 cases of white-on-white assault that were examined.

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60 Campbell, *Slavery on Trial*, 59.
in the mayor’s court.” 61 Campbell comments extensively on the increase of the report of assault, but also investigates that lack of prosecution of women in antebellum Richmond. In one of his target years, 1860, “nine of the ten white women who appeared in the mayor’s court charged with stealing were dismissed without prosecution. By contrast, 65 percent of the fifty-seven white men accused of stealing were sent on for further examination and trial.” 62 Campbell blames this lack of prosecution on the male juries’ adherents to the cult of female domesticity. 63 Campbell cites another telling example to demonstrate the lack of prosecution. In the 1850s, when Elizabeth Bovan was charged with receiving stolen goods by the circuit court, she received one month in jail and two lashes, while five men who had been convicted for the same offense were sentenced to one to four years in prison. 64

Although Campbell has extensive research on the increasing crime rates in antebellum Richmond for both white men and women, most Southern historians agree that white women were not being convicted of prewar crimes. Citing the approval of government leaders, Ayers gives added reasons to the lack of female crime in the antebellum South:

Perhaps not coincidentally, in the same year that Virginia retreated from the enslavement of free black criminals Governor Giles found something “so extraordinary in itself and so honorable to the white female population of this State” that he wanted it known “to the whole civilized world. It is, that for the last four years, but one white woman has been convicted of a Penitentiary offense.” 65

Although Ayers notes that little crime existed in the prewar South, he comments on the conditions women suffered from within the penitentiaries. Women did not have cells built for them, so they “languished in small, dirty, and unventilated buildings within the penitentiary

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61 Campbell, *Slavery on Trial*, 59.
62 Campbell, *Slavery on Trial*, 118.
63 Campbell, *Slavery on Trial*, 119.
64 Campbell, *Slavery on Trial*, 121.
65 Ayers, *Vengeance and Justice*, 62.
walls. Not surprisingly, sexual abuse created the worst terror of their imprisonment.\textsuperscript{66} Although there seems to be some difference of opinion about the amount of white female crime that the South saw before the war, the beginning of the Civil War and the horrific conditions of the city of Richmond drove the female residents to even more noticeable acts of crime and political action than in the antebellum years.

Rebecca Chandler and Mary Thornton were two Richmond inhabitants who committed several felonies. Rebecca Chandler, a poor, orphaned, young women and repeat offender, demonstrates the court’s and the press’ negative view on female criminals. The final study, Mary Thornton, represents the middle class woman whose husband was away fighting for the Confederate cause and she was left taking care of her seven children, forced to commit theft to provide for her family. Both women had different motives, but each exhibits the similar reactions of society to a white female criminal.

Rebecca Chandler, an eighteen-year-old poor white woman, was arrested on six different occasions during the war years in Richmond. She committed a range of crimes from trespassing to assault and theft. The language used to describe Chandler demonstrates the opinions of the patriarchal society about the young female criminal. On April 23, 1861, Chandler was arrested for being drunk and disorderly in the street. In the report in the \textit{Richmond Daily Dispatch}, she was described as a “dissolute white female, of unpleasing exterior.”\textsuperscript{67} She was fined $100 to keep the peace. About one year later, Chandler was taken in for trespassing and destroying the property of Robert Gary and throwing turnips and other vegetables at him. She was considered as “erratic.”\textsuperscript{68} The Mayor did not send her to jail in this case. Five months later the “dissolute”

\textsuperscript{66} Ayers, \textit{Vengeance and Justice}, 63.
\textsuperscript{67} \textit{Richmond Daily Dispatch}, April 23, 1861.
\textsuperscript{68} \textit{Richmond Daily Dispatch}, March 18, 1862.
Chandler was arrested for being “beastly drunk” and was locked up again by Officer Chalkey.\(^{69}\) She was condemned to total seclusion in of the city jail for one year. Just about one year later, Chandler was arrested again for “getting drunk and using obscene language in the streets.” She was released from prison days later, “on promise of reformation.”\(^{70}\) As if on cue, nearly one year later, Chandler was charged with cutting and stabbing a slave. In this report, she was noted as being “a girl of notoriously bad character.” She was described as sitting before the Mayor with a “dirty, bloated face, in one corner of which she was constantly revolving a huge chew of tobacco…As she was leaving the court room, on her way to jail, some one accidentally stepped on her dress, which so excited her ice [ire] that she pitched into him in handsome style — with her tongue.”\(^{71}\) Not only was Rebecca now known as a woman of “notoriously bad character,” but also she was noted to be physically ugly and her courtroom behavior outlandish. The last report of Chandler in the *Richmond Daily Dispatch* on February 22, 1865 was when Chandler was charged for trespassing and associating with Negroes. Her “bad repute” was mentioned and she was committed to jail in order to secure the peace.\(^{72}\) In most of the descriptions, her physically ugly appearance can be found, as well as her bad character. The reports of her rough, unpleasant, and at times, grotesque behavior and looks de-feminize her to make her the antithesis of the feminine ideal.

Mary Thornton, wife of Confederate soldier, DMF Thornton, was left to tend the farm after he left. According to the US Federal Census of 1860, their property was valued at $6,000. They had seven children. On June 28, 1864, Thornton and her son Thaddeus were charged with

\(^{69}\) *Richmond Daily Dispatch*, August 6, 1862.
\(^{70}\) *Richmond Daily Dispatch*, July 14, 1863.
\(^{71}\) *Richmond Daily Dispatch*, June 16, 1864.
\(^{72}\) *Richmond Daily Dispatch*, February 22, 1865.
"breaking into the store of Henry M Jones, and stealing about one thousand dollars worth of sugar, coffee, soap, soda and gun cape."73 Mr. Jones reported that

He could prove that young Thornton had stolen the articles, that they had been found in Mrs. Thornton's house, and that Mrs. T. had sent her son out to sell a part of the stolen goods, knowing at the same time that they were stolen. He further stated that some time since, having discovered that he had been robbed, he lacked and nailed up his back door and gave Mrs. Thornton the key. The door to which she had the key was the one by which entrance was obtained to his store on the night of the last robbery.74

This is the only crime that Mary Thornton was accused of; however, the accusation of this one crime is very telling about her social situation. She was a relatively wealthy woman in 1860, but by June of 1864, she had to resort to theft of an acquaintance that had given her a key to his store, with her son as an accomplice nonetheless, because of the depleting nature of the war and the city of Richmond itself. Perhaps she was using her son's age to her advantage, knowing that a minor would not be punished as much as an older woman. If this is the case, by the end of the war, Thornton was displaying not only desperation, but also bad motherhood. The community was breaking down as a whole, but it seems the majority of the crimes, as pointed to by Thornton's actions, were committed amongst neighbors who were not willing to turn a blind eye.

These two women represent different aspects of the white female criminals. What is even more interesting to analyze, aside from the crimes themselves, is the language used in the reports of the criminals. As seen by the descriptions of Rebecca Chandler's physical appearance, reports of female criminals portrayed the women in a distasteful light, ugly, pock-marked, etc.

Newspapers, in general, usually only mentioned women because of bad behavior. Catherine Clinton distinguishes seven categories that resulted in women appearing in the news: political women, disorderly women, heroic women, war-working women, slave women, criminal women,

73 Richmond Daily Dispatch, June 28, 1864.
74 Richmond Daily Dispatch, June 28, 1864.
or women as crime victims. The Civil War was a time when newspapers became congested with stories about the "public woman," which included disorderly women, or prostitutes, criminal women, and slave women. The public and streets were being taken over by these "public women," while "ladies were being crowded back into their homes, to knit and roll bandages—to prove their ladyhood through confinement and self-sacrifice." The ladies were the middle-upper class women attempting to fit the mold of the patriotic South, while the public women demonstrated the utter hardships that the lower classes experienced because of the ongoing war. The middle class ladies were rewarded for their dedication. Clinton observes that "more than anything else, the press showered praise, heaping flowery rhetoric on the women who supported "the Cause." Because of this excessive praise to those women who became models for women on the homefront, the "public women" were derogatorily talked about. In her study of Civil War media concerning women, Clinton concludes, "And so my general reading of the Richmond papers, was that the men on the battlefield weren't just under siege, so were the men and women on the homefront. Ladies and matrons and damsels and maidens, women of all ages were expected to deft the decline of morals and raise the tone during war." However, as demonstrated by Mary Thornton, middle class women did not all avoid becoming "public women." White middle class women were forced to become criminals, too, out of necessity.

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75 Catherine Clinton, "Reading Between the Lines: Newspapers and Women in Confederate Richmond," *Atlanta History: A Journal of Georgia & the South:* 42 (1998), 22.
76 Clinton, "Reading Between the Lines," 22.
77 Clinton, "Reading Between the Lines," 23.
78 Clinton, "Reading Between the Lines," 26.
79 Clinton, "Reading Between the Lines," 28.
Social Disruption: Petty Theft and Other Crimes

During the war, petty theft became commonplace in Richmond. The city also was filled with prostitutes because of the many soldiers going in and out of the city. These “women of evil fame,” as they were called in the Richmond Daily Dispatch, were arrested the most from 1861-1865. However, the next most common crime was theft. Other crimes noticeably present at the time as well were assault, trespassing, and public intoxication. Theft became the most common crime, aside from prostitution because it was an act that could be committed by anyone, of any race, and of any age. Perpetrators could be immigrants, poor whites, husbandless, or middle class women whose husbands had gone to war. Theft became an act of necessity. People were not only arrested for theft itself, but also being caught in possession of stolen goods. When people have been deprived of the most necessary items, it was not always their initial instinct to try to find out if the goods they were buying have been stolen or not.\(^80\) Even vendors bringing food to the markets were fearful that their goods would be stolen on the way into the city from the countryside. White female criminals entered both the market place and the domestic world, resulting in a social disruption in all locations in Richmond.

Due to the social upheaval of its transitory population, prostitution, followed by theft, became the most prevalent crimes committed by white female women. Prostitution obviously became rampant first because of its usual prevalence in large cities, but also because of the number of soldiers traversing the capital of the South looking for a good time. However, theft followed close behind in the later years of the war. In 1861, there was only one episode of theft by a woman reported in October in the Richmond Daily Dispatch. The next year, such three thefts were reported. In 1863, the number surged to twenty-nine. The number almost doubled in

\(^80\) Pollard, Richmond’s Story, 183.
1864 to forty-eight. Often neighbors were stealing from neighbors or local storeowners. In 1861, larceny was one of the most common types of theft that existed during the war:

Larceny.--A white woman named Julia Cugan was arraigned before the Mayor yesterday to answer a charge of stealing various articles of clothing, valued at $25, from Joanna Sexton. The evidence proved that the accused not only took clandestine possession of the property, but grievously violated the rites of hospitality in so doing. She was therefore remanded for further examination before the Hustings Court. 81

Cugan was charged with “stealing various articles of clothing” from Sexton, but the aspect of her crime that was most frowned upon was how she “violated the rites of hospitality,” which points to the dangers faced by women who boarded other women in their homes. Cugan was a boarder in Sexton’s home, and could have very well been a prostitute. At the time, a woman would own a boarding house and offer rooms to many poor, white women. Many times, these boarding houses were filled with prostitutes. Her crimes existed in the domestic realm, against the woman who offered her a place of refuge in the city of turmoil. Because of the destitute situation, she was forced to violate the “rites of hospitality,” meaning the rules society had set up for women to abide by in the household. Because Cugan violated these rules, she was also violating her own womanhood.

Although in the midst of the Civil War, in 1862, the Richmond Daily Dispatch commented on the lack of crime committed in May. As noted previously, there were only three reported thefts by white women in 1862. On May 2, 1862, the Richmond Daily Dispatch reported, “Police business has been exceedingly dull recently. The light fingered gentry manage to conduct their operations in such a stealthy manner that the guardians of the law are hardly ever able to detect them.--The city was never in a more quiet condition, so far as crime is concerned, than at the present time. Last evening there was not a single criminal booked on the cage

81 Richmond Daily Dispatch, October 22, 1861.
record." The newspaper noted this lack of crime, but perhaps spoke too soon. Less than one year later, hundreds of white women rioted, demanding more bread for their starving families and Richmond experienced almost ten times the amount of thefts. On October 17, 1863, the *Richmond Daily Dispatch* stressed the exact opposite of what it had reported just one-year prior:

> Shop Lifting is of such common occurrence now, that clerks in stores have to be constantly on the lookout to prevent appropriations of goods at every hour of the day. Yesterday a modest looking young woman "lifted" a pair of gaiters from a store on Broad street while the clerks were engaged with other customers, and made her exit before the lost goods were missed. It is not improbable that the police will have this matter to attend to, as the lady is known to the loser.

From this article, it seems that by 1863, women, even "modest young women," had become associated with shoplifting. After the Bread Riot in April of that year, women criminals were becoming commonplace. By the end of the war, the typical thief changed from being caught in the act of stealing to being caught in possession of something known to have been stolen. If buying something from a local vendor, women would not question where it came from, resulting in an increased number of arrests. Many women were also aware of an underground market that many African Americans were involved in during the war. Many blacks, according to Carey H. Latimore, "were willing to take the chance of committing crimes that carried huge penalties, including loss of freedom." White women took advantage of this market and knowingly purchased stolen goods from freed blacks. On June 7, 1864, Margaret Kell was charged with receiving twenty and buying five pounds of sugar from a negro man, knowing it to have been stolen, was fined $20. Robert B Smith, from whom the article was taken, stated that the morning after his store was robbed, sometime in February last, he was informed a negro fellow had sold to Mrs K. a lot of sugar. He waited upon her to learn the facts, but she denied having done so; subsequently, however, when confronted by the negro, she acknowledged it.

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82 *Richmond Daily Dispatch*, May 2, 1862.
83 *Richmond Daily Dispatch*, October 17, 1863.
85 *Richmond Daily Dispatch*, June 7, 1864.
Kell knowingly bought stolen goods from an African American. She was an example of the women who knew the consequences of buying stolen goods, but still proceeded to go against the law because of the necessity of food. Sugar, specifically, was extremely expensive and a rarity in 1864 and perhaps the only way she could afford to buy such an expensive good. By 1864, Kell’s act was not shocking as revealed in the newspaper. Kell was not alone in her actions. On December 1, 1864, a German immigrant was arrested for the same crime:

Louisa Holtzaple, a very good looking German woman, the proprietress of a grocery store near the New Market, was charged with having and receiving three bushels of corn and three bushels of wheat, stolen from some person unknown, she knowing the same to have been stolen. In her defence, a witness testified that, while bargaining with a white man in her store on Saturday last for some corn, a negro obtained the consent of Mrs. Holtzaple to leave some articles there until he could call for them, and he supposed that the bags left there by this negro contained the corn and wheat in dispute. The Mayor admonished the accused to be cautious in future how she permitted strange negroes to leave things in her care, and thereupon discharged her. 86

Holtzaple seems to have played the system. When reading into this report, it seems that Holtzaple may have been partaking in the black market, but when questioned in front of the judge, she blames the “strange negro” and the judge discharges her. The result of her trial could also have something to do with her good looks, which the Richmond Daily Dispatch reports right away. Holtzaple used her looks and feminine attributes to her advantage in order to get away with utilizing the black market.

How many white men were stealing during the war? Most of the men left in the city were deserters, disabled men, or individuals who somehow avoided the call for duty. Comparing white male theft to white female theft helps explain society’s adverse reaction to the increase of white female crime. In 1861, women committed nearly no thefts. By contrast, men committed a vast number, especially during the last quarter of the year. During the last quarter of 1861 and the first quarter of 1862 the number of men involved in theft rose tremendously, twenty-four cases

86 Richmond Daily Dispatch, Dec. 1, 1864.
total compared to only three cases in the previous three quarters of 1861. This pattern also held true at the end of 1862 and early 1863, but this time it was also true of women. There were six women charged with theft in that period, twice the previous total. The clear spike in the number of female criminals took place in the second quarter of 1863 at the same time as the Richmond Bread Riots. Theft also continued to increase for men, but not nearly as sharply. The second surge for women again took place at the end of 1863 and outset of 1864 and it continued into the second quarter of 1864. In the second half of 1864 men and women diverge as the number of men charged seemed to maintain a constant while crimes by women dropped in half. Most of the items stolen were foodstuffs, but women and men also occasionally stole clothing, watches, and other luxury goods.

Female theft was the most prevalent crime, but assault and drunkenness also escalated during the war. Assaults by women increased, stimulated by the violent, trying atmosphere of the crisis-ridden city. There does not seem to be a specific pattern of assault, but an overall increase of the crime in general. The number of assaults shifted from five in 1861 to seven in 1862, three in 1863, and four in 1864. The majority of the time the victims of the white women’s assault were other white women, or even their own family members. They existed in the domestic realm. On May 24, 1862, for instance, Marths [sic] Cardona, “an unfortunate lunatic, was arraigned for assailing her daughter and child, and cutting the latter’s hand. Proof of her insanity being indisputable, she was retained to be examined before a board of magistrates.” Cardona was deemed an “unfortunate lunatic,” because of her willingness to break the morals of gentility and purity of the nineteenth century. Cardona may very well have been insane because she assaulted her own child, but the Richmond Daily Dispatch made their opinions of her very clear. Typically, assault was committed against fellow white women. On August 4, 1863, the

\[87 \textit{Richmond Daily Dispatch, May 24, 1862.}\]
Richmond Daily Dispatch stated, "We allude to Louisa Jones, a white woman, charged with throwing Ann Riley out of her house, and breaking her collar bone." Many times, reported crimes of women against women included multiple charges, such as theft and assault. On July 27, 1864, the Richmond Daily Dispatch noted, "An old white woman named Mary Debell was arrested yesterday by officers Jenkins and Davis, on the charge of stealing a cloak from Isabella Straut, abusing and spitting in her face, threatening to take her windows down, and attempting to kick her out of doors. She was committed to the upper station house to await a hearing before the Mayor this morning." Debell's actions reflect the utter confusion and disorder of 1864 Richmond. Women were forced to live with one another because their husband's and sons were gone in the war, seen in the case of Julia Cugan and Joanna Sexton. Although the assault was sometimes severe, such as Cardona's actions against her own daughter, the majority of the assaults committed by white women were extremely petty and trivial, representing the unrest and frustration of the female population. Women would report the crimes to the police as a way to find peace in war-torn Richmond.

Aside from assault, there was also a noticeable increase in the cases of women arrested for drunken and disorderly behavior. The women arrested for this crime were typically prostitutes, or, as they were termed, women of "evil fame." In 1861, one woman was arrested for drunkenness. The number rose to two in 1862, five in 1863, and then only one again in 1864. Drunkenness became the catalyst for much of the unrest throughout the city. Many in the city seemed to be inebriated during the war and Pollard blamed alcohol on the level of crisis: "Much of the disorder in Richmond was due to drunkenness. In spite of the law, in spite of all efforts to

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88 Richmond Daily Dispatch, August 4, 1863
89 Richmond Daily Dispatch, July 27, 1864.
stop it, drunkenness increased alarmingly. Soldiers and civilians, men and women, were encountered at nearly every street corner in different states of intoxication.\textsuperscript{90}

Although not a common crime among white women, there were a couple cases of murder during the war. Women seemed to have become more comfortable with committing crime because of necessity, but murder by a white woman was almost unheard of. Most of the time, the woman was found not guilty because the juries could not visualize a woman committing such violent and malicious crimes. The first was reported by the \textit{Richmond Daily Dispatch} on July 2, 1864:

The name of the old man who was murdered at his residence on Bowling Green Hill, just outside the corporation, on Wednesday morning last, was Ignatius H. Allen, instead of Peter Allen, as reported yesterday. The deceased was known to have about the house forty odd thousand dollars in gold, silver, and State money, all of which had been carried off before the discovery of the murder.--Elizabeth Bowers, an old woman who recently went to live with him, has been arrested on suspicion of being implicated in the dark transaction.\textsuperscript{91}

Although Bowers was accused of being “implicated in the dark transaction,” on October 29, the jury returned a verdict of not guilty after the examination of the witness.\textsuperscript{92} This outcome is not surprising, as a male jury would not want to find an older white woman guilty of murder.

Another interesting murder case came in the aftermath of the war, in November 1865. Because Richmond was taken over by Union forces in April of 1865 and publication of the \textit{Richmond Daily Dispatch} stopped, this murder was not reported on until December 12, 1865. The \textit{Richmond Daily Dispatch} offered the notes of the trial, which reflect the emphasis the defense put on Kirby’s insanity in order to avoid a murder conviction:

Mrs. Anne E. Kirby, charged with the murder of her husband, Robert F. Kirby, on the 21st of November last, was arraigned before the Hustings Court yesterday morning. Her condition was much the same as heretofore reported — either insane, or so well feigned

\textsuperscript{90} Pollard, \textit{Richmond's Story}, 182.
\textsuperscript{91} \textit{Richmond Daily Dispatch}, July 2, 1864.
\textsuperscript{92} \textit{Richmond Daily Dispatch}, October 29, 1864.
As to deceived [sic] the majority of spectators... What is the ground of the application? Mr. Crump repeated that Mr. Johnson, who was the original counsel in the case, was absent. He himself had not even heard the testimony. In addition to this, he had been informed that Mrs. Kirby's youngest child was very sick.93

Along with being “insane,” the defense lawyer also blamed Kirby’s actions on the fact that her “youngest child was very sick.” The male population could not fathom such a violent specimen amongst females and, therefore, had to blame her actions on insanity. The lawyer established her womanhood in his defense by blaming her actions on her youngest child’s sickness. Kirby was forced to claim insanity because normal, morally-refined women were not capable of murder.

White women’s crime became more of a fixture in society during the Civil War than it had been, yet society did not accept the actions of its females. This resistance to the gender norms of white womanhood became even more apparent when, two years into the war, hundreds of Richmond women gathered in the center of Richmond demanding the city’s officials for more bread, and political respect.

93 Richmond Daily Dispatch, December 12, 1865.
CHAPTER 4: RICHMOND’S BREAD RIOTS

Image 4.1: Right- Middle class women loot and pillage store fronts. Left- Women are portrayed in a primitive and monstrous way outside a bakery.

“We do not wish to injure anyone, but this lawlessness must stop. I will give you five minutes to disperse, otherwise you will be fired upon.” 94

- Jefferson Davis

When labour is so scarce that everything in human shape that is willing to work can make from two to four dollars in the day; when seamstresses refuse two dollars and a half with board, because the said board does not include tea and butter! Plunder, theft, burglary and robbery, were the motives of these gangs foreigners and Yankees the organizers of them.

-Richmond Daily Examiner, April 4, 1863.

94 Furgurson, Ashes of Glory, 194.
On the morning of April 2, 1863, hundreds of women gathered in the heart of downtown Richmond demanding bread for their families, the price of which had increased substantially since the beginning of the war. By 1864, flour alone was 60 times more than what it had cost in 1861. Before starting the riot, the leader of the mob, Mary Jackson, insisted that the women "first make an offer to pay government price for the goods they planned to seize." 95 Many of the women only intended to demand bread and other foodstuffs from Governor James Letcher at more reasonable prices, not create a scene of violence and rampancy. 96 When the governor refused, Jackson, wearing a white feather in her hat, and Minerva Meredith, carrying a pistol, led the female followers into a riotous state. Women "armed with six-barreled pistols, bowie knives, and hatchets forced their way into numerous stores, emptied them of their contents, impressing drays and carts in the street to haul off their loot, and holding off the police at gunpoint." 97 They took everything in sight, sacks of flour, flitches of bacon, barrels of sugar and coffee, candles, bolts of silk, brogues, cavalry boots, ladies' white satin slippers, and loaded it into carts and wagons that they had with them. 98 They did not limit their loot to foodstuffs. Jefferson Davis later noted that "though the mob claimed that they were starving and wanted bread, they had not confined their operations to food supplies, but had passed by, without any effort to attack, several provisions stores and bakeries, while they had completely emptied one jewelry store and had looted some millinery and clothing shops in the vicinity." 99 They were not just taking food, but looting luxury goods. This pillaging continued until the governor came out and read the women the Riot Act. When that did not quiet them, Jefferson Davis appeared. He walked into the rioting

95 Stephanie McCurry, "Bread or Blood!," Civil War Times, 50 (2011), 38.
97 Furgurson, Ashes of Glory, 194; McCurry, Confederate Reckoning, 185.
98 McCurry, Confederate Reckoning, 187.
crowd, stepping on top of a wagon that had been thrown onto its side in the commotion.

According to Varina Davis, her husband told the women to “go home so the bayonets facing them could be aimed against the invaders. Disorder would only mean famine, he said, because farmers would refuse to bring food to the city. He offered to share his last loaf with them but said they must beat their trials with courage and stand united against the enemy...He reached into his pockets and flung all his money into the crowd.” In his final words to the rioting women, he gave them an ultimatum: “We do not wish to injure anyone,” [Davis] said, “but this lawlessness must stop. I will give you five minutes to disperse, otherwise you will be fired upon.”

By three o’clock, the streets were empty.

This is the most highlighted event of white women’s crime in wartime Richmond. The increase of white woman’s crime in Richmond allows us to form a better understanding of the women involved in the riot. The day, April 2, 1863, became a microcosm of the growth of frequent, unorganized crime that took place daily on the streets of Richmond due to the city’s hardships and ever-increasing population. It represented the culmination of the frustration with law enforcement, hunger and deprivation, and the social disruption that the women suffered from during wartime Richmond. The Bread Riot was seen as a crime by society, but in reality it served as a political stance against the insistence of suppression of the second sex.

There are a number of scholars that have studied this notable event in Richmond’s history. Thomas Mowry’s “To Feed the Citizens: Welfare in Wartime Richmond, 1861-1865,” specifically describes the welfare of Civil War Richmond and includes a detailed description of the Bread Riot. His work provides a useful context. William J. Kimball’s “The Bread Riot in Richmond, 1863” delineates the causes, action and consequences of the riot itself. Michael

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102 McCurry, *Confederate Reckoning*, 185.
Chesson's "Harlots or Heroines? A New Look at the Richmond Bread Riot," takes this one step further, noting the inaccuracy of the recorded data of the Bread Riots in Richmond, correcting the mistakes found in the Dispatch, and answering questions such as exactly what caused the riots, who the rioters were, and what makes the riot in the Confederate capital by women significant. Catherine Clinton’s “Reading Between the Lines: Newspapers and Women in Confederate Richmond” uniquely reveals how Confederate Richmond newspapers struggled to acknowledge the new social roles that women were pushed into during wartime. She uses the coverage of the Bread Riots as an example of how the press failed to recognize women as important social actors.

The most recent scholarship on this topic is Stephanie McCurry’s Confederate Reckoning: Power and Politics in the Civil War South. McCurry’s conclusions are the most revealing about the effect of the politically-charged role of the females involved. She argues that the Bread Riot represents a “new political wartime culture” that women adopted out of necessity because of the lack of welfare and attention they were receiving from the government. McCurry explains that they “were...not just social phenomena that spoke to deep residual female moral values, [but] they were manifestly political events—a highly public expression of soldiers’ wives’ mass politics of subsistence—events in an American, Southern, and Civil War women’s political history that historians only now are beginning to write.” McCurry’s argument on the new political state of women helps to explain how society dealt with the new role of women. This new politically-charged role was not

103 McCurry, Confederate Reckoning, 191.
104 Stephanie McCurry, "Bread or Blood!" 38.
accepted by the government and even considered criminal because of the existing moral standards for women at the time.

Unlike many of the domestic crimes and other thefts committed by women, the Bread Riot was a premeditated event due. The spring of 1863 was a moment of crisis for Richmonders. The city was amidst a military crisis with the hundreds of thousands of deaths after multiple bloody battles. The Davis administration also had trouble feeding, fielding, and equipping the Confederate Army, especially in the months of April and March.\textsuperscript{105} There are multiple reasons as to why this riot began. The first points to the explosion of the Confederate ordinance laboratory that killed 69 people on March 18, 1863. A total of 62 of the 69 fatalities were women, most of them members of the poorest working class and mainly immigrants. Mary Ryan, a young Irish immigrant is blamed for the explosion on Brown’s Island.\textsuperscript{106} This explosion caused Richmonders to see death close to the home front for the sake of the war, a disheartening image.

The next cause was the introduction of commissary agents into Richmond’s markets. These agents would take local farmer’s goods to supply Confederate troops without compensating them at fair price. Therefore, farmers withheld their produce from the markets, which may have saved them from an economic loss, but also stopped provisions going to Richmond residents.\textsuperscript{107}

The third cause for the Bread Riot was the foot of snow that Richmond received from March 16 to 21, making the dirt roads, already damaged by heavy military use, extremely difficult for farmers to navigate, therefore, limiting food supply at the city markets.\textsuperscript{108} These causes for the riot pushed Mary Jackson and the other rioters to gather ten days previous to the

\textsuperscript{105} McCurry, \textit{Confederate Reckoning}, 179.
\textsuperscript{106} Chesson, "Harlots or Heroines," 134.
\textsuperscript{107} Chesson, "Harlots or Heroines," 134.
\textsuperscript{108} Chesson, "Harlots or Heroines," 134.
riot at a church on Oregon Hill, proved by the court testimony. The court testimony also revealed that women were, in fact, the instigators, not men as many suspected. It was shocking to society that a wife, mother, and meat huckster in Richmond, Mary Jackson, could pull off the "biggest civilian riot in Confederate history."\textsuperscript{109}

Aside from these Richmond-specific causes, there was also a Southern trend of female Bread Riots that developed in the spring of 1863. Many even thought these patterns of Bread Riots to be a Union conspiracy against the Confederacy. According to Chesson, the timing of the Richmond Bread Riot was most likely related to the other food riots and disturbances that were taking place in other Confederate states: on March 16, 1863, there was a food riot in Atlanta, Georgia, on March 18, 1863, there was a flour riot in Salisbury, North Carolina, and on April 1, 1863, there was a Bread Riot in Petersburg, Virginia. Richmond's \textit{Examiner} blamed these relatively proximal riots on "Northern agitators [who] had made their way to Richmond after causing disturbances further south."\textsuperscript{110} Women, such as Mary Jackson, may have been inspired by these other Southern riots, but there is no evidence that these events were planned together.

Mary Jackson, the Richmond ringleader, exemplifies the condemnation of politically-charged women by the Mayor's court and society as a whole. Mary Jackson, age 34, wife of a painter and mother of a Confederate soldier. Arrested for being a leader of the riot, the \textit{Richmond Enquirer} reported Mrs. Jackson as "a tall, daring, Amazonian-looking woman,"\textsuperscript{111} masculine adjectives typically used to describe a women involved in criminal, politically-charged action. Her husband, Elisha, was a painter, and her son was either volunteered or drafted into the army. She wrote JB Jones on multiple occasions requesting that her son be discharged from the

\textsuperscript{109} McCurry, ""Bread or Blood!,"" 38.
\textsuperscript{110} Chesson, "Harlots or Heroines," 137.
\textsuperscript{111} Quoted in Furgurson, \textit{Ashes of Glory}, 194.
Confederate army. She was a huckster in the Second Market for seven years before the riot. During the riot, she led thousands of women to store windows, gathering everything in sight in an effort to make a statement about the state of despair in Richmond. She had organized the event at a church on Oregon Hill. While awaiting trial, Mary Jackson was sent to jail, as a common criminal would be. She “petitioned for a habeas corpus that she, being innocent of the charges against her was illegally detained in jail.” The judge, “not thinking the suspicion of her guilt light, and not believing that her health would be endangered by confinement,” refused to set the bail. Jackson was not respected as the riot leader, but treated as a common criminal, not even given bail. On June 22, 1863, the Richmond Daily Dispatch reported, “Mary Jackson, charged with participating in the riot on the 2d of April, and held to bail to appear before the Mayor on last Saturday, failed to appear because of serious indisposition, and her bond was forfeited [sic]. The investigation, was then fixed for the 8th of July, by which time, it is hoped, the accused will be ready to answer.” She was finally tried on July 15, 1863, but the Richmond Daily Dispatch does not report the outcome of her trial. Although Jackson ultimately may have only been convicted of a misdemeanor (if it was proven that she had stolen anything), the way she was treated by the court and the press demonstrates the overall discomfort with a female leader. The actual circuit court records that listed Jackson’s final fate were burned and her sentence is unknown. However, the court’s reaction to this “Amazonian-looking woman” reveals more than enough information about society’s feelings towards women acting in the political sphere.

112 Chesson, “Harlots or Heroines,” 153.
113 Chesson, “Harlots or Heroines,” 153.
115 Richmond Daily Dispatch, June 22, 1863.
After Jefferson Davis threatened the group of women, they soon dispersed. However, a handful of the women were arrested and convicted. From the hundreds that attended the riot, forty-four women and twenty-nine men were arrested. 116 Twelve of the forty-four women arrested were convicted and one woman, Mary Johnson, was charged with a felony. 117 Lawyers represented only three of the twelve women. The other nine women were not represented by counsel. There does not seem to be any relation between the decisions of the jury and whether a woman was legally represented. 118 The main problem with convicting the rioters was that many of the women were too careful to be caught doing anything that could land them in prison. On October 12, Richmond’s *Enquirer* reported that Mary Jackson “was too smart to commit any overt act which might fix a penalty on her... It be found that no charge of felony could be sustained in her case, she was sent to Judge Meredith’s court to be tried for a misdemeanor... and it is more than probable that if she is not acquitted altogether, she will get off with some merely nominal punishment.” 119 Other women up for trial appeared to get off easier if they were lucky enough to possess desirable physical attributes. Chesson explains, “There does seem to be a relationship between youth and attractiveness and dismissal of charges, acquittal, or reduced sentences for those women possessing the desired characteristics.” 120 Both Mrs. Mary Woodward and Miss Laura Gordon, younger women who appeared in court well dressed escaped serious charges. 121 Women with sons or husbands fighting for the Confederate cause also seemed to receive special treatment from the courthouse. Unfortunate looking, middle-aged women did not receive the same treatment. Mary Johnson was sentenced to five years in the penitentiary.
under charges of a felony.\textsuperscript{122} In almost all cases the minority male rioters received more severe sentences after the riot. Four men were sent to the penitentiary after they were convicted of committing felonies in the riot.\textsuperscript{123} It is important to note, however, that one cannot be certain if the women and men arrested were the best examples of the majority of the rioters in the mob. Were the rioters mostly prostitutes, immigrants, or middle class women? We simply cannot be certain. Although those arrested may not represent the entirety of the crowd that was present at the riot, most of the records of the felonious rioting women found in the \textit{Richmond Daily Dispatch} represent the white, lower to middle classes.

Most newspapers that reported on the riot cited that those involved the riot were mainly prostitutes. However, this was not the case. Many of the women who were arrested were white, lower class women and German and Irish immigrants. The story of Mrs. Margaret Adeline Pomfrey, who was charged with being involved in the riot, demonstrates that not all women rioters were prostitutes. According to Chesson, the census of 1860, the slave census, and the New Kent County real and personal property tax books “confirm [that]...Mrs. Pomfrey did indeed own three tracts of land totaling 127.5 acres, as well as a small number of slaves during the 1850 and early 1860s.”\textsuperscript{124} This was an enormous amount of land for a woman to own, confirming her status as a middle class woman. Another example is Mrs. Barbara Idoll, a redhead, pregnant German, who “was a tentmaker earning twenty-five dollars a week. Her husband owned a house and lot in Rocketts. A jury acquitted her of rioting.”\textsuperscript{125} Although Chesson proves that middle class and lower class poor whites were involved, there, of course, were prostitutes amongst the crowd. Minerva Meredith, a well-known woman of ill fame

\textsuperscript{122} Chesson, "Harlots or Heroines," 164.  
\textsuperscript{123} Chesson, "Harlots or Heroines," 166.  
\textsuperscript{124} Chesson, "Harlots or Heroines," 163.  
\textsuperscript{125} Chesson, "Harlots or Heroines," 160.
according to the *Richmond Daily Dispatch*, was one of the most notable presences involved in the riot. According to the *Richmond Daily Dispatch*, she was found guilty, fined 100 dollars, and sentenced to six months in the city jail.\textsuperscript{126}

The *Richmond Daily Dispatch* never published a direct story about the Richmond Bread Riot as Jefferson Davis wanted to keep knowledge of the events hidden. Catherine Clinton notes how the “secretary of war forbade the telegraph from sending out over the wire any mention of anything “relative to the unfortunate disturbance.” It was feared that calling attention to the events would “encourage our enemies.”\textsuperscript{127} Either that, or Davis did not acknowledge the immoral and untraditional behavior of the rioting women as politically relevant. The *Richmond Daily Dispatch* only mentioned the riot in accordance with particular court cases, such as those of Mary Jackson, Minerva Meredith, and the forty-two other women that were arrested. The first mention of the riot in the *Richmond Daily Dispatch* was on April 14, 1863 among the Local Matters, ten days after the event took place:

James White, for stealing a check; Patrick Martin and James Organ, for assault and robbery; Richard Duff, for robbery, Mary Smith, for robbery; Samuel P. Drumheiler, for assault and robbery; Mary Johnson, (one of the rioters,) for felony; Virgil Jones, (another rioter) for felony, John Farrell, for theft; James Williamson, for theft, were all sent on for final trial before Judge Lyons. The "rioters" were refused ball [sic].\textsuperscript{128}

These men and women were all arrested on the same day. The men accused of robbery were most likely involved in the riot. The most interesting part about the first mention of the riot in the *Richmond Daily Dispatch* was that the rioters are not even legitimized because the word, rioters, was put in quotation marks.

Davis was not alone in his reaction to the riot. Men did not know how to react to this unheard of act. Their wives and mothers were in the streets begging for food and defying

\begin{footnotes}
\item[126] *Richmond Daily Dispatch*, May 8, 1863.
\item[127] Clinton, “Reading Between the Lines,” 31.
\item[128] *Richmond Daily Dispatch*, April 14, 1863.
\end{footnotes}
political authority. They abandoned their image of patriotic symbols of the South and the conception of womanhood. The anti-Davis newspaper, the Examiner, did report on the riot, but its descriptions of the women involved were extremely negative, painting them as prostitutes, not political figures. The editors of the newspaper, Chesson observes, “managed to combine class prejudice with ethnic, sectional, and sexist slurs in describing the rioters as criminals, prostitutes, Yankees, and foreigners, who were also physically unappealing as women.”

John M. Daniel, the newspaper’s editor, categorized nearly all the women involved in the riot as prostitutes. In the story published on April 4, he wrote, “A handful of prostitutes, professional thieves, Irish and Yankee hags, gallow birds from all lands but our own, congregated in Richmond, with a woman huckster at their head, who buys veal at the toll gate for a hundred and sells the same for two hundred and fifty in the morning market [and] undertook the other day to put into private practice the principles of the Commissary Department.” Daniel would not take ownership of these women. They came from everywhere else in the world but the morally refined city of Richmond.

The strategically-planned riot against the government allowed those involved to develop a political realm for women. Unfortunately, some, such as Jefferson Davis, did not see women in this new, unfamiliar political light. Davis did not know what to make of the political group of women. He did not see them as legitimate citizens and therefore could not seriously consider them as political activists. Although the women rioters have not been acknowledged as political activists until recently, the riot was somewhat effective in relieving the horrible conditions of the war. After it, there was a massive expansion of the public relief system. Just two days later, Mayor Joseph Mayo formed “a citywide committee to investigate the needs of soldiers’

129 Chesson, "Harlots or Heroines," 138.
dependents, and by April 9 it had appropriated "$20,000 for the relief of the families of solders." By April 13 the city council had written and passed new laws establishing a free market in food for the poor.\textsuperscript{131} Along with appeasing the rioting women, the city of Richmond also took precautions if there were another riot. Cannons were placed on the streets to oversee its residents.\textsuperscript{132} Yet, even with the results their actions achieved, the accused women were treated as everyday female criminals.

When compared to other Bread Riots in history, such as the March on Versailles in 1789, Davis' treatment of women seems severe. The French women suffered similar circumstances to the Confederate women: high inflation rates, causing the inability to afford bread and basic foodstuffs. The French women rioters, however, came back triumphant after their political statement and avoided imprisonment by the state. When the lack of food and the impact of hunger grew to be too much, "the women had begun to take a hand. The bread crisis was peculiarly their own, and from this time on, it was they rather than the men that [held] a leading role in the movement."\textsuperscript{133} During the March on Versailles, none of the women were arrested as the National Guard did not attack them. Their goal was simple: "the king must be made to come back to Paris, whether their commander-in-chief was willing to or not."\textsuperscript{134} After the march was ended, George F. E. Rudé explains, "the royal family, escorted by the Parisian National Guard and the marching women, made their triumphal return to the capital."\textsuperscript{135}

Richmond's women rioters, on the other hand, were called harlots and prostitutes. They were the lowest forms of women because according to the onlookers no genuinely moral woman could partake in such an offensive and politically-charged act. The most threatening, politically

\textsuperscript{131} McCurry, \textit{Confederate Reckoning}, 193.
\textsuperscript{132} Chesson, "Harlots or Heroines," 172.
\textsuperscript{134} Rudé, \textit{The Crowd}, 77.
\textsuperscript{135} Rudé, \textit{The Crowd}, 77.
engaged women of the riot were immediately arrested. They were not triumphant and have not even been acknowledged as political figures until recently by McCurry and Chesson. This new female introduced by criminal activity and involvement in the Bread Riot was not accepted by the morally-rigid Richmond society.

Although McCurry’s analysis of the Bread Riot as a political movement of women is useful to my understanding of the event, she does not provide a context of the crime of women in criminal Richmond. My work goes beyond what she did in explaining what happened on the streets of Richmond before the riots. Through my development of the context of the Bread Riot, others can judge her work more effectively. Women were arrested daily for petty theft, assault, and public intoxication. The Bread Riot was a culmination of the frustration and anger that women were going through daily. According to McCurry, these women were politically inspired, but because of the amount of increasing crime in the war torn city, this act can also be considered a largely orchestrated criminal act. Whether a carefully planned political act or an orchestrated criminal event, the city of Richmond feared the new roles that white women had assumed.
CHAPTER 5: RICHMOND’S REACTION TO THE “NEW GENDER NORM”

The Richmond judicial system struggled with how to address the increase in criminality among women because of the changing perception of the definition of womanhood. Initially, the jury convicted the majority of the women that were arrested. (See Table 5.2.) In 1861, all four of the white female thefts found in Hustings Court records were convicted. In 1862, the one woman arrested for theft was convicted. In 1863, four out of the ten total arrested were acquitted and six were convicted. In 1864, of the eight women arrested, only one was convicted and seven were acquitted. In the four-recorded years of the war, the jury went from having a one hundred percent conviction rate to a thirteen percent conviction rate. Sarah Davis’s case exemplifies the jury’s more liberal court rulings that began in 1862:

Commonwealth v. Sarah Davis- Indictment for receiving stolen goods knowing them to have been stolen. The defendant was this day led to the to the bar in the custody of the Sergeant, and being arraigned pleaded not guilty, and... being joined upon the said plea, a Jury Court: Wm B. Gabuey, H.W. Phillips, Richard J. Alvey, James Kirby, William Fleishchman, James J. Sutherland, David Wilson, Joseph S. Tobinson, Philip F. White, R.J. Valentine, R. W. Robinson, and J.R. Keiningham, were sworn the truth to speak on the... joined, and having heard the evidence, returned a verdict in these words, “We the jury find the prisoner not guilty.” Whereupon it is caused by the Court that the said Sarah Davis be acquitted and discharged of the said offense. 136

Davis was accused of stealing “a lot of shoes and calico”137 on April 9, 1863. Tried by a jury made up of twelve men, she was acquitted. Two years earlier she may not have been as lucky. The aforementioned Julia Cugan, for instance, was arrested in November 1861 for stealing a lot of old clothes from Joanna Sexton. The Richmond Daily Dispatch reported that she was sentenced to six months in the city jail. 138

136 Hustings Court Records, 1863, Library of Virginia.
137 Richmond Daily Dispatch, April 9, 1863.
138 Richmond Daily Dispatch, November 25, 1861.
The acquittal and conviction rates of white female theft are even more telling when looking specifically at the year of the Richmond Bread Riot. According to the *Richmond Daily Dispatch* reports there were twelve women brought to trial in 1863. From January to April 1863, there was one white woman brought to trial and she was acquitted. After the Bread Riot took place on April 2, the number of convictions increased. Of the eleven total white women brought to trial after April 2, six of them were convicted and five were acquitted. The court became stricter with their conviction rates after the fear that the female riot evoked within the capital of the Confederacy. Perhaps the elevated conviction rates were an attempt to punish the women for causing the city so much embarrassment. However, the following year, the conviction rate returned to thirteen percent where only one out of the eight women arrested for theft.

**TABLE 5.1: Acquittal vs. Conviction Rates of White Female Theft Before and After the Bread Riot**

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Acquitted</th>
<th>Convicted</th>
<th>% Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before Bread Riot</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>After Bread Riot</td>
<td>11</td>
<td>5</td>
<td>6</td>
<td>55%</td>
</tr>
</tbody>
</table>

The *Richmond Daily Dispatch* records of acquittal and conviction rates differ from the Richmond Hustings Court records because of the illegibility of the Hustings Court records.

For information on white female acquittal and conviction rates, see Richmond Hustings Court reports in the *Richmond Daily Dispatch*. 
The reason for the shift in conviction and acquittal rates throughout the war cannot be answered simply. Either the male-powered courthouse developed empathy for these women during the time of the community's collective hardship or the juries were overburdened and overworked from the constant strain caused by the ongoing war, resulting in more lenient court rulings. The gendered aspects of crime and punishment may be better understood within the prevailing image of womanhood that may have affected the court rulings.

Although the government attempted to alleviate the stress of those suffering, the jury was still empathic for single women that could not feed themselves or their families. Many of the efforts to relieve the economic stresses were made after the Bread Riot, which was seen as a warning that many Richmonders were hungry and dissatisfied.\(^{141}\) The riot produced results. Just one after, “the council ordered the Overseers [of the Poor] to investigate living conditions among soldiers’ families and the “honest poor.” It empowered the Overseers to distribute food and fuel tickets to those in need, and it established two free markets in the city where recipients could redeem their rickets for supplies provided by the municipality.”\(^{142}\) The government was attempting to help the hungry. Its welfare program went from providing help to 426 paupers in 1860 to helping the entire city by 1865.\(^{143}\) The cost of living was still extremely expensive and multiple women, as proven by the *Richmond Daily Dispatch* were driven to steal, leading to their arrests.

However, their actions were simply not enough, especially since many of those suffering were poor, single Irish or German immigrants and not just limited to soldiers' families. The developed sympathy for the women criminals was especially prevalent in the *Richmond Daily Dispatch*.

\(^{142}\) Thomas, "To Feed the Citizens," 27.
\(^{143}\) Thomas, "To Feed the Citizens," 29.
Dispatch's records in 1864. These reports suggest that by the end of the war Richmond had changed as a community. Out of crisis they came together as seen through the court's developed sympathy for its female criminals. In a report from March 16, 1864, the court's sympathy was extremely clear:

Louisa Langford, an old, sickly-looking white woman, was charged with stealing a pig from a man named Ritter. The pig was found by the police in Mrs. Langford's house in a cooked state; but on her claiming that it was brought there by her little son and another boy, and that, being almost starved, she could not resist the temptation to eat it. His Honor took compassion and discharged her.144

Louisa Langford admitted to the crime of stealing the pig, but because she and her children were starving she was not punished. Langford was just doing what was necessary to feed her children and the court understood that because the entire community was suffering. In August of the same year, another woman was released because of empathy that the court had for her situation:

Maria Canary, charged with buying one ladies' dress, knowing the same to have been stolen, was found guilty by the jury and sentenced to thirty days imprisonment in the city jail. Subsequently, however, an appeal was made in her behalf for commutation of sentence on the ground of her having five little helpless children dependent entirely upon her for a support, and the court thereupon reconsidered their verdict and lessened the number of days for her confinement to five.145

Canary was a white woman attempting to feed her family without the help of a husband. She had "five little helpless children" that were entirely dependent on her. She was arrested for buying a dress knowing that it had been stolen. However, how would this stolen dress help her family in the long run? Was Canary planning on selling it for a higher price? It is interesting that this crime is what drew sympathy from the court. After an initial sentence of thirty days in prison, Canary must have called attention to her unfortunate family situation in order to draw empathy from the courthouse. However, perhaps there is a correlation between being acquitted for stealing clothing versus food. In the same year, Ann Riley, who was charged with stealing seven pounds of bacon

144 Richmond Daily Dispatch, March 16, 1864.
145 Richmond Daily Dispatch, August 13, 1864.
from Susan Needham, was discharged. However, this time it was because the Mayor was "very much annoyed by the crying of a child" that she was holding in her arms.\(^{146}\) This case suggests not so much a matter of sympathy for the defendant, but an annoyance with the noises of a child. However, it still demonstrates the decreased importance of penalizing women for their crimes, as was done during the early years of the war. Frances Taylor and E. Emenhiser, too, were discharged in 1864 for crimes that would not have previously been overlooked. Mrs. Emenhiser had been charged with receiving a lot of stolen dry goods. The jury could not agree on her sentence and released her.\(^{147}\)

Another possibility for the increased acquittal rate was the lack of room in the penitentiary because of the drastically increasing number of wartime crimes. On April 2, 1863, the day of the Bread Riot, the *Richmond Daily Dispatch* reported, "There are [are] now confined in this prison over 140 persons, who are supported at an expense of $1.25 per day to the State. This sum barely suffices for their maintenance. The number of prisoners are [sic] increasing daily."\(^{148}\) Just a few months later, on June 9, 1863, the paper once again complained of the same overcrowding:

> These war times have thrown upon our community a vast number of thieves of every grade, whose crimes are massing them in the penitentiary in vast numbers. Judging from the convicts sent to this institution within the past ten days, its cells will soon become so crowded that they cannot be taken care of without large additions to the buildings. What, then, is to be done with them? Are they to be kept in comparative idleness, a heavy tax upon the people? Or shall they be made useful on public works?--The subject is one worthy of serious consideration, and we trust will receive it.\(^{149}\)

Another newspaper, the Richmond *Whig*, on January 16, 1864 reported on the overcrowding of the penitentiaries: "...Governor Letcher states, in his communication, that he exercised the

\(^{146}\) *Richmond Daily Dispatch*: June 15, 1864.

\(^{147}\) *Richmond Daily Dispatch*: August 15, 1864.

\(^{148}\) *Richmond Daily Dispatch*: April 2, 1863.

\(^{149}\) *Richmond Daily Dispatch*, June 9, 1863.
pardonng power more frequently than he would otherwise have done, owing to the fact that the penitentiary was over crowded with convicts.\textsuperscript{150}

Richmond had become a city overwhelmed by social disruption, both in the city streets as well as in the domestic sphere. The citywide social disruption also allowed for a new gender norm to be developed. Not all women were criminals, but it permitted women to break away from society’s constraints based on their biology. Both the criminals and the courthouses felt this disruption and reacted, resulting in a drastic change of acquittal rates from the beginning to the end of the war, at least in the case of white female crime. The white male acquittal and conviction rates do not entirely deviate from the female data. (See Table 5.3.) Like the females, in 1861 and 1862, males were convicted more than they were acquitted. This changed drastically in 1863, when the total number of males tried for thefts almost quintupled and almost three-fourths of those tried were acquitted. However, unlike the acquittals in white female theft, which in 1864 continued to grow while convictions steadily declined, the percentage of the accused white males in 1864, decreased from almost three-fourths of the total to two-thirds. Clearly, between the white male and female theft rates there was a greater amount of leniency that existed in the courthouse by the latter years of the war. But more specifically, the differences in the male and female acquittal rates demonstrate the greater amount of empathy the jury had for female offenders. Perhaps the jury was less empathetic for the men they were arresting because they were the stragglers that had somehow escaped volunteering for the war. Or perhaps, they were more severe in their rulings because they had a stigma against single men who were not providing for wives or children.

Perhaps, women were taking advantage of the more lenient court rulings, and committing more crimes because of it, knowing very well that they would be acquitted. Regardless of the

\textsuperscript{150} The Richmond Whig, January 16, 1864.
conviction rates, through their crimes, Southern white female women unintentionally created a space for themselves in a society that years earlier did not consider them citizens.

TABLE 5.2: *Acquittal vs. Conviction Rates of White Female Theft from 1861-1864*\(^{151}\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Acquittals</th>
<th>Convictions</th>
<th>% Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1861</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>100%</td>
</tr>
<tr>
<td>1862</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>100%</td>
</tr>
<tr>
<td>1863</td>
<td>10</td>
<td>4</td>
<td>6</td>
<td>60%</td>
</tr>
<tr>
<td>1864</td>
<td>8</td>
<td>7</td>
<td>1</td>
<td>13%</td>
</tr>
</tbody>
</table>

TABLE 5.3: *Acquittal vs. Conviction Rates of White Male Theft from 1861-1864*\(^{152}\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Acquittals</th>
<th>Convictions</th>
<th>% Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1861</td>
<td>5</td>
<td>2</td>
<td>3</td>
<td>60%</td>
</tr>
<tr>
<td>1862</td>
<td>5</td>
<td>1</td>
<td>4</td>
<td>80%</td>
</tr>
<tr>
<td>1863</td>
<td>23</td>
<td>17</td>
<td>6</td>
<td>26%</td>
</tr>
<tr>
<td>1864</td>
<td>30</td>
<td>20</td>
<td>10</td>
<td>33%</td>
</tr>
</tbody>
</table>

\(^{151}\) Hustings Court Records, 1861-1865, Library of Virginia.

\(^{152}\) For information on white male acquittal and conviction rates, see Richmond Hustings Court reports in the *Richmond Daily Dispatch*. 
CONCLUSION

After analyzing the criminal acts of white females, their crimes seemed to have established a more realistic image of woman in the mid-nineteenth century. The extraordinary time of the Civil War called for extraordinary measures to be taken by all. Gender roles were suspended during wartime, demonstrated by the overall increase in crime in Richmond by white women, but most prominently in the Richmond Bread Riot. By establishing the context of crime in Richmond, my research has expanded and helped further explain McCurry’s own research of this event, demonstrating white women’s pre-established criminality allowed them to become politically involved. In other communities that did not have Bread Riots, the courts may have been more sympathetic towards the accused because there was no need to establish a sense of fear or punish those women that had disrupted society. It would be valuable to do a comparative analysis of the women criminals in Richmond with the criminals in a city, like Atlanta, and analyze what happened to the crime in a city without a riot. It would also be revealing to analyze the specific conviction and acquittal rates of women according the stolen object itself, food versus clothing, for instance. Had the US Census of 1860 been more fruitful, it would have been interesting to compare the conviction rates of single versus married women with children or also immigrants versus Richmond residents. Regardless of these still unanswered questions, the increase of white female crime during the war came as a shock to the patriarchal society. These women seized the space made available to them by the wartime conditions. Southern women may have not been involved in the fight for suffrage, but their criminal acts unintentionally enabled them to become more legitimate public figures in the patriarchal society.
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