

Violent Crime, Victims, and Society in Pennsylvania, 1682-1800

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This paper is an inquiry into violent crime in one of the most honored places in modern history and the first liberal society in the Western world: Pennsylvania.¹ From its inception to the present, early Pennsylvania has enjoyed an unmistakably good reputation, especially because the liberal present honors its liberal ancestor. While Pennsylvania was still novel, Voltaire called it "the golden age of which we have all heard so much, and which has apparently never existed except in Pennsylvania." It was the "Utopie de Penn," declared the Abbé Raynal. "This republic," he continued, "without wars, without conquests, without effort . . . became a spectacle for the whole universe." "Behold and see peace and happiness reigning with justice and liberty among this people of brothers." "Happy Pennsylvania, thou Queen of Provinces," exclaimed J. Hector St. Jean Crèvecoeur. As he traveled among Pennsylvanians, evangelist George Whitefield recorded that "Their oxen are strong to labour and there seems to be no complaining in their streets. . . . The Constitution is far from being arbitrary; the soil is good, the land exceedingly fruitful, and there is a greater equality between the poor and rich than perhaps can be found in any other place of the known world." It was the "best poor man's country on earth."²

The philosophes of the French Enlightenment—Voltaire, Montesquieu, Abbe Raynal, Chevalier de Jaucourt, the Encyclopedists—especially made Pennsylvania a byword. In the *Encyclopédie* and Raynal's *History of the Indies* they broadcast the success of Pennsylvania until it became general knowledge among literate, hopeful men and women. Pennsylvania proved the wisdom of their liberal critique of the ancien regime and of their prescriptions to change or replace it: "people could be happy without masters and without priests."³

While some of these enthusiasts, like Voltaire, had never been to Pennsylvania and others, like Crèvecoeur, had, neither were grossly mistaken about it. In varying degrees, Pennsylvania's laws and government, religious freedoms, social structure, and economy were what they asserted. Historians now soberly affirm what the Enlightenment savants wrote: Pennsylvania was "a worldly success," "an ideal colony," "a hopeful torch in a world of semidarkness."⁴

After independence in 1776, attention to America swelled along with hope for change in Europe and revolution in France. While an independent United States inspired European liberals as Pennsylvania earlier had, it was still the

image and model of Pennsylvania that served Europeans' need. As William Bradford told James Madison in 1774, Pennsylvania was to America what America was to the rest of the world—a peculiar land of freedom.⁵

Admirers of Pennsylvania did not comment on crime in this reported utopia or offer their readers any reasons that crime might conceivably trouble Pennsylvanians. Whether they were uninterested, uninformed, awed by obvious successes and novelties, or too intent on the polemical value of an unblemished Pennsylvania, they did not discuss crime. Of the remarkably long list of foreign observers of liberal America, republicanism, or democracy, Tocqueville—in the 1830s—stands out for his uneasiness about liberalism and its possible defects. Nevertheless, in the 1780s, even as an independent United States convinced hopeful men and women in the Western world of the practicality of turning a welcome corner in the history of human relationships, exemplary Pennsylvania sentenced to death more felons in ten years than much less tolerant Massachusetts condemned in fifty.

From grouching to shrieking about it, in every decade some Pennsylvanians took note of crime. William Penn was among the earliest to concede the presence of “Lewdness and all manner of Wickedness” in the province. “Sabbath breaking, drunkenness, idleness, Unlawful gaming and all manner of prophanesse [sic]” raised complaints in 1693; a year later observers bewailed the fact the colony had “fallen into Disorder and Confusion” and protested that the “publick peace & administration of Justice was broken and violated” daily. In 1700 the Provincial Council admitted that “some laws [were] simply ignored by all.” And thereafter, punctuating the passing decades, came laments about “the growth of vice,” theft “as a growing evil,” “frequent riots,” “disorderly Practices,” “barbarous Transactions,” “vice and immorality,” “numerous robberies and burglaries,” “audacious Encroachments onto Indian lands,” “murders,” “Miscreants who . . . have stained themselves with sins of the deepest Dyes,” “horse thefts,” “Licentiousness and many disorders,” the “Increase of Vagrants and Idle Persons,” the fact that “the jails are full,” and the pervasive presence of “Looseness and vice.” And at the close of the century, Moreau de St. Méry observed in 1798 that Pennsylvanians outside Philadelphia “have neither justice nor public security.”⁶

How could this be? Very little in the elegiac remarks above about Pennsylvania would lead a listener to predict it. Perhaps commentators misrepresented Pennsylvania, some of them exaggerating its wholesomeness, whereas others exaggerated its licentiousness. It seemed reasonable that the situation must be the one or the other, wholesome or criminal. But perhaps it was both, and both camps had some grip on the truth: Pennsylvania deserved the elegies and also the complaints. We do not believe that the commentators from either camp misrepresented Pennsylvania, but we also find that few of their depictions were comprehensive enough. In this article, we address what

was more often missing or slighted in the depictions, the unenviable side of Pennsylvania society—its violence and licentiousness.

Murder

Five hundred and thirteen homicide cases came before Pennsylvania courts prior to 1801, representing 1.6 percent of all crime prosecuted there.⁷ (See Table 1) The number of prosecutions of homicide far exceeds the total in any other continental British colony except Virginia, which had a longer history and larger population. One hundred and thirty-six suspected murders came before Pennsylvania magistrates in the 1780s alone, more murders than Massachusetts prosecuted between 1750 and 1800.⁸ In the eighteenth century, even England became less perilous; London (urban Surrey) enjoyed a consistently declining homicide rate and rural England (Sussex) almost exactly imitated that decline. Pennsylvania was more troubled than England, and Philadelphia was more troubled than Pennsylvania generally. (See Table 2) In the 1720s, Pennsylvania's homicide rate (indictments) exceeded London's highest eighteenth-century rate; after 1760, Pennsylvania consistently exceeded London. Comparing cities, Philadelphia's homicide rate for 1720-1780 was two and a half times that of London in the same period.⁹ Comparing rural precincts, the highest homicide rate in eighteenth-century Sussex County, England only three times exceeded the *lowest* rate in rural Chester County for the same century. Philadelphia was more violent than its nineteenth-century successor. Roger Lane has demonstrated that the latter-day city was a violent

Table 1
Pennsylvania Homicides

<u>Decade</u>	<u>Homicides</u>
1680s	1
1690s	4
1700s	2
1710s	10
1720s	18
1730s	16
1740s	17
1750s	30
1760s	64
1770s	99
1780s	154
1790s	98
Total	513

metropolis until the urban industrial revolution composed it. But in four decades from 1720 to 1780, the homicide rate in colonial Philadelphia exceeded the highest rate in the nineteenth century.¹⁰ In the 1760s it was 175 percent of the worst rate in the nineteenth century.

Examining homicide rates by regular intervals like decades is a reasonable and customary way to proceed and almost necessary in order to compare Pennsylvania to other jurisdictions. But Pennsylvania's history has its own unique,

Table 2
Homicides per 100,000 Population¹

	Pennsylvania Accused	Pennsylvania Indictments	Chester County Accused	Chester County Indictments
1680s	1.5	1.5	0.0	0.0
1690s	2.7	2.7	4.8	4.8
1700s	0.9	0.5	2.8	0.0
1720s	3.6	3.6	7.5	7.5
1720s	4.5	4.5	5.9	5.9
1730s	2.3	2.3	2.9	2.9
1740s	1.6	1.5	1.1	0.6
1750s	1.9	1.9	4.0	4.0
1760s	3.0	2.6	3.1	2.7
1770s	3.4	2.6	4.9	4.5
1780s	4.0	2.1	2.5	1.3
1790s	1.9	1.3	2.6	1.7

	Urban Surrey Indictments	Sussex Indictments
1660-1679	8.1	2.6
1680-1699	5.0	1.9
1700-1719	3.9	1.2
1720-1739	2.8	1.1
1740-1759	2.0	1.9
1760-1779	1.7	0.5
1780-1802	0.9	0.6

1. Sources: J. M. Beattie, *Crime and the Courts in England, 1660-1800* (Princeton: Princeton University Press, 1986). Roger Lane, *Violent Death in the City: Suicide, Accident, and Murder in Nineteenth-Century Philadelphia* (Cambridge, Mass.: Harvard University Press, 1979).

Table 2
(continued)

	Philadelphia ² Accused	Philadelphia Indictments		Philadelphia Indictments
1720s	3.3	3.3	1839-1845	3.7
1730s	6.9	6.9	1846-1852	3.1
1740s	5.9	5.9	1853-1859	4.0
1750s	3.1	3.1	1860-1866	2.4
1760s	7.4	7.0	1867-1873	3.3
1770s	6.5	6.2	1874-1880	3.7
1780s	1.0	0.8	1881-1887	2.4
1790s	0.2	0.2	1888-1894	2.2
			1895-1901	2.7

2. There is only one homicide indictment in Philadelphia before 1720, in 1697, and reliable population estimates before 1720 are rare. Therefore the table begins with the 1720s.

irregular rhythms punctuated by events and changes that may be meaningful for understanding its homicide rates. Events may suggest which years' homicides to examine for any response to the events, and contrariwise, numbers may prompt us to look to events for possible causes. If we look first at annual homicides for all of Pennsylvania beginning in 1682, an increase appears beginning 1718 and continues until 1732, when there were eight. In 1733 there were none, so that we arbitrarily close this period of higher activity at 1732. Table 3 displays among other eras, the aggregate rate for the period 1718-1732 in Pennsylvania, Chester County, and Philadelphia. In Chester County, the homicide rate positively surged, from 0.9 to 9.0, producing the worst episode in the county's history. Philadelphia trails the two other locales, but its rate increased too since there was only one homicide prosecuted in the city before 1718.

The significance of the date 1718 and the following decade or more is that beginning 1717-1718 Pennsylvania received its first significant numbers of non-English and -Welsh immigrants, the Germans and Ulster-Scots. Their numbers would grow much more in the 1720s—a decade of remarkable political activism and disorder. In the 1720s, long-time residents of Pennsylvania bemoaned the degeneration of their social condition and blamed the licentiousness of the recent arrivals. A burglary at the home of wealthy Philadelphian Jonathan Dickinson in 1719 caused Isaac Norris to complain that “many Robberies are committed Such as never heretofore known in the Country. The people who were never before under apprehensions of the kind are

Table 3
**Homicides per 100,000 Population
 by Historical Eras**

	Pennsylvania Accused	Pennsylvania Indictments
1682-1717	1.1	1.0
1718-1732	3.4	3.4
1733-1754	2.0	1.9
1755-1764	1.0	1.0
1765-1775	4.9	4.2
1776-1783	1.9	1.5
1784-1794	3.8	2.5
1795-1800	1.5	1.1

	Chester County Accused	Chester County Indictments
1682-1717	1.9	0.9
1718-1732	9.0	9.0
1733-1754	2.4	2.2
1755-1764	1.2	1.2
1765-1775	5.3	5.0
1776-1783	3.1	2.2
1784-1794	2.6	1.5
1795-1800	3.2	2.2

	Philadelphia Accused	Philadelphia Indictments
1718-1732	2.2	2.2
1733-1754	6.0	6.0
1755-1764	1.6	1.6
1765-1775	12.2	11.6
1776-1783	1.0	1.0
1784-1794	0.4	0.2
1795-1800	0.3	0.3

now afraid of travelling the Roads." Things got no better; in 1728 Norris wrote that "in my memory we could Safely go to bed with our doors open but now Robberies, housebreaking, Rapes, & other crimes are become Common." Through the 1720s and early 1730s Philadelphia Monthly Meeting of the Society of Friends often condemned the licentious immigrants, using amazingly candid language for Quakers, in reporting its disgust. In a publicly distributed broadside in 1732, the meeting blamed the growth of crime on the "great numbers of the vicious and scandalous Refuse of other Countries."¹¹

The next two increases in annual homicides began in 1764 and in 1784 and each lasted for ten years. (See Table 3) They had much in common: their beginnings coincided with the ends of the two greatest wars in seventeenth- and eighteenth-century Pennsylvania, the French and Indian and the Revolution. Before 1755, the colonial wars hardly affected the province socially or economically. The significance of these two post-war increases is suggested by the work of J.M. Beattie on crime in eighteenth-century England, although not his work on homicide. Beattie, and Douglas Hay before him, discovered a correlation between property crimes and war or peace.¹² In wartime, prosecutions for property crime declined and when the wars ended, prosecutions clearly increased. While the increases were in property crimes, Beattie observes that demobilization put into the general public men trained in the use of weapons and some of them accustomed to violence, and that the prior mobilizations had enlisted potential criminals into military service. Table 3 includes homicide rates during periods of war and the ensuing periods of international peace.

In the years of the French and Indian War and Pontiac's Rebellion (1755-1764), the Pennsylvania homicide rate fell to its lowest in these eight historical intervals. In the ten years after the war the rate soared. When the Revolutionary war engaged Pennsylvania (1776-1783), the rate fell again. When the war ended the arrest rate almost doubled. These two wars produced immense changes in Pennsylvania's history. Now it seems that the wars affected Pennsylvania society in yet an additional way than we have heretofore understood. Before the statistics were compiled, we were provided with clues to the trouble. William Bradford, who knew more than anyone about Pennsylvania's criminal history and about its crime and prosecution patterns, concluded that by the late 1780s and early 1790s violence had become a grim feature of life in Pennsylvania. "It cannot be concealed," he wrote, "that homicides have been very frequent [in Pennsylvania]." He believed that Pennsylvania society was even more violent than Edinburgh or London, and that Philadelphia suffered more murders than either Scotland or England, and he frequently said so in public.¹³

Keeping the record of England and the works of Beattie and Hay in mind, we recognize that war affected Americans in ways that affiliate Americans with

the English experience. Distance and new politics—a Holy Experiment, Enlightenment liberalism, or republicanism—did not insulate Americans from the unwelcome effects of common historical features of European history. Wars' effects substantially reduced the vaunted exceptionalism of Pennsylvania and made it one among many societies.

Even though the homicide rates were high, the statistics above do not completely take the measure of homicides in Pennsylvania; they are only the homicides known to the courts and prosecuted. From newspapers and coroners reports we can add deaths which went unsolved and unprosecuted; some possibly were murders while others certainly were. A Philadelphia man digging in his garden in March 1743 unearthed the remains of an apparently slain female. An unknown person slew Chester's William Wilson as he rode toward Philadelphia late one night in October 1751. Three men were found dead in 1733 alongside a road. Two had had their heads cut off, the third had been shot in the head. A sailor, "presumably murdered," was discovered near one of Philadelphia's wharves in June 1767. In May 1742 a Negro woman was pulled from the Delaware River. "Barbarously murder'd," she had been "cut open from her Collar bones to the lower Part of her Belly, and sewn up with double ozenbrigs Thread." A "most horrid murder was committed . . . on the body of George Fiddler, cordwainer," in Arch near Front Street in July 1784. While Fiddler sat in front of his door smoking his pipe, an unknown assailant had plunged a knife into his heart.¹⁴ Throughout 1794 an unknown killer stalked the streets of Philadelphia preying upon unsuspecting females. He (or she) killed by driving a sharpened awl into victims. Thirty years earlier another mysterious killer had employed a similar *modus operandi*, distinct only in that he preferred a knife to an awl. In the spring of 1800 a similar series of unsolved murders occurred.¹⁵ Some of these unsolved murders bear the frightening evidence that innocent men and women, who had done nothing to provoke or deserve assault, were murdered. The phenomenon and the fear are not exclusive to the twentieth century.

As several of the examples above disclose, cases of homicide in Pennsylvania sometimes took an unmistakably depraved character. Henry Hander the younger, a laborer in Lebanon Township, Lancaster County in 1761, who, believing that Jacob Kissell had "used him ill," stabbed Kissell in the throat and threw him out the door. Kissel screamed for Hander "to let him alone for he was most dead," but Hander pursued the fallen man, grabbed him by the hair and cut off his head. He then threw dirt and snow on the body, laughing and talking to himself.¹⁶ Yet egregious violence, like violent crime generally, more often occurred among acquaintances and even within families. Most murder victims knew their assailants—like most of their modern counterparts. 23.8 percent of murder cases which led to the death sentence involved persons related to the victims. Nicholas Wyriek, for example, day after day

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systematically tortured his young daughter, smashing her with his fists and burning her with hot objects before she died.¹⁷ John Myriack's murder of his family in 1755 was only the most bloody example of that pattern. Myriack (or Myrack) of East Caln Township in Chester County flew into a rage and murdered his wife, then burned her face so "that no Person could know her." Having dispatched his spouse, he then killed his two children and a neighbor's infant who was being nursed by Mrs. Myrack by swinging their bodies so that their skulls were "beat to peaces [sic] against a rock that was before his door." Josiah Ramage's 1786 slaying of his wife of thirty-seven years in Franklin County was equally brutal. After beating his wife to death with fire tongs, Ramage climbed upon a table and repeatedly jumped upon her lifeless body in a frenzied attempt to crush her.¹⁸ Chester County's John Lewis brutally strangled his expectant wife as she neared her time.¹⁹ Thirteen other men faced juries for killing their spouses, and a dozen or so others were suspected of doing so. There were more cases of supererogatory violence, but they add little more to the profile of violent murder in the province.

Men who committed murder far outnumbered women murderers. Of the 321 recorded charges of first degree murder, men were involved in 278 (86.6 percent). They also monopolized authorities' attention in 113 of the 120 manslaughter prosecutions. Only in infanticide proceedings did females constitute the overwhelming majority of defendants. Even there, several men were charged with abetting the accused women. In 1732, Peter Harp was convicted under the infanticide statute of aiding Margaret Shitts in concealing the birth, death, and burial of her illegitimate child. Negro Abraham was tried as an accessory in the infanticide prosecution of Northampton's Hilkiah Vanveyan in October 1780. However, the primary targets in most infanticide cases were females. Of the seventeen women condemned to die for murder, thirteen were convicted of infanticide, and four for killing adult females. All four females in the latter cases were charged in connection with a male accomplice and appeared to be more the abettor than the principal perpetrator.

Also, as victims of homicide, men far outnumbered women. Of the eighty-four men sentenced to die for the crime of murder (records in cases where defendants were acquitted are less reliable regarding victims), sixty-five (77.4 percent) slew other men.²⁰ In nineteen cases the victims were female. In ten of these nineteen the slain were wives of the accused. Among the remaining nine, four involved elderly females slain during robberies, one victim was the mistress of the accused, and one was "a squaw."

Assault

Almost one-third (N=10,133; 30.7 percent) of all criminal charges recorded between 1682 and 1800 involved some type of assault upon persons. Assaults comprised the largest single category of criminal prosecutions in Penn-

sylvania. The proportion of all crime occupied by assaults increased until the 1730s after which it ranged between 20 and 40 percent. (See Figure 1). A singular exception to assault's predominance among crimes occurred in Philadelphia. Whereas it was the most common crime in rural Pennsylvania, in Philadelphia theft or property crime was. The difference is the most striking urban-rural distinction in early Pennsylvania, but no surprise since there was much more portable wealth in the city and consequently more opportunities for theft.

Rates of assault disclose some regional patterns and chronological trends, although not without exceptions. Chronologically, assaults distinctly increased at the close of the eighteenth century.²¹ (See Table 4). Assaults increased in populous and long-lived jurisdictions like Chester County and Philadelphia city, as well as in younger and less populous jurisdictions like Cumberland and Berks Counties. In the city, where news traveled faster and propinquity to violence probably troubled residents more than in the countryside, Philadelphians noticed the increased violence. When three men died as a result of fighting in May 1795 Philadelphia Quaker Elizabeth Drinker commented that there might have been "an uproar" from the public forty or fifty years ago, but such deadly violence had become commonplace. Moreau de St. Méry, who lived in Philadelphia during the 1790s, was struck by the number of "quarrelsome" men and women who "boxed" and "brawled" in the streets.²²

In younger counties like Bedford, Dauphin, Huntingdon, Mifflin, and Somerset the rate of assault was exorbitant in the 1790s, although these counties were too new to show a rise from the pre-1790s. York and the counties west of Bedford, Dauphin, Huntingdon, Mifflin, and Somerset (to wit, Fayette, Greene, Washington, and Westmoreland) did not, however, show exorbitant rates. Geographically, the highest rates of assault by far appeared in isolated, mountainous, counties in central Pennsylvania, like Bedford, Huntingdon, Mifflin, and Somerset (and part of Dauphin). Those further west had rates of assault that were lower than both the central area and the oldest, most urbanized areas of eastern Pennsylvania. The central counties were the most isolated, and it would be erroneous to equate extreme western location with primitive communications and commerce and lack of civility—the "frontier." Southwestern, trans-Appalachian Pennsylvania had been inhabited longer and more fully cultivated than areas to the east and north of it.²³ Geography may be related to high rates of assault, but not according to a simple east-west index.

On the other hand, a reading of the criminal court dockets leaves the impression that the ethnic composition of the mountain counties bears on the violent behavior, for the recurrence of Scots-Irish names among the accused is unmistakable. Dauphin, home of the renowned Paxton rioters of 1763-1764, was the portion of former Lancaster County (otherwise known for its nonviolent Mennonites and Amish) that contained Lancaster's Ulster Scots.²⁴

Figure 1. Distribution of Crime: Pennsylvania Three-Year Moving Averages

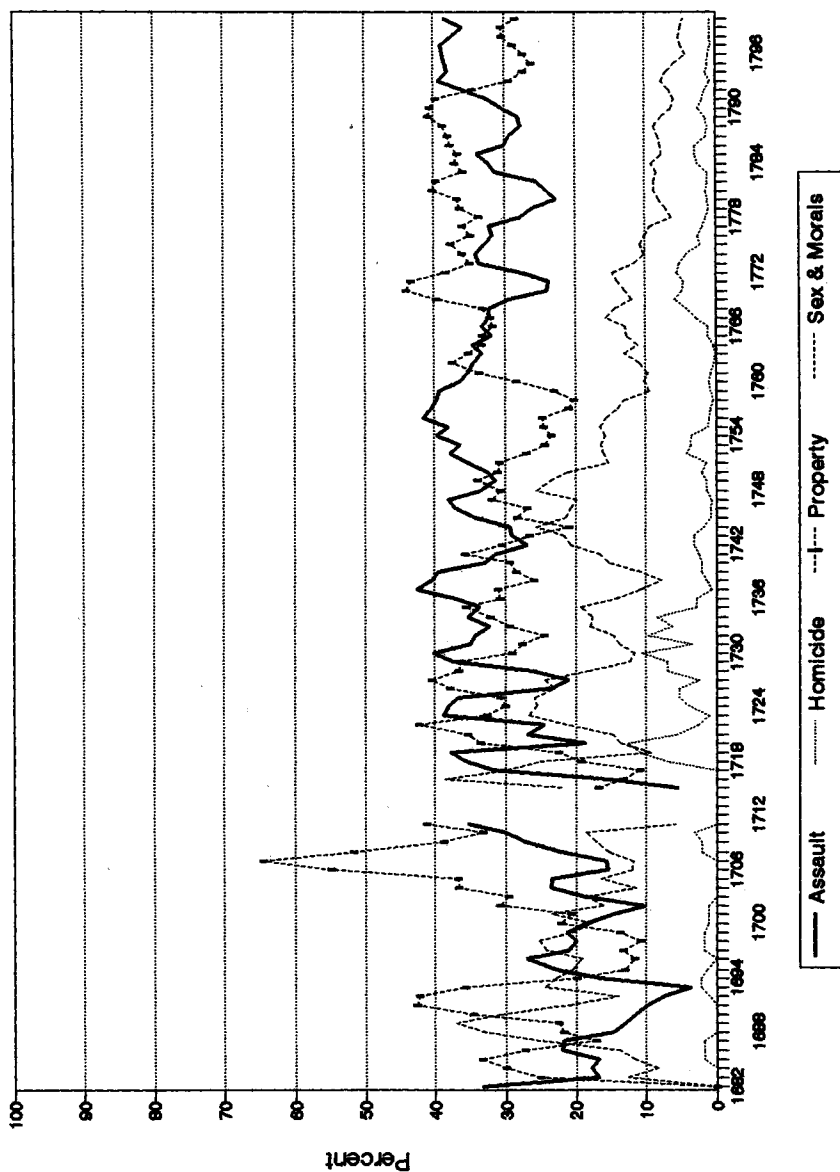


Table 4
Assaults per 100,000 Population

<u>County/ City</u>	<u>1700s</u>	<u>1710s</u>	<u>1720s</u>	<u>1730s</u>	<u>1740s</u>	<u>1750s</u>	<u>1760s</u>	<u>1770s</u>	<u>1780s</u>	<u>1790s</u>
Chester	75		79	82	63	101	78	65	67	123
Lancaster					44	46	47	56		101
Bedford-										
Huntingdon-										
Somerset										287
Berks								20	64	117
Cumberland						74	69			110
Dauphin										185
Fayette										66
Mifflin										218
Philadelphia city										127
Washington-Greene										47
Westmoreland										24
York									55	

Lancaster's rate was 57.0 in 1783 and 40.5 in 1786, while Dauphin's rate was 143.8 in its first year of existence, 1785, and 98.2 in 1785-1789. Sectioning off the Ulster Scots seems to have removed many assailants from Lancaster too. Mifflin County's dockets teem with Scottish surnames. Its assault rates in 1794 and 1795 were 511.0 and 289.7 respectively. In 1786, three years before losing Mifflin, the parent Cumberland County had a rate of 144.2 in 1786, but only 87.2 for 1790-1795, after Mifflin was set off.

It is tempting to hypothesize that in some way the youth of a community complemented geographical and economic isolation, such that newer, isolated areas would experience the highest rates of aggressive behavior, and that the rates would decline as time passed and civility, commerce, and regular peacekeeping apparatus grew. But such a modified "frontier" hypothesis did not operate satisfactorily, if at all. Whether areas were isolated or urbanized, the rate of assaults in most of them grew in the late eighteenth century. More elusive influences like political and cultural ideology and conditions must be brought to bear on the question of violence in order to supply a more satisfactory explanation.

The Accused

To determine the economic and social character of people accused of crimes in Pennsylvania we focused on Chester County because of its superior criminal records and tax lists.²⁵ From tax lists we can learn the assessed wealth of

taxpayers and their comparative rank in the lists. But the lists also help in other ways. Provincial and state laws divided the taxpayers among four categories, and while these categories roughly reflect the data about taxes or assessments, they also segregate taxpayers in other useful ways, such as marital status. Our procedure was to collate the lists of accused men and victims with nine lists of taxpayers; in short, to search among some 33,220 taxpayers for a sample of some 1,200 people in the criminal justice records. The result is data on the distribution of accused men and victims among the four categories of taxpayers and data on the wealth of the accused and victims.

When we collated the lists, we were amazed to discover that 61.5 percent of *men accused* of all crimes are entirely missing from the lists.²⁶ Among all men accused of violence, however, only 37.0 percent, are missing.²⁷ Being missing is the single most common and distinguishing feature of any and all accused persons. Discovering any additional, comprehensive data about this most numerous group of subjects is futile since the only way we know they even existed was their presence in the criminal records. We will have to be satisfied to infer who they were.

A likely inference is that they were the poorest of people in Chester County, since tax lists contain people with property and our subjects are not on them.²⁸ And yet, the tax lists do not ignore poor people; poverty alone did not keep people off. Men and women with little wealth are present, and significantly too, persons of so little wealth they were excused from paying taxes—often unable to pay anything due to disabling personal accidents or misfortunes like fire. Because poverty would not necessarily have kept the accused off the lists, what else might have? They could have been minors, but there are far too many missing persons and far too few identified accused minors. Transients, however, were common in Pennsylvania. Lucy Simler and Paul Clemens have remarked that “a subterranean river of people [was] flowing through the [Chester] county.”²⁹ The most nearly systematic and complete single source of information about transients now appears to be the criminal dockets. They confirm the figurative river of people flowing through the county and measure its considerable depth.

Returning to the accused *assailants*, comparing them with all accused men, more of the assailants were on the tax lists (by 22.2 percent). This difference supports the inference that violence is to be associated with Chester residents and more geographically stable people than crime in general. In other words, men and women passing through the county did not assault residents (or their fellow transients) more often than Chester residents assaulted each other. Violence tended to be familiar rather than alien behavior.

Next we turn to *all accused men who are in the tax lists* and address, first, their status as taxpayers. The provincial and state tax laws distinguished four classes of taxed persons: landowners, tenants, inmates, and singlemen (or “free-

men"). Landowners clearly are the wealthiest of the four and in this productive, agricultural county, the class containing the elite of the populace. Tenants sound like a second-class variety of residents, but Lucy Simler cautions us not to distinguish tenants (landholders) from landowners; the legislators of Pennsylvania did not treat them differently in the tax laws.³⁰ Inmates were clearly a drop down the economic scale from landowners and holders. They were laborers and small-scale cultivators sheltered on their employers' property. Within the county, they moved about frequently. Singlemen were bachelors and younger than average, and have for those reasons been especially interesting to historians and sociologists of crime.

We will examine each group in turn to assess its role in crime and violence in the county, by comparing it to its respective population at risk. As for landowners, the difference between their portion of the Chester taxpayer population and their portion of all the accused criminals is very slight—64.4 percent of the former versus 62.3 percent of the latter. (See Table 5) In other words, over the whole period 1693 to 1799, landowners showed only slightly less tendency to be accused of crime than one would expect from their presence in the population of the county. Tenants were almost identical to landowners in their modest propensity to be accused.³¹

The third group, singlemen, is distinctive and interesting for several reasons. Singlemen headed no households and mostly lived alone. They therefore did not experience the moderating influences one might expect from dependent wives and children, and from parents, siblings, and others. Before 1764 the tax lists recorded only singlemen living alone; after 1764, both alone or with their parents.³² These men traditionally interest historians and sociologists of crime because they are so often the criminals. "Crime everywhere . . . is disproportionately a young man's pursuit," writes historian David Courtwright.³³ More than any historically retrievable group in Pennsylvania, the singlemen taxpayers represent these suspect men.

But singlemen defeat our expectations. They show only a 3.2 percent tendency to be accused beyond their numbers in the taxpayer population from 1693-1799. They did show up, however, beyond what their numbers warranted after 1765. The era of the Revolution marks a change for them toward increased delinquency (as it marked the reverse trend among landowners).

An artifact of the tax lists enables us to refine the examination of singlemen and test the conditions that affect bachelors' renowned delinquency. After 1764 the Pennsylvania Assembly began to tax singlemen living with their parents. Earlier it had taxed only singlemen living away from their parents. The parents of singlemen at home presumably could have controlled their sons' behavior better. Adding bachelors at home to the mix—if parents effectively regulated their sons' lives—should have caused the overall rate of accusations of singlemen to fall.

Table 5
Tax List and Justice System Populations

Population	1693	1718	1730	1740	1750	1765	1775	1785	1799	1693- 1799
Singlemen in Tax List	11	91	183	385	606	1256	1022	1241	1055	5850
(% of year's total)	3.9	9.2	9.5	13.0	15.8	22.3	19.3	19.2	18.6	17.7
Accused singlemen	0	1	0	0	0	7	7	23	25	63
(% of taxed accused)	0.0	12.5	0.0	0.0	0.0	17.5	22.6	32.9	28.1	20.9
(diff. from taxed disbt)	-3.9	3.3	-9.5	-13.0	-15.8	-4.8	3.3	13.7	9.5	3.2
Victim Singlemen	0	1	1	2	4	10	8	7	14	47
(% of taxed victims)	0.0	5.9	5.3	12.5	15.4	25.6	23.5	17.9	17.7	17.5
(diff. from taxed disbt)	-3.9	-3.3	-4.2	-0.5	-0.4	3.3	4.2	-1.3	-0.9	-0.2
Tenants in Tax List						843	824	380	20	2067
(% of year's total)						14.9	15.6	5.9	0.4	6.3
Accused Tenants						4	3	5	0	12
(% of taxed accused)						10.0	9.7	7.1	0.0	4.0
(diff. from taxed disbt)						-4.9	-5.9	1.2	-0.4	-2.3
Victim Tenants						7	4	4	0	15
(% of taxed victims)						17.9	11.8	10.3	0.0	5.6
(diff. from taxed disbt)						3.0	-3.8	4.4	-0.4	-0.7
Inmates in Tax List				14	188	541	831	1201	1059	3834
(% of year's total)				0.5	4.9	9.6	15.7	18.6	18.7	11.6
Accused Inmates				1	0	1	0	19	18	39
(% of taxed accused)				6.3	0.0	2.5	0.0	27.1	20.2	12.9
(diff. fro taxed disbt)				5.8	-4.9	-7.1	-15.7	8.5	1.5	1.3
Victim Inmates				0	1	3	3	5	10	22
(% of taxed victims)				0.0	3.8	7.7	8.8	12.8	12.7	8.2
(diff. from taxed disbt)				-0.5	-1.1	-1.9	-6.9	-5.8	-6.0	-3.4
Landowners in tax list	270	903	1744	2562	3031	3002	2619	3627	3524	21282
(% of year's total)	96.1	90.8	90.5	86.5	79.2	53.2	49.5	56.2	62.3	64.4
Accused Landowners	13	7	16	15	19	28	21	23	46	188
(% of taxed accused)	100.0	87.5	100.0	93.8	100.0	70.0	67.7	32.9	51.7	62.3
(diff. from taxed disbt)	3.9	-3.3	9.5	7.3	20.8	16.8	18.2	-23.3	-10.6	-2.1
Victim Landowners	0	16	18	14	21	19	19	23	55	185
(% of total victims)	0.0	94.1	94.7	87.5	80.8	48.7	55.9	59.0	69.6	68.8
(diff. from taxed disbt)		3.3	4.2	1.0	1.6	-4.5	6.4	2.8	7.3	4.4

The data lend little support to this conjecture about the restraining influence of parents: the singlemen's numbers in the 1765 tax list doubled those of 1750 and more significantly, their percentage of the tax list population grew by 6.5 percent. But accusations against singlemen grew even faster; they jumped by 16.7 percent. That jump (see Table 5) reversed their declining share since 1718 and marked a twenty-year-long rise thereafter. They had above-normal appearances through the rest of the century. The era of the Revolution seems to have liberated young men from social restraints—for the worse, in this case—and their families appear not to have inhibited them.

Before leaving the topic of singlemen, we should remember the accused who are missing from the tax lists. We might more fully describe our singlemen accused of crimes as *resident* accused singlemen. Some additional, unknown number of singlemen were transients. The extent court papers that detail the conditions of transient accused men are such that they nearly preclude the transients being anything but bachelors. When we recall that the large number of missing accused were transients, and that the transients were bachelors, we boost significantly our estimate of singlemen (and not just resident singlemen) as the accused.

Inmates, the fourth and final category, proliferated in the county after 1750 and supplanted tenants in the strategies of Chester agriculturists to be productive and prosper in the marketplace. They clearly comprised a poorer class than tenants, and one without the economic prospects of most resident singlemen. Inmates were much more mobile geographically than tenants and landowners, but were hardly transients. They were usually heads of families and almost surely more personally responsible and cautious from being husbands and fathers. If one expects a clear, simple correlation of poverty and crime, these relatively poor men were surprisingly little more likely to be accused of crimes than landowners. After 1775, they shifted from unlikely prospects to be accused of crime to likely ones. In that switch they imitated tenants, and joined the singlemen, who had switched after 1765.

To return to *accused assailants*, how did this group differ from the group of all accused men? Table 6 compares the two:

Assailants clearly were more likely to be residents of the county, people with more roots and lower mobility than accused men in general. Among the residents we find that singlemen show the greatest proclivity for violent crimes. Landowners, the oldest and wealthiest portion of the population, show the least proclivity. There is nothing in that outcome that should surprise any student of violent crime in various times and societies.

Turning next to the wealth of the accused, violent men were undistinguished in the amount of property they owned. Their property profile differed little from that of all accused men.³⁴ (See Figures 2-1 and 2-2) The single most numerous group of accused men occupied the bottom tick of the

Table 6

	<u>All Accused</u>	<u>Accused Assailants</u>
[Present in tax lists	38.5%	63.0%]
Landowners	62.3%	58.9%
Tenants	4.0%	6.5%
Singlemen	20.9%	26.6%
Inmates	12.9%	8.1%

1. In the left column of percentages, includes occupations of 1 percent or more of total.

wealth index. But they are not very common in the remainder of the bottom quarter, or even the remainder of the bottom half (medians were 58 for all accused and 63 for accused assailants). Despite the popularity of the bottom, the distribution of all assailants is not likely to have caused Chester residents to stereotype assailants as the poor. They could just as easily have thought that violent men were middle-class. In any case, they left too little record of their opinions to resolve any ambiguous impressions left by the data.

Chester records specify the vocations of 975 accused assailants. The two largest groups by far are yeomen farmers and large property owners with 57.3 percent and laborers with 16.8 percent.³⁵ There were nine servants among the assailants too. Since landowners constituted 64.4 percent of the taxable population of the county, and tenants were 6.3 percent, yeomen were underrepresented among the accused. Laborers, on the other hand, were likely overrepresented. We cannot easily specify the percent of laborers in the population because it is not a category in the tax lists of the time. A few of them might be singlemen, and others inmates (cottagers), both of whom are in the tax lists. But more likely, laborers are missing from the tax lists—being propertyless and/or transient. Another 61 (16 percent) of the accused were scattered among the weaving, tailoring, blacksmithing, corwaining, and innkeeping trades.

Victims

Again, among the victims of all crimes the most numerous group were the missing, who comprised 39.8 percent of all victims, less women and servants.³⁶ But by comparison with the percent of missing accused (61.5) there were 21.7 percent fewer missing victims. When we extrapolate to missing victims from our earlier deductions about people missing from tax lists (i.e. that they were transients and single males), we conclude that the chance of a victim being a transient, single male was less by almost one in four than his chance of being

one of the accused. To that degree victims were more integrated and rooted in their geographical and social environment. But the difference in frequencies is minor and the upshot of comparing the two is that a large majority of missing accused persons did not differ from missing victims. Had there been many fewer missing victims, we would be inclined to infer that criminals and suspect persons were transients, bachelors, and possibly poor men who preyed upon the residents. This scenario is unwarranted. Whoever they were, missing persons were almost as likely to become victims of crime as they were perpetrators and suspects.

Of the 196 male *victims of assault*, 44.9 percent were missing from the tax lists. They appear to be a less distinguished mix of men than the ones who were victimized in other ways—less rooted than all victims and probably poorer too.

In the distribution of victims among the four categories of taxpayers, we find that the two greatest differences between all victims and assault victims lie within two categories.

	Table 7	
	<u>All Victims</u>	<u>Assault Victims</u>
[Present in lists	60.2%	54.0%]
Landowners	66.9%	57.4%
Tenants	5.9%	9.3%
Singlemen	18.1%	23.1%
Inmates	8.3%	10.2%

In the case of the largest difference, landowners were less likely to be victims of assault than they were victims in general, and in the next largest, singlemen were more likely to be assaulted than they were victimized in some other way. These disparities complement disparities in the same two categories of men among all accused and accused assailants. What may be at work here is a phenomenon that criminologists often recognize, that victims of violent crime often know their assailants, put themselves in harm's way, might with a slight twist of events be the assailants, and are disproportionately young men.³⁷

Insofar as their wealth represents them, the victims of assault appear slightly poorer than victims of all crime, but remarkably like their assailants. Seven percentiles separate the mean wealth of the assault victims from victims of all crime, but the mean wealth of assailants (and all accused men as well) matched that of their victims.³⁸ (See Figures 2-1 through 2-4) Figure 3 distributes the subjects by the percentage of them in each decile. It illustrates how the ac-

cused outnumber victims at opposite poles of the wealth index. Among the poorest subjects, in the bottom two deciles, the accused especially outnumber victims, but moving upward, not until the eighth does this imbalance re-appear. What we do not see among assailants was anything like a linear decline in frequency from poverty to wealth, nor do we see among victims a linear rise from poverty to wealth. That is, the poor residents were not assaulting the rich residents nor vice-versa, whether or not they had reason or inclination to do so. Chester County more closely resembled the case, as in modern America, where people assault people whom they know—close by in their homes, farms, businesses. Physical proximity—which we infer from their wealth—may have been a critical determinant of who assaulted whom.

Women were the targets of assault in 15.2 percent of all the cases from Chester County in which victims were identified. That percentage compares with 25.8 percent women victims in all cases except assault.³⁹ When women were the victims of assault and battery the mean wealth percentile of the assailants was 43.0 (using the lower percentile alternative). That was 13.1 percentile points lower than when men were the victims.⁴⁰ Assailants of women were doing somewhat less well economically than those who attacked men.

Compared with their frequency in court dockets, women appear as victims more often in the extant court papers. In these short histories the aggressors display some very malevolent behavior toward them. Two pregnant women were attacked with the intention to harm them through their vulnerable pregnant condition—and in one of the two cases, because of the pregnancy. Thomas Scott, very intent upon learning whether he had impregnated servant woman Mary Dunlap, entered her master's house and damned her because "the last time he saw her, she sat Cross leg'd but that now he would know whether she was with Child or not." Then he demanded "some of her Water to know if she was with Child." He got no satisfaction, left, but returned more aggressive than earlier. He "took hold of her & Crushed her against the Wall & with his Hand pinched her Belly so very Hard that she was obliged to cry out." She got loose and ran to the outside doorway where she vomited. She told the court that she believed the fetus was dead, owing to Scott's assault.⁴¹ In the second case, William Mullin, Jr. came to the house of Sarah (Mrs. William) Robinson and asked for some rum. She refused him, and he impulsively called her a whore and a bitch and even threatened to kill her husband. Robinson sent for Mullin's father—indicating that they were neighbors—and when he arrived he smacked his wastrel son, who ran from him. But Mullin, Jr. came back, grabbed Sarah Robinson by the throat and kicked her twice in her pregnant belly. Robinson's servant interposed to stop the assault.⁴²

In the case of female victims of assault, ancillary records demonstrate that complaints and indictments in the courts do not represent all the significant

Figure 2-1

All Accused Men

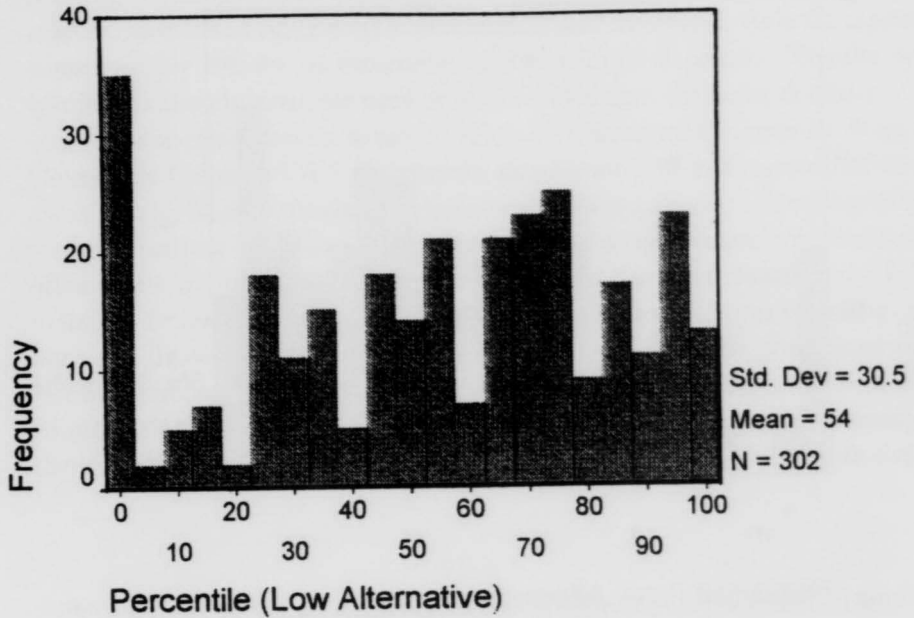


Figure 2-2

Accused Male Assailants

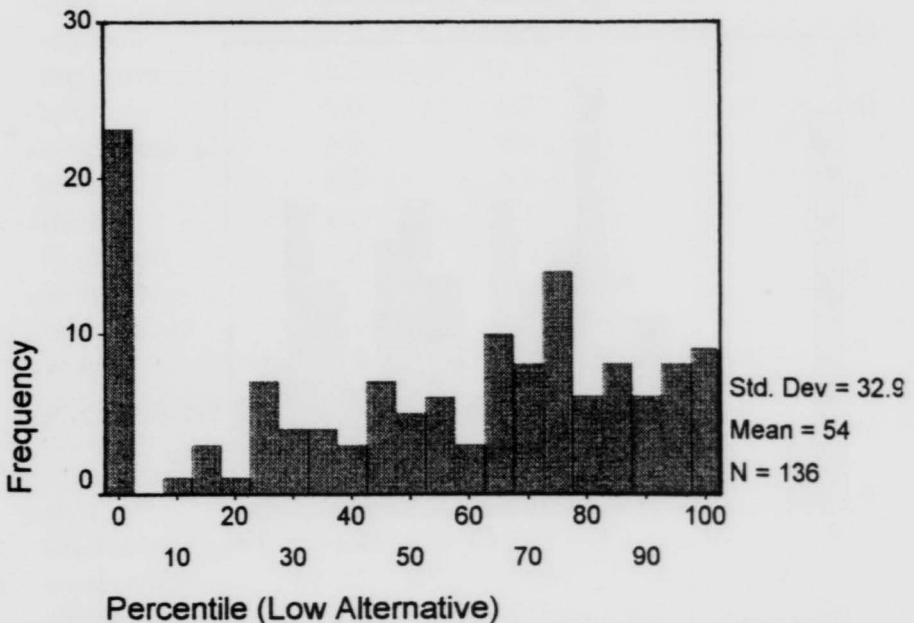


Figure 2-3

All Male Victims

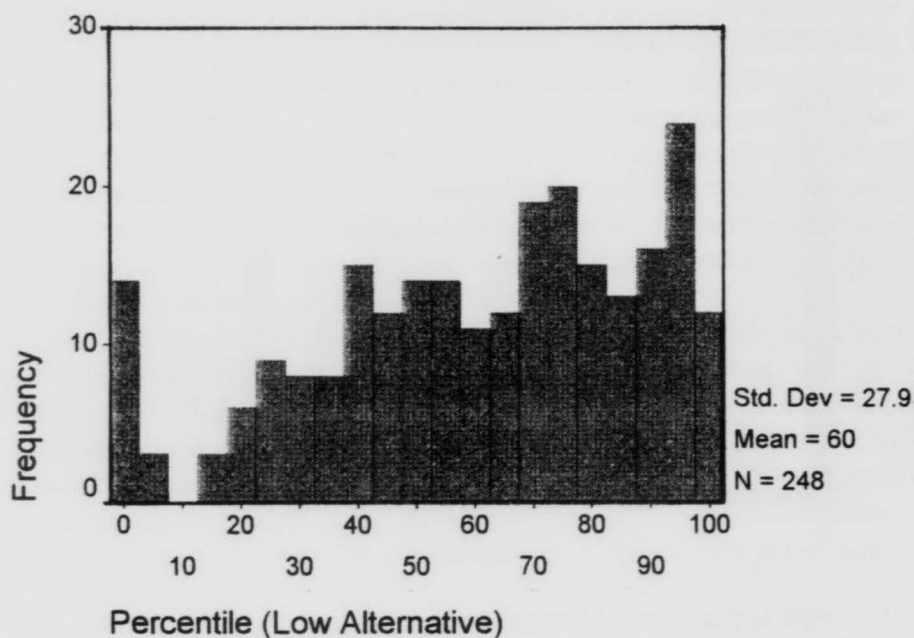
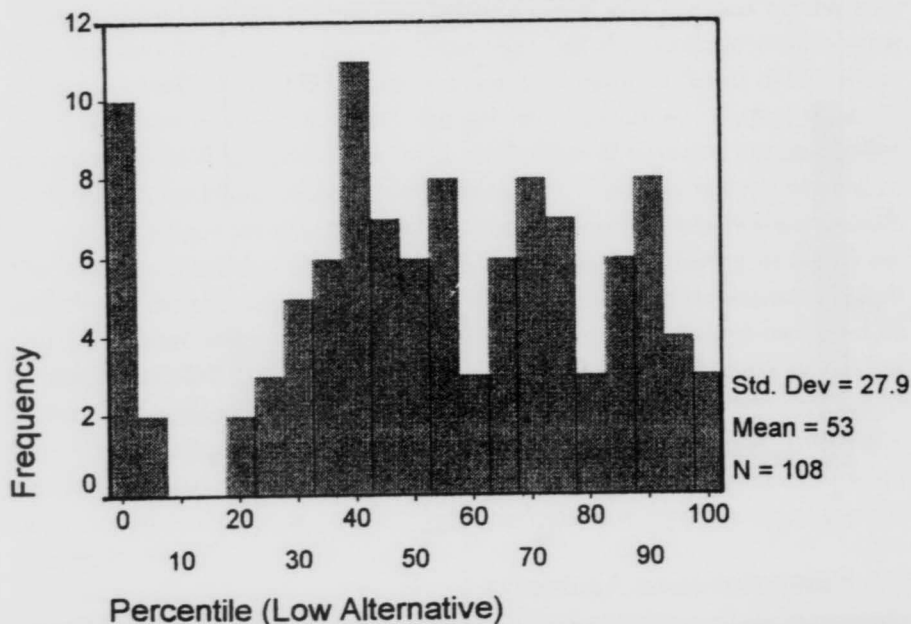


Figure 2-4

Male Assault Victims



assaults on women. Numerous females whose names do not appear in criminal court dockets or papers were brought to Philadelphia Alms House complaining of being beaten and otherwise physically abused by their fathers, masters, lovers, and other male acquaintances and associates. As is the case in contemporary society, to determine of the volume of physical assaults on women, as also children, we need to look further than the court dockets.

We know the vocations or public offices of 333 victims of crimes in Chester County; in 104 cases (31.2 percent) the victims were 58 different constables. (See Table 8) In cases of assault only, constables swept ahead of all others: they were the victims in 48.5 percent of the assaults where victims' vocations or offices were recorded. While yeomen comprised the great majority of adult males in the county, there was no more than one constable per township or borough. In terms of the populations at risk, in other words, the figures on victimization are very skewed to the misfortune of the constables. Attacks on constables were not coincidental. Their office made the difference between the jeopardy of a constable and that of a common farmer: almost every con-

Table 8
Occupations of Male Victims of Crime in Chester County, 1682-1800¹

<u>Occupation</u>	<u>All Crimes</u> (N=333)	<u>Assaults</u> (N=198)
constable	31.2	48.5
yeoman farmer	12.3	11.1
laborer	9.0	0.5
esquire/attorney	6.6	6.6
servant	6.0	4.5
sheriff	6.0	9.1
free Negro	3.3	0.0
innkeeper	2.7	1.0
husbandman	2.1	1.5
weaver	1.8	1.0
justice of peace	1.8	1.5
tax collector	1.5	2.5
master of servant	1.5	1.0
slave	1.5	1.0
blacksmith	1.5	2.0
wool comber	1.5	1.5
sheriff	1.2	1.0
physician	1.2	2.0

stable-victim was performing his office when he was assaulted.⁴³ And whereas the non-constables were victims of theft, trespass, fraud, and a variety of other crimes, the constables were just assaulted, beaten, shot at, and otherwise physically and verbally abused. Finally, this conspicuous abuse occurred in Chester, that county in Pennsylvania with the highest concentration of pacifists—for that matter, it had the highest concentration of pacifists in North America.

Justices, sheriffs, tax collectors, and public surveyors comprised another 13.6 percent of the victims of assault. Lawyers—not enforcers of the law, but at least officers of the court—were yet another 6.6 percent. Given the popular politics and method of selecting Pennsylvania's sheriffs and others,⁴⁴ it is surprising to discover that sheriffs were victims in 7 percent of the 333 crimes where victims' vocations were identified. These were 20 assaults or riots against 4 or 5 sheriffs. The numbers at risk and the odds of assault are more interesting in the sheriffs' case than the constables' and others. The ratio of sheriffs to constables ranged from 1 to 17 in 1693 to 1 to 60 in 1785, but the ratio of sheriff victims to constable victims was about 1 to 12 or 1 to 15. Being a sheriff was at least as hazardous as being a constable. Long-tenured sheriffs especially would have been well advised to be on guard.

In November 1736, one of those long-tenured sheriffs, John Owen, was the victim of the worst documented assault on a sheriff. Owen went to the house of William Downard to arrest Charly Hickinbotom (Higgenbotham?). Jean Downard threw scalding broth at the sheriff and struck him with a stone. The government's witness described unlikely persons appearing from odd quarters adding mayhem to the scene, but Hickinbotom never showed up. John Starr got down a gun. Daniel O'Neill beat the sheriff with his fists, and threatened to hit with a hoe anyone who approached O'Neill. John Henthorn knocked a man to the floor and caused his head to bleed. James and Mary Henthorn beat some unnamed person with sticks.⁴⁵ It was a riot. It is baffling to recall that John Owen was a Quaker and so, a pacifist. How did he gain control of a scene like the Downards' and of armed, violent characters like Starr and O'Neill? Did he reason them into submission? Or did he have non-pacifist constables with him who grappled with them and disarmed them? The court papers never describe any officer appearing armed at the scene, but does the absence of mention necessarily indicate the absence of arms?

Assailants of sheriffs sometimes intended to thwart the justice system as well as attack its administrator. When Bedford County's undersheriff Thomas Wood attempted to serve an ejectment on one John Martin in 1771, Martin's armed neighbors told Wood that "if he would depart out of [the] Settlement quietly and not attempt to execute his Office, they would allow him, but if he would execute any of his Office, he might depend upon the heigh [sic] of ill usage [sic]." One sheriff complained that, "I am Daily threatened of my life and property if I proceed to execute my office."⁴⁶

The distinction between the constable's office and the sheriff's raises the significance of assaults on sheriffs to a more dismaying and problematic level. Constables suffer from a timeworn stereotype—viz. Shakespeare's Constable Dogberry—of minimal qualifications and resentful service. The incumbents served because the community did not especially respect or miss the product of their labor and because they were least artful about dodging nomination. If private status bounded the esteem the public showed to officers of the law, constables deserved and got the least among officers. Sheriffs were quite the opposite. For centuries they had been drawn from the elite of English and American society. In Pennsylvania over the whole course of 112 years in this study, their mean wealth percentile was the 83rd.⁴⁷ But their public treatment in Pennsylvania differed little from that of the constables and conceivably was worse. A man's laurels from his vocation, wealth, religious affiliation, and family did not evoke enough deference in public life to keep him from bodily harm. Private and public life were disjointed rather than complementary. Nor did taking up public office, high or low, in the counties of Pennsylvania clothe incumbents with the prestige or evoke the fear among Pennsylvanians that restrained men's and women's anger against them. Rather, Pennsylvanians assaulted their magistrates.

Who assaulted constables, sheriffs, justices, and other public officers in Pennsylvania? The following table depicts the vocations of the three largest categories of assailants of public officials. For comparison to these, it also lists the assailants of non-officials.

	Table 9 Assailants of <u>Civilians</u> ⁴⁸	Assailants of <u>Officials</u> ⁴⁹
Laborers	42.7%	46.7%
Yeomen	31.6%	43.5%
Servants	8.5%	1.1%

In both cases the three most common groups are laborers, yeomen farmers, and indentured servants. Laborers predominate in both categories of assailants and furthermore, as assailants they far exceed their proportion in the population at large.⁵⁰ Compared with other groups which share their low status (indentured servants and slaves) and comparative poverty, and who possibly feel an animosity against the law and its officers, they had the freedom to discharge resentment against officers. Servants hardly troubled magistrates compared to their inclination to assault private persons. They may have exceeded their population at risk in attacks on civilians.

Least likely to assault magistrates were the property-owning yeomen; as assailants they were between 20 and 30 percent less represented than their

proportion in the whole population.⁵¹ But for all their comparative restraint, when yeomen committed assault they were 38 percent more likely to assault a magistrate than a civilian. As property owners, they would be unlikely to share the discontents that lead men to resist authority. But in common with less fortunate Pennsylvanians, they or their recent forebears had come to Pennsylvania to leave behind frustrations at the hands of magistrates, tax collectors, enlistment or press officers, priests, lords, landlords, and gentlemen. Encouraged to come by Quakers who had endured the same frustrations in England and spectacularly obstructed authority, even reputable Pennsylvanians were accustomed to question authority before they questioned themselves.

Reflections

In the comments of William Bradford we reencounter the paradox with which we opened this paper: this idealized society of Pennsylvania supported unmistakably great amounts of violent crime. Bradford told James Madison that Pennsylvania was America's prototype at the same time that America was becoming the ideal of liberals around the world—it was to America what America was to the rest of the world. Bradford also bemoaned the violent crime that plagued the state. The data on crime in this paper supplies some answers to the question of how the two features could have coexisted. It also suggests possible causes of the violence. We saw that in some respects, the highest rates of assault in Pennsylvania were correlated with geographic regions. But such exceedingly violent places were so at one period of the provincial past while violence—albeit at a lower rate—was not so limited. With similar qualifications, assault was correlated with ethnicity. We also know that violent crime was not confined to any single economic class. Nor was any economic class conspicuously victimized. Violence was widespread in society, popular and democratized. Transients, bachelors, and young men were exceptionally violent. But violence also occurred among kin and neighbors. Violent people were inclined to attack representatives of government and law enforcement officials. What possibly could embrace all these variables and criminals, and could help explain why Pennsylvania as a whole was violent, despite some people in some places and times being more violent than others? We search for some defining characteristic, pervasive and persistent.

The characteristic is the liberalism and liberty of Pennsylvania. Space does not permit us to argue that liberalism, both civic and economic, defined Pennsylvania more so than any other characteristic and that Pennsylvania enjoyed more liberties than any rival place. We will presume that and agree with the progressives and the philosophes of the eighteenth century. This abundance of liberty bracketed all Pennsylvanians—the Ulster Scots in the remote counties, the yeomen in prosperous Chester, the abusive kin and violent neighbors, the singlemen. Liberty was the preeminent conspicuous and common

characteristic of Pennsylvania, which gives it explanatory power exceeding any rival. Moreover, its effect upon crime enjoys confirmation from other research. Historians who have examined crime in all of early America and in the United States to the present, comparing crime and violence in distinct places and times, have tied liberty (or repression) to the amount of crime. Summarizing the research on crime in all of early America, Douglas Greenberg concluded that "the sobering conclusion must be that where order thrived in colonial America, so too did oppression; where liberty prospered, so too did crime." In his history of crime in the United States to the present, Lawrence Friedman writes that crime is "part of us, our evil twin, our shadow . . . organic . . . part of the American story, the American fabric." It is "the price we pay for a brash, self-loving, relatively free and open society." It is an inseparable part of "the American Dream."⁵² Before all others, Pennsylvania represented the dream and before all others Pennsylvania exposed the violence that darkens the dream.

Notes

1. Academics and others have used the word liberal in so many different ways that it is regrettably ambiguous. To avoid being misunderstood we need to explain that we use liberal in the sense that James Lemon explained in his important work on Pennsylvania, *The Best Poor Man's Country*: "Liberal" I use in the classic sense, meaning placing individual freedom and material gain over that of public interest. Put another way, the people planned for themselves much more than they did for their communities. Communities, like governments, were necessary evils to support individual fulfillment." In his history of Philadelphia, Sam Bass Warner called the same values "privatism": "Psychologically, privatism meant that the individual should seek happiness in personal independence and in the search for wealth; socially, privatism meant that the individual should see his first loyalty as his immediate family, and that a community should be a union of such money-making, accumulating families; politically, privatism meant that the community should keep the peace among individual money-makers, and if possible, help to create an open and thriving setting where each citizen would have some opportunity to prosper." James T. Lemon, *The Best Poor Man's Country: A Geographical Study of Early Southeastern Pennsylvania* (Baltimore: Johns Hopkins Press, 1972), xv. Sam Bass Warner, *The Private City: Philadelphia in Three Periods of Its Growth*, 2nd ed. (Philadelphia: University of Pennsylvania Press, 1987), 3-4.
2. Edith Phillips, *The Good Quaker in French Legend* (Philadelphia: University of Pennsylvania Press, 1932), 53-54, 68, 96, 100, 210. Dennis D. Moore, *More Letters from the American Farmer: An Edition of the Essays in English Left Unpublished by Crèvecoeur* (Athens: University of Georgia Press, 1995), 51. George Whitefield, *Journals, 1737-1741*, intro. by William V. Davis (Gainesville, Fla.: Scholars' Facsimiles & Reprints, 1969), 384, 386-87.
3. Durand Echeverria, *Mirage in the West: A History of the French Image of American Society to 1815* (New York, repr., 1966), 17-18. Phillips, *Good Quaker*, 100.
4. Thomas A. Bailey and David M. Kennedy, *The American Pageant*, 9th ed. (Lexington, Mass., 1991), 41; Paul S. Boyer et al., *The Enduring Vision: A History of the American People* (Lexington, Mass., 1990), 87, 88; Bernard Bailyn et al., *The Great Republic: A History of the American People* 4th ed. (Lexington, Mass., 1985), 69; John W. Davidson et al., *Nation of Nations: A Narrative History of the American Republic* (New York, 1990), 99.
5. William T. Hutchinson and William M.E. Rachal, eds., *The Papers of James Madison* (Chicago: University of Chicago Press, 1962), I, 109.
6. Samuel Hazard, ed., *Minutes of the Provincial Council of Pennsylvania* (16 vols., Philadelphia and Harrisburg, 1852-1853), I, 116, 371, 473; II, 13, 598; III, 110, 260, 593; IV, 116; V, 428-30; IX, 408-10, 455, 564; *American Weekly Mercury*, June 29-July 6, 1738; *Pennsylvania Gazette*, Apr. 12, 1729; Jan. 20, 1730, Jan. 8, 1734; Sept. 5, 1751; *Pennsylvania Chronicle*, Jan. 4-11, 1768; Kenneth and Anna Roberts, eds., *Moreau De St. Mery's American Journey, 1793-1798* (Garden City, NY, 1947), 281.
7. The 513 include all homicide cases that came to the attention of the courts. It includes infanticide, first- and second-degree murder, manslaughter, and murder by chance medley (an affray or misadventure). It does not include suicides.
8. Virginia's criminal record can be pieced together in part from the following: Gwenda Morgan, "The Hegemony of the Law: Richmond County, 1692-1776" (Ph.D. diss., Johns Hopkins Univ., 1981); Robert Saunders, "Crime and Punishment in Early National America: Richmond, Virginia, 1784-1820," *Virginia Magazine of History and Biography*, 86 (1978), 33-44; Hugh Rankin, *Criminal Trial Proceedings in the General Court of Colonial Virginia* (Charlottesville: University of Virginia Press, 1965); and Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laus of Virginia, 1705-1865* (Baton Rouge: Louisiana State University Press, 1988). Linda Kealey, "Crime and Society in Massachusetts in the Second Half of the Eighteenth Century" (Ph.D. diss., Univ. of Toronto, 1981), 77.
9. J.M.. Beattie, *Crime and the Courts in England, 1660-1800* (Princeton: Princeton University Press, 1986), 108. Roger Lane, *Violent Death in the City: Suicide, Accident, and Murder in Nineteenth-Century Philadelphia* (Cambridge, Mass.: Harvard University Press, 1979), 119-122. Lane, *Roots of Violence in Black Philadelphia, 1860-1900* (Cambridge, Mass.: Harvard University Press, 1986), 1-5.

Readers must remain mindful of the sources of crime data and that in this essay the statistics on murder and other crimes come from court dockets using prosecutions before the grand juries and grand jury indictments. Beattie's and Lane's data are indictments from dockets. In the nineteenth and especially the twentieth centuries, additional means to gauge the number of homicides arose, such as coroners' and medical examiners' reports and arrests. When scholars compile homicide rates from these sources, the rates are hardly comparable to rates compiled from dockets or if they are compared, the historian must be cautious and qualify his conclusions. Rates from indictments and prosecutions undercount the number of homicides as the reader will see below in the case of Pennsylvania. For additional discussion of sources and methods see Lane, *Violent Death*, 56-59.

10. The great decline in the Philadelphia rate after 1780 is misleading; it reflects incomplete records rather than improved behavior.

11. Marianne Wokeck, "The Flow and the Composition of German Immigration to Philadelphia, 1727-1775," *Pennsylvania Magazine of History and Biography* 105 (1981), 259 (hereafter *PMHB*) W.F. Dunaway, "English Settlers of Pennsylvania," *PMHB* 52 (1928), 324 and *The Scotch-Irish of Colonial Pennsylvania* (Chapel Hill: University of North Carolina Press, 1944), 50-51. Isaac Norris to Henry Goldney, 25-9 month-1719 and to Joseph Pike, 28-8 month-1728, Isaac Norris Letter Book, 1719-1756, 214, 515-516, Historical Society of Pennsylvania. James Logan to James Hoop, 15-3 month-1729, James Logan Letter Book, Historical Society of Pennsylvania. Philadelphia Monthly Meeting minutes, 26-1 month-1725, 21-1 month-1730, 29-3 month-1730, 31-5 month-1730, 31-6 month-1733, 28-7 month-1733, 25-1 month-1737. Friends Historical Library, Swarthmore, Pa. Thomas Wendel, "The Keith-Lloyd Alliance: Factional and Coalition Politics in Colonial Pennsylvania," *PMHB*, 92 (1968), 289-305. Gary B. Nash, *The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1979), 119-120.

12. Beattie, *Crime in England*, 215-235. Before Beattie discovered the pattern in London, Douglas Hay observed it in Staffordshire. Hay, "War, Dearth and Theft in the Eighteenth

Century: The Records of the English Courts," *Past and Present* 95 (1982), 124-126.

13. This is the same William Bradford cited earlier telling Madison that Pennsylvania was the model free society. Bradford, *An Enquiry How Far the Punishment of Death Is Necessary in Pennsylvania* . . . (Philadelphia, 1793), 38-39.

14. Records of the Supreme Court (Eastern District): Coroners' Inquisitions, 1751-1796, RG-33, Pennsylvania Historical and Museum Commission, Harrisburg, Pa.; *American Weekly Mercury*, Mar. 1-10, 1743; *Pennsylvania Gazette*, Sept. 26, 1733, May 20, 1742, July 14, 1784; *Pennsylvania Chronicle*, June 22-29, 1767.

15. See, for instance, Elaine Forman Crane, *The Diary of Elizabeth Drinker* (Boston: Northeastern University Press, 1991), 224-225; Henry D. Biddle, ed., *Extracts from the Journal of Elizabeth Drinker, from 1759 to 1807* (Philadelphia: J.B. Lippincott Co., 1889), 361.

16. Pennsylvania Supreme Court (Eastern District), R-G 33, Oyer and Terminer Court Papers, Boxes 1-4 (hereafter Pa. Sup. Court O & T Papers). Lancaster County, 1761. Pennsylvania Historical and Museum Commission, Harrisburg (hereafter PHMC).

17. *Pennsylvania Gazette*, August 11, 1748.

18. *Pennsylvania Gazette*, Aug. 21, 28, 1755; *Autobiography of Charles Biddle, Vice President of the Supreme Executive Council of Pennsylvania, 1745-1821* (Philadelphia, 1883), 209-10; Pa. Sup. Court O & T Papers. Philadelphia County. PHMC; *The American Weekly Mercury* (Philadelphia), Nov. 12, 1730.

19. For Lewis, see *A Narrative of the Life, Together With the Last Speech, Confession, and Solemn Declaration of John Lewis* . . . (Philadelphia, 1760).

20. The percentage of persons indicted for murder (not manslaughter or infanticide) who went to trial was 58 and of these 65.3 percent were convicted. Only two refused a jury and pleaded guilty.

21. Assault rates cannot be computed for all of Pennsylvania or each county because the record of assaults, unlike homicides, depends upon court dockets, which have not survived in some counties or some years. Chester County's records are the best. The counties represented in Table 3 are the ones that have complete dockets from decades represented.

22. Biddle, *Extracts from the Journal of Elizabeth Drinker*, 267. Roberts, *American Jour-*

ney, 328, 333.

23. To explain the Federalist-Antifederalist division in the ratification of the U.S. Constitution, Jackson T. Main described the economic geography of Pennsylvania in this way (and did so for other states as well). Access to transportation and markets or lack of it and isolation best explained the division. This economic geography correlates as well with assault rates as it did politics. *The Antifederalists: Critics of the Constitution, 1781-1788* (Chapel Hill: University of North Carolina Press, 1961), 272-273, 279-280.

24. George W. Franz, *Paxton: A Study of Community Structures and Mobility in the Central Pennsylvania Backcountry* (New York: Garland Publishing, 1989).

25. The data here on accused or indicted persons and crime victims were obtained by the following means: We compiled names, taxpayer classification, taxes, and when possible, tax assessments from nine Chester County tax lists between 1693 and 1799, for a total of 33,210 taxpayers. This data was analyzed to discover the distribution or wealth in the county and the relative rank of each taxpayer. From the criminal records (mostly dockets) of Chester County we drew the names of all accused persons on the years of the compiled tax lists, plus the year before and year after each list. We eliminated the names of women and minors since they appear rarely or not at all in the tax lists. Victims' names were culled from court papers for the same dates. The two databases, of wealth and court appearances, were then collated, producing summary figures. We obtained two numbers for the mean wealth because in the tax lists men with the same name are common. Whenever two men shared one name and paid different taxes, we record both, and derived a mean figure for both the lower and upper alternatives. Triplicates and beyond were discarded completely. Jack D. Marietta, "The Distribution of Wealth in Eighteenth-Century America: Nine Chester County Tax Lists, 1693-1799," *Pennsylvania History* 62 (1995): 532-545.

26. Roger Lane found that only 34 percent of defendants in homicide cases in antebellum Philadelphia were present in the city directories. *Murder in America: A History* (Columbus: Ohio State University Press, 1997), 125.

27. N of all accused assailants is 371 and 6 are women. Therefore, N for the calculation is 365.

28. We are presuming that the constables and assessors who compiled the tax lists consistently or reliably surveyed and listed all the people of the county, and distinguished between these two categories of people. This presumption can be tested by having at hand names of people who are expected to own or occupy realty, or even better, people whom the law requires be listed. The group whom we have are 3,308 grand and petit jurors of Chester County. The law required the sheriff of the county to select the jurors from taxpayers. It turns out that 891 of the 3,308, or 26.4 percent, do not appear in the nine tax lists. Since all should have appeared, the fact that a quarter were missing is surprising. Yet another group serves as a test—constables of the county, who number 1,161. Of these, only 2.5 percent did not appear on the tax lists. We note parenthetically that constables compiled the tax lists and it would seem unlikely that they would blithely omit themselves from being taxed and risk legal penalties. The absence of 2.5 percent constables can more likely be attributed to clerical errors, misidentifications, and other unsystematic events.

But the case of the missing jurors indicates that the missing accused include some property owners and renters—they were like property owners and renters, not transients. And yet, the accused must be distinguished from the jurors as well as likened to them: in other words, we note that the accused were more than twice as likely to escape the tax lists—59.2 percent of the accused being missing compared to 26.4 of the jurors. That doubled likelihood distances many of them from the jurors, for reasons we must pursue like poverty and transience.

29. Lucy Simler, and Paul G.E. Clemens, "The 'Best Poor Man's Country' in 1783: The Population Structure of Rural Society in Late-Eighteenth-Century Southeastern Pennsylvania," *Proceedings of the American Philosophical Society* 133, no. 2 (1989): 245. If the Chester County transients resembled those whom Billy G. Smith discovered in Philadelphia, they were likely to be poor as well as transient; "poor men moved more frequently than wealthier ones." Smith, *The "Lower Sort": Philadelphia's Laboring People, 1750-1800* (Ithaca: Cornell University Press, 1990), 136-137.

30. Lucy Simler, "Tenancy in Colonial Pennsylvania: The Case of Chester County," *Will-*

iam and Mary Quarterly, 3d ser., 43 (1986) 547. In tabulating tax lists, we often found that men who are tenants in one township are landowners in another. Classifications are more complex in many cases than four simple, exclusive classes.

31. Tenants' appearance can be traced for only thirty-five years, because they were distinguishable in the tax lists beginning only 1756. Our first observation of them comes in the 1765 tax list. Marietta, "The Distribution of Wealth," 533.

32. Marietta, "The Distribution of Wealth," 534.

33. David T. Courtwright, *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City* (Cambridge, Mass.: Harvard University Press, 1996) 14. Lane, *Murder in America*, 125-127.

34. Using the high alternative taxes and percentiles, the mean percentile of all accused men is 58.6 and of all accused male assailants, 58.9.

35. No other vocation amounted to more the 1.5 percent of the total. Women were identified as "spinsters" or were without listed vocations. When their spouses were named and found on tax lists, such women were entered into the property rank computations.

36. Here again, these are adult males and not women and servants, because while the latter two were victims they were not by law taxpayers.

37. Donald T. Lunde, *Murder and Madness* (Stanford: Stanford University Press, 1975) 6, 9-10.

38. The high alternative mean percentile for all male victims is 64.3 and for male victims of assault, 55.9.

39. Of the total of 1,227 identified victims of assaults in Chester, 187 were women and 1,040 were men. Of the 1,780 identified victims of all other crimes, 459 were men and 1,321 were women.

40. N for women victims was 16 and for men, 107.

41. Chester County Quarter-Sessions Papers, 12 January 1757. Examination of Mary Dunlap. Chester County Archives, West Chester, Pa. (hereafter cited as CCQS)

42. CCQS Dockets, May 1735. Chester County Archives, West Chester. CCQS Papers, Examination of Sarah Robinson, undated. Examination of Elizabeth Bray, 27-12 month-1734.

43. Like all officers of the law, constables would

more commonly report attacks upon themselves than many private persons would, which would explain some of their predominance among the victims. Thoughtful analysis of any crime data must raise the question of victims' access to the justice system and consider that a victim, especially before police existed, was probably the complainant too. Public station and private social status will affect the likelihood of the victim's complaining. Nevertheless, select status will not account for the exorbitant frequency of the constables' appearance—and that of other law enforcers.

44. Alan Tully, *Forming American Politics: Ideas, Interests, Institutions in Colonial New York and Pennsylvania* (Baltimore: Johns Hopkins University Press, 1994) 108-17. Claire W. Keller, "Pennsylvania Government, 1701-1740: A Study in the Operation of Colonial Government," (Ph.D. diss., Univ. of Washington, 1967) 226-27.

45. Examination of Sarah Southby, CCQS Papers, 16 November 1736.

46. *Minutes of Provincial Council*, IV, 435, 561, 603.

47. They would have ranked higher had the data on their property taxes and assessments been taken when they were at or near the end of their public career.

48. N=117.

49. N=54.

50. Laborers are not a distinct category of taxable persons and so it is not possible to specify their numbers from Pennsylvania tax lists, assign them a proportion of the whole taxpayer population, and compare that with their proportion of assailants. The same is true of servants, who are also not taxed, but are listed as chattels in some tax lists. However, we know their rough proportions in the county and can compare these with them as accused. The best information for estimating their numbers or proportion is found in Lucy Simler, "The Landless Worker: An Index of Economic and Social Change in Chester County, Pennsylvania, 1750-1829," *Pennsylvania Magazine of History and Biography* 114 (1990), 163-199.

51. The percent of landholders in the taxpayer population for 1693 through 1799 was 64.6. Landholder was a much more precise term than yeomen and so it is improper to equate them with yeomen; nevertheless, the figure is useful for an approximate judgment. Marietta, "The Distribution of Wealth," 536.

52. Greenberg, "Crime, Law Enforcement,

and Social Control in Colonial America," *The American Journal of Legal History*, 26 (1982), 325. Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993), 464. Steven F. Messner and Richard Rosenfeld, *Crime and the American Dream*, 2d ed. (Belmont, CA: Wadsworth Publishing Company, 1994).