Suffering or Fallen Angels?
Wife-Beating in Victorian Liverpool 1850-1889:
Class, Cause and Community Response.

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A dissertation submitted to The Open University
for the degree of MA in History

January 2022

Word count, with footnotes, but excluding abstract, bibliography and appendices: 15,961
ABSTRACT

A major source of political and social discourse during the nineteenth century surrounded the issue of marital violence. This study examines both quantitively and qualitatively cases of wife-beating brought before the courts in Victorian Liverpool. It will explore who were the perpetrators of domestic violence and the causative factors which motivated husbands to assault their wives. It analyses the response of the victims of wife-beating and the concept of ‘victim blaming’ through which husbands sought to justify their actions. It concludes by an examination of the response of the local community and the police to incidents of wife-beating.

Current scholarship has challenged the contemporary view that the heart of the problem of marital violence lay with the lowest strata of the working class and has argued that skilled workers and the middle classes were equally culpable. This study suggests that there is evidence which challenges the existing historiography, and that in Liverpool unskilled workers did in fact form the majority of the men accused of wife-beating.

The factors resulting in domestic violence are evaluated against the constructed historiographical typologies. Whilst a national pattern clearly emerges, the taxonomy in the analysis of a diverse range of cases is questioned and causative factors falling outside the current typologies are suggested. From the victim’s perspective it will be argued that their agency was greatly restricted by the economy of poor families and to an extent by the actions of the police. Contemporary reaction to the predominantly feminist campaign against wife-beating maintained that the majority of victims were bad wives. This study suggests that despite the reputation of Liverpool as a town beset by drunkenness and violence, the proportion of wives characterised by the contemporary literature as angels of the fallen class were in fact a small minority.
Research in other locations has identified a concept of a tolerated level of ‘rough usage’ inherent in the working class. This study concludes by recognising that such a concept existed in the Liverpool community and that whilst there were incidents in which the police regarded wife-beating within tolerated levels as a private matter, there is a body of evidence that much of the marital violence in Liverpool was effectively policed.
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I declare that this dissertation is my own unaided work and that I have not submitted it, or any part of it, for a degree at The Open University or at any other university or institution.

ACKNOWLEDGEMENT

I would like to thank Dr Jane Adams for her invaluable guidance and sage advice in supervising this dissertation.
1. INTRODUCTION

By the nineteenth century the violence widely accepted in the eighteenth century as an element of traditional control had ‘gained a new cultural prominence as a ‘social problem.’¹ At the heart of the contemporary discourse was the issue of wife-beating. Customary violence used to maintain authority including the work-place and the home, was brought into conflict with the view espoused by the elite and growing middle class that violence was abhorrent to a civilised and rational society and according to Wood, the social discourse on the issue of violence was an invention of the nineteenth century.² An ideology of separate spheres had emerged in which ‘husbands were to be breadwinners who supported and protected their wives, whilst wives ‘were to….be submissive and obedient, responsible for the smooth running of the household.’³ Absent from such a relationship was of course the traditional view that a husband had the moral if not the legal right to enforce his patriarchy by physical chastisement. As the century progressed that romanticized view of the marital relationship was held up as an aspiration for the artisans of the upper working classes as much a political as well as a social concept. For many contemporary commentators, the fact that the physical abuse of wives was a continuing problem could be laid firmly at the door of those who existed on the margins of society, the unemployed and unskilled working class.

The issue of wife-beating in nineteenth century England has been the subject of a number of studies, notably those by D’Cruze, Hammerton and Tomes. Several hypotheses have emerged from the current historiography including the class of the perpetrators, the causative factors behind the violence and the response of local communities amidst which acts of marital violence were committed. Nancy Tomes based on her study of London cases established what she labelled as ‘a descriptive typology of male-female violence,’ treating it as she described in ‘a static ethnographic fashion.’ This study will evaluate the hypothesis expounded in the current scholarship on wife beating in Victorian England by an examination of marital violence in Liverpool. Liverpool has been chosen for a number of reasons. Firstly, because nineteenth century Liverpool was distinct in many respects, demographically, economically and in terms of the social infrastructure, certainly from the rest of north-west England. Secondly, because Liverpool enjoyed an unenviable reputation for most of the century as the drink capital of England and for being an abnormally violent and criminal town. With the exception of part of a chapter on ‘Women as victims of domestic and sexual violence’ in Archer, no other study into marital violence in nineteenth century Liverpool has been undertaken. As such this study is largely unique and Liverpool is therefore an ideal locality

5 Tomes p. 328
8 Archer pp. 140 -159
from which to examine any distinctions in the character and pattern of domestic abuse and any commonalities with the studies based on London by Tomes, Preston by Hammerton and areas of Suffolk, Lancashire and Cheshire by D’Cruze.

The methodology adopted was the construction of a database of cases reported in the local and regional press spanning the 40 year period between 1850 and 1889. As the majority of prosecutions for wife-beating were heard before the police courts, reports in the press are the only source available to the historian and have been widely used in the historiography evaluated in this study, newspapers can also ‘yield data about the legal process that is otherwise missing from the court records.’\(^9\) Liverpool was extremely well served by the press during the nineteenth century, with no fewer than eleven publications active during the period under examination. The database contains reports of 320 cases heard by the police court, coroner’s court, Quarter Sessions and the Assize Court and contains a range of cases from common assault to homicide. The material has been obtained by using a variety of keyword searches to interrogate the database of the *British Newspaper Archive*\(^{10}\). The sample also includes cases from the township of Birkenhead which is separated from Liverpool merely by the width of the river Mersey. Those cases are included not only to expand the range under consideration but also because Birkenhead shared the same economic and social system, was like Liverpool comparatively heavily policed and formed part of the same urban conurbation.

There are some limitations to the database. The criminal justice system in nineteenth century England was based on a tripartite hierarchy of courts. The majority of cases were

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10 [https://www.britishnewspaperarchive.co.uk](https://www.britishnewspaperarchive.co.uk)
heard by the lower police courts tried by lay justices or in lager boroughs such as Liverpool and Birkenhead by a barrister appointed as a stipendiary magistrate, more serious offences were tried by the Quarter Sessions presided over in boroughs such as Liverpool by a judge and jury. The most serious cases such as murder or manslaughter and other felonies punishable by penal servitude for life were reserved to the Assize Court presided over by a peripatetic High Court judge. The *British Newspaper Archive* does not hold a complete run of each publication and where an initial report did not result in the case being concluded, either because the defendant was remanded in order for witnesses to be called, or the case was committed to be tried by a higher court, the case was followed up as far as possible in other local or regional publications. The detail and length of each report did of course vary, but only reports which could contribute to the overall survey were included, although there is not an even spread of cases across each of the decades in question.

Table 1.1

<table>
<thead>
<tr>
<th>Decade</th>
<th>Number of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1850s</td>
<td>44</td>
</tr>
<tr>
<td>1860s</td>
<td>76</td>
</tr>
<tr>
<td>1870s</td>
<td>106</td>
</tr>
<tr>
<td>1880s</td>
<td>94</td>
</tr>
</tbody>
</table>

11 Source: Constructed database, Liverpool Wife Assaults and Homicides 1850-1889
The number of cases available for the 1850s was significantly fewer than those available for latter decades particularly the 1870s and 1880s. It would be speculation to suggest that this represents a greater press interest in the issue in the final quarter of the century, as opposed to any limitations in the archive. However, public interest in wife beating did peak in the 1870s and the same decade also saw the publication of campaigner Francis Power Cobbe’s polemical article ‘Wife Torture in England.’

The database allows for an analysis of cases of wife-beating in Liverpool both quantitatively and qualitatively and permits an examination of a series of questions set against the current historiography. Chapter one will examine whether the men prosecuted for wife-beating in Liverpool were predominantly from the lower working class as contended by the contemporary view, or whether skilled workers, traders and the middle classes were equally represented as suggested in the current scholarship? The database will also be used to analyse the causative factors behind marital violence in Liverpool and in doing so, critically test the ‘descriptive typologies’ of the London cases examined by Nancy Tomes. Chapter two will analyse incidents of marital violence from the perspective of the victim. Why some women exercised agency and resorted to the courts and the restrictions on agency experienced by others, often leading to an attempt to subvert the prosecution process. It will conclude by an examination of the concept of victim blaming and whether Liverpool wives were the fallen angels as asserted by some of the social commentators of the period. Chapter three will examine the community response to wife-beating and explore whether there existed in the

Liverpool communities a notional acceptance of rough usage as found by both D’Cruze and Tomes?\textsuperscript{14} It will examine the attitudes of the police and whether their actions conformed to the view of Storch that they were ‘levers of urban discipline’ or whether officers shared the view that within tolerated levels wife-beating committed behind closed doors was a private affair.\textsuperscript{15} The intention to expand that chapter by examining the role of the courts and the response of the civic community of the town was too ambitious within the presentational guidance applying to this study.

\textsuperscript{14} D’Cruze p. 70 and Tomes p. 329
2. PROSECUTING THE WIFE-BEATERS LIVERPOOL 1850-1889: CLASS AND CAUSATION.

The Victorians largely held to the view that the most dangerous wife-beater belonged almost ‘exclusively to the artisan and labouring classes, ‘and critics of wife abuse ‘focused on the poorest inhabitants of the overcrowded slums.'

Modern historiography has challenged that contemporary view and research suggests that skilled workers, traders and the middle classes appeared equally before the courts for abusing their wives. This chapter will compare the Liverpool research with that of D’Cruze and Hammerton and will suggest with some caution that there is evidence that a higher proportion of the unemployed and unskilled in Liverpool were prosecuted for wife-beating than was found to be the case in the other locations studied.

It will then examine the causal factors behind incidents of wife-beating and critically examine the utility of the causative typologies advanced by Tomes.

In 1850 John Stuart Mill and Harriet Taylor declared that it was the universal belief among the labouring classes that the law permits them to beat their wives – and the wives themselves share that general error.’

In 1856 J.W. Kaye observed that most wife-beating cases in London came from the localities ‘where wretched people are herded together in a fetid steamy atmosphere, amidst all kinds of corruption physical and moral.’

Almost a quarter of a century later Frances Power Cobbe observed that ‘the men of the lower class….are proverbial for their unparalleled brutality, till wife beating, wife torture, and wife murder have

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3 *Morning Chronicle* 31 May 1850 cited in Hammerton p. 53

become the opprobrium of the land.'\textsuperscript{5} Cobbe acknowledged that wife-beating existed in the upper and middle classes rather more than was recognised, but dismissed such incidents as rarely extending ‘to anything beyond an occasional blow or two of a not dangerous kind.’\textsuperscript{6} She maintained however that the dangerous wife-beater belonged almost exclusively to the artisan and labouring classes.\textsuperscript{7}

Modern historians have called into question whether this contemporary view was in fact correct. Anna Clark conducted research into the occupations of defendants in wife beating cases heard by the Lancashire Quarter Sessions between 1821 and 1834. She found that labourers accounted for 29.4% of the total and those in manufacturing, predominately weavers, 24.7%. Those in skilled trades she found accounted for 22.3%, which led her to conclude that artisans were more inclined to domestic violence than textile workers.\textsuperscript{8} Based solely on the Quarter Session returns however, Clark’s research omitted the substantial number of cases which would have been dealt with by magistrates which may have produced a contrary conclusion.

As with this present study, the research conducted by James Hammerton and Shani D’Cruze was based on wife beating cases reported in regional newspapers. Hammerton’s study was based on a sample of 238 cases from Preston between 1836 to 1913 in which 128 or 45.2% identified the occupation of the defendant.\textsuperscript{9} Shani D’Cruze considered 146 cases across Cheshire, Lancashire and Suffolk covering a period between 1850 to 1904 in which 57 cases

\textsuperscript{5} Cobbe p. 32
\textsuperscript{6} Cobbe p. 58.
\textsuperscript{7} Cobbe p. 58.
\textsuperscript{8} Clarke, Anna, \textit{The Struggle for the Breeches: Gender and the Making of the British Working Class} (London: University of California Press, 1995) PP. 77 and 87
\textsuperscript{9} Hammerton, James, A., \textit{Cruelty and Companionship. Conflict in Nineteenth-Century Married Life} (New York: Routledge, 2005) p 37
or 39% identified the defendant’s employment.\textsuperscript{10} The present study considered a larger sample of 320 cases in which it was possible to identify occupations in 256 or 80% of the cases considered, leaving 64 unidentified. Notwithstanding the demographic differential in the samples, D’Cruze observed similarities between her own study and that of Hammerton. Both revealed that a substantial proportion of skilled men were prosecuted for domestic violence, ‘exactly the social group which could be expected to be most attached to the much vaunted respectability of the self-improving artisan.’\textsuperscript{11}

‘A well dressed young man or ‘A coatless rough looking fellow.’?’\textsuperscript{12}

Did domestic violence in nineteenth century Liverpool follow the same pattern observed by D’Cruze and Hammerton? Table 2.1 below sets out the occupations of the sample of 256 defendants appearing before the courts in Liverpool. Unfortunately neither D’Cruze nor Hammerton set out their own methodology for the classification of the defendants in their studies; the methodology adopted for this study was to classify those defendants who would have served an apprenticeship or required a significant degree of training into the category of skilled worker. Those classified as unskilled and aggregated into the lowest group does include defendants who required a certain degree of skill to perform their occupation, for example sailors, carters, and car drivers. However most resided in the poorer areas of the town


\textsuperscript{11} D’Cruze p 66.

\textsuperscript{12} The description of John Keate a poultry dealer and James McManus unemployed both accused of wife beating, \textit{Liverpool Daily Post (LDP)} 13 December 1856 and \textit{Liverpool Mercury (LM)} 30 August 1869
and would have shared the customs and attitudes of their unskilled neighbours. To reinforce the point in 1880 sailors, carters and cab drivers accounted for 60% of assaults upon the Liverpool police.\footnote{Archer, John, E., \textit{The Monster Evil – Policing And Violence In Victorian Liverpool} (Liverpool: Liverpool University Press, 2011) p 53} The defendants classified as traders or lower middle or middle-class however, includes two defendants described respectively as a ‘dealer in fowls’ and a ‘pig dealer’ the extent of each enterprise being unknown. They are included to avoid artificially increasing the number classified as unskilled. Similarly a defendant owning two grocers shops has been included together with a defendant simply identified as a stall-holder.

Table 2.1

<table>
<thead>
<tr>
<th>Class of Defendants</th>
<th>Accused of Wife-Beating: Liverpool 1850-1889\footnote{Source: Constructed database, Liverpool Wife Assaults and Homicides 1850-1889 (Liverpool Database)}</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNEMPLOYED &amp; UNSKILLED WORKERS</td>
<td>162 - 63.27%</td>
</tr>
<tr>
<td>SKILLED WORKERS</td>
<td>59 - 23.04%</td>
</tr>
<tr>
<td>TRADERS/ LOWER MIDDLE-MIDDLE CLASS</td>
<td>35 - 13.67%</td>
</tr>
</tbody>
</table>
Table 2.2
Wife-Beating Cases: Comparison of the Liverpool Study with those of D’Cruze and Hammerton\textsuperscript{15}

<table>
<thead>
<tr>
<th>Class</th>
<th>Liverpool</th>
<th>D’Cruze</th>
<th>Hammerton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unskilled</td>
<td>32.03%</td>
<td>42.97%</td>
<td>50.90%</td>
</tr>
<tr>
<td>Skilled</td>
<td>23.04%</td>
<td>38.60%</td>
<td>25%</td>
</tr>
<tr>
<td>Traders/Lower Middle-Middle Class</td>
<td>13.67%</td>
<td>8.80%</td>
<td></td>
</tr>
</tbody>
</table>

The data above shows that the proportion of defendants from the unskilled working class was significantly higher in Liverpool than in the comparative studies and conversely the proportion of defendants who were skilled workers was lower. Whilst those in trade or regarded as lower middle or middle class formed the smallest group in Liverpool and was again lower than the Preston study it was higher than the survey conducted by D’Cruze. What, if any, conclusions can be drawn from this comparison? Hammerton recognised that reliance upon a sample of newspaper reports was ‘an imperfect and arbitrary source’ and what no historian can take into consideration is the ‘dark figure’ of unreported assaults upon wives which was undoubtedly

\textsuperscript{15} Source: D’Cruze p. 66, Hammerton p. 37 and Liverpool database
large.\textsuperscript{16} The occupation of the defendants in 20\% of cases in this study remain unidentified and whilst fewer than those unidentified in the research by D’Cruze and Hammerton it is still significant. There is validity however in the argument that the court reporters of the day would have been more likely to specify the occupations of skilled workers and particularly those from the middle class rather than the labouring poor. It is unlikely therefore that the number of unidentified cases would have the potential to significantly unbalance the percentages found for each class in this study. Whilst for the reasons outlined no firm conclusions can be drawn from the Liverpool research, at best it challenges the Preston findings that ‘skilled workers, shopkeepers and men….from the middle class appeared no less frequently….on wife assault charges, an impression supported by Shani D’Cruze.\textsuperscript{17}

Were there factors unique to Victorian Liverpool which could lend support to such a challenge and explain why a significantly higher proportion of the labouring classes appeared before the courts? John E. Archer observed that ‘Liverpool was subject to many forces and pressures that were absent in other British towns and cities.’\textsuperscript{18} Those forces and pressures can be broadly categorised as economy, demography, housing and alcohol. Unlike most of urban England, nineteenth century Liverpool had no manufacturing industry predicated on a system of large factories and mills, its distinctive economy was focused on its status as one of the world’s leading ports requiring large numbers of unskilled and semi-skilled labour.\textsuperscript{19} Although in 1851, 20\% of Liverpool households were merchants, professionals, shopkeepers and

\textsuperscript{16} Hammerton p 36.
\textsuperscript{17} D’Cruze p. 65.
\textsuperscript{18} Archer p. 3.
traders, 45% were classed as unskilled and semi-skilled and Liverpool had relatively few skilled labourers when compared with Preston. Casual work for dockers, porters and carters predominated in the centre of the town, and such employment was often precarious and at the mercy of the weather which kept the ships off-shore. In a workforce that was maintained to cope with the peaks of activity under employment and unemployment was high and a recipe for poverty. Behind the waterfront there was an equally precarious secondary economy of hawkers, costermongers, lodging house keepers and pawnbrokers each also dependent on the business of the docks.

Liverpool was also a town of largely unskilled migrant workers, particularly from Ireland. The census of 1841 revealed that 17.3% of the population was Irish-born. By 1851 following the famine years that had risen to 22.3% and the population stood at 375,000. Migrants also arrived from other parts of the nation particularly Scotland and Wales, and consequently by 1881 the population of the town had increased to 522,508. Such rapid expansion exerted continuing pressure on a predominantly unskilled workforce many of whom were existing on the margins.

The economy and demography of the town placed pressure on the housing stock much of which consisted of speculatively built court houses and cellar dwellings, lacking proper sanitation, drainage and adequate ventilation. In 1847 it was estimated that at least 300,000 of the towns inhabitants were residing in cellars and they continued to house a considerable number of people in this manner.

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20 Walton p. 371 and p. 379
21 Walton p. 389
23 Archer p. 65 and Walton p. 363
proportion of the population well into the century.\textsuperscript{25} The rising cost of rent and food in the mid-Victorian period coupled with low and uncertain wages forced married couples to seek lodgings in houses with lethal levels of overcrowding.\textsuperscript{26} A contemporary view linked poor quality housing to domestic violence, theorising that the ‘noisomeness’ of their accommodation drove both husbands and wives to the public house resulting in ‘a perpetual motion of a moral and immoral character, expressed in marital violence.’\textsuperscript{27}

If the inhabitants of the overcrowded dwellings of Liverpool were driven to the public house, they had many to choose from, public houses and beer shops proliferated on every street corner. The Head Constable of Liverpool in his address to recruits in 1873 remarked that ‘drunkenness is the cause of an enormous and overwhelming amount of crime in Liverpool’ and in 1875 the \textit{Times} reported that the Liverpool police had apprehended no fewer than 23,000 people for drunkenness.\textsuperscript{28} In that same year the Head Constable’s annual report listed a total of 2,225 public houses and beer shops within the Liverpool borough.\textsuperscript{29} Data presented to the House of Lords select committee on intemperance in 1878 suggested that Liverpool was the most drunken town in England and Wales.\textsuperscript{30} As D’Cruze observed ‘drink exacerbated violence because its unbuttoning effect easily brought domestic tensions to the surface’ and ‘neutralized the consequences of violence.’\textsuperscript{31} Such forces and pressures, in combination and

\textsuperscript{26} Walton p. 371.
\textsuperscript{29} LM 3 November 1875
\textsuperscript{30} Beckingham p. 306.
\textsuperscript{31} D’Cruze p. 66.
arguably unique to Liverpool, suggests an explanation for the fact that almost two out of every three defendants brought before the Liverpool courts for domestic violence were from the lower working class as opposed to only one half in the shire counties and less than one in two in Preston.

**Causation**

From the sessions papers of the Central Criminal Court and trial accounts published in the *London Times* between 1840 and 1875, Nancy Tomes devised from a sample of 100 cases, her ‘descriptive typology of male-female violence.’ Her typology posited a number of underlying causes of wife-beating which could exist both in isolation and combination. She identified seven major causes of marital violence; drunkenness, perceived failure by a wife to perform her domestic duties, failure by a wife to provide her husband with money, the family economy, a wife’s activities outside the home, a wife’s aggression and a wife’s interference with her husband’s activities. The sample of Liverpool cases has been used to test the typology and a significant number of the Liverpool cases conformed to the causative factors identified by Tomes, suggesting a national picture. Table 2.3 sets out the number of cases falling within the identified typologies. As Tomes observed, incidents of domestic violence often involved a combination of causative factors and therefore a number of cases in the table are included in more than one causal typology. A wife’s intemperance for example could often result in the pawning of household goods and the neglect of household duties.

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Tomes found in London that alcohol consumption was often the precursor to marital violence. Hammerton discovered in his Preston survey that men’s drinking was mentioned in 107 cases out of 283 and women’s in 24, representing 46% of his sample. As befitted the drink capital of England, in 184 of the cases examined for Liverpool either the husband or wife or both had been drinking, representing 57% of the total. Repeatedly the local press reported that the accused had returned home drunk and proceeded to beat his wife. Often the mere presence of a wife was enough to provoke an attack, possibly in response to some perceived past slight or act of disobedience. Patrick Farrell described in the court report as ‘a coarse ill-favoured fellow ‘returned home drunk and dragged his sleeping wife from her bed threatening to ‘tear her up like a herring’ before striking her head on a mantlepiece.

### Table 2.3

Liverpool Cases Conforming to the Tomes Causative Typologies

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drunkeness</td>
<td>184</td>
</tr>
<tr>
<td>Failure to Perform Domestic Duties</td>
<td>101</td>
</tr>
<tr>
<td>Wife’s Activities Outside the Home</td>
<td>73</td>
</tr>
<tr>
<td>Family Economy</td>
<td>38</td>
</tr>
<tr>
<td>Failure to Provide Money to Husband</td>
<td>35</td>
</tr>
<tr>
<td>Wife’s Aggression</td>
<td>21</td>
</tr>
<tr>
<td>Interference with Husband’s Activities</td>
<td>19</td>
</tr>
</tbody>
</table>

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33 Source: Tomes pp. 328-345 and Liverpool Database
34 Hammerton p.192
In contrast the victim, Julia Farrell was described in court as ‘an industrious woman who bears an excellent character.’ Thomas Farrell an outwardly respectable marine store dealer returned home drunk and ‘seemed as one mad.’ Without apparent provocation he punched his wife in the face in the presence of witnesses, before knocking her into the street and kicking her. Whilst the drunkenness was normally on the part of the husband there were occasions when the violence was occasioned by the drunkenness of the wife. Robert Ellis was an industrious baker supplying a number of local shops, his second wife Catherine was described in court as ‘a woman of rather abandoned habits’ and to ‘have been given up to the dreadful habit of drinking.’ Having returned home drunk the previous evening she was seen in the street by her husband the following morning in a similar condition and as a consequence he punched her to the face knocking her to the ground. James Blackhurst described as an ‘elderly man’ struck his wife on the head with a tin can causing a serious wound. The defendant’s son gave evidence that while his father was sober his mother was drunk and had spat at her husband, thrown the contents of a pepper pot in his face and stabbed him in the chest with a fork. Violence could often follow when both parties had been drinking. Thomas Mackin and his wife Elizabeth were both drunkards and had been given notice to quit their lodgings. In a drunken quarrel Elizabeth struck Thomas with a poker provoking him to push her downstairs with fatal consequences.

Tomes observed that violence was sometimes provoked by a wife’s failure to carry out what were perceived to be her household duties such as preparing meals on time or running

35 Birkenhead News (BN) 17 April 1880.
36 Liverpool Weekly Courier (LWC) 11 November 1882.
37 Liverpool Echo (LE) 6 February 1882.
38 LDP 7 July 1870.
errands.39 Incidents such as those found by Tomes in London were also present in Liverpool. Labourer James Johnson spent Christmas night drinking with his wife. When in the early hours of the following morning his request for supper was refused, he struck his wife repeatedly with a poker. James Brannan a dock porter returned home and asked his wife for his dinner. He was told there was no dinner as he had provided no money. In the resulting argument with his wife the defendant seized a knife and attempted to stab her.40 A refusal to obey a husband together with a wife’s perceived misconduct could also give rise to violence. George Boyd returned home to find his wife Mary drunk in bed. When she refused to get up and make his supper they quarrelled. Boyd who himself was described as a man ‘given to habits of intoxication’ hurled a poker at his wife which embedded in her skull.41

A wife’s refusal to provide money for alcohol was found by Tomes to often be a precursor for violence. Evidence of this as a causative factor was also found in Liverpool. John Nelson described as ‘a rough looking fellow’ returned to his court dwelling drunk. He demanded money from his wife Bridget, ‘a hard working woman,’ when she refused because he was already drunk, she was attacked with a cotton hook.42 On the day Patrick Doran was released from prison for a previous assault on his wife, he met her in the street and demanded money for drink. When she refused to hand over all of her money, some of which was for food for her child, Doran struck her face knocking the child out of her arms.43

As part of the typology there also existed both in London and Liverpool what may be termed ‘the violence of economy.’ With the income of many working class household’s
strained a wife’s request for money for the household budget could also receive a violent response. The wife of Andrew Roche described in court as ‘a regular wastrel’ requested money for food for herself and their child. His response was to knock her to the ground and he was only prevented from striking her with a stone by the intervention of the police. When Abraham Moore’s wife Catherine requested money from her husband his response was to strike her with a poker and dash her head into the fender. Although her neighbours summoned the police Catherine was unwilling to give evidence, fearing perhaps the collapse of the household if her husband was imprisoned.\(^44\) The violence of economy often gave rise to mistrust and allegations that a spouse had stolen, hidden or pawned scarce household resources. William Unsworth accused his wife of hitting him with a shovel and taking two pounds and ten shillings from his pocket, as a result he knocked her to the ground and kicked her repeatedly before being restrained by neighbours. Elizabeth Johnson removed five shillings and seven pence from her husband’s pocket whilst he was asleep and as a consequence her husband John knocked her to the ground, kicked her and attempted to strangle her. It may not have been the case that Elizabeth required the money to maintain the household, John had previously hidden money away and his wife’s behaviour was described in court as ‘aggravating in the extreme.’\(^45\) Henry Greenwood was also married to a woman addicted to drink and she too had pawned household goods. He discovered that the twenty four shillings he had sent home had been spent and further goods had been pawned. Telling Mary Greenwood that she ‘had deceived him for the last time’ he repeatedly punched and kicked her causing her death. Patrick Gallagher although drunk decided to pawn his jacket to obtain

\(^{44}\) *LM* 20 July 1855 and *LM* 21 September 1875.

\(^{45}\) *LM* 12 June 1877 and *Chester Courant* 13 April 1881.
more, his wife objected and followed him to the pawnbrokers. When they returned home, he knocked her to the ground and was beating her head against the floorboards when the police arrived.46

Inevitably Tomes found that a wife’s aggression towards her husband could result in her being the victim of violence. In the reported cases considered for Liverpool accusations of violence by a wife however were comparatively rare, occurring in just 21 cases, representing just 6.5% of the total sample.47 The aspect of ‘victim blaming’ will be considered further in the next chapter. Present in both the London typology and in Liverpool were the tensions resulting from a wife’s social activities outside the household, often to the perceived neglect of her wifely duties. John Goss described as ‘a man of respectable appearance’ had returned home from the Aintree races in ‘a bad temper.’ He threw a heavy alabaster ornament at his wife causing her eyes to be ‘fearfully disfigured.’ Before the magistrate he pleaded that his wife ‘was in the habit of drinking and that she had formed connections that she should be ashamed of in the street.’ She had also neglected his domestic comforts and he had been compelled to have his shirts washed on a Sunday. Indicted for inflicting grievous bodily harm upon his wife, James Greeney was acquitted by a jury despite his wife sustaining facial bruising and a fractured rib from being kicked. The defendant had returned home to find his wife and other women drinking bad whisky, and accepting he had struck his wife he claimed necessity due her ‘violent passions’48

46 LM 28 March 1866 and DP 15 July 1869.
47 The number includes both verbal and physical aggression. The number in table 3.3 represents physical aggression only.
48 LDP 15 March 1860 and LDP 1 April 1875.
Whilst a wife’s activities outside the home could result in violence, Tomes observed from her London study that a wife’s perceived interference with her husband’s activities could have the same consequence. Such instances were also present in Liverpool. Late one Saturday evening the wife of William Burns suspecting he was keeping bad company went out to search for him. Burns upon seeing his wife, chased her and kicked her about her head. When he returned home in the early hours of the following morning, he assaulted his wife again when she refused him supper. Margaret Lyons also went looking for her husband James, and seeing him through the window of a public house she took fright and ran away. She was chased by her husband who caught her by her hair, threw her to the ground and kicked her in the back. Birkenhead coalheaver John Tucker took two shillings and sixpence from the household budget and went out drinking. His wife Rose followed him into the public house to persuade him to return home. She too was chased into the street and was kicked to the ground. Tucker was about to kick his wife again when the police apprehended him.

**Assertions of Patriarchy**

Shani D’Cruze considered the ‘spatial location of domestic violence’ including incidents in which the victim was ejected from or dragged back to the house, which made ‘patriarchal dominance crystal clear.’ Joanne Begatio has also commented on this practice, observing that a husband could later claim a wife had left voluntarily, thus depriving her of the right to maintenance. Although neither commented on the frequency in which this occurred, in

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49 Tomes p. 51.
50 *LDP* 30 September 1865, *LE* 6 November 1884 and *BN* 5 October 1887
51 D’Cruze p 76.
this study there were only 9 cases in which a wife was ejected from the household representing less than 3%. However violence inflicted by a husband in a public place was an equal display of male dominance. From the Liverpool sample 54 cases representing over 16% of wife assault cases heard by the courts were alleged to have been committed in the street, often in full view of the public and on occasion the police. Not included in that number are the cases of Peter Gregory whose violent quarrel was conducted with his door open drawing a curious crowd of neighbours, and William Barker who quarrelled with his wife in the doorway of their house with results which were ultimately fatal. Absent from the Tomes’ typology and the studies of D’Cruze and Hammerton is violence directed towards the children of the family, in addition to that directed towards a wife. Such violence could also be viewed as an assertion of domestic patriarchy by husbands who often held no authority outside the home and may have harboured a resentment towards

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53LM 20 December 1870 and 28 August 1867.
54LDP 5 August 875 and Bolton Evening News 23 August 1881.
children who consumed both a wife’s attention and scarce household resources. Thirty of the Liverpool cases considered, representing 9% involved child victims either as direct or indirect casualties of a father’s violence. Arriving home in ‘a state of intoxication’ Henry McBride on being told by his wife there was no food for lack of money, knocked her down and seizing their child from her arms threw it across the room. James Delvie attempted to strangle his seventeen year old wife, he knocked her down, kicked her and snatching his young child from her arms threatened to kill it, and forgeman Thomas Cuddy in the course of assaulting his wife attempted to kick the child she was holding. Henry Jones spent a Saturday evening drinking with his wife and the other occupants of their court dwelling. A witness later heard his wife shout and entering the room she discovered that Jones had scalded with boiling water both his wife and baby. Under the headline of ‘A Brutal Husband’ the Liverpool Echo reported that James Myerscough had for the past 10 years been supported by his wife and that for the past two weeks, having broken his promise to abstain from drink, had beaten his wife and their nine children every day.55

Conclusion

Although the evidence to be drawn from the Liverpool cases must be approached with caution, it suggests a divergence from the accepted scholarship of Clark, Hammerton and D’Cruze, that skilled workers and the middle classes were equally represented in the numbers charged with marital violence. Whilst Hammerton found that in Preston less than one in two defendants were from the lowest working class, this study suggests that in Liverpool it was

55 LDP 10 July 1855 Liverpool Weekly Mercury 19 April 1856, Lancaster Gazette 12 June 1875, BN 22 February 1881 and LE 5 February 1889.
approaching two in every three. The explanation as to why that may be the case lies in the factors previously discussed which certainly made Liverpool distinct from the rest of the region if not the nation. Kaye’s observation that most wife-beating cases in London ‘emanate from some confined overcrowded locality to a great extent held good for Liverpool until well into the century.\textsuperscript{56}

It is unsurprising that the typologies of domestic violence which Tomes found existed in London also existed in Liverpool. D’ Cruze however, appears to have questioned the complete effectiveness of typologies across ‘a diverse range of cases’ such as those considered in this chapter.\textsuperscript{57} This is particularly so in numerous cases examined, which although reported in detail, reveal no apparent motive for violence, aside usually from drunkenness. Violence towards a spouse may well have been a reaction to the grinding poverty in which many wife-beating husbands lived and who possessed no social standing outside the patriarchy of the home. It is argued that in a number of cases the causal factors of violence lay beyond marriage and the household and outside the suggested typologies. Causal factors would have existed from the social circle in which men mixed or from their employment or lack of it. Chartist John Watkins referring to employers wrote, ‘how many take their vengeance on….their wives and children, which they should take out on their tyrants.’\textsuperscript{58}

\textsuperscript{56} J. W. Kaye p. 254
\textsuperscript{57} D’Cruze p. 69
\textsuperscript{58} Cited in Clark, Anna, Domesticity and the problem of wifebeating in nineteenth century Britain: working-class culture, law and politics, in Everyday Violence in Britain, 1850-1950, ed. by Shani D’Cruze (Harlow: Longman, 2000) p.28
Such external factors often exacerbated by alcohol would undoubtedly on occasion have resulted in a wife being the object upon which a husband expended his frustrations. As Mill observed ‘for everyone who desires power, desires it most over those who are nearest to him.’ The cases of Frederick Burgess and John Ulrich illustrate the point. Burgess had quarrelled with his masters at work and returning home drunk stabbed his wife in the neck. Ulrich, a marine firearm failed to obtain employment on a ship and returning home sober attacked his wife with a poker.

This chapter has examined the prosecution of men accused of beating their wives. Whether a prosecution took place and the course of proceedings was on many occasions determined by the actions of the beaten wife. The next chapter will examine the agency exercised by the victim, their role in the justice system and the concept of victim blaming.

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59 Cited in Dodenhoff, Jenna, “‘A Dangerous Kind’: Domestic Violence and the Victorian Middle Class,” TCNJ Journal of Student Scholarship, X (2008), pp.1-4(p. 4)

60 LWC 5 September 1881 and BN 8 October 1887
3. SUFFERING OR FALLEN ANGELS? VICTIMS AND VICTIM BLAMING

This chapter will explore why the victims of domestic violence resorted to the court, the fetters on the agency of victims, particularly those from the lowest class, and why on occasion, victims of wife-beating endeavoured to subvert the prosecution process. It will then examine the concept of victim blaming and why in many instances a trial concerned the character of the wife as well as the conduct of the husband.

Suffering Angels.

The preceding chapter set out tentative evidence that the proportion of working class husbands prosecuted for marital violence was significantly higher in Liverpool than has been contended in the current historiography. By an obvious corollary, such evidence would also suggest that the majority of the victims were also from the lower working class, following the contemporary view that the courts, particularly the police courts, were regarded as the courts of the poor and that ‘any proceedings in such courts would stain the reputation of a respectable woman.’1 Annmarie Hughes in her study of a later period in Scotland found that middle-class victims were silenced ‘because wife-beating was associated with the ‘animality’ of the poor and the shame of inadequate feminine skills’.2 Although by mid-century almost half of the population of Liverpool were classed as unskilled or semi-skilled, nevertheless as was

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observed in the previous chapter, in over a third of the cases examined the victims were married to men who could broadly be categorised as skilled, in trade or from the lower middle class. However, with the exception of Mrs Fanny Gibb, described in the press as ‘fashionably attired and prepossessing’ who took out a summons for assault against her surgeon husband, and the appearance of J P Douglas a respected chemist also accused of wife beating, the truly middle-class are absent from this survey, supporting the view held by Hughes that the agency of the middle-class victims was fettered by a sense of shame.³

Shani D’Cruze conceived a theory of a culture of tolerated violence by married women in the nineteenth century, particularly those in the lower classes. Women who, having witnessed violence between their own parents, witnessed violence in their neighbourhood and physically chastised their own children, would themselves often tolerate a degree of violence at the hands of their husbands.⁴ Hammerton also observed that working-class women lived with a ‘culture of poverty in which violence was taken for granted’.⁵ From her research D’Cruze suggests that a wife would be driven to the door of the court by a particular event such as the assault of a child, or a threat with a knife.⁶ Some of the Liverpool cases support the hypothesis that victims exercised agency in response to an unexpected event or when violence exceeded an acceptable level. Daniel Owens, a carter, was brought before the court on a summons issued by his wife. Although there was a history of abuse, on this occasion he had beaten his wife so badly she was forced to seek shelter with her child at the home of a

³ LDP 21 November 1868 and 19 August 1857.
⁵ Hammerton p.46
⁶ D’Cruze p.70
neighbour. Owens followed her there and attacked both his wife and child causing the latter convulsions.⁷ Jane Chadwick had previously been assaulted by her publican husband James, but does not appear to have taken any action. When she intervened to prevent her husband assaulting her sister, she was punched on two occasions and threatened with a knife. Her purpose in taking out a summons against her husband was made clear in court, “to restrain the defendant in his violence towards his wife along with his wife’s sister.”⁸ D’ Cruze also holds the view that a wife was likely to have resorted to a prosecution on being ‘put out of the house so that the neighbours were “publicly” aware of the violence for the first time.’⁹ For the working class living in the close confines of Liverpool’s shared courts and cellars, keeping private an incident of marital violence would have been well-nigh impossible and ejection from the house was unlikely to have alerted neighbours to a violent relationship for the first time. D’ Cruze refers to such actions as being a frequent strategy of violent men, however, as previously observed, turning a wife and children out to assert patriarchal authority does not appear to have been prevalent practice in Victorian Liverpool.¹⁰

In her examination of the workings of the police courts in London, Jennifer Davies noted ‘the regularity with which women appeared to complain of violent husbands.’ She observed however that wives often wished the court to simply bind over their husbands to keep the peace, avoiding the economic calamity of a husband being imprisoned.¹¹ That pattern does not appear to have been present in Liverpool. Of the cases examined only 23, representing just 7.3%, resulted in the defendant being bound over to keep the peace.

⁷ LM 28 February 1854
⁸ LDP 3 June 1869
⁹ D’Cruze p.70
¹⁰ D’Cruze p.68
Of those cases, almost half involved wives who had already left their abusive husbands or who attended court to apply for a separation order, a power granted to magistrates after the implementation of the Matrimonial Causes Amendment Act of 1878, provided an aggravated assault was proved. Such an assault however, required proof of ‘an attack involving grave physical injury or use of a dangerous or deadly weapon’\(^\text{12}\) The remaining cases reveal that the apparent leniency of the court may have resulted from evidence of the wife’s bad character.

D’Cruze found that most of the cases she examined were instigated by women themselves with only a minority brought by the police. That moved her to speculate that ‘women may have also resorted to the court when experiencing violence for the first time or when the violence was a level beyond ‘rough usage.’\(^\text{13}\) It is difficult to project such a theory onto the motivation of female victims in nineteenth century Liverpool. Following the passage of the Aggravated Assaults on Women and Children Act of 1853, a complaint of an assault upon a woman could be made by a third party which included a police officer.\(^\text{14}\) D’Cruze’s study included many rural areas which would have been lightly policed, Liverpool in contrast was comparatively heavily policed particularly in areas of dense population. As early as 1856 the police ratio was 1 to 460 inhabitants, significantly higher than that in Manchester or Birmingham.\(^\text{15}\) The involvement of the police, brought to the scene by a woman’s screams or witnessing an assault in the street removed from the victim the freedom to decide

\(^{12}\text{Tomes p.330}\)

\(^{13}\text{D’Cruze p.70}\)

\(^{14}\text{Doggett, Maeve E., Marriage Wife-Beating and the Law in Victorian England (Columbia: University of South Carolina Press, 1993) p.106}\)

whether a charge was brought, however reluctant she may have been to prosecute.\textsuperscript{16} A police officer passing labourer Richard Codey’s house in Garston heard a woman screaming. On entering the house he witnessed Codey kicking his wife and arrested him. When placed into the witness box Ann Codey blamed herself for failing to prepare her husband’s supper and for calling him foul names. A police officer witnessed Hugh Murphy assaulting his wife in the street and took him into custody. In court Mary Murphy denied her husband had struck her and to emphasise the point added that even if he had, she was to blame.\textsuperscript{17} John Craughan whilst drunk quarrelled with his wife over his supper and struck her over the eye causing a serious wound. He was arrested by the police trying to escape and found in possession of a knife. Following her husband being taken into custody despite a police search, Mary Craughan could not be found.\textsuperscript{18} All three women were no doubt representative of many who would not have instituted proceedings on their own behalf but found themselves in the uncomfortable position of having the decision taken from them. Whether the victims in these incidents were accepting a degree of rough usage or were fearful of reprisals or the collapse of their household economy remains hidden.

\textit{Reluctant Angels}

In her study of assaults upon women in London, Nancy Tomes found evidence that between 1850 and 1854 approximately 10% of all such cases were dismissed because the female complainant failed to appear in court. She also quoted the Portsmouth judge Edward Cox who complained that once in the witness box the wife ‘ would say, if wounded, ”the wound was

\textsuperscript{16} Fifty four of the sampled cases representing over 16.9% occurred outside a dwelling usually in the street.
\textsuperscript{17} \textit{LM} 7 May 1878 and \textit{LDP} 1 July 1882
\textsuperscript{18} \textit{Bradford Daily Telegraph} 18 July 1875
caused not by any blow from him, but she fell by accident against the knife; the black eye was caused by the bed post.”\textsuperscript{19} An analysis of Liverpool cases shows that over a quarter of victims, 27%, did not support the prosecution of their husband. The figures in the table below of necessity excludes 60 homicide cases, although some victims of homicide survived long enough to make a dying deposition in which they sought to exculpate their attacker.

Table 3.1

<table>
<thead>
<tr>
<th>Victim’s Responses to a Prosecution: Liverpool 1850-1889\textsuperscript{20}</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL NUMBER OF CASES</strong></td>
</tr>
<tr>
<td><strong>SUPPORTIVE OF PROSECUTION</strong></td>
</tr>
<tr>
<td><strong>NOT SUPPORTIVE OF PROSECUTION</strong></td>
</tr>
<tr>
<td><strong>NOT KNOWN</strong></td>
</tr>
<tr>
<td>260</td>
</tr>
<tr>
<td>177</td>
</tr>
<tr>
<td>70</td>
</tr>
<tr>
<td>13</td>
</tr>
</tbody>
</table>

Wives sought to subvert the prosecution using a variety of means and the data above does not of course include cases in which a wife took out a summons but did not attend court. A Birkenhead police inspector heard a woman screaming ‘murder’ from inside Henry Walker’s butchers shop. He witnessed Walker throwing his three young children into the street and on

\textsuperscript{19} Tomes, Nancy p. 333
\textsuperscript{20} Source: : Constructed database, Liverpool Wife Assaults and Homicides 1850-1889 (Liverpool Database)
entering the shop discovered Walker assaulting his wife. With difficulty the officer took
Walker into custody. The police gave evidence to the court that Walker had frequently ‘ill-
used’ his wife and she had previously taken out summonses against him but on each occasion
had failed to attend court through fear. The wife of John Costage had previously taken out no
fewer than eighteen summonses but had previously attended court on only one occasion.\textsuperscript{21} The
reasons why the Liverpool victims of wife beating sought to prevent a successful prosecution
are comparable to those uncovered in the current historiography. Tomes cited one such reason
as the obvious fear of retribution.\textsuperscript{22} There was a clear risk to the safety of a wife who issued a
summons against her husband or who was the central witness in a prosecution initiated by the
police. Oysterman John Gibson appeared before the Assize court in 1856 charged with
wounding his wife Mary with intent. He had beaten her severely with a belt buckle causing a
severe wound to her scalp and breaking her arm. Although summoned to appear as a witness
she failed to do so and the case proceeded in her absence. Appearing before the same court,
John Evans also faced a charge of wounding with intent. It was alleged that he had severely
beaten his wife Sarah with a poker and a pike. The \textit{Northern Times} reported bleakly that ‘she
did not come forward to prosecute.’\textsuperscript{23} Francis Farrell although married to his wife Mary for
only two years had failed to maintain her, forcing her to enter the workhouse. Following a
chance meeting he attacked her, biting her nose and ear causing permanent disfigurement.
Notwithstanding the severity of the assault when Farrell’s case was called on for trial at the
Quarter Sessions she also failed to appear.\textsuperscript{24} One of the driving forces behind the

\textsuperscript{21} LDP 9 January 1882 and \textit{Liverpool Daily Courier} 9 February 1870
\textsuperscript{22} Tomes p. 332
\textsuperscript{23} \textit{Northern Times} 18 August 1856
\textsuperscript{24} LM 21 February 1882 and \textit{Liverpool Weekly Courier} 1 April 1882
1853 Act had been the desire to provide magistrates with greater sentencing powers and allow a greater proportion of wife beating cases to be dealt with summarily rather than by the senior courts. The delay in sending a case to the Quarter Sessions or Assizes provided a greater risk that a wife would be intimidated into silence and the physical evidence of an assault would have disappeared.25

Both Hammerton and Tomes found that issues surrounding the finances of the family inhibited a wife from prosecuting her husband, termed by Hammerton as the ‘moral economy of poor families’26 Tomes quotes the view of a Lambeth magistrate in 1875, that it would ‘unfetter the hands of justice if there was some certainty that the home of the man would not be ‘broken-up’ and the wife and children sent to the workhouse, from want of support during his imprisonment’.27 The fears expressed by a number of Liverpool victims of wife beating confirms that the continued economic survival of the family was at the forefront of their concern rather than the desire to see their husbands punished. The wife of Patrick Ginley went to considerable lengths to prevent the prosecution of her husband. A police officer passing their cellar dwelling heard the sounds of a disturbance. On entering the cellar the officer witnessed Ginley assaulting his pregnant wife but she declined the offer to take him into custody, she already had three small children and depended on her husband for her livelihood. The officer returned later to discover Ginley continuing to beat his wife and took him into custody however the victim refused to charge him. When Ginley returned home, he assaulted

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25 Doggett p. 106
26 Tomes p.332 and Hammerton p.61
27 Tomes p.333
his wife again and on this occasion was arrested and charged by the police. When her husband
was sent to prison, she burst into tears imploring, ‘what she should do.’\(^{28}\) Dock labourer
Michael Comer following a quarrel beat his wife Eleanor inflicting wounds to her scalp and
fracturing her finger. She appeared before the court in what was described as ‘a most
dilapidated condition of health,’ but beseeched the magistrate ‘for the Lord’s sake sir have
mercy upon him for his three little children.’\(^{29}\) The wife of Peter Cross who, as previously
seen, was stabbed by her husband was described as giving her evidence reluctantly. Following
her husband’s imprisonment she left court with a child in her arms and one clinging to her
dress, distressed and crying she was reported to have exclaimed ‘mercy on me who will
provide for my children’?\(^{30}\) Although the subsequent fate of such victims is outside the scope
of this study, the plight of Ann Howard may provide some indication. Following the
imprisonment of her husband for an aggravated assault, Ann asked the magistrate if she could
be given the money in her husband’s possession as she had nothing to live on. Advising her
that he had no power to do so the magistrate informed her that she would have to enter the
workhouse which would be preferable to living with a brute of a husband.\(^{31}\)

Tomes also identified that some victims were reluctant to prosecute from a sense of
guilt and a sense that they were responsible for their husband’s actions, examples of which can
be found in the Liverpool cases. Nicholas Markey described as ‘a tinker and a dissipated
looking individual’ struck his wife Margaret on the head with a frying pan leaving her in a
pool of blood. In a deposition she stated that her husband had only slapped her and that was as

\(^{28}\) LDP 5 May 1857  
\(^{29}\) LDP 10 July 1857  
\(^{30}\) Bolton Evening News 23 August 1881  
\(^{31}\) LM 28 July 1885.
a result of the names she had called him and she had dared him to strike her. Her sense of guilt may, however, have emanated from the fact that prior to the assault she had left her husband and moved into lodgings.\(^{32}\) Edward Martin whilst drunk quarrelled with his wife Mary and struck her with a butter dish. In court she sought to withdraw the charge against him, describing him as a good husband who was seldom drunk. Her guilt may have resulted from the fact that prior to the assault, she had been caught rifling her husband’s pockets for money.\(^{33}\)

Varying reasons compelled a beaten wife to take out a summons against her husband, and the reasons identified by the current scholarship are present in the survey of Liverpool cases, as are the reasons why many wives sought to shield their husband from the consequences of their actions. Each of the cases examined is of course in itself unique and it is correct to question the effectiveness of collating decisions made by victims into any form of systemic classification. The decisions made by beaten wives in Liverpool were doubtless driven by a multiplicity of factors including those identified in the historiography. The desire of Mary Martin to withdraw the proceedings against her husband who beat her for searching his pockets, was motivated by a sense of guilt, but she would also have had regard to her own situation had her husband been imprisoned. She had given birth to 17 children and when asked by the magistrate whether she was dependant on him, she simply replied ‘yes sir’.

\[^{32}\text{LM 14 August 1865}\]
\[^{33}\text{LDP 4 December 1875}\]
Fallen Angels? – Victim Blaming.

Fear of physical retribution and destitution were clearly factors influencing the actions of some wives, however an additional consideration even for working class women, and largely untouched by the current historiography, was the fear of losing their character. The contemporary discourse concerning ‘separate spheres’ created a middle-class view of how a wife should behave. If men were violent towards their wives, then the wives themselves should examine their own conduct. The courts would therefore assess the respectability of a wife and unless they conformed to the ideal gender role they may not be regarded as a victim at all. 34 Such was the importance placed on the wife’s character that evidence of the same was on occasion provided by the police. Henry McBride blamed his wife for drunkenness and infidelity, which she indignantly denied. Two police officers who patrolled the local beat gave evidence that Mrs McBride was a ‘sober, decent, hardworking woman.’ Her husband however was described as ‘a dog fighter and an idle, dissipated worthless fellow’ and was subsequently convicted. 35 Martin Weiner has observed that ‘the combination of old and new forms of condemnation of bad wives continued through the century.’ 36 As late as 1886 Superintendent Clark gave evidence to the court that he had made enquiries concerning the character of Catherine Wilkinson who had been assaulted by her husband, James. Wilkinson had alleged his wife was constantly drinking with her neighbours, but the police found Catherine to be ‘an

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35 *LDP* 11 July 1855.
industrious woman who went out washing to keep the house.’ James on the other hand was described as ‘a lazy, drunken fellow.’

The reasons behind a woman’s response to an act of marital violence are often silent and unrecorded, the reasons for victim blaming are easier to place into a degree of context as they were articulated by or on behalf of an accused husband in court. But this as with the other areas of interaction between husband and wife is by no means precise. In the total number of Liverpool cases examined in over 74%, the presence or absence of victim blaming could be positively identified. In the 131 cases representing 41% of the total examined a husband sought to blame their wife’s behaviour for the injuries he had inflicted.

Table 3.2

Prevalence of Victim Blaming: Liverpool 1850-1889.38

<table>
<thead>
<tr>
<th>Victim Blaming Present</th>
<th>131</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim Blaming Not Present</td>
<td>106</td>
</tr>
<tr>
<td>Not Known</td>
<td>83</td>
</tr>
</tbody>
</table>

37 LM 9 September 1886
38 Liverpool Database
Table 3.3 below categorises the 131 cases in table 3.2 into the reasons why husbands sought to blame their wives. It is axiomatic that the categorisation cannot be precise. Defendants often accused their wives of a variety of misconduct, for example an intemperate wife could also be accused of pawning household goods. In classifying the reasons for victim blaming an attempt has been made to identify the primary reason advanced by a defendant.

Table 3.3

Reasons for Victim Blaming: Liverpool 1850-1889.39

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wife’s Intemperance</td>
<td>48</td>
</tr>
<tr>
<td>Challenge to Husband’s Authority</td>
<td>40</td>
</tr>
<tr>
<td>Household Economy</td>
<td>16</td>
</tr>
<tr>
<td>Wife’s Violence</td>
<td>14</td>
</tr>
<tr>
<td>Infidelity</td>
<td>9</td>
</tr>
<tr>
<td>Desertion</td>
<td>4</td>
</tr>
</tbody>
</table>

Victim blaming was not solely the prerogative of an accused husband. In 1877, judge Edward Cox had endeavoured to shift the focus onto the behaviour of the victim rather than the husband stating that,

‘In the vast majority of these cases the suffering angel of the sensation leader is found to be rather an angel of the fallen class, who has made her husband’s home an earthly hell, who spends his earnings in drink, pawns his furniture, starves her children, provides for him no meals, lashes him with her fists when drunk and if he tries to

39 Liverpool Database
restrain her fits of passion, resists with a fierceness and a strength for which he is no match.'

Although the social reformer, Francis Power Cobbe forcefully condemned the prevalence of wife beating in nineteenth century England, she too acknowledged the existence of a class of women who are ‘woefully unwomanly, slatternly, coarse, foul-mouthed-sometimes loose in behaviour sometimes madly addicted to drink.’ Cobbe however made no attempt to assess the extent of such ‘unwomanly’ behaviour in the cases she had investigated. Although the majority of victims of marital violence in the Liverpool cases were from the lowest class, it can be said with hesitancy that there is evidence that notwithstanding the housing conditions and the drink culture prevalent in the town, the preponderance of women blamed for such behaviour was comparatively low. The most common allegation levelled by a husband against a wife was one of drunkenness, whether true or false. A wife’s intemperance struck at the heart of the middle class ideal of the wife ‘who stayed at home, submissive and obedient and responsible for the smooth running of the household.’ Wives were accused of intemperance in a surprisingly small number of cases, just over 20% of the identifiable total, and as seen in the accusations made by Henry McBride and James Wilkinson not every allegation was found to be true.

A wife’s challenge to her husband’s authority represented to many men an unjustified confrontation with the Victorian patriarchal sense of entitlement. Victims were blamed for a variety of behaviours from a failure to prepare meals to questioning a husband’s whereabouts.

\[\text{\citet{Tomes} p.339}\]
\[\text{\citet{Cobbe} p.32}\]
\[\text{\citet{Clark} p.28}\]
on his returning home, Charles Maiden, described as ‘a very violent character’ in addition to having spent the household savings, threatened his wife with a knife. In his defence he told the court that ‘his wife always maintained the upper hand and would not let him have his way in the house.’ Many husbands justified their actions under a general complaint of poor housekeeping. George Leitch attacked his wife when she refused to comply with a request. He told the court that his ‘life was made miserable by his wife’s dirty idle habits.’ However, from the survey, the proportion of Liverpool wives who were blamed for ‘making their husband’s home an earthly hell,’ was again comparatively small, representing just 17% of the identifiable total.

Cobbe in her article identified two forms of wife-beating, ‘wife beating by combat and….wife beating properly so called which is only wife and not wife and husband beating.’ Liverpool husbands complained about their violent wives in very few cases just 14 representing just 6% of the total number of cases in which victim blaming was identified. The termagant wife described by both Cox and Cobbe is not heavily represented in the Liverpool study. Also surprisingly small, given the financial pressures on many Liverpool households were the number of cases in which the wife was blamed for spending money unnecessarily, requesting from or refusing to give money to their husband, or pawning goods or objecting to goods being pawned, representing just 12%. Although Weiner identified infidelity as the first of three main ways in which a husband could argue provocation in a case of wife homicide,

43 BN 12 February 1881
44 LM 8 April 1886
45 Cobbe p.68
despite the fact that a number of husbands were seafarers, accusations of infidelity formed just 6.8% of the identifiable total.\textsuperscript{46}

\textit{Conclusion}

D’Cruze found from her sample that many of the victims of wife-beating had exercised agency by the institution of proceedings, particularly so when the level of violence exceeded tolerable levels or weapons were involved.\textsuperscript{47} Davis found that a common response was to seek to have a violent husband bound over to keep the peace, thus ensuring a level of protection whilst maintaining the household economy.\textsuperscript{48} That pattern was not widely replicated in Liverpool as the agency of many Liverpool wives was constrained by a number of factors, for the truly middle-class shame and for the working class the fear of retribution, the actions of the police who in many instances assumed the role of prosecutor, but primarily fear of the economic collapse of the household following the imprisonment of the breadwinner. Whilst victim blaming by husbands was prevalent, the analysis tentatively suggests that in a town synonymous with violence and drunkenness on the part of both sexes, the number of women accused of being bad wives, the ‘fallen angels’ described by Cox and Cobbe were far from being the majority and represented a smaller proportion than may have been anticipated.

\textsuperscript{46} Weiner p. 176
\textsuperscript{47} D’Cruze p.70
\textsuperscript{48} Davis p. 32
4. THE COMMUNITY RESPONSE TO WIFE BEATING

The preceding chapter examined the agency of female victims of wife-beating in Liverpool and the response of the men accused of assaulting their wives. This chapter will examine the community response to domestic violence in Liverpool. From the neighbours who would have heard, if not witnessed violence taking place, and the police who although largely working class nevertheless were representatives ‘of a solidly middle-class plutocracy of local businessmen’, deployed to ‘fight whatever worried their masters,’ and violence, particularly drunken violence inflicted on wives was a matter of civic concern. ¹ It will examine whether there is evidence of a community toleration of domestic violence within a certain threshold and whether there existed a concept that away from the street marital violence was regarded by the community and the police alike as a private affair between man and wife.

‘Friends had interfered who had no right to interfere’

Many of the cases examined for this survey, took place in the overcrowded cellars and courts which were invariably properties of multiple occupancy. Domestic violence would inevitably have been witnessed or at least heard by other cohabitees and neighbours, separated only by speculatively built partition walls. The historiography suggests a view that neighbours were often reluctant to interfere in what was regarded as a private matter between husband and wife. Ellen Ross suggests that the social meaning of domestic violence was different in the nineteenth-century and ‘it was expected that men may use violence to secure their wives

obedience. Reference has previously been made to Hammerton’s observation of the contemporary view that in working class areas there was a common tolerance of marital violence shared by both genders, to a threshold falling short of severe injury or murder. But as Archer has noted, ‘how people reacted to their neighbours domestic quarrels and fights defies any kind of generalization.’ In this Liverpool study, a total of 85 cases representing some 27% of the total can be clearly identified as involving some form of neighbourhood involvement in cases of wife-beating. Whether in Liverpool there was a perceived threshold past which intervention took place is also impossible to say with any precision. The prosecution of Robert Sinclair earlier in the period may suggest that such a threshold did exist and was recognised by the court. Sinclair was accused of threatening his wife with a poker and locking her in the parlour. A neighbour and a servant endeavoured to assist Sarah Sinclair one of whom was assaulted by the defendant. In dismissing the case the stipendiary magistrate described the violence as ‘trifling,’ declaring that a wife should obey her husband and that ‘friends had interfered who had no right to interfere.’ There are numerous cases in which the victim was heard to cry ‘murder’ which may have been an indication to those that could hear, that the particular attack was beyond a tolerated level of ‘rough usage’, and it is significant from this study. That of those cases in which neighbours played some role almost half, a total of 39 involved a homicide or an attempted homicide. That lends support to the view held by Tomes, that neighbours ‘would call the police not because a man was beating his wife, but

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4 Archer p. 150
5 *Liverpool Mercury (LM)* 9 March 1855
because they thought he was murdering her.¹⁶ Even a cry of ‘murder’ may not however have summoned the help desired. Ellen Ross reported that a witness in a London case of attempted murder told the court that he heard cries of murder, but that ‘being such a common occurrence in that neighbourhood I took no notice of it.’⁷ There are parallels in Liverpool. Dock labourer Lawrence McCarthy was tried for the manslaughter of his wife, the coroner’s inquest was told that he constantly abused her and that Mary McCarthy’s cries of murder ‘appear to have been of so frequent occurrence that the neighbours took little notice of them.’⁸ An inquest into the death of Elizabeth Makin heard evidence from her landlady that she had frequently heard screams from the room occupied by Elizabeth and her husband, but had not interfered.⁹ John Neary carried out a brutal attack upon his wife which nearly severed her finger, although she constantly screamed ‘murder’ and ‘police’ nobody came to her assistance.¹⁰ The fact that some cases of marital violence in Liverpool attracted a curious crowd of neighbours who did nothing to intervene, may also support the fact that such incidents were regarded as private affairs and incidents of curiosity provided the violence inflicted was not gross. Peter Gregory was involved in a violent quarrel with his wife which drew a large crowd to his open door. Drunk and in exasperation he threw nitric acid into the crowd injuring two men.¹¹ The police were called to the door of John Ulrich, the marine fireman disappointed in failing to secure a

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⁸ LM 6 July 1864
⁹ The Daily Courier 8 July 1870
¹⁰ Birkenhead News (BN) 25 June 1887
¹¹ LM 28 August 1867
ship, to find that a large crowd had gathered outside but had done nothing to prevent the violence within.\textsuperscript{12}

Tomes found in London that it was regarded as improper to interfere in marital disputes which were regarded as a natural part of marriage.\textsuperscript{13} A neighbour’s reluctance to interfere may also have been motivated by the fear that they too may be assaulted by a violent husband. Edward Phillips a man in his seventies who had recently suffered a stroke, repeatedly stabbed his wife with fatal consequences. The attack was carried out in the presence of his eighteen year old son who did nothing to prevent his father. When asked by the magistrate ‘why didn’t you stop him’ the son meekly replied, ‘I was afraid he would cut me too.’\textsuperscript{14} There are however many examples in the Liverpool cases in which neighbours did feel it appropriate and not improper to intervene. The screams of Emmanuel Hellyer’s wife summoned neighbours to her house who then overpowered Hellyer and delivered him to the police. Hannah Yates’ daughter summoned a neighbour John Ford informing him that her father was ‘dancing’ on her mother. Ford rushed to the house to find John Yates kicking his wife who appeared insensible, Ford told Yates that if he did not desist, he ‘would ring his neck out.’\textsuperscript{15} Those who had the courage to intervene were sometimes themselves the recipients of violence. Julia Healey remonstrated with James Watkins when he assaulted his wife, he responded by striking her on the arm with a poker fracturing it in two places.\textsuperscript{16} When Mary Hefferson challenged Thomas Molyneux over his treatment of his wife, he struck her on the head with a hatchet.

\textsuperscript{12} BN 8 October 1887
\textsuperscript{13} Tomes p. 36
\textsuperscript{14} Liverpool weekly Courier (LWC) 23 October 1875
\textsuperscript{15} LM 2 August 1853 and 21 September 1875
\textsuperscript{16} Liverpool Mail 28 February 1857
Arthur Edwards was a son who did interfere when his father assaulted his mother. As a consequence he was knocked down and was only saved from being strangled with his own muffler by other residents in the house. 17

As Tomes found in London, many friends and neighbours in Liverpool helped women who had been subjected to violence indirectly, some provided shelter to an abused wife or arranged for medical assistance. A neighbour of Margaret Barber helped her to escape through a window after she had been attacked by her husband. Thereafter she took Margaret to a surgery and then to the infirmary. A neighbour gave overnight shelter to Elizabeth Ferguson after she too had been assaulted by her husband. Friends and neighbours could also play a role by providing evidence in court, particularly when a wife’s character was in issue. Francis McGinty accused his wife of drunkenness however several of her neighbours attended court and gave evidence of her good character. Mary Preston gave evidence of the fact that Mary Waddell supported her unemployed husband by cleaning and taking in washing and of the abuse she suffered at his hands. 18 However, not every involvement by neighbours benefitted the victim. John Cuff’s neighbour Bernard Mooney, gave evidence to the court that immediately prior to being assaulted by her husband, Fiancie Cuff was drunk and her ‘conduct outrageous.’ 19 During the trial of Robert Garbutt for the murder of his wife Ann, a number of his neighbours gave evidence to the Assizes as to the defendant’s ‘good character and industrious habits’ and the great provocation provided by the behaviour of his wife. 20

17 LM 6 August 1880
18 Liverpool Daily Post (LDP) 20 February 1882 and BN 19 February 1887
19 LDP 19 August 1857
20 Northwich Guardian 3 April 1869
Whilst there appears to be some evidence in Liverpool of the degree of toleration to domestic violence identified in the current historiography, the cases of Thomas Skinner and James Allen may suggest there were also elements of community intolerance when an acceptable threshold was passed. Skinner carried out a ferocious assault upon his wife and threw the furniture he had broken into the street. When the police arrived, they found a crowd of between 200 and 300 had gathered outside Skinner’s house. The press reported that ‘the mob outside appeared anxious to lay hands on him’ for assaulting his wife. Whether the crowd was outraged by Skinner’s violence or were attracted by the spectacle is a moot point. James Allen repeatedly struck his wife on the head with his walking stick when they out in the street, causing a dangerous wound. The Liverpool Echo reported that when the police released him, ‘he was surrounded by a number of indignant men and women who had heard of his brutality and who gave him a sound beating.’ 21 No doubt in common with the country as a whole the reaction of the Liverpool community to wife-beating varied in accordance with the nature of the individual and the circumstances of the case and is incapable of taxonomy. There is however evidence that the tolerated level of violence identified in the historiography was present in Liverpool. A picture that does emerge however is that in a number of cases the assistance rendered by a friend or neighbour was not direct intervention but to go into the street and to find a policeman.

21 LDP 5 April 1864 and LE 5 August 1880
'Without the least aptitude for the duties they have to fulfil?'

The Liverpool police force had been in existence for 14 years by 1850 and as previously noted police officers were recruited in significant numbers. By 1862 Liverpool had become the most heavily policed borough in the country with one police officer for every 442 inhabitants.22 Robert Storch has described the function of the police of this period as ‘an all-purpose lever of urban-discipline’ and has documented the working class antipathy towards the police in northern England.23 Certainly the Liverpool force was concentrated heavily in the northern part of the town in the areas of dense overcrowding, of slum courts and a high proportion of Irish immigrants.24 Storch holds the view that the one of the mandates of the police was the ‘surveillance upon all facets of life in working-class communities.’25 Foyster however, suggests that the concern of many police forces was to keep public order, dealing with marital violence chiefly when it occurred in the street.26 Did such police surveillance extend to the prevention of wife-beating committed in private away from the streets where they were charged to keep order? It was certainly not the view of the judge who presided over the trial of John Ferguson for the murder of his wife. In addressing the jury he felt that it was his duty to ‘denounce publicly the system of any detective officer applying his ear to the keyhole of the poorest habitation adopting whatever may be heard as evidence against an individual.’27

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22 LDP 5 September 1862
24 Archer p.34
27 Northern Daily Times 3 April 1856
The extent to which the police turned a blind eye to such violence or resorted to using violence against the perpetrator themselves is of course impossible to quantify. Liverpool police officers in the nineteenth century were solidly working class and often joined the ranks for short periods for the want of other employment. It was observed following an inspection of the force in 1866 that 25% of the total strength left every year and many officers were immigrants to the town particularly from Ireland. Being working class meant that many officers were doubtless inculcated with the view that marital violence indoors was a private affair and that a level of ‘rough usage’ could be tolerated and their mandate as Archer has observed was to police by consent. In 1857 as part of his observations on ‘Liverpool Life’, Liverpool journalist Hugh Shimmin accompanied police officers on their beat in the north of the town. During the course of the patrol the officers were approached by a young woman in tears and with a child in her arms. She reported that her husband had returned home drunk, assaulted her and thrown her out of the house. The police stated that ‘it was not a case with which they could interfere, as in the majority of cases such a step only made the matter worse.’

The existence of the belief that marital violence was a private matter is illustrated by the officer who was summoned to the house of John Deakin who had assaulted his wife. As the assault had been committed in a private residence the officer did not believe it was necessary to take Deakin into custody. Harriet Powell summoned her husband for assault. At the subsequent trial, a police officer gave evidence that he had heard the defendant threaten his wife inside the house and witnessed her ejection into the street wearing only a nightdress, however he did

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28 LM 27 February 1866 and Archer pp. 32-33  
29 Archer p.38  
30 LM 10 August 1857  
31 LM 1 August 1876
nothing to intervene.\textsuperscript{32} Two notorious cases six years apart demonstrated that Liverpool police officers could be indifferent to wife-beating which on both occasions had fatal consequences. Thomas Quigley returned home to find that his wife Dinah, was drinking in the house of a neighbour Andrew Matthews. Dragging her back to their court dwelling, Quigley locked the door closed the shutters, and proceeded to kick his wife and beat her with a stick and a poker. The screams of Quigley’s daughter brought several neighbours to the house who although witnessing the attack did nothing to intervene. A neighbour Julia Langan did find two policemen and told them what was happening but they refused to attend the incident, approached for the second time the officers entered the court but left when informed it ‘was a drunken row; eventually one of the officers entered the house and saw the deceased lying senseless on the floor but dismissing the incident as a domestic matter remarked before leaving, ‘Oh she’s drunk: she’s lying there in her muck.’ A witness on seeing that Polly Quigley was covered in blood asked the officer to return but he refused. At Quigley’s trial the opprobrium of the judge was not directed at the police but the failure of Andrew Matthews to prevent Quigley from dragging his wife out of his house – he remarked ‘I hope there are few men like you it is very disgraceful conduct indeed on your part.’\textsuperscript{33} The police however did not escape censure, the officers involved were dismissed from the force and Hugh Shimmin turned his caustic pen on the incident in his journal the Porcupine,

‘So the officers chatted a little while with Mr. Quigley: perhaps expressed a hope that he had not beaten his wife more than a Briton has a right to do, and then went away, Quigley followed their example: he went away too\textsuperscript{34}

\textsuperscript{32} LD\textit{P} 21 April 1870
\textsuperscript{33} LM 17 January and 27 March 1868
\textsuperscript{34} Porcupine 4 January 1868
If it were hoped that the murder of Dinah Quigley would prove a salutary lesson for the Liverpool police such hope was ill-founded. In 1874 bargee William Worthington began to kick his wife in a yard used for the stabling of horses. The screams of Ann Worthington alerted the resident of a nearby house and brought to the scene a man named Kerr who summoned a policeman. The officer although seeing Ann covered in blood refused to interfere. On being told that the parties were man and wife he simply told them to go home and make it up. Although both Kerr and the victim asked the officer to take Worthington into custody, the officer walked away. The Worthingtons returned to their barge where the assault was resumed with fatal consequences. the *Wigan Observer* commented,

> ‘One could scarcely understand how a man placed in a position to keep the peace should refuse to interfere. The officer seemed to have a curious idea of his duty when he could see a woman covered in blood, and knowing the person who did it, refuse to take him in charge.’

Even following the Worthington case there are examples that on occasion the police were cautious to intervene, in what was still considered by many to be a personal matter. Sergeant Johnson was passing the home of Michael Fitzpatrick shortly before midnight when he heard a woman scream. On entering the house he saw that Fitzpatrick was holding his wife in a corner and was beating her violently. Notwithstanding what he had witnessed he was not inclined to take him into custody and only did so due to the entreaties of Ellen Fitzpatrick. Even towards the end of the period studied there are examples of failures by the police to take action when called to the scene of a serious assault. In 1888 dock labourer James Neil conducted a savage attack upon his wife which involved jumping on her prostrate body, striking her with a

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35 *Wigan Observer and District Advertiser* 18 December 1874  
36 *LM* 1 August 1876

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table and burning her with hot coals. A police officer called to the scene accepted Neil’s explanation that his wife was drunk and nothing else was the matter and left. Neil was subsequently convicted of manslaughter.37

Although some officers may have been uncertain of or unwilling to exercise their powers in entering premises to prevent domestic violence, many officers went to considerable lengths to protect wives from being beaten by their husbands. A police officer heard a cry of murder emanating from a house in Everton. The officer forced open a door on the upper floor and found Patrick Gallagher kneeling striking his wife’s head on the floorboards and immediately arrested him. A police sergeant passing the home of Robert Peters heard a noise and looking through the window witnessed Peters kicking his wife who was insensible. The officer immediately entered the premises and took Peters into custody.38 In 1881 Ann Coldrick was assaulted by her husband and driven from the house. She approached two police officers in the street who returned to the house with her and arrested her husband. This is perhaps evidence of a change in the attitude of the Liverpool police from that displayed by the officers accompanied by Hugh Shimmin 24 years earlier. Like the friends and neighbours of victims of wife beating, police officers also risked being assaulted when attempting to arrest violent husbands and also while escorting them through the streets to the nearest lockup. Summoned to the house of John Hagen by cries of ‘murder,’ two officers witnessed Hagen assaulting his wife Ann. Hagen assaulted both officers as he was being taken to the Bridewell. Richard Roberts attempted to cut his wife’s throat and when the police officer called to the

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37 *Lancaster Gazette* 29 December 1888.
38 *LDP* 15 July 1869 and *LM* 28 September 1875
scene attempted to place him in custody, he was struck over the head with a poker.39 Whilst the majority of cases examined involved assaults behind closed doors 54 cases involved assaults in the street, 16.8% of the survey. As befits ‘the levers of urban discipline’ in two thirds of those cases the police carried out an arrest. In addition to responding to marital violence committed in the street there are examples of the police being deployed to prevent incidents of wife-beating. Postman John Dougherty had behaved so violently towards his wife that in order to protect her, an officer was deployed to keep a constant watch on the house.40

Conclusion

No doubt in common with the country as a whole the reaction of the Liverpool community to wife-beating varied in accordance with the nature of the individual and the circumstances of the case, and whilst incapable of classification the response of the community shows similar characteristics to those found by Tomes in nineteenth century London and is indicative of a national pattern. The cohesion of local communities would clearly impact on the extent to which neighbours would intervene or assist in cases of wife abuse. Much of working class Liverpool however, consisted of a shifting population, and as Walton has observed ‘the solidarity of the cotton towns could not be reproduced in the dockland slums’ of Liverpool.41 There has been little detailed research conducted into the police response to the issue of domestic violence in Victorian England, as the primary resources are scant and discursive. In 1872 the Liverpool police were inspected and found to be efficient, however the Liverpool Weekly Courier took a contrary view, remarking that

39 LE 11 March 1882 and LM 3 August 1882
40 LM 8 April 1885
‘recent recruits are principally young men without the least aptitude for the duties they are expected to fulfil, or “old soldiers” who understand how to appear diligent at the right moment.’

Four years later the eminent barrister Sergeant Pulling in addressing the Social Science Congress held in 1876, said of Liverpool, ‘nowhere is the ill-usage of women so systematic and so hindered by the supposed strong arm of the law.’ The policing of wife-beating in Liverpool was consistent across the period examined, and either by bringing a charge or appearing as witnesses, the police can be positively identified as involved in 184 cases, representing 57.5% of the sample. In 111 cases it was not possible to say whether the police played any part in the prosecution, but it is likely they would have been involved in some of those cases. It was clear that in just 25 cases or 7.8% that the proceedings had been initiated by the victim alone without any police involvement. It is impossible to gauge whether the activities of the police reduced the incidents of wife-beating, however, in a significant number of cases police officers were active in protecting wives from violence, and together with their presence and intervention on the street they no doubt increased the number of violent husbands brought before the courts.

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42 LWC 6 April 1872
43 LWC 14 October 1876
5 CONCLUSION

The experience of wife-beating in Victorian Liverpool differs in many respects from the current scholarship on the subject. The accepted historiography that skilled workers, traders and the middle class were equally represented before the courts is not borne out by this study, which suggests that in Liverpool almost two in every three men accused of marital violence were from the lower working class. It is argued that the demographic, economic and social dynamics distinctive to Liverpool were the contributory factors. The occupational uncertainty of the mass of the unskilled and semi-skilled who earned their living in the docks, strained household economies and was often itself a precursor for violence. ¹ Even by the standards of Victorian England the overcrowded living conditions of the lower classes were also conducive to marital tensions contributing to and exacerbated by the town’s drink culture.

The utility of the constructed typographies of the causal factors behind incidents of wife-beating is questioned. Whilst causative commonalities with the historiography have been identified in this study, the history of human interaction is of course complex and it is suggested may be resistant to precise modelling. A large number of cases betray no apparent motive for spousal violence, and there is evidence to imply that the cause of some wife-beating rests outside the accepted taxonomy, often brought to the surface by alcohol and having their genesis in a husband’s employment, social circle or general living conditions.

D’Cruze found in her study that most of the cases were brought by women themselves. ² The exercise of agency by the Liverpool victims of violence appears to have been

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restrained by a number of factors. The primary fetter was clearly the fragile sustainability of the household economy in the absence of the main wage earner. Employment opportunities for women were scarcer in Liverpool than in the rest of the region and those which did exist were invariably insufficient alone to sustain a household. The comparatively heavy policing of working class areas on occasion resulted in a husband being brought before the court contrary to the wishes of a wife, resulting in a significant number of cases in which the victim’s agency was deployed in undermining the prosecution. The contemporary view held by Edward Cox and others, that the majority of victims of domestic abuse were ‘fallen angels’ who made the lives of their husbands ‘an earthly hell’ is not confirmed by this study which shows that the majority of victims were suffering rather than fallen angels.3

The reaction of the local community in Liverpool to wife-beating reveals a response that is similar to that uncovered by the historiography. There are signs of a tolerated level of violence and a reluctance to intervene in what was often regarded as a private affair and a normal part of the marital relationship. As in other localities studied the intervention by neighbours was primarily indirect involvement, by providing shelter, summoning medical assistance or the police or by providing evidence in court. Little research has been conducted into the police response to wife-beating in the nineteenth century, and primary sources are comparatively sparse as much of police activity in this area is undocumented. Contemporary newspapers are one source and the evidence uncovered in this study reveals that whilst there some notable

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cases of police indifference to the plight of abused wives, in over half of the cases considered, the police were actively involved.
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