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Sympathy for the Criminal: The Criminal Celebrity in Eighteenth-Century London

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On the 13th of September 1750, in the midst of the crime wave which struck London following the end of the War of the Austrian Succession in 1748, James Maclaine was tried at the Old Bailey, London's central criminal court, for highway robbery. The son of an Irish Presbyterian minister turned 'gentleman highwayman', Maclaine was charged with the theft at gunpoint of two guineas (£2 and 2 shillings) and some clothes, including a coat, a pair of silk stockings, and a pair of silver shoe buckles, from Isaac Higden, a passenger on the Salisbury Flying Coach. Maclaine mounted a weak defence, was convicted and sentenced to death. During the robbery, which took place between one and two o'clock in the morning, Maclaine and his accomplice James Plunket, both 'armed and masked', had ordered the passengers to get out of the coach and 'threatened to blow [Higden's] brains out' for concealing some of his valuables. At a time of significant public concern about the increasing frequency and audacity of highway robberies, which led to the offer of a £100 reward for the conviction of robbers, the passage of new criminal legislation, and the publication of Henry Fielding's polemic, *An Enquiry into the Causes of the Late Increase in Robbers* (1751), this was one of 128 robberies tried at the Old Bailey between 1749 and 1753. And yet, Maclaine was the target of substantial sympathy, and became, in the positive sense of the term, a criminal celebrity: the public purchased numerous books and images depicting his life and crimes, ladies cried at his trial while 'nine gentlemen of credit [and some ladies] gave him a very good character', and thousands visited him in prison, bringing him gifts. Even more incredibly, several of his victims refused to prosecute him, and others attempted to secure him a pardon. While not everyone was convinced by his claims to special status as a gentleman highwayman, the substantial public sympathy Maclaine received threatened to undermine official efforts to encourage the prosecution of robbery.[1]

[1] Hitchcock and Shoemaker (2006, pp, 170-180). For scepticism of Maclaine, see McKenzie (2012, p. 255).

This article investigates how it became possible for a small number of criminals like Maclaine to become celebrities in London in the 'long' eighteenth century.[2] In doing so, it will shed light on the history of both attitudes towards crime and celebrity itself. Since the 1990s celebrity has become the subject of substantial scholarly attention, but much of the focus has been on contemporary life, reflecting the importance of the mass media in generating the requisite publicity.[3] More recently, however, historians have pointed out that celebrity has a long and significant history. In his important recent book, Antoine Lilti takes the story back to the mid eighteenth century, arguing that the history of celebrity dates from Jean Jacques Rousseau's emergence as a celebrity with the publication of his *Discours sur les sciences et les arts* in 1750 and his ambivalent attitude towards that status, though Lilti argues that full-fledged celebrity culture did not emerge until early nineteenth-century Romanticism.[4] Other scholars, notably Brian Cowan, have convincingly argued that celebrity was also an early modern or even medieval phenomenon, but research on pre-modern celebrity is still at an early stage. In any case, since studies use varying definitions of the term it is difficult to trace a coherent history and point of origin.[5]

Celebrity is an elastic concept, and it is useful to adopt a narrower focus than the modern idea of a person who is simply 'known for his well-knownness'.[6] By using the definition, contemporary to the eighteenth century, of celebrity as the result of being 'celebrated', this article focuses on a positive type of fame achieved by individuals who the public had sympathy for, and felt they could engage with, at a virtual if not a personal level.[7] We will explain how celebrities themselves were able to seek this status for their own benefit, and discover that this opportunity was available to some

[2] The 'long' eighteenth century is shorthand for a period conventionally defined as roughly 1660 to 1830 in Britain, though it is often used for somewhat shorter periods. The primary focus of this article is the period from 1660 to 1790.
[3] As epitomised in the creation of a new journal, *Celebrity studies*, in 2010. For the celebrity as fundamentally a contemporary phenomenon, see Rojek (2001, pp. 16, 19, 28).
[4] Lilti (2017).
[5] Cowan (2017); Wanko (2011); Tillyard, (2005, pp. 61-62, 69); Kleinberg (2011, pp. 393-97); Rublack (2011, pp. 401-02).
[6] Boorstin (1973, p. 57).
[7] *Oxford English Dictionary* (2006, s.v. 'celebrity').

criminals, who in the eighteenth century successfully sought celebrity status and received it, and for whom there was a remarkable degree of mutual engagement between the public and the criminal. While, like all celebrities, criminals were unable to maintain full control of their image, that they were able to achieve the recognition they did provides valuable new evidence of the agency those accused of crime.

While individual famous criminals have received some scholarly attention, the history of the criminal celebrity as a collective phenomenon has yet to be written. To do so it is necessary to identify common patterns in the stories of the small number of criminals who achieved celebrity status, and to identify the social and cultural conditions, notably the growth of print culture, the increasing importance of public sociability, and the emergence of the cultural movement of sensibility, which facilitated the emergence of the criminal celebrity in the late seventeenth and early eighteenth centuries. It has been argued that 'celebrity is inherently bound up with transgression;'[8] the phenomenon of the celebrity criminal allows us to see how celebrity could allow criminals to obtain sympathy and support from observers throughout society. But this particular type of celebrity was relatively short-lived, and an explanation of why the celebrity criminal disappeared in the early nineteenth century sheds light on changing attitudes towards crime as well as the non-linear nature of the history of celebrity.

1

Criminal celebrity originated in the mid seventeenth century in England and was centred on London, the centre of print culture. It was only then that a significant number of criminals were able to read and write, and participate in their own self-mythologization. As Paul Griffiths notes, '[B]efore 1660 … [t]here are no first-hand stories of criminal lives with a protagonist's care for feeling…. No lower-class thief or vagrant put his/her life down on paper…'.[9] In contrast, the subsequent 130 years was a

[8] Rojek (2011, p. 177).
[9] Griffiths (2008, p. 137).

propitious time for the creation of criminal celebrities in London. The vibrant cultural life of Restoration London included the expansion of places of sociability, including coffee houses and the reopened theatres. A lively print culture further expanded with the expiration of press licencing in 1695, which facilitated a dramatic increase in printed publications, accompanied by a parallel growth in literacy (particularly reading) rates. Crime was a key facet of several expanding print genres, including newspapers, biographies, trial reports, and printed images, whose purchase was encouraged by the growth of consumerism.[10] Moreover, the development of the culture of sensibility in the latter half of the eighteenth century encouraged emotional engagement between the public and criminals; as Thomas Dixon argues, there developed 'a world of moral weeping which extended from condemned criminals to their judges, chaplains, and executioners, and from philosophers, preachers and philanthropists to prostitutes, forgers, highwaymen, and thieves'.[11]

This printed literature, particularly criminal biographies, has been sensitively analysed by a number of scholars, including Lincoln Faller, Hal Gladfelder, Andrea McKenzie, and Gillian Spraggs. But while their works effectively delineate the wide range of socio-cultural meanings conveyed in these texts, including the often subversive implications of the portrayal of criminals as heroes or 'social critics', their analysis rarely extends beyond the texts, to consider the wider context of their creation and impact.[12] This article takes a different approach. It considers, first, how individual criminals sought publicity for their stories in a wide range of activities, both by cooperating with authors, publishers and artists and through their behaviour in London's courts, prisons, and places of sociability. It then goes on to consider how the public responded to these texts and activities, and actually engaged with these criminals, according some of them celebrity status.

The focus of this article is therefore on a small number of criminals who sought and received significant public support for, and positive engagement with, their stories during their lifetimes. The

[10] Shoemaker (2009).
[11] Dixon (2015, p. 96).
[12] Faller (1987); Gladfelder (2001); McKenzie (2006, 2007, 2012); Spraggs (2001).

public did not celebrate those who failed to seek and reciprocate their attentions; nor did it celebrate those whose activities they totally deplored. Criminals who were in the public eye but were widely condemned, such as Jonathan Wild, the thief-taker who was executed in 1725, do not meet this definition. Wild was publicly censured for his activities as an informer and thief-maker (which led to the hanging of innocent people), and his involvement in the arrest of the celebrity Jack Sheppard (discussed below); on his way to his execution at Tyburn Wild was, unusually, attacked by the execution crowd.[13] Despite public interest in his case following his arrest, the robber and murderer Dick Turpin's criminal exploits were only celebrated a century after his death.[14] Similarly, murderers such as Theodore Gardelle and murderesses such as Mary Hobry, Sarah Malcolm, Mary Blandy, and Elizabeth Jeffryes, all of whom were the objects of substantial public attention but attracted little sympathy, were not celebrities.[15] Some, such as Malcolm, sought publicity in order to protest their innocence (she sat for a portrait by William Hogarth), but there is no evidence that the public warmed to her.[16] The murderer James Hackman attracted more public sympathy, but he did not seek such attention and in any case there was little opportunity for the public to engage with him before he was executed twelve days after his crime.[17] Forgers, such as Caroline Rudd and William Dodd, also received some public sympathy, but their public image was entirely defensive, denying or downplaying the crimes for which they were convicted.[18]

For criminals to be celebrated (and not merely seen as infamous), they needed to seek publicity not simply to defend themselves, but to project a positive image, and the public needed to engage with these representations and sympathise with the criminal. Before 1660 there is no substantial evidence of any criminal who contributed significantly to their representation in public. The royalist highwayman James Hind (d. 1652) was the subject of several (mostly fictional) pamphlets and gained

[13] McKenzie (2004).
[14] Sharpe (2004, pp. 137-38).
[15] For Hobry, see McMahon (2004, pp. 67-78). For Blandy and Jeffryes, see Gonda (2001).
[16] For Malcolm, see Hitchcock and Shoemaker (2006, pp. 121-30). For the Hogarth portrait, see Uglow (1997, pp. 232-33).
[17] Brewer (2004, ch. 1-2).
[18] For Rudd, see Andrew and McGowen (2001). For Dodd, see Howson (1973).

the reputation of a gentlemanly robber, but although there are some indications that he sought and received celebrity status, the evidence is very limited.[19] There is also uncertainty about the status of Mary Frith ('Moll Cutpurse'), transvestite, actor, thief and receiver of stolen goods in the early seventeenth century. Frith could not write, but may have contributed to her posthumous biography, published in 1662, three years after her death. Like Hind, it appears that Frith's life was a convenient vessel into which to pour conventional picaresque stories, and her role in shaping both her biography and pictorial representations was minimal.[20] Moreover, there is little evidence that the public sought to make a personal connection with her.

While many criminals possessed elements of potential celebrity status in the 'long' eighteenth century, this article will examine the stories of the seven criminals who both sought this status and were granted it by the public:

- Mary Carleton, the 'German Princess'. The daughter of a chorister or fiddler, Carleton posed as a wealthy German gentlewoman who had come to London, where she married John Carleton despite the fact she was already twice married. When her deception was found out, he prosecuted her for bigamy at the Old Bailey in 1663, but she was acquitted. She was later convicted of theft on two occasions and executed in 1673.
- James Whitney (executed 1693), a butcher's apprentice and Jacobite highway robber who claimed to have been involved in a plot to assassinate William III, and was the subject of numerous ballads and broadsides.
- Jack Sheppard (executed 1724), son of a carpenter and the young thief famous for escaping from prison four times.
- James Maclaine (or Maclean, executed 1750), 'the gentleman highwayman' with whom this article began.

[19] White (2004b); Spraggs (2001, pp. 163-70). Similarly, Claude Duval (d. 1670) 'remains more a figure of literary invention than of history': White (2004a).
[20] Griffiths (2004); Todd and Spearing (1994, pp. x-xv); Ungerer (2000); *Life and death of Mrs Mary Frith* (1662).

- William Cox (executed 1773), son of a ribbon weaver, who also styled himself a gentleman highwayman but attracted a more mixed reception from the public.
- Jack Rann (executed 1774), 'Sixteen String Jack', an attention-seeking young highway robber of obscure origins but with genteel pretensions.
- George Barrington, the son of artisans who became a gentleman pickpocket. Barrington is an unusual example of a criminal who managed to maintain his celebrity status for a long time (1775-1790). Following transportation to Australia, Barrington had a successful career as a judicial official, but this article will only focus on his time in England.

Despite their generally humble origins, highwaymen with aspirations to gentility dominate this list, as they sought to differentiate themselves from the lowly and more threatening 'street robber'.[21] But also included are a bigamist and thief, a thief and escape artist, and a pickpocket.

2

How did these criminals achieve celebrity status? With the exception of Carleton's bigamy and Sheppard's escapes, attention was drawn to them not primarily through stories about their crimes, which were for the most part fairly mundane thefts and robberies, but through the exposure they were given, and they themselves sought, through the press and their public appearances. As part of the massive expansion of printed literature about crime in this period, the activities of criminals were publicised as never before. Even before the expiration of press licensing in 1695, Carleton was the subject of at least twenty-six publications in 1663 and 1673, while in the early 1690s nine broadsides and ballads, as well as a biography, were published about Whitney.[22] Criminals were depicted in several different types of print: in addition to longstanding ballads and broadsides, new forms of publication emerged in this period, notably biographies, trial reports and newspapers. Both the Ordinary of Newgate's *Account* (biographies of soon-to-be executed convicts compiled by the

[21] Shoemaker (2006).
[22] *The early modern Englishwoman* (2006, p. x); Faller (2004).

chaplain of Newgate prison) and the Old Bailey *Proceedings* (which provided reports of every trial which took place in that court) date from 1674. These publications not only provided extensive accounts of crimes and criminal lives, but through defendant testimonies and interviews with convicts they also to some extent allowed criminals to tell their own stories.[23]

After 1695, the growth of newspapers disseminated crime reports even more widely. Sheppard's escapes in 1724 were the subject of intense reporting; according to Philip Rawlings, '[t]o a large extent Sheppard's fame was a product of newspaper reporting—perhaps the first instance of newspapers building up a popular image of an individual'.[24] Later in the century Barrington's criminal exploits were extensively reported in the London papers between 1775 and 1790, describing him as the 'celebrated' Barrington as early as 1777.[25] He seems to have been aware that his performances in the courtroom (discussed below) would be reported in the papers, and the press also regaled its readers with details of his disguises and possible whereabouts.[26] Barrington further contributed to this publicity by sending several letters to the papers defending his reputation; in 1777 the *General Evening Post* claimed that he had 'puffed off [sic] his honour and honesty in several of the papers'.[27]

Barrington was one of the few criminals who wrote material for the newspapers; for the most part criminals could not control their representation in this medium, and coverage was often negative. But they could, and did, participate in the construction of their image in other forms of print, notably the increasingly popular genres of biography and autobiography. Influenced by the fictional depiction of criminals in novels such as *Moll Flanders* (1722) and plays including *The Beggar's Opera* (1728; partly inspired by Sheppard's life), these narratives provided the opportunity to present them sympathetically as individuals, explore their motivations, and create an illusion of intimacy with the

[23] Shoemaker (2006). Full text editions of both the *Ordinary's accounts* and the Old Bailey *proceedings* are available online at Hitchcock, *et al.* (2018).
[24] Rawlings (1992, p. 40).
[25] *Daily Advertiser* (29 Jan 1777); *Gazetteer and New Daily Advertiser* (26 Feb 1777).
[26] Rickard (2001, pp. 9-11).
[27] *General Evening Post* (14 January 1777).

reading public.[28] Admittedly most texts were published anonymously and probably authored by hack writers, and we cannot be sure how much they reflect the point of view of the criminal. To satisfy their audience authors had to acknowledge the sinfulness of the crimes committed, while separately depicting them in a more positive tone as 'adventures', 'enterprises', and 'artful robberies'. As Fred Inglis noted in his study of the painter Joshua Reynolds, attitudes towards celebrities are often ambivalent, interweaving 'envy, admiration, generous acclaim, malicious denigration, prurient attentiveness, [and] swift indifference'.[29] Thus the criminal, according to John Richetti, was 'both hero and anti-hero to his eighteenth-century audience'. *An Account of John Rann* declared that '[t]o trace out the various alterations and vicissitudes in a life such as that of Mr Rann, would not be extreamly agreeable, and yet we must not pass by what herein occurs, especially as it may be entertaining as well as instructive.' [30]

While celebrities could not control these narratives, they contributed substantially to their content. Publishers often stressed that their information came directly from the subjects. Mary Carleton is identified as an author of *The Case of Madam Mary Carleton* (1663), which defends her innocence as part of an entertaining biography. The text is written in the first person, but recent textual analysis suggests she was only one of several authors.[31] As a carpenter's apprentice, Jack Sheppard's writing skills are doubtful, but he seemed to be aware, when interviewed in prison by the Ordinary and Daniel Defoe, that the outrageous and provocative comments he was well known for would be reproduced in print. When asked by the Ordinary 'how he could use poor People so' by stealing from them, 'he reply'd, I wish that you and I were as Rich; thereby making it no Crime in him to steal from those in better Circumstances than himself'. Defoe's *History of the Remarkable Life of John Sheppard* includes several of Sheppard's jokes and subversive expressions, such as his comment, when asked who had provided him with the tools for his escape, 'ask me no such Questions, one File's worth all

[28] Richetti (1969, pp. 34-35); Hunter (1990, p. 321). More generally, see Stauffer (1941); Mascuch (1997).
[29] Inglis (2010, p. 57).
[30] Richetti (1969, pp. 34-50); *An account of John Rann* (1774?, p. 6).
[31] Todd and Spearing (1994, p. xlviii).

the Bibles in the World'.[32] Perhaps owing to their purported authenticity, these pamphlets were enormously popular, selling thousands of copies; the anonymous *Narrative* of Sheppard's crimes went through eight editions in two months.[33]

The popularity of criminal biographies reached a peak at mid century. Between 1747 and 1754 the lives of least ten English (primarily London) highwaymen were published in separate pamphlets, and several went into multiple editions. Six were purportedly written by the robbers themselves, or at least compiled on the basis of information provided by them.[34] These include one about Maclaine by the Reverend Richard Allen, whom Maclaine chose as a spiritual counsellor instead of the Ordinary. This *Account* was 'drawn up and published at the earnest desire of Mr Maclaine himself', and depicts Maclaine as no ordinary poor robber, but one who came from an educated background, knew the scriptures, and had a conscience.[35] Maclaine's side of his story was also reported through the publication of the full texts of his defence testimony at the Old Bailey and the speech he planned to make following his sentencing; only he could have provided the latter for publication. Although he was unable to give the speech because he broke down in tears, it was reproduced 'in all the public papers'.[36] Of the four biographies of William Cox published in 1773-74, two claimed the involvement of Cox or his 'intimate acquaintance'. *The Only Authentic Life and Trial of William Cox* claimed to provide 'an account of the many Notorious, Artful, and Dangerous Robberies committed by this hero in Villainy in the course of nine years… faithfully compiled from the offender and his associates declarations'.[37] Similarly, biographies of the pickpocket George Barrington published in

[32] Hitchcock, *et al.* (2018, *Ordinary's account,* September 1724, OA17240904); [Defoe] (1724, p. 50); Hitchcock and Shoemaker (2015, pp. 92-93).
[33] Skirboll (2014, pp. 165, 195, 202); Holmes (2004, pp. xvii-xviii); [Defoe] *(*1724, pp. 31-34); *Narrative of all the robberies and escapes &c. of John Sheppard* (1724).
[34] Hitchcock and Shoemaker (2015, p. 200).
[35] [Allen] (1750, pp. 5, 7).
[36] *Genuine account of the life and actions of James Maclean* ([1750], pp. 25-31); *James Macleane the gentleman highwayman at the bar* (1750); *Complete history of James Maclean (*[1750], p. 53); Hitchcock and Shoemaker (2015, pp. 201-4).
[37] *Genuine life of William Cox* (1773); *Only authentic life and trial of William Cox* ([1773?]).

1790 were shaped by details he or his accomplices provided and the speeches he gave in the courtroom.[38]

Celebrities had greater control over their public performances, which helped shape readers' imaginary engagement with these texts. Their first opportunity to attract attention typically occurred in the courtroom. Mary Carleton's celebrity status started with her performance at her first Old Bailey trial, when she defiantly and convincingly acted the part of the victim and successfully undermined the prosecution case.[39] As the contemporary Thomas Rugge noted, 'at the sessions time for hir trial she needed not many Councellors for that she declared hir cause as briefly and as fully as anyone in her condition could doe'.[40] Following the advent of trial reporting in the Old Bailey *Proceedings* and newspapers criminals seemed to know that their courtroom behaviour would be published. Maclaine played to the gallery as he stood in the dock, giving a long speech in which he protested his innocence, which evoked tears among the ladies in the audience.[41] While Maclaine portrayed himself as a respectable gentleman, Rann sought attention by acting audaciously. When he appeared before Justice John Fielding for a preliminary hearing at Bow Street in June 1774, according to the *Public Advertiser*, he 'came into the office with a nosegay of immoderate size, and his irons decorated with blue ribbons. His behaviour was daring to an uncommon degree…'.[42] Barrington's attention-seeking behaviour was more polite: his 'long, florid speeches' in the Old Bailey evoked the support of both audiences and the court.[43] As the *Gazeteer and New Daily Advertiser* reported in February 1777, 'the celebrated George Barrington made a very elaborate speech to the Bench at the Old Bailey [and t]he Bench was very attentive to hear this well-connected, ingenious harangue'.[44] Like Rann, clothing was an important part of Barrington's performance. According to the *General Evening Post*, he

[38] Rickard (2004); *Genuine life and trial of George Barrington* (1790, p. 29); *Memoirs of George Barrington* ([1790?]b); *Memoirs of George Barrington* (1790a, pp. 2-3).
[39] *Arraignment, tryal and examination of Mary Moders* (1663).
[40] British Library, Add Ms 10117: Thomas Rugge, 'Mercurius politicus redivivus', v. 2 f. 73v.
[41] *James Macleane the gentleman highwayman at the bar* (1750); *London evening post* (13-15 September 1750); *Gentleman's magazine* (1750, p. 390).
[42] *Public advertiser* (2 June 1774); *Account of John Rann* ([1774?], pp. 12).
[43] Palk (2012).
[44] *Gazeteer and new daily advertiser* (26 February 1777). See also *The times* (20 September 1788).

'affected the image of a gentleman of fashion', dressing up for an earlier appearance at the Old Bailey 'a-la-mode; cloaths quite in taste, a fine gold-headed taper cane, with suitable tassels, and elegant Artois buckles… in short, he is the genteelest thief ever remembered to have been seen at the Old Bailey'.[45]

Celebrity criminals also sought and received attention in London's spaces of sociability, where the public could participate in their celebrity status. After her trial Carleton performed as herself in a play, 'The German Princess', staged in April 1664, which was apparently popular, though Samuel Pepys did not like it.[46] No doubt excited by the attention he had already received in the press, Sheppard returned to his familiar haunts in London following his final escape in October 1724, where he burgled a pawnbroker, dressed himself like a gentleman and visited a brandy shop.[47] Cox dressed himself 'rather in a gay stile', and attended the races.[48] Similarly, Rann appeared at races and spas, dressing himself as a peer when he appeared at Barnet races, where in the sarcastic commentary of one of his biographers, he 'was followed by hundreds from one side of the course to the other, whose curiosity was excited to behold a genius, whose exploits were so notorious to the world'. Commenting on this public interest, one observer wrote that 'this circumstance proves the curious disposition of the people of England, who are equally happy at the sight of a prince, a patriot or a highwayman. It is no matter what the person is, so the character be but a distinguished one, they will be certain of being followed by the mob'.[49]

The increasingly popular medium of portraiture, characterised by Cheryl Wanko as 'the genre most relevant to celebrity because of the way it visually celebrates an individual and invites viewers to do the same', provided another means of promoting celebrity. In the eighteenth century portraiture

[45] Rickard (2001, p. 11); *General evening post* (14-16 January 1777); *Public advertiser* (28 and 29 Dec 1776).
[46] Todd and Spearing (1994, p. xxx); Latham and Matthews (1970-83, v, p. 124, 15 April 1664).
[47] Andries (2010, p. 86); *Weekly journal or British gazeteer* (7 Nov 1724).
[48] *Genuine account of the life, robberies and trial and execution of William Cox* (1773, pp. 9, 25).
[49] *Account of John Rann* (1774, pp. 15-18); *Genuine account of the life of John Rann* ([1774?], pp. 16-20, 28).

became ‘a relentlessly public art’, with painted portraits widely exhibited and frequently turned into inexpensive engraved prints which circulated widely. By portraying celebrities, even criminal celebrities, artists advertised their skills and attracted further business.[50] All the criminals discussed in this article had portraits or full-length images published of them, and some were also depicted in prints which showed them committing crimes or in prison or a courtroom. Unfortunately we know little about how actively involved the subjects were in the creation of these portraits. At the very least, even when incarcerated in Newgate, the subject had to agree, possibly for a fee, to sit for an artist, and there is some evidence of criminals doing just that. One of the three portraits of Mary Carleton, published as the frontispiece of her 1663 *Case of Madam Mary Carleton*, was ‘taken by her own order’. Her husband and the prosecutor of the case against her, John Carleton, expressed astonishment at the ‘unparallel’d confidence with which she permitted the Counterfeit Effigies of her ill-shapen painted face’ to be published.[51]

[Insert Figure 1: ‘John Sheppard’, by James Thornhill, engraved by George White (1724). British Museum 1851,0308.593.]

Perhaps the most remarkable portrait of an eighteenth-century celebrity criminal is that of Jack Sheppard, by King George I’s painter, Sir James Thornhill, which was immediately engraved by George White and sold for a shilling (Figure 1).[52] While we don’t know how the painting of this portrait came to pass, Sheppard apparently influenced its content. As the *London Journal* reported, when asked for his opinion on an initial sketch of his face Sheppard reportedly commented that he thought it made him look too old, ‘whereupon some Amendments were made to it’.[53] The significance of the resulting image (in which he does appear youthful), Marcia Pointon argues, is that he ‘is presented as a young martyr in soft mezzotint in the pictorial tradition that looks back to

[50] Wanko (2011, pp. 357-358); West (2010, p. 219); Pointon (1993, pp. 2-3); George (2004, p. 191).
[51] 'The true originall Picture of Mary Carleton also called by the name of the German Princess as it was taken by her own order' (1663) (British Museum [hereafter BM], 1867,0309.819); *Case of Madam Mary Carleton* (1663, frontispiece); Carleton (1663, p. 41); Chalmers (1992, p. 181).
[52] Paulson (1971, i, pp. 135-38).
[53] *London journal* (14 Nov 1724).

engravings of Charles the Martyr'.[54] With Latin verses underneath, the portrait was clearly aimed at an elite audience.

[Insert Figure 2: 'John Rann, alias Sixteen String Jack', by 'A.R.' (1774). British Museum 1902,1011.7321.]

Echoing Sheppard's portrait is one of Rann, by an anonymous artist in 1774, of a similarly youthful offender depicted in Newgate with a cell window in the background (Figure 2). Rann, however, is, as was his wont, dressed more fashionably, wearing a hat with a flower, a ruffled shirt, a cravat and a pale jacket, and holding a wine glass with a bottle on the table beside him. Maclaine, who was the subject of five different prints, was depicted most fully standing in a rural landscape, though the image was based on a sketch taken in the Gatehouse prison (Figure 3).[55] As is the case in this image, criminal celebrities were usually dressed in genteel clothing, reflecting their social ambitions. Even Sheppard was depicted in one print wearing a hat, waistcoat, stockings and buckled shoes.[56]

[Insert Figure 3: 'The Ladies Hero or the unfortunate James McLeane Esq' (1750). British Museum 1851,0308.408.]

Pointon argues that these portraits normalised criminals, as they displayed 'subjects whose external features and demeanour show no sign of their supposedly diseased characters', thereby legimitizing their social deviance; 'portraits are indelibly associated with empowerment'.[57] While it is true that the subjects' poses and dress in these images were conventionally respectable, portraits and other images frequently referenced their subjects' criminality. Several were situated in prison, and Whitney, Sheppard and Barrington were depicted as shackled. The caption to Rann's portrait informs the viewer that he was 'now under sentence of death… after being tried 17 times'. Only one of the six

[54] Pointon (1993, p. 89).
[55] 'The ladies hero or the unfortunate James McLeane Esq' (1750), BM, 1851,0308.408.
[56] BM, 1851,0308.594 (1724).
[57] Pointon (1993, p. 86; 2013, p. 22).

contemporary prints of Barrington failed to refer to his crimes, a painted portrait of him in genteel clothing by William Beechey (who was later to paint a portrait of the Queen), which may in fact be a misattribution.[58] Images of Maclaine depict his crimes or show him fettered, in court or in prison. In the one full length representation of him a mask (as used in masquerades, but also by highway robbers) is depicted lying on the ground next to him (Figure 3). While Pointon is right that the creation of these portraits went some way towards presenting these criminals in a positive light, their deviance was rarely hidden, and in a few prints it was depicted as threatening In one Maclaine is shown, with his accomplice Plunket, robbing Lord Eglington at gunpoint, while a print showing Barrington 'detected picking the pocket of Prince Orlow' in Covent Garden Theatre portrays a semi-violent tussle.[59]

Nonetheless, the publication and dissemination of these prints does appear to have contributed to their subjects' celebrity status. While we have no direct evidence of how they were interpreted by viewers, observers certainly feared that these images idolized their subjects in the public mind. An anonymous poem in the *British Journal* claimed that Thornhill's much reproduced picture of Sheppard 'gild[ed him] with fame', while Walpole complained that the prints as well as published lives of malefactors like Maclaine were 'set forth with as much parade' as that accorded to important public figures such as the French general Marshall Turenne.[60]

Artists were able to gain access to criminals in Newgate owing to the open nature of the pre-reformed prison. Granting permission to talk to prisoners was a lucrative business for prison officials, and all the celebrities discussed in this article received many visitors, often of elite status. Carleton was visited by 'many hundreds', including Pepys and 'many persons of quality'.[61] Similarly, Whitney's

[58] National library of Australia, Rex Nan Kivell collection, NK13 (1785); Garvey (2008, p.49).
[59] 'An exact representation of Maclaine the highwayman robbing Lord Eglington on Hounslow Heath on the 20th of June 1750', BM, 1894,0611.79; 'Barrington detected picking the pocket of Prince Orlow' (1790), BM, 1932,0330.26).
[60] *British journal* (28 November 1724, p. 3); Lewis (1937-83, xx, p. 199).
[61] Todd (1987, p. 73); Latham and Matthews (1970-83, iv, pp. 163, 177); Rugge, 'Mercurius politicus redivivus'.

'numerous' visitors included 'great numbers of gentlemen'.[62] Sheppard's turnkeys allegedly earned £200 in fees by charging each visitor up to four shillings for access, suggesting he had more than a thousand visitors.[63] Following Maclaine's conviction for highway robbery in 1750, Walpole famously complained of the 'ridiculous rage… of going to Newgate', claiming that three thousand people visited him the Sunday after he was sentenced to death.[64] As the print 'Newgate's Lamentation, or the Lady's Last farewell of Maclean' suggests, many of these visitors were elite women. Cox's visitors were alleged to have been less respectable; 'the far greater part' of the 'great numbers of people' who visited him in Newgate were women, prompting the ironic comment in a biography that 'many of [them were] the fairest, and, *apparently*, the most amiable of the sex'.[65]

Cox claimed that those admitting visitors to see him got 'more money by making a show of me, than ever I did by thieving', suggesting that he was uncomfortable with all the attention. It is not clear whether prisoners were able to refuse visitors; it was reported that Cox was 'averse to making a public show of himself in Bridewell [house of correction], so would only admit his particular acquaintances', but ultimately it was the prison officers who governed access.[66] Carleton complained of the 'harsh usage' she received from visitors and attempted to avoid them by hiding her face behind her hood,[67] but most criminal celebrities welcomed the attention and indeed performed for their visitors. Whitney 'behaved himself with a sort of a pride and strut, as if he seemed pleased with so popular a vanity as making a raree-show.'[68] In return, many visitors, particularly elite men and women, rewarded them for their efforts with handouts, even when they were unrepentant Prisoners seemed to enjoy being the centre of attention, but they also exploited the opportunity for profit. Sheppard 'was always cheerful and pleasant… turning everything that was said into a jest and banter'; he made his wrists bloody 'so as to exact compassion and donations from spectators'.[69] Convicts also asked visitors to petition the

[62] *Life of Captain James Whitney* ([1693]); *The Jacobite Robber* (1693, pp. 23-24).
[63] Sugden (2004); Skirboll (2014, p. 194).
[64] Lewis (1937-83, xx, p. 199).
[65] *Newgate's lamentation* (1750); *Genuine life of William Cox* (1773, p. 24) [emphasis in original].
[66] *Genuine account of the life, robberies and trial and execution of William Cox* (1773, pp. 24, 26).
[67] Kietzman (2004, pp. 261-63).
[68] *Life of Captain James Whitney* ([1693]).
[69] [Defoe] (1724, pp. 31, 34); *Narrative of all the robberies and escapes* (1724, p. 18).

king to secure reduced punishments or pardons for them, and some complied, though, with the exception of Barrington (see below), these petitions were not successful.[70]

3

Criminal celebrities did not have full control over their own stories, which were likely to be told anyway by a press hungry for sensational tales, which rarely failed to condemn their crimes and, as we have seen, sometimes adopted a sarcastic approach. Nonetheless, these criminals played a significant role in shaping their representations, both through the provision of content for authors, artists and publishers, and by their behaviour in courtrooms, prisons and in public. In doing so they sought attention and sympathy and created imaginary and sometimes real bonds with members of the public. But how do we know that the public responded by according them a degree of adulation and engagement, granting them celebrity status? The thousands of people who purchased portraits and printed literature, visited criminals in prison, and attended their hearings, trials and executions, indicates a high degree of public interest, but it is substantial anecdotal evidence which provides the most compelling evidence that Londoners were often personally, and positively, engaged with these figures in the public eye.

Facilitated by the visual representations, criminal celebrities were readily recognised in public. As Pointon argues, by the eighteenth century the practice of portraiture contributed significantly to the ability to recognise individuals in public spaces.[71] William Hill, a postilion to Princess Amelia, testified at Rann's last trial that he had seen him near the scene of the crime, stating 'I know Rann by sight very well'.[72] It was claimed that Barrington was sighted in public on several occasions, not only in London but also in Lincolnshire, Bath, Newcastle and Dublin, prompting people to take steps to protect their valuables. When seen at a race in Enfield in September 1790, 'several persons

[70] Skirboll (2014, p. 195); *Genuine account of the life and actions of James Maclean* ([1750], p. iii); Garvey (2008, p. 27); *The times* (27 June 1788).
[71] Pointon (1993, p. 61).
[72] Hitchcock, *et al.* (2018, trial of John Rann, *et al*., October 1774, t17741019-50).

watch[ed] him minutely'. All the printed accounts and images that had been disseminated about him meant that his reputation preceded him. In 1783 when he was brought before the Old Bailey following his banishment as a condition of a pardon (he had failed to leave the country as directed), he told the judges 'I was merely for a name apprehended'.[73]

Stimulated by this widespread publicity, people talked about these criminals, and while some condemned their crimes, others took the side of the criminal. Pepys recorded a conversation he had with Lady Elizabeth Batten following Carleton's acquittal in 1663, in which 'my Lady Batten enveighd mightily against the German princesse and I as high in the defence of her wit and spirit, and glad that she is cleared at the Sessions'.[74] According to the contemporary writer Francis Kirkman, in 1673 Carleton 'was the only talk for all the coffee-houses in and near London'.[75] As the 'Jacobite robber', Whitney was 'much talked of abroad for his great exploits' (and no doubt his politics), but, as with most highwaymen, opinions were divided: 'one party are for crying, he is a very fine gentleman, a bold brave fellow… the other party…are bellowing out on him for a great villain'.[76] According to Defoe, Sheppard's escape from Newgate 'made such a noise in the town, that it was thought all the common people would have gone mad about him, there being not a porter to be had for love nor money, nor getting into an alehouse, for butchers, shoemakers and barbers, all engag'd in controversies and wagers' about him.[77] Maclaine was a frequent subject of Horace Walpole's correspondence in 1749-50 (Walpole found the story fascinating, even though he was one of Maclaine's victims), while Rann was the subject of frequent speculation about the source of his nickname, 'Sixteen-string Jack' (there were several theories), and of debate between James Boswell

[73] *Gazeteer and new daily advertiser* (4 September 1790); Lambert (1930, p. 129); Hitchcock, *et al.* (2018, January 1783, o17830115-1).
[74] Latham and Matthews (1970-83, iii, p. 177, 7 June 1663).
[75] Kirkman (1673, p. 92).
[76] Hitchcock, *et al.* (2018, trial of James Whitney, January 1693, t16930116-26); *True account of the tryal and conviction of that notorious high-way-man Captain James Whitney* (1693).
[77] [Defoe], (1724, p. 27).

and Samuel Johnson. While Boswell noted that Rann 'was remarkable for foppery in his dress', Johnson commented more positively that 'Sixteen-string Jack towered above the common mark'.[78]

Evidence of the sympathy and compassion criminal celebrities received, even from elite quarters, can be seen in the fact that victims sometimes refused to prosecute them, witnesses refused to identify them or provided good character references at their trials, juries refused to convict them, and elites petitioned on their behalf to obtain pardons or reduced punishments.[79] Rann was acquitted in four of his five Old Bailey trials, and Barrington in four of seven trials (including one in Dublin). At the sentencing following Barrington's conviction in January 1777 for picking the pocket of Ann Dudman, 'a gentleman who appeared as the prisoner's friend, begged remission of the usual punishment for this offence on this extraordinary ground, that Mr Barrington being bred up in a genteel line of life, would not be able to undergo the laborious fate of a common thief'. As a result the usual sentence of seven years transportation (to be served on the hulks, since transportation was in limbo at this time), was reduced to three, but when it was later claimed that even that punishment proved too severe, 'a gentleman of rank and consequence [was so moved by Barrington's] emaciated and squalid appearance… that he applied for the remission of the remaining part of his sentence' (which was granted, in return for banishment).[80]

We can only speculate on why so many people were supportive of these criminals, but the public appear to have been convinced by their claims and attracted by the possibility of expressing emotional identification with figures who could be accorded sympathy. For the lower classes (and perhaps others), observers may have been convinced by claims of wrongful accusations and harsh punishments, and by the excuse that crimes were committed out of necessity; they may have even personally shared those experiences. More speculatively, they may have been attracted by the

[78] Hill and Powell (1934, iii, p. 38, 11 April 1776). Rann's fame lasted into the 1820s: McKenzie (2012, pp. 256-57).
[79] Hitchcock and Shoemaker (2015, pp. 202-4, 271); *Account of John Rann* (1774, p. 10); Hitchcock, *et al.* (2018, trial of John Rann, *et al*., December 1773, t17731208-1).
[80] *Gazeteer and new daily advertiser* (26 February 1777); *Morning chronicle and London advertiser* (27 June 1777); *Genuine life and trial of George Barrington* (1790, p. 35).

possibilities of social mobility and freedom demonstrated by lives led outside normal social constraints. Mary Jo Kietzman has argued that Carleton's 'performance of the German "princess" claim appealed to the collective social fantasy of wanting to be royal… [the case] appealed because it represented the possibility that virtually anyone could act on their own behalf by constructing and deploying a life story.'[81] Similarly, according to Léa Lebourg-Leportier, Sheppard's ability to outwit the judicial authorities through his escapes allowed readers to 'temporarily escape from the fetters of morality and authority'.[82] Cox and Rann's appearances at the races, dressed in genteel clothing, demonstrated the possibility that plebeian Londoners could rub shoulders with high society.

The attraction for elites was different. As suggested by the example of the gentleman who obtained a pardon for Barrington to liberate him from the hulks, voicing compassion for criminals gave elites the opportunity to demonstrate their capacity for sympathy. With the rise of the sentimental novel and the culture of sensibility in the middle of the eighteenth century it became fashionable for both men and (especially) women to demonstrate their compassion for others, even 'across traditional social boundaries'.[83] This sensitivity was expressed in a refined but overt manner, including through the shedding of tears.[84] Public examinations, courtrooms and prisons proved perfect places for this: criminals aspiring to celebrity status crafted speeches which invited their audiences to treat them as appropriate receptacles of compassion, while also seeking (both directly and indirectly) to influence the jury and judge.[85] When Maclaine was examined by a justice of the peace before his trial, according to a hostile account from the Ordinary of Newgate, 'He shew'd a mean dastardly Spirit before the Justice, [and] shed many Tears, which enduced the female Part of his Audience to accompany him [to prison], and some to present him with a Purse of Money'. This behaviour continued at his trial, when, as depicted in the print 'James Macleane, the Gentleman Highwayman at the Bar', his defence speech evoked tears from elite women holding fans in the balcony; similar

[81] Kietzman (1996, pp. 106-07); Richetti (1969, pp. 34-35).
[82] Lebourg-Leportier (2016, p. 38).
[83] Hunt (2007, ch. 1, quote at 36); Ellis (1996. ch. 1).
[84] Carter (2005, pp. 156-173); Dixon (2015, chap. 7).
[85] Dixon (2015, pp. 170-74).

weeping women (and at least one man) are depicted in a separate print visiting Maclaine in Newgate shortly before his execution.[86] As the sex deemed to have the more sensitive nerves and greater moral authority, women, particularly from respectable backgrounds, were keen to demonstrate publicly their sensitivity to the plight of less fortunate souls.[87]

But sensibility was not only for women.[88] For both male criminals seeking celebrity status and the men observing them, it offered the possibility of demonstrating their own refinement.[89] Maclaine was purportedly unable to deliver his speech prior to his sentencing in court because of 'his excessive grief… his countenance plainly wore the appearance of real contrition for his past crimes'.[90] While this failed to gain him any mercy, Barrington, for whom tears were 'a standard part [of his] repertoire', successfully used the language of sensibility to avoid conviction four times. When he was tried in Dublin, he told the court 'it was impossible for any mind, possessed of sensibility and reflection, not to feel sentiments of compassion in his favour'; he was acquitted. Similarly, when tried at King's Bench for outlawry, he painted a sentimental domestic image of himself as a family man: '[h]e requested every person in Court to put himself in the situation of a man, against whom a proclamation of outlawry may be issued. He may know nothing of it—he may be returning home to his family; and in the instant of receiving their congratulations on his return, he may be torn from their embrace, [and] be confined to a loathsome prison.' The outlawry was overturned.[91] Whether, as jurors or judges, or just as spectators in the courtroom or prison visitors, men, too, were receptive to the claims of sensibility. But men retained their self control; there is no evidence that male observers joined in the shedding of tears.

[86] Hitchcock, *et al.* (2018, *Ordinary of Newgate's account*, October 1750, OA17501003); *James Macleane the gentleman highwayman at the bar* (1750); *Newgate's lamentation* (1750).
[87] Barker-Benfield (1992, p. xxvii, 23-36).
[88] Carter (2005).
[89] Carter (2005); Dixon (2015, chap. 7).
[90] *James Macleane the gentleman highwayman at the bar* (1750).
[91] Garvey (2008, p. 18); *Memoirs of George Barrington* (1790a, p. 90); *Caledonian mercury* (21 Nov. 1789).

Women may also have been attracted to the information provided in printed texts about the love lives of celebrity criminals, an example of the growing public interest in private life at this time,[92] and a key feature of modern celebrity culture. As single men, Maclaine and Cox were depicted as being particularly attractive to women, while considerable attention was also paid to the 'amours' of Whitney, Sheppard, and Rann, which sometimes had tragic consequences. In *The Jacobite Robber*, one woman reported that Whitney was 'a very charitable man… and withal, is very favourable to Ladies, who generally give him the character of a civil obliging robber'. It was his mistress, however, who allegedly turned him in to the authorities, prompting a ballad, *Whitney's Dying Letter to his Mistriss that betray'd him*.[93] Sheppard's downfall was blamed on his weakness for his mistress, Elizabeth Lyon alias Edgworth Bess.[94] Rann apparently had two lovers, Eleanor Roache and Catherine Smith, both of whom received particular attention in his biographies, with one title advertising that it contained 'his adventures and Enterprises, his numerous escapes from Justice, and his amours with several ladies'. Roache, apparently his favourite, was the subject of a ballad, *Miss Roach and Jack Ran's Parting*, which takes place just before his execution.[95]

In the eighteenth century, it was as mistresses, readers and observers that women got closest to criminal celebrity, as all of the celebrities identified in this article with the exception of Mary Carleton (whose most publicised crime took place in 1663) were men. This is not because women could not become celebrities at this time; despite the disadvantages of exposing women to the scrutiny of the public sphere, many actresses, notably Sarah Siddons, became celebrities, as did several prostitutes.[96] But women rarely committed the types of crimes, notably highway robbery, which were most conducive to celebrity because they were not too threatening. The types of female crimes which attracted the most public attention, murder and forgery, were widely condemned, so while both the murderess Sarah Malcolm and the forger Caroline Rudd achieved considerable notoriety, there is little

[92] McKeon (2005).
[93] *Jacobite Robber* (1693, p. 22); *Whitney's dying letter* (1692).
[94] [Defoe] (1724, pp. 2-3).
[95] *Account of John Rann* (1674, pp. 24-27); *Genuine account of the life of John Rann* ([1774?], pp. 26-29); *Miss Roach and Jack Ran's parting* [1774?].
[96] Nussbaum (2005, pp. 148-68); Engel (2011); Dabhoiwala (2012, pp. 296-313).

evidence that the public warmed to them. Instead, at a time when women were celebrated for their tenderness and sensibility, the public found Rudd's combative 'masculine' approach in her substantial printed writings to be 'disturbing'.[97]

It has been suggested that celebrity is a feminising phenomenon, making it difficult for men to embrace,[98] but this does not ring true. The male criminal celebrities discussed in this article do not seem to have suffered from gender insecurities (or to have acted in any way to compensate for that), and indeed seem to have relished the attention they received, as men, from their female admirers. Just as men could engage in sensibility and shed tears, they could join in celebrity culture; the criminal celebrity involved a new form of masculine identity made possible by print and the public sphere.

4

The emergence of the celebrity criminal in the 'long' eighteenth century supports arguments that celebrities emerged earlier in English history than is generally thought.[99] Facilitated by the increase of printed texts and images, the late seventeenth and early eighteenth centuries witnessed a step change in the ability of individuals outside the formal structures of power (though with the involuntary assistance of the courts and prisons) to achieve public recognition and celebration, as we have seen in the lives of Carleton, Whitney and Sheppard. Supported by further expansion of the press and the rise of sensibility, as is evident in the cases of Maclaine, Cox, Rann and Barrington, criminal celebrities attracted even more attention in the second half of the eighteenth century, concurrently with the expansion of celebrity culture to include artists, actors, and writers.

But attitudes towards *criminal* celebrity were necessarily ambivalent. No one wanted to be the victim of a crime, even when committed by a polite 'gentleman', and, as the legitimacy of the laws against

[97] Andrew and McGowen (2001, pp. 132, 209).
[98] Zionkowski (2009, p. 169).
[99] Cowan (2016). See also Knights (2010, pp. 85-122).

theft was not in doubt, the public was always torn between the attractive humanity of the celebrity criminal and disapproval of the crimes they committed. Moreover, accepting the claims of the celebrity criminal became increasingly difficult with the growth in negative representations of crime in the press in the late eighteenth century, and worries about the threat violent crime posed to social order. Attitudes towards Maclaine hardened after his trial, and his claims to the status of a gentleman highwayman, together with the later claims of Cox and Rann, were treated sceptically by some commentators. As Andrea McKenzie has argued, by the 'overperformance' of their public gestures, especially their pretensions to gentility, these 'covert challenges to authority' prompted criticism, and their crimes were more frequently condemned.[100] Rann, the last highwayman to obtain celebrity status, was slated by the *Public Advertiser* for his ostentatious behaviour before Justice Fielding, which, it said, deserved 'the severest reprehension'.[101] Barrington was the last criminal who can be identified as a celebrity. His crime of picking pockets involved less implicit violence and prompted fewer critiques, but over his long criminal career his reputation collapsed. In a book falsely titled his *Memoirs*, published in 1790 following his final conviction, he was described as 'universally noticed', but 'generally despised'.[102]

With Barrington's transportation to Australia in 1791 our story ends. While further research is needed, it is difficult to find criminal celebrities who both elicited and received public sympathy in the first half of the nineteenth century. The strongest potential candidate is Isaac (Ikey) Solomons, who achieved fame as a receiver of stolen goods and owing to his escape from custody in 1827 and subsequent voluntary journey to Australia, but his reputation was entirely negative, and unlike the criminal celebrities discussed in this article he does not appear to have sought publicity.[103] In the nineteenth century conditions no longer facilitated the achievement of celebrity by criminals. In part,

[100] McKenzie (2012, pp. 247-56); Shoemaker (2009, p, 18); Shoemaker (2006, pp. 398-403). The term 'overperformance' comes from Walter (2009, p. 100).
[101] *Public advertiser* (2 June 1774).
[102] *Memoirs of George Barrington* (1790b, p. 3).
[103] Tobias (1974); *Adventures, memoirs, former trial, transportation, and escapes, of that notorious fence, and receiver of stolen goods, Isaac Solomons* (1829).

this was the result of changes in the types of publication in which crime was represented. The criminal biography declined, while changes in the editorial approach of newspapers and trial reports meant that favourable representations of criminals became rare.[104] Some eighteenth-century thieves, notably Sheppard and Turpin, received sympathetic treatment in nineteenth-century literature and drama, but this was historical fiction.[105]

The decline of the criminal celebrity was also the result of wider changes in both attitudes towards crime and penal practices. From the late eighteenth century the idea of crime as something 'everyman' had the propensity to commit if they succumbed to the temptations of sin began to be replaced by the idea that crime was a manifestation of social depravity, and its practitioners were increasingly conceptualised as part of a separate 'criminal class'.[106] Particularly following the end of the Napoleonic wars, increasing concerns about crime and social conflict rendered the criminal a more threatening figure, and one in need of reform, in a strictly disciplined penitentiary, rather than compassion. Moreover, the decline of capital punishment from the 1820s significantly reduced the number of convicts for whom the prospect of imminent death invoked sympathy, [107] while the public was no longer able to engage in mass visiting in reformed prisons. In any case, with the passing of the fashion for sensibility, there was less impetus to find targets for compassion.[108]

It would take some time before the real life criminal celebrity would return as an object of sympathy, facilitated by changes in the media. Following a large expansion of newspaper readership and the advent of public interest-focused 'New Journalism', some newspapers in the late nineteenth century treated convicted murderers sentenced to hang with a remarkable degree of sympathy.[109] Attention also shifted to the *cause célèbre*, defendants accused of a crime they claimed they did not commit,

[104] Shoemaker (2017, pp. 99-100).
[105] Sugden (2004); Mackie (2009, pp. 26-34 and ch. 3); Sharpe (2004, ch. 5); Spraggs (2001, ch. 18-19).
[106] McKenzie (2007, pp. 252-55); Godfrey, Cox and Farrall (2010, pp. 10-13).
[107] On this see, Gatrell (1994).
[108] Dixon (2015, pp. 121-22).
[109] Wiener (2007).

such as Arthur Orton (the 'Tichbourne Claimant') in the 1870s and 80s, and Florence Maybrick and Beatrice Pace (accused of poisoning their husbands, in 1889 and 1928 respectively), thus creating a new kind of criminal celebrity.[110]

The criminal celebrity in the late seventeenth and eighteenth centuries was thus a distinctive and remarkable cultural phenomenon, with important ramifications for our understanding of the histories of both criminal justice and celebrity. The fact that significant sections of the public could treat those accused of felonious theft with a degree of admiration and sympathy, in spite of concerns about the threat posed by violent crime, suggests that eighteenth-century attitudes towards crime were much less homogeneous and censorious than existing scholarship suggests.[111] Whitney, Sheppard, Maclaine and Barrington all committed crimes during periods of perceived post-war crime waves, times characterised by historians as episodes of moral panic. Yet while legislators responded to these crises by attempting (with limited success) to establish new means of ensuring the conviction and severe punishment of what were deemed the most threatening criminals, public responses were mixed, with many observers undermining this agenda by adopting a sympathetic attitude towards some of the criminals in the public eye. While as we have seen claims for sympathy were met with some scepticism, many people were more interested in learning about these criminals' lives and crimes, and in saving them from severe punishments, than in condemning them. In this sense, crime as an abstract collective phenomenon was far less important for most people than individual stories; this helps explain why selective prosecution and discretion were such important features of eighteenth-century justice.[112] This is one reason why attempts to marshall public and legislative support for the harsher treatment of criminals, including the adoption of new forms of policing and punishment, proved so difficult.[113]

[110] McWilliam (2007); Davenport-Hines (2004); Wood (2012).
[111] Shoemaker (2017).
[112] King (2000).
[113] Hitchcock and Shoemaker (2015, especially ch. 5).

Reflecting the multifaceted history of celebrity itself, the criminal celebrity has its own narrative. While Lilti shows that Romanticism and mass politics allowed the development of celebrity for artists and politicians in the nineteenth century,[114] the criminal celebrity flourished earlier, in part owing to the expansion of printed representations of crime in the late seventeenth century. As previously recognised, new forms of celebrity have typically been enabled by changing means of communication, whether in the media or through practices of sociability. These changes in the late seventeenth and eighteenth centuries enabled a small number of criminals to obtain favourable publicity through both their words and deeds. Their lives were widely discussed in both public and private venues, while cultural factors, notably the rise of sensibility, encouraged compassion and sympathy; cultural change, too, is a key driver of celebrity. We have seen that this type of celebrity did not last, owing to the decline of sensibility, changing public attitudes towards crime and the reform of the penal system. But for more than a century, the fact that criminals such as James Maclaine were able to cultivate such a positive form of celebrity demonstrates not only the often overlooked agency of the criminal, but also the empowering nature of the type of celebrated celebrity that is the focus of this article. It has been argued that celebrity can serve a 'conservative function in society… containing cultural anxieties',[115] but the phenomenon of the celebrity criminal suggests that it can also be subversive, promoting sympathy for the criminal and undermining efforts to control crime.

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[114] Lilti (2017, ch. 7).
[115] Luckhurst and Moody (2005, p. 9).

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