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# AN ECONOMIC ANALYSIS OF CRIMINAL SENTENCING IN NINETEENTH CENTURY ILLINOIS

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AN ECONOMIC ANALYSIS OF CRIMINAL SENTENCING IN NINETEENTH CENTURY ILLINOIS

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A Thesis  
Presented to  
the Graduate School of  
Clemson University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts  
Economics

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by  
Kimberly M. Mattison  
May 2010

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Accepted by:  
Dr. Howard Bodenhorn, Committee Chair  
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Dr. Michael Maloney

## **ABSTRACT**

Using an econometric model, this paper examines the effect a criminal's alcohol usage may have played in sentence length in nineteenth century Illinois. With the prevalence of the temperance movement, did jurors' feelings about alcohol usage influence the sentencing of criminals? This paper also seeks to identify other extra-legal factors affecting Illinois sentencing. My thesis begins by explaining the historical context of both the Illinois criminal system and the temperance movement during the nineteenth century. The next section explains the data and relevant summary statistics. The driving theory and empirical issues that arise follow. Finally, the determinant factors in sentencing will be discussed as revealed through analysis. A summary of the major findings and ideas for further research conclude. No extra-legal factors were found to be a significant factor in nineteenth century Illinois sentencing. Several possible explanations for the lack of extra-legal factors are discussed.

## **ACKNOWLEDGEMENTS**

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## **I. INTRODUCTION**

Research has shown that biases occur in criminal sentencing. Bushway and Piehl (2001) summarize the large literature relating to racial discrimination in sentencing and to the percentage of minorities in prison compared to the number in society. Such disproportional numbers may cause individuals to presume the bias is greater than in actuality. When accounting for factors beyond race, disparities are divided into two categories: warranted and unwarranted. Criminal history, crime type, and severity being accounted for in sentencing can lead to warranted disparities. Unwarranted disparities such as race, gender, and other extra-legal factors are those that exist after accounting for rational (warranted) reasons for differences. After accounting for sentencing guidelines, they find that beginning in 1987 African-Americans typically received 20% longer sentences compared to whites in Maryland. They, however, note that this does not necessarily mean discrimination has occurred, but it is not ruled out. During the nineteenth century, other personal characteristics, such as immigrant status and alcohol use habits, may have affected prison sentences.

Studies have shown that gender plays a role in sentencing, even today. Females tend to receive preferential treatment in sentencing, though this favorable treatment varies across types of crime (Rodriguez et. al 2006). Their study attributes sentencing preferences towards females to the discretionary structure of the legal code.

Many studies have also examined the link between alcohol use and crime. A positive correlation between alcohol usage and violent crime is a typical finding. Kwabena Gyimah-Brempong and Jeffrey Racine (2006) investigate the relationship between alcohol availability and crime. They find a positive and statistically significant relationship between



alcohol availability and crime and that the traditional linear method of viewing this relationship leads to a downward bias. These results indicate that density of alcohol availability should play a larger role in instituting alcohol policies.

In 1818, Illinois officially became the twenty-first state of the United States. As early as the 1830s, the temperance movement was gaining strength in Illinois. Even prior to the eighteenth amendment, prohibition was gaining support, and even parts of Illinois had banned the sale and consumption of alcohol (Hanson).

Today judges are primarily responsible for sentencing. This, however, was not the case in the nineteenth century; juries held this function (Dale, 2008). During the 1830s, Illinois was one of ten states that awarded the power for sentencing to juries (Iontcheva 2003). This difference in sentencing may have led to extra-legal factors being a focus in sentencing. Today, judges view personalization of sentences negatively, but leniency of juries may have lead to such.

This paper examines the effect a criminal's alcohol usage may have played in sentence length. With the prevalence of the temperance movement, did jurors' feelings about alcohol usage influence the sentencing of criminals? This paper also seeks to identify other extra-legal factors affecting Illinois sentencing.

Two approaches of sentencing exist: the legal approach and the economic approach. The legal approach relies upon sentencing based on guidelines without regard to individualized aspects of a crime. Alternatively, the economic approach allows for differential sentencing to maximize deterrence and minimize cost. Gwin (2010) finds that jury sentencing recommendations tend to deviate further from sentencing guidelines than

judges' sentences do. Juries tend to be more sympathetic to the unique details of a specific case, at least in today's society. Deterrence, retribution, and incapacitation are the official goals of modern day sentencing (Gwin 2010). Previously, rehabilitation had been a goal. Rehabilitation relied heavily on individualized treatment, thus leading to variations in sentencing (Iontcheva 2003). While judges have the ability to deviate from sentencing guidelines, they are charged with prioritizing retribution; namely, they are supposed to disregard individual characteristics that would indicate a higher or lower ability to be rehabilitated (Gwin 2010). Examining the actual given sentences can help evaluate which approach is being predominately used in sentencing.

My thesis begins by explaining the historical context of both the Illinois criminal system and the temperance movement during the nineteenth century. The next section explains the data and relevant summary statistics. The driving theory and empirical issues that arise follow. Finally, the determinant factors in sentencing will be discussed as revealed through analysis. A summary of the major findings and ideas for further research will conclude.

## **II. NINETEENTH CENTURY ILLINIOS CRIMINAL PROCEDURE**

Extra-legal factors in sentencing could be considered injustices that could undermine the legitimacy of the legal system. Many scholars have examined the influence of extra-legal factors such as race and gender in modern sentencing in the United States, but few scholars have examined extra-legal factors from an historical perspective in the United States.

Compared to contemporary trials and sentencing, justice was swift in nineteenth century Illinois. The 1886 “Haymarket Affair” defendants were convicted within four months. Four were executed within a year and a half following appeals to the Illinois Supreme Court and United States Supreme Court (The Haymarket Affair Digital Collection).

Speed is not the only factor that distinguishes nineteenth century criminal procedure from today’s procedures. Entrapment was commonplace, and could not be used as a legal defense until the 1930s (Dillof 2004). Attorneys were often hired as private prosecutors as state attorneys were notoriously underpaid (Ireland 1995). The sixteenth president of the United States, Abraham Lincoln, was a practicing attorney in Illinois during the 1830s. In a biography on Lincoln entitled, *Lincoln the lawyer*, Frederick Trevor Hill notes that as a “Frontier state” Illinois had “very simply administered” governments (61). While he notes that the majority of courthouses were log built, he acknowledges that some districts held court in bar rooms of taverns.

The initial body of statutes for Illinois was carried over from the Old Northwest and Indiana territories (Alvord, pg. 430). (This can account for why some of the criminals included in the sample are from other territories such as Wyoming.) Illinois adopted a more modern criminal code in 1831 adopting penitentiary punishment over corporal punishment (like whipping and pillory) (Chapman 1879).

To demonstrate the effects of juries in criminal trials during the nineteenth century, Dale (2008) uses a case study of a famous 1889 Chicago trial about five individuals who conspired to murder a local doctor. Dale finds that Cook County had three essential items that eventually led to a plea bargaining system after the turn of the twentieth century: “modern police departments, a full time prosecutor, and a well-established prison system

(2).” The case Dale looks at revolves around a doctor who disappeared and was later found murdered in a sewer basin. Prior to the discovery of his body, many theories of his disappearance emerged, including a tale of assassination. After an investigation, five men were charged with the crime, including an attorney and a police officer. She explains the lengthy process (two months) of jury selection. In accordance with common law practices, challenges for cause and peremptory reasons could be used to eliminate potential jurors; however, unlike most other states (which allowed twenty peremptory challenges) Illinois allowed twenty per defendant (meaning 100 for both the prosecutor and the defense in this case). Despite the large number of peremptory challenges, the majority of the potential jurors were removed for cause, relating primarily to the pre-trial media attention that the case received. Illinois, at the time, required that if the juror had seen a news report that he “be willing to have his mind changed by evidence.” The Illinois Criminal Act of 1842 was utilized when charging the jury; this charge included that “the jury are the judges of the law and the fact in this case (7).” At least nine other states are said to have upheld similar rights of the jury.

Throughout most of the nineteenth century, the jury’s evaluation of both facts and law led to the common practice known as jury nullification. NOLO, the plain English law dictionary, defines jury nullification as “a decision by the jury to acquit a defendant who has violated a law that the jury believes is unjust or wrong.” In this case, the jury acquitted one of the defendants, found one of the defendants guilty of manslaughter, and the final three guilty of murder. The three guilty of murder were sentenced to life in prison, and the one guilty of manslaughter received three years. Many people were disappointed that those guilty of murder received only life in prison, but this does not seem like an application of

jury nullification, though the judge did provide them with this option. The case was appealed and later reversed, though two of the defendants died before the reversal. The reversal was granted on the basis that two of the jurors should have been excluded for cause.

The article also highlights additional shortcomings of the court system during the nineteenth century, including attempts to bribe the jury and lengthy appeals. Beginning in the 1860s, jury reform was a popular topic amongst state officials; however, change was not undertaken. The importance of Anglo-American common law as well as the members of the bar preferring that juries evaluate more than just guilt slowed reform.

Though the Illinois court system may appear somewhat disorganized and potentially behind the rest of the United States, Illinois was the first state to establish a juvenile justice system in 1899.

### **III. THEORETICAL AND EMPIRICAL ISSUES**

Because there has been an observed link between alcohol usage and crime, it is plausible that any observed relationship between alcohol usage and sentences could be anticipatory of future crimes. In an effort to decide if this is a legitimate reason for sentence differing or a product of moral objections to alcohol driven by the temperance movement, this paper will look at the correlation between alcohol usage and multiple offenses.

In “Criminal Sentences in Nineteenth Century Pennsylvania,” Howard Bodenhorn uses a similar model introduced by Celesta Albonetti to explain “statistical discrimination.” This model allows for experiences of the judge, as well as prejudices and stereotypes to impact the sentences. Bodenhorn adapts the model to fit the jury-based sentencing system

utilized during the nineteenth century; ultimately, he uses the idea that juries act as a body and are therefore subject to similar impartialities as judges. He points out “imperfect information and bounded rationality do not excuse discriminatory practices (10).”

Criminal sentences are used as a tax to discourage socially unacceptable behaviors. Joel Waldfogel, in “Criminal Sentences as Endogenous Taxes: Are They ‘Just’ or ‘Efficient’?” looks at the difference between morally redistributive punishments and punishments based on both the cost to the penal system and the damage caused by the crime. The model introduced by Waldfogel can help to explain differential sentencing related to extra-legal factors that the traditional Becker model does not allow.

The Waldfogel (1993) model begins by defining social welfare, as

$$U(C_1(x), \dots, C_n(x)) + \beta \sum_i p_i C_i(x) x_i. \quad \text{Equation (1)}$$

$U$  is the function of social cost of crime;  $C_i(x)$  is the supply function for crime  $i$ ;  $x = (x_1, x_2, \dots, x_n)$  is a vector of sentence lengths;  $\beta$  is the marginal cost of incarceration, and finally,  $p_i$  is the probability of being incarcerated for crime  $i$ . To simplify the model, it is assumed that supply functions of crime depend only on sentences and that the conviction probability for a given crime is fixed and determined outside of the model. Direct prison maintenance costs, welfare costs of taxes, and the opportunity costs of legitimate, noncriminal foregone earnings of incarcerated individuals are encompassed in  $\beta$ .

Minimizing the welfare equation allows the state to minimize the costs of both crimes and punishment. This leads to equation (2).

$$\sum_i U_i (\delta C_i / \delta x_j) = -\beta \{ \sum_i p_i [x_i (\delta C_i / \delta x_j)] + p_j C_j(x) \} \quad \forall i, j = 1, \dots, n \quad \text{Equation (2)}$$

Allowing the social cost of crime ( $U_i$ ) to equal harm of a given crime ( $h_i$ ) reduces the equation to

$$h_i (\delta C_i / \delta x_i) + \beta p_i [C_i + x_i (\delta C_i / \delta x_i)] = 0 \text{ Equation (3),}$$

assuming that all cross-effects are zero. From there, the optimal sentence is written as

$$x_i^* = - h_i e_i / [\beta p_i (1 + e_i)] \text{ Equation (4);}$$

$e_i$  is supply elasticity of crime  $i$  with respect to its sentence. Supply elasticity of crime ( $e_i$ ) is a function of  $x$  meaning that equation (4) is not a closed solution; a specific functional form for crime supply could correct this problem, but even without this specification, the result in equation (4) shows that the optimal sentence is positively related to the harm created by a crime, as long as  $e_i$  is between -1 and 0 and the second order condition is satisfied.

Assuming inelastic elasticities of criminal acts with respect to sentence is reasonable.

Waldfoegel (1993, pg. 143) cites estimates between -0.3 and -0.5. Consistent with the Becker (1968) model of crime, the optimal sentence is negatively related to the probability and the marginal cost of imprisonment. Longer sentences are given for crimes with lower probabilities of imprisonment due to the inverse relationship between supply of crime and probability of detection, conviction, and incarceration.

Sentencing discrepancies, such as those related to temperance, can be explained in this model as alterations in the perceived amount of social harm caused. For example, habitual drunks who kill may be perceived as less of a danger to society than temperate premeditated murderers. This would be shown as  $h_i, \text{ temperate} \geq h_i, \text{ intemperate}$  meaning that harm of temperate individuals is greater than harm of intemperate. Conversely, it may be possible to observe that temperate individuals are less likely to commit crimes than

intemperate ones. This application of Waldfogel’s model uses “harm” differences to justify different sentencing tactics. Farmer and Terrell (2001) explain that when two or more groups exist in society and have real or perceived differences in crime supply functions then systemic differences may arise in sentencing severity. For instance, if two groups such as temperate (T) and intemperate (N) exist, and temperate individuals are less likely commit crimes, shown by  $C_{i,T}(x) = \alpha C_{i,N}(x)$ , where  $\alpha < 1$ . This modification leads to the equation being rewritten as:

$$U(C_{1,N}(x), \dots, C_{n,N}(x), C_{i,T}(x), \dots, C_{n,T}(x)) + \beta \sum_i \sum_{k=T,N} p_i C_{i,k}(x) x_i \quad \text{Equation (5)}.$$

As before, if the possibility of cross effects is ignored, an optimal sentencing rule can be established:

$$x_i^* = - [h_i e_{i,N} (1 - \alpha)] / [\beta p_i (1 + e_{i,N}) (1 + \alpha)] \quad \text{Equation (6)}.$$

When equation (6) is differentiated with respect to  $\alpha$ , the criminal supply function of the intemperate increases relative to the temperate leading to optimal sentence increases for the intemperate. Sentencing in such a manner would go along with the idea that longer sentences are needed for substance abusers because they are more likely to be repeat offenders and that longer sentences discourage others from engaging in risky alcohol behaviors.

Individuals in the 1800s relied on alcohol as a part of their daily lives. Estimations of annual adult (15 years and up) alcohol consumption range from 5.1 gallons in 1710 to 7.1 gallons in 1830 (Rorabaugh 1979). Alcohol work breaks were not an unusual practice (Appleby 1979). Consumption began declining in the 1830s and 40s and by 1850 annual adult alcohol consumption dropped to approximately 1.8 gallons (Rorabaugh 1979).



Typically, the decline in consumption is attributed not to price, but to temperance movement's affect on preferences (Tyrrell 1979).

The example of alcohol based differential sentencing fits the increasingly anti-alcohol; the same principles ideas can be applied to other personal characteristics, such as race or class. By the early 1830s, numerous groups were started across the country encouraging people to sign pledges to stop their alcohol use. The temperance movement is first documented in Chicago in 1833 with a branch of the American Temperance Society known as the Chicago Temperance Society (Bohlmann 2004).

The Washingtonian movement was another popular group during the 1800s. Despite major differences between the two groups, Alcoholics Anonymous finds its roots in the Washingtonian movement (Maxwell 1950). The Washingtonians, like Alcoholics Anonymous, believed in redemption for alcoholics; however, the Washingtonians allowed for non-alcoholic membership and had goals other than becoming sober.

Additionally, recent literature has shown a link between alcohol and crime. Zimmerman and Benson (2007) also look at the alcohol and crime relationship. The main focus of their paper is to discern whether alcohol related vulnerability is a main cause of the rape alcohol correlation.

#### **IV. DATA**

The data for this study was retrieved from "Genealogy Trails" where it had been compiled by Kim Torp using transcripts of Joliet, IL Prison Convict Registers. Four thousand, seven hundred and fifty-nine prisoners are included in the sample. These records range from 1847 to 1892; they include the prisoners name, the county of the crime, crime

and sentence data, as well as, personal information including height, weight, occupation, religion, nationality, level of education, family, and alcohol habits. For an unknown reason, no records from the 1870s are included. Additionally, the records indicate the date that the prisoner was released, died (3.9%), or was pardoned (6%).

To make the data informative, dichotomous (0,1) variables were created from the non-numeric variables. Variables such as sentence and age were left as numeric values. Three hundred ninety-three entries in the sample did not list a sentence length. Of those that listed a sentence, thirty-four listed the sentence as life. Since life sentences were non-numeric, "life" was replaced with 600 months (50 years). In this instance, a sentence of fifty would exceed the life expectancy of individuals in the 1800s, which was 39.5 in 1850 and 46.8 in 1890 (Haines).

The summary statistics for variables included in the regression are provided in table 1. The final sample includes four thousand, two hundred, and fifty-six prisoners. Three hundred and ninety-nine prisoners from the original sample are excluded because no sentence was recorded. Another 110 observations did not list age, and were dropped from the final sample. Sentences in the final sample range from half a year to life; the average length is 3.177 years. Approximately three percent of the sample had multiple indictments.

In the case of occupation, occupations were grouped into skilled (24.18%), unskilled (39.45%), commercial (4.79%), farm (15.04%), proprietary (7.42%), and professional (3.01%) categories. Occupations, such as printer, tailor, and engineer, fall into the skilled category because they require specialized abilities to complete. Unskilled occupations were ones that did not require any specialization--jobs an average individual could perform, such as, fireman, boatman, and housework. Salesman and clerk are examples of careers in the

commercial category. Farm workers are self-explanatory. Some of the professional careers include bookkeeper, journalist, and physician. Owners of businesses, like druggist and restaurant keeper, appear in the proprietary jobs category.

A similar approach was used when grouping the different categories of alcohol usage. The data describes numerous variations of an individual's alcohol habits, which were ultimately grouped into intemperate, temperate, sometimes drinks, and unlisted alcohol habits. In addition to those listed as temperate, the "temperate" category (32.54%) included the habits described as "abstinent," "never drank to excess," and "alcohol habits=no." The intemperate category (25.04%) also included the description "has drank to excess." "Has drank" and "not intemperate" were grouped in the "sometimes drinks" category (38.18%). Unlisted alcohol habits (4.23%) were those that were missing the alcohol habits data entirely.

The prisoners in the sample represented many nations, mainly European, but the majority of them were from Ireland (2.14%), Canada (1.05%), Germany (2.56%), and the United States (88.94%). For this reason, nationality has been grouped into Irish, Canadian, German, American, and all other nationalities.

Skin descriptions also varied greatly: pock-marked, fair, florid, sallow, dark, medium dark, freckled, mullato, black, and brown just to name a few. Black and mullato are the most descriptive descriptions in the sample. Blacks represent 5.69% and mullatos represent 2.29% of the sample.

As part of a sorting tool, crimes were separated into violent, property, and confidence crimes. Kidnapping, manslaughter, assault, arson, abduction, rape, and murder

were grouped as violent and account for 13.6%. Confidence crimes comprise 10.97% of the sample and include incest, bigamy, crimes against nature, counterfeiting, conspiracy, perjury, fraud, and embezzlement. Postal law violation, malicious mischief, receiving stolen goods, attempt to commit a crime, grand larceny, horse stealing, robbery, larceny, and burglary were classified as property crimes (75.42%).

Forty percent of the individuals were convicted in Cook County. Larceny was the most prevalent crime (31.68%) with burglary second (24.39%). The average sentence for the entire sample was 3.177 years.

Using the Revised Statues of the State of Illinois 1887 compiled by Harvey Hurd, the minimum and maximum sentence lengths allowed for each crime from the statues. Some statues allow for fines instead of jail time, in that case, zero is listed as the minimum sentence. Table 2 shows the minimum and maximum sentence prescribed by the guidelines and the average sentence length from the actual data. Maximum sentences of life were recorded as fifty years (600 months) to maintain consistency with documentation used for life sentences in the prisoner data.

The data does lack some information regarding whether the prisoner plead guilty or went to trial. More information about the actual crimes committed would be helpful; for instance, it would be helpful to know the value of items that were stolen or the ethnicity/nationality of victims. The personal characteristics of victims seem to be a major shortcoming. If for example, Irish people are disliked and an Irishman kills another Irishman, the jury may see that as a less heinous offense and impose a shorter sentence.

Additionally, it would be helpful to know if any fines were also associated with the sentences administered. It appears the prisoners who were on death row/executed were not listed in the data; the absence of these individuals is a possible fault in the data. While both males and females are included in the data, there is no indication of the gender of an individual prisoner. This omission in the data prohibits analysis related to gender disparities, which is a topic of interest to many economists.

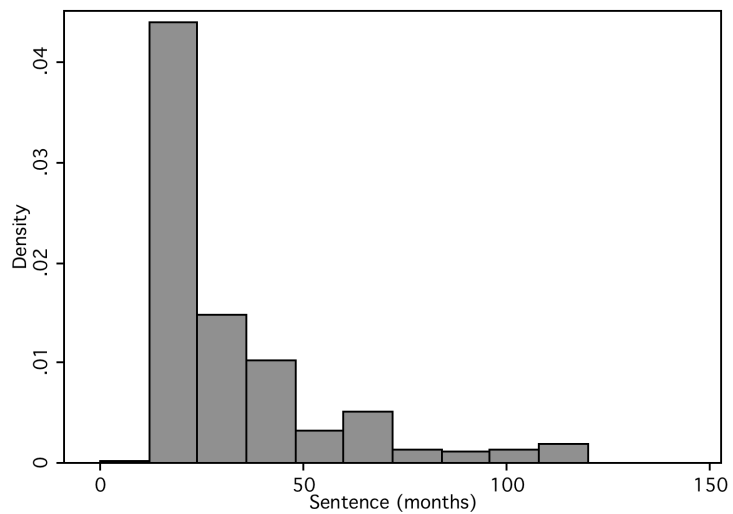
## **V. DETERMINANTS OF CRIMINAL SENTENCES**

To test the Waldfoegel model relating to differences in sentencing, OLS regressions are performed to look for the underlying determinants of criminal sentencing in nineteenth century Illinois. The dependent variable which helps to evaluate differences and prescribed is the natural log of the sentence. This method follows the approach used by Bushway and Piehl (2001). They began by establishing a model of the guidelines; this allows actual sentences to be compared to the guideline sentences. They remove the discretion provided for in the guidelines to isolate other extra-legal factors that determine sentences. They cite many issues relating to the dependant variable including censoring and positive skewness. Censoring occurs because individuals who receive probation or a sentence of below zero are not included in the sample. Positive skewness in sentence lengths could lead to curvilinear error terms and potential bias. Taking the natural log of all sentence lengths can correct potential skew bias and simplify the coefficient interpretations, making them constant percentage terms. The midpoint sentence is used as their guideline sentence; they test alternatives to the midpoint, but find that results do not vary significantly.

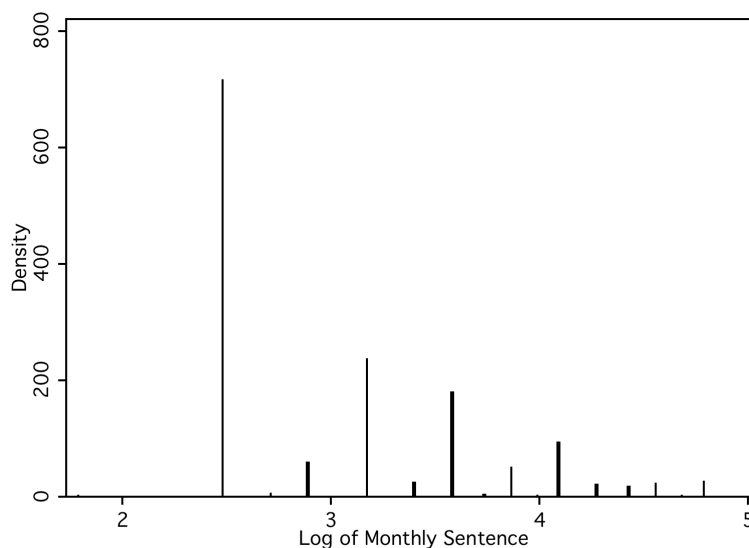
As previously discussed, potential sentences range from 0 to 600 months, with zero being crimes that could have been punishable only by fines and 600 being life sentences.

This dependent variable was chosen to be consistent with previous works, such as Bodenhorn’s “Criminal Sentencing in Nineteenth Century Pennsylvania.” The use of the natural log helps to make the sentences more normalized, making OLS regression appropriate and accounting for bias caused by skewness. Figures 1 and 2 below are histograms showing this normalization.

**Figure 1:** *Histogram of Sentence Length*



**Figure 2: Histogram of Log of Sentence Length**



The initial regression will include just the midpoint sentence, and additional regressions will add personal characteristics, crimes, decades, and counties. Robust standard errors will be used to correct for heteroskedasticity.

Modern studies have indicated that sentence lengths are affected by factors other than what the law would dictate, such as personal characteristics. To test for such deviations, personal characteristics are also included in the regressions. Age and age squared account for the age differences (the square of age is used to allow for a nonlinear age effect). In “Colourism and African–American wealth: evidence from the nineteenth-century south,” Bodenhorn and Ruebeck found that blacks and mulattos were treated differently than both one another and from other skin tones in the early nineteenth-century South, so African Americans are divided into two categories (black and mulatto) to control for potentially differential treatment in nineteenth-century Illinois. Sentencing differences for black and mulatto are compared to all other races (mainly variants of white).

Dummy variables for Canadian, Irish, German, and all other nationalities are included to account for differences amongst nationalities. The majority of the other nationalities are from Western Europe. Discrimination against nationalities particularly the Irish has been documented during the nineteenth century (Miller, 6). The discrimination is most noted with regards to employment opportunities. A lack of employment opportunities could explain why these individuals turned to crime in the first place. Nationality effects are compared to sentences from people from the United States.

The variables “sometimes drinks,” “unlisted alcohol habits,” and intemperate are also included in the regression. Temperate is left out of the regression, so that the coefficients for the other alcohol habits will be compared to a base of temperate. Given the prevalence and popularity of the temperance and prohibition movements, it is not unreasonable to check for potential sentencing variations. In the event, sentences for intemperate prisoners are longer it is likely that the sentence reflects a fear of drunkards committing more crimes; but, if the sentences are lower, it may convey that individuals viewed crimes committed by drunks as less serious than premeditated acts.

The regressions include indicators for occupation. From the available data, this is the best indication of socioeconomic standing. Scholars, such as Mustard (2001), argue that lower class/lower income groups are more likely to receive longer sentences than more affluent groups. Rich individuals are more likely to be able to afford to pay their way out of crime, either by merely retaining a prominent lawyer or through more unscrupulous means, such as paying off judges.



*a. Full Sample*

Table 3 reports the basic regression results for the final sample. Column A includes only the effect of the midpoint guideline sentence. Column B adds the personal characteristics (alcohol habits, race, nationality, occupation, age, age-squared) to the original regression. Crimes are added to the regression in column C. The inclusion of the crimes helps to diminish biases related to the type of crime; even when crimes have the same minimum and maximum sentencing, it is possible that some crimes still receive harsher sentences. As papers such as Bodenhorn (2008) and Mustard (2001) have indicated failing to control for crime can result in the appearance of group biases if individuals from one group are more likely to engage in a specific crime leading to perceived bias towards such a group. Column D adds controls for each decade in the sample to help account for changing opinions of crime severity over time; the coefficients for decade compare the decade to a base decade of the 1840s. Column E adds county effects to the regression; coefficients for unlisted county and counties other than Cook show differences in those sentences compared to Cook County sentences. The regressions provide estimations on the level of impact that particular characteristics have on the length of sentences. Examining the results of the regressions will help to identify any discrepancies in sentencing relating to personal characteristics.

From the full sample regression, the constant, kidnapping, perjury, crimes against nature, grand larceny, crimes related to counterfeiting, incest, conspiracy, manslaughter, assault with violent intent, horse stealing, rape, murder, burglary and larceny, burglary, and sixties significantly impact the sentence length. The positive significance of the constant indicates that there are factors outside of the regression. All of the crimes, which are

significant, increase the sentence length. It is likely that these are crimes that were considered especially heinous during this time. Seeing that murder, rape, grand larceny, and horse stealing are among these crimes this does not seem like an irrational assumption. To further investigate this effect, in part b, these same regressions will be performed on the three major crime categories.

Compared to the 1840s, criminals in the 1860s received longer sentences. It is possible that this effect is related to the Civil War. Perhaps since there was already so much unrest in the country, juries felt that criminals were only going to disrupt society more; therefore, they were locked up longer. Pre and post Civil War regressions will be used later to evaluate other differences that may have occurred in sentencing.

*b. Violent, Property, and Confidence Crimes*

Violent crimes are often used to show the link between alcohol and crime. Separating the violent crimes from the property and confidence crimes helps to check for discrimination that occurs solely in the different areas of crime.

Tables 4, 5, and 6 separate major types of crime to property, confidence, and violent to look for any subtle sentencing differences that are unseen with the combined crimes. These tables replicate the regressions in table 3. Table 4 includes only the property crimes, table 5 includes just confidence crimes, and table 6 contains the violent crimes.

Property crimes (table 4) reveal the constant, age, all other nationalities, postal law violation, grand larceny, horse stealing, burglary and larceny, and burglary to be the factors that affect sentences. Again, the most serious of the crimes tend to increase the sentence lengths. Nationalities other than Irish, German, and Canadian receive shorter sentences

compared to sentences given to individuals listed as being from the United States. Age is shown to be significant while age-squared is not. Older criminals receive longer sentences looking strictly at the age term.

Confidence crimes (table 5) reveal shorter sentences for Irish and Blacks. Perhaps these groups received shorter sentences because their participation in confidence crimes was not taken as seriously as they were not taken as seriously in society. Other crimes (mainly prostitution related offenses) and counterfeit related crimes receive shorter sentences. These violations may have been considered less severe and caused less harm to society, as consistent with the Waldfogel model. Forgery led to longer sentences.

Table 6 (violent crimes) shows that each of the decades, age, age-squared, assault with property intent, assault with violent intent, arson, and abduction were all significant in assigning sentences. Compared to the forties, during the fifties, sixties, eighties and nineties, criminals received longer sentences. The significant crimes in this category all reduced the sentence length. When looking at these crimes compared to murder and rape, it is understandable that the harm of these was less, leading to shorter sentences. Age increases the sentence length and age-squared decreases it. The R-squared values for the violent crimes regressions are the highest of all the regressions. This indicates that the violent crime estimates fit the data better than any of the other estimations.

*c. Cook County and All Other Counties*

Since Cook County, which encompasses Chicago, was the most represented county in the sample, it is reasonable to look at the results for solely that county. Chicago is the

most urban city in Illinois. It is possible that only some jurisdictions experience sentencing bias while others do not and these biases get overshadowed in the full sample analysis.

Tables 7 and 8 use the same regressions as the prior tables, but table 7 includes only Cook County and table 8 includes all the other counties.

Cook County criminals (table 7) received harsher sentences for age, age-squared, and 1850s, 1860s, and 1880s offenders. Lesser sentences were awarded to criminals convicted of malicious mischief, other crimes, perjury, receiving stolen goods, confidence games, attempt to commit a crime, grand larceny, conspiracy, embezzlement, assault with violent intent, bigamy, arson, horse stealing, abduction, forgery, larceny, and burglary.

Other crimes, postal law violation, receiving stolen goods, perjury, crimes against nature, grand larceny, counterfeiting, incest, manslaughter, embezzlement, assault with violent intent, arson, horse stealing, burglary, larceny, burglary and larceny, rape, murder and forgery all appear to be significant in increasing the sentence for all other counties (Table 8). For the three regressions including crimes, unlisted alcohol habits are shown to have a positive effect on sentence length.

#### *d. Pre and Post Civil War*

The Civil War is a major event in United States history. Separating the data into pre and post Civil War will help to account for any differences in the results stemming from the war.

Similar to the previous tables, 9 and 10 will show the same analysis with 9 showing the years before and during the Civil War (1847- 1860) and 10 showing 1865- 1896, years

after the Civil War. The pre-Civil War (table 9) shows that Irish individuals received shorter sentences. The following crimes also received shortened pre-Civil War sentences: other crime, postal law violation, receiving stolen goods, grand larceny, bigamy, assault with violent intent, arson, horse stealing, forgery, burglary, burglary and larceny, and larceny. Criminals convicted of incest received higher sentences.

Post-Civil War the eighties and nineties criminals received shorter sentences. Age increases the sentence. Other crimes, postal law violation, kidnapping, perjury, crimes against nature, grand larceny, incest, conspiracy, manslaughter, assault with violent intent, horse stealing, forgery, rape, murder, burglary, larceny, and burglary and larceny combined increased the sentence length.

## **VI. CONCLUSION**

Despite the significant presence of the temperance movement, attitudes towards alcohol use were not found to be significant factors in sentencing. In fact, based on the full sample regression, no extra-legal factors were a significant factor in nineteenth century Illinois sentencing. Type of crime appears to be more important in sentencing than personal characteristics. This holds true for the majority of the subcategory regressions. Several of these regressions, however, do show variations within type of crime. Since the constant remains significant in all of the regressions, it is likely that factors outside of the regression significantly influenced sentences, for instance information regarding the victim.

The general failure to find extra-legal factors affecting sentencing in the 1800s in this study as well as in Bodenhorn (2008) has potentially interesting explanations. The shift of judicial power from juries in the 1800s to judges in the 1900s appears to have resulted in

more prejudice in sentencing. Prejudice may be muted in a group decision-making of a jury or special interest groups may have undue influence in the principal-agent relationship of the judge representing the people.

Three recent studies have explored this aspect. Gwin (2010) finds that jury sentence recommendations are at the lower-end of judicial guidelines used by judges. Robinson et. al (2009) find that a structured, legal approach with mandatory sentencing required of judges can create 'injustices' as perceived by the public. They note such injustices undermine the judicial system and have crime control costs, such costs may be the prejudices seen modern sentencing. Iontcheva (2003) argues for a return to jury sentencing to combat modern sentencing failures.

While this theory might warrant further exploration, there are less provocative explanations for the differences in prejudice seen in the two centuries. One explanation is that both 'non-prejudicial' examples were Northern states where race relations were better and immigration more prevalent. Data from southern Illinois, Civil War border states or secessionary states might show prejudice. Another explanation could be the gaps in historical data compared to data available in more modern studies. For instance, Bushway and Piehl had access to more detailed sentencing guidelines and data in their study.

The results of my study may also indicate that the legal idea of equal treatment for equal crime was more powerful than the economic idea that sentences should reflect the opportunity cost of the act.

## APPENDIX A

**Table 1: Summary Statistics**

Variable	Summary Statistics				
	Observations	Mean	Standard Deviation	Minimum	Maximum
Year	4250	1881.944	13.386	1847	1896
Cook	4255	0.4096	0.4918	0	1
Minimum Sentence	4256	15.671	26.079	0	168
Maximum Sentence	4256	239.346	153.254	12	600
other	4256	0.0155	0.1236	0	1
Postal Law Violation	4256	0.0047	0.0684	0	1
Malicious mischief	4256	0.00258	0.0508	0	1
kidnapping	4256	0.00070	0.0265	0	1
receiving stolen goods	4256	0.00376	0.0612	0	1
perjury	4256	0.00305	0.0552	0	1
crimes against nature	4256	0.00164	0.0405	0	1
Confidence games	4256	0.00305	0.0552	0	1
Attempt to commit a crime	4256	0.00305	0.0552	0	1
Related to counterfeiting	4256	0.01081	0.1034	0	1
Grand Larceny	4256	0.0282	0.1656	0	1
Assault with property					
intent	4256	0.00305	0.055	0	1
Incest	4256	0.00470	0.0684	0	1
Manslaughter	4256	0.0296	0.1695	0	1
Conspiracy	4256	0.0047	0.0684	0	1
Embezzlement	4256	0.0045	0.0667	0	1
Assault with violent intent	4256	0.0505	0.219	0	1
Bigamy	4256	0.0066	0.081	0	1
arson	4256	0.0052	0.0717	0	1
Horse Stealing	4256	0.011	0.1045	0	1
Abduction	4256	0.00235	0.0484	0	1
Forgery	4256	0.0552	0.2284	0	1
Rape	4256	0.0174	0.1307	0	1
Murder	4256	0.0277	0.1642	0	1
Robbery	4256	0.0620	0.2412	0	1
Burglary Larceny	4256	0.0928	0.2902	0	1
Larceny	4256	0.2864	0.4521	0	1
Burglary	4256	0.2634	0.4405	0	1
Multiple Indictments	4256	0.0322	0.1765	0	1
Sentence	4256	3.177	5.465	0.5	50
age	4256	28.367	10.844	15	232
height	4201	5.580	0.2264	4	6.708
mullato	4256	0.0256	0.158	0	1

Black	4256	0.0613	0.240	0	1
Canada	4256	0.0101	0.100	0	1
unlisted nationality	4256	0.0033	0.0573	0	1
Sweden	4256	0.0038	0.0612	0	1
Ireland	4256	0.0176	0.1316	0	1
Germany	4256	0.0268	0.1615	0	1
US	4256	0.9086	0.288	0	1
Skilled	4256	0.2418	0.4282	0	1
Unskilled	4256	0.3945	0.489	0	1
Commercial	4256	0.0479	0.2136	0	1
Farm	4256	0.1504	0.3575	0	1
Proprietary	4256	0.0742	0.2622	0	1
Professional	4256	0.0301	0.1708	0	1
No occupation listed	4256	0.0634	0.2438	0	1
Previous Conviction	4256	0.2075	0.4055	0	1
temperate	4256	0.3254	0.4686	0	1
Sometimes Drinks	4256	0.3818	0.4859	0	1
Intemperate	4256	0.2505	0.4333	0	1
Alcohol Habits not listed	4256	0.0423	0.2013	0	1
Log sentence	4256	3.158	0.8224	1.792	6.397
Log maximum sentence	4256	5.319	0.5416	2.485	6.397
Log minimum sentence	3920	2.579	0.4658	2.485	5.124
Midpoint guideline sentence	4256	127.509	81.839	6	384
Log midpoint guideline sentence	4256	4.694	0.528	1.792	5.951
Age Squared	4256	922.270	1337.985	225	53824
All other Nations	4256	0.0336	0.1802	0	1
Confidence	4256	0.1097	0.3126	0	1
Violent	4256	0.136	0.3429	0	1
Property	4256	0.754	0.4306	0	1



**Table 2: Sentence Guideline**

Crime	Minimum Guideline Sentence	Maximum Guideline Sentence	Actual Average Sentence
Burglary	12	240	29.211
Larceny	0	600	23.459
Burglary & Larceny	0	600	29.934
Robbery	0	600	34.587
Murder	168	600	287.594
Rape	12	600	102.162
Forgery	12	168	24.830
Abduction	12	120	20.400
Horse Stealing	36	240	45.957
Arson	12	240	29.727
Bigamy	12	60	17.323
Assault with Violent Intent	12	168	43.511
Embezzlement	12	180	39.158
Conspiracy	0	120	27.300
Manslaughter	12	600	62.333
Incest	0	240	74.100
Assault with property intent	0	240	19.846
Grand Larceny	12	180	27.100
Related to Counterfeiting	12	168	36.433
Attempt to commit a crime	0	240	12.000
Confidence Games	12	120	27.692
Crimes Against Nature	0	120	66.857
Perjury	12	168	34.615
Receiving Stolen Goods	12	180	24.000
Kidnapping	0	60	60.000
Malicious Mischief	0	180	15.273
Postal Law Violation	12	168	27.150
Other Crime	0	300	27.600

For the following tables:  
 Robust standard errors reported in parenthesis.  
 Dependent variable = ln(sentence).  
 \*\*\* = p < 0.01; \*\* = p < 0.05; \* = p < 0.1

**Table 3: Determinants of Sentencing Outcomes---Full Sample**

	Determinants of Sentencing Outcomes---Full Sample				
	a	b	c	d	e
Midpoint	0.0039 (0.00)***	0.00390 (0.00)***	0.00177 (0.002)	0.000 (0.001)	0.000035 (0.00131)
constant	2.661 0.025***	2.419 (0.057)***	2.347 (0.272)***	2.522 (0.254)***	2.528 (0.254)***
age		0.01099 (0.002)***	0.00489 (0.002)***	0.005 (0.002)***	0.00478 (0.00178)***
age squared		-0.000043 (0.00)***	-0.000015 (0.00)	0.000 (0.00)	-0.000015 (9.83E-06)
mullato		-0.0534 (0.076)	-0.0633 (0.068)	-0.056 (0.068)	-0.0566 (0.0682)
Black		0.0435 (0.052)	0.0295 (0.049)	0.029 (0.050)	0.0265 (0.0497)
German		0.1777 (0.0791)**	0.0685 (0.068)	0.065 (0.068)	0.0615 (0.0684)
Irish		-0.120 (0.094)	-0.1469 (0.090)	-0.146 (0.093)	-0.1481 (0.0928867)
Canadian		-0.090 (0.122)	-0.0407 (0.107)	-0.036 (0.108)	-0.0388 (0.1080)
Unlisted Nationality		-0.093 (0.169)	-0.1022 (0.154)	-0.099 (0.154)	-0.09702 (0.1532)
All other nationalities		0.003 (0.060)	-0.0469 (0.055)	-0.046 (0.055)	-0.0494 (0.0551)
Skilled		-0.046 (0.031)	-0.02478 (0.029)	-0.023 (0.029)	-0.0234 (0.0287)
Commercial		0.025 (0.059)	0.0473 (0.056)	0.044 (0.056)	0.04399 (0.0561)
Farm		0.046 (0.045)	0.0265 (0.0424)	0.023 (0.043)	0.0225 (0.0426)
Proprietary		-0.059 (0.045)	-0.0495 (0.042)	-0.051 (0.042)	-0.0524 (0.0424)
Professional		-0.016 (0.069)	0.021 (0.067)	0.019 (0.067)	0.0202 (0.0673)
No listed Occupation		-0.081 (0.051)	-0.049 (0.047)	-0.052 (0.047)	-0.0517 (0.0473)
Previous Conviction		-0.031 (0.029)	-0.028 (0.027)	-0.030 (0.027)	-0.0296 (0.0269)
Sometimes drinks		-0.038 (0.028)	-0.033 (0.027)	-0.032 (0.027)	-0.0318 (0.0268)

Intemperate	-0.006 (0.037)	-0.007 (0.035)	-0.007 (0.035)	-0.00642 (0.0352)
Unlisted Alcohol Habits	0.066 (0.056)	0.090 (0.0520)*	0.088 (0.052)*	0.0880 (0.0521)*
other crime		0.444 (0.232)*	0.402 (0.227)*	0.4161 (0.2264)*
Postal Law Violation		0.520 (0.248)**	0.513 (0.240)**	0.5310438 (0.2406)**
malicious mischief		0.096 (0.232)	0.103 (0.226)	0.115 (0.226)
kidnapping		1.601 (0.257)***	1.471 (0.240)***	1.467 (0.239)***
receiving stolen goods		1.601 (0.257)	0.363 (0.248)	0.3679 (0.2478)
perjury		0.642 (0.292)**	0.630 (0.287)**	0.638 (0.2864)**
Crimes against Nature		1.496 (0.301)***	1.456 (0.295)***	1.464 (0.2945)***
Confidence games		0.501 (0.281)*	0.399 (0.276)	0.4053 (0.276)
attempt to commit a crime		-0.242 (0.262)	-0.093 (0.230)	-0.0872 (0.2299)
Grand Larceny		0.484 (0.216)**	0.485 (0.210)**	0.5034 (0.2098)**
Related to counterfeiting		0.576 (0.2424)**	0.489 (0.235)**	0.5054 (0.235)**
assault with property intent		0.123 (0.276)	0.135 (0.271)	0.7905 (0.2103)
Incest		1.083 (0.314)***	1.134 (0.306)***	1.148 (0.3064)***
Conspiracy		0.653 (0.239)***	0.547 (0.223)**	0.5520 (0.223)**
Manslaughter		0.809 (0.458)*	1.180 (0.357)***	1.179 (0.356)***
Embezzlement		0.696 (0.282)**	0.695 (0.276)	0.708 (0.276)**
Assault with violent intent		0.787 (0.217)***	0.778 0.2105***	0.7905 (0.2103)***
Bigamy		0.216 (0.246)	0.116 (0.231)	0.1318 (0.2315)
arson		0.410 (0.270)	0.459 (0.260)*	0.468 (0.2604)*
Horse Stealing		0.954 (0.234)***	1.036 (0.2197)***	1.056 (0.2199)***
Abduction		0.205 (0.216)	0.186 (0.210)	0.1958 (0.2104)

Forgery	0.369	0.363	0.375		
	(0.212)*	(0.206)*	(0.2055)*		
Rape	0.928	1.306	1.3093		
	(0.472)**	(0.375)***	(0.374)***		
Murder	2.141	2.642	2.642		
	(0.590)***	(0.446)***	(0.4447)***		
Robbery	0.256	0.622	0.619		
	(0.441)	(0.341)*	(0.3406)*		
Burglary and Larceny	0.452	0.510	0.528		
	(0.218)**	(0.207)**	(0.207)**		
Larceny	0.365	0.307	0.3151		
	(0.213)*	(0.205)	(0.2045)		
Burglary	0.384	0.444	0.449		
	(0.219)*	(0.207)**	(0.2068)**		
fifties		0.015	0.0119		
		(0.96)	(0.0967)		
sixties		0.320	0.323		
		(0.144)**	(0.1443)**		
eighties		0.002	-0.004404		
		(0.094)	(0.0945)		
nineties		-0.034	-0.0419		
		(0.095)	(0.09595)		
unlisted decade		-0.045	-0.0422		
		(0.306)	(0.307)		
County other than Cook			-0.0228		
			(0.0242)		
Unlisted county			-0.1367		
			(0.2404)		
Observations	4256	4256	4256	4239	4239
R-squared	0.151	0.165	0.277	0.280	0.2798

**Table 4: Determinants of Sentencing Outcomes---Property Crimes**

Determinants of Sentencing Outcomes---Property Crimes					
	a	b	c	d	e
midpoint	.00137 (.00021)***	.00142 (.00021)***	.0025 (.0023)	-.000083 (.00085)	-.000058 (.000855)
constant	2.874 (.0252)***	2.786 (.0589)***	2.270 (.3278)***	2.651 (.2643)***	2.653 (.2645)***
age		.00468 (.00192)**	.0045 (.00192)**	.00467 (.00191)**	.00469 (.00191)**
age squared		-7.29e-06 (9.81e-06)	-8.07e-06 (9.58e-06)	-9.08e-06 (9.53e-06)	-9.17e-06 (9.56e-06)
mullato		-.0782 (.0744)	-.07046 (.0746)	-.0595 (.0737)	-.06029 (.0737)
Black		.0815 (.0558)	.0812 (.0555)	.0864 (.0561)	.0855 (.0559)
German		.0386 (.0709)	.0520 (.0709)	.04034 (.0711)	.0388 (.0713)
Irish		-.1791 (.10514)*	-.1517 (.1059)	-.1645 (.1098)	-.165 (.1099)
Canadian		-.1123 (.1107)	-.0907 (.111)	-.08795 (.1113)	-.0889 (.1115)
Unlisted Nationality		-.0608 (.1371)	-.0372 (.1362)	-.0634 (.1415)	-.0622 (.1412)
All other Nationalities		-.135 (.0544)**	-.1263 (.0538)**	-.1232 (.0536)**	-.1245 (.0536)**
Skilled		-.04602	-.04708	-.0472	-.0471

	(.03051)	(.0302)	(.0302)	(.0302)
Commercial	.0916	.0851	.0771	.0773
	(.0621)	(.0615)	(.0613)	(.0613)
Farm	.0131	-.0039	-.0100	-.01004
	(.0471)	(.0469)	(.0472)	(.0472)
Proprietary	-.0515	-.0548	-.0577	-.0585
	(.0454)	(.0453)	(.0454)	(.0454)
Professional	.0584	.0685	.0563	.0567
	(.0729)	(.0726)	(.0726)	(.0728)
Unlisted Occupation	-.0584	-.0513	-.0497	-.0494
	(.0503)	(.05029)	(.0505)	(.0505)
Previous Conviction	-.0250	-.0260	-.0275	-.0276
	(.0292)	(.0289)	(.0288)	(.0288)
Sometimes Drinks	-.04703	-.0499	-.0451	-.0451
	(.0283)*	(.0283)*	(.0283)	(.0283)
Intemperate	-.01361	-.00918	-.0048	-.0051
	(.0387)	(.0386)	(.0388)	(.0389)
Unlisted Alcohol Habits	.0798	.0803	.0773	.0774
	(.0578)	(.0579)	(.0571)	(.0572)
Postal Law Violation		.5545	.5384	.547
		(.2677)**	(.2548)**	(.255)**
Malicious Mischief		.13305	.1396	.1449
		(.25103)	(.2407)	(.241)
receiving stolen goods		.381	.3676	.3698
		(.2710)	(.2607)	(.2607)
attempt to commit a crime		-.2827	-.0634	-.061

		(.2861)	(.2191)	(.2191)
Grand Larceny	.51052		.5157	.5242
		(.2356)**	(.2249)**	(.2252)**
Horse Stealing	.9528		1.072	1.079
		(.2505)***	(.2233)***	(.2243)***
Robbery	.1339		.6628	.6599
		(.5058)	(.2557)**	(.256)**
Burglary & Larceny	.4543		.541	.5491
		(.2352)*	(.2147)**	(.215)**
Larceny	.4137		.3097	.3137
		(.2417)*	(.2236)	(.2233)
Burglary	.3875		.4759	.478
		(.236)	(.2153)**	(.2152)**
fifties			-.0698	-.0713
			(.0991)	(.0993)
sixties			.2734	.2750
			(.1660)	(.1662)*
eighties			-.1411	-.1444
			(.0977)	(.0983)
nineties			-.1824	-.1861
			(.0993)*	(.0999)*
Unlisted Decade			-.2458	-.2443
			(.3557)	(.3564)
County other than Cook				-.0105
				(.0261)
Unlisted County				-.0093

(.247)

Observations	3210	3210	3210	3197	3197
R-squared	0.0161	0.0281	0.0494	0.0545	0.0546



**Table 5: Determinants of Sentencing Outcomes---Confidence Crime**

Determinants of Sentencing Outcomes---Confidence Crime					
	a	b	c	d	e
Midpoint	0.0031 (0.0015)**	0.0028 (0.0015)*	0.0009 (0.003)	0.0008 (0.0034)	0.0010 (0.003)
Constant	2.828 (0.119)***	2.452 (0.322)***	3.629 (0.394)***	3.0198 (0.654)***	3.052 (0.646)***
Age		0.0177 (0.0166)	0.0194 (0.0155)	0.0198 (0.015)	0.0191 (0.015)
Age squared		-0.0001 (0.0002)	-0.0002 (0.00019)	-0.0002 (0.0002)	-0.0002 (0.0002)
mullato		-0.0384 (0.158)	-0.0017 (0.1567)	0.0301 (0.155)	0.0309 (0.149)
Black		-0.528 (0.0887)***	-0.438 (0.1015)***	-0.412 (0.1028)***	-0.4237 (0.102)***
German		0.2664 (0.210)	0.1486 (0.168)	0.2407 (0.1632)	0.2302 (0.165)
Irish		-0.394 (0.121)***	-0.405 (0.1195)***	-0.4702 (0.133)***	-0.488 (0.136)***
Canadian		0.5842 (0.4045)	0.5988 (0.382)	0.5800 (0.375)	0.570 (0.359)
All other nationalities		0.215 (0.235)	0.113 (0.2098)	0.1147 (0.208)	0.1075 (0.211)
Skilled		0.07238 (0.095)	0.0851 (0.092)	0.0977 (0.0928)	0.0953 (0.0929)
Commercial		-0.1199	-0.0852	-0.0851	-0.0837

	(0.1696)	(0.1561)	(0.1547)	(0.1546)
Farm	0.0426	0.0125	0.0289	0.0118
	(0.1162)	(0.111)	(0.114)	(0.115)
Proprietary	0.02038	-0.0103	0.0178	0.01398
	(0.1303)	(0.1253)	(0.128)	(0.1278)
Professional	-0.0535	-0.095	-0.053	-0.0628
	(0.153)	(0.163)	(0.165)	(0.164)
Unlisted Occupation	0.0909	0.0501	0.0683	0.0561
	(0.1396)	(0.1364)	(0.1419)	(0.1406)
Previous conviction	-0.0202	-0.0558	-0.0473	-0.053
	(0.078)	(0.0765)	(0.077)	(0.0776)
Sometimes drinks	-0.0059	0.0156	-0.0019	-0.0102
	(0.0836)	(0.084)	(0.084)	(0.083)
Intemperate	-0.0105	-0.0086	-0.0281	-0.0185
	(0.0952)	(0.0907)	(0.093)	(0.0921)
Unlisted alcohol habits	-0.00032	0.00595	-0.0141	-0.0175
	(0.193)	(0.1686)	(0.166)	(0.166)
Other Crime		-1.038	-0.679	-0.667
		(0.2217)***	(0.326)**	(0.323)**
Perjury		-0.851	-0.516	-0.525
		(0.3035)***	(0.323)	(0.322)
Crimes against nature			0.3887	0.3797
		(dropped)	(0.368)	(0.365)
Confidence games		-1.081	-0.698	-0.708
		(0.278)***	(0.361)*	(0.358)**

Related to counterfeiting	-0.935 (0.254)***	-0.681 (0.287)**	-0.665 (0.287)**
Incest	-0.377 (0.365)	(dropped)	(dropped)
Conspiracy	-0.883 (0.264)***	-0.508 (0.399)	-0.517 (0.394)
Embezzlement	-0.773 (0.304)**	-0.433 (0.312)	-0.438 (0.312)
Bigamy	-1.251 (0.2488)***	-0.8899 (0.3902)**	-0.881 (0.387)**
Abduction	-0.0056 (0.185)	0.0159 (0.186)	0.0387 (0.186)
Forgery	-1.115 (0.224)***	-0.741 (0.262)***	-0.7469 (0.262)***
Fifties		0.428 (0.325)	0.441 (0.327)
Sixties		0.2636 (0.385)	0.267 (0.385)
Eighties		0.229 (0.315)	0.2329 (0.316)
Nineties		0.20296 (0.317)	0.2019 (0.318)
Unlisted decade		0.5053 (0.356)	0.527 (0.357)
County other than Cook			-0.035 (0.0750)

Unlisted county					-0.828
					(0.142)***

Observations	467	467	467	463	463
R-squared	0.011	0.059	0.1412	0.1548	0.1605

**Table 6: Determinants of Sentencing Outcomes---Violent Crimes**

Determinants of Sentencing Outcomes---Violent Crimes					
	a	b	c	d	e
Midpoint sentence	0.005 (0.0003)***	0.005 (0.0003)***	0.002 (0.006)	0.003 (0.0058)	0.003 (0.006)
constant	2.779 (0.0764)***	1.729 (0.344)***	2.989 (0.39)***	2.059 (0.4874)***	2.077 (0.489)***
age		0.061 (0.0181)***	0.064 (0.019)***	0.066 (0.018)***	0.065 (0.018)***
Age squared		-0.001 (0.0002)***	-0.001 (0.0003)***	-0.001 (0.0002)***	-0.001 (0)***
mullato		0.032 (0.2154)	-0.001 (0.179)	-0.034 (0.179)	-0.034 (0.181)
Black		-0.006 (0.1524)	-0.05 (0.137)	-0.122 (0.1457)	-0.123 (0.146)
German		0.275 (0.2421)	0.042 (0.213)	-0.009 (0.1951)	-0.012 (0.195)
Irish		0.013 (0.2273)	0.056 (0.239)	0.277 (0.2093)	0.287 (0.208)
Canadian		-0.061 (0.3702)	-0.046 (0.305)	-0.1 (0.2962)	-0.119 (0.295)
Unlisted Nationality		-0.661 (0.9201)	-0.489 (0.689)	-0.572 (0.6602)	-0.575 (0.641)
All other nationalities		0.052 (0.1715)	0.153 (0.16)	0.161 (0.1544)	0.151 (0.157)
Skilled		0.04	-0.015	-0.013	-0.008

	(0.1196)	(0.111)	(0.1077)	(0.107)
Commercial	-0.03	0.015	0.051	0.048
	(0.2066)	(0.187)	(0.1777)	(0.178)
Farm	0.184	0.142	0.198	0.198
	(0.1612)	(0.151)	(0.1503)	(0.15)
Proprietary	-0.071	-0.09	-0.078	-0.07
	(0.1662)	(0.152)	(0.1487)	(0.148)
Professional	-0.378	-0.2	-0.232	-0.228
	(0.2846)	(0.287)	(0.2957)	(0.296)
Unlisted occupation	-0.207	-0.127	-0.101	-0.098
	(0.1947)	(0.18)	(0.1839)	(0.184)
Previous conviction	-0.032	-0.033	-0.043	-0.046
	(0.1134)	(0.105)	(0.1023)	(0.102)
Sometimes drinks	-0.005	0.002	0.043	0.045
	(0.1089)	(0.101)	(0.1005)	(0.1)
Intemperate	0.054	0.034	0.057	0.057
	(0.1359)	(0.125)	(0.125)	(0.125)
Unlisted alcohol habits	0.029	0.151	0.183	0.168
	(0.1818)	(0.167)	(0.168)	(0.17)
Assault with property intent		-1.575	-1.935	-1.901
		(0.532)***	(0.552)***	(0.56)***
Manslaughter		-1.07	-1.384	-1.384
		(1.652)	(1.6206)	(1.619)
Assault with violent intent		-0.917	-1.159	-1.139
		(0.387)**	(0.4081)***	(0.414)***
Arson		-1.202	-1.426	-1.407

			(0.607)**	(0.6161)**	(0.619)**
Abduction			-1.471	-1.812	-1.797
			(0.309)***	(0.3433)***	(0.348)***
Rape			-0.914	-1.208	-1.2
			(1.655)	(1.6248)	(1.623)
Murder			0.222	0.019	0.019
			(2.116)	(2.0706)	(2.069)
Fifties				0.715	0.698
				(0.2967)**	(0.301)**
Sixties				1.444	1.454
				(0.3904)***	(0.394)***
Eighties				1.175	1.169
				(0.2767)***	(0.279)***
Nineties				1.219	1.21
				(0.2819)***	(0.285)***
County other than Cook					-0.047
					(0.085)
Unlisted County					0.317
					(0.659)
Observations	579	579	579	579	579
R-squared	0.2742	0.3014	0.4184	0.4453	0.4461

**Table 7: Determinants of Sentencing Outcomes---Cook County**

Determinants of Sentencing Outcomes---Cook County				
	a	b	c	d
Midpoint sentence	0.003 (0.0003)***	0.003 (0.0003)***	0.004 (0.004)	0.004 (0.004)
constant	2.689 (0.0373)***	2.336 (0.0896)***	3.786 (0.157)***	3.469 (0.214)***
age		0.015 (0.0028)***	0.008 (0.003)***	0.008 (0.003)***
Age squared		0 (0.00001)***	-0.00003 (0.00001)***	0 (0)***
mullato		0.01 (0.1244)	-0.024 (0.109)	-0.016 (0.107)
Black		0.132 (0.0748)*	0.119 (0.076)	0.124 (0.077)
Germany		0.143 (0.1063)	0.045 (0.091)	0.057 (0.091)
Ireland		-0.085 (0.1429)	-0.045 (0.128)	-0.076 (0.13)
Canada		-0.082 (0.1775)	-0.112 (0.134)	-0.106 (0.134)
Unlisted Nationality		0.358 (0.322)	0.297 (0.328)	0.277 (0.344)
All other nationalities		-0.014 (0.0772)	-0.081 (0.074)	-0.089 (0.075)
Skilled		-0.005	0.012	0.012



	(0.0486)	(0.045)	(0.046)
Commercial	0.108	0.139	0.143
	(0.1029)	(0.096)	(0.096)
Farm	0.049	0.016	0.026
	(0.0715)	(0.068)	(0.068)
Proprietary	-0.065	-0.03	-0.028
	(0.0697)	(0.063)	(0.063)
Professional	-0.087	0.005	0.001
	(0.1153)	(0.113)	(0.113)
Unlisted occupation	-0.099	-0.038	-0.039
	(0.0825)	(0.074)	(0.074)
Previous conviction	-0.025	-0.027	-0.025
	(0.047)	(0.044)	(0.043)
Sometimes drinks	-0.03	-0.004	-0.004
	(0.0455)	(0.043)	(0.043)
Intemperate	-0.019	0.006	-0.003
	(0.0579)	(0.054)	(0.055)
Unlisted alcohol habits	0	-0.017	-0.011
	(0.089)	(0.081)	(0.08)
other		-1.192	-1.138
		(0.186)***	(0.19)***
Malicious mischief		-1.667	-1.6
		(0.285)***	(0.297)***
Receiving stolen goods		-1.547	-1.542
		(0.314)***	(0.32)***
perjury		-0.957	-0.956

	(0.426)**	(0.425)**
Crimes against nature	-0.015	0.061
	(0.37)	(0.375)
Confidence games	-1.2	-1.14
	(0.334)***	(0.34)***
Attempt to commit a crime	-2.074	-2.027
	(0.384)***	(0.393)***
Grand Larceny	-1.427	-1.443
	(0.354)***	(0.364)***
Related to counterfeiting	-0.36	-0.361
	(0.387)	(0.433)
Incest	-0.729	-0.68
	(0.653)	(0.655)
Conspiracy	-0.876	-0.809
	(0.169)***	(0.177)***
Manslaughter	-1.575	-1.568
	(0.998)	(1.022)
Embezzlement	-1.687	-1.662
	(0.319)***	(0.31)***
Assault with violent intent	-0.798	-0.761
	(0.259)***	(0.268)***
Bigamy	-1.402	-1.326
	(0.247)***	(0.256)***
arson	-1.725	-1.69
	(0.41)***	(0.411)***
Horse Stealing	-1.316	-1.255

	(0.681)*	(0.689)*
Abduction	-1.521	-1.453
	(0.286)***	(0.294)***
Forgery	-1.44	-1.391
	(0.246)***	(0.256)***
Rape	-1.288	-1.284
	(1.012)	(1.036)
Murder	-0.11	-0.121
	(1.282)	(1.313)
Robbery	-1.936	-1.932
	(0.973)**	(0.996)*
Burglary and Larceny	-0.261	-0.198
	(0.367)	(0.381)
Larceny	-1.406	-1.362
	(0.164)***	(0.173)***
Burglary	-1.418	-1.372
	(0.358)***	(0.37)***
Fifties		0.349
		(0.143)**
Sixties		2.04
		(0.17)***
Eighties		0.248
		(0.137)*
Nineties		0.221
		(0.138)

Observations	1743	1743	1743	1732
R-squared	0.1186	0.1382	0.2724	0.2798

**Table 8: Determinants of Sentencing Outcomes---All Other Counties**

Determinants of Sentencing Outcomes---All Other Counties					
	a	b	c	d	e
Midpoint sentence	0.004	0.004	0.001	-0.001	-0.001
	(0)***	(0.0003)***	(0.002)	(0.001)	(0.001)
constant	2.634	2.469	2.379	2.658	3.194
	(0.033)***	(0.0745)***	(0.311)***	(0.273)***	(0.784)***
age		0.008	0.003	0.002	0.002
		(0.0025)***	(0.002)	(0.002)	(0.002)
Age squared		0	0	0	0
		(0)*	(0)	(0)	(0)
mullato		-0.106	-0.109	-0.105	-0.104
		(0.0921)	(0.085)	(0.085)	(0.086)
Black		-0.019	-0.055	-0.065	-0.065
		(0.0718)	(0.063)	(0.064)	(0.064)
Germany		0.219	0.086	0.083	0.083
		(0.1186)*	(0.103)	(0.104)	(0.104)
Irish		-0.163	-0.218	-0.18	-0.179
		(0.1233)	(0.125)*	(0.13)	(0.13)
Canadian		-0.038	0.012	0.021	0.022
		(0.1604)	(0.147)	(0.15)	(0.15)
Unlisted Nationality		-0.287	-0.326	-0.278	-0.275
		(0.177)	(0.165)**	(0.166)*	(0.166)*
All other nationalities		0.044	-0.002	-0.003	-0.002
		(0.0965)	(0.085)	(0.085)	(0.085)
Skilled		-0.072	-0.047	-0.045	-0.045

	(0.0397)*	(0.037)	(0.037)	(0.037)
Commercial	-0.019	-0.004	-0.005	-0.004
	(0.0698)	(0.067)	(0.067)	(0.067)
Farm	0.047	0.012	0.005	0.005
	(0.0573)	(0.055)	(0.055)	(0.055)
Proprietary	-0.04	-0.061	-0.065	-0.068
	(0.0589)	(0.057)	(0.057)	(0.057)
Professional	0.037	0.04	0.037	0.037
	(0.0845)	(0.086)	(0.086)	(0.086)
Unlisted occupation	-0.064	-0.043	-0.049	-0.049
	(0.0632)	(0.062)	(0.062)	(0.062)
Previous Conviction	-0.029	-0.028	-0.029	-0.029
	(0.0366)	(0.035)	(0.034)	(0.034)
Sometimes drinks	-0.046	-0.057	-0.053	-0.053
	(0.0365)	(0.034)*	(0.034)	(0.034)
Intemperate	-0.001	-0.002	0.002	0.003
	(0.0478)	(0.046)	(0.046)	(0.046)
Unlisted alcohol habits	0.113	0.154	0.158	0.159
	(0.0732)	(0.069)**	(0.069)**	(0.069)**
Other crime		0.492	0.416	0.416
		(0.248)**	(0.238)*	(0.238)*
Postal law violation		0.599	0.591	0.591
		(0.253)**	(0.244)**	(0.244)**
Malicious mischief		0.174	0.165	0.164
		(0.255)	(0.248)	(0.248)
Receiving stolen goods		0.592	0.607	0.607

	(0.29)**	(0.284)**	(0.285)**
perjury	0.61	0.585	0.585
	(0.304)**	(0.297)**	(0.297)**
Crimes against nature	1.335	1.232	1.232
	(0.301)**	(0.289)**	(0.288)**
Confidence games	0.542	0.371	0.37
	(0.299)*	(0.293)	(0.293)
Attempt to commit a crime	-0.141	0.128	0.128
	(0.326)	(0.257)	(0.257)
Grand Larceny	0.572	0.561	0.56
	(0.222)**	(0.216)**	(0.216)**
Related to counterfeiting	0.433	0.412	0.413
	(0.239)*	(0.231)*	(0.232)*
Assault with property intent	0.228	0.224	0.223
	(0.28)	(0.275)	(0.275)
Incest	1.183	1.249	1.248
	(0.338)**	(0.33)**	(0.331)**
Conspiracy	0.412	0.273	0.274
	(0.253)	(0.237)	(0.237)
Manslaughter	1.121	1.647	1.646
	(0.542)**	(0.374)**	(0.374)**
Embezzlement	0.892	0.893	0.859
	(0.299)**	(0.299)**	(0.292)**
Assault with violent intent	0.796	0.781	0.782
	(0.226)**	(0.22)**	(0.22)**
Bigamy	0.257	0.112	0.112
	(0.265)	(0.24)	(0.24)

arson	0.664	0.729	0.729
	(0.304)**	(0.295)**	(0.295)**
Horse stealing	1.08	1.18	1.18
	(0.245)***	(0.224)***	(0.224)***
Abduction	0.371	0.335	0.335
	(0.234)	(0.231)	(0.231)
Forgery	0.472	0.454	0.454
	(0.22)**	(0.213)**	(0.213)**
Rape	1.119	1.661	1.66
	(0.561)**	(0.402)***	(0.402)***
Murder	2.321	3.062	3.062
	(0.707)***	(0.465)***	(0.465)***
Robbery	0.365	0.882	0.881
	(0.519)	(0.349)**	(0.35)**
Burglary & Larceny	0.546	0.614	0.614
	(0.227)**	(0.211)***	(0.212)***
Larceny	0.493	0.426	0.426
	(0.223)**	(0.212)**	(0.212)**
Burglary	0.438	0.509	0.509
	(0.228)*	(0.212)**	(0.212)**
fifties		-0.076	-0.078
		(0.112)	(0.112)
sixties		0.22	0.22
		(0.149)	(0.149)
eighties		-0.002	-0.002
		(0.11)	(0.11)



Nineties				-0.041	-0.042
				(0.112)	(0.112)
Unlisted decade				-0.085	-0.084
				(0.313)	(0.313)
County other than Cook					-0.537
					(0.735)
Unlisted County					-0.566
					(0.772)
Observations	2513	2513	2513	2507	2507
R-squared	0.179	0.1926	0.302	0.3057	0.3061

**Table 9: Determinants of Sentencing Outcomes---Pre Civil War**

	Determinants of Sentencing Outcomes---Pre Civil War				
	a	b	c	d	e
midpoint	0.004	0.004	0.006	0.001	0.001
sentence	(0.0004)***	(0.0004)***	(0.003)**	(0.002)	(0.002)
constant	2.731	2.332	4.55	3.427	3.426
	(0.0445)***	(0.2792)***	(0.442)***	(0.328)***	(0.33)***
age		0.021	0.04	0.045	0.045
		(0.0175)	(0.013)***	(0.013)***	(0.013)***
age squared		0	-0.001	-0.001	-0.001
		(0.0003)	(0)***	(0)***	(0)***
mullato		0.144	0.166	0.159	0.16
		(0.1867)	(0.19)	(0.189)	(0.189)
Black		0.292	0.283	0.279	0.28
		(0.2902)	(0.26)	(0.262)	(0.263)
German		0.033	0.068	0.098	0.098
		(0.1164)	(0.121)	(0.123)	(0.123)
Irish		-0.24	-0.257	-0.246	-0.247
		(0.1163)**	(0.121)**	(0.124)**	(0.124)**
Canadian		0.442	0.438	0.445	0.444
		(0.4101)	(0.373)	(0.384)	(0.385)
Unlisted nationality		-0.174	-0.13	-0.12	-0.121
		(0.1637)	(0.157)	(0.156)	(0.157)
All other		-0.043	-0.091	-0.096	-0.096
Nationalities		(0.1205)	(0.111)	(0.111)	(0.112)
Skilled		-0.036	-0.03	-0.029	-0.029
		(0.0687)	(0.068)	(0.069)	(0.069)
Commercial		-0.041	-0.113	-0.106	-0.106
		(0.147)	(0.127)	(0.128)	(0.129)
Farm		0.075	0.046	0.032	0.031
		(0.0899)	(0.087)	(0.09)	(0.09)
Proprietary		0.009	-0.055	-0.053	-0.053
		(0.1117)	(0.105)	(0.106)	(0.106)
Professional		0.123	0.172	0.144	0.143
		(0.1315)	(0.133)	(0.138)	(0.138)
Unlisted		0.027	0.042	0.035	0.035
Occupation		(0.1371)	(0.132)	(0.133)	(0.132)
Previous conviction		-0.005	-0.012	-0.02	-0.02
		(0.0623)	(0.061)	(0.061)	(0.061)
Sometimes drinks		0.078	0.046	0.043	0.043
		(0.0676)	(0.067)	(0.067)	(0.067)
Intemperate		-0.065	-0.083	-0.083	-0.083
		(0.0787)	(0.077)	(0.079)	(0.078)
Unlisted Alcohol Habits		0.093	0.058	0.052	0.052
		(0.1128)	(0.109)	(0.109)	(0.11)

Other crime	-2.654 (0.329)***	-1.1 (0.294)***	-1.1 (0.296)***
Postal law violation	-2.507 (0.261)***	-0.963 (0.282)***	-0.965 (0.292)***
kidnapping	-1.241 (0.433)***	(dropped)	(dropped)
Receiving stolen goods	-2.722 (0.352)***	-1.156 (0.377)***	-1.157 (0.379)***
perjury	-1.867 (0.504)***	-0.3 (0.553)	-0.3 (0.554)
Grand larceny	-2.72 (0.316)***	-1.154 (0.357)***	-1.155 (0.359)***
Related to counterfeiting	-2.399 (0.336)***	-0.963 (0.348)***	-0.964 (0.354)***
Incest	(dropped)	1.813 (0.39)***	1.812 (0.395)***
Manslaughter	-3.619 (0.704)***	-1.026 (0.753)	-1.028 (0.761)
Embezzlement	-1.421 (0.389)***	0.151 (0.411)	0.15 (0.416)
Assault with violent intent	-2.317 (0.271)***	-0.771 (0.307)**	-0.772 (0.31)**
Bigamy	-2.821 (0.397)***	-1.55 (0.308)***	-1.552 (0.313)***
arson	-2.548 (0.371)***	-0.84 (0.436)*	-0.841 (0.439)*
Horse Stealing	-2.48 (0.255)***	-0.703 (0.349)**	-0.705 (0.36)*
Forgery	-2.8 (0.281)***	-1.266 (0.298)***	-1.268 (0.302)***
Rape	-2.981 (0.755)***	-0.376 (0.803)	-0.378 (0.81)
Murder	-3.401 (0.858)***	-0.419 (0.873)	-0.42 (0.881)
Robbery	-3.229 (0.614)***	-0.704 (0.626)	-0.704 (0.628)
Burglary and Larceny	-2.582 (0.414)***	-0.864 (0.469)*	-0.867 (0.477)*
Larceny	-2.669 (0.289)***	-1.248 (0.25)***	-1.249 (0.255)***
Burglary	-2.863 (0.25)***	-1.128 (0.334)***	-1.13 (0.34)***
Fifties		-0.047 (0.091)	-0.047 (0.091)
County other than Cook			0.003 (0.054)
Unknown County			-0.002

					(0.333)
Observations	770	770	770	753	753
R-squared	0.1556	0.1757	0.2445	0.2432	0.2432

**Table 10: Determinants of Sentencing Outcomes---Post Civil War**

	Determinants of Sentencing Outcomes---Post Civil War				
	a	b	c	d	e
Midpoint sentence constant	0.004 (0.0002)***	0.004 (0.0002)***	0.0003 (0.002)	0.0003 (0.0016)	0.0003 (0.002)
age	2.6354 (0.0291)***	2.37 (0.0644)***	2.4353 (0.251)***	2.7411 (0.274)***	2.7468 (0.274)***
Age squared		0 (0)***	0 (0)	0 (0)	0 (0)
mullato		-0.069 (0.0812)	-0.0814 (0.072)	-0.0749 (0.0719)	-0.0732 (0.072)
Black		0.043 (0.0525)	0.012 (0.05)	0.0086 (0.0506)	0.0073 (0.051)
German		0.214 (0.1012)**	0.0413 (0.078)	0.0323 (0.0779)	0.0294 (0.078)
Irish		-0.069 (0.1558)	0.016 (0.147)	0.0139 (0.1468)	0.0127 (0.147)
Canadian		-0.169 (0.1211)	-0.1132 (0.103)	-0.1101 (0.1035)	-0.1123 (0.104)
Unlisted nationality		0.006 (0.4466)	-0.0721 (0.394)	-0.0427 (0.3929)	-0.0446 (0.39)
All other nationalities		0.001 (0.0686)	-0.0507 (0.059)	-0.0497 (0.059)	-0.0516 (0.059)
Skilled		-0.049 (0.0342)	-0.0271 (0.031)	-0.0257 (0.0311)	-0.0258 (0.031)
Commercial		0.044 (0.0633)	0.0728 (0.059)	0.0698 (0.059)	0.0697 (0.059)
Farm		0.04 (0.0512)	0.0142 (0.047)	0.014 (0.0472)	0.0137 (0.047)
Proprietary		-0.069 (0.0488)	-0.0566 (0.045)	-0.0573 (0.0448)	-0.058 (0.045)
Professional		-0.065 (0.0809)	-0.0205 (0.078)	-0.02 (0.0776)	-0.0177 (0.078)
Unlisted occupation		-0.099 (0.0544)*	-0.0558 (0.051)	-0.0574 (0.0512)	-0.0575 (0.051)
Previous conviction		-0.037 (0.0325)	-0.0378 (0.029)	-0.0369 (0.0292)	-0.0367 (0.029)
Sometimes drinks		-0.065 (0.0315)**	-0.0493 (0.029)*	-0.0463 (0.0288)	-0.0463 (0.029)
Intemperate		0.009 (0.0417)	0.0087 (0.039)	0.0093 (0.0386)	0.0101 (0.039)
Unlisted alcohol habits		0.059 (0.0639)	0.0804 (0.058)	0.0809 (0.0581)	0.0804 (0.058)

Other crime	0.4578 (0.233)*	0.4469 (0.2335)*	0.4563 (0.234)*
Postal law violation	0.5417 (0.262)**	0.5339 (0.2591)**	0.5454 (0.26)**
Malicious mischief kidnapping	0.1464 (0.227)	0.1487 (0.2265)	0.1555 (0.227)
	1.5405 (0.224)***	1.5234 (0.2234)***	1.5225 (0.223)***
Receiving stolen goods	0.3471 (0.27)	0.3478 (0.2679)	0.3533 (0.268)
perjury	0.5221 (0.282)*	0.5092 (0.2812)*	0.5165 (0.282)*
Crimes against nature	1.5075 (0.296)***	1.5054 (0.2958)***	1.5096 (0.296)***
Confidence games	0.5112 (0.276)*	0.4509 (0.2772)	0.4546 (0.277)
Attempt to commit a crime	-0.0783 (0.24)	-0.0768 (0.2401)	-0.0742 (0.239)
Grand larceny	0.545 (0.21)***	0.5326 (0.2095)**	0.5439 (0.21)**
Related to counterfeiting	0.4272 (0.24)*	0.3796 (0.2364)	0.3903 (0.237)*
Assault with property intent	0.1697 (0.272)	0.1643 (0.2714)	0.176 (0.272)
Incest	1.0895 (0.305)***	1.0817 (0.3044)***	1.0897 (0.305)***
Conspiracy	0.6078 (0.228)***	0.5931 (0.228)***	0.596 (0.228)***
Manslaughter	1.1828 (0.399)***	1.1762 (0.3997)***	1.1749 (0.399)***
Embezzlement	0.379 (0.241)	0.3674 (0.2408)	0.3768 (0.241)
Assault with violent intent	0.8261 (0.212)***	0.8165 (0.2115)***	0.8239 (0.212)***
Bigamy	0.2244 (0.24)	0.217 (0.24)	0.2259 (0.241)
arson	0.3926 (0.276)	0.3773 (0.2764)	0.3835 (0.277)
Horse Stealing	1.0663 (0.223)***	1.0614 (0.2229)***	1.0813 (0.224)***
Abduction	0.2274 (0.21)	0.2261 (0.2114)	0.2321 (0.212)
Forgery	0.4154 (0.206)**	0.4069 (0.2056)**	0.4138 (0.206)**
Rape	1.259 (0.417)***	1.2613 (0.4175)***	1.2624 (0.416)***
Murder	3.0176	3.0071	3.0055

			(0.503)***	(0.5042)***	(0.503)***
Robbery			0.5481	0.5496	0.5465
			(0.384)	(0.3845)	(0.384)
Burglary & Larceny			0.545	0.5387	0.5498
Larceny			(0.208)***	(0.2082)**	(0.208)***
			0.365	0.3488	0.3535
			(0.206)*	(0.2055)**	(0.205)*
Burglary			0.4756	0.4718	0.4742
			(0.209)**	(0.2085)**	(0.208)**
Eighties				-0.2905	-0.2963
				(0.114)**	(0.115)**
Nineties				-0.3259	-0.3326
				(0.115)***	(0.116)***
Unlisted decade				-0.3265	-0.3263
				(0.31)	(0.311)
County other than Cook					-0.0142
					(0.027)
Unknown county					-0.2543
					(0.159)
Observation	3486	3486	3486	3486	3486
R-squared	0.1507	0.1688	0.3204	0.3223	0.3225

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