BEFORE TRANSSEXUALITY: TRANSGENDER LIVES AND PRACTICES IN NINETEENTH-CENTURY AMERICA

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ABSTRACT OF THE DISSERTATION

Before Transsexuality: Transgender Lives And Practices

in Nineteenth-Century America

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"Before Transsexuality" examines transgender lives in the U.S. in the period before the advent of medical technologies for hormonal and surgical sex reassignment. Spanning the antebellum era to the turn of the twentieth century, this dissertation explores how individuals changed their gender socially without changing their bodies and contends that the experience of reinventing one's gender was not altogether uncommon in the nineteenth century. In order to analyze the strategies that ordinary people employed to cross gender borders, this project brings together a fragmented archive of clandestine transgender practices, tracing transgender lives through local and national press, police and court records, penitentiary records, city directories, personal correspondence, and autobiographies. Geographic mobility was key to success for many, and individuals often migrated in order to adopt a new name and reinvent their gender. This dissertation lays out the practical tools and material culture necessary for changing one's gender presentation, the assistance rendered by friends and associates, the economic constraints and opportunities of gender crossing, and the role of passion and intimacy in gender crossing narratives. Moreover, "Before Transsexuality" attends to the role of law

enforcement and state surveillance in policing the border between male and female through vagrancy codes and laws prohibiting public disguise. It demonstrates how individuals resisted criminalization and began articulating a legal defense of their transgender lives as early as the 1850s. This project contributes a new understanding of the lived experience of crossing gender borders and brings transgender voices into focus. By emphasizing the historical specificity of nineteenth-century transgender narratives, "Before Transsexuality" expands our understanding of the range and diversity of transgender experience.

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INTRODUCTION

In January of 1859, a young person named Kate contemplated what it would be like to walk through Cincinnati, Ohio, as a man. Where did this youngster get an idea that such a thing was possible? Kate grew up as a girl in a well-to-do family. She was educated, literate, and like many of her contemporaries, kept up with the news in the city and beyond by reading the local papers. Time and again Kate read in the daily newspapers stories of women who put on pants and adopted new identities as men. How long Kate cultivated the idea of going out in men's clothes we do not know, but by the time she was in her late teens, she was determined to try to look "through masculine spectacles at metropolitan life."[1] Kate acquired a black suit and a false mustache. Before attempting to go out in public as a man, Kate carefully "studied the character before her mirror at home."[2] Perhaps most important for this endeavor, Kate convinced her friend Joseph to help. Telling her parents that she would stay with a girl friend for the night, Kate met up with Joseph, put on the trousers, and carefully arranged her long chestnut hair under a man's hat.

Taking on the appearance and identity of a "handsome young fellow," this person then went out on the town visiting a coffee house, a saloon, and a gambling establishment.[3] Unfortunately, we do not know the name he gave to the people he met that night, but he certainly dropped the moniker "Kate" in this new environment. Joseph helped guide his friend through these homosocial spaces. The two companions had a good time, and all might have ended well, except that they got embroiled in a minor

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[1] "A Romantic Adventure with a Romantic Result—A Queen City Beauty in Masculine Masquerade," *Cincinnati (OH) Enquirer*, January 23, 1859.

[2] Ibid.

[3] Ibid.

scuffle with some strangers on the street. Our young protagonist was mortified when his hat came tumbling down. Worse yet, he turned around and saw two policemen approaching the scene. The next thing he heard was one of the officers saying, "What's all this row about? Ay, ay another gal in boy's clothes, eh?"[4] Then came a chilling threat from the other policeman: "my pretty bird, we'll lock you up in a cage, and hear how you sing."[5] The danger of imprisonment was real, but the two friends were lucky enough to escape punishment that night. They came away frightened, but mostly unscathed. Their story was publicized in the *Cincinnati Enquirer* a few days later and then circulated to other newspapers beyond Ohio.[6]

When the papers picked up the story, they reported that Kate "repented of her folly" and would never go out in public as a man again.[7] Perhaps this was true. Perhaps not. As the policeman on the street recognized—ay, ay *another* one—this young person's actions were not all that unusual. Other individuals in the nineteenth century experimented with gender crossing in a similar way. Sometimes in the course of such experimentation they learned that they wanted to change their gender on a long-term basis, and they discovered that they *could*. How they transformed their lives is the subject of this dissertation. They read the papers and listened to the narratives circulating in popular culture to pick up clues and strategies for changing their public identities. They navigated unfamiliar homosocial spaces. They worked to mitigate the risks of criminal punishment. And they often enlisted the assistance of friends and loved ones.

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[4] Ibid.

[5] Ibid.

[6] "A Romantic Adventure; A Queen City Beauty in Masculine Masquerade," *Nashville (TN) Union and American*, January 29, 1859; "A Romantic Adventure—A Queen City Beauty in Masculine Masquerade," *Augusta (GA) Chronicle*, February 3, 1859.

[7] "A Romantic Adventure with a Romantic Result."

This dissertation examines transgender lives and practices in the United States from the antebellum era to the turn of the twentieth century. This was a period before the prospect of changing sex crystalized as a medical concern. As Joanne Meyerowitz outlines in *How Sex Changed*, "transsexuality, the quest to transform bodily characteristics of sex via hormones and surgery, originated in the early twentieth century."[8] It began when European (mostly German) scientists first made advances in endocrinology and attempted to change patients' sex surgically. These started as experiments on animals in the 1910s, and by the 1920s European doctors commenced working with human patients who longed to change their bodily sex. Although American doctors were slow to follow suit, several individuals in the United States also obtained experimental surgical treatments in the first decades of the twentieth century. By the 1930s, the American public could read about scientific "sex change" stories in the popular press, and some began traveling to Europe to seek medical treatments.[9] I take Meyerowitz's work as a starting—or rather ending—point for my study and ask: what about *before* transsexuality? I analyze the strategies ordinary people used to change their gender socially without changing their bodies.

My study uses *transgender* as a key category of historical analysis. The word transgender emerged in the late twentieth century to signify a personal, political, and historical category associated with crossing the boundaries of gender. Leslie Feinberg's work in the 1990s captures the moment when the meaning of transgender began to

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[8] Joanne Meyerowitz, *How Sex Changed: A History of Transsexuality in the United States* (Cambridge, MA: Harvard University Press, 2002), 5.

[9] Additionally, Lili Elbe's memoir was translated into English and published in the United States in 1933. Lili Elbe, *Man into Woman; an Authentic Record of a Change of Sex. The True Story of the Miraculous Transformation of the Danish Painter, Einar Wegener (Andreas Sparre)*, ed. Niels Hoyer, trans. H. J. Stenning (New York: E. P. Dutton, 1933).

crystalize into a broad umbrella term covering multiple modes of gender crossing.[10] Over the last twenty years, the term has seen wide use in English-speaking countries while at the same time prompting debates about who and what is included (and excluded) within its scope.[11] Today various definitions of transgender are at play in contemporary scholarship and advocacy, and not all of them are equally useful for historical inquiry. For example, one popular definition in policy work pins transgender as a term referring to people whose *gender identity* differs from the sex they were assigned at birth. Relatedly, gender identity here refers to "a person's internal personal sense of being a man or a woman."[12] By using gender identity as its linchpin, this definition of transgender emphasizes individuals' deep inner feelings about who they are at their core. This makes sense in today's advocacy work—we can ask living individuals to articulate their feelings about their own gender. We *should* ask and, most importantly, listen. Today's transgender advocates urge us to respect individuals' gendered self-knowledge and honor people's self-identities, regardless of whether or not those self-identities closely align with the sex they were assigned at birth. It is in this spirit of respect for individuals' quest for gender self-determination that I approach this historical project.

However, definitions of transgender that emphasize deeply-felt internal gender identity provide a very limited set of tools for analyzing the fragmented archive of nineteenth-century gender crossing. There is ample evidence that people pushed the boundaries of gender in the nineteenth century, but the presence of such individuals in the

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[10] Leslie Feinberg, *Transgender Warriors: Making History from Joan of Arc to Dennis Rodman* (Boston: Beacon Press, 1996), 5.

[11] Susan Stryker, *Transgender History: The Roots of Today's Revolution*, 2nd ed. (New York: Seal Press, 2017), 36–37.

[12] See the Media Reference Guide and FAQs for writers from GLAAD, an American LGBTQ media monitoring and advocacy organization. "Transgender FAQ," *GLAAD*, accessed February 16, 2019, https://www.glaad.org/transgender/transfaq. Similar definitions of transgender and gender identity are used by the National Center for Transgender Equality and many other advocacy groups in the United States.

archive is often fleeting and fragmented, especially because many of them deliberately worked to escape notice and to keep their transgender practices private. Often the record of their lives comes from confrontation with the police, municipal authorities, and other curious observers. The full biographical details of their lives and descriptions of their deepest feelings, desires, and aspirations rarely make it into the archive. Thus attempting to organize a historical study of ordinary people around an analysis of their deep inner feelings makes for a series of dead ends and unanswered questions. In working toward a transgender history of the nineteenth century, I have found it important to acknowledge the silences in the archive, to sit with them, and even to mourn what we cannot know.

And yet there are many questions that we *can* answer if we embrace a definition of transgender that is better suited for historical analysis. This dissertation follows the expansive definition laid out by transgender studies scholar Susan Stryker in her history of transgender activism in the twentieth century. Stryker defines transgender as a term that implies *movement* away from an initially assigned, unchosen gender position.[13] This concept of movement is key to my study, which sets out to analyze the lived experience of moving from one gender position to another. I examine the lives of individuals who were raised in one (initially assigned, unchosen) gender and then endeavored to move away from that gender and toward a new social position.

I use the terms *male-assigned* and *female-assigned* to highlight the initial gender position that these individuals occupied and the gender into which they were socialized as children. Today the terms "assigned male at birth" and "assigned female at birth" (sometimes abbreviated AMAB and AFAB) are often used to refer to one's medico-legally assigned sex that is recorded on state documents (beginning with one's birth

[13] Stryker, *Transgender History*, 1, 36.

certificate) at the time a newborn child emerges into the world. These terms signify not only the individual's life trajectory and role within their family (how their caretakers socialize the child), but also the documentary relationship between the individual and the state. Nineteenth-century individuals operated within a different documentary regime, and whether their sex assignment would be recorded by the state at all depended largely on their race and their legal status as free or unfree.[14] Hence it is important to keep in mind that the terms male-assigned and female-assigned in this dissertation primarily signify individuals' socialization and their relationships with their family and community of origin, rather than a letter M or F recorded in a state register next to their name.[15]

To further emphasize the idea of movement, I use the term *gender migration* to describe the process by which ordinary individuals changed their gender socially. This typically involved refashioning one's appearance and adopting a new name and identity in one's everyday life. I use the term *gender migrants* to describe the individuals who reinvented their public identities in this way. Rather than centering evidence of internal gender identity, my study underscores the public identities that individuals presented to their communities. By taking on new names, I argue, these individuals signaled to their

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[14] For the history of surveillance and identity documents in the U.S., see Christian Parenti, *The Soft Cage: Surveillance in America: From Slavery to the War on Terror* (New York: Basic Books, 2003); Craig Robertson, *The Passport in America: The History of a Document* (New York: Oxford University Press, 2010); Shane Landrum, "The State's Big Family Bible: Birth Certificates, Personal Identity, and Citizenship in the United States, 1840-1950" (PhD diss., Brandeis University, 2014). For foundational historical scholarship on state efforts to document individual identity, see John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (New York: Cambridge University Press, 2000); Jane Caplan and John Torpey, eds., *Documenting Individual Identity: The Development of State Practices in the Modern World* (Princeton, NJ: Princeton University Press, 2001).

[15] For scholarship on transgender individuals, identity documents, and the surveillance state at the turn of the twenty-first century, see Paisley Currah and Lisa Jean Moore, "We Won't Know Who You Are: Contesting Sex Designations in New York City Birth Certificates," *Hypatia* 24, no. 3 (Summer 2009): 113–35; Paisley Currah and Tara Mulqueen, "Securitizing Gender: Identity, Biometrics, and Transgender Bodies at the Airport," *Social Research* 78, no. 2 (Summer 2011): 557–82; Paisley Currah and Lisa Jean Moore, "Legally Sexed," in *Feminist Surveillance Studies*, ed. Rachel E. Dubrofsky and Shoshana Amielle Magnet (Durham, NC: Duke University Press, 2015), 58–76; Toby Beauchamp, *Going Stealth: Transgender Politics and U.S. Surveillance Practices* (Durham: Duke University Press, 2019).

communities that they wanted to be seen in a new way. Whenever possible, I highlight the moment when a gender migrant adopted a new name. In recounting biographical events, I generally use the name that corresponds to the individual's public identity at the time the events took place. For example, when discussing a young person who was christened Anna at birth and later adopted the name Charley, I use the name Anna and the corresponding referents *she* and *girl* to describe this person's childhood; I then use the name Charley and the corresponding referents *he* and *young man* to describe the events that took place after Charley reinvented his public identity. Thus the reader will encounter most individuals described here under multiple names and pronouns. My goal here is to highlight the tremendous shifts in the way these historical actors lived their public lives and related to the people in their communities.

Scholars in other disciplines outside of history have used the metaphor of gender migration to analyze transgender narratives. There is often embedded in these analyses an assumption that migration properly describes only a one-way, permanent move across the gender border. For example, British sociologists Richard Ekins and Dave King use the term gender migration specifically to describe the narratives of *permanent* gender transition, often (though not always) facilitated by seemingly irreversible medical interventions. Ekins and King write, "Migrants buy a one-way ticket. While return may be possible, at its inception the journey is seen as one-way; it is not expected that there will be any turning back."[16]

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[16] Richard Ekins and Dave King, *The Transgender Phenomenon* (London; Thousand Oaks, CA: SAGE, 2006), 42. Brubaker similarly describes gender migration as "unidirectional movement from one established sex/gender category to another" in Rogers Brubaker, *Trans: Gender and Race in an Age of Unsettled Identities* (Princeton, NJ: Princeton University Press, 2016), 72.

In contrast with these scholars, I decenter this idea of permanency and embrace a different understanding of gender migration, one influenced by migration studies, i.e., the work of scholars who analyze geographic movement of human populations. Geographic migration, broadly defined, refers to "permanent or semipermanent change of residence" and often involves crossing borders in order to establish membership in a new community.[17] In truth, many migrants believe that their relocation will be semipermanent and that they will return home after they have sufficiently reaped the benefits of living in the new place. Some do return, and reverse migration is an important phenomenon shaped by factors such as nostalgia for home, disillusionment with the new place, successful completion of one's objectives, and forcible deportation by hostile authorities. One's idea of the future at the start of the journey not infrequently fails to line up with the eventual outcome. Those who start off with the idea of semipermanent migration sometimes remain permanently in their new location and make it their new home. And others, who believed at the outset that their move would be permanent, sometimes unexpectedly return to their natal home (and the returnees are often deeply changed by their migration experience).

With these considerations in mind, I use gender migration to describe permanent and semipermanent moves across the gender border. This point is crucial for understanding the lived experience of changing gender in the nineteenth century. I highlight and analyze several different patterns of gender migration, including individuals who changed their public gender identities multiple times. The historical actors the reader will encounter in this dissertation rarely conceived of gender migration as an irreversible journey. They understood that there was a possibility of returning to their original gender.

[17] Everett S. Lee, "A Theory of Migration," *Demography* 3, no. 1 (January 1, 1966): 49.

That possibility was a comfort for some and a danger for others. Sometimes people's return to their originally assigned gender was voluntary and sometimes not. I argue that we must understand the ever-present possibility of (voluntary or coerced) reversal as a fundamental feature of nineteenth-century transgender experience.

This dissertation draws on migration theory in order to think through what is knowable about the way people crossed gender borders. I have found Everett Lee's classic theory of migration particularly useful for thinking about the factors that contribute to people's movement.[18] Lee theorizes that every act of migration emerges out of a complex matrix of factors that can be broken down into four categories. These include negative push factors associated with the area of origin, positive pull factors associated with the area of destination, an intervening set of obstacles that the prospective migrant must overcome, and a set of personal factors such as family circumstances, personality traits, and, crucially, knowledge of the possibilities for making a move. Lee's theory of migration inspires a range of questions for analyzing movement across gender borders: What were the patterns of movement between gender positions? What intervening obstacles did gender migrants face? What strategies did they devise for overcoming those obstacles? How did they learn information about what it might be like to live in another gender and what it would take to get there? These are the central questions that drive this dissertation.

Applying Lee's migration theory framework to the way we approach movement across gender borders pushes us to consider the interplay of multiple personal and structural factors that shape individuals' decisions and actions. This moves us away from the taxonomical project of categorizing individuals based on one primary factor that

[18] Lee, "Theory of Migration."

purportedly drove them to change their lives. Such categorization can be seen, for example, in Jason Cromwell's scholarship. Cromwell's early work of reclaiming transgender history focuses on FTM (female-to-male) historical actors, i.e., those who were assigned female at birth and later lived as men in adulthood. Cromwell identifies a number of historical case studies that he categorizes into three groups: first, "transvestic opportunists" or women who were driven to disguise themselves as men for economic opportunities or adventure; second, proto-lesbian women who were driven to pass as men for love in a world that persecuted same-sex unions; and third, "female-bodied men" or individuals who were driven to live this way because they consistently "identified as men" and expressed that they "always felt themselves to be men."[19] The third category is the one Cromwell seeks to reclaim from the histories of "passing women" and to highlight as "the historical forerunners" of contemporary transgender men.[20] Each of these three categories includes some individuals who lived on a long-term basis as men in their communities, but Cromwell only regards the third category as men. The reason *why* they established such a life—material opportunities, love, or self-identity—is what mainly distinguishes these categories and separates women from men in this framework, thereby implying that concerns about money and intimacy ultimately undermine individuals' claims to manhood.

I take seriously individuals' claims to manhood or womanhood within their communities regardless of how these historical actors narrated their decision-making process for undertaking a gender migration. As the stories gathered in this dissertation

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[19] Jason Cromwell, "Passing Women and Female-Bodied Men: (Re)Claiming FTM History," in *Reclaiming Genders: Transsexual Grammars at the Fin de Siècle*, ed. Kate More and Stephen Whittle (London and New York: Cassell, 1999), 35, 45, 58.

[20] Ibid., 35, 43.

demonstrate, gender migrants were never unconcerned about their own material circumstances and opportunities. All gender migrants had to take material circumstances into account, and losing or gaining economic opportunities was one of the factors individuals had to carefully consider when making life-altering decisions. Those who longed deeply to take on a new gender sometimes hesitated to change their public identities on a full-time basis because they were concerned about the potential for downward economic mobility. Moreover, individuals often mixed multiple driving forces in their self-narratives, and those who highlighted economic opportunities as a major motive for their initial decision to reinvent their public identity often followed up by describing a deep sense of personal satisfaction that sustained them in the new identity over the long term. There were many reasons individuals might cross over gender borders and different trajectories they might follow. The thing that ties together this group of people I call gender migrants is this: at some moment in time each of them made a (more of less careful) calculation of pros and cons of changing their gender and decided that the rewards outweighed the risks.

My project makes use of a great deal of evidence found in local and national newspapers. In the nineteenth century, newspapers routinely reported cases of gender crossing, and these sources serve as a starting point for tracking transgender lives. Here my research method owes much to the work of Emily Skidmore who uses digital newspaper databases to study the narratives about trans men's lives that circulated in the press around the turn of the twentieth century.[21] I build on Skidmore's work by extending this research back in time to an earlier period and incorporating an analysis of both

[21] Emily Skidmore, *True Sex: The Lives of Trans Men at the Turn of the Twentieth Century* (New York: NYU Press, 2017).

female-assigned and male-assigned individuals thus covering the spectrum of transgender practices from both sides. Using digital newspaper databases, I gathered over 600 articles on various instances of gender crossing from the years 1840–1910 (excluding the war years 1861–1865 for which I had ample leads elsewhere). These news reports typically followed a moment of exposure, and the information they provide ranges from a brief mention of the events without any identifying details to an extensive biographical sketch allowing me to collect names, family background, employment history, information about geographical travel, and other important biographical details. I read both the brief and extensive reports for clues about the strategies individuals employed to reinvent their identities and the obstacles that they faced in doing so.

While newspaper reports serve as the starting point, I follow up on these leads with extensive social history research methods. I use city directories, the census, vital records, and archives of penal institutions to track individuals who appear in the press. Tracking individuals who changed their names and identities and who worked deliberately to escape notice presents many challenges, and it is rare to produce a complete biography from the cradle to the grave, thus the portraits of many of these individuals remain partial. For the chapter on the female-assigned individuals who served as soldiers during the Civil War, I explore military records, personal correspondence, and war-time diaries that document their experiences. The last two chapters of the dissertation also make use of medical case studies and sexological literature from the 1880s and 1890s. I analyze the autobiographical and scholarly writings of Jennie June—a self-avowed androgyne and the first American to publish work engaging with sexological discourse from an explicitly transgender point of view. Additionally, several literary

works and children's stories help provide a context for understanding nineteenth-century culture.[22]

Alison Oram's analysis of narratives of "women's gender-crossing" that circulated in major British newspapers from 1910 to 1960 has also been useful for reading similar stories in nineteenth-century U.S. press.[23] Oram notes that the papers in her study consistently used the word "impersonation" to describe theatrical performance and the word "masquerade" to describe instances of gender crossing in everyday life.[24] Displaying a remarkable continuity across centuries and regions of the English-speaking world, the sources I interrogate similarly use the term "masquerade" to describe a transgender way of life. The term "impersonation," however, was not only used in a theatrical context. As male-impersonator and female-impersonator stage performers gradually gained more popularity in the late nineteenth century, the term "impersonation" began to pop up in popular culture to describe individuals' transgender practices off the stage as well. Other terms that were frequently used in the papers were "passing" and "disguise," with the implication that by changing one's outward appearance and name, individuals were disguising or hiding their "true" identities. I highlight stories of gender

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[22] Theatrical performance and narratives of gender crossing in popular culture helped individuals in the nineteenth century imagine what changing one's gender in their everyday life might be like. My work builds on the scholarship of historians and literary critics who have explored cross-dressing as a recurrent phenomenon in theater and literature. Dianne Dugaw, *Warrior Women and Popular Balladry, 1650-1850* (New York: Cambridge University Press, 1989); Marjorie B. Garber, *Vested Interests: Cross-Dressing and Cultural Anxiety* (New York: Routledge, 1992); Vern L. Bullough and Bonnie Bullough, *Cross Dressing, Sex, and Gender* (Philadelphia: University of Pennsylvania Press, 1993); Lesley Ferris, ed., *Crossing the Stage: Controversies on Cross-Dressing* (New York: Routledge, 1993); Daniel A. Cohen, ed., *The Female Marine and Related Works: Narratives of Cross-Dressing and Urban Vice in America's Early Republic* (Amherst: University of Massachusetts Press, 1997); Laurence Senelick, *The Changing Room: Sex, Drag and Theatre* (New York: Routledge, 2000).

[23] Oram uses the term "women" to describe individuals in her study including those who lived as men in their communities on a long-term basis. Alison Oram, *Her Husband Was a Woman!: Women's Gender-Crossing in Modern British Popular Culture*, Women's and Gender History Series (New York: Routledge, 2007).

[24] Ibid., 4.

migrants who actively challenged this logic and argued that their adopted identities did not constitute a disguise.

My work also builds on the scholarship of Peter Boag and Clare Sears who have made forays into nineteenth-century history of gender crossing in the American West. Their work highlights stories of individuals who adopted a new gender in their everyday life alongside other cultural practices such as men wearing skirts and dancing with other men at public events in a homosocial frontier environment. These scholars have shown how various forms of gender crossing were ubiquitous in Western frontier culture in the mid-nineteenth century. Sears examines how, by the late nineteenth century, these cultural practices where increasingly suppressed by municipal authorities seeking to establish order along the lines of white middle-class values.[25] Boag argues that the ubiquity of gender crossing was then erased from the history of the West in order to construct an unambiguously gendered and heterosexualized national narrative.[26] Because these scholars have already excavated and told compelling stories of transgender lives in the West, I have mostly concentrated my efforts on bringing in new stories from other regions of the country. The sample of stories that I explore in this dissertation also skews toward the larger publishing centers of the Northeast and Midwest because the newspapers originating there have thus far been more accessible within the digital databases I used to gather research leads.

The encounters between gender migrants and law enforcement officials are central to this dissertation. Arrests and criminal prosecution presented one of the chief

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[25] Clare Sears, *Arresting Dress: Cross-Dressing, Law, and Fascination in Nineteenth-Century San Francisco* (Durham, NC: Duke University Press, 2014).

[26] Peter G. Boag, *Re-Dressing America's Frontier Past* (Berkeley, CA: University of California Press, 2011).

obstacles to the process of gender migration. I build on the scholarship of Clare Sears and William Eskridge to analyze policing practices and gender migrants' legal strategies for defending themselves.[27] Engaging with Sears's work on cross-dressing law in San Francisco allows me to compare the legal situation in San Francisco with other cities that relied primarily on vagrancy codes to apprehend gender migrants. Especially significant here is the New York vagrancy disguise law and New York City's policing practices that emerged in the antebellum period and expanded as the century progressed. I examine the class implications of these law enforcement practices that tied gender crossing to the class-based status offense of vagrancy.

The antebellum period is where my story begins. This period is important because gender migrants were becoming increasingly visible in the historical record. They often entered the historical record because they were arrested, jailed, fined and generally treated as criminals by urban law enforcement. Their interactions with the local authorities were then reported in the newspapers, and the explosion of the penny press in the antebellum era generated an archive of transgender lives and practices. The increasing geographic mobility of many individuals in this period also influenced the possibilities for gender migration. I argue that geographic mobility was key to success for most gender migrants throughout the nineteenth century, and individuals often moved to a new community in order to reinvent their identity. The American regime that allowed most white persons to move at will without documentary proof of identity played an important role here. African Americans' possibilities for moving about and taking on new identities were far more constrained. While some African Americans used gender crossing as a tool

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[27] Sears, *Arresting Dress*; William N. Eskridge, *Gaylaw: Challenging the Apartheid of the Closet* (Cambridge, MA: Harvard University Press, 1999).

to escape slavery, others faced the enormous risk of losing their freedom if they attempted to move about in a new gender without documents confirming their new name and identity.

The geographic movement occasioned by the Civil War provided opportunities for many people to change their identities. During and after the war, many African Americans embraced mobility as a chief mark of freedom, and some looked to geographic migration as a strategy for reshaping their lives. The post-war period experienced continued growth of transportation networks and urbanization. By the turn of the twentieth century, the country was peppered with increasingly anonymous cities where a person could go from one part of town to another as an anonymous stranger and experiment with a different gender presentation without migrating to a whole other geographic area. In short, the very developments that enabled some individuals to move and take on new public identities in the antebellum era accelerated as the nineteenth century progressed. Hence more people could take advantage of geographic mobility to change their lives and reinvent their identities.

An urban sexual subculture that accommodated various forms of gender crossing, particularly among male-assigned individuals, emerged by the late nineteenth century in American cities.[28] Some individuals found great comfort in connecting with kindred spirits within this subculture and increasingly began to understand themselves as part of an identity group centered on their common transgender practices and desires. Emily Skidmore's work on trans men who lived in small towns and rural areas at the turn of the

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[28] For the history of these urban subcultures, see George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 33–63; Nan Alamilla Boyd, *Wide-Open Town: A History of Queer San Francisco to 1965* (Berkeley: University of California Press, 2003), 25–62.

twentieth century cautions us not to regard urban community formation as the most important framework for understanding transgender lives in this period.[29] Even as some individuals sought to connect with people like themselves in bustling urban entertainment districts, others continued using geographic movement and working to quietly integrate into small-town communities where few knew about their past in a different gender.

This dissertation is organized into five chapters. Chapter one outlines the social and cultural developments that shaped transgender lives in the antebellum era. I highlight the emergence of new press forms that circulated cultural knowledge about transgender lives and examine the terms used to discuss gender ambiguity, such as girl-boy and man-woman. I pinpoint the centrality of gender-specific employment in narratives of gender change and analyze the role of age and life stage in shaping gender migration patterns. This chapter demonstrates how women's nascent political claims and the dress reform movement of the 1850s influenced the way Americans viewed gender migrants' actions and motivations. I lay out the class implications of new modes of urban policing and the racial limits of rising geographic mobility, which created new possibilities for reinventing one's identity primarily for white people. When it came to interactions with the police and legal system, class and race mattered. Yet, no matter their station, gender migrants resisted the criminalization of their lives and practices.

Chapter two investigates the experiences of female-assigned gender migrants who served as soldiers in the Civil War. Because some of these soldiers have received considerable attention from other scholars, I take this as an opportunity to reevaluate the way historians interpret stories of gender crossing, particularly revising the historiographical assumption that these soldiers sacrificed their "true identities" in order

[29] Skidmore, *True Sex*, 3–7.

to enlist. I also examine new archival material for reconstructing the experiences of formerly enslaved black soldiers who have received scant attention in previous scholarship. I highlight the prevalence of semipermanent gender migration during the war and the precarious position of those who sought to hide their wounds for fear of exposing their bodies.

Chapter three analyzes the practical tools of refashioning gender in the second half of the nineteenth century. These tools included clothing, undergarments, hairstyles, and facial hair (or its removal). Gender migrants also devised ingenious strategies for doing business and managing financial accounts under different names. Counter to common narratives that paint gender migration as a solitary undertaking, I argue that assistance and mentorship from confidants was a vital part of the process.

Chapter four explores the narrative strategies that individuals deployed in order to legitimate their gender migration and escape persecution in the last two decades of the nineteenth century. As working-class men's precarious employment prospects gained public attention in the Gilded Age, male-assigned gender migrants began doing what female-assigned individuals had been doing for decades—telling tales of economic motivations for their gender crossing when they were faced with explaining themselves to the police. Some gender migrants turned to physicians, but they did not ask doctors to change their bodies. Rather, these individuals appealed to doctors' shifting understanding of sex differentiation and hermaphroditism and hoped to attain a medical certification of sex that would help them gain the legal rights and privileges of their adopted gender.

Chapter five turns attention to passion and romance in transgender lives. I examine gender migrants' diverse relationship configurations, featuring the queer stories

of female-assigned individuals who lived as men and formed intimate bonds and sexual relationships with other men. I also analyze the autobiographical writings and scholarly publications of Jennie June—a male-assigned person who engaged with the emerging sexological ideas about sexual inversion and who articulated a self-identity as a psychic female and an androgyne. June's intellectual work seems to have had little impact on the sexological discourse of her day, but it provides a rare opportunity to evaluate knowledge-making from a transgender point of view. June made evident the diversity of gender expression and sexual practices she observed in turn-of-the-twentieth-century New York City. She documented how male-assigned individuals who called themselves women-men created a community where they could support each other and express their femininity outwardly.

* * *

In writing "Before Transsexuality," it has been my goal to center transgender voices. I aim to take up Jack Halberstam's charge that "transgender history should be a discourse which allows the gender ambiguous to speak" and that scholars should endeavor to "represent transgender lives in the glory of all their contradictions."[30] In confronting the archive of transgender lives, fragmented though it is, I was struck most profoundly by the realization that the experience of reinventing one's gender was not altogether uncommon in the nineteenth century. The story that unfolds here begins to answer the question of what that experience looked like and what it meant. I hope this work serves to expand the possibilities for telling transgender history.

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[30] J. Halberstam, "Telling Tales: Brandon Teena, Billy Tipton, and Transgender Biography," in *Passing: Identity and Interpretation in Sexuality, Race, and Religion*, ed. María Carla Sánchez and Linda Schlossberg (New York: New York University Press, 2001), 22.

CHAPTER 1.

"I AM NOT A VAGRANT": GEOGRAPHIC MOBILITY, DRESS REFORM, AND LAW ENFORCEMENT IN THE ANTEBELLUM ERA

Introduction

In 1852, two teenagers made up their minds to reinvent their public gender identities. Both had grown up as girls, but decided that they wanted to try living as young men. The older one, aged seventeen, left New York City and went to Boston where he assumed the masculine name George and soon became widely known for his gender crossing.[1] The younger one, who was fifteen years old, made the opposite journey, going from Boston to New York City and adopting the name Charley after he reached the country's largest metropolis. Years later, Charley claimed that the two of them were in Boston together for a time, but it is unclear whether they made friends or merely passed each other like ships in the night.[2] Certainly, Charley knew of George's exploits and drew both encouragement and lessons from the way George's story circulated in Boston and beyond.

This chapter explores the antebellum world that George and Charley inhabited and the strategies that they and other gender migrants used to reinvent their identities. I argue that geographic mobility was key to changing one's identity, and opportunities for gender migration were tied to sharp breaks in a person's life cycle. This chapter lays the foundation for the rest of the dissertation by outlining the economic, political, and legal

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[1] "A Heroine in Breeches," *Brooklyn (NY) Daily Eagle*, November 22, 1852.

[2] "An Unfeminine Freak—a Girl in Man's Clothes," *New York Times*, March 14, 1856, sec. Police Intelligence.

developments that shaped transgender lives and narratives in the antebellum era. Knowledge of gender crossing circulated widely in antebellum press and popular culture, and I explore how contemoraries used the terms "boy-girl," "girl-boy," "man-woman," and "woman-man" to discuss gender ambiguity and transgender practices. In the 1850s, a heated public debate about women's rights and dress reform unleashed a range of anxieties about women laying claim to the prerogatives of manhood, and this framed the way Americans understood gender migrants' actions and motivations. The legal landscape for transgender lives also began to shift with urban law enforcement relying on public decency and vagrancy laws to police gender borders. I offer a class analysis of this mode of policing and show how individuals resisted the increasing criminalization of transgender lives.

Geographic mobility

Born around 1835, Emma Snodgrass came from a respectable family in New York City. Her father, Thomas Snodgrass, served as a police captain in the city's first ward, and her older brother, George C. Snodgrass, was also an up-and-coming policeman.[3] In the fall of 1852, when Emma Snodgrass was about seventeen years old, she left her parents' home and headed to Albany and then to Boston. In Boston, Snodgrass cut her hair, put on a suit of men's clothes, and took on the name George Green. In this new persona, George Green checked into a boarding house and applied for a job at the John W. Simmons & Company clothing store. George Green was hired as a clerk in the cutting room where he worked alongside about fifty men. George Green

[3] See record for Thomas Snodgrass, police, residing at 7 Nassau Street, and George C. Snodgrass, police, residing at 7 Nassau Street, in *Trow's New York City Directory, for 1853-1854* (New York: John F. Trow, 1853), 649–50; "Rowdyism—One Man Shot," *New York Times*, June 18, 1852; "Accident to a Police Captain," *New York Times*, September 25, 1852.

seemed to be getting along just fine at Simmons's until his father intervened. In November 1852, Captain Thomas Snodgrass sent a telegram from New York City to the Boston police asking them to help find his runaway daughter. The Boston police used the descriptive information in the telegram to locate and apprehend George Green. The teenager was not arrested, but rather placed in the care of a local family and provided with women's clothes until the youth's brother, the policeman, could reach Boston in pursuit of the runaway.[4]

George Green quickly became a sensation with the press. Headlines such as "A Heroine in Breeches" and "Emma Snodgrass, the Girl in Men's Clothes" graced the pages of newspapers from Boston to New Orleans to San Francisco for the next several months.[5] Initial reports of the story suggested that Emma Snodgrass had eloped from New York City with a suitor against her parents' wishes, and that this elopement served as the catalyst for Emma's assumption of a male identity as George. One newspaper reported that the suitor "deserted her," causing the runaway to adopt "male attire for the purpose of obtaining a livelihood."[6] Another paper reported that the suitor actually helped

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[4] "A Heroine in Breeches"; "A Woman in Male Attire," *(Worcester) Massachusetts Spy*, November 24, 1852; "Again Caught Wearing the Breeches," *Brooklyn (NY) Daily Eagle*, November 29, 1852; "Miss Emma Snodgrass," *New York Times*, November 30, 1852.

[5] For the geographical extent of George Green's notoriety, see the following items. This is but a small sampling of the coverage he received: "A Heroine in Breeches"; "Miss Emma Snodgrass," November 30, 1852; "The Girls in Breeches," *Boston Herald*, December 31, 1852, sec. Affairs about home; "Emma Snodgrass, the Girl in Men's Clothes," *Sun (Baltimore, MD)*, January 1, 1853; "Emma Snodgrass Was Again Arrested," *Evening Star (Washington, DC)*, January 3, 1853; "Woman in Male Attire," *Plain Dealer (Cleveland, OH)*, January 6, 1853; "Emma Snodgrass," *Times-Picayune (New Orleans, LA)*, January 7, 1853; "The Police vs. Emma Snodgrass, Again," *Nashville (TN) Union*, January 8, 1853; "The Girl in Breeches," *Pittsburgh (PA) Daily Post*, January 10, 1853; "Letter from Boston," *Daily Alta California (San Francisco)*, February 7, 1853; "Emma Snodgrass," *Richmond (VA) Dispatch*, March 24, 1853; "Emma Snodgrass, the Girl in Pantaloons," *Fort Wayne (IN) Times and Peoples Press*, April 27, 1853; "Bloomerism [Reprint from the Albany Evening Journal]," *Southerner (Tarboro, NC)*, April 30, 1853; "Miss Emma Snodgrass," *Southern Weekly Post (Raleigh, NC)*, May 28, 1853; "Miss Emma Snodgrass," *Democratic Banner (Davenport, IA)*, June 10, 1853, sec. Items; "It Is Stated That Emma Snodgrass Has Repented," *Grant County Herald (Lancaster, WI)*, July 13, 1853.

[6] "A Woman in Male Attire."

Emma become George, and that the male attire was a tool of disguise so that the lovers could travel together undetected.[7] These conflicting versions of the story represent two common archetypes of gender crossing that circulated in nineteenth-century newspapers: one the adventurous young woman who ran away in male attire to follow a male lover; and the other the financially desperate woman who put on male attire in order to secure a job (this desperation often resulting from desertion by a profligate husband or seducer). Such stories of gender crossing were part of a broader genre of sensational reporting about naïve young women led astray by male seducers. Once George Green was faced with explaining himself to the Boston police and newspaper reporters, he may well have pulled on these narratives to present his own story to the public. It is possible that George Green received assistance from a male lover or friend. Other gender migrants of the period certainly did. Much as the initial reports of George Green's story revolved around a supposed suitor, no one in Boston reported seeing the man, nor did the papers print his name. Whatever the catalyst for George Green's initial assumption of male attire, it soon became clear that he had no intention of giving it up.

This young person was sent back home to New York City wearing a dress. But George Green's foray into gender crossing did not end there. A week later, he was back in Boston, once again appearing on the streets in pants to the surprise and annoyance of the Boston police. Over the course of that winter, George Green repeatedly visited Boston, staying in the city for weeks on end, and traveled to other locales throughout the Northeast by train. He made friends in Boston, including at least one other female-assigned gender migrant who went by the name Henry. George Green had multiple run-ins with the police in Boston and other cities, gaining further notoriety in the press for

[7] "A Heroine in Breeches."

"obstinately rejecting the habiliments" of a woman.[8] In March 1853, George Green undertook a journey by land to California dressed in male attire and using several male names along the route.[9] By June of 1853, the press reported that George Green had abandoned his journey and headed back home to New York City.[10] He dropped out of the public eye after this point, and the press took no notice of his death eighteen months later when the youth succumbed to tuberculosis. Whether George Green reunited with family in life or after his death is unclear, but in December 1854, Thomas Snodgrass buried his child in a rural cemetery in Brooklyn, New York.[11]

Despite all the sensational coverage that George Green received in the press, historians have limited access to his inner world. The record of his life primarily consists of his contemporaries' observations and conjectures as to why George Green insisted on presenting himself as a young man. In this way, his story epitomizes the fragmented archive of nineteenth-century transgender lives. He testified in court that he "could not bear women's clothes."[12] Beyond that, we have little record of his own words and must reconstruct his story from the words of others. Despite the paucity of George Green's words in the archive, his actions, I argue, provide a rich record for studying the dynamics of gender migration. George Green did not simply reject "women's clothes." By taking on a new masculine name, George Green signaled to his contemporaries that he hoped to

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[8] "Again Caught Wearing the Breeches."

[9] "Emma Snodgrass, the Girl in Pants, Passed through Louisville," *Sun (Baltimore, MD)*, April 4, 1853; "Miss Emma Snodgrass, the Girl Who Created Considerable Excitement...," *Boston Herald*, April 5, 1853; "Emma Snodgrass, the Girl in Pantaloons"; "News," *Brooklyn (NY) Daily Eagle*, May 21, 1853.

[10] "Miss Emma Snodgrass," May 28, 1853; "It Is Stated That Emma Snodgrass Has Repented."

[11] Emma Snodgrass, Lot 8679, Section 34 (burial record, 1854), Green-Wood Cemetery, Brooklyn, NY. Date of death is November 30, 1854; cause of death is noted as "consumption," a common early term for tuberculosis. Cemetery records indicate that Thomas Snodgrass buried his children George C. Snodgrass and Emma Snodgrass next to each other. George C. Snodgrass, the young policeman, died in April 1854. I am grateful to Jhon Usmanov for helping me access cemetery records on site.

[12] "Emma Snodgrass, the Girl in Men's Clothes."

reinvent his public gender identity and integrate into the world as a man. His continued adherence to his new gender despite repeated censure and arrests suggests that he believed the rewards of adopting a new gender outweighed the risks. Furthermore, whatever his beliefs about his *internal* gender identity (or the gendered nature of his soul or innermost being), his actions indicate that he believed one could change one's *public* gender identity. That is, he believed that gender migration was a real possibility in 1852, and specifically that it was a possibility for him.

If gender migration was a possibility, then what would it take to move from one gender to another? Geographic movement provided a crucial strategy for gender migrants. George Green's move away from New York City was not merely incidental to his gender migration. It was geographic mobility that helped many people adopt a new gender in this period. If a person could get on a train or a boat and go away from their natal community to a place where no one would recognize them, then they might succeed in adopting a new name and a new gender.

The antebellum era represents a period of increased possibility for reinventing individual identity. Throughout the colonial and early republican periods, most individuals would never go far from the rural communities where they had been born. Long-term local knowledge in small communities was crucial to identifying individuals and answering the question "who are you?" Local knowledge and familial policing of individuals' behavior made it difficult to take on a new identity that seemingly conflicted with one's personal history. But by the 1830s, the economic and social developments of the Market Revolution created a world where people and goods moved more rapidly and

to more distant locales via canals and railroads.[13] Increasing geographic mobility and urbanization meant that people were coming into contact with strangers more frequently. The "world of strangers" of the antebellum city was a novel world where older modes of verifying individual identity were becoming less useful.[14] The family and rural community could no longer provide the tools necessary for positively identifying individuals on the move.[15] In this milieu, many Americans picked up and moved—from country to city, from east to west—to pursue opportunities away from their natal communities. Some saw in such movement an opportunity to shed their past and adopt a new identity.

In 1849, newspapers in Connecticut reported the arrest of a young person who went by the name of Charles Crandall.[16] This female-assigned person was raised as a girl named Lydia M. Ransom near New London, Connecticut. In the winter of 1849, when she was about seventeen years old, Ransom cut her hair and acquired several articles of male attire (including a grey cloth jacket, sailor's shirt, plaid pantaloons, a broadcloth cap, and thin gaiters). The youth then adopted the masculine name Charles Crandall and set out for New York City in hopes of finding employment as a seaman. Crandall walked along railroad tracks for several days, but he did not make it to New York. He was arrested near Milford, Connecticut, when a police sheriff saw him and became suspicious

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[13] For the major synthesis of the era's economic and social development, see Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991).

[14] The concept of a "world of strangers"—a city whose residents do not know or recognize most of their fellow residents—comes from this work of urban sociology: Lyn H. Lofland, *A World of Strangers: Order and Action in Urban Public Space* (New York: Basic Books, 1973). Halttunen describes how middle-class writers imagined the antebellum city as a "world of strangers" that produced anxieties about the possibilities of "passing," Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-Class Culture in America, 1830-1870* (New Haven, CT: Yale University Press, 1982), xv, 35.

[15] On the increasing unreliability of traditional, preindustrial modes of identification, see Halttunen, *Confidence Men and Painted Women*, 36–37.

[16] "A Counterfeit," *Litchfield (CT) Republican*, February 1, 1849; "Romance In Real Life," *Salem (MA) Register*, February 5, 1849.

of the young stranger's gender-ambiguous appearance and stride.[17] Crandall initially told the police that he had spent several years working as a cabin boy aboard a ship after being "enticed from…home" by a sailor.[18] He recounted stories of seafaring adventures that included a shipwreck and the death of said sailor, but later admitted that the stories were drawn from "the perusal of sea-novels."[19] News reports may also have played a role in shaping Crandall's nautical impressions: two years prior to this incident, the steamer *Atlantic* wrecked off Fisher's Island (very near the teenager's home). Approximately fifty people died in the catastrophe, but a pilot named Charles Crandall was among the survivors, and his story may have inspired the young gender migrant to take on the same name.[20]

Charles Crandall thought that leaving New London was necessary to adopt a male identity. He imagined that New York City was a place where he could reinvent his identity and become a sailor. The booming metropolis attracted others with a promise of anonymity, too, but it is important to note that here the destination was not as important as the act of geographic movement itself. Crandall ran *to* New York City because it was far from home. George Green ran *from* New York City because it was his home community.

George Green was able to check into a hotel, apply for a job, and travel by train without providing documentary proof of his identity. This was another crucial condition that shaped the possibilities for gender migration in the nineteenth century. The limited

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[17] "Sailor Girl-Boy," *New London (CT) Daily Chronicle*, February 3, 1849; "A Female in Male Attire Was Arrested," *Daily Atlas (Boston, MA)*, February 5, 1849.

[18] "Romance In Real Life."

[19] Ibid.

[20] "Wreck Of The Atlantic [from the Boston Traveler]," *Newburyport (MA) Herald*, December 1, 1846.

state apparatus did not (and could not) yet take on the role of documenting individual identity. Unlike European nation states (most notably France, which began the state project of documenting individual identity in the early nineteenth century), the limited federal government did not concern itself with registering citizens or issuing identification documents.[21] For white Americans, a "documentary regime of identification" did not emerge until after World War I, when the idea that identity could and should be documented became widespread in America.[22] After World War I, the passport (issued by the federal government) emerged as an identification document required for international travel. Due to uneven implementation of official birth registration throughout the United States, the birth certificate (issued by the state of birth) did not see wide use as a form of official identification until World War II.[23]

In the nineteenth century, personal knowledge served as the main mode of official identification. In one's home community, the question of identity was a matter of reputation. In other words, people *were* who their friends, family, and neighbors *said* they were. When venturing away from home, the question of identity most often rested on the

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[21] James Scott has argued that making citizens or subjects legible is a fundamental function of modern statecraft. Scott contends that, in a quest to gain a synoptic view of the governed and their environment, a modern state engages in a process of simplification akin to creating "abridged maps" of a society. James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998). Following Scott's articulation of legibility as a key concern of modern statehood, scholars have begun analyzing the specific role of identification documents in making citizens and subjects legible to the state. This historiography first made headway in the scholarship on Europe and has begun to show both the emancipatory and repressive power of identity documentation. For the seminal works in the field, see: Jane Caplan and John Torpey, eds., *Documenting Individual Identity: The Development of State Practices in the Modern World* (Princeton, NJ: Princeton University Press, 2001); John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (New York: Cambridge University Press, 2000); a more recent addition to the European historiography is Edward Higgs, *Identifying the English: A History of Personal Identification, 1500 to the Present* (London: Continuum, 2011).

[22] Craig Robertson examines the shift toward a "documentary regime of identification" that emerged with the use of the passport as an identification document in the 1920s. Craig Robertson, *The Passport in America: The History of a Document* (New York: Oxford University Press, 2010).

[23] For the history of birth certificates in America, see Shane Landrum, "The State's Big Family Bible: Birth Certificates, Personal Identity, and Citizenship in the United States, 1840-1950" (PhD diss., Brandeis University, 2014).

individual's own statements as to their name and biography. Local knowledge of a person's name and background was sometimes transmitted by way of a letter of introduction or reference from a person of status in one's local community. Such a letter of introduction might be especially useful for a person of lower socioeconomic status who traveled away from home and sought assistance from persons of higher status in a distant locale. Many people traveled without these papers, especially if they were white and dressed and talked in such a way as to give the impression that they were respectable. A commonly accepted idea in the nineteenth century was that only marginal and suspect populations needed to be tracked by the state, while the so-called respectable classes of society warranted state and social trust and did not require identification papers or state tracking.[24] If questions arose about a stranger's identity, they were solved not by referring to official documentation, but rather by reaching out to the person's home community to access the local knowledge about the person's reputation and confirm the facts of their biography. As telegraph lines increasingly connected the country in the 1850s, communities began to rely on this technology to ascertain whether a newly arrived stranger in town truly came whence they claimed. Such measures were usually taken only if the stranger aroused suspicions. Thus, nineteenth-century gender migrants typically did not seek sanction from the state to adopt a new gender. Rather, traveling to a new locale and working to establish a new *reputation* provided a route to gender migration.

One gender migrant who succeeded in establishing a new reputation in the 1850s was Charley, the second teenager mentioned at the opening of this chapter, who moved from Boston to New York City. This female-assigned person was born Anna Linden in

[24] According to Robertson, many members of the middle and upper classes initially saw the requirement for a travel passport as an insult and affront to their status as respectable citizens. Robertson, *Passport in America*, 2.

1837. She was raised as a girl in a small village in Maine. Her father died when she was a baby, and her mother passed away in 1851 leaving Linden an orphan at the age of fourteen. At this point, Linden moved to Boston to live with her older sister. There, Linden married a local actor, but left him a few months later because he treated her poorly and failed to support her financially. In 1852, Linden's sister left Boston to join her own husband, who was at work in California where the Gold Rush boomed at the time. At the age of fifteen, Anna Linden was left alone in Boston.[25]

Linden decided to travel to New York City alone. A few weeks after arriving in the city, Linden adopted a male identity and started going by the name Charley. A male friend helped Charley Linden acquire a suit of boy's clothes and secure a job at a saloon. Over the course of the next four years, Charley Linden worked variously as a bartender, assistant to a daguerreotypist, and a comedic actor. He also traveled extensively, working for a time as a cabin boy aboard a steamship that connected New York City, Havana, and New Orleans. Charley Linden had no state-issued documents confirming his masculine gender. This did not impede his mobility because he lived in a world where the people he encountered along his travels did not expect him to produce documentary evidence of his identity at every turn.

Late in the fall of 1855, Charley Linden received a letter from his sister asking him to come to California. The letter contained an order for a passage by the Aspinwall route, sailing in a second-class cabin from New York City down to Panama, then traveling 48 miles by railroad to reach the Pacific coast, then boarding another ship bound for San Francisco. Charley Linden was eager to reunite with his sister after three years of separation. There was just one problem: the passage order bore the name Anna

[25] "Discharge of Anna Linden, the Boy-Girl," *New York Tribune*, March 15, 1856.

Linden. Charley Linden enjoyed moving through the world as a young man, and he did not want to go back to being Anna. He decided to write to his sister, explain the change in his life, and "send the order back to San Francisco to get it changed to a man's name."[26] Months later, Linden received his sister's reply and a new order made out in the name Charley Linden. Along with the order, his sister included a ribbon and directed Linden to tie it through the button hole of his coat. Never having seen her sibling in his new presentation as a man, Linden's sister worried she might not recognize him.[27]

On May 5, 1856, Charley Linden walked aboard the steamer *Illinois* and departed for California.[28] Here the documentary evidence of his identity was the travel order itself—the order that stated his name as Charley Linden. No other paperwork was required for Linden to board the ship. Once in California, the ribbon tied to his suit coat would serve as another object confirming his identity. By the time Charley Linden boarded the steamer *Illinois*, the story of his gender migration had made it into the newspapers. The fact that his name used to be Anna became well known in New York City after he was arrested as a vagrant and proceeded to successfully defend his reputation in court. The record he established by living and working as a man over a four year period had solidified his reputation as Charley (the legal defense of his masculine gender is explored in a later section of this chapter). As Charley Linden's case illustrates, the ability to move about freely without identification documents was crucial for gender migrants in this period.

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[26] Ibid.

[27] "Departure of Charley Linden the Boy Girl for California," *Brooklyn (NY) Daily Eagle*, May 6, 1856.

[28] Ibid.

But there were racial limits to the geographic mobility described here. While most white individuals did not have to carry personal identification papers, black people traveling through most jurisdictions were expected to produce identifying documents on demand. Enslaved people could not move at will, and when they did venture away from their master's household or plantation, they were obliged to carry a pass—a letter or brief note from the slaveholder stating the person's name, destination, and purpose of travel. Free people of color who traveled away from their home communities risked detention as suspected fugitives if they could not produce documents confirming their free status. Freedom papers were typically issued by officials operating at the county level. In various jurisdictions, the structure of freedom papers ranged from a freeform letter to a standardized official form noting specific details such as the person's age, color, scars, and other physical features.[29] Whatever their form and level of identifying detail, these papers invariably noted the person's name and gender, embedded in the phrases "man of color," "colored woman," "black girl," etc. For this reason, black individuals who wanted to adopt a new gender in the antebellum era risked perilous consequences since they could not produce papers bearing their adopted name and gender.

Consider the case of black gender migrant Mary Ann Waters. This person was born in Elkridge, Maryland, around 1823 and raised as a boy named John Dorsey. It is unclear exactly when she first assumed the identity of Mary Ann Waters, but by the late 1840s she was living as a woman in Baltimore, Maryland. Like most black women in the city, she worked as a domestic servant. On September 22, 1851, a night watchman

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[29] For examples of freedom papers from different jurisdictions, see this digital exhibit: "Free at Last? Slavery in Pittsburgh in the 18th and 19th Centuries," *University of Pittsburgh Library*, 2009, http://exhibit.library.pitt.edu/freeatlast/freedom_papers.html.

arrested her on suspicion of petty theft.[30] After Mary Ann Waters was brought to the Middle District watch house at Saratoga and Holiday Streets, the police learned the secret of her anatomy. Exactly how this came about is unclear, but it might suggest sexual misconduct on the part of the officers at the watch house. Once the officers realized that Mary Ann Waters had male anatomy, they jailed her as a runaway. Even though she protested that she was free and had lived as a woman for years, the officers assumed that Mary Ann Waters was an enslaved man who put on a dress as a temporary disguise to escape from his master.[31] Mary Ann Waters had no papers to document her adopted identity. A week later, the warden of the Baltimore city and county jail placed a notice of Waters's arrest in the local and regional papers, requesting "the owner" to "come forward, prove property, pay charges, and take said negro away."[32] Jail records suggest

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[30] "A Negro Masquerade," *American and Commercial Daily Advertiser (Baltimore, MD)*, September 24, 1851.

[31] Mary Ann Waters's eventual release suggests that she was likely a free person of color. The officers' suspicions that she wore her dress as a disguise reflected their knowledge that some people escaped slavery using such disguises. Several self-emancipated black people reported that they used temporary cross-dressing as a strategy for escaping bondage. Most famously, Ellen Craft took on the identity of William Johnson and passed as a white man to run away from Georgia and escape slavery together with her husband William Craft. Their book was first published in 1860, but their case was well documented in the press shortly after their escape in 1848. William Craft, *Running a Thousand Miles for Freedom; or, the Escape of William and Ellen Craft from Slavery* (London: William Tweedie, 1860). William Still's book (published after the Civil War) recounted how Clarissa Davis, Ann Maria Weems, Nancy Grantham, and Mary Millburn made their escapes in male attire in the 1850s. Mary Millburn was told by an underground railroad operator that "she could reach the boat and also travel more safely in male attire." Women were more likely to assume male attire and identities in order to escape slavery. But Still recounted also the story of Charles Gilbert, who in a desperate moment decided to quickly "enrobe himself in female attire" to escape the notice of three officers who were searching for him. William Still, *The Underground Rail Road*, Revised (Philadelphia: People's Publishing Company, 1871), 60–61, 177–89, 239, 558–59. Craft's and Still's books noted the stories of those who successfully made their way to freedom. Not all who attempted to use gender crossing to escape succeeded in their endeavors. For example, in June 1855, police in Norfolk, Virginia, arrested a group of escapees: five men and a woman in male attire. "Arrest of Fugitive Slaves," *Richmond Whig*, June 15, 1855. In April 1843, police in Knoxville, Tennessee, arrested a person who went by the name of Pleas who had escaped six months prior. The papers reported that Pleas was a male-assigned person who was "dressed in female attire and, and at the time of his arrest had a child in his arms, for whom he was manifesting much maternal solicitude." "'Pleas' Is Taken," *New York Tribune*, April 17, 1843.

[32] "Was Committed to the Jail of Baltimore City," *Daily National Intelligencer (Washington, DC)*, September 29, 1851.

that Waters was eventually released and no master showed up to claim her.[33] Whether she stayed in Baltimore or moved on is unclear. If she wanted to get away from the city, she would have faced scrutiny at every turn and would have had a hard time traveling without documents that bore a woman's name.

Boy-girls, girl-boys, and cultural knowledge about gender migration

George Green was seventeen years old when he began his gender migration. Charley Linden was fifteen. It was typical for people in this period to initiate gender migration when they were in their teen years. As migration theorist Everett Lee has noted, "the heightened propensity to migrate at certain stages of the life cycle is important in the selection of migrants."[34] Lee argues that age matters for migrants, and that we should especially pay attention to the sharp breaks that denote passage from one life stage to another.[35] Although Lee developed his theory in relation to geographic migration, these insights provide an important lens for understanding gender migration as well. Sharp breaks between life stages presented special moments of opportunity for people who might consider crossing the gender border. For older adults, widowhood could represent such a life stage break, and a number of people attempted gender migration shortly after they lost a spouse. More often, people who undertook gender migration in the nineteenth century did so on the brink of adulthood, at precisely the moment when they left the parental home and struck out on their own. For these individuals, gender migration was tied up with the process of growing into adulthood.

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[33] Slave Jail Record for Mary Ann Waters aka John Dorsey, c. 1850-1853 (Baltimore, MD), Legacy of Slavery in Maryland (online database), Maryland State Archives, http://slavery2.msa.maryland.gov/.

[34] Everett S. Lee, "A Theory of Migration," *Demography* 3, no. 1 (January 1, 1966): 57, doi:10.2307/2060063.

[35] Ibid., 51.

The two youngest gender migrants whose stories I explore were both eight years old when they first adopted a new gender. They are Harry Stokes (highlighted later in this chapter) and Kitty Russell (whose story is explored in chapter four). They were not yet entering adulthood, but they experienced traumatic events that pushed them out of their parental homes at this young age, and gender migration accompanied their move away from parents.

Where might children encounter cultural ideas about gender crossing in this era? Popular culture of the period included ballads with the "female warrior motif," and adventure books featured cross-dressed women soldiers. The brave heroines of these stories typically entered the army to follow a male love interest, and the books concluded with happy marriage and the heroine's resumption of her proper role as a woman.[36] The early decades of the nineteenth century also saw the emergence of magazines for children. One popular magazine that sought to combine entertainment with moral lessons was *Juvenile Miscellany*, published by Lydia Maria Child in Boston. In the winter of 1831–1832, Eliza Leslie, a popular author of juvenile literature, wrote two stories for *Juvenile Miscellany* that portrayed gender-inappropriate behavior.[37]

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[36] For the "female warrior motif" in popular balladry, see Dianne Dugaw, *Warrior Women and Popular Balladry, 1650-1850* (New York: Cambridge University Press, 1989). For a popular 1815 broadside, see Daniel A. Cohen, ed., *The Female Marine and Related Works: Narratives of Cross-Dressing and Urban Vice in America's Early Republic* (Amherst: University of Massachusetts Press, 1997). For adventure books, see Maturin Murray Ballou, *Fanny Campbell, the Female Pirate Captain: A Tale of the Revolution!* (New York: E.D. Long & Co., 1844); Eliza Allen, *The Female Volunteer, or, the Life, and Wonderful Adventures of Miss Eliza Allen, a Young Lady of Eastport, Maine* (Cincinnati, OH: H.M. Rulison, 1851).

[37] These stories can be found in the collections of the American Antiquarian Society. See Jen Manion, "Transgender Children in Antebellum America," digital exhibit, *OutHistory.Org*, (2014), http://www.outhistory.org/exhibits/show/transgenderchildrenantebellum.

Eliza Leslie's first story, "Lucy Nelson; or The Boy Girl," describes Lucy Nelson as a girl who shuns girl-appropriate amusements, such as dolls and story-books.[38] Lucy also does a poor job sewing with a needle, signaling her failure to master traditional women's skills. Lucy prefers playing with her brothers: flying a kite, spinning a top, tossing a ball, or walking on stilts. She engages in boisterous activities and often rips and dirties her clothes while running through fields, wading through creeks, or climbing fences. Leslie writes, "Every one called her a boy-girl."[39] Lucy's parents dislike her behavior, not only because she does not conform to the roles assigned to her and her sisters, but also because she is often reckless in her play. For example, she climbs a ladder at a barn construction site and proceeds to lead her brothers in walking along a high stone wall—a precarious undertaking that could lead the children to be "killed on the spot" if one of them loses balance or trips. Fed up with her antics and at a loss as to how to teach their daughter appropriate gender behavior, Mr. and Mrs. Nelson decide that "their boy-girl daughter should wear boy's clothes for a whole month."[40] They frame this as "a punishment for indulging a predilection…for the habits and manners of a boy."[41] Leslie writes that Lucy initially experiences joy at this proposition and relished the chance "to go about in jacket and trowsers [sic]."[42] But within only a week, Lucy finds out that wearing boy's clothes brings unbearable ridicule and rough treatment from her brothers and, most damagingly, tremendous embarrassment when guests—strangers who are meeting Lucy for the first time—arrive for dinner, see Lucy's clothes, and think she might be a real boy. At the end of the story, Lucy resolves to be a "good" girl, which

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[38] Eliza Leslie, "Lucy Nelson; Or, The Boy Girl," *Juvenile Miscellany*, December 1831.
[39] Ibid., 149.
[40] Ibid., 152.
[41] Ibid., 157.
[42] Ibid., 152.

means "keeping herself quiet" and subduing her "fondness for romping, and her love of boyish pastimes."[43] The reader learns that this "boy-girl" has a "great difficulty" in this endeavor and is often "in danger of relapsing," but eventually manages to conquer her nature and begins enjoying "occupations and amusements that are suited to her sex."[44]

In a second story with a parallel narrative, Eliza Leslie presents "Billy Bedlow; or The Girl-Boy."[45] Here, the reader encounters Billy Bedlow, a boy who likes spending time with his sisters at sewing and playing with dolls. He also enjoys eating mint-stick and sugar-almonds, which the author describes as "babyish things," showing that Billy's gender inappropriate behavior also signals his failure to grow from a baby into a proper boy.[46] Billy is further described as cowardly—scared of bugs, mice, cats, dogs, and even the rain, snow, sun, and wind. Leslie writes, "People called him a girl-boy."[47]

While Lucy Nelson's boyishness is primarily expressed in her boisterous play and love of outdoor activities, Billy Bedlow's girlishness in Leslie's story is strongly connected with his concern for his outward appearance. Billy regularly perfumes himself with cologne-water, sleeps in gloves to keep his hands white and delicate, refuses to get his hair cut and keeps his "hair in papers" to set his hairstyle in curls.[48] Leslie writes that Billy "often wished in his heart to be a girl, that he might wear a large bonnet and carry a parasol."[49] Although Billy understands that he cannot wear a girl's bonnet, he prevails on his mother to buy him a beautifully ornamented frock coat—a garment that is fitted at the waist and reaches down to the knee. In the 1830s when this story was written, a frock

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[43] Ibid., 158.
[44] Ibid., 158, 159.
[45] Eliza Leslie, "Billy Bedlow; or, the Girl-Boy," *Juvenile Miscellany*, February 1832.
[46] Ibid., 274.
[47] Ibid., 275.
[48] Ibid., 276.
[49] Ibid., 275.

coat was considered a man's garment, but its silhouette (fitted at the waist and draping down to the knee) and the ornamentation Leslie describes (blue silk with black braiding) was increasingly seen as dandyish.

At the center of the story is Billy's experiment with sneakily wearing his sister's corsets in order to make his waist appear thinner underneath his new frock coat. Billy prepares to attend a children's party on a boat, and he wants to look good with his thin waist—a key attribute of feminine beauty according to the ideals of the day. The experiment turns out badly. Billy lacks skill at lacing up corsets, and thus he not only finds the undergarments extremely uncomfortable, but he also faces ridicule and embarrassment when the corset laces slip out from under his coat for all the guests to see.

Like Lucy Nelson, at the end of the story, Billy Bedlow also learns the lessons of gender appropriate behavior. Taking the advice of a masculine older boy, Billy decides to "conquer his effeminate habits."[50] Billy gets his hair cut short, gives up his perfume, and puts away his ornamented frock coat. Eliza Leslie's stories aim to discipline children, teaching them that there is no room for gender inappropriate behavior and admonishing them to "conquer" their cross-gender proclivities. And yet, for a young reader who "wished in his heart to be a girl," a story like "Billy Bedlow; or, the Girl-Boy" could provide reassurance that other people also grappled with such feelings.[51]

In constructing these children's stories, Eliza Leslie used two popular terms associated with gender crossing in this period: *boy-girl* and *girl-boy*. Lucy Nelson, the boyish girl, was called a boy-girl. And Billy Bedlow, the girlish boy, was called a girl-boy. In a sense, Leslie's characters mirrored each other. The use of these terms in

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[50] Ibid., 280.
[51] Ibid., 275.

juvenile literature might leave one with the impression that these words represented two separate categories of people who crossed gender borders in opposite directions. However, a survey of the terms' usage in the popular press of the period reveals that this was not the case. The word boy-girl was not exclusively reserved for female-assigned individuals, and girl-boy was not only reserved for male-assigned youth. These terms, I argue, were not opposites. Rather, in popular use, the terms boy-girl and girl-boy were synonymous: they both denoted a gender-ambiguous person, an individual who seemed to embody both male and female characteristics. Thus, rather than mirrors of each other, boy-girl and girl-boy were interchangeable. One and the same person could be (and sometimes was) variously called a boy-girl or a girl-boy by their contemporaries. While Eliza Leslie's fictional story about Lucy Nelson suggests that "every one called her a boy-girl," her nineteenth-century contemporaries might just as easily call Lucy Nelson a girl-boy.[52] For example, when newspapers reported the arrest of Charles Crandall, the female-assigned teenager who left New London in hopes of becoming a sailor, some referred to him as a boy-girl, while others used the term girl-boy.[53] Similarly, newspapers reported the story of a female-assigned gender migrant named Austin who lived in Connecticut and Rhode Island as a young man. The papers dubbed him a girl-boy in March of 1859. A month later, some of the same newspapers called him a boy-girl.[54]

The related term *man-woman* also functioned in a similar way, encompassing a range of gender crossing people. Female-assigned and male-assigned individuals could both be called man-woman by reporters if they attempted gender migration or were seen

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[52] Leslie, "Lucy Nelson; Or, The Boy Girl," 149.

[53] "Romance In Real Life"; "A Girl-Boy," *Salem (MA) Observer*, February 10, 1849.

[54] Compare, for example, these articles in the same publication: "The Girl-Boy, Mary E. Austin," *Providence (RI) Evening Press*, March 25, 1859; and "The Rhode Island 'Boy-Girl' Again," *Providence (RI) Evening Press*, April 15, 1859.

as gender ambiguous. For example, a male-assigned person by the name of James Wright whose ambiguous gender presentation puzzled the police in Cincinnati, Ohio, was dubbed a man-woman by newspaper reporters in 1858.[55] The English female-assigned gender migrant who lived as a man named Harry Stokes was likewise called a man-woman in the press in 1859.[56] The synonymous term *woman-man* also occasionally popped up in the press, but was much less popular. While the use of the youthful terms boy-girl and girl-boy in the press peaked in the antebellum period, the term man-woman saw steady usage in the papers at least until the turn of the twentieth century.[57]

While Eliza Leslie's stories present a generally negative portrayal of the boy-girl and the girl-boy characters, other literary depictions might have given gender curious readers a more positive outlook. A story printed in the Boys and Girls Corner section of William M. Thayer's *Home Monthly* magazine in 1860 shows a feminine boy in a positive light. [58] In this "Editor's chat with his young readers," the main character, Willie Holt, is portrayed as studious, caring, and helpful to his mother. Although he has a playmate who is a boy, Willie prefers playing with dolls and reading rather than going outside for "a rough-and-tumble time."[59] Thayer calls Willie Holt a girl-boy and enumerates the qualities that girl-boys typically display: they possess a mild and gentle manner, they are fond of books, they are ready to help a weary mother with household

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[55] "A Man-Woman," *Alexandria (VA) Gazette*, December 23, 1858.

[56] "'Harry' Stokes, The Man-Woman," *New York Tribune*, November 15, 1859.

[57] This term has a longer history that can be traced back at least to the seventeenth century. *Hic mulier: or, the man-woman* was a pamphlet published in 1620 in England denouncing women's claims to autonomy and cross-dressing fashions. *Haec-vir: or, the womanish-man*, was a companion pamphlet, published as a response to Hic mulier and attacking the purportedly effeminate ways and styles of male courtiers. Like Eliza Leslie's children's stories, these publications used the terms man-woman and womanish-man as mirrors of each other. For a modern reprint of the pamphlets, see *Hic Mulier: Or, the Man-Woman and Haec-Vir: Or, the Womanish-Man* (John Trundle, 1620; Exeter, England: The Rota at the University of Exeter, 1973).

[58] "The Girl-Boy," *Home Monthly*, December 1860.

[59] Ibid., 397.

chores like sweeping or wiping dishes, they eschew violence, and they love school because they like "a still and quiet way of living" and are eager to learn and "prepare for usefulness" in life.[60] Thus, Thayer ascribes to Willie Holt and other girl-boys a range of positive qualities associated with girls and omits the qualities that earned Billy Bedlow scorn in Eliza Leslie's story: cowardice and excessive concern with outward appearance and fashion. Unlike Billy Bedlow, the girl-boy character of Willie Holt exhibits behaviors associated with girls in this period, but does not attempt to take on a girl's appearance or dress.

William M. Thayer writes, "We confess to liking girl-boys."[61] He also suggests that girl-boys "find friends wherever they go," because they are "generally so amiable and promising, that they win the esteem and love of all who know them."[62] The story teaches readers to treat girl-boys with respect rather than ridicule. Although this story portrays Willie Holt in a positive light, we see here evidence of the ill treatment that a gender nonconforming youngster might face. Twice in the story the word girl-boy is used as a pejorative by other boys who seek to insult Willie Holt. They taunt Willie by shouting at him on the street.[63] The story is explicitly directed at a young reader who might laugh at a boy like Willie Holt, and Thayer instructs the reader that laughing at a girl-boy is wrong. This story also carries an implicit lesson for the feminine boy himself. The magazine editor writes that, when faced with insults, "Willie passed on, caring little for their ridicule."[64] Willie stays above peer pressure; he does not let the taunting of other children upset him or interfere with his activities. He brushes off the boys' insults

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[60] Ibid., 398.
[61] Ibid.
[62] Ibid.
[63] Ibid., 397, italics in the original.
[64] Ibid., 398.

because he knows that others will recognize and appreciate his caring and studious nature. Thus, Thayer teaches the young gender nonconforming readers that they will inevitably encounter a range of responses, and the editor offers this strategy for coping: find those who will appreciate your qualities and ignore the ridicule of those who do not.

Perhaps the most widely read story of gender migration in this period came from the pen of Emma D. E. N. Southworth, who created a sympathetic and irreverent gender switching protagonist in *The Hidden Hand*.[65] This serialized novel was first published in weekly installments in 1859 in the *New York Ledger*—one of the most popular story journals of the day—and enjoyed a broad audience in the succeeding decades. It was republished as a serial several times in New York and London journals, was dramatized in forty versions, and eventually published as a book in 1888, which went on to sell approximately two million copies.[66]

The novel follows the adventures of Capitola Le Noir, or Cap Black. Cap's first adventure, and one that sets the tone for the book, is a story of gender migration. As an orphan child, Cap grows up in the slums of New York City. When she is thirteen years old, Cap's guardian dies, and she is left to fend for herself without parental guidance or supervision. After struggling to make ends meet, Cap decides to become a boy. Cap acquires a suit of boy's clothes from a pawn shop, cuts off her hair, and proceeds to adopt a masculine identity and work as a newsboy. Cap's initial motivations for adopting the masculine gender are twofold. First, Cap gains economic self-reliance as a newsboy. Second, Cap seeks to escape unwanted male attention and feels less sexually vulnerable

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[65] For a modern reprint of the novel, see Emma Dorothy Eliza Nevitte Southworth, *The Hidden Hand: Or, Capitola the Madcap*, ed. Joanne Dobson, American Women Writers Series (1859; repr., New Brunswick, NJ: Rutgers University Press, 1988).

[66] See editor's introduction in ibid., xiv.

as a young boy living on the streets of New York City. Thirteen-year-old Cap lives as a boy for a year until being arrested for wearing male attire. Then, a wealthy old bachelor plucks Cap from the streets of New York and adopts her as his heiress. Many of Cap's subsequent adventures revolve around her attempts to buck the stifling boredom of a wealthy woman's life on a Virginia plantation.

In this light-hearted novel, Southworth used satire to critique the cultural stereotypes, expectations, and economic oppression that structured women's lives in this era.[67] Separate spheres of activity emerged for women and men during the Market Revolution: a public sphere of politics and commerce for men, and a domestic sphere for women. For white middle-class women, a cult of domesticity emerged by the 1830s: the idea that a devoted wife and mother must focus on creating a calm, moral, private haven at home, away from the public world of commerce. This discourse constructed white middle-class women as beings too delicate to participate in commerce—wives and mothers who were in need of protection from the public world of men. Although the prescriptions of the cult of domesticity were most salient for middle-class women, this emerging ideology affected all women by making the productive quality of women's housework invisible and thus devaluing women's labor. As a consequence, in the nascent wage economy, working-class men commanded higher wages than working-class women.[68] Southworth's fictional stories presented a critique of both the economic

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[67] Ibid., xii–xiii.

[68] For the cult of domesticity and the devaluation of women's labor during the Market Revolution, see these key works: Nancy F. Cott, *The Bonds of Womanhood: "Woman's Sphere" in New England, 1780-1835* (New Haven, Conn: Yale University Press, 1977); Jeanne Boydston, *Home and Work: Housework, Wages, and the Ideology of Labor in the Early Republic* (New York: Oxford University Press, 1990); Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (New York: Knopf, 1986).

oppression of poor women as well as the stifling effects of the cult of domesticity on wealthier women.

Southworth maintained that she based the story of Cap's gender migration on true events that she glimpsed in a New York newspaper in the 1850s.[69] It is no coincidence then, that in several important ways Southworth's portrayal of Cap echoes the stories that young gender migrants told newspaper reporters in this period. Cap's use of a pawn shop to acquire clothing and subsequent arrest for no other crime than wearing male attire were both likely plucked directly from newspaper articles about gender migrants. In police court, Cap explains gender migration as a matter of both necessity and personal agency. Economic necessity pushes her to adopt the identity of a boy, but Cap does not regret the decision. "The only thing that made me feel sorry, was to see what a fool I had been, not to turn to a boy before, when it was so easy," explains the protagonist.[70] In Southworth's telling, Cap does not view the year of living in a masculine gender as a period of sacrificing her true identity. Rather, Cap uses the language of *becoming*, signaling that by changing one's outward appearance and taking on a male name one can effectively reinvent one's identity. Cap explains, "*I made up my mind to be a boy!*"[71] Note that here Cap speaks of *being* a boy, rather than masquerading as one. Describing the moment of putting on a boy's suit for the first time, Cap recalls, "I went into that little back parlor *a girl*, and I came out *a boy*."[72] Moreover, Cap describes the period of living in a masculine gender as a time of joy: "For more'n a year I was as happy as a king."[73] Thus, despite the

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[69] "Mrs. Southworth and Her Novels," *The Times (Philadelphia, PA)*, October 28, 1894. Note that Southworth uses fantastical coincidences to move the plot of her humorous novel along, but the individual events in the novel take place in a real world setting, not in a fantasy world.

[70] Southworth, *Hidden Hand*, 47.

[71] Ibid., 46, italics in the original.

[72] Ibid., italics in the original.

[73] Ibid., 47.

economic hardship that played a role in Cap's decision to become a boy, Southworth's portrayal of gender migration echoes some of the stories of joy and personal satisfaction that gender migrants told about their lives in the 1850s. By incorporating this story into her popular novel, Southworth helped further disseminate narratives of gender migration that were already circulating in the press. Of course, Southworth was not the only reader who had a chance to learn about gender migration from newspapers.

Circulating narratives of gender migration in newspapers

Antebellum newspapers circulated knowledge about the possibilities for gender migration. Mass-production of cheap newspapers exploded in the 1830s with the introduction of the penny press. By the 1850s cheap newspapers were circulating hundreds of thousands of copies daily at the bargain price of one penny. The penny press introduced innovations in rapid news reporting and printed sensational stories of local crime and gossip.[74] The antebellum papers routinely reported news of gender crossing. These news reports often followed a moment of exposure when an individual's clandestine transgender practices came to light. The information these articles provide ranges from a brief mention of the "discovery" to an extensive biographical sketch. While many of these reports are brief and do not offer much in the way of identifying details, they nevertheless provide evidence that gender crossing was far from unusual in this period. Moreover, news of gender crossing circulated widely because the press cooperated through news associations. Small town papers routinely reprinted news from New York City, Boston, and other regional press centers. Similarly, large circulation

[74] Frank W. Scott, "Newspapers, 1775–1860," in *The Cambridge History of English and American Literature: An Encyclopedia in Eighteen Volumes*, ed. Alolphus William Ward et al., online, vol. 16, 18 vols. (New York: G. P. Putnam's Sons, 1907–21; New York: Bartleby.com, 2000), http://www.bartleby.com/cambridge/.

national papers picked up sensational stories from correspondents in distant locales. Take for example the story of George Green's arrest in Boston in November of 1852. Within two weeks, the story was reprinted in a dozen regional newspapers throughout New England. Within a month, George Green's story reached New Orleans, and a month later it was printed in San Francisco. Papers in distant Tennessee, North Carolina, Iowa, Wisconsin, and Indiana also printed his story.[75] American newspapers occasionally reported stories of gender crossing from abroad—these typically entered the U.S. press in New York City and from there spread to other newspapers throughout the country. If antebellum Americans in a particular community did not notice a gender migrant in their midst, they almost certainly would have encountered stories of gender crossing and gender ambiguity in their local paper.

Like Cap's account of gender migration in *The Hidden Hand*, narratives of female-assigned gender migrants that circulated in the papers combined stories of economic necessity with personal agency. For example, Charley Linden explained his transgender practices to a reporter in New York City in 1856 (and Southworth may well have read Linden's account). Linden explained that he first decided to take on the identity of Charley after getting sick and falling on hard times economically. A male friend then helped Linden acquire clothing and apply for a job as a boy at a saloon.

Charley Linden presented a narrative of gender experimentation. He did not claim that he had always sought to be a boy. Rather, it was a confluence of circumstances that prompted him to experiment with taking on the masculine gender: sickness, economic hardship, a friend's offer of assistance in facilitating gender migration, all at a turning

[75] "A Woman in Male Attire." See also n. 5 above for the geographic reach of George Green's story and timeline of publication.

point in Linden's life when he was trying to figure out how to make it on his own at age fifteen. Linden asserted that although he initially "put on male attire from necessity," he decided "to keep it on as a matter of choice, and have since worn it entirely."[76] Charley Linden recounted that he had a chance to go back to living as Anna when he briefly reunited with his estranged husband, but instead Linden decided he would continue "to wear male attire."[77] Linden provided a simple, but powerful explanation for his continued adherence to a masculine gender presentation, telling the reporter, "I liked it best."[78] Linden said that he had "nothing to regret" in assuming the life of a man—a life he described as honest and self-reliant.[79] Moreover, Linden proclaimed, "It comes so natural to me to be a man."[80] Thus, through gender experimentation, Linden found that the masculine gender suited him best. In Linden's account of himself, we see the key features of how nineteenth-century gender migrants presented their stories to the public: material circumstances played a major role in prompting gender experimentation while a deep sense of personal satisfaction could sustain gender migration over the long term.

Male-assigned individuals who crossed gender borders were much less often mentioned in the antebellum press than female-assigned individuals like Charley Linden. The stories of male-assigned individuals who came in contact with the police and newspaper reporters were more likely to feature recurrent short-term gender crossing. Consider this situation that took place in the summer of 1854. A male-assigned person named Mr. Scott lived in Providence, Rhode Island, and worked as an attorney. One day

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[76] "Discharge of Anna Linden, the Boy-Girl."
[77] Ibid.
[78] Ibid.
[79] Ibid.
[80] "An Unfeminine Freak—a Girl in Man's Clothes."

in July, Scott boarded a train for Boston with a trunk full of colorful women's dresses, silk hosiery, and jewelry. Somewhere along the route to his final destination, he transformed his appearance, taking off his suit and donning one of the dresses. This person checked into Tremont House—a fashionable hotel in Boston—under the name Harriet Daniels and stayed for a few days in the city. During her sojourn in Boston, Harriet Daniels made calls at some of her favorite shops and visited a hairdresser. This was at least her second trip to Boston in this persona, and she intended, once again, to return to Providence (in a man's suit) after the brief holiday. However, this time her trip was cut short by an encounter with a police officer who recognized in Harriet Daniels the face of a man he had met in Providence. Daniels confessed to the officer that she had "a fancy…for ladies' dresses."[81] She promised to never return to Boston in such attire and was allowed to leave the city without any criminal punishment.

Evidence suggests that Harriet Daniels may have been the female alter ego of Philip C. Scott—a 36-year-old attorney, husband, father of three, and a prominent member of the Methodist Episcopal Church in Providence.[82] When Boston newspapers broke the story of this "queer peccadillo," at least one paper reported the name "Mr. Scott." Most papers chose to omit Scott's name, but stated his occupation.[83] As Providence was home to only about a dozen lawyers in the 1850s, rumors about Scott's

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[81] "A Male in Female Apparel," *Portland (ME) Weekly Advertiser*, July 18, 1854.

[82] 1850 U.S. Census, record for Philip C. Scott, family 1247, Providence Ward 1, Providence County, RI, Ancestry.com; 1860 U.S. Census record for Philip C. Scott, family 1825, Providence Ward 1, Providence County, RI, Ancestry.com, accessed August 26, 2015.

[83] This article pins Harriet Daniels as "a Providence lawyer named Scott": "Queer Peccadillo," *Boston Investigator*, July 26, 1854; these articles give the occupation and church affiliation, but omit the male name of the attorney: "Singular Case of Monomania," *Boston Evening Transcript*, July 15, 1854; "Unsexed," *Daily Atlas (Boston, MA)*, July 17, 1854, sec. Affairs in and about the City; "A Male in Female Apparel"; "A Male in Female Attire," *Brooklyn (NY) Daily Eagle*, July 19, 1854; "A Male in Female Attire," *Richmond (VA) Dispatch*, July 19, 1854; "A Male in Female Attire," *Alton (IL) Evening Telegraph*, July 19, 1854; "A Fancy Man in Female Apparel," *Janesville (WI) Daily Gazette*, July 31, 1854.

gender crossing habits probably followed, even if not everyone in Providence saw Scott's name in print. Scott continued to practice law and live in Providence for at least another three decades.[84] Whether this individual ever again went out in public as Harriet Daniels, we do not know. This story highlights the fragmentary nature of the archival record of nineteenth-century transgender lives. It is not possible to definitively pin down this person's biography before or after this encounter with the police in Boston.

And yet, the story of Harriet Daniels's Boston holiday further underscores how travel and geographic mobility could help one take on a new identity. This person traveled back and forth between Providence and Boston and repeatedly used this geographic movement to facilitate movement between male and female gender presentation. The carefully assembled trunk full of women's garments signals that this person may have experimented with dressing as a woman in private at home in Providence. But to go out in public as a woman, to take on a new name and introduce herself to strangers as Harriet Daniels, this person had to travel away from home.

If a male-assigned person like Scott/Daniels had aspirations of adopting the feminine gender on a full-time basis, several obstacles stood in the way. First, as a middle-aged person responsible for supporting a family, making a break with the past would have meant abandoning one's wife and children. A sense of financial responsibility and moral obligation surely made such a step unthinkable for many in

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[84] Two men named Scott practiced law in Providence in the 1850s: Philip C. Scott (age 36 in 1854) and Joseph A. Scott (age 53 in 1854), probably cousins. Because of their age difference, Philip C. Scott seems the more likely candidate for the Boston adventure, but it is also possible that Joseph A. Scott was the person apprehended by the police in a woman's dress. Both of them continued to practice law and live in Providence for years after this incident. See city directories, for example: *The Providence Directory* (Providence, RI: H. H. Brown, 1852), 219; *The Providence Directory* (Providence, RI: H. H. Brown, 1853), 259; *The Providence Directory* (Providence, RI: Adams, Sampson, & Co, 1860), 178 of Business Directory section; *The New England Business Directory and Gazetteer* (Boston, MA: Adams, Sampson, & Co, 1865), 625; *The Providence Directory* (Providence, RI: Sampson, Murdock, & Co, 1885), 607 of Business Directory section.

Scott's position. Second, Scott's income as an attorney allowed him to acquire women's garments and arrange a brief holiday as Harriet Daniels. Living as Harriet Daniels only briefly and episodically meant that this person did not have to face the challenge of seeking out work as a woman. Concerns about making a living as an unattached woman with no familial connections, resources, or references could prevent male-assigned individuals from moving to a distant locale to establish a new identity as a woman.

Figure 1. 1. Men's and women's clothing styles, 1858.[85]

Individuals in antebellum America were used to quickly distinguishing the gender of strangers with a quick glance at their dress and hairstyle. The culture of the antebellum

[85] *Spring In The City*, print, 1858, Image ID 802675, Art and Picture Collection, New York Public Library Digital Collections, http://digitalcollections.nypl.org/items/510d47e0-d29e-a3d9-e040-e00a18064a99.

period dictated stark distinctions in style and appearance for adult women and men. In preceding centuries, male and female dress was equally ornamental and lively, but the antebellum period experienced a "feminization of fashion."[86] Men's dress became increasingly more somber and uniform, with vests and neckties as the last remaining vestiges of color and ornamentation. By the 1850s, the three-piece dark suit was fast becoming the standard outfit for a middle-class man. But women's dress remained decorative and women's fashions changed frequently. With virtually no exceptions, men wore trousers, and women wore skirts that grew increasingly fuller from the 1830s to the 1850s. The prevalence of such gender-specific fashions meant that individuals could effect a great change in the way others read their gender simply by changing their clothing and hairstyle. This helped many individuals, such as Mr. Scott or Harriet Daniels, make a speedy switch between a male and female gender presentation.

The stark distinctions in antebellum styles also meant that mixing conventional men's and women's styles could lead to public ridicule and police harassment. Male-assigned individuals did not have to put on skirts to face considerable scrutiny from local authorities. Consider the case of a male-assigned person named James Wright who lived in Cincinnati, Ohio. Wright adopted a conspicuously gender-ambiguous style: he mixed men's clothing, long hair styled "like ladies' hair turned under," make-up on his cheeks and lips, and a "gait which would be readily taken for that of a lady."[87] It is also possible that Wright used a stuffing material to augment his chest as the newspapers noted that his "bosom" was arranged in a "suspicious manner."[88] The press dubbed Wright a man-

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[86] Gayle V. Fischer, *Pantaloons and Power: Nineteenth-Century Dress Reform in the United States* (Kent, Ohio: Kent State University Press, 2001), 22.

[87] "A Man-Woman."

[88] Ibid.

woman. Wright had several run-ins with law enforcement and was arrested multiple times by different police officers in Cincinnati because of his gender presentation. These officers believed that Wright was "a woman dressed in men's clothes."[89] It seems Wright was released every time without criminal prosecution. Once the police confirmed that Wright was anatomically male, they would let him go.

Here we see how the publicity surrounding female-assigned gender migrants affected male-assigned individuals, too. Knowledge about gender migration from woman to man circulated more frequently in the news and in popular culture. This created a dynamic where feminine male-assigned individuals were sometimes arrested because the police assumed they were women masquerading in male attire. Contemporaries were likely to interpret gender ambiguity as a sign that the person in front of them was a woman attempting to pass as a man.

Consider also the case of a young man named Eugene M. who came to Boston in 1856 hoping to find a job at a theater. Eugene wore traditional men's garments and carried a fashionable slender cane (a requisite accessory for a dandy). But police officers became suspicious of his "appearance and action" that seemed to them "strikingly effeminate."[90] The young man's soft voice, graceful movements, beautiful smile, sparkling eyes, and "delicate hands…attached to a lithe frame" captivated the officers. This situation took place in Boston four years after George Green, a.k.a. Emma Snodgrass, became a local and national sensation; and the fame of this female-assigned gender migrant still shaped the way the police approached gender-ambiguous individuals. When the officers encountered Eugene, they suspected that the effeminate young man

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[89] Ibid.
[90] "A Ludicrous Incident," *Boston Herald*, November 22, 1856, sec. Affairs about home.

was "Emma Snodgrass of former notoriety, come back to renew old pranks in this city in the disguise of male attire."[91] The officers were not aware of the fact that Green/Snodgrass had died of tuberculosis two years prior. The officers brought Eugene to the Second Police Station at Court Square where one veteran policeman proposed making monetary bets on whether the youngster was Emma Snodgrass. The *Boston Herald* journalist assigned to the police station reported that the young person "presented the appearance of a female of fifteen years in disguise."[92] Two officers subjected Eugene to an embarrassing physical examination and reported that the youngster was male and certainly was not Emma Snodgrass. The officers, reporters, and onlookers at the police station had a hearty laugh at the situation. Eugene, however, was not laughing. He was visibly disturbed by the ordeal and left cursing and rapping his cane at the officers. In this way, the publicity surrounding female-assigned gender migrants increased police scrutiny toward male-assigned individuals who experimented with outward markers of femininity, even if these male-assigned individuals did not put on women's dresses.

Dress reform

Public discourse around gendered modes of dress, dress reform, and women's rights provides an important context for reading these newspaper narratives of gender migration and gender ambiguity in the 1850s. Women's fashions of the 1850s, historian Gayle V. Fischer has noted, were "the pinnacle of absurdity and discomfort."[93] Men in the antebellum era wore a pair of trousers and a suit coat—these garments were not too tight to restrict movement; nor did men's fashions call for excessive loose fabric that

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[91] Ibid.
[92] Ibid.
[93] Fischer, *Pantaloons and Power*, 20.

might get in the way of physical activity. Women's fashions, on the other hand, dictated increasingly stiff corsets and wide skirts that invariably reached to the ground. The ever-widening skirts were initially supported by multiple heavy layers of petticoats, though by the late 1850s these multiple layers were replaced by one "lighter" hoop skirt (essentially a cage petticoat made of steel wires).

While the vast majority of Americans adhered to conventional styles, some began advocating dress reform for women's health and ease of movement. Reformers were particularly dismayed by the long and heavy skirt that dragged on the ground picking up all manner of debris. The long skirt turned a basic task like climbing the stairs into a burdensome and hazardous undertaking. As early as the 1820s, a disparate collection of individuals and groups took aim at the long skirt; these groups included utopian religious communities (Owenites, Oneidans, Strangite Mormons) and health-conscious hydropathists (proponents of water-cure treatments).[94] None of the dress reformers advocated discarding the skirt entirely. Rather, their solution was to shorten the skirt and abandon the layers of petticoats. Cutting a foot or more off the length of the skirt meant greater freedom of movement and was considered by many reformers to be a healthier alternative for an active woman. Of course, modest women could not leave their legs exposed, and a shortened skirt necessitated some form of pantaloons to cover women's ankles and calves. Thus, the proposed dress reform outfits usually consisted of a bifurcated garment that reached down to the shoes coupled with a skirt that terminated about mid-calf.[95]

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[94] For a thorough discussion of the groups who advocated pantaloons dress reform for women, see Fischer, *Pantaloons and Power*.

[95] Ibid., 27, 49.

Although pants were strongly associated with men's style, early dress reform did not seem to cause gender anxieties for contemporaries. Until the 1850s, dress reform was typically confined to closed religious communities or spaces like women's health spas. In both contexts, male leaders dictated the proper attire for women and endorsed the wearing of pantaloons with shortened skirts. Despite their unusual look, short skirts with pantaloons did not trouble the sex/gender system or challenge men's privileged position in society as long as the outfits were sanctioned by male leaders and confined to closed spaces.[96]

Public perception of pantaloons for women shifted dramatically when women began organizing to demand political rights. In 1848, a network of reform-minded middle-class women came together at the first women's rights convention in Seneca Falls, New York, and adopted a range of resolutions calling for equal rights, including suffrage.[97] Their political demands shocked many contemporaries and unleashed anxieties about women's potential usurping of men's privileged status in American society. In 1851, women's rights advocates Elizabeth Smith Miller, Elizabeth Cady Stanton, and Amelia Jenks Bloomer publicly appeared in their version of reform dress in Seneca Falls. This was the first time women publicly wore shortened skirts with pantaloons without male approval. Seeking greater freedom of movement and a sensible alternative to the uncomfortable women's fashions of the day, women's rights advocates believed that reform dress embodied their personal and political ideals. When these women embraced dress reform, they quickly politicized the issue; Stanton, in particular,

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[96] Ibid., 77.

[97] Sally McMillen, *Seneca Falls and the Origins of the Women's Rights Movement* (New York: Oxford University Press, 2008).

explicitly connected dress reform with women's political emancipation in her writings.[98] While these women called their outfit the *freedom dress*, the press quickly dubbed it the *Bloomer* and called its proponents Bloomers or Bloomerites. Although Amelia Jenks Bloomer did not invent the outfit, it likely became associated with her name because she wrote extensively about it in the pages of *Lily*, the journal she founded and edited.[99]

Figure 1. 2. The Bloomer costume with Turkish trousers, fashion plate from 1851.[100]

Figure 1. 3. Portrait of Amelia Bloomer in 1851.[101]

[98] Fischer, *Pantaloons and Power*, 92.

[99] See Amelia Bloomer's writings, especially "The Cut of Liberty" and related articles, in Ann Russo and Cherise Kramarae, *The Radical Women's Press of the 1850's* (New York: Routledge, 1991), 258–63.

[100] N. Currier (firm), *The Bloomer Costume*, lithograph, 1851, Accession 56.300.1321, Museum of the City of New York.

[101] "Amelia Bloomer," *The Water-Cure Journal* 12 (October 1851): 96.

Bloomer and her colleagues wanted to encourage women to wear more comfortable and practical clothing while dodging the accusation that their goal was to usurp men's styles, prerogatives, and power. The freedom dress outfit consisted of a shortened skirt with so-called Turkish trousers—full, soft, curving pantaloons gathered at the ankle. Women's rights advocates were the only dress reformers to adopt the Turkish trousers, which were much fuller in the leg than other reformers' pantaloons and looked quite different from the straight-leg trousers typically worn by American men of the time. This styling represented an intentional attempt to minimize the bifurcated garment's association with men: feminists looked for inspiration to Eastern women's styles (as they imagined it through American illustrations of the time) rather than to men's trouser styles.[102] Proponents of women's rights carefully distinguished between trousers "a la masculine" vs. "a la Turk."

Try as they might, adopting the Turkish trousers did not save women's rights activists from accusations of usurping men's privilege to wear pants. The popular press of the day ridiculed women wearing "the Bloomer." Male journalists expressed deep anxieties about the slippery slope of women's dress reform: if women wore bifurcated garments, then surely they would soon take over all the other prerogatives of manhood. Caricatures of "Bloomers" claimed that pantaloons unsexed women or turned them into men. As journalists ridiculed women's rights advocates, they portrayed a world of gender chaos, a world where women wore pants and men were emasculated and forced to wear dresses. Thus, in the 1850s cross-dressing figures in caricature came to symbolize men's anxieties about losing power and privilege in the face of women's nascent political claims.

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[102] Fischer, *Pantaloons and Power*, 85–91.

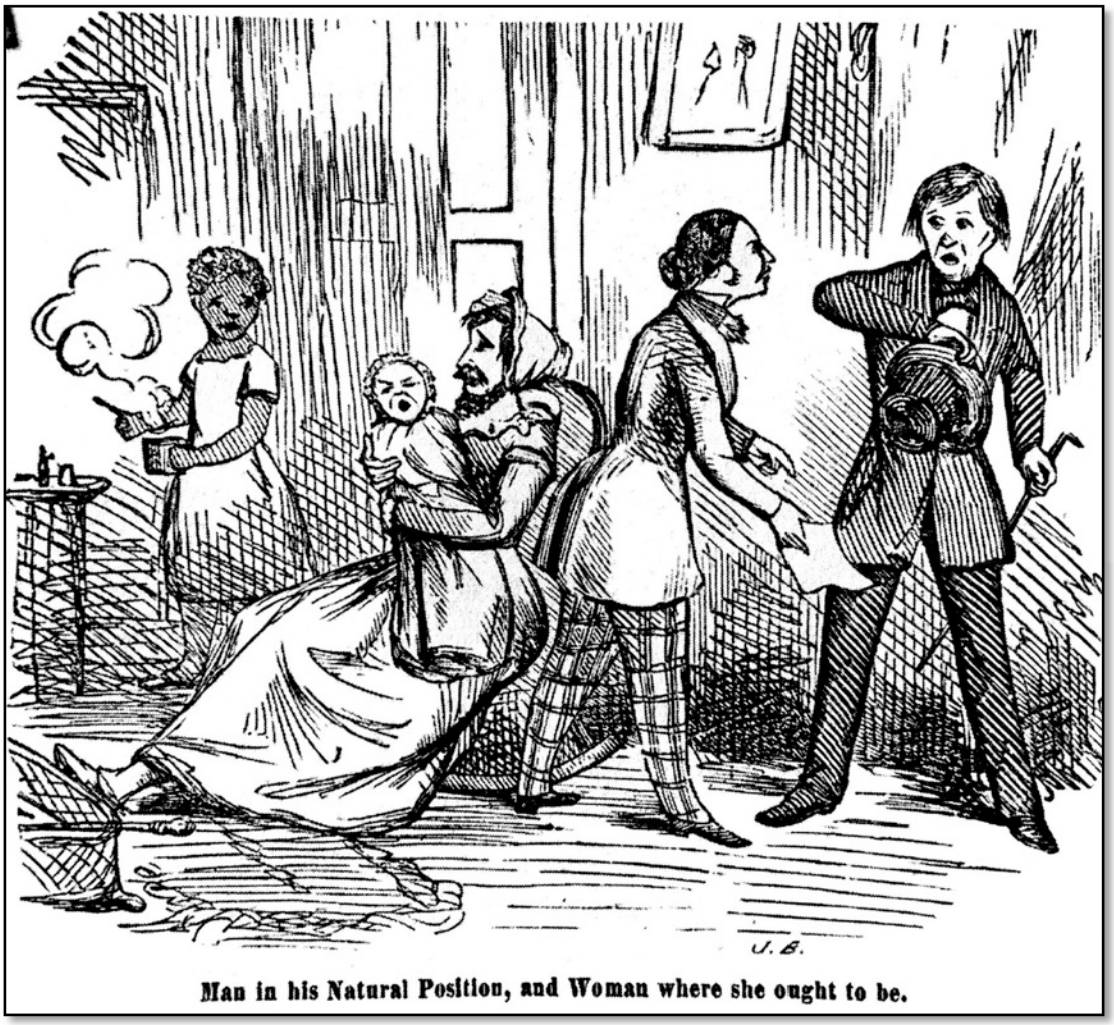

Figure 1. 4. Satirical cartoon from *Yankee Notions*, 1852.

This cartoon from the satirical magazine *Yankee Notions* portrays gender chaos. The caption reads "Man in his Natural Position, and Woman where she ought to be." A mustached man wears a dress and bonnet, holds a baby, and supervises a black servant; meanwhile, his wife wears a frock coat and plaid pantaloons and argues with another man over a bill for her husband's "silk dresses."[103]

Feminists' foray into publicly wearing reform dress met with harsh ridicule in the press and jeers and violence in the streets. The freedom dress failed to win widespread adoption or approval. To the disappointment of women's rights advocates, masses of American women seemed content with their clothing and their role in the domestic

[103] See cartoon and accompanying story about a "high-spirited wife in pantaloons," under the caption "Man in His Natural Position, and Woman Where She Ought to Be," *Yankee Notions*, September 1852, 278.

sphere. Within a year or two, most women's rights leaders gave up their short skirts and their Turkish trousers. The comfort and greater freedom of movement, they felt, was not worth the extremely harsh reactions that their freedom dress garnered. Amelia Bloomer continued wearing the reform dress until 1858; she was an anomaly among her colleagues, most of whom went back to long skirts by 1853. Despite women's rights leaders' retreat from dress reform, the caricature of the coarse, masculine, pants-wearing feminist continued to haunt women's rights supporters in the popular press well into the twentieth century.

This public reaction to women's freedom dress shaped the way the press reacted to gender migrants in the 1850s. Beginning in 1851, reports of gender crossing often referenced the Bloomer costume. Sometimes reporters mistakenly pinned female-assigned gender migrants as champions of the women's rights movement and dress reform. For example, when a person named Elvira Smith was arrested in Boston in July 1851 wearing "sack, pantaloons and hat"—a decidedly masculine costume that looked quite different from the freedom dress—the press was quick to connect Smith's exploits with Bloomer and her colleagues. The Middleton, Connecticut, paper *Constitution* wondered "whether it was a real 'Bloomer' that she had on."[104] The *Boston Herald* opined that Smith was "not exactly a Bloomer."[105] And the *New London Daily Chronicle* quipped, "We are afraid there will be difficulty on this score with the Bloomer damsels."[106] Some papers also took Smith's arrest as an opportunity to remind "fair revolutionists" that wearing the Turkish trousers might lead to arrest because the police

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[104] "A Young Woman Was Lately Arrested in Boston," *Constitution (Middletown, CT)*, July 2, 1851.

[105] "Not Exactly a Bloomer," *Boston Herald*, June 21, 1851.

[106] "A Young Woman Dressed in Male Attire, Was Arrested by the Watch in Boston," *New London (CT) Daily Chronicle*, June 24, 1851.

might interpret their dress reform outfit as an attempt to pass in male attire. The papers cautioned: "The watch are very ungallant sometimes after sun down, and would think it grand fun to shut up a beautiful young Turk by mistake in the watch house."[107] This warning to "young Turks" (as the papers dubbed proponents of Turkish trousers) suggests that wearing reform dress would nullify any notion of respect or protection that a middle-class woman might otherwise expect from the authorities. Furthermore, the warning about the ungallant night watch implies that female-assigned gender migrants could expect to face a range of indignities, including sexual harassment, when they were detained by the police.

Next year, in 1852, when the case of George Green, a.k.a. Emma Snodgrass, mesmerized the press, journalists connected Green's gender migration to women's rights and the rise of dress reform. The *Boston Herald* mistakenly called Green a "model Bloomer" despite the fact that he was widely known for wearing traditional male attire and going by the masculine name George—acts that Amelia Bloomer and her colleagues did not approve of.[108] In March of 1853, when Lucy Stone and a number of other activists circulated a women's rights petition in Boston, *The New York Times* wondered "whether Emma Snodgrass has yet attached her name to the document."[109] When George Green traveled through Louisville, Kentucky, on the way to California, he was wearing a "frock coat, glazed cap, striped pantaloons" (garments that looked nothing like Bloomer's short skirt and Turkish trousers), and the papers noted that he had "the appearance of quite a

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[107] The "watch" refers to law enforcement officers. "A Young Woman Was Lately Arrested in Boston."

[108] "Police Court," *Boston Herald*, February 9, 1853, sec. Affairs about home.

[109] "A Petition Is in Circulation in Boston," *New York Times*, March 24, 1853.

good looking young man."[110] Still, local reporters dubbed him "a practical Woman's Rights girl."[111] When George Green was in Albany, New York, a local paper there reported: "Emma being asked if she preferred the male garb to that of her own sex, as an apparel, answered to the satisfaction of the most ultra Bloomer."[112] George Green clearly enjoyed wearing male attire, but an "ultra Bloomer" he was not. The press was relentless in painting a fictitious association between George Green and the women's rights and dress reform movement.

Even after 1858, when Amelia Bloomer became the last of her friends to give up the outfit that became associated with her name, print culture continued to connect the dress reform costume and gender migration. Consider, for example, the poem "Tom-Boy Who Was Changed into a Real Boy," published by the McLoughlin Brothers in 1859. This humorous poem recounted the story of a little girl who displayed a range of masculine behaviors. Much like Lucy Nelson of Eliza Leslie's story discussed in the previous section, the protagonist of the "tom-boy" poem "played with all the boys, was so rude, and fond of noise" and was bad at sewing with a needle.[113] Eventually, the reader learns, "her attitudes became so like a boy's… / That they thought it only right, / On a certain Summer's night, / To change her sex completely, without noise."[114] Who exactly were "they" who changed the tom-boy's sex is not entirely clear from the poem, though one might guess that "they" refers to the tom-boy's parents. At the end of the poem, the tom-boy became a *real boy* and was sent off to sea as a sailor. The tom-boy's change of

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[110] "Emma Snodgrass, the Girl in Pantaloons."
[111] Ibid.
[112] "Bloomerism."
[113] "The Tom-Boy Who Was Changed into a Real Boy," in *Little Miss Consequence*, Aunt Oddamadodd Series (New York: McLoughlin Bros, 1859), 5.
[114] Ibid., 6.

sex was presented as a cautionary tale, printed in the book *Little Miss Consequence* alongside two other poems aimed at teaching young readers what happens to little girls who misbehave.

Figure 1. 5. Tom-boy in a dress reform costume, 1859.[115]

Figure 1. 6. Tom-boy becomes a real boy in a sailor outfit, 1859.[116]

[115] Ibid., 5.
[116] Ibid., 6.

The McLoughlin Brothers were innovators in color books for children, and this poem was published with a number of illustrations. At the beginning of the story, the reader would encounter the tom-boy in a reform costume consisting of a skirt that terminates at mid-calf and a pair of wide leg trousers (see Figure 1.4). At the end of the story, another illustration showed the protagonist as a sailor in pants (see Figure 1.5). Thus, through verse and illustrations, this children's book suggested to young readers that a tom-boy could be miraculously and permanently transformed into a real boy, and that donning a Bloomer-type costume might be a step toward such a transformation.

Scholars have noted that the public reaction to Amelia Bloomer and the freedom dress was overblown and ridiculous.[117] After all, how could critics imagine that putting on pants would turn women into men? But contemporary critics of dress reform did more than create caricatures of pants-wearing feminists; they pointed to real stories of gender crossing as the purported outcome of embracing "practical Woman's Rights."[118] Gender migrants seemed to embody the very anxieties that women's rights dress reform unleashed. People like George Green and Charley Linden not only put on pants, but took on traditionally male jobs, entered male spaces, and adopted male identities. Stories of gender crossing circulated in the press regularly in the 1840s, but were not initially connected in the public mind with women's political demands. But in the 1850s, when feminists donned their freedom dress, anxieties about women's political demands and concerns about individuals' ability to adopt new gender identities became intertwined in public discourse. After women's rights leaders abandoned dress reform in the late 1850s,

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[117] Fischer, *Pantaloons and Power*, 98–100; Carol Mattingly, *Appropriate[ing] Dress: Women's Rhetorical Style in Nineteenth-Century America* (Carbondale and Edwardsville: Southern Illinois University Press, 2002), 70–73.

[118] "Emma Snodgrass, the Girl in Pantaloons."

other dress reformers struggled to depoliticize the idea that healthy and active women deserved more comfortable garments. Some health reformers, male-led utopian religious communities, and individual eccentrics continued to embrace short skirts and pantaloons through the 1870s, but found it difficult to convince the public that dress reform did not aim to turn the sex/gender system upside down.

Navigating the legal landscape

George Green, Charley Linden, and other gender migrants discussed above came to the attention of the press after they were arrested by the police. On what grounds were these people detained by the authorities, and how did individuals experience their encounters with law enforcement? As noted earlier, the federal state apparatus did not register individuals or regulate sex categories. Policing the gender border in the nineteenth century was largely the business of local authorities and municipal law enforcement. Public decency laws and vagrancy laws provided the primary tools for policing gender migration in this period.

Many American cities regulated offenses against public decency, and a number of municipalities adopted injunctions against public cross-dressing as part of their decency codes. In 1848, Columbus, Ohio, became the first city to prohibit public cross-dressing. Others followed with similar laws. By the start of the Civil War, these cities had cross-dressing prohibitions on the books: Chicago, Illinois (1851); Wilmington, Delaware (1856); Springfield, Illinois (1856); Charleston, South Carolina (1858); Newark, New Jersey (1858); and Kansas City, Missouri (1860). Chicago's ordinance was typical: it

prohibited one to appear publicly "in a dress not belonging to his or her sex."[119] It was part of a broader law targeting indecent or lewd acts or behaviors; public nudity, for example, was criminalized as part of the same law. In all of these cities, the offense was a misdemeanor and typically carried a punishment of a fine or, in some cases, jail time of up to six months (fines ranged widely, from a few dollars in some cities to hundreds of dollars in others).[120] After the Civil War, the adoption of municipal decency ordinances that prohibited cross-dressing increased; over twenty-eight cities had such laws on the books by the end of the nineteenth century.[121]

Many growing cities adopted such ordinances as they sought to bring order and middle-class values to public space. For example, as sociologist Clare Sears shows, in San Francisco, the cross-dressing ordinance was adopted and enforced as part of a broader project by city officials to create governable city space and exclude "problem bodies" from public space.[122] These cross-dressing laws could apply to a range of people, including those who cross-dressed for a masquerade ball or otherwise sought to adopt untraditional garments without claiming membership in a new gender. Most of the cities that adopted such ordinances were in the West and South. Few cities in the Northeast

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[119] William N. Eskridge, *Gaylaw: Challenging the Apartheid of the Closet* (Cambridge, MA: Harvard University Press, 1999), 27.

[120] Note that a fine in nineteenth-century America often led to confinement in a penal institution—the local work house—if the convicted individual could not afford to pay the fine in full.

[121] These figures are based on Appendix A2 in Eskridge, *Gaylaw*, 338–41. Legal scholar William Eskridge has surveyed state moral codes and municipal codes of criminal offenses targeting sexual and gender nonconformity. Note that Eskridge reviewed the ordinances for the largest urban centers in each state, and his count does not include some of the small towns that adopted similar ordinances. For example, the small town of Vermillion, South Dakota, adopted an ordinance prohibiting cross-dressing in 1873, but is not included in Eskridge's survey. "Ordinance No. 1," *Dakota Republican (Vermillion, SD)*, October 9, 1873.

[122] Sears examines the cross-dressing law adopted in San Francisco in 1863. Sears develops the concept of "problem bodies" to "collectively refer to multiple sets of bodies that local government officials defined as social problems and targeted for intervention." In post-Civil War San Francisco, these "problem bodies" included Chinese laborers, disabled beggars, prostitutes, and gender nonconforming individuals. Clare Sears, *Arresting Dress: Cross-Dressing, Law, and Fascination in Nineteenth-Century San Francisco* (Durham, NC: Duke University Press, 2014), 10.

adopted such laws, with the metropolitan centers of New York City, Boston, and Philadelphia notably absent from the list of those that outlawed cross-dressing as a lewd act.

How then were Charley Linden and George Green arrested as they moved through Northeastern urban centers? Arrests in New York City and Boston indicate that despite the fact that these municipalities did not outlaw cross-dressing as an offense against public decency, in practice the policing of gender crossing was in full swing. Most often, when gender migrants came into contact with the police in these cities, they were arrested as vagrants.

The concept of vagrancy had its origins in English common law aimed at policing runaway serfs and the poor. Vagrancy referred to wandering from place to place without visible legal means of support or a stable residence.[123] In other words, a poor person who walked about begging for their subsistence or a person who gained a livelihood through illegal commercial activity such as prostitution might be considered a vagrant. Vagrancy was a status offense, criminalizing poor people for idleness and walking around in public space. These were acts and behaviors that were legal for people of property, and only those who belonged to the poorer classes of society could be held to account for vagrancy if they appeared idle.[124]

The age-old concept of vagrancy provided a key tool for a new mode of policing in the antebellum period. This era saw the emergence of modern urban police forces, beginning with New York City's Municipal Police that was organized in 1845. These police departments were modeled on London's Metropolitan Police Act of 1829. What

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[123] 77 *American Jurisprudence*, 2d ed, "Vagrancy and Related Offenses § 1."

[124] Linda K. Kerber, *No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship* (New York: Hill and Wang, 1998), 54.

distinguished these modern police forces was a new focus on preventing street crime. Earlier models mostly used citizen volunteers to apprehend and punish offenders after someone reported a crime. But modern police departments embraced the new idea that they could deter and prevent urban crime before it even happened. They hoped to do this by using a little army of full-time police officers to constantly patrol the streets day and night.[125] Patrolmen were charged with profiling suspicious individuals and removing them from public space as a crime prevention measure. Officers often turned to vagrancy law to detain so-called suspicious characters. As a status offense, vagrancy criminalized *being* a certain type of person, rather than pointing to clear evidence of *committing* a specific criminal act. One did not have to commit a theft or an act of violence to be arrested as a vagrant. Ambiguously worded vagrancy laws gave the police broad powers to profile and detain individuals who seemed suspicious or out of place. Vagrancy laws continued to play an important role in urban policing until the 1970s when they were struck down as unconstitutional precisely because they were too vague and gave police virtually unlimited power to arrest people without showing probable cause.[126]

The "vagrancy law regime" allowed the police to target virtually anything a community found objectionable, including gender crossing.[127] Historians have noted the various ways vagrancy laws have been used to compel poor people to work in the United States, especially emphasizing the racialized use of vagrancy laws to tie freed black

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[125] Bryan Vila and Cynthia Morris, eds., *The Role of Police in American Society: A Documentary History* (Westport, CT: Greenwood Press, 1999), 25.

[126] Goluboff examines how vagrancy laws were systematically dismantled in the 1950s and 1960s until they were declared unconstitutional by the Supreme Court of the United States in a series of decisions in 1971 and 1972. Risa L. Goluboff, *Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s* (New York: Oxford University Press, 2016).

[127] Ibid., 3–4.

people to the land after emancipation.[128] But in many communities, vagrancy laws served broader goals besides extracting labor from marginalized groups. In cities such as Boston and New York City, law enforcement officers routinely picked up and arrested individuals they deemed to be dressed in gender-inappropriate attire, and vagrancy charges provided the primary tool for such policing. As organized urban police forces took on a new crime prevention role in their communities, they also took on the task of guarding gender borders and ensuring that individuals would not have an easy time crossing from female to male or vice versa. By relying on the concept of vagrancy as a tool to police gender borders, urban law enforcement tied the idea of gender crossing to marginal economic status. Individuals who could prove that they possessed financial resources had a better chance of escaping criminal punishment for their gender crossing.

George Green's case throws the class implications of urban policing into stark relief. In January 1853, several newspapers reported on George Green's arrest in Boston. Since November of 1852, when Green's gender crossing first came to the attention of the press, he had been in and out of Boston staying at hotels near Washington Street and regularly appearing in public in his male attire. The Boston police and city officials were troubled by Green's gender crossing, and in the last days of December, officers once again apprehended him, this time at the Providence Depot. They arrested him at this train station just as he was about to depart Boston with his friend Henry. Like George Green, Henry was also a young female-assigned person who adopted a male gender presentation,

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[128] Kerber, *No Constitutional Right to Be Ladies*, 47–80; James D. Schmidt, *Free to Work: Labor Law, Emancipation, and Reconstruction, 1815-1880* (University of Georgia Press, 1998); Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Doubleday, 2008).

and newspapers reported that he was decidedly the "most manly looking of the two."[129] Reportedly, he hailed from New Bedford, Massachusetts, where he was known by his original female name Harriet French. The fact that the two traveled together suggests that individuals who crossed gender borders could find like-minded companions in the city and help each other by sharing information and strategies. Yet the suggestion that Henry looked manlier than George Green is also intriguing—perhaps he would have been able to move undetected if he had traveled alone. Indeed, it was Green's notoriety and his father's persistent pursuit that caused the two friends to be arrested at the train depot.

At this point, the friends were "charged with wandering about without means of support," in other words they were charged with vagrancy.[130] For George Green, the vagrancy charge did not stick. Six Boston men testified about their interactions with him, and all six of them confirmed that Green had financial resources and his only transgression was wearing male attire. Green always paid his own way, all of the men confirmed, and never begged for money. Hotelkeeper Mr. Milliken testified that Green frequently boarded at his house, never caused any trouble, and "was always willing to pay her bills."[131] A man named John Augustus testified that Green did not drink or smoke or cause any disturbance. Police officer Mr. Holmes testified about Green's willingness and ability to pay his own expenses: even while in police custody, Green paid for his own meals.

Based on this unequivocal evidence of George Green's access to financial resources, the police magistrate dismissed the charges of vagrancy. The magistrate gave

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[129] "The Girls in Breeches."

[130] "Emma Snodgrass, the Girl in Men's Clothes"; "Emma Snodgrass, the Girl Who Has Been Recently Visiting," *Hartford (CT) Daily Courant*, January 1, 1853.

[131] "Emma Snodgrass, the Girl in Men's Clothes."

Green "a kind lecture upon the impropriety of her conduct," discharged him from police custody, and urged him to return to his father's house in New York City.[132] At this time, Green listened acquiescently to the lecture and "promised a reformation," but the very next day he was out and about in Boston wearing his usual male attire.[133] Despite repeated arrests, Green was treated by the police with a paternalistic kindness and managed to avoid criminal punishment and the discomfort of a gloomy jail cell (during his detainment, he stayed overnight in an officer's house). This reaction on the part of the police clearly had to do with Green's claims to respectability and the fact that he had money to pay for his bills. Being the child of a New York City police captain seems to have aided Green—perhaps the police officers in Boston saw in Green the image of their own unruly children and afforded him a kinder treatment for that reason.

Henry, on the other hand, faced a harsher punishment: he was "sentenced to the House of Reformation for six months."[134] Newspaper reports noted that Henry was poorer than Green and could not easily prove that he had means of support. His sentence was commuted on the condition that he leave Boston within twenty-four hours, and he promptly complied with this request and got out of town. Commuting a jail sentence on the condition of leaving the city was not uncommon, and this treatment by the courts further contributed to turning gender migrants like Henry into a transient population. Although Henry was able to avoid jail time by leaving Boston, his jail sentence was reported in the newspapers and gave other gender migrants an idea of the punishment they might expect. Contemporaries were keenly aware that class status had played a role in the case. "Such…is the difference between breeches without money, and breeches

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[132] Ibid.
[133] "Emma Snodgrass, the Girl Who Has Been Recently Visiting."
[134] "Emma Snodgrass Was Again Arrested."

with," quipped the *Boston Tribune*. A Richmond, Virginia, paper also noted the class distinctions, adding: "All attempts to punish Emma have failed, simply because *she* had money."[135] While Green was able to get away by proving he had means of support, patrolmen on the streets routinely used ideas of vagrancy to harass individuals who *had* financial resources and whose *only* transgression was crossing the gender border.

In 1845, the same year New York City organized its modern police department, the state legislature of New York passed "An Act to prevent persons from appearing disguised and armed," which made it illegal to appear publicly in a disguise. This law not only prohibited public disguise, but also connected it to vagrancy. The law specified that any person who "having his face painted, discolored, covered or concealed, or being otherwise disguised, in a manner calculated to prevent his being identified, appears in a road or public highway, or in a field, lot, wood or enclosure" should be "deemed a vagrant."[136] New York was the only state to adopt such a statute in the antebellum era.[137] The state legislature passed this law as a response to anti-rent farmers in upstate New York who were rioting disguised as Native Americans.[138] The disguise law did not explicitly mention gendered modes of dress. New York City's new police force, however, soon began applying the vagrancy disguise law to police gender crossing—a practice that continued for over a century. Legal historian Risa Goluboff has noted that in 1964,

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[135] "Women in Male Attire—Boston Justice," *Richmond (VA) Dispatch*, January 6, 1853, emphasis in original.

[136] See Chap. 3 in New York (State), *Laws of the State of New York* (Albany: C. Van Benthuysen, 1845), 5; and Section 973.7 in *The Code of Criminal Procedure of the State of New York* (Albany: Weed, Parsons, 1850), 439.

[137] New York and California were the only states to adopt legislation aimed at curbing disguise or masquerade. California's penal code prohibited "masquerading" in another person's attire in 1874, Eskridge, *Gaylaw*, 27; Sears, *Arresting Dress*, 3–4.

[138] Charles W. McCurdy, *The Anti-Rent Era in New York Law and Politics, 1839-1865*, Studies in Legal History (Chapel Hill: University of North Carolina Press, 2001), 175.

gender-crossing defendants "began arguing that the law was unconstitutionally vague and an arbitrary exercise of the police power," and "New York courts definitively rejected such claims" by the city's gay and transgender residents until the U.S. Supreme Court struck down vagrancy laws nationwide.[139] But if the use of vagrancy disguise law to police gender crossing took root in the antebellum period, so too did defendants' resistance. As the 1856 case of Charley Linden shows, some defendants challenged the way police officers and magistrates interpreted the law and argued that gender crossing did not constitute a "disguise."

Charley Linden ran into trouble with law enforcement in New York City multiple times. His most well-documented arrest took place in March of 1856.[140] At this point, Charley Linden was nineteen years old and had been living as a young man for four years. He had just returned to the city from New Orleans. Linden looked for work, but was unable to find a position immediately, so he was unemployed for the time being. He was sure he would soon find a job, perhaps as a bartender around Broadway and Canal street at one of the saloons where he had worked on and off for the last four years. Meanwhile, he had enough money to stay at what he called a "respectable but cheap hotel," paying $2.50 per week for a room at the Richmond House on Chambers street.[141] Linden had an acquaintance named Frank Hope, and evidently the relationship turned sour. Hope reported Linden's gender crossing to a patrolman named Joe Keefe, and

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[139] Goluboff, *Vagrant Nation*, 168.

[140] "An Unfeminine Freak—a Girl in Man's Clothes"; "Discharge of Anna Linden, the Boy-Girl"; "'Charley,' the Boy-Girl, Discharged from Custody," *New York Times*, March 15, 1856. For another arrest in April 1856, see "Charley Lyndon Again," *New York Daily Tribune*, April 23, 1856; "Charley up Again," *New York Times*, April 24, 1856, sec. Law Intelligence.

[141] "Discharge of Anna Linden, the Boy-Girl"; "An Unfeminine Freak—a Girl in Man's Clothes."

Keefe went into Richmond House and arrested Linden "without any warrant."[142] Linden was reading a newspaper at the hotel bar-room at the time of the arrest.

Patrolman Keefe accused Linden of being a woman in men's clothes and took him to the Police Court at Essex Market where the officer swore before Judge Wood that Linden was a vagrant. According to the officer's affidavit, Linden was seen standing on a corner of a street in male attire.[143] Linden acted as a peaceable and orderly citizen, and he was arrested solely because of his gender presentation. Linden pleaded "not guilty" in police court, but based on the officer's testimony, he was sentenced to six months jail time on Blackwell's Island as a vagrant.

The next day, Charley Linden spoke with a newspaper reporter who visited him in jail. Linden maintained that he was not a vagrant, insisting:

> I am not a vagrant, never have been, and never will be so long as I have hands to work. See there; my hands are hard—harder and bigger than yours; that looks like work. Yes, my hands are big, and homely too. They were little once, when I was living at home with my mother. But then there is no use crying about it, is there? I have roughed it so long, and I may as well be rough. All I want is that folks will let me alone. I can get along.[144]

The reporter pointed out that Linden was currently unemployed and that this put him in a difficult position in regards to the vagrancy charges. Linden explained his standpoint: "I know I have been out of work, but I have paid my way, and when a man pays his way he ain't a vagrant."[145] But regardless of Linden's ability to support himself financially, he could be "punished for dressing in male attire—there is a law against that," pointed out the reporter, referring to the 1845 vagrancy disguise law. To this, Linden replied, "my

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[142] "Discharge of Anna Linden, the Boy-Girl."

[143] Contents of Officer Keefe's affidavit were later recounted by Linden's attorney Charles Spencer at a court appearance on March 14, 1856. Ibid.

[144] "An Unfeminine Freak—a Girl in Man's Clothes."

[145] Ibid.

lawyer tells me that he thinks that law is unconstitutional."[146] Indeed, the next day in court, Linden's attorney would challenge the constitutionality of regulating gendered modes of dress.

Because vagrancy was a misdemeanor charge, it did not carry procedural protections for the defendant, such as indictment or trial by jury. Individuals convicted on a charge of vagrancy would typically go from police court directly to jail and had little chance of escaping until they completed their sentence. These misdemeanor cases in antebellum New York City also left scarce documentary evidence, typically consisting of just one line in a police court register. Charley Linden's case was rather unusual: after Linden was sentenced to jail time for vagrancy, attorney Charles Spencer obtained a writ of habeas corpus on his behalf. It seems that Linden would hardly be able to afford a lawyer. But while Linden was strapped for financial resources, he was certainly not friendless. He was a personable young man, and this was one of the multiple occasions when he was able to secure patrons who took an interest in his life and could intervene for him.[147] The writ of habeas corpus gave Linden another chance to appear in court, this time before Judge Smith. Linden's case also generated an unusually rich archival record when the local papers published a transcript of the court proceedings.

In Judge Smith's courtroom, attorney Charles Spenser presented several arguments to defend Charley Linden. First, Spencer argued that Linden was not a vagrant in the traditional sense, that is, Linden was not a person who lacked means of support or a stable residence. Although Linden was presently unemployed and looking for work, he

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[146] Ibid.

[147] For example, attorney Charles Spencer noted that Linden had previously been arrested "for the same offence," and that "some of the Board of governors took an interest in her case and procured a discharge." "Discharge of Anna Linden, the Boy-Girl."

always paid his own way. Importantly, Linden was not homeless, and the keeper of the hotel where Linden rented a room testified that Linden dutifully paid rent. However, it was clear that Linden's arrest had little to do with whether or not he was working or paying rent for a stable residence; it was his gender presentation that led to his arrest, and thus Spencer went on to address the question of Linden's appearance directly.

Spencer turned to the question of gendered attire. While some municipalities had begun to outlaw women wearing pants, Spencer argued that New York had "no law against the act" and, in fact, such a law would be unconstitutional. Spencer reminded Judge Smith how Smith himself had recently issued a decision that "sumptuary laws are not in consonance with our institutions—that a Legislature has no right to prescribe what a person may eat and drink."[148] If such sumptuary laws were unconstitutional, then a legislative body also had "no right to prescribe what a person shall wear," Spencer contended.[149] Spencer told the court,

> I respectfully submit that under the institutions in which we live, if a party, male or female, obeys the laws relative to property, and personally deports him or herself in a peaceable and orderly manner,... the mere fact of their dressing differently from others, provided they are decently dressed, does not make them guilty of an offence.[150]

Thus, even though New York City's decency code did not explicitly proscribe cross-dressing, Spencer acknowledged that dress could become a question of public decency. Spencer was likely aware that Columbus and Chicago had begun prosecuting cross-dressing as a lewd act. Nevertheless, Spencer believed there was nothing indecent about Linden's regular costume of wool pants and a frock coat with a black cravat and silk hat. Sure, Linden's deportment was peculiar, but it was not lewd or dangerous; Spencer

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[148] Ibid.
[149] Ibid.
[150] Ibid.

contended: "There is no pretense that by any peculiarity in the deportment of this person the public peace was endangered."[151]

But what about the idea that Linden was in disguise? After all, those who disguised themselves and concealed their true identities could be held as vagrants in New York State. Spencer argued that Linden was not disguising himself by wearing men's clothes. Rather, Charley Linden was a person of the masculine gender, and he was simply wearing the clothing consistent with his identity and long-standing reputation as Charley. The attorney urged the court to recognize that "there is nothing…to show that the defendant is anything else than what she or he appears to be and the *prima facie* evidence is that she is of the masculine gender."[152] Spencer did not pretend that Charley Linden had always been a boy; everyone in the courtroom knew that Charley had been Anna until four years ago. Neither was there any pretense that Linden's body miraculously transformed into one typically assigned as male. Yet Spencer insisted that Charley Linden was "of the masculine gender" and argued that Linden's consistent "appearance, manners and employment of a male" constituted evidence of his gender.[153] In other words, through his "appearance, manners and employment," Charley Linden had *changed* his gender; he had *earned* the prerogatives of manhood, at least in the eyes of attorney Charles Spencer and some of Linden's other friends and associates.

In the end, Judge Smith ruled that there was not sufficient evidence to convict Charley Linden of vagrancy. What evidence would have been sufficient for the judge to convict Linden? Importantly, Linden appeared in court in his usual male attire. Thus, if Judge Smith believed that presenting as a man constituted a disguise and made Linden a

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[151] Ibid.
[152] Ibid., italics in the original.
[153] Ibid.

bona fide vagrant under the disguise clause, then the evidence was sitting right in front of the judge's eyes. The brief transcript of the ruling does not make his reasoning entirely clear, although it appears that the hotelkeeper's testimony about Linden paying rent played a key role in the judge's decision. We cannot be sure whether Judge Smith was convinced that Charley Linden had successfully gained the prerogatives of manhood through his "appearance, manners, and employment" as Spencer had argued. Importantly, while Smith did not explicitly confirm Linden's right to dress and live as a man, he also did *not* rule that Linden's existence was criminal. Linden was released from jail and continued living as a man in New York City until he departed for California two months later.[154]

Although Charley Linden was able to go free with his attorney's help, other gender migrants continued to be arrested on vagrancy charges in New York. For many people, the vagrancy disguise law in New York and the decency codes that prohibited cross-dressing in cities such as San Francisco had the same effect—arrests, fines, and jail time for a misdemeanor offence. And yet the distinction between these two legal tools is important. While decency codes were concerned with policing *clothing* regardless of the individual's identity, New York's vagrancy disguise law was specifically used to police individuals' ability to adopt new *identities*. For example, New York judges upheld the freedom of women to wear bifurcated garments as long as those women did not attempt to adopt male identities. New York law enforcement specifically targeted gender migrants with their vagrancy disguise arrests.

The treatment of women dress reformers illustrates the distinctions between San Francisco's decency ordinance and New York's vagrancy disguise law most clearly.

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[154] "Departure of Charley Linden the Boy Girl for California."

Dress reformers were subject to arrest in San Francisco after the city adopted an ordinance prohibiting one to appear publicly "in a dress not belonging to his or her sex" in 1863.[155] In May of 1866, ardent dress reformer Eliza de Wolfe was arrested in San Francisco on a charge of "violating a city ordinance forbidding a woman to appear in public in male attire" after a crowd gathered to gawk at her unusual mode of dress.[156] De Wolfe wore pants in public, but she never attempted to adopt a man's name and identity. She was found guilty of a misdemeanor. Although the judge believed she was a respectable married lady, he ruled that she was at fault for disturbing the public peace with her indecent appearance.

East Coast readers became aware of the de Wolfe situation when the *New York Times* reported about it in June of 1866.[157] That same month, Mary E. Walker—a well-known eccentric and Civil War doctor who favored a reform costume with pantaloons—was arrested in New York City under similar circumstances. Once at the police station, however, Walker was let go because the police conceded that "there is no law in New York to prevent a woman from dressing in male attire if she chooses to do so."[158] Walker filed a complaint for illegal arrest and unnecessary use of force and insult by the police officer.

Likewise, in 1865, Ellen Beard Harman, a prominent hydropathist dress reformer, created a splash in New York City with her appearance and attracted a crowd in Central Park.[159] She was arrested and taken to the police precinct, but once there, she was not

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[155] Sears, *Arresting Dress*, 1–2.

[156] "A Question of Dress in a San Francisco Court," *New York Times*, June 11, 1866; Sears, *Arresting Dress*, 63.

[157] "A Question of Dress in a San Francisco Court."

[158] "Arrest of a Female Surgeon in Pantaloons," *Sun (Baltimore, MD)*, June 11, 1866.

[159] For Harman's views on dress reform, see her lecture, Ellen Beard Harman, *Dress Reform: Its Physiological and Moral Bearings* (New York: Davies & Kent, 1862).

fined or jailed by the magistrate. When Harman complained about her treatment, Metropolitan Police Commissioner Acton asserted that she had a right to wear her pantaloons. Commissioner Acton fired the arresting officer and issued a statement to New York police officers clarifying that they must offer their protection to women wearing reform dress and that "any crowd that might be seen following a lady so attired was to be stopped and clubbed if necessary."[160] Thus, unlike San Francisco's ordinance that targeted all kinds of gender nonconforming dress, New York's vagrancy disguise law was not used to target dress reformers. New York was the birthplace of the freedom dress or Bloomer outfit, and the state never outlawed such outfits for women, treating them as a matter of personal taste not subject to state regulation.

Some gender migrants, including Charley Linden, hoped to use the Bloomer outfit's innocuous legal status in New York as an argument for their own right to wear what they pleased. Linden told a newspaper reporter, "I think it's rather hard that a person can't dress as he sees fit, so long as he's decent. Why don't they arrest the Bloomers? Isn't my dress a better one than the Bloomer, and more becoming?"[161] Linden's attorney made a similar refrain in court, telling Judge Smith, "A woman is allowed to dress in a Bloomer costume, but in it she does not appear half so tasteful as Charley here."[162] The judge dismissed the idea that Linden's case was anything like merely wearing the Bloomer costume. Seen from Charley Linden's perspective, however, the connection between his own legal rights and those of Amelia Bloomer and other dress reformers might not seem so farfetched. After all, the antebellum press frequently called young men like Charley Linden model Bloomers. If the real Bloomers could move

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[160] "Pulling Down the Barriers," *Brooklyn (NY) Daily Eagle*, May 5, 1865.
[161] "An Unfeminine Freak—a Girl in Man's Clothes."
[162] "Discharge of Anna Linden, the Boy-Girl."

through the streets undisturbed by the police, he wondered, why should he be locked up in jail. Police magistrates remained unconvinced by this logic. Use of such legal arguments connecting gender migrants' rights to a broader freedom of dress waned as the dress reform movement lost steam after the Civil War, but would pop up again with the coming of the New Woman and bifurcated bicycling outfits in the last decade of the nineteenth century.

The clothing Charley Linden wore signaled a masculine identity, but perhaps more important was his employment. "Appearance, manners and employment of a male"—these were the key aspects of Linden's public persona that attorney Charles Spencer pointed to as proof of the teenager's "masculine gender."[163] Changing one's appearance was the first step toward gender migration, but work was central to solidifying one's reputation in the new identity.

The story of Harry Stokes further illustrates how contemporaries might accept successful employment in the adopted gender as a sign that the person effectively earned membership in their new gender. Stokes was an English female-assigned gender migrant whose story circulated widely on both sides of the Atlantic after his death in 1859. Stokes was born in the last decade of the eighteenth century and raised as a girl named Harriet in a village in South Yorkshire. The daughter of a bricklayer, Harriet was put to rough work at an early age and experienced "the iron hand" in her home. Determined to get away from the beatings, at the tender age of eight, Harriet "put on a tattered suit of boy's clothing" and ran away from home.[164] At this point, the youngster adopted the name Harry and found work as a boy assisting a bricksetter in another village. Harry Stokes

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[163] Ibid.
[164] "'Harry' Stokes, The Man-Woman," November 15, 1859.

continued living as a man for decades. He settled in Manchester when he was in his late twenties and prospered as a master bricksetter and landlord of a beer house. By the time he was about sixty years old, however, he began slipping into poverty. In October of 1859, his lifeless body was found in the local river, and neighbors speculated that his recent financial troubles drove Stokes to commit suicide. After the coroner's inquest declared "the body in the man's clothes was that of a perfect woman," newspaper reporters sleuthed out the details of Stokes's biography and made him posthumously famous as a "man-woman."[165] The sleuthing was not very difficult as apparently a number of people in his community were well acquainted with Stokes and rumors about the gender crossing aspects of his biography had circulated for years. "A Woman Passing as a Man for Forty Years," touted the newspapers.[166] Stokes had no say in how his story was presented posthumously, but a close reading of the press coverage reveals how his contemporaries viewed the importance of gendered work.

A widely published article under the headline "'Harry' Stokes, the Man-Woman" presented one of the most detailed accounts of a transgender life of the era.[167]

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[165] Ibid.

[166] The article under this headline originated in the *Manchester (England) Examiner*, and was first reprinted in the United States in New York City: "A Woman Passing as a Man for Forty Years," *Evening Post (New York, NY)*, November 9, 1859. See also, "Curious Case of Prolonged Concealment of Sex," *The Guardian (London, England)*, October 19, 1859; "A Woman Passing as a Man for Forty Years," *The London Journal: And Weekly Record of Literature, Science, and Art*, November 26, 1859; "Extraordinary Case," *The Times (London, England)*, October 20, 1859; "A Woman Passing as a Man for Forty Years," *Albany (NY) Evening Journal*, November 10, 1859; "A Woman Passing as a Man for Forty Years," *Providence (RI) Evening Press*, November 10, 1859; "A Woman Passing as a Man for Forty Years," *Constitution (Washington, DC)*, November 12, 1859; "A Woman Passing as a Man for Forty Years," *Chicago Tribune*, November 12, 1859; "A Woman Passing as a Man for Forty Years," *(Madison) Wisconsin Daily Patriot*, November 19, 1859; "A Woman Passing as a Man, for Forty Years," *Columbian Register (New Haven, CT)*, November 19, 1859. The story was occasionally reprised in subsequent decades: "A Woman Passing as a Man for Forty Years," *Tit-Bits from All the Most Interesting Books, Periodicals and Newspapers in the World*, November 12, 1881.

[167] This article originated in the *Salford (England) Weekly News* and was first reprinted in the United States in New York City: "'Harry' Stokes, The Man-Woman," *New York Tribune*, November 15, 1859. See also, "Harry Stokes, The Man-Woman," *Alexandria (VA) Gazette*, November 19, 1859; "Harry Stokes, The Man-Woman," *Centinel of Freedom (Newark, NJ)*, November 22, 1859; "'Harry' Stokes, The

Importantly, the author switched Stokes's pronouns in the middle of the article—from "she" to "he"—to signify that the protagonist successfully gained entry into manhood at a specific turning point in his life trajectory. This sharp change in the way the reporter referred to Stokes was connected with his advancement in the exclusively male trade of bricksetting. The reporter described several important turning points in Stokes's life that highlighted movement from female to male gender. The first turning point came when Stokes put on a suit of boy's clothes—that is, Stokes took on the *appearance* of a boy—at the age of eight and ran away from home. The author explained how Stokes started moving about as a boy, but the writer continued referring to Stokes as "she" despite this change in appearance. "Though somewhat undersized, *she* appeared a broad-set, active, useful lad," wrote the author.[168] It is not the change in appearance, then, that prompted the reporter to change the pronouns in this story. Once Stokes became an apprentice in the trade, the author proposed that Stokes had earned his masculine name and pronoun, writing, "From this point we must drop the feminine appellative, and speak of 'Harry Stokes' as a boy who has worked his way to the dignity of a journeyman bricksetter."[169] In a labor market characterized by stark gender divisions, successful employment in the adopted identity was a key marker of successful gender migration. For Stokes and others like him, working as a man was not simply about the economic benefit of earning a higher wage. Rather, doing a man's work prompted his community to regard Stokes as a man despite persistent gossip in Manchester that he was not anatomically male.

Man-Woman," *Boston Post*, November 28, 1859; "'Harry' Stokes, The Man-Woman," *Norwich (CT) Aurora*, December 3, 1859, sec. Miscellany; "The Man-Woman of Manchester, a Most Remarkable Story," *Golden Era (San Francisco, CA)*, December 18, 1859, sec. Gossip Abroad; "'Harry' Stokes, The Man-Woman," *Columbian Register (New Haven, CT)*, May 5, 1860.

[168] "'Harry' Stokes, The Man-Woman," November 15, 1859, italics mine.

[169] Ibid.

Conclusion

Gender crossing was not infrequent in the antebellum United States, and geographic mobility was a key strategy gender migrants used to reinvent their identities. While archival sources often do not reveal an individual's own words or feelings, the actions of historical characters can serve as evidence of transgender lives and practices. Knowledge about gender migration circulated in popular literary magazines, children's stories, and most prominently, in news stories in the penny press. These news stories frequently mixed ideas of economic necessity and deep personal satisfaction as the driving forces in gender migration.

Newly established urban police forces took on the role of guarding the gender border in the mid-nineteenth century. Newspaper publicity around female-assigned gender migrants created an atmosphere were police officers suspected any gender-ambiguous person of being a woman in men's clothes. As such, a male-assigned person did not need to actually put on a woman's dress in order to have their identity questioned, and individuals who had an ambiguous gender presentation were subjected to police harassment. Additionally, women's dress reform efforts influenced the public's perception of gender presentation, and gender migrants seemed to embody fears that dress reform would turn the sex/gender system upside down. Municipal decency ordinances were used to exclude "problem bodies" from public space, and this included individuals who wore clothing inappropriate for their assigned gender. Even cities without such ordinances policed gender crossing. Patrolmen arrested gender migrants using vagrancy laws, linking the idea of gender crossing to marginal economic status.

Yet, as early as the 1850s, some gender migrants articulated a defense of their transgender practices. Individuals such as Charley Linden argued that adopting a new name and gender presentation did not constitute a dangerous disguise or a lewd act and that one could legitimately achieve a new gender status. This new status was most effectively achieved through taking on a new outward appearance and manners, a new name, and employment consistent with the adopted gender identity.

Mobility continued to be vital for crossing gender borders in the 1860s. The onset of the Civil War presented an opportunity for female-assigned gender migrants to enter the army as men since military service involved rapid geographic movement and afforded people a chance to leave their natal communities. While antebellum civilians had to worry about urban policing practices, gender migrants attempting to enter the armed forces during the Civil War also faced scrutiny from recruitment officers and military personnel. Army life was fraught with danger for gender migrants, but many successfully solved the obstacles of entering the ranks and living as men at camp.

CHAPTER 2.

"GOOD LOOKING YOUNG SOLDIER":

GENDER MIGRANTS IN THE CIVIL WAR

Introduction

In April 1861, nineteen year-old Franklin Thompson caught the war fever that was quickly spreading throughout the Northern states. Thompson had grown up as a girl named Sarah Emma Edmondson in New Brunswick, Canada.[1] Like many antebellum gender migrants, he left the parental home as a teenager, got out of town, and adopted the identity of a man. He took a job as a Bible salesman, traveling from Canada to New England to Flint, Michigan, where his outgoing personality earned him friends and a lively social life. When President Lincoln issued the first call for volunteers to suppress the Southern rebellion, Thompson was eager to enlist alongside his friends. He wrote to his employer Mr. A.M. Hulbert, sent back the remainder of his unsold books, and explained that he planned to serve his adopted country as a soldier.[2]

Thompson worried little about his ability to pass as a man and enroll in the service—three years of living as Frank convinced him that he could get along as well as any other man. But to his dismay and embarrassment, the recruiting officer rejected him when he showed up at the recruiting station. It was not Thompson's sex that caused the trouble, it was his height. The recruiter judged him to be a bit under size, and with a seeming excess of volunteers in Flint, taller and sturdier men were selected for service in

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[1] This person's last name at birth was Edmondson, but she is more commonly known by the last name Edmonds (a shortened version she adopted later) or Seelye (her married last name after 1867). When presenting as a man from 1858 to 1863, he went by the name Franklin Thompson.

[2] U.S. House, Committee on Military Affairs, *Franklin Thompson, Alias S.E.E. Seelye*, 48th Congress, 1st Session, H. Rep. 820, March 18, 1884; Sylvia G. L. Dannett, *She Rode with the Generals: The True and Incredible Story of Sarah Emma Seelye, Alias Franklin Thompson* (New York: Thomas Nelson & Sons, 1960), 50–52.

the early days of recruitment. Not one to give up his plans, Thompson waited a couple of weeks to reapply. He was accepted into service on his second try and sent to Fort Wayne, Detroit. He was mustered into Federal service on May 25, 1861, and served as a private with Company F, 2nd Michigan Infantry, for nearly two years before illness forced him out of the army.[3]

Franklin Thompson was one of hundreds of female-assigned individuals who took on male identities and enlisted as soldiers during the Civil War. These soldiers have received more attention from historians than any other set of gender migrants in nineteenth-century U.S. history. This chapter builds on the work of scholars who have profiled female-assigned Civil War soldiers and revises some of the assumptions evident in the historiographical treatment of these stories. I argue that historians should rethink the idea that, by engaging in transgender practices, these soldiers sacrificed their "true identities as women."[4] Some gender migrants, such as Franklin Thompson, already lived as men prior to enlistment, belying the prevalent perception that they only took on male identities in order to join the army. Others took advantage of the geographic mobility offered by the army as well as the loosening of stringent enlistment requirements to undertake wartime gender migration. Increased wartime mobility was especially crucial for black gender migrants who seized opportunities to escape slavery and reinvent their gender identities at the same time.

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[3] Compiled Military Service Record (CMSR) for Franklin Thompson, Co. F, 2nd Michigan Infantry, Records of the Adjutant General's Office 1780's-1917, Record Group 94, National Archives, Washington, DC.

[4] DeAnne Blanton and Lauren M. Cook, *They Fought Like Demons: Women Soldiers in the American Civil War* (Baton Rouge, LO: Louisiana State University Press, 2002), 63.

Documenting the lives of female-assigned soldiers during the Civil War

The American Civil War began on April 12, 1861, when Confederate forces fired on United States Army troops at Fort Sumter near Charleston, South Carolina. At issue was the long-brewing political conflict between the Northern and Southern states over the future of slavery in the rapidly expanding country. In January of 1861, seven Southern states seceded from the Federal government in the hopes of perpetuating a slave society, established the Confederate States of America, and began organizing a military force to protect their interests. The tensions boiled over into a bitter armed struggle that lasted four years and horrified the country with an astounding 600,000 soldier deaths. The Federal (or Union) victory ended the South's bid for independence and brought about the abolition of slavery throughout the U.S. and its territories. The Confederate troops began to lay down their arms in April 1865.

Historians estimate that nearly four million men served as soldiers during the war, 2.6 million on the Union side, and up to 1.2 million on the side of the Confederacy.[5] During the first two years of the war, both sides looked to volunteer soldiers to fill their ranks. But by 1863, both sides were running out of volunteers. Consequently, both the Federal government in Washington, D.C., and the government of the Confederate States of America in Richmond, Virginia, passed unpopular draft acts to increase the number of men in service. Due to provisions for substitutes and commutation payments, relatively few soldiers were personally drafted for their services, and the armies continued to rely heavily on volunteers.

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[5] For Civil War army and population statistics, see "National Park Service - The Civil War Facts," https://www.nps.gov/civilwar/facts.htm.

At the commencement of the war, armies on both sides of the conflict enlisted only white men. Southern black men and women who hoped that a Union victory would bring an end to slavery supported the cause by sabotaging agricultural production, organizing slave rebellions and guerilla actions, and abandoning plantations to escape to nearby Union army camps. In 1863, the United States Army began for the first time to enlist black soldiers and organized the Bureau of Colored Troops. By the end of the war approximately 179,000 black soldiers—both Northern free men of color and Southern fugitives from slavery—had donned the blue uniform of the Union army.

Histories of the Civil War frequently mention that four hundred women served as soldiers during the conflict.[6] This estimate has become rather commonplace, often repeated without question or reference. This number is merely a guess that originated in the 1888 memoirs of Mary Livermore, an agent of the United States Sanitary Commission who spent years providing healthcare to Union soldiers during the war. Livermore wrote, "Some one has stated the number of women soldiers known to the service as little less than four hundred," but she did not reveal her source. She wrote specifically about the Union army and cautioned, "I cannot vouch for the correctness of this estimate." However, Livermore believed that four hundred was a plausible number, and probably a low-ball figure at that. "I am convinced," she wrote, "that a larger number of women disguised themselves and enlisted in the service, for one cause or other, than was dreamed of. Entrenched in secrecy, and regarded as men, they were sometimes

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[6] For examples, see George Worthington Adams, *Doctors in Blue: The Medical History of the Union Army in the Civil War* (New York: H. Schuman, 1952), 13; Catherine Clinton, *The Other Civil War: American Women in the Nineteenth Century*, Rev. Ed. (1984; repr., New York: Hill & Wang, 1999), 85; Lisa Tendrich Frank, *Women in the American Civil War*, vol. 1 (Santa Barbara, CA: ABC-CLIO, 2008), 174.

revealed as women, by accident or casualty."[7] Indeed, because such soldiers' clandestine transgender practices were only "sometimes revealed," any attempt to count them and account for their wartime experiences will yield only partial results.

To date, scholars have documented approximately two hundred and fifty cases of female-assigned individuals who fought as male soldiers during the war.[8] In some of these cases, we know both their female birth names and their adopted male names and have access to their military service records. In many cases, we have only fragmentary information about the soldier, for example, a mention in another soldier's letter home that an unnamed individual in his regiment was discovered to be a woman.[9] These documented cases, of course, include only those who were discovered or voluntarily revealed themselves during their service or after the war. We can assume that many more female-assigned individuals served as soldiers in the Civil War but avoided detection.

Not only is the archival record of these lives partial at best, it is also primarily generated by other historical actors—observers who recorded or recalled gender migrants in the ranks. Twenty-seven years after the war, Mary Livermore wrote, "Some startling histories of these military women were current in the gossip of army life; and extravagant and unreal as were many of the narrations, one always felt that they had a foundation in

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[7] Mary A. Livermore, *My Story of the War* (Hartford, CT: A.D. Worthington, 1892), 119–20.

[8] This chapter builds on the work of scholars who began compiling these cases in the 1990s. For a compilation of over 200 reports of "soldier women," see Lee Middleton, *Hearts of Fire... Soldier Women of the Civil War*, vol. 1 (Torch, OH: L. Middleton, 1993); for books profiling a number of these cases, see Larry G. Eggleston, *Women in the Civil War: Extraordinary Stories of Soldiers, Spies, Nurses, Doctors, Crusaders, and Others* (Jefferson, NC: McFarland, 2003); Bonnie Tsui, *She Went to the Field: Women Soldiers of the Civil War* (Guilford, CT: TwoDot, 2003); for the most thorough scholarly treatment of these cases, see Blanton and Cook, *They Fought Like Demons*; and Elizabeth D. Leonard, *All the Daring of the Soldier: Women of the Civil War Armies* (New York: W.W. Norton, 1999).

[9] See for example, Herman Weiss to Adeline Weiss, March 16, 1865, in Harlan B. Phillips, ed., "An Immigrant Goes to War: The Civil War Correspondence of Herman and Adeline Weiss," *History: A Meridian Publication* 4 (1961): 143.

fact."[10] Such "gossip of army life" circulated widely in contemporary newspapers during the war. For some stories, where the male names of these soldiers are known, their "foundation in fact" is confirmed by military service records found in the National Archives. Officers and soldiers sometimes noted the discovery of women in the ranks in their letters home and in their diaries. Regimental histories and memoirs of nurses published after the war also occasionally mention such stories. Livermore herself was among the nurses who encountered a number of female-assigned soldiers while working at army hospitals. Thus, the evidence requires reading against the grain in order to ask: how might the gender migrants themselves experience the events and encounters recorded in newspapers and other people's wartime letters and diaries?

A few female-assigned soldiers told their own stories. Those who went back to living as women after the war sometimes gave interviews and recounted their experiences to the press years later. For example, Franklin Thompson eventually left the army and moved back to living as a woman named Sarah Emma Edmonds. Edmonds recalled her wartime experiences to the press in 1884, provided testimony to Congress in order to get a military pension, and wrote privately to her former comrades about her remembrances. Edmonds, as well as another gender migrant named Loreta Velazquez, published fictionalized memoirs of wartime adventures.[11] The wartime letters of Private Lyons Wakeman were preserved by his family after his death and shrouded in secrecy for 140

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[10] Livermore, *My Story of the War*, 119–20.

[11] Sarah Emma Evelyn Edmonds, *Nurse and Spy in the Union Army: Comprising the Adventures and Experiences of a Woman in Hospitals, Camps, and Battle-Fields* (Hartford, CT: W.S. Williams, 1865); Loreta Janeta Velazquez, *The Woman in Battle: A Narrative of the Exploits, Adventures, and Travels of Madame Loreta Janeta Velazquez, Otherwise Known as Lieutenant Harry T. Buford, Confederate States Army* (Richmond, VA: Dustin, Gilman & Co., 1876).

years. Published in 1994, these letters provide a rare opportunity to hear the voice of a gender migrant directly.[12]

Historiographical treatment of gender migrants in the army

Historians have tended to describe the male identities of female-assigned soldiers as a "means to an end," the "end" being the opportunity to serve as a soldier. For example, DeAnne Blanton and Lauren M. Cook write, "The women who served as soldiers in the Civil War went to extraordinary lengths to reinvent themselves as males, but their new personas were essentially means to an end. These women wanted to be soldiers in a society that reserved the warrior role for men."[13] In describing their male identities as "means to an end," historians minimize the pleasure and satisfaction that some gender migrants drew from the act of presenting themselves as men to the world. Such histories imagine gender migration as a *sacrifice* whereby individuals give up their "true identities as women" in order to gain the freedoms and prerogatives associated with white manhood.[14]

The underlying assumption evident in such histories is this: if only women were allowed to enlist in the army, these individuals would have happily moved through the world as women. While this assumption holds true for *some* of the soldiers discussed here, it was not true for all. The personal histories of people such as Franklin Thompson and Lyons Wakeman trouble this assumption: these individuals adopted male identities well before pursuing a warrior role. For nineteen-year-old Lyons Wakeman, taking on a

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[12] Wakeman's collected letters were published as Lauren Cook Burgess, ed., *An Uncommon Soldier: The Civil War Letters of Sarah Rosetta Wakeman, Alias Private Lyons Wakeman, 153rd Regiment, New York State Volunteers* (New York: Oxford University Press, 1994).

[13] Blanton and Cook, *They Fought Like Demons*, 63.

[14] Ibid.; see also Cook's reference to "her true identity" in Cook Burgess, *Uncommon Soldier*, 61.

male identity was not a means to enlist in the army. Quite the opposite: enlisting in the army provided a means for him to further grow into his manhood. He sacrificed his life for his country, but there is no indication that he saw his move from female to male identity as a sacrifice. In 1863, about a year after he adopted a male identity, he told his parents, "I am enjoying my self better this summer than I ever did before in this world" and asserted that he would dress and carry on as he pleased.[15]

Albert D.J. Cashier is another soldier whose "true identity" has troubled historians. Born in Ireland about 1844 as Jennie Hodgers, not much is known about her early life. By her late teens, Jennie Hodgers took on the name Albert D.J. Cashier and was living near Belvidere, Illinois. For about a year Cashier successfully worked as a man on a farm and then, at age nineteen, he decided to try his luck in the army. On August 6, 1862, he enlisted in Company G, 95th Illinois Infantry, and served honorably for three years until his regiment was mustered out of service. By all accounts, he was a brave soldier and a relatively quiet and reserved man. At the conclusion of the war, he went back to Illinois and eventually settled in Saunemin, a village where he lived as a man for decades, working as a farmer, janitor, and handyman.[16]

At the age of sixty-seven, Cashier's leg was injured in an accident involving his boss's new automobile. His boss was Illinois state senator Ira M. Lish, and Cashier was probably performing handyman duties in the senator's garage. In April 1911, with Lish's help, Cashier was admitted to the Soldiers' and Sailors' Home in Quincy, Illinois—an institution for disabled veterans. Lish and some of the medical staff at the home knew Cashier's secret. By 1913, somebody leaked the story of the aging veteran's sex to the

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[15] Wakeman to parents, June 5, 1863, *Uncommon Soldier*, 31.

[16] Rodney O. Davis, "Private Albert Cashier as Regarded by His/Her Comrades," *Illinois Historical Journal* 82, no. 2 (March 1989): 108–12.

press. His story, as well as a double photograph depicting Cashier at age 21 and age 70 gained a great deal of local and national attention.[17]

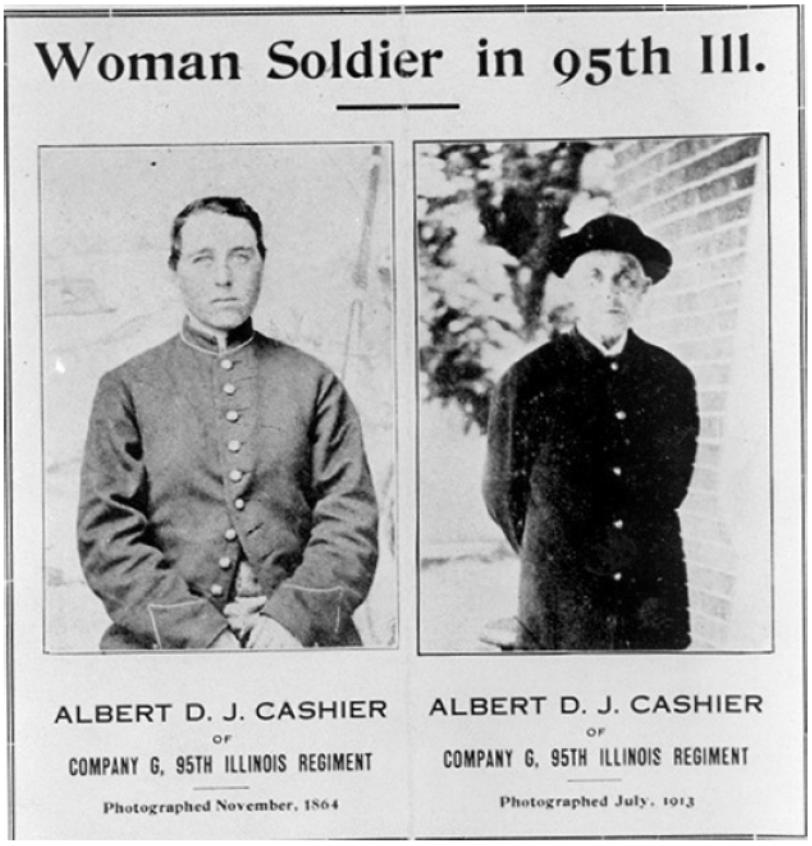

Figure 2. 1. Albert D. J. Cashier at age 21 and age 70.[18]

In the spring of 1914, Cashier was transferred from the veterans' home to the State Hospital for the Insane at Watertown, Illinois, the doctors citing his deteriorating mental condition and memory loss as the reasons for the move. For the last year of his life, Cashier was placed on the women's ward at the state hospital and issued a dress to wear. A nurse at the hospital reported that Cashier "would pull his skirt between his legs

[17] "Played Man All Her Life: Woman Masquerader's Sex Revealed After Sixty Years," *New York Times*, March 29, 1914; "Posed as a Man 60 Years," *Washington Post*, March 29, 1914.
[18] Davis, "Private Albert Cashier as Regarded," 111.

and pin it together to make pants."[19] His wartime comrades who visited him at Quincy and then at Watertown noted his distress and embarrassment at this predicament. Cashier died at the Watertown hospital on October 11, 1915. His fellow veterans ensured that he received a military funeral and was buried in his soldier's uniform with the name Albert D.J. Cashier engraved on the headstone above his grave.[20]

While many of Cashier's contemporaries regarded him as Albert before and after his gender history was leaked to the press, scholars typically have not afforded him this courtesy. For example, Elizabeth Leonard's history of women in the Civil War armies recounts Cashier's biography. Throughout the text, Leonard consistently uses the name Jennie Hodgers and feminine pronouns to recount every aspect of Cashier's life. When describing how a hospital nurse (who was well aware of Cashier's anatomy) referred to Cashier as "he," Leonard draws the reader's attention to what she deems the nurse's "obvious confusion of pronouns."[21] Recounting this individual's biography from childhood to army service to old age using the name Jennie Hodgers produces a neat and linear narrative that avoids confusion. Yet we lose something in the neatness of this narrative. A "confusion of pronouns" holds the potential to present a more accurate portrait of Cashier's complicated gender trajectory.

Jennie Hodgers was indeed this person's name in her childhood and early adolescence. But to write of the teenage farm boy as Jennie Hodgers is to reject the identity he adopted for himself at a formative stage of his life. To write of the soldier and

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[19] Sue Cummings, "Cashier Battled Confederates; Then She Fought Social Rules," in the Albert D.J. Cashier Papers, Dwight Historical Society, Dwight, Illinois, quoted in Leonard, *All the Daring of the Soldier*, 189.

[20] Pension File C 2,573,248 (Albert D.J. Cashier, Pvt, Co. G, 95th Illinois Infantry), Civil War and Later Pension Files, Records of the Department of Veterans Affairs, Record Group 15, National Archives, Washington, DC; Gerhard P. Clausius, "The Little Soldier of the 95th: Albert D. J. Cashier," *Journal of the Illinois State Historical Society (1908-1984)* 51, no. 4 (1958): 380–87.

[21] Leonard, *All the Daring of the Soldier*, 189.

veteran as Jennie Hodgers is to reject everything he did in the world for fifty years. To write of the aging man as Jennie Hodgers is to see him through the eyes of the asylum staff, not through his own eyes. To write of the frail hospital patient as Jennie Hodgers is to reproduce the same violent rejection of his male identity that was inflicted on him in 1914. Assigning Cashier to the women's ward in the state hospital and giving him skirts to wear was not a benign act. For him, it was a nightmare, and only the kindness of some of the nurses and fellow veterans (and perhaps Cashier's own fading awareness of his surroundings) blunted the pain it caused. In short, to recount the entirety of this person's life as a woman rejects the very possibility that one could transform oneself and move between the social categories of woman and man. That possibility—that movement—was real for Albert D.J. Cashier and countless others in the nineteenth century.

Why have scholars persisted in regarding Albert D.J. Cashier as a woman despite the fact that he lived as a man for half a century? It is no coincidence that women soldiers of the Civil War gained considerable scholarly attention in the 1990s. This scholarship emerged in the context of contemporary debates about the efficacy and appropriateness of assigning women to combat roles in the U.S. military.[22] The thrust of this historical scholarship aims to showcase women's service and bravery in combat.[23] Hence, to regard Albert D.J. Cashier (a brave and proficient soldier) as a woman helps boost the idea that women make courageous and effective combatants. I argue, however, that this does not need to be a zero-sum game. Pursuing a nuanced understanding of the gender trajectories of people like Albert D.J. Cashier does not diminish the contributions of women to the

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[22] For background on contemporary issues of women in combat roles, see Kristy N. Kamarck, *Women in Combat: Issues for Congress*, (CRS Report No. R42075) (Washington, DC: Congressional Research Service, 2015), http://digitalcommons.ilr.cornell.edu/key_workplace/1438/.

[23] For example, Blanton and Cook conclude that women soldiers were as effective in combat as men, Blanton and Cook, *They Fought Like Demons*, 7.

military pursuits of Civil War armies. Understanding that some people like Albert D.J. Cashier not only picked up a musket, but *grew into manhood*, does not compromise or disprove the reality that between 1861 and 1865 countless women engaged in soldierly pursuits, whether in a male uniform or not.

Patterns of gender migration and geographic mobility

While Albert D.J. Cashier built a whole life as a man, many other female-assigned soldiers stepped into manhood temporarily during the Civil War. Thus far, historians have analyzed their stories primarily as a means of understanding the role of women in the military. But their stories also have a lot to tell us about how nineteenth-century individuals understood possibilities for gender migration. Scholars have sometimes argued that Civil War women soldiers were ahead of their time and "very modern" in their quest for independence and their aspirations to serve in the military.[24] I contend that these gender migrants were decidedly of their own time. Individuals who contemplate a transition from woman to man in the twenty-first century rarely have access to narratives or models of gender crossing that make it seem possible or desirable to live full-time as a man for a year and then revert to living as a woman. But the prevalence of semipermanent gender migration during the Civil War provides evidence that nineteenth-century individuals could envision a non-linear trajectory of gender migration.[25]

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[24] For example, see the characterization of Wakeman as "very modern" in Cook Burgess, *Uncommon Soldier*, 10. Similarly, biographers of female-assigned gender migrant James Barry (c.1789–1865) call him "a woman ahead of her time." Barry was a British military surgeon who lived for over fifty years as a man. Michael du Preez and Jeremy Dronfield, *Dr. James Barry: A Woman Ahead of Her Time* (London: Oneworld, 2016).

[25] My use of the term "semipermanent gender migration" draws inspiration from Everett Lee, who defines migration broadly as a "permanent or semipermanent change of residence." Everett S. Lee, "A Theory of Migration," *Demography* 3, no. 1 (January 1, 1966): 49, doi:10.2307/2060063.

Therefore, we must understand this period as a time when individuals could migrate from woman to man and then reverse that movement.

We also cannot ignore the fact that donning a man's uniform and passing as a man for any length of time gave these individuals a unique perspective on life that shaped their post-war activities and lives. Those who went back to womanhood after the war were changed by their wartime experience. They gained more than the experience of raiding and skirmishing; indeed, for many of these soldiers, shooting a gun and riding a horse were hardly new because they had engaged in these activities as women before the war.[26] But they were changed also by the experience of living among men and being accepted as one of the comrades. These experiences had varying effects on the female-assigned soldiers. Some expressed disgust at the way men lived, behaved, and talked in male spaces.[27] Some became increasingly accustomed to life among men and questioned whether they could ever do otherwise.[28] Others believed that they could not continue such a life after the war, but expressed desire to do so if they could.[29]

The geographic mobility of Civil War armies offered girls and women opportunities to pass into manhood. In the antebellum era, geographic mobility was crucial to the success of many gender migrants. Most antebellum gender migrants moved away from the familiar surroundings of their natal communities and went to new locales where they hoped that no one would recognize them. With the coming of the war, army enlistment presented more individuals with a cheap way to journey hundreds of miles.

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[26] Blanton and Cook, *They Fought Like Demons*, 55.

[27] Velazquez, *Woman in Battle*, 55.

[28] "A Strange Story. 'Truth Stranger Than Fiction' Lizzie Compton, The Soldier Girl [from Rochester Union]," *Times-Picayune (New Orleans, LA)*, March 6, 1864.

[29] See entry of April 20, 1865, Julia Wilbur, *Diaries, March 1860 to July 1866* (transcribed by Alexandria Archaeology from the originals held in the Quaker Collection, Haverford College, PA, 2015), 511, https://www.alexandriava.gov/62774#Wilbur.

Upon volunteering, gender migrants would quickly move to camp and then into the field where they were much less likely to run into old acquaintances. Avoiding contact with those who might recognize a gender migrant was a hope, but not a guarantee. For example, a teenage recruit who succeeded in enlisting and going to Camp Curtin in Harrisburg, Pennsylvania, was faring well at camp until a visitor from his home community recognized him while he was standing guard.[30]

Enlistment expanded the opportunities for geographic mobility for those who had limited funds since the army covered the cost of travel. It must be noted that companies in Civil War armies were drawn from local communities, and many soldiers served alongside their friends and neighbors. Yet there was no barrier to entry for strangers who appeared at a recruitment office. Indeed, each unknown volunteer drawn from a neighboring community meant that one fewer local community member had to enlist, so strangers were gladly accepted for enlistment. In war zones, joining a regiment on the march was also an option. When Jack or Lizzie Compton joined the 25th Michigan Infantry as they marched through Kentucky, he did not have to worry that the hundreds of strangers around him would recognize him.

Motivations: love, money, and country

Why did female-assigned individuals take on the male soldier role during the war? Several motivating factors emerge in the sources, including patriotism, love of adventure, and occasionally desire to avenge the death of a loved one. The most common narrative was one of a devoted woman who sought to stay together with her husband, lover, or close relative. For example, loathe to separate from her husband, Elizabeth

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[30] William J. Miller, *The Training of an Army: Camp Curtin and the North's Civil War* (Shippensburg, PA: White Mane Pub. Co., 1990), 59.

Finnern enlisted in the 81st Ohio Infantry to serve alongside him in September 1861. Mary Brown similarly followed her husband into the 31st Maine Infantry in October 1864. Sometimes the husbands disapproved, as was the case with William Lindley who pleaded with his wife Martha to return home. Martha Lindley refused to stay home, took on the name Jim Smith, and proceeded to enlist in Company D, 6th U.S. Cavalry, in Pittsburg, Pennsylvania. However, in most of these cases, it was the male companion's assistance and cooperation that helped female-assigned individuals successfully take on a male identity in the army.[31]

Contemporaries regarded affection and romance as the common reason for female-assigned individuals to enlist in the army and were sometimes surprised by stories that did not conform to this model. For example, in September 1861, the *Harrisburg Patriot & Union* reported that Sophia Cryder joined Company A, 11th Pennsylvania Infantry, "merely in a wild spirit of adventure." The reporter noted that Cryder "did not, *as generally happens in such cases*, enlist to be near the object of her affections," expressing surprise that Cryder's gender crossing was not prompted by love and romance.[32]

Like other Civil War soldiers, most female-assigned volunteers came from working-class backgrounds, and economic factors shaped their decisions to join the army. The letters of Private Lyons Wakeman to his family reveal how economic factors prompted this nineteen-year-old gender migrant to enlist. Wakeman grew up as a working-class girl named Rosetta in Afton, New York. In 1862, Rosetta Wakeman left

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[31] Blanton and Cook, *They Fought Like Demons*, 30–31.

[32] *Harrisburg (PA) Patriot & Union*, September 11 and 14, 1861, as quoted in William J. Miller, *The Training of an Army: Camp Curtin and the North's Civil War* (Shippensburg, PA: White Mane Pub. Co., 1990), 60, italics mine.

her father's farm as a result of conflict with family and possibly other community members. Around this time, this person adopted a male name and identity as Lyons Wakeman. While the details of Lyons Wakeman's departure from home are not entirely clear, it seems likely that his quest for a masculine way of life began while he was still under his father's roof and that Wakeman's gender presentation lay at the root of his conflict with family.[33] Wakeman initially went to work as a coal handler on the Chenango Canal in upstate New York until he met army recruiters in August 1862. Recruiters enticed Wakeman to enlist in the 153rd New York Infantry for three years on the promise of a bounty.

After months of estrangement from his family, Wakeman wrote to his father in November 1862 describing his encounter with the recruiters: "They wanted I should enlist and so I did. I got 100 and 52$ in money."[34] One hundred and fifty two dollars was a significant sum for Wakeman. As a private in the Union army, he then received the standard salary of $13 per month. At this time, wages in New York for working-class men ranged from ten to twenty dollars a month, while women in domestic service could earn four to seven dollars a month, with some laundresses earning up to ten dollars.[35] Hoping to reconcile old hurts, Wakeman wrote, "I want to drop all old affray and I want you to do the same." He immediately promised to send money home to his father, assuring him, "All the money I send you I want you should spend it for the family in

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[33] In October 1863, while serving in the U.S. Army in Washington, D.C., Lyons Wakeman visited two people from home who were stationed nearby: his cousin Perry Wilder and friend William Henry Austin. Wakeman wrote to his parents about the meeting: "They knew me just as Soon as they see me. You better believe I had a good visit with them." It seems, Wilder and Austin recognized Lyons Wakeman and were not shocked to see him in men's clothes. This suggests that Wakeman may have adopted a masculine gender presentation or was known to experiment with male attire before he left home. See Wakeman to father and mother, October 13, 1863, in Cook Burgess, *Uncommon Soldier*, 49.

[34] Wakeman to father and family, November 24, 1862, ibid., 18.

[35] Blanton and Cook, *They Fought Like Demons*, 4.

clothing or something to eat. Don't save it for me for I can get all the money I want."[36] On March 29, 1863, Wakeman again asked his father not to worry about his wellbeing and assured him that he was getting enough to eat. "I am getting fat as a hog," wrote Wakeman from Alexandria, Virginia, "I am the fattest fellow you ever see." Wakeman believed that even after the war, he could continue to help his family. The soldier assured his father, "when I get out of the service I will make money enough to pay all the debts that you owe."[37] His optimistic outlook on his future earnings suggests that he planned to continue living as a man after the war.

Two months later, Wakeman received a letter from his mother that prompted him to reiterate that he cared for his family and would continue to help them financially, but that he had no intention of living in Afton again. "I can tell you what made me leave home," Wakeman wrote in his letter of June 5, 1863, "I got tired of staying in that neighborhood. I knew that I could help you more to leave home than to stay there with you. So I left." When Wakeman wrote that he "got tired of staying in that neighborhood," he was probably referring to strained interpersonal relationships, not describing an aversion to rural life. He dreamed that after the war he might buy a farm "in Wisconsin. On the Prairie." Believing that his departure was "for the best yet," Wakeman confessed, "I am not sorry that I left you." Wakeman was the oldest of nine children, and this clearly endowed him with a sense of responsibility for his family. However, he was determined to take care of his family on his own terms and would not compromise his own needs and desires. "When I get out of this war I will come home and see you but I shall not stay long before I shall be off to take care of my self," wrote Wakeman, "I will help you all I

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[36] Wakeman to father and family, November 24, 1862, *Uncommon Soldier*, 18.
[37] Wakeman to father, March 29, 1863, ibid., 25–27.

can as long as I live." He made it clear that taking care of himself meant moving through the world and dressing as he pleased. He assured his parents: "I don't want you to mourn about me for I can take care of my self and I know my business as well as other folks know them for me. I will dress as I am a mind to for all anyone else cares, and if they don't let me alone they will be sorry for it."[38] Wakeman's letters provide a rare glimpse of a gender migrant's private missives to family and display a strikingly resolute attitude: he would live and dress as he pleased, he would make his own decisions, and he was not averse to confrontation if somebody stood in his way.

When he wrote these lines warning that folks would be sorry if they did not stay out of his business, Wakeman's regiment was still stationed in Alexandria, Virginia, assigned to the defense of the nation's capital. He continued sending money home over the next year, but he never got to visit or help his father pay off his debts. Like the majority of soldiers who died during the war, he was struck down by disease, rather than an enemy bullet. After marching nearly 400 miles and surviving several bloody battles in Louisiana, Wakeman succumbed to dysentery and suffered for over a month. Private Lyons Wakeman died at the Marine U.S.A. General Hospital in New Orleans on June 19, 1864.[39]

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[38] Wakeman to parents, June 5, 1863, ibid., 31.
[39] Ibid., 81–82.

Wakeman mailed this daguerreotype home in 1863 and asked his family, "How do you like the looks of my likeness? Do you think I look better than I did when I was [at] home?"

Figure 2. 2. Lyons Wakeman in 1863, age 20.[40]

Civil War era press reports of female-assigned soldiers rarely mention the way economic factors shaped their decisions. This is an important disjunction from the pre- and post-war years when the press frequently noted that the higher wages paid for men's work were an important consideration for female-assigned gender migrants. With the war raging, narratives of patriotism temporarily displaced narratives of economic need as a key way for the public to understand gender crossing among female-assigned individuals. Gender migrants themselves might have played an important role in this trend.

[40] Cook Burgess, *Uncommon Soldier*.

Female-assigned individuals who were caught in the ranks frequently turned to narratives of patriotic loyalty to explain their motives for adopting a male identity. This was particularly true for those who enlisted without a male companion. The chaplain of the 141st Pennsylvania Infantry recalled how a young gender migrant named Charlie Norton told former comrades that "she was deeply interested in the war, and desired to serve her country in some way, and was obliged to assume the disguise she adopted in order to carry out her plans."[41] A female-assigned soldier named Lou Morris cited patriotic reasons for volunteering and vowed to reenlist upon being discharged from service.[42] In Kentucky, a youth named Jack or Lizzie Compton told a romantic tale of patriotic loyalty when he was caught at a Union camp in 1863. His varying experiences during the war provide an important window into the strategies that gender migrants used to explain themselves (his case is explored in depth in a subsequent section).

In telling stories of patriotism, gender migrants appealed to the wartime sensibilities of their contemporaries. Patriotism alone, however, could not explain their movement from female to male. After all, countless women found ways to support either the Northern or the Southern cause without adopting male identities for this purpose. The fictionalized memoir of Sarah Emma Edmonds, who served as Franklin Thompson in a Michigan regiment, illustrates how gender migrants highlighted patriotism as the main motivation for adopting a male identity. Edmonds, who hailed from Canada, wrote that devotion to her adopted country propelled her to the front where she worked as a nurse and spy. Only months into this account of wartime adventures did Edmonds put on the

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[41] David Craft, *History of the One Hundred Forty-First Regiment, Pennsylvania Volunteers, 1862-1865* (Towanda, PA: Reporter-Journal Printing Co, published by the author, 1885), 102.

[42] Blanton and Cook, *They Fought Like Demons*, 41.

Union uniform as a result of confusion after a spying expedition. The memoir never mentioned the male name the author used when living for five years as a man.[43]

The real life of this author presented a different picture. From the earliest days of the war, he served as Private Franklin Thompson. There is no reason to doubt his patriotism: the record of his/her life and the testimonies of comrades from 2nd Michigan Infantry provide unequivocal evidence that devotion to the Union burned in Thompson's heart. But although Thompson's patriotism moved him to enlist in the army, patriotism did not *cause* him to take on a male identity. He lived as a man for three years before the war's call.

It seems Edmonds hoped that framing her wartime gender crossing as a patriotic service to the Union would help her avoid the accusations of indecency that plagued gender migrants since the antebellum era. She was certainly conscious of the reactions that the memoirs might receive. The "publisher's note" that opened the book appealed to the reader to excuse the author's gender transgressions:

> Should any of her readers object to some of her disguises, it may be sufficient to remind them it was from the purest motives and most praiseworthy patriotism, that she laid aside, for a time, her own costume, and assumed that of the opposite sex, enduring hardships, suffering untold privations, and hazarding her life for her adopted country, in its trying hour of need.[44]

Edmonds pledged to give a substantial portion of the proceeds from the sale of the book to the United States Sanitary Commission to aid wounded and sick Union soldiers, which further proved her strong feelings for the cause and shaped the public perception of her

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[43] Edmonds, *Nurse and Spy in the Union Army*, 120.

[44] The "publisher's note" was printed without attribution to an author and may have been penned by Edmonds herself. Ibid., 6.

actions as driven by patriotism. The book received generally favorable reviews when it came out in 1864 and became very popular, selling approximately 175,000 copies.[45]

Black soldiers and the fight for freedom

In addition to the factors discussed above, a desire to fight for black liberation drove black soldiers into the ranks of the Union Army. Many white female-assigned soldiers found the economic independence and geographic mobility of army life to be personally liberating. But for black gender migrants, enlistment could offer not only personal liberation, but also the hope of abolishing slavery.

As soon as the war broke out, free black men had offered to fight on the side of the Union. Like white soldiers, they spoke of honor and patriotism: "As we consider ourselves American citizens…although deprived of all our political rights, we yet wish the government of the United States to be sustained against the tyranny of slavery and are willing to assist in any honorable way…to sustain the present administration."[46] Northern black communities also volunteered the services of black women. In Boston, black residents agreed that "the colored women could go as nurses, seamstresses, and warriors if need be."[47] While black men's volunteer service was initially rejected, when they finally were able to enlist in 1863, they did so enthusiastically. Black women also participated in armed conflict in the South. Officially enlisting in the Union Army was not necessary for women to participate in guerilla warfare, and black women led and

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[45] EB File 3132 C 1884, Records of the Enlisted Branch 1848-1912, Records of the Adjutant General's Office 1780's-1917, Record Group 94, National Archives, Washington, DC; U.S. House, Committee on Military Affairs, *Franklin Thompson, Alias S.E.E. Seelye*, 3–4.

[46] Letter from Hannibal Guards to General James S. Negley, Pittsburgh (PA) Gazette, April 18, 1861, quoted in James M. McPherson, *The Negro's Civil War: How American Negroes Felt and Acted during the War for the Union* (New York: Pantheon Books, 1965), 19–20.

[47] Benjamin Quarles, *The Negro in the Civil War* (Boston: Little, Brown, 1953), 28.

participated in war-time rebellions without crossing gender borders.[48] The record of black gender migrants' soldierly service as men is exceedingly fragmentary. The stories of William Cathay and George Harris provide an important window into the experience of formerly enslaved black individuals who endeavored to cross gender borders and assume the role of soldier in the 1860s.

Cathay Williams was born near Independence, Jackson County, Missouri, about the year 1844. Her father was a free black man, but her mother was enslaved to a planter named William Johnson. Hence, per Missouri's law, Cathay Williams inherited her mother's status as chattel property and grew up working in her master's house near Jefferson City, Missouri, until the war commenced. Some time during the first year of the war, seventeen-year-old Williams found herself in a Union camp, officially considered contraband of war by the U.S. Army.[49] Thousands of African Americans in Missouri and other slave states fled bondage and flooded the Union camps. Williams may have escaped with friends and family members, or she may have been taken from the plantation by Union troops.[50]

In the army camp, officers wanted to put Cathay Williams to work as a cook, but she protested that, having been a "house girl," she knew nothing of cooking and was not accustomed to that line of work. Nevertheless, Williams was compelled to spend months

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[48] Thavolia Glymph, "Rose's War and the Gendered Politics of a Slave Insurgency in the Civil War," *The Journal of the Civil War Era*, no. 4 (2013): 501–32.

[49] "Contraband" referred to confiscated Confederate property. The term "contraband" had referred to nonhuman property and goods, but in 1861 U.S. Major General Benjamin Butler began classifying escaped slaves as "contraband" and refused to return them to their masters. The practice of confiscating refugee slaves was confirmed by the Confiscation Act of 1861, however, blacks who ran to union lines were sometimes returned to their owners. The Second Confiscation Act was passed in 1862, and Congress declared freedom for all refugee slaves who made it to Union lines and for those employed in the rebellion. James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 355.

[50] "Cathay Williams Story," *St. Louis (MO) Daily Times*, January 2, 1876.

working as a cook and laundress for the white soldiers as the regiment marched through Arkansas and Louisiana. In the course of this work, Williams became accustomed to camp life and had a chance to observe enlisted men in their daily drills and activities. She observed soldiers burning cotton fields and was likely exposed to other combat situations while the regiment was on the march. If Williams had a desire to enlist as a soldier, she lacked the opportunity to do so during the war. However, these experiences helped convince Williams that she could change her identity and become a soldier.[51]

After the war, the volunteer regiments were mustered out, and the army set about reorganizing regular troops. Six segregated, all-black regiments were established in 1866 (they would later become known as Buffalo Soldiers due to their service in conquering Indian country in the Great Plains and the Southwest). Williams heard that one of these regiments was recruiting in St. Louis. At this point, Cathay Williams reversed her name to William Cathay and applied for enlistment as a man. Two other soldiers in the regiment knew William Cathay's secret: his cousin and his friend who had known Cathay Williams as a woman before 1866. They helped convince the prospective soldier that enlisting was feasible.[52] The strategy of enlisting alongside male relatives was one that both black and white gender migrants used in this period.

William Cathay was mustered into service with Company A, 38th U.S. Infantry, on November 15, 1866, and served for two years. The recruiting officer described him as 5 feet 9 inches tall (one of the tallest recruits in his company) with black eyes, black hair, and black complexion. During his enlistment, he marched nearly a thousand miles from

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[51] Ibid.

[52] Pension File 1,032,593 (William Cathay, Pvt, Co. A, 38th U.S. Infantry), Civil War and Later Pension Files, Records of the Department of Veterans Affairs, Record Group 15, National Archives, Washington, DC; "Cathay Williams Story."

Missouri to Kansas to New Mexico, but his company did not see battle. Serving with the all-black regiment meant that William Cathay did not have to cook and wash for a regiment of white soldiers anymore. Cooking and laundering for whites were the main occupations open to black women in the post-war years. By enlisting as a man in the army, William Cathay not only avoided the drudgery of women's work but also the servitude that newly freed African Americans sought to escape in this period.[53]

In 1868, after living as a man for two years, William Cathay decided that he was done with camp life and wanted to quit the regiment. He did what many other soldiers have done to obtain a discharge—he feigned illness. He told his commanding officer that he felt unwell and complained of pains in his side and knees. He was sent to the hospital at Fort Bayard in New Mexico for medical examination. The doctor discovered Cathay's sex and the secret was out. Although soldiers at Fort Bayard now knew about Cathay's transgender practices, the medical officer decided not to record this information in Cathay's file. With the approval of Cathay's commander, the medical officer issued him a discharge on account of disability. William Cathay was mustered out in October 1868 and subsequently reverted back to living as a woman in northern New Mexico and later settled in Trinidad, Colorado.[54]

Years later while living as a woman, Cathay Williams recounted how poorly fellow soldiers treated her once they were told that she was a woman passing as a man. "The men all wanted to get rid of me after they found out I was a woman. Some of them acted real bad to me," recalled Williams in 1876.[55] Williams's recollections raise the

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[53] DeAnne Blanton, "Cathay Williams, Black Woman Soldier, 1866-1868," *Minerva: Women & War* 10, no. 3 (November 1992): 1–21.

[54] Ibid.; Pension File 1,032,593 (William Cathay).

[55] "Cathay Williams Story."

question of how black gender migrants might have been treated by their fellow soldiers in the all-black troops. In white regiments, soldiers displayed a variety of reactions to discovering gender migrants in the ranks, ranging from paternalistic care to annoyance and anger at being deceived. The reactions of Cathay Williams's black comrades may have been similarly varied. Yet it is striking that eight years later, Williams distinctly remembered the harsh reaction of her former comrades. Few white gender migrants spoke of such experiences in the post-war years. Particularly, white soldiers who had served for extended periods of time tended to earn some measure of respect from their fellow soldiers, while those who were quickly discovered after entering the ranks were more likely to be treated poorly upon discovery.

For African American soldiers in the 1860s, service in the army was deeply tied to claims to citizenship that had previously been open only to white men. Proving one's soldierly mettle went beyond proving one's manhood as an individual. This is part of the reason why the so-called Buffalo Soldiers achieved the lowest desertion rate in the country. Black soldiers carried the responsibility of proving the manhood of their race, and each of them was conscious that his own individual performance and appearance represented African Americans as a collective. Thus, from the perspective of the Buffalo Soldiers, the gender transgressions of one private might reflect poorly on the whole regiment and on the race. This probably shaped their reactions to Cathay's story, and thus some of the black soldiers may have been particularly dismayed to hear that a person who camped, marched, and drilled alongside them for two years was female. For the soldiers of the 38th U.S. Infantry regiment, a female private was likely not only a curious story to tell around campfire, but a personal affront and collective embarrassment.

The story of George Harris, a.k.a. Maria Lewis, provides a contrast to Cathay Williams's experience. Maria Lewis was a black teenager who escaped from slavery and ran to Union lines in Albemarle County, Virginia. It is unclear how long Lewis stayed at a contraband camp, but she soon became accustomed to camp life and excited by the idea of picking up a musket to fight for the Union. Some time in late 1863, Lewis took on the name George Harris and joined the 8th New York Cavalry—a regiment on the march in the Army of the Potomac.

The 8th New York Cavalry was a white regiment with members primarily from the Rochester area in New York State. Thus, George Harris not only crossed gender borders, but simultaneously crossed the color line to enlist in a white regiment. It seems that his physical appearance allowed him to pass as a white man and gain the kind of freedom that Cathay Williams's darker skin did not allow. In 1863, as Cathay Williams washed white men's clothes in a Union camp, George Harris mounted a saddle and picked up a musket to fight for freedom. Many white gender migrants relished the independence that donning a man's uniform gave them. For George Harris, the uniform carried a deeper meaning, because it allowed him not only to gain the independence of manhood, but also to contribute to the fight to end slavery and gain freedom for his race. In this way, passing as a white man helped Harris fight for black freedom. However, George Harris also reported being a victim of anti-black violence while in uniform on the streets of Washington, D.C., suggesting that people read his race differently in different contexts.

Riding in the front ranks, Harris was gratified to find the action he sought on the battlefield and proud to taste victory in the closing months of the war. On March 2, 1865,

the 8th New York Cavalry participated in the battle of Waynesboro, Virginia, dealing a decisive defeat to Lieutenant General Jubal Early and destroying the last Confederate army in the Shenandoah Valley. The Union forces captured nearly a thousand POWs and seventeen Confederate flags.[56] A group of officers from the 8th New York Cavalry then rode to Washington in late March to ceremoniously present the captured flags to Secretary of War Edwin Stanton. George Harris came with them, but it is not clear from the historical record whether or not he was part of the ceremony.

It was here in Washington that George Harris met Julia Wilbur, who recorded his story in her diary. Wilbur was a Quaker abolitionist and teacher who came to Alexandria, Virginia, to do relief work with black refugees during the war. Hailing from Rochester, New York, Wilbur knew several officers in the 8th New York Cavalry, and one of the officers introduced her to George Harris. Wilbur noted in her diary on April 4, 1865, "A colored woman has been here who has been with the 8th N.Y. Cav. for the last 18 months. … She wore a uniform, rode a horse & carried a sword & carbine just like a man. The officers protected her, & she was with them mostly."[57] Wilbur's notes suggest that select officers knew the secret of George Harris's double passing. They may have helped him enlist in the regiment knowing his background from the start. Whether they knew Harris's secret from the time of his enlistment or discovered it later, the officers' cooperation and protection evidently helped him continue serving in the regiment for eighteen months. According to Wilbur, the rest of the soldiers in the regiment only knew him as George Harris.

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[56] Richard G. Williams, *The Battle of Waynesboro* (Charleston, SC: The History Press, 2014).
[57] Entry of April 4, 1865, Wilbur, *Diaries, March 1860 to July 1866*, 497.

Wilbur was impressed by the "good looking young soldier" and enthralled by Harris's stories of scouting, skirmishing, destroying bridges and railroads, and burning houses and mills. The soldier was only seventeen years old, but was "very muscular and strong" and enjoyed good health. Upon their initial meeting, Wilbur noted that Harris was ready to "return to womanly ways & occupations" with Wilbur's assistance. Wilbur was happy to provide a "chemise, petticoat & hoops" and promised to help the teenager find "a good place to work."[58]

If Harris considered making a transition back to womanhood, that transition was certainly not instantaneous. Despite the fact that Wilbur wrote in her diary on April 4, 1865, that the soldier had "doffed her uniform" and accepted the women's clothes that Wilbur supplied, Harris continued to occupy an ambiguous gender position for weeks after this meeting.[59] For instance, sixteen days later, Wilbur noted that Harris stopped by and was wearing his Cavalry uniform. Harris was ambivalent about leaving service and told Wilbur that "the Army is no place for a woman, but if she was a man she [would] stay there as long as she lives."[60] The 30-day furlough that allowed Harris and his comrades to come to Washington gave him time to think about his options.

On April 14, 1865, during George Harris's time in Washington, John Wilkes Booth assassinated President Lincoln, casting a shadow over the Union's impending victory and intensifying tensions in the capital. Harris's cavalry uniform did not protect him from violence on the streets of Washington. On April 22, Harris got into a scuffle with an angry white Southerner. Wilbur's notes about the incident suggest that the white Southerner directed racial violence at George Harris because he perceived Harris to be

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[58] Entry of April 4, 1865, ibid.
[59] Entry of April 4, 1865, ibid.
[60] Entry of April 20, 1865, ibid., 511.

black. Wilbur reported, "Yesterday morning Geo. was struck by a low secesh white man in the street & her eye is bruised considerably. They vent their spite on the colored people whenever they dare. There is a terrible spirit manifested by the negro haters."[61] Wilbur recorded these lines as George Harris sat in her house taking in a lesson from Wilbur's sister Frances. Evidently, Harris's bruised eye did not stop him from coming by to learn how to read.

Importantly, in this entry of April 23, 1865, weeks after their first meeting, Wilbur referred to the soldier using his male name and female pronouns. The way Wilbur referred to Harris evolved. After their initial introduction, Wilbur wrote, "She was called Geo. Harris, but her real name is Maria Lewis."[62] Later, Wilbur would write, "Geo. Harris, alias Maria Lewis," placing his masculine name first and treating the female name as a secondary alias.[63] Subsequently, Wilbur dropped the female name altogether and referred to the soldier as "Geo. Harris" or simply George.[64] This shift took place as Wilbur continued to get to know Harris better, and it might signify Wilbur's developing understanding of Harris as a gender ambiguous young person who was deeply attached to his masculine identity.

It is not clear whether Harris continued to live as a man. He may have returned to service with his regiment. Wilbur's notes about him end around the time when the members of the 8th New York Cavalry finished their 30-day furlough and went back to service. Although Harris lamented to Wilbur that continuing in the army seemed impossible when they first met, he was still wearing a man's uniform during their last

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[61] "Secesh" was an epithet Northerners used to describe Southern secessionists. Entry of April 23, 1865, ibid., 513.

[62] Entry of April 4, 1865, ibid., 497.

[63] Entry of April 20, 1865, ibid., 511.

[64] Entry April 23, 1865, ibid., 513.

meeting. He had already persevered through significant obstacles, and he may have found a way to continue living as a man. The mobility he gained as a soldier with the white regiment allowed him to travel a hundred miles away from home. And fighting alongside the white soldiers and officers provided Harris with an intimate view of white men's social world. Whatever Julia Wilbur's perspective on George Harris's continued adherence to a masculine gender presentation, Harris was in a position to try and turn his mobility and inside knowledge into a long-term gender migration.

Enlistment: gender migrants encounter state agents

George Harris joined a regiment on the march and probably avoided a doctor's inspection with the commanding officer's help. Many other gender migrants officially enlisted at recruitment offices. The Civil War presented many female-assigned individuals with their first opportunity to pass the enlistment process. The regulations that governed the recruiting of soldiers into the United States Army prior to the Civil War included stringent medical exams that presented virtually insurmountable obstacles for individuals whose bodies lacked fully-formed male genitalia. The regulations and qualifications for enlistment did not change with the coming of the military conflict. However, the lax enforcement of Army regulations during the war opened the door for some female-assigned individuals to pass into military service.

United States Army regulations outlining eligibility for enlistment changed little in the twenty years leading up to the Civil War. The *General Regulations for the Army of the United States* issued in 1841 stipulated:

> All free white male persons, above the age of 18, and under 35 years, being at least 5 feet 5 inches high, who are effective, able-bodied citizens of the United

> States, native or naturalized, sober, free from disease, and who speak and understand the English language, may be enlisted.[65]

By the time the first shots were heard at Fort Sumter in 1861, recruits were no longer required to be citizens of the United States, and only the phrase "good character and habits" was added to describe the qualities the army desired in soldiers. Soldiers were required to be 18 to 35 years of age at the time of enlistment. A minor under the age of 21 had to obtain the consent of "his parent, guardian, or master" to enlist. Boys as young as 12 could enlist as musicians, and indeed, this regulation helped several beardless female-assigned individuals to join the army as buglers or drummer boys.[66]

Potential recruits had to be examined by two individuals who decided their eligibility: the recruiting officer and the medical officer. The recruiting officer explained the terms of enlistment, interviewed the recruit to ascertain his age and moral character, and visually inspected the recruit's stature. The recruit was not required to provide any paperwork verifying his identity. Instead, it was the responsibility of the recruiting officer to use his best judgment to assess the truthfulness of the recruit's claims. Army regulations especially cautioned that "recruiting officers must be very particular in ascertaining the true age of the recruit" to avoid enlisting minors without parental consent.[67] The medical officer's job was to conduct a thorough physical exam to find "all

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[65] See Reg. 687, United States War Department, *General Regulations for the Army of the United States, 1841* (Washington, DC: J. and G. S. Gideon, 1841), 121.

[66] For citizenship and "good character" requirements updated in 1857, see Reg. 1299, United States War Department, *Regulations for the Army of the United States, 1857* (New York: Harper & Brothers, 1857), 423. See also Reg. 927, 929, 931, and 968, United States War Department, *Revised Regulations for the Army of the United States, 1861* (Philadelphia, PA: J.G.L. Brown, 1861), 130, 138.

[67] See Reg. 1301, United States War Department, *Regulations for the Army of the United States, 1857*, 423.

bodily defects and mental infirmity" that might make the recruit unfit for military service. The medical examination was to be conducted in the presence of the recruiting officer.[68]

Army regulations did not outline the techniques that medical officers would use to conduct the physical exam, but they did stipulate that the recruit had to remove all of his clothing. The sole regulation addressing the physical exam read thus:

> In passing a recruit, the medical officer is to *examine him stripped*; to see that he has free use of all his limbs; that his chest is ample; that his hearing, vision and speech are perfect; that he has no tumors, or ulcerated or cicatrized legs; no rupture or chronic cutaneous affection; that he has not received any contusion, or wound of the head, that may impair his faculties; that he is not a drunkard; is not subject to convulsions; and has no infectious disorder that may unfit him for military service.[69]

The army formulated this regulation in the antebellum period. During the Civil War, this language continued to govern the recruitment examinations of Union soldiers. The Army of the Confederate States adopted this language wholesale into their regulations as well.[70]

In 1858, the Adjutant General's Office issued guidelines in a *Manual of the Medical Officer of the Army of the United States*. Charles Stuart Tripler, the army surgeon who penned the manual, lamented the "want of some standard and guide in the inspection of recruits."[71] Tripler and other medical professionals of the time noted that U.S. Army regulations gave very little guidance on this question and in no way compared to the detailed guidelines issued by European governments of the time (most notably

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[68] Theodric Romeyn Beck and John B. Beck, *Elements of Medical Jurisprudence*, 11th ed., vol. 1 (Philadelphia, PA: J.B. Lippincott, 1860), 110.

[69] Reg. 1135, United States War Department, *Regulations for the Army of the United States, 1857*, 246, italics mine.

[70] Reg. 1261, United States War Department, *Revised Regulations for the Army of the United States, 1861*, 285; Reg. 1192, Confederate States War Department, *Regulations for the Army of the Confederate States, 1864*, 3rd ed. (Richmond, VA: J.W. Randolph, 1864), 236.

[71] Tripler translated the *Aide-Mémoire Médico-Légal de L'Officier de Santé* for the French Army and used it as a basis for his own manual, see Preface in Charles Stuart Tripler, *Manual of the Medical Officer of the Army of the United States, Part I: Recruiting and the Inspection of Recruits* (Cincinnati, OH: Wrightson, 1858), n.p..

France). In writing the instructions for American medical officers, Tripler looked to French army regulations and medical manuals.[72]

Tripler's instructions to medical officers left no doubt as to the level of undress required of the recruit. A prospective soldier was to bathe himself immediately before the physical exam and present a perfectly naked body for the doctor's inspection. The army surgeon was to check the recruit's body for signs of skin infection and varicose veins. Then the surgeon would turn attention to the recruit's groin, not only visually inspecting, but also poking and prodding the recruit's genitals with his hands. Of particular concern was hernia—a relatively common affliction that constituted grounds for rejection. Tripler instructed medical officers to search for signs of a developing hernia in this manner: "While the arms are extended above the head, the surgeon should carry a fold of the scrotum upon the point of the forefinger *into* the external ring and as far up the inguinal canal as practicable and then cause the man to cough."[73] Such procedures precluded any possibility of a female-assigned individual passing through the army's medical inspection undetected.

Recruiting officers and surgeons working at the recruiting stations had every reason to comply with army regulations in peacetime. Penalties for non-compliance became increasingly serious in the 1850s, and medical officers who passed unfit soldiers into service faced not only damage to their reputations, but also financial penalties. Non-compliance would hardly go undetected because recruits would undergo at least one or

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[72] Beck and Beck also wrote that the American regulations did not compare in minuteness of detail to the French Code de la Conscription, Beck and Beck, *Elements of Medical Jurisprudence*, 1:110.

[73] Tripler, *Manual of the Medical Officer*, 76, italics in original.

two more physical exams in the process of entering the service.[74] Indeed, in the 1850s, the vast majority of applicants were rejected in the course of their examination. In 1852, for example, 16,064 applicants were examined, but only 2,726 (less than seventeen percent) made the cut and were enlisted into service. Army surgeons often cited varicose veins, hernia, and hemorrhoids as reasons for rejection—this illustrates that they closely inspected recruits' naked legs and groin. Over three thousand applicants were rejected for being under age in 1852 (by far the most common cause of rejection), and about eighteen hundred were found to be under size. Wartime need for soldiers would bring many smaller and younger men into the service, and this dynamic aided many female-assigned individuals in passing into the ranks.[75]

While these regulations guided the enlistment of the approximately 16,000 soldiers who made up the regular U.S. troops in January 1861, the army medical department was ill prepared to deal with the imminent war. In April 1861, when President Lincoln issued the call for 75,000 volunteers to enlist for three months in order to suppress the rebellion, the medical department had only 98 surgeons on staff (having lost 27 who seceded with the Southern states or were dismissed for disloyalty). Governors rushed to appoint local doctors as medical officers to examine the volunteer soldiers. Many state-level appointees were unfamiliar with army regulations, had never seen Tripler's medical manual, and lacked the training and competency required to fully examine recruits. Accusations of widespread incompetency plagued the medical department and caused some embarrassments in 1861, but the United States Sanitary

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[74] If a subsequent examination revealed that a recruiting or medical officer neglected his duties and failed to fully examine the recruit, then the soldier would be dismissed, and the officer at fault would have to pay the army back for the soldier's clothing and salary, Beck and Beck, *Elements of Medical Jurisprudence*, 1:110–11.

[75] Ibid., 1:112–14.

Commission estimated that 7 out of 8 surgeons conducting exams had adequate training and knowledge to do their task properly in accordance with army standards.[76]

The larger problem was one of time. Some medical officers were called upon to rapidly review hundreds of recruits per day, examining as many as ninety recruits per hour. Even those who knew proper procedures had no choice but to take shortcuts under these circumstances. By mid-1861 reports coming in from the field showed that soldiers were frequently incapacitated by hernia and other conditions they had developed *before* entering service—conditions that should have been detected by a proper physical exam.[77]

The situation became even more severe in August 1861 when President Lincoln called for another 300,000 men to enlist (or reenlist) for three years or the duration of the war. Some of these three-year regiments were raised in a matter of days and rushed to the front. Unlike the early days of April, when three-month volunteers outnumbered the state quotas for soldiers, enlisting men for the long haul proved more difficult. Recruiting officers worked under pressure to fill quotas and could not afford to turn away volunteers. Thus, recruiting officers put pressure on surgeons to accept the vast majority of men who volunteered. [78]

By October 1861, inspectors of the United States Sanitary Commission were astonished to discover that 53% of disability discharges from the Army of the Potomac were issued to soldiers "on account of disabilities that existed at and before their enlistment, and which any intelligent surgeon ought to have discovered on their

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[76] Adams, *Doctors in Blue*, 4, 11.
[77] Ibid., 11–12.
[78] Ibid., 12–13.

inspection as recruits."[79] The Sanitary Commission also determined by December 1861 that in 58% of the regiments they investigated "there had been no pretense of a thorough inspection of recruits on enlistment" and fewer than one in ten recruits were thoroughly reexamined after they were mustered in.[80]

As the war wore on, the Army Medical Department and State Surgeon Generals worked to hire more staff and institute more thorough medical exams. Yet the provisions of the draft act of 1863 once again pushed examiners to become lenient and accept as many volunteers as possible to minimize the number of soldiers enlisted through involuntary conscription.[81]

Gender migrants who sought to enlist as soldiers would have faced one of three types of experience. First, some were probably lucky enough to avoid the medical exam altogether. Although not the most common circumstance, evidence exists that some regiments were mustered into service without any medical inspection whatsoever. For example, in Chicago, one farcical medical examination consisted of the surgeon looking on as a whole regiment paraded past him in the rain.[82] In Indianapolis, Orville Thomson, a soldier in the 7th Indiana Infantry, recalled the rushed enlistment of August 1861:

> The muster-in…was somewhat in the nature of a farce; no medical or physical examination; the mustering officer hastily passed along the line, taking a look at each individual as he passed, and, without other ceremony, mustered the regiment into the United State's service—'for better or for worse,' as a woman takes a husband.[83]

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[79] United States Sanitary Commission, *A Report to the Secretary of War of the Operations of the Sanitary Commission, and upon the Sanitary Condition of the Volunteer Army, Its Medical Staff, Hospitals, and Hospital Supplies* (Washington, DC: McGill & Witherow, December 1861), 15.

[80] Ibid., 14.

[81] Adams, *Doctors in Blue*, 43.

[82] Ibid., 12.

[83] Orville Thomson, *Narrative of the Service of the Seventh Indiana Infantry in the War for the Union* (ca. 1900; repr., Baltimore, MD: Butternut and Blue, 1993), 42.

At least six Indiana regiments counted female-assigned individuals among enlisted soldiers, and it is possible that some of them shared Thomson's experience.[84]

Second, some female-assigned volunteers may have faced the startling prospect of stripping in front of the medical officer. To add to the embarrassment, recruits were often stripped and examined in groups in the interest of time. For example, a male-assigned soldier named Samuel North wrote home about his discomfort at the group physical exam at Camp Curtin in Harrisburg, Pennsylvania: "We were stripped, and brought out simply into an open tent in view of the whole company and we were felt and fingered all over, though he left me off very easy…I would have given five dollars to have gotten clear."[85] Evidence of female-assigned individuals discovered as a result of stripping is extremely limited, but such a situation may have occurred in Tennessee. Henry Schelling of Company F, 64th Illinois Volunteers, wrote to a friend from Giles County, Tennessee, on November 21, 1863: "we enlisted a new recruit on the way to Eastport. The boys all took a notion to him. On examination, he proved to have a Cunt so he was discharged. I was sorry for it, for I wanted him for a Bedfellow."[86] Schelling's brief description of the incident leaves room for multiple interpretations. Perhaps the prospective soldier actually underwent a physical examination that revealed female genitalia. It is also possible that the unnamed recruit's sex was revealed without taking off his trousers, and that Schelling (who was often preoccupied with sexual activity in his letters) simply used the words

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[84] For female-assigned individuals who made it into the ranks of 12th Indiana Cavalry, 66th Indiana Infantry, 2nd Indiana Infantry, 13th Indiana Infantry, 13th Indiana Cavalry, and 33rd Indiana Infantry, see Blanton and Cook, *They Fought Like Demons*, 28, 37, 99, 111, 124–25, 200.

[85] Samuel North, letter to his brother, quoted in Miller, *Training of an Army*, 59.

[86] Henry Schelling to "Friend William," November 21, 1863, quoted in Thomas P. Lowry, *The Story the Soldiers Wouldn't Tell: Sex in the Civil War* (Mechanicsburg, PA: Stackpole Books, 1994), 35.

"proved to have a Cunt" as a euphemism to note that the recruit was a woman and a desirable bedfellow.

Reports of female-assigned individuals discovered by army surgeons rarely mention exactly how such a discovery took place. For example, in September 1864 an Ohio newspaper reported that a young girl attempted to enlist and "her secret was discovered when she went before the surgeon," but the author does not mention whether the young recruit's body was exposed at the medical examination.[87] The female-assigned individuals who were told to strip by the medical officers knew that the examination would reveal their secret. Faced with this prospect, some may have decided to explain their story to the officer rather than take off their clothes. Many would be turned away at this point. But sometimes female-assigned individuals entered the army with the knowledge and consent of the recruiting and medical officers. These were typically women who wanted to follow their husbands into the army. For example, in Pennsylvania, Hattie Martin was determined to follow her husband into the army. Martin "made known her sex to the examining surgeon, and at her earnest solicitation he accepted her as a recruit," reported the Pittsburgh *Evening Chronicle* in October 1861.[88] In this case, the surgeon helped the newlyweds stay together when he allowed Martin and her husband to enlist. Similarly, in 1862, Marian Green prevailed on the examining surgeon to let her follow her fiancé and enlist in the 1st Michigan Engineers and Mechanics. The surgeon of the 12th Indiana Cavalry also allowed a woman to enlist and serve as his assistant—that woman was his own wife.[89]

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[87] "A Young Girl," *Cincinnati (OH) Enquirer*, September 16, 1864.

[88] "Another Pennsylvania Amazon," *Pittsburgh (PA) Evening Chronicle*, October 9, 1861, quoted in Blanton and Cook, *They Fought Like Demons*, 28.

[89] Blanton and Cook, *They Fought Like Demons*, 28.

While the recruits' encounters with medical officers ranged from nonexistent to thorough full-body exams, the majority of enlistment experiences fell somewhere in the middle. Like other recruits, gender migrants who wanted to enlist in the army were likely to encounter a third type of experience: a cursory examination by the recruiting officer and the surgeon that did not involve stripping, but did bring a limited level of scrutiny to the recruit's body.

Some recruits were asked to show their hands and feet to the examining surgeon. This was the experience of Private Albert D.J. Cashier when he enlisted in the 95th Illinois Infantry on August 3, 1862, for three years. Although Cashier did not report the details of his examination, another soldier who was examined alongside him recalled that they were not asked to strip: "All that we showed was our hands and feet."[90] Private Franklin Thompson also recalled after the war that the recruiting officer asked him to show his hands and inquired, "Well, what sort of a living has this hand earned?" Thompson said that his hand had been primarily engaged in getting an education. This was untrue: this nineteen year-old volunteer had grown up working on her father's farm, then shortly worked as a milliner, and then took on a male identity and spent three years working as Bible salesman before the war. Thompson probably feared that the examining officer might perceive his hands as delicate.[91]

Medical officers would visually assess the recruit's stature, and they could easily do this without asking the recruit to strip. Height was one physical attribute of physical fitness that was explicitly governed by army regulations. At peacetime, the usual height requirement for recruits hovered around 5 feet 5 inches. However, height regulations

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[90] Pension Application File C 2,573,248 (Albert D.J. Cashier).
[91] Dannett, *She Rode with the Generals*, 52.

shifted frequently, especially in time of war, to accept shorter men into the ranks.[92] During the Civil War, the height requirement was lowered to 5 feet 3 inches, but shorter men were also routinely accepted into the ranks. The acceptance of shorter men into service had a direct effect on the ability of female-assigned individuals to enlist because many of them were rather short. For example, Franklin Thompson was initially turned away for being too short, but then was accepted on his second try. Albert D.J. Cashier was known as the smallest soldier in his company, standing at about 5 feet tall.[93] Lyons Wakeman was about the same height as Cashier and had no problem enlisting.[94]

Surgeons who read Tripler's medical manual had reason to believe that short men like Thompson, Cashier, and Wakeman would make fine soldiers. Tripler translated a passage from the French army manual *Aide-Mémoire Médico-Légal de L'Officier de Santé* that drew attention to the shifting needs of modern warfare: "In the present time…the fate of battle is often decided by fire-arms, to which the hand of a man of six feet does not give more power than the hand of one of five." Tripler argued that shorter men made better soldiers, writing: "Quickness of perception, enterprise, and intelligence, certainly do not depend upon bulk of body, but are found comparatively much more frequently in men of small, than in men of large stature." Short men, Tripler believed, were the most likely to present just the right combination of "shape, activity, and stamina." He wrote that "the quick-witted, active little fellow" who made up in discipline and intelligence what he lacked in physical force, would "make the best and most reliable soldier."[95] Descriptions of Franklin Thompson and Albert D.J. Cashier by their wartime

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[92] Tripler, *Manual of the Medical Officer*, 11.
[93] Pension Application File C 2,573,248 (Albert D.J. Cashier).
[94] Cook Burgess, *Uncommon Soldier*, 1.
[95] Tripler, *Manual of the Medical Officer*, 12–14.

comrades often echoed Tripler's characterization of small soldiers as "quick-witted, active little fellows."

Army regulations specified an "ample chest" as a key desirable physical characteristic for soldiers. Tripler's medical manual devoted considerable attention to the idea that a sizable chest was key for physical fitness and for soldierly endurance. In fact, the sole piece of equipment that the War Department specifically required each regiment to provide for their army surgeon was a measuring tape for the purpose of measuring the chest of every recruit. This meant that even in a quick physical exam that did not require stripping, many competent surgeons of the period would have paid particular attention to the recruit's chest whether through visual inspection or even by measuring the chest with a measuring tape over the shirt. The consequences of such scrutiny could be a mixed bag for female-assigned individuals who bound their chest in the hopes of passing the examination. On one hand, more scrutiny meant more danger of exposure and certainly more discomfort and anxiety for the recruit who was faced with such scrutiny. On the other hand, for surgeons who did not touch or measure the chest but only visually evaluated the recruit's stature, paradoxically, the appearance of a prominent chest would actually help give the impression of masculine physical fitness in the eyes of mid-nineteenth-century surgeons.

It appears that relatively few gender migrants were detected at the point of enlistment into the army. Historians have mostly attributed this to the incompetence and imprudence of recruiters and medical officers.[96] Yet we might also interpret this as evidence of gender migrants' own agency, acumen, and ingenuity in entering army ranks. Gender migrants developed strategies for avoiding situations that might expose their

[96] Adams, *Doctors in Blue*, 13.

secrets. Female-assigned individuals who had taken on the life of a man before the Civil War already had experience operating with caution and resourcefulness. They may have reviewed the enlistment process, asked fellow volunteers about the nature and extent of the medical exams, and worked to identify the local recruitment office that housed the most lackadaisical staff.

Some gender migrants may have also conspired with male-assigned individuals who were willing to undergo a physical exam for them. In 1864, a Bloomington, Illinois, newspaper suggested this was often the case. Citing an unnamed military official in Washington as the informant, the Illinois paper reported that over 150 female soldiers were discovered in the ranks of the Union army, and that in many cases, they enlisted "in collusion with men who were examined by the surgeons and accepted, after which the fair ones substituted themselves and came on to the war."[97] Jack or Lizzie Compton may have employed such a strategy. In March 1864, papers from New York to Louisiana reported that this young soldier "got into the ranks by fraud—taking the place of some person who had passed muster."[98]

Compton's persistence in and out of the ranks

A teenager from Tennessee who marched, camped, or served with as many as seven different regiments during the Civil War, Compton employed a range of strategies to enter the ranks at different points in time. He was a stout youth about 5 feet 1 inch in height with light hair, fair skin, and dimpled cheeks. His birth name was Lizzie Compton, and he was known as Jack while serving with one regiment in Kentucky, but it is possible

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[97] "Female Soldiers," *Pantagraph (Bloomington, IL)*, July 6, 1864.

[98] "A Strange Story. 'Truth Stranger Than Fiction' Lizzie Compton, The Soldier Girl [from Rochester Union]," *Times-Picayune (New Orleans, LA)*, March 6, 1864.

that he used other male names in other units. Like many underage boys who joined the army, he learned to play the bugle and served as a musician. Since the age requirements for army musicians were significantly lower than for other duties, many boys as young as twelve joined the ranks in this capacity. Civil War drummer boys and buglers were not merely entertainers helping to keep up the morale of the troops. Using their instruments, they served the crucial role of communicating commanders' orders to the troops at camp and in the heat of battle. Fresh-faced, beardless young gender migrants like Compton often served in this role. Compton also reported that he performed picket duty and learned to shoot the musket proficiently.[99]

Compton was caught in the ranks multiple times, but was incredibly persistent in reenlisting. He used different strategies to join the ranks: fraudulently taking the place of another soldier who had passed the recruitment examination, tagging along with a regiment on the march, and simply applying at a local recruitment office away from his home community. He was discovered in the ranks twice due to injuries that brought his body to the attention of doctors and nurses. On other occasions, officers became suspicious of his gender without inspecting his body. Compton did not always wait to be apprehended and discharged—he also deserted the ranks when he believed that trouble was near.[100]

The lack of identification documents and the decentralized nature of enlistment paperwork meant that, even after desertion or discharge, Compton could find another regiment and enlist again. He was not the only Civil War soldier who managed to reenlist multiple times—some men did this for financial gain. Known as bounty-jumpers, these

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[99] Ibid.

[100] "A Bold Soldier Girl [from Louisville Journal]," *Patriot (Harrisburg, PA)*, June 4, 1863; "Strange Story. 'Truth Stranger.'"

men would enlist, collect the sign-up bonus offered by the state or federal government, and shortly thereafter desert and travel to another locale to repeat the process.[101] Bounty-jumping was a well-publicized phenomenon, and knowledge of bounty-jumping may have encouraged Compton and other gender migrants in attempting to reenlist multiple times.

Much of Compton's wartime experience revolved around Louisville, Kentucky—a major staging ground for Union troops in the Western Theater. Compton first came to the attention of the press in May 1863 when a patrol officer arrested him near the railroad in Louisville. He was about sixteen years old at the time, and the papers reported that this soldier had served under the name Jack in the 2nd Minnesota Infantry for six months prior to his arrest. Compton was wearing his uniform at the time of the arrest, and it is not clear exactly why the patrol officer became suspicious of him. It appears there was no charge against him for any crime, and his gender transgression was the sole reason for his arrest. His story was not unusual, and upon encountering Compton, a reporter from the *Louisville Journal* opined: "We shall at this rate soon have a battalion of female recruits."[102] (Female-assigned soldiers Franklin Thompson and Frank Martin were also in Louisville right around this time.)

Compton changed his background story several times. At the time of this initial arrest in May 1863, Compton said he grew up in Anderson County, Tennessee, was

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[101] From 1861, the federal government offered soldiers a bounty of $100; in 1864, this amount was increased to $300 and then $400. The bounty was payable upon honorable discharge from service, but starting in 1862, soldiers would receive an advance of $25 at the time of enlistment—this is the sign-up bonus that bounty-jumpers would collect before moving on to another regiment. Several states offered their own bounties in addition to the federal bounty. Robert Fantina, *Desertion and the American Soldier, 1776-2006* (New York: Algora Publishing, 2006), 79–80, 82.

[102] "Bold Soldier Girl."

orphaned at a young age, and was brought up by "strangers."[103] Later, after another arrest in Kentucky, he stated that his parents were still alive, but that he was originally from London, Canada, and that his family still lived in that distant place while he was alone in the United States.[104] By changing his background story, this minor probably hoped to prevent officers from attempting to contact his guardians. After he gained distance from the Western Theater, he once again admitted that he was from Tennessee—he probably felt confident that police officers who apprehended him in upstate New York would not be able to get in contact with his guardians.[105]

Compton's shifting responses to questions about his background illustrate how gender migrants worked to craft a cover story they could deploy strategically at moments of unintended exposure. His initial cover story in May 1863 not only involved "strangers" who brought up an orphaned girl in Tennessee, but described a conflict at home as the root of Compton's gender crossing. This conflict was described in political terms. Compton's guardian Elijah Schermerhorn was "a furious secessionist," while "Lizzie was true to the Union, and with female determination on all occasions asserted her loyalty, until the man attempted to punish her for her fidelity, when she left her home and found her way to a Federal regiment."[106] This report likely combines Compton's own presentation of the story with the journalist's added flair, and it is difficult to parse out the two. Young gender migrants often spoke of conflict at home, but presenting his guardian as not only a mean man, but also a Confederate sympathizer helped Compton gain sympathy for his move to assume a male identity and put on the Union uniform.

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[103] Ibid.

[104] "Another Female Soldier [from Louisville Journal]," *Providence (RI) Evening Press*, January 1, 1864.

[105] "Strange Story. 'Truth Stranger.'"

[106] "Bold Soldier Girl."

Rather than condemnation, the journalist provided a relatively positive portrait of Compton, calling him "bold" and his moral conduct "irreproachable." Even if the political underpinnings of the story were exaggerated or invented by the reporter, this story helped other gender migrants glean a strategy they could use to elicit sympathy when it circulated in the papers. A girl who sought to assume a male identity could learn from the press that a politically charged cover story could be useful in wartime. This narrative of escaping a secessionist bully at home was especially potent in Kentucky—a hotly contested border state.

Within a month of his arrest, Compton was again on the march with another regiment in Kentucky. Compton might be the person described in Benjamin Travis's post-war recollections of the 25th Michigan Infantry. Travis published his book three decades after the war. He wrote that while on the march from Lebanon to Green River Bridge (around June 11 to 14, 1863), a "citizen boy" followed his company. The teenager told Travis that he was really a girl named Elizabeth, hailing from Tennessee, and traveling with the regiment as the doctor's servant. Calling the youth "citizen boy" seems to imply that he was not in uniform. The youth was allowed to hang around camp and stay in a tent with two soldiers for several weeks even though several people at camp, including the regiment's commanding officer, suspected that this person was a girl.[107]

Travis gave a rather negative portrayal of this young person. According to the author, the youth stole a pistol, and this gave occasion for a "sham court martial" headed

[107] Travis relied on his wartime diary to reconstruct the events for his regimental history, but it is not clear whether he recorded the details of this particular incident in his diary or reconstructed this incident from memory alone. Although this encounter with the gender ambiguous youth took place in June-July 1863, Travis interjects the story in the text as a flashback alongside events that took place in the summer 1864. Benjamin F. Travis, *The Story of the Twenty-Fifth Michigan* (Kalamazoo, MI: Kalamazoo Publishing Co, 1897), 85, 321.

up by the company's captain. The youth was tried, found guilty of theft, and sentenced to leave camp as a result of these proceedings. But the teenager did not leave and continued to hang around until the battle of Green River Bridge, after which he was supposedly "found to be robbing the dead" on the battlefield. The boy tried to follow the regiment when it moved out two days later, hiding himself in one of the baggage wagons. Adjutant Prutzman then chased away the teenager, ordering the youth out of the wagon at gun point and promising to "shoot her on the spot." After this, the youth left the regiment. The story of the sham court martial that Travis presented is rather curious. If the boy was not in uniform and merely followed the regiment to hang around camp with soldiers, then a court martial, even a sham one, seems out of place. If such a court martial took place, it suggests that at some point, the boy may have officially enlisted in the regiment, possibly as a musician. It is also possible that the officers staged the court martial merely for their own entertainment.[108]

Another post-war source mentioned the presence of a teenage gender migrant on the march to Green River Bridge. Several historians have connected an 1884 *National Tribune* article "Johnny: Another Girl who was Discovered Wearing the Blue" to the story of Compton because wartime sources place Compton at Green River Bridge.[109] However, as Compton was not the only gender migrant spotted in Kentucky that summer, there is little certainty as to who was the real subject of this article. The 1884 article did not mention the name Lizzie Compton, or any other female name; it only referred to the protagonist as Johnny and recalled that the boy said he was from Pennsylvania. This article gave a positive portrayal of Johnny as a brave and kind youth who tenderly cared

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[108] Ibid., 321–22.

[109] "Johnny: Another Girl Who Was Discovered Wearing the Blue," *National Tribune (Washington, DC)*, September 25, 1884.

for the wounded during the battle of Green River Bridge. The author ascribed to Johnny a range of feminine qualities such as tidiness and excellent cooking skills as well as "tears streaming down her cheeks" when she was questioned about her sex and admitted that she was a girl—a motif seen frequently in mid-nineteenth century narratives where female-assigned gender migrants were confronted about their sex and proceeded to crumble and burst into tears.[110]

This anonymous article in the *National Tribune* and Benjamin Travis's book (published 13 years apart) gave very different portrayals of a gender ambiguous youth in Kentucky. Yet both sources suggest that the presence of gender ambiguous youth at camp may have been tolerated to some degree. Both authors recalled a boy who was suspected of being a girl. Despite being confronted and confirming the officers' suspicions, both protagonists were allowed to remain at camp for some time, wearing male attire, sharing a tent with soldiers, and participating in the daily activities of camp life. Both sources also confirm the presence of a gender ambiguous youth on the battlefield.

According to several wartime sources, Compton was present at the battle of Green River Bridge on July 4, 1863. It was likely here at Green River Bridge that he was wounded, and a surgeon discovered his sex while cutting away his bloody uniform. Following this injury, Compton was sent to an army hospital to convalesce. Once he recovered his health, he was discharged from service. He then quickly proceeded to join another regiment at Bardstown, Kentucky. By the end of December 1863, the *Louisville Journal* reported that Compton was once again discovered in the ranks and escorted from

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[110] Ibid.. In her work on the British popular press in the first half of the twentieth century, Oram finds the same trope: individuals who lived convincingly as men suddenly crumble into tears immediately upon exposure. Alison Oram, *Her Husband Was a Woman!: Women's Gender-Crossing in Modern British Popular Culture*, Women's and Gender History (New York: Routledge, 2007), 66.

Bardstown to the barracks in Louisville to await orders to muster out of service. By this point, Compton had reportedly served in seven different regiments over the course of 18 months and had participated in several battles.[111] Compton was finally sent away from Louisville in January 1864. Evidently he was not the only one. In mid-January, newspapers reported that two female soldiers, both of whom had served in the Union army for over a year, were sent home from Louisville.[112]

Exasperated by Compton's repeated attempts to enlist in Kentucky, the Louisville Police issued Compton a letter of reference bearing the name Lizzie Compton and "commending her to the favor of the railroad superintendents."[113] Compton retained some items from his military uniform and wore pants tucked into high boots as he traveled by train. He headed for New York, determined to continue his masculine way of life.

When Compton applied for an enlistment with the 3rd New York Cavalry at a recruitment office in Rochester in February 1864, recruiters became suspicious of his gender and reported him to the police. The next day a police officer found Compton in a local saloon. Compton did not resist arrest or attempt to flee, but asked the officer's permission to "go out of the saloon unattended" to avoid the embarrassment of looking like a criminal under arrest. At the police station, Compton presented his letter of reference from the Louisville Police, swore that he was "innocent of crime," and said he longed to be back in the army camp. He was advised, however, that New York disguise law "forbade woman wearing man's clothing." Describing his months of military service, Compton said he was "not afraid to die" because he believed he had committed no sin

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[111] "Another Female Soldier."

[112] "Two Female Soldiers," *Pittsburgh (PA) Daily Post*, January 19, 1864, sec. Items.

[113] It is not entirely clear what other information this letter contained; "Strange Story. 'Truth Stranger.'"

that would cause him to "go to a bad place in the next world." Thus, Compton proclaimed his belief that, New York state law notwithstanding, he was innocent of wrongdoing in the eyes of god.[114]

After a year and a half of living, soldiering, and traveling as a man, Compton refused to return to womanhood. "She has instincts of a boy, loves boyish pursuits and is bound to be a man," wrote the *Rochester Union* noting Compton's masculine disposition; "She declares that she may yet be a gentleman, but that she can never be a lady." Compton pleaded with the officers that he "could work in any business a boy could do." This suggests he was not simply enthralled with the idea of fighting for the Union, but hoped to continue to live and work as a man outside of the army as well. When told by the police to abandon his masculine dress, Compton categorically rejected this proposition and insisted that he "would prefer any punishment—death even rather than be compelled to act the part of a woman."[115] On two separate occasions, newspapers reported that Compton asserted a readiness to die rather than give up his masculine pursuits. These assertions display a youthful bravado, yet his statements are also striking when considered in the context of Compton's experiences with death. Like other soldiers, Compton bled and wondered if he would survive when an enemy bullet entered his body. He watched comrades fall never to get up again. He had seen the carnage of war. Perhaps, the police in Rochester understood that Compton was dead serious when he promised to stick with his masculine ways. Compton was allowed to board a train to get out of town rather than going to jail.[116]

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[114] Ibid.
[115] Ibid.
[116] In addition to Rochester, Compton spent some time in New York City. Disheartened by his repeated ejection from the army, he imagined that he could make a living working in P.T. Barnum's

Health risks and sacrifices

When Compton was wounded on the battlefield in Kentucky, a doctor examined him and discovered his sex, leading to his discharge from the ranks. This was a common fate for female-assigned soldiers. Those who did well in passing the recruitment examination and concealing their secret for months or years were likely to be discovered and discharged if they became ill or sustained injuries.[117] This situation had serious implications for the health of gender migrants who hoped to go undetected. Of course, all Civil War soldiers faced risks to their health and their life in the line of duty. But gender migrants who were determined to conceal their secret were particularly vulnerable because they might avoid seeking medical treatment for fear of exposing their transgender practices. The case of Franklin Thompson illustrates the precarious position of sick gender migrants in the ranks.

For a good portion of his army career, Franklin Thompson served as a mail carrier for his regiment, the 2nd Michigan Infantry. On August 28, 1862, as the Second Battle of Bull Run commenced, he rode with mail from Washington, D.C., to Centerville, Virginia. Attempting to cross a muddy ditch in a hurry, he was thrown from his mule and sustained severe injuries. He lost consciousness, and when he finally came to, he felt intense pain in his left side and chest and could not step on his left foot. He was sure it was broken. He managed to climb back in the saddle—thankful that his mule was still patiently waiting for him nearby—and rode to meet the troops in Centerville, enduring "extreme suffering"

American Museum as a female soldier. If he could not succeed for long in keeping his gender crossing a secret, then he might try to profit by putting it on display in the popular freak show. Twice he attempted to apply to Barnum for a job. In January 1865, Compton succeeded in meeting with Barnum, but the showman rejected Compton's services. Compton then turned to theft and was arrested on a charge of petty larceny and confined to the Essex Market Prison in New York City. "Elizabeth Compton, Aged 17 Years," *New York Tribune*, January 30, 1865; "A Card from P.T. Barnum," *New York Tribune*, January 31, 1865, sec. City items.

[117] Blanton and Cook, *They Fought Like Demons*, 94.

on the way. When he finally reached his regiment, he found the surgeon Richard Vickery. However, Thompson "made no report of the accident," but simply told Dr. Vickery that he bruised his leg and wanted "something to rub on it to relieve the pain."[118]

In the next couple of days, Thompson's condition got worse. When he coughed up blood, he realized that he had sustained internal injuries from the accident.[119] Still, Thompson did not report his injuries. Thompson recalled after the war how he feared exposing his chest and concealed his lung injury from the doctor:

> I dared not report the fact nor apply for medical treatment, for the very first thing would have been an examination of my lungs—which to me simply meant 'dismissal from the Service.' Consequently I took the utmost pains to conceal the facts in the case and silently endured all the misery and distress which the unfortunate accident entailed upon me.[120]

Thompson relied on three kind friends in the regiment to distribute the mail for him, bring meals to his tent, and comfort him as he attempted to recover on his own. Later, he confessed to his comrade, "Had it not been for you…I probably should have died in my tent."[121] Thompson refused to go to the hospital. "I felt compelled to suffer in silence," he wrote, "and endure it the best I could, in order to escape detection of my sex. I would rather have been shot dead than have been known to be a woman and sent away from the army under guard as a criminal."[122] For months, Thompson continued to seek pain-

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[118] Sarah Emma Edmonds Seelye to Richard Halsted, September 6, 1897, Michigan in Letters (digital exhibit), materials transcribed from S. Emma E. Edmonds Papers, Clarke Historical Library, http://www.michiganinletters.org/2009/07/sarah-emma-edmonds-seelye_17.html.

[119] Thompson may have suffered from a pulmonary contusion as a result of chest trauma. For information on this condition, see Stephen M. Cohn, "Pulmonary Contusion: Review of the Clinical Entity," *Journal of Trauma and Acute Care Surgery* 42, no. 5 (May 1997): 973–979.

[120] Seelye to Halsted, September 6, 1897, underline in original.

[121] Ibid.

[122] Sarah Emma Edmonds Seelye to Mr. Wedderburn, September 24, 1896, in Pension File 282,136 (Franklin Thompson AKA Sarah Emma Edmonds Seelye, Co. F, 2nd Michigan Infantry), Civil War and Later Pension Files, Records of the Department of Veterans Affairs, Record Group 15, National Archives, Washington, DC.

relieving remedies informally from his friend Samuel Holton, who was a hospital steward.

In the spring of 1863, Thompson fell ill with chills and fever in Kentucky. Although his condition deteriorated for weeks, he was loathe to report to the hospital. He applied for furlough, but his request was denied. Consequently, he deserted the army at Lebanon, Kentucky, and traveled to Oberlin, Ohio, where he could seek medical treatment as a woman away from his regiment. He initially hoped to return to service upon recovery, but this plan did not materialize, and the soldier permanently reverted to living as a woman named Sarah Emma Edmonds (later Seelye by marriage).[123]

Conclusion

Franklin Thompson, who lived as a man for five years before and during the war, went back to living as a woman in 1863. Albert D.J. Cashier was among those who successfully lived the rest of their lives after the war as a man. Countless others, such as William Cathay, adopted manhood and enlisted in the army for months or years in the 1860s and then went back to womanhood as soon as they were discharged from service. Collectively, their experiences illustrate that Civil War era Americans could change their gender and adopt a new identity socially, and many chose to move from woman to man either on a permanent or semipermanent basis. The explosion of stories of wartime gender migration in the press and popular culture helped circulate information about the practical tools and strategies for crossing the gender border.

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[123] Diane Montgomery, "Biographical Note on Sarah Edmonds Alias Franklin Thompson," *Minerva: Women & War* 14, no. 2 (July 1996): 48–66; CMSR for Franklin Thompson, RG 94; Pension File 282,136 (Franklin Thompson AKA Sarah Emma Edmonds Seelye, Co. F, 2nd Michigan Infantry), Civil War and Later Pension Files, Records of the Department of Veterans Affairs, Record Group 15, National Archives, Washington, DC.

Physical examinations during recruitment could disrupt some gender migrants' plans to serve as soldiers. Moreover, those who enlisted always risked having their bodies exposed through injury or living in close quarters with other men. Presenting a convincing outward appearance was necessary to live successfully in a new gender. But how did gender migrants refashion their gender presentation? And where could they look for help in navigating not only army camps, but also many other aspects of the separate spheres that dominated nineteenth-century culture? The next chapter takes up these questions.

CHAPTER 3.

"HE MADE ME PROMENADE THE ROOM": ASSISTANCE, MENTORSHIP, AND THE PRACTICAL TOOLS OF REFASHIONING GENDER

Introduction

A woman stands in front of a mirror in her bedroom. She is alone. She studies her features in the looking glass, her long black tresses flowing softly down her shoulders and back. She picks up a pair of scissors and begins cutting her hair, shearing aggressively until she transforms it into a short bob. An officer's uniform is laid out on the bed. The woman fingers it pensively, ready to put it on and transform into a self-made man.

This is a scene from *Rebel*, a PBS documentary about Loreta Janeta Velazquez. In the film, actors reenact scenes from Velazquez's life while a voiceover recites passages from her 1876 memoir *The Woman in Battle*. The film also features historians who explore a wide range of themes in the memoir.[1] These scholars argue that we should take Velazquez's memoir seriously and incorporate it into our historical understanding of the period. Indeed, they are right. But there is one problem with the representation we receive in the film. The scene recounted above—a key turning point in Velazquez's memoir—did not happen this way.

Velazquez did not single-handedly fashion a new gender presentation. She did not cut her own hair. And she was not alone in that room. A man stood beside this gender

[1] Historian experts featured in the film include Vicki L. Ruiz, DeAnne Blanton, Catherine Clinton, Gary Gallagher, Jesse Aleman, Richard Hall, Elizabeth D. Leonard, and others. The film originally aired on the PBS program Voces on May 24, 2013. *Rebel: Loreta Velazquez, Secret Soldier of the American Civil War*, Amazon video (streaming online video), directed by María Agui Carter (PBS, 2013).

migrant, providing guidance and assistance as Loreta Velazquez worked to become Harry T. Buford. It was the assistance of this "instructor in masculine manners" that ensured Buford's success in the new gender.[2] Despite his centrality to Buford's gender migration, the mentor is entirely absent from the film. This omission is not surprising; it merely highlights the prevailing view of gender migration as a historically solitary, lonely endeavor. This chapter aims to chip away at that erroneous perception.

This chapter documents the practical tools people used to refashion their gender in the second half of the nineteenth century. These tools included clothing, undergarments, hairstyles, and facial hair. Gender migrants also had to devise practical strategies for doing business and accessing financial resources. Additionally, in the nineteenth-century world where many social spaces were sex-segregated, learning how to navigate new spaces was crucial to successful gender migration. In many of these endeavors, gender migrants looked to the help of their friends and family.

The Woman in Battle, a controversial memoir

Loreta Janeta Velazquez wrote *The Woman in Battle* a decade after the close of the Civil War. In this first-person narrative of wartime adventures, the author recounted how she took on the identity of "Lieutenant Harry T. Buford, Confederate States Army," during the war and experienced many "Exploits, Adventures, and Travels" before resuming her life as "Madame Velazquez."[3] Born in 1842, Velazquez was about nineteen years old when the war broke out. The memoir described her as a product of an aristocratic Cuban upbringing, an errant daughter who came to New Orleans to be

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[2] Loreta Janeta Velazquez, *The Woman in Battle: A Narrative of the Exploits, Adventures, and Travels of Madame Loreta Janeta Velazquez, Otherwise Known as Lieutenant Harry T. Buford, Confederate States Army* (Richmond, VA: Dustin, Gilman & Co., 1876), 65.

[3] The words quoted here are part of the book's lengthy subtitle. Velazquez, *Woman in Battle*.

educated and then defied her father's will by marrying an American army officer. Historians have primarily used the book to analyze the experiences of women in martial roles.[4] Such analysis has been fraught with controversy over the veracity of the book's portrayal of war and battle scenes. The book's authenticity has been controversial since its initial publication.[5] Was this a true story based on the life of a real person, or was this a work of fiction—merely one of the many fanciful stories of adventure that proliferated in the post-war era? Did Velazquez really come from an affluent Cuban family as she claimed? What were her real loyalties during the war? Recent scholarship suggests that the book's narrative of military exploits is based on real life but has been greatly embellished for public consumption. It would have been virtually impossible for any one person to traverse the war-torn country as many times as the book's protagonist.[6] One biographer who is highly critical of Velazquez suggests that she never served as a soldier at all and did not come from an aristocratic Cuban heritage, but rather was a "con artist" who fashioned different class, ethnic, and gender identities at different points in her life.[7]

My goal here is not to rehash these controversies or make definitive claims about the memoirist's military career or family background. Nor do I seek to pass judgment on whether the protagonist was a brave warrior, a con artist, or maybe both. Instead, I ask,

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[4] Richard Hall, *Patriots in Disguise: Women Warriors of the Civil War* (New York: Paragon House, 1993); DeAnne Blanton and Lauren M. Cook, *They Fought Like Demons: Women Soldiers in the American Civil War* (Baton Rouge, LO: Louisiana State University Press, 2002); Laura Browder, *Her Best Shot: Women and Guns in America* (Chapel Hill: University of North Carolina Press, 2006), 44–47.

[5] For a detailed discussion of the controversy and the evidence for the veracity the book's narrative, see Blanton and Cook, *They Fought Like Demons*, 177–83.

[6] Note that embellishing an autobiographical narrative was not unusual for Civil War soldiers who often looked to adventure novels for inspiration on how to structure their books. For example, there is ample evidence that Sarah Emma Edmonds served as Franklin Thompson in the Union army for several years (see chapter 2 for more on this person). Edmonds's real life provided the basis for her memoir of the war, and yet she chose to embellish the narrative for dramatic effect. Sarah Emma Evelyn Edmonds, *Nurse and Spy in the Union Army: Comprising the Adventures and Experiences of a Woman in Hospitals, Camps, and Battle-Fields* (Hartford, CT: W.S. Williams, 1865).

[7] William C. Davis, *Inventing Loreta Velasquez: Confederate Soldier Impersonator, Media Celebrity, and Con Artist* (Carbondale: Southern Illinois University Press, 2016).

what can Velazquez's book tell us about the experiences and strategies of gender migration? Even scholars who consider some of the book's claims dubious nevertheless agree that *The Woman in Battle* was penned by an author who successfully refashioned her/his gender identity on multiple occasions. Putting *The Woman in Battle* in conversation with archival newspaper sources allows us to compare Velazquez's story and the experiences of other gender migrants of the period. Regardless of whether the author actually served as a Confederate officer, I argue, Velazquez's narrative provides a nuanced and largely realistic account of the process of gender migration.

The Woman in Battle was one of several cultural texts relating the adventures of a woman who took on a male name and identity to go to war. The "Female Warrior motif" was a fixture of early American popular balladry, and every major armed conflict brought its own cross-dressed heroine to the public imagination in novels and memoirs.[8] Some nineteenth-century gender migrants—including Loreta Velazquez herself—said that they were inspired by the heroines of such books. But while other literary works could provide inspiration for the *idea* of gender migration, they generally did not give prospective gender migrants the *tools* for effecting a change of gender. For example, the Civil War memoir of Sarah Emma Edmonds acknowledged the soldier's service as a man, but was

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[8] For the "Female Warrior motif" in popular balladry, see Dianne Dugaw, *Warrior Women and Popular Balladry, 1650-1850* (New York: Cambridge University Press, 1989). First published in 1815, "The Female Marine" was a popular broadside about the War of 1812, likely penned pseudonymously by a male author, see Daniel A. Cohen, ed., *The Female Marine and Related Works: Narratives of Cross-Dressing and Urban Vice in America's Early Republic* (Amherst: University of Massachusetts Press, 1997). Another fictional antebellum story, first published in 1844, recounted the adventures of cross-dressing Revolutionary War heroine Fanny Campbell. Maturin Murray Ballou, *Fanny Campbell, the Female Pirate Captain: A Tale of the Revolution!* (New York: E.D. Long & Co., 1844). The book by Eliza Allen purported to be based on a true story of her life during the Mexican American War. Eliza Allen, *The Female Volunteer, or, the Life, and Wonderful Adventures of Miss Eliza Allen, a Young Lady of Eastport, Maine* (Cincinnati, OH: H.M. Rulison, 1851).

completely mum on the techniques and strategies Edmonds had used to take on the identity and appearance of Franklin Thompson.[9]

Loreta Velazquez, on the other hand, devoted considerable attention to questions of fashioning a male appearance and behaving appropriately in men's spaces. In this regard, Velazquez's book stood out from the rest. The author also detailed the feelings that accompanied her change from Velazquez to Buford, which included nervousness, excitement, and pleasure. Thus, the book served to disseminate knowledge about the tools and experiences of gender migration, and curious readers could glean useful information that might help them accomplish a change of gender in their own lives.

Stages of gender migration

What might a prospective gender migrant learn from reading Velazquez's memoir in the 1870s? First of all, readers would learn about the importance of carefully styling one's outward appearance, which included clothing, undergarments, hair, and gait. Equally important was developing skills for navigating unfamiliar homosocial spaces with the aim of fitting in. Readers would also learn that successful gender migration required extensive practice, preparation, and assistance from trusted confidants. For Velazquez, adopting the identity of Harry T. Buford was not a rash move. Rather, it was the culmination of a long-term trajectory that began as a private cross-dressing practice and eventually developed into a public persona. This long-term trajectory had three stages. The first stage involved a solitary, private cross-dressing practice. Second came a tentative experiment—a brief appearance in public in male guise, which gave Velazquez

[9] Edmonds, *Nurse and Spy in the Union Army*. Among the earlier warrior woman narratives, Eliza Allen's book comes closest to divulging some practical ideas for covertly refashioning one's gender presentation; see the discussion of her cloak in Allen, *The Female Volunteer*, 58–59.

an opportunity to test the waters and experience social interactions as a man without making a full commitment to changing gender. And finally, in the third stage of his trajectory, the author adopted the identity of Harry T. Buford on a full-time basis.

The first stage spanned many years and began with playful dress-up sessions Velazquez engaged in as a girl. As a child, her wild imagination was fed by a steady stream of exciting books about "kings, princes, and soldiers."[10] Historians usually cite Joan of Arc as Velazquez's chief inspiration for seeking military adventure, and indeed Velazquez seemed enthralled by Joan of Arc. But the memoirist also recalled that, since a young age, she wanted to emulate the male protagonists of her books: "I wished that I was a man, such a man as Columbus or Captain Cook," Velazquez wrote.[11] By the time she was a teenager, she was "haunted with the idea of being a man" and cursed "Providence for having created [her] a woman."[12] Velazquez did more than just curse Providence; she routinely played dress-up in men's clothes. While living with her aunt, Velazquez frequently waited for her family to go to bed and then furtively put on her male cousin's clothes. It was during these dress-up sessions that Velazquez first began "practicing the gait of a man" while admiring the "figure…in masculine raiment" in the mirror.[13]

Velazquez's mention of practicing the gait of a man is important. Discussions of one's gait, or manner of walking, sometimes figured in stories of discovery and exposure of gender migrants in this era. Some gender migrants who came under police scrutiny attracted the officer's attention with their gender ambiguous gait. For example, in May of

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[10] Velazquez, *Woman in Battle*, 41.
[11] Ibid., 42.
[12] Ibid.
[13] Ibid.

1885, a police officer arrested a person named Etta Lewis at a train station in Newark, New Jersey. This arrest came just a few days after twenty-one-year-old Lewis first put on a suit and attempted to adopt a public persona as a man. With the help of a short haircut and a "spring suit of heavy gray cloth, with a brown derby hat, a piccadilly collar and white tie," this person "made a fine looking young man," but the officer became suspicious when he observed Lewis's "peculiar gait."[14] Contemporaries believed that men and women had distinct ways of walking and considered a person's gait to be a highly gendered attribute of outward appearance.[15] Thus a prospective gender migrant had to give some consideration to perfecting their gait.

Velazquez's description of practicing a gendered gait in front of a mirror also echoed a scene from the antebellum short story, "The Man Who Thought Himself a Woman." In this story, which appeared in the *Knickerbocker* magazine in 1857, the protagonist Japhet Colbones lives publicly as a man, but privately embraces a self-identity as a woman. For years, Colbones engages in furtive, solitary transgender practices. The reader comes to observe these transgender practices through the eyes of Colbones's wife and sister who secretly peep this scene:

> Japhet was standing before the looking-glass, his box open beside him. He was arrayed in woman's clothes almost from head to foot, and was just then pulling and straightening out the ruffles on a cap… After he had sufficiently admired himself, he spread out his gown, took his handkerchief in his hand, and began to

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[14] "Dressed in Male Attire," *St. Louis (MO) Post-Dispatch*, May 29, 1885; "She Saw the World; the Queer Freaks of Etta M. Lewis," *Boston Daily Globe*, May 30, 1885.

[15] Some nineteenth-century observers also believed that the gait of American women differed greatly from Europeans. For example, Frances Trollope, an English travel writer, wrote that although women in the United States adopted French fashions, "all American women" had a "peculiar manner of walking" that distinguished them from French women; Frances Milton Trollope, *Domestic Manners of the Americans*, 4th ed. (London: Whittaker, Treacher, 1832), 279–80.

> walk back and forth with as much of the air and gait of a woman as he could assume.[16]

The story reaches a tragic conclusion. Colbones yearns to bring her private transgender practices into the open, but does not see a future for herself living publicly as a woman. She reaches a point where she cannot go on living as a man. Colbones dones her woman's clothes and commits suicide. She leaves behind a note asserting, "I think I am a woman," and asking her family to bury her in her dress.[17] This final scene is Colbones's only public appearance as a woman.[18]

Unlike the tragic protagonist of "The Man Who Thought Himself a Woman," Velazquez found a way to turn a private transgender practice into a public persona. The first stage of Velazquez's trajectory had been solitary—she did not bring others into her private cross-dressing world. But moving into the second stage of experimenting with a masculine gender presentation publicly involved the help of a confidant. This confidant was Velazquez's first husband, whom she calls William in the book. William became a reluctant participant in Velazquez's process of gender migration. As William was getting ready to go to the front at the outbreak of the war, Velazquez confessed that she intended to don a man's uniform and go to war, too. Predictably, William considered it a "wild scheme" and was absolutely opposed to the idea.[19] He articulated a range of concerns about Velazquez's plan, and these primarily revolved around the problem of associating with men in male-only spaces. The danger of warfare was only a minor part of William's

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[16] See the modern reprint of the story: Elizabeth Reis, ed., "Consider the Source: The Man Who Thought Himself a Woman," *Early American Studies: An Interdisciplinary Journal* 12, no. 3 (2014): 675. It was originally published as "The Man Who Thought Himself a Woman," *The Knickerbocker; or, New York Monthly Magazine*, December 1857, 599–610.

[17] Reis, "Consider the Source," 678.

[18] For an analysis of this short story, see Elizabeth Reis, "Transgender Identity at a Crossroads: A Close Reading of a 'Queer' Story from 1857," *Early American Studies: An Interdisciplinary Journal* 12, no. 3 (2014): 652–65.

[19] Velazquez, *Woman in Battle*, 55.

arguments. Thus, in constructing the memoir, Velazquez used William's concerns to caution the reader about the difficulties of gender migration. William tried to convince Velazquez that, as a "delicately nurtured and refined woman," she would be shocked and appalled by the crude language and behavior men exhibited in male-only spaces "when they are out of the sight and hearing of decent women."[20] Velazquez would also run the risk of exposure because she was not familiar with the culture of homosocial spaces like bar-rooms.

Velazquez then turned this situation into an opportunity to get a glimpse of the homosocial world of men. Eventually, Velazquez convinced William to take her "to the bar-rooms and other places of male resort" so she could see what she would have to deal with if she "persisted in unsexing" herself.[21] William agreed, hoping that he could "cure" Velazquez of her "erratic fancies" by giving her an opportunity to cross-dress and enter the social world of men.[22]

This idea that allowing one to cross-dress might "cure" a person of gender-crossing tendencies and aspirations was not unique to Velazquez's narrative. It popped up in popular culture as well as medical advice throughout the nineteenth and into the twentieth century. For example, the protagonist of the antebellum children's story "Lucy Nelson; Or, The Boy Girl" gave up her boyish ways after her parents forced her to wear trousers for a while. In this story, Lucy Nelson was initially glad to wear her brother's trousers that seemed more suited to her boyish games, but she quickly became

[20] Ibid., 53, 55.
[21] Ibid., 53.
[22] Ibid.

embarrassed when strangers mistook her for a real boy. The author, Eliza Leslie, framed cross-dressing as both a punishment and a cure for this gender ambiguous child.[23]

A letter to the editor of a medical journal in 1884 suggested that individuals might be cured of their gender-crossing urges if they were allowed to cross-dress in a controlled environment. The author of the letter, who signed E. J. H., expressed a sympathetic attitude toward those who felt a "deep personal urge" to wear the attire of the opposite sex and argued that such individuals were treated too harshly by the law.[24] E. J. H. was not certain exactly what the best course of action would be to help such individuals enjoy a "little modicum of comfort" and solicited opinions from others about a suitable treatment. Perhaps, the letter-writer suggested,

> an asylum or retreat might be provided, where they could resort when these paroxysms came on, and there enjoy (?) in seclusion from the public eye…such indulgences as might be deemed proper, or *compelled to follow these practices* until they were thoroughly *cured* of such desires.[25]

E. J. H. knew a person (maybe a patient or the writer him/herself) who could benefit from such a retreat. The author imagined that public life as a gender migrant was not sustainable.[26] But if police persisted in harassing publicly cross-dressing individuals, then perhaps a resort for private cross-dressing could provide some relief. The author wrote of an asylum, but the treatment proposed was that of accommodation and indulgence—that is, allowing men to wear dresses freely, rather than confining them to an institution where their feminine garments would be forcibly taken away. E. J. H. supposed that indulgence might even over-satiate the urge to cross-dress and thereby "cure" the individual.

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[23] Eliza Leslie, "Lucy Nelson; Or, The Boy Girl," *Juvenile Miscellany*, December 1831.

[24] E. J. H., "Correspondence [Letter to the Editor]," *Alienist and Neurologist* 5, no. 2 (April 1, 1884): 351.

[25] Ibid., 352, parenthetical question mark in original, italics mine.

[26] Ibid.

In the twentieth century, transgender pioneer Louise Lawrence recalled undergoing just this kind of treatment as a teenager in the 1920s when a psychotherapist prescribed a month of full-time female attire and make-up as a "cure" for Lawrence's drive to cross-dress. Similar to Velazquez, Lawrence herself came up with the idea of such a "cure" and turned the psychotherapist into an unsuspecting accomplice in her scheme while secretly reveling in the prospect of getting exactly what she wanted. Suffice it to say, the treatment did not "cure" Lawrence, who went on to live full-time as a woman in adulthood.[27]

William may have agreed to take Velazquez out to a bar in the hope of "curing" her, but Velazquez probably knew her desire to live as a man would be unfazed. If assistance was paramount for successful gender migration, Velazquez's narrative demonstrates how reluctant friends and family members who did not support the endeavor might nevertheless be roped into helping the gender migrant.

The first experimental outing with William brought Velazquez a complex range of emotions. After William agreed to help Velazquez go out in public as a man for the night, he provided her with clothing and guided her through the bar-rooms of Memphis, Tennessee. Putting on her husband's clothes brought Velazquez pleasure and pride. "As I surveyed myself in the mirror," wrote Velazquez, " I was immensely pleased with the figure I cut, and fancied that I made quite as good looking a man as my husband."[28] Velazquez was excited to finally walk out in public in male attire, bringing a long-time fantasy closer to reality. And yet, walking into the street required "plucking up

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[27] Louise Lawrence, Autobiography (unpublished manuscript), 25–33, Series I-A, Box 1, Folder 2, Louise Lawrence Collection, Kinsey Institute, Indiana University, Bloomington, IN.

[28] Velazquez, *Woman in Battle*, 53.

courage."[29] Velazquez confessed, "when it actually came to the point of appearing in public in this sort of attire, my heart began to fail me a little."[30] Velazquez remained nervous throughout the night, internally "frightened and bewildered by the novelty" of the situation, while working to present "as unconcerned an air as it was possible" outwardly.[31]

Navigating the bar-rooms with William's help, Velazquez learned that treating and toasting were key rituals of these homosocial spaces. Velazquez observed William and others making toasts as men took turns ordering rounds of drinks for a group of companions. Fitting in here meant that Velazquez, too, had to participate in these rituals. William signaled when it was the appropriate time for Velazquez to call for a round of drinks and make a toast. "My heart was almost ready to jump out of my throat," recalled Velazquez of the nerve-wrecking experience.[32] As others at the bar had displayed a great deal of bravado in regards to the looming war, Velazquez followed suit and made a toast to the success of the Confederacy. Velazquez then quickly placed cash on the counter and asserted "this is my treat," preventing his companions from reaching for their money.[33]

Velazquez feared appearing as an inexperienced tender youth among his "loud-talking, hard-drinking, an blaspheming" companions at the bar.[34] Smoking cigars was another novelty to Velazquez, who had to partake in the ritual to fit in with the other men. Velazquez observed how others handled their cigars before attempting to emulate their movements. After three or four whiffs, Velazquez began to feel dizzy and decided to

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[29] Ibid., 54.
[30] Ibid., 53.
[31] Ibid., 54.
[32] Ibid., 54–55.
[33] Ibid., 55.
[34] Ibid., 54.

continue holding up the cigar without inhaling the smoke. Velazquez did not want to discard the cigar or mention the dizziness "for fear of being laughed at."[35]

Although the experimental outing with William was nerve-wrecking, Velazquez considered it on the whole a success and opined, "I played my part pretty well."[36] Emboldened by this experience, Velazquez "resolved more firmly than ever" to take on a man's identity. Velazquez was unable to convince William to participate in this course of action, so she waited for William to depart for the front while quietly plotting her next steps toward manhood.

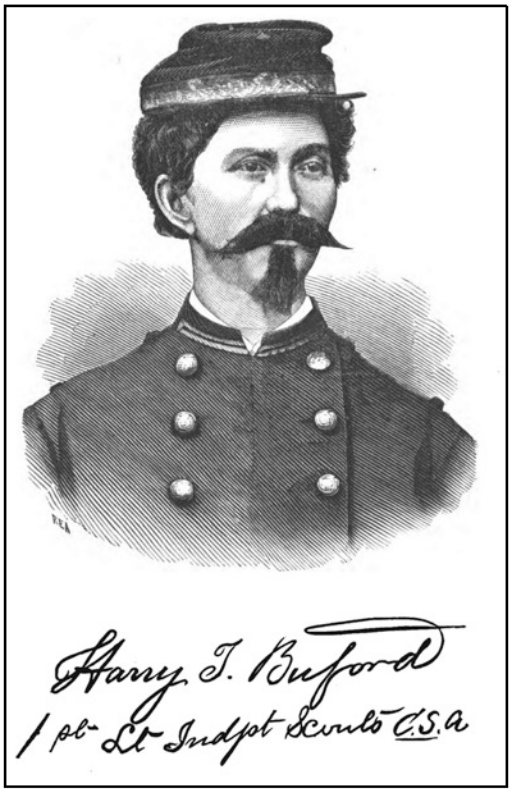

Figure 3. 1. Harry T. Buford in male attire.[37]

Figure 3. 2. Loreta Janeta Velazquez in female attire.[38]

[35] Ibid., 55.
[36] Ibid.
[37] Ibid., illustration following 60.
[38] Ibid., frontispiece.

In the third stage of gender migration, Velazquez moved to publicly adopt a new identity on a full-time basis. She chose a new name—Harry T. Buford—and worked to acquire men's clothes. Moving into this full-time stage required a great deal of assistance, and Velazquez enlisted the help of "a gentleman who was a very old and intimate friend."[39] This gentleman friend remains nameless in the memoir, and I simply refer to him as the "friend" or "mentor" throughout the text. Velazquez believed that "full reliance could be placed" in this friend and, on the promise of secrecy, she "made a full revelation" of her plan to take on a new identity as Buford.[40] The friend was not immediately on board: he thought the whole idea was "wild" and pleaded with Velazquez not to go through with it. His arguments against the proposed gender change echoed William's and chiefly relied on painting "military associations" with men in "repulsive colors."[41] The memoirist recalled:

> He might as well have talked to the wind… I turned a deaf ear to all his remonstrances, and the only answer I gave to his pleadings that I would abandon the thought of unsexing myself, was to insist upon his aid. This he finally promised to give, although most reluctantly, when he found that nothing he could say would move me from my purpose.[42]

In other words, Velazquez persuaded the friend that she would proceed with her plan whether he helped or not. Once convinced of this fact, the friend changed his attitude about assisting in the endeavor and embraced what might be described as a harm-reduction approach. He gradually became more invested in Velazquez's successful gender change: "having failed to dissuade me from my grand scheme, he was exceedingly solicitous that I should acquit myself with credit, and get through without

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[39] Ibid., 62.
[40] Ibid.
[41] Ibid.
[42] Ibid.

tarnishing my fair fame."[43] Here, it appears that the friend's specific position in relationship to Velazquez was key to enabling this shift in attitude. The friend was close enough to become a confidant and to genuinely care about Velazquez's well-being. But unlike a parent or spouse, the friend did not imagine that he could control Velazquez's fate or disallow the project of gender migration. If he could not stop Velazquez's gender change, then, he reasoned, he should help protect the gender migrant from a host of problems in his new life as a man.

The friend assisted Buford in several important ways. First, the friend acted as a mentor, assisting Buford's gender migration through private coaching and taking an active role in fashioning Buford's outward appearance. The two spent considerable time together working on Buford's appearance in the privacy of the friend's apartment in Memphis. Upon first seeing Buford in his new men's clothes, the mentor provided words of encouragement increasing Buford's confidence in his ability to maintain the new identity. Buford recalled: "He admitted that I was not a bad looking specimen of a man, considering I had only been about five minutes, and thought that in time I should be able to do credit to the name I bore and clothes I wore."[44] Buford also described the coaching that the friend provided in private: "he made me promenade the room, practising [sic] a masculine gait, until I had acquired it tolerably well, and gave me a great number of very minute instructions about the proper manner of conducing myself so that my sex would not be suspected."[45] In this way, Buford's friend became his "instructor in masculine manners."[46]

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[43] Ibid., 66.
[44] Ibid., 63.
[45] Ibid.
[46] Ibid., 65.

In contrast to the film scene described at the beginning of this chapter, Buford's friend also "played the part of tonsorial artist with a pair of shears" and cut off Buford's long hair.[47] This was an important turning point in the gender migration, a key moment when Buford committed to his new gender presentation. Since it was not socially acceptable for women to wear short hair in this period, cutting one's hair was a drastic change that could not be easily undone. Once the hair was cut, Buford could not simply put on a skirt again and present as a woman without the help of additional tools like a wig. Considering the importance of this moment, it is significant that in Buford's narrative, his mentor not only witnessed the haircut, but also actively participated in fashioning Buford's new gender presentation by wielding the shears. Later, the mentor also procured a false mustache for Buford. Buford recalled how his friend "carefully fastened the mustache on [Buford's] upper lip with glue."[48] Buford felt that the facial hair greatly improved his masculine look. The use of false facial hair does not seem to have been very widespread among other gender migrants (or at least it comes up in the newspaper sources only occasionally), but such theatrical makeup implements were available to those who may have been inspired by the book to give this strategy a try.[49]

The second way that the mentor assisted in Buford's gender migration was by guiding him through a range of men's spaces in Memphis "for the purpose of informing [Buford] with regard to some masculine habits and ways of acting, talking, and thinking."[50] The friend devised an itinerary through homosocial spaces and coached Buford how to fit in with other men. The friend gave Buford instructions before entering

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[47] Ibid., 63.

[48] Ibid., 68.

[49] For a mention of a false mustache, see "A Romantic Adventure with a Romantic Result—A Queen City Beauty in Masculine Masquerade," *Cincinnati (OH) Enquirer*, January 23, 1859.

[50] Velazquez, *Woman in Battle*, 63.

each space, then gave quiet hints how to conduct himself, and also stepped in to cover for Buford when the newly minted man stumbled or appeared confused about the norms of behavior in these unfamiliar surroundings. Their destinations included drinking saloons, a billiard room, a faro bank, and a barbershop.[51] In describing the elaborate tour through these spaces in Memphis, *The Woman in Battle* once again highlighted how learning to navigate homosocial spaces (preferably with the help of a more experienced guide) was crucial to successful gender migration.

Figure 3. 3. Harry T. Buford visits a bar-room in Memphis with his mentor.[52]

[51] A faro bank was a gambling house where visitors could play faro—a popular card game—for money.

[52] Velazquez, *Woman in Battle*, illustration following 68.

The book also used the friend's advice to caution the reader about a number of hazards awaiting a gender migrant in drinking saloons and gambling houses and provided practical tips for reducing these risks. Since much of the social world of men revolved around drinking establishments and rituals, the potential for intoxication presented the chief hazard here. Buford's friend warned him against imbibing hard liquor. His cautions seemed to carry no moralizing value judgments, but rather stemmed from practical considerations: "even a very slight indiscretion with regard to such a matter" might get Buford into "serious trouble" and "thwart" all his plans.[53] A drunk gender migrant was in danger of revealing too much personal information to his companions or losing control of the situation altogether.

But how would Buford manage to stay sober when entering a bar-room? His mentor suggested that Buford should establish a reputation for temperance. Declining hard liquor outright on the principle of temperance would appear socially acceptable and would greatly reduce the peer pressure to drink. On the other hand, mere moderation would be a less sustainable strategy when bar-room companions pressured one to have another and another glass of whiskey. Buford recalled how his friend explained the matter:

> he said…I would frequently be so situated that I would be compelled to drink, and that I had better at once establish a reputation for temperance, and only take something that could not possibly intoxicate. If it was once understood that I never touched whiskey, brandy, or even wine, I could manage to get along very well, even with hard drinkers, and would very seldom be troubled by being forced to imbibe when I did not wish to do so, while all sensible people would respect me.[54]

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[53] Ibid., 66.
[54] Ibid.

Importantly, declining hard liquor did not automatically exclude Buford from the drinking rituals that permeated homosocial spaces. If he wanted to fit in with men and earn their friendship and respect, he would still have to participate in treating. Buford would pay for rounds of drinks for his companions, as well as accept drinks when others treated, but would always request a "glass of sarsaparilla" or cider even when most of the other men took whiskey, brandy, or rum.[55] As long as Buford participated in treating and toasting, his companions did not care what was actually in his cup, except sometimes to remark that "hard drinking is a bad habit, and I wish sometimes I hadn't acquired it," as one officer confessed after he noticed Buford drinking cider.[56]

Harry T. Buford took his friend's advice and adhered to this strategy of drinking cider and sarsaparilla throughout the time he lived as a man. Other gender migrants also sometimes avoided drinking hard liquor for the same considerations. For example, a middle-aged female-assigned gender migrant who went by the name Frank Gray spent a lot of time with men in bar-rooms. He owned a saloon in Kansas City in the 1880s. He sold plenty of hard liquor to others, but he "never drank any whiskey or beer," though he was not opposed to "a little wine," finding that his drink of choice did not tend to put him in a compromising position.[57] Not all were cautious to avoid hard drinking, however, and some gender migrants were indeed exposed as a result of intoxication. Buford's resolve to avoid drinking may have been influenced by reports of other female-assigned soldiers

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[55] Ibid., 54.
[56] Ibid., 67.
[57] "A Woman's Double Life; Masquerading as a Man for Years," *Times (Philadelphia, PA)*, November 9, 1885.

who were arrested and exposed while drunk. He may have heard the reports of such cases taking place in Memphis, Louisville, and St. Louis during the war.[58]

Facial hair and gendered spaces

In addition to men's entertainment spaces, Buford's mentor also took him to a barbershop owned by an old black barber in Memphis. The mentor had cut Buford's hair "tolerably close" at home, but to get a stylish cut, they would need to visit a professional. Besides, it was important for Buford to learn how to conduct himself in this unfamiliar space. His friend thought it was crucial for Buford to "be initiated into some of the mysteries" of a barbershop; and Buford considered the barbershop "a peculiarly masculine place of resort."[59] The mentor instructed Buford to "watch his actions closely at the barber's," and Buford carefully "followed his movements"—from hanging up his coat and hat to sitting down in the barber's chair—hoping to give the impression that it was not his first time in such an establishment.[60]

But Buford was confused as to the protocol once he sat down. The memoirist recalled how the barber began "vigorously mixing lather in a cup, which he evidently intended to apply to my face, notwithstanding that I had not the least sign of a beard."[61] Buford became "a trifle frightened" when he realized that the barber meant to give him a shave: he did not want to have his "face scraped with a razor," but had no idea "whether it would be the correct thing to decline going through the performance."[62] Realizing Buford's predicament, his mentor stepped in to inform the barber that "his young friend

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[58] Blanton and Cook, *They Fought Like Demons*, 52–53.
[59] Velazquez, *Woman in Battle*, 63.
[60] Ibid.
[61] Ibid., 64.
[62] Ibid.

only wanted to have his hair trimmed in the latest style" and did not desire a shave.[63] In reading this scene, a prospective gender migrant could learn that it was not inappropriate to decline a shave at a barbershop and, once again, that the assistance of a mentor could be of great value in an unfamiliar and "peculiarly masculine" space.

While Buford was reluctant to have his face scraped with a razor, many other gender migrants shaved for a host of reasons. Some female-assigned gender migrants believed that shaving might help them induce facial hair growth. For example, in 1871, shortly after young Harry Johnson began living as a man in St. Louis, he "purchased a razor" and began to shave his "upper lip" hoping that this grooming routine "might raise a few hairs."[64] Much to his disappointment, his mustache never materialized. Hope springs eternal, and Johnson kept shaving "duly every morning" despite the fact that the project was "a total failure."[65] Saloon proprietor Frank Gray of Kansas City, Missouri, also shaved regularly. In 1885, Kansas City papers noted that Gray "had even by constant shaving cultivated a slight mustache."[66]

To be sure, the idea that shaving would induce hair growth was a myth. It is physiologically impossible to increase the rate of hair growth through shaving. A razor does not have the power to activate new hair follicles, nor does it make existing hair grow faster, thicker, or darker.[67] The hair that graced fifty-year-old Frank Gray's upper lip was

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[63] Ibid.

[64] "A Brave Little Girl," *Chicago Tribune*, February 17, 1871.

[65] Ibid.

[66] "A Woman Masquerades for Years in Male Attire," *Brooklyn (NY) Daily Eagle*, November 7, 1885, sec. By Wire To-Day.

[67] The mention of the hair-inducing myth in these nineteenth-century narratives is particularly notable because the myth survives to this day. It has become a common part of contemporary FTM lore, with the shaving of a beardless face passed on from trans man to trans man as a supposed strategy for stimulating facial hair growth. For a popular review of scientific literature that dispels this myth, see Dina Fine Maron, "Fact or Fiction?: If You Shave (or Wax), Your Hair Will Come Back Thicker," *Scientific*

a result of his own genetic and hormonal makeup, not the result of his grooming regimen. By 1885, he had lived as a man for fifteen years, and he probably shaved regularly for much of that time. If his mustache seemed to become thicker over the years, he may have attributed this fact to his shaving routine. Newspaper reporters who wrote about him were certainly willing to believe this was so and helped circulate this myth.

The myth of shaving-induced hair growth also made its way into Harry T. Buford's narrative. Buford recalled his conversation with the barber. Once the barber put away the shaving cream and began trimming Buford's hair, he explained that his other young patrons typically requested a shave even if, like Buford, they had no beard to speak of. These young men believed that shaving would make the beard grow. Buford assured the barber that he had no intention of forcing his beard and reckoned it would "come of itself in course of time without assistance."[68] Once assured that Buford did not place much credence in the idea of inducing hair growth through shaving, the barber "intimated confidentially" that he did not believe this myth himself. In the barber's opinion,

> a good many young fellows in their haste to get a beard before nature intended that they should have any, not only give themselves considerable unnecessary pain by hacking their chins with awkwardly handled razors, but interfered materially with the proper and graceful growth of the hirsute adornment when it did begin to make its appearance.[69]

Thus, Buford's memoir illustrates that this myth was common among young men. Young female-assigned individuals who hoped to enhance their masculine appearance likely looked to other young men for inspiration and thus picked up from their peers the idea of

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American, August 26, 2014, https://www.scientificamerican.com/article/fact-or-fiction-if-you-shave-or-wax-your-hair-will-come-back-thicker/.

[68] Velazquez, *Woman in Battle*, 64.

[69] Ibid.

thickening their mustache by shaving. Young Harry Johnson, for example, worked in a Chicago printing shop alongside other young men and may have heard them talking about shaving and its supposed effect on hair growth.

The barber in Buford's memoir also reveals the attitude that a gender migrant might encounter at a barbershop. Notwithstanding his own opinion about the efficacy of shaving for beardless young men, the barber was perfectly happy to take their money and provide the service without sharing his own personal opinion on the matter. He had no intention of turning away customers or dissuading them from shaving, and lathering up a beardless face was not a novelty for him. Thus, a gender migrant who had no facial hair could reasonably expect to hand over the money for a shave and receive the service. Some did just that. Despite the fact that Harry Johnson failed to raise a mustache with his private shaving routine at home, he also went regularly to a barbershop and paid "fifteen cents for many a harmless and unnecessary shave."[70] Another gender migrant who lived in Buffalo in the 1870s, Charles Ward, went to get his hair cut regularly at a barbershop and sometimes felt compelled to receive a shave to keep up appearances.[71] For gender migrants like Johnson and Ward, regularly patronizing a barbershop could become an important aspect of performing masculinity and integrating into men's social world. Buford described his feelings upon leaving the barbershop for the first time: "I was greatly reassured with regard to the success of my disguise, and left the shop with an increased confidence in my ability to play the part I had assumed."[72] Successfully presenting as a man in the course of close physical contact with a barber could boost one's confidence.

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[70] "A Brave Little Girl."
[71] "A Novel Case," *Evening Republic (Buffalo, NY)*, December 12, 1879.
[72] Velazquez, *Woman in Battle*, 64.

Removing facial hair was, of course, crucial for male-assigned individuals who sought to appear and live as women. Many of these gender migrants used shaving to achieve a smooth face. The importance of their shaving practices particularly comes into view in sources that discuss arrests and subsequent detention in jail, where they had no access to shaving instruments. A night in jail could alter their appearance and force women to appear in front of a police judge with a shadow of a beard. For example, in 1898, a middle-aged cook was arrested for drunkenness in Brooklyn, New York. The morning after her arrest she was arraigned in police court, and by this time she had a beard. The prisoner assured the judge that she was not wearing a disguise, but that she had lived as a woman for over a decade. The judge pointed out the prisoner's beard and said he found it hard to believe that she lived and worked as a woman. The prisoner explained that she usually "took good care" of her face "by close shaving," and did not normally go around with facial hair, but the unfortunate bout of drunkenness followed by an overnight stay at the police station was enough to produce an unusually disheveled appearance.[73]

There is some evidence that male-assigned gender migrants used other methods aside from shaving to rid their faces of hair. For example, in 1895, a doctor who examined Estelle Culton (or "Viola Estella Angell") reported that her face showed "evidences of beard kept down by autoepilation."[74] The term *autoepilation* has since come to mean the spontaneous falling out of hair, but at the time when Dr. Allen published Culton's case in a medical journal, the term autoepilation was associated with

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[73] "Dressed as a Woman; Henry Bechlers Tells the Court His Reasons for Masquerading," *Brooklyn (NY) Daily Eagle*, July 20, 1898.

[74] C. W. Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," *Medical Record* 51, no. 19 (May 8, 1897): 654.

actively pulling out one's own hair.[75] We do not know precisely what technique Culton used to remove her facial hair. If her beard was rather sparse, she may have engaged in the laborious process of plucking the hair out, as the doctor's use of "autoepilation" seems to suggest. More likely, she might have used a depilatory paste to remove her hair.

Aside from shaving, depilatories presented the most accessible and affordable hair removal method in the nineteenth century.[76] In the antebellum period, recipes for homemade depilatories could be found in beauty manuals, typically combining quicklime and arsenic as key ingredients for a paste that would be spread on the skin and then wiped away with the hair after a short wait.[77] *The Toilette of Health, Beauty, and Fashion,* for example, listed a number of recipes, noting that "the strongest depilatory" is composed of orpiment (an arsenic sulfide mineral) and quicklime.[78] But the book cautioned of the dangers of the potent concoction: "The paste must not be suffered to remain longer than necessary on the part, otherwise the skin is liable to be injured, burned, and cauterized."[79] By the 1860s, ready-made depilatories were widely available from druggists, physicians, barbers, and perfumers, and fewer beauty books included recipes for homemade

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[75] Compare definitions in these medical dictionaries: George M. Gould, *A Dictionary of New Medical Terms* (Philadelphia, PA: P. Blakiston's Son & Co., 1905), 108; W.A. Newman Dorland, *The American Illustrated Medical Dictionary*, 11th ed. (Philadelphia, PA: W.B. Saunders Company, 1922), 131.

[76] Electrolysis for hair removal was invented in the 1870s, but was prohibitively expensive for most women and not widely available. It was provided only by physicians until the early twentieth century, when the earliest commercial electrolysis machines became available on the market and entered beauty salons. Rebecca M. Herzig, *Plucked: A History of Hair Removal* (New York: NYU Press, 2015), 81.

[77] Such recipes had circulated in early America since the earliest days of European settlement. For example, a 1540 midwifery book *The Byrth of Mankynde* included a recipe for a depilatory combining "new burnt Lime" and "Arseneck." See, Rebecca M. Herzig, *Plucked: A History of Hair Removal* (New York: NYU Press, 2015), 37–39. A depilatory recipe made of quicklime and arsenic also was recorded in Renaissance Italy by Caterina Sforza, who included it in the book of secrets she penned in the last decades of the fifteenth century. For Sforza's recipe, see Jill Burke's digital project on Renaissance cosmetics: "Cosmetics Recipes: Hair," *Making Up the Renaissance*, accessed February 23, 2017, https://sites.eca.ed.ac.uk/renaissancecosmetics/cosmetics-recipes/hair/.

[78] *The Toilette of Health, Beauty, and Fashion* (Boston: Allen and Ticknor, 1834), 54.

[79] Ibid., 55.

concoctions. Packaged depilatories available from druggists were based on age-old formulations, as for example Atkinson's depilatory which contained ground orpiment, quicklime, and a little flour.[80] In the 1880s, *Sylvia's Book of the Toilet* warned: "Depilatories are all more or less dangerous, their ordinary components being quicklime, soda, and a combination of sulphur and arsenic. When misapplied, or allowed to remain too long on the skin, they are apt to excite inflammation, and frequently leave a permanent scar."[81] The book included a cautionary tale of facial hair removal gone awry, reminding the readers that many women continued to put depilatories on their face despite the risk that, if left on a moment too long, some products would remove "the skin as well as the hair."[82]

Hairstyles, wigs, and gender flexibility

To complete their gender presentation, some nineteenth-century gender migrants made use of wigs for both temporary and long-term solutions. Newspaper reports about male-assigned gender migrants sometimes highlighted the use of wigs and the danger of wig malfunctions. For example, in 1884 a male-assigned person lived as a woman and worked as a cook in a boarding house in Passaic, New Jersey. She did not have long hair, but she successfully used a wig to help her present as a woman. Her secret was revealed one day when she undressed for the night and took off "the luxurious growth of hair that had adorned" her head just before her employer walked into her room without knocking.[83]

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[80] Herzig, *Plucked*, 41–42.

[81] *Sylvia's Book of the Toilet: A Ladies' Guide to Dress and Beauty, with a Fund of Information of Importance to Gentlemen* (London: Ward, Lock, & Co., 1881), 48.

[82] Ibid., 49.

[83] "Mrs. Totten Screams; Her Sudden Discovery That Her Excellent New Cook Is a Man," *Sun (New York, NY)*, August 17, 1884.

Some individuals in this period enjoyed the ability to switch back and forth between different genders and used wigs to change their gender presentation frequently. For example, a male-assigned person who gave his/her name as Charles Williams to the police in New York City in 1894 worked as a man during the day, but regularly went out in the evenings as a woman. Williams was 46 years old and balding, but was able to use a wig of dark curly hair to conceal the baldness when she went out publicly as a woman.[84]

Indeed, since there was effectively no overlap in men's and women's hair styles, wigs were necessary for people who wanted to switch back and forth between different gender presentations. This included female-assigned individuals who cut their hair short to achieve a masculine appearance, but who still sometimes wanted to pass as women. One such person was Frank Gray or Mary Wolcott. This female-assigned person was born around 1835. As a young woman, Mary Wolcott got married in Ohio and gave birth to a daughter. She became a widow by the time she was 35. Widowhood presented a sharp break in her life cycle that provided Wolcott with an opportunity for gender migration. After her husband's death, Wolcott left her home in Columbus, Ohio, and began going by the name Frank Gray. His movements in the 1870s are uncertain, but we know that in 1883 Frank Gray moved to Kansas City, Missouri, and established a saloon there. At this point he was about 48 years old, and he had already been living as a man for thirteen years.[85]

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[84] "Masqueraded As a Woman; Charles Williams Sent to the City Prison for Six Months," *World (New York, NY)*, May 21, 1894, Evening edition; "In His Dead Wife's Clothes; Strange Story Told by a Man Who Masqueraded in Female Attire," *St. Louis (MO) Post-Dispatch*, May 24, 1894.

[85] "A Woman Masquerades for Years in Male Attire"; "Dressed as a Man; Bifurcated Garments, Bass Voice and Mustache," *Evening Telegram (New York)*, November 7, 1885; "A Woman's Double Life; Masquerading as a Man for Years."

The most remarkable aspect of Gray's story is that during his years of living full-time as a man, he continued to regularly visit Columbus, Ohio, where he was still known as Mrs. Mary Wolcott. On his trips to Columbus, Gray put on a dress and "wore a wig and passed as Mrs. Wolcott."[86] On his way back to Kansas City, he would remove the wig and change into his male clothes again. This suggests a certain level of fluidity and flexibility in the way Gray could present different gender identities in different situations. Gray succeeded in cultivating different gender personas in different geographic locations. Frank Gray's story illustrates how patterns of gender migration in this era often were not unidirectional: individuals could travel between man and woman repeatedly.

Although long hair wigs were more common, gender migrants also sometimes used short hair wigs to masculinize their appearance. For example, Charley Linden wore a short wig for a while. This female-assigned person grew up as Anna Linden. Around 1852, when she was about fifteen years old, Anna Linden fell ill with "brain fever" for two months and lost all her hair while she was sick.[87] When Linden recovered, she devised a plan to become Charley Linden. Linden later told a newspaper reporter that taking on manhood at this time "would be more appropriate, I having lost all of my hair by sickness."[88] Charley Linden explained hair loss as a crossroads junction in his gender trajectory. The loss of hair gave Linden an ambiguous appearance, and he knew that he could use a wig "to remedy this deficiency" and to project an unambiguous gender presentation. Rather than buying a long-hair wig, Linden decided to wear a short wig until his own hair grew out and could be shaped into a regular man's style. Speaking to a

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[86] "A Woman's Double Life; Masquerading as a Man for Years."

[87] "Brain Fever" is an obsolete term for a range of illnesses including what are now commonly called encephalitis and meningitis; C. Claiborne Ray, "Science Q&A - Brain Fever," *New York Times*, May 24, 1994, http://www.nytimes.com/1994/05/24/science/q-a-189006.html.

[88] "Discharge of Anna Linden, the Boy-Girl," *New York Tribune*, March 15, 1856.

reporter two decades before the publication of Velazquez's book, Charley Linden described how a male mentor helped him fashion a masculine appearance by purchasing "a cheap wig" at a shop near the docks in New York City.[89]

Loreta Velazquez herself used a short wig to temporarily change her gender presentation prior to her hair cut, while she was still living as a woman. When Velazquez first went out in public as a man with William in the second stage of her gender migration, she braided her hair very close and "put on a man's wig."[90] Since Velazquez was not ready to change gender on a full-time basis at that time, she looked to the man's wig as a temporary solution for her experimental outing.

If individuals could use hairstyles and wigs to quickly and drastically change their appearance, local officials could also discipline gender migrants using these same tools. Consider two situations that took place in Boston. In 1852, female-assigned teenager Emma Snodgrass ran away from her father's home in New York City and decided to take on a male identity. The teenager went to Boston, took on the name George Green, and cut his hair short to masculinize his appearance. When he was arrested, Boston authorities attempted to force Green to reverse his gender migration. Local "philanthropists" provided Green with a dress, but felt this was not enough to make Green look like a respectable young woman again, so they also purchased a wig for him. The *Boston Herald* reported that Green refused the misplaced assistance and "concluded to stick to the pantaloons and eschew the wig and petticoats."[91] Similarly in 1887, a gender migrant named Kitty Russell ran into trouble with law enforcement in Chelsea, a Boston suburb.

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[89] Linden recalled that his friend purchased the wig on Pearl Street in Lower Manhattan, ibid.
[90] Velazquez, *Woman in Battle*, 53.
[91] "All About a Wig," *Boston Herald*, January 5, 1853, sec. Affairs about home. See chapter 1 for more on George Green aka Emma Snodgrass.

When the police officers realized that Kitty Russell was a male-assigned person who had been living as a woman for years, they disciplined her by cutting off 9 inches of her hair and forcing her to wear a boy's suit. Like George Green, Kitty Russell was not keen to give up her chosen identity. After she left the police precinct, Russell quickly resumed wearing dresses and covered her embarrassing haircut with a lady's hat.[92]

Clothing, pawn shops, and reverse gender migration

Clothing, of course, represents another key aspect of gender presentation. *The Woman in Battle* outlines several strategies for acquiring and styling clothing. To begin with, the memoir highlights the strategy of secretly borrowing clothing from male family members. Since William left some belongings behind when he went off to the front, Buford could use one of William's suits as his initial outfit. This was good enough for a temporary solution, but Buford wanted to acquire "properly fitting clothing" and undergarments as soon as possible.[93] He had already been on the lookout for a tailor shop that might meet his needs and picked a place based on two considerations. First, the tailor shop was on a small side street off the beaten path. This meant that Buford could be reasonably certain that he would not run into anyone he knew there. Secondly, Buford thought the shop's German owner was "not very brilliant-looking," and Buford hoped to "run the gantlet of his scrutiny" without detection.[94] Still, Buford understood that the close physical contact of taking measurements for a suit was risky, and he had a back-up plan in case the tailor became too suspicious. Buford brought extra cash to "silence" the

[92] "Driven to Petticoats," *Boston Daily Globe*, October 29, 1887.
[93] Velazquez, *Woman in Battle*, 56.
[94] Ibid.

tailor "with a handsome bribe for a few days" until he could get out of town.[95] Luck was on Buford's side, and he did not end up having to bribe the tailor, but was ready to do so if the situation had called for it.

Later Buford made a trip to New Orleans to acquire more clothing. He knew that in the South's largest metropolis he could "command facilities greater than Memphis afforded."[96] In New Orleans, he commissioned clothes and undergarments from an old French army tailor who "was very skillful, and who understood how to mind his own business."[97] Buford chose this second tailor because the man had a reputation for being discreet, which Buford knew from time spent in New Orleans previously. This allowed Buford to be frank about his need for special undergarments.

Here, the reader would learn that the logic of profit making meant that business owners might assist one in the process of gender migration. Their primary objective was to make money, and tailors were not unfamiliar with requests for privacy from their patrons. Confidentiality was a commodity that could be purchased with enough cash, whether in the form of a bribe or simply paying a premium for service delivered with utmost discretion. A metropolis afforded the greatest opportunities for finding such service, particularly for Buford who had ample financial resources to procure whatever he needed. Many of Buford's contemporaries, however, did not have enough money for new custom tailored clothing. Buford had paid $85 a piece for two suits in Memphis, and this kind of expense was out of reach for many.

Most working-class people—both women and men—would possess only a handful of garments, and acquiring new clothing represented a significant expense. There

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[95] Ibid., 57.
[96] Ibid.
[97] Ibid., 58.

were gender differences in how people acquired clothing. By the 1830s, garment factories began producing and selling ready-made clothing for men, and by the 1850s, most men became accustomed to purchasing new clothes from ready-made shops.[98] On the other hand, clothing factories did not begin mass-producing women's garments until the turn of the twentieth century. This meant that throughout the nineteenth century, acquiring a new woman's dress usually meant engaging the services of a dressmaker or, for many working-class women, using their own sewing skills to turn factory-produced cloth into garments. As popular styles evolved, working-class and middle-class women would typically alter their dresses, manipulating the fabric to achieve a new silhouette (only the elites could afford to purchase a new dress for every season). This meant that a male-assigned prospective gender migrant who wanted to acquire a woman's dress had to use (or develop) sewing skills; alternatively, they might seek discreet help from a dressmaker or another woman who could sew or alter a garment. A female-assigned prospective gender migrant who aspired to purchase a new men's suit could go to a ready-made clothing shop. Even in a ready-made shop, however, a typical shopping experience involved getting measured by the salesman. Gender migrants came up with ingenious ways to navigate ready-made shops. For example, in 1885, a twenty-three year old woman in Philadelphia decided to take on a male identity as Charles Hunter. She measured herself as well as she could at home and then went to Wanamaker's department store and told the salesman that she wanted to buy a cheap ready-made suit for her brother.[99]

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[98] Michael Zakim, *Ready-Made Democracy: A History of Men's Dress in the American Republic, 1760-1860* (Chicago: University of Chicago Press, 2003).

[99] "Betrayed by the Baby; A Young Clerk Who Left His Desk Twice a Day Discovered to Be a Married Woman Who Dressed in Male Attire," *Boston Daily Globe*, June 15, 1885.

Many working-class gender migrants, however, did not buy brand new garments when they first changed their gender. Rather, someone else's used clothes helped them begin a new life. Some people obtained used clothes from friends. For example, Charley Linden, the teenage gender migrant whose case captured the attention of the press in New York City in 1856, had received his first suit as a hand-me-down from the man who wanted to help Linden get back on his feet after a prolonged illness. This friend was instrumental in helping Anna Linden change gender and become Charley Linden. The friend not only gave Linden a suit and a short wig, but also helped him look for his first job as a waiter boy at a saloon.[100]

People could also buy and sell used clothing at a local pawn shop. In the pawn shop business model, customers receive short-term loans from the shop owner using various personal belongings as collateral or "pawn"; if the loan principal and interest is not paid off within the brief contractual period, the shop owner sells the pawned goods to other customers. Nineteenth-century pawn shops traded in all manner of used goods, including clothing for both women and men. These shops peppered the urban landscape of working-class neighborhoods and were the chief source of credit for residents who fell on hard times. Pawn shops became important to some gender migrants because, in addition to acquiring used clothing there, they could also sell off their own old garments and personal items. Charley Linden, for example, had pawned some old dresses; he never went back to pay off the loan and recover the dresses, because he no longer needed them in his new life as man.[101]

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[100] "Discharge of Anna Linden, the Boy-Girl."
[101] Ibid.

Similarly, around 1871, Harry Johnson's gender migration from woman to man involved a pawn shop in St. Louis. Johnson's story also illustrates that the semipermanent gender migration described in *The Woman in Battle* was not only a war-time phenomenon. By *semipermanent gender migration*, I mean a trajectory whereby an individual fully takes on a new gender presentation (typically accompanied by a new name), lives in the new gender in their everyday life for some time, and later reverses that move returning to their gender of origin. Such a trajectory was not uncommon in the post-war period.

Johnson grew up as a girl in New England and moved to Cleveland, Ohio (where she had some friends and connections) around 1868. Her exact age is unclear from the sources, but it appears she was in her late teens when she moved to Ohio. There, she worked as a seamstress, but found it difficult to make ends meet. With the encouragement of local advocates for women's education, she managed to get a job at a printing office in Cleveland. Over the next couple of years, she moved to Michigan and then Chicago in pursuit of job opportunities in printing offices. In Chicago, she initially succeeded in getting a type setting job at $15 a week, which allowed her a comfortable life in the city, but this work did not last long. With only a few printers in Chicago willing to hire women, Johnson's job opportunities were limited in this field. She moved to St. Louis hoping to find printing work there. In St. Louis, Johnson again enjoyed some initial success, but was soon out of work.[102]

While living as a woman, Johnson had built up a considerable wardrobe of dresses. During a period of unemployment, Johnson began to pawn her dresses to buy food and pay rent. Determined to find a job in printing, she became convinced "that

[102] "A Brave Little Girl."

woman's garment was only an obstacle in her path" and decided to try living as a man.[103] Months later, when Johnson was interviewed by the *Chicago Tribune*, the selling and buying of used clothes at a pawn shop came to symbolize the defining moment of gender migration in Johnson's narrative. Johnson said that, after pawning most of her other dresses, she finally sold her last remaining articles of "female raiment, and with the proceeds purchased a coat for $5, a pair of pantaloons for $3, and etcetras, amounting in all to about $15."[104] After thus exchanging women's clothes for men's attire, this person adopted the name Harry Johnson.[105] Exactly how Johnson made the transactions is not entirely clear, but it seems this could not have been accomplished without assistance. After all, after selling off female attire, Johnson could not have walked out of the pawn shop unclothed. Perhaps, Johnson waited at home while a trusted friend went out to sell and buy the clothing. Or Johnson may have been frank with the pawn shop owner and asked to change his outfit in the back of the shop. Pawn shop owners, even more so than Buford's tailors, were accustomed to keeping their customers' secrets as part of their business practice. To continue making a profit, pawn shop owners usually had to keep mum about who in the neighborhood had financial problems or who was in the habit of plying stolen goods. Thus, it is possible that some pawn shop owners assisted gender migrants in their endeavors either by keeping their secrets, or simply by not asking too many questions.

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[103] Ibid.

[104] Ibid.

[105] The reporter who interviewed this person chose not to reveal the interviewee's original female name, ibid.. A related article suggested that the original female name might have been "V.R."; however, since this earlier article relied on another source and was later substantially corrected by Johnson's own recounting of the story, we cannot be certain whether these initials are correct; see, "A Fruitless Search," *Chicago Tribune*, February 16, 1871.

As a man, Harry Johnson succeeded in finding work at a printing office. He worried about running into acquaintances in St. Louis, and he soon decided to move to Chicago where he had no trouble finding work at a daily newspaper. After some months on the job, he decided he wanted to reverse his gender migration and go back home to New England.

Importantly, Johnson's move back across the gender border was not easy or instantaneous once he made up his mind to abandon his identity as Harry. A reverse gender migration was not simply a matter of "revealing" one's "true sex." Like his initial move toward manhood, Johnson's process of reverse gender migration required caution, money, careful planning, and assistance from trusted friends. He estimated that he needed $50 to start his life anew as a woman, and he saved money for months to fund a new set of women's clothes and prepare to travel back to New England.

Johnson hoped to make a quiet reversal back to womanhood, but an acquaintance blabbered to the papers about Johnson's astonishing change from man to woman. Thus, it was not Johnson's initial migration from woman to man, but the reverse movement that caused this person's notoriety in Chicago. Although embarrassed by the publicity, Johnson was no longer afraid of being arrested by the police because by the time the story hit the papers she was again living as a woman. Consequently, Johnson was more forthcoming with the reporters at the *Chicago Tribune* about the details and strategies of gender crossing—she had less to lose by detailing her story than others who were still living in their adopted gender. By publicizing Johnson's experiences at pawn shops, barbershops, and men's workspaces, the *Chicago Tribune* in turn circulated information about what gender migrants might encountered in their everyday lives—information that

could help others weigh their options and strategies for undertaking a change of gender.[106] When *The Woman in Battle* was published five years later, it mirrored Harry Johnson's story: the book revealed the author's strategies of gender crossing *after* the memoirist reverted back to living as a woman and had less to lose by circulating this information.

Etta Lewis was another person who turned to a pawn shop to acquire the funds and clothes needed for gender migration, though she did not sell her old clothes for this purpose. Lewis was a young woman from Connecticut. In 1885, when she was twenty-one years old, she moved to Newark, New Jersey, where she stayed at the Woman's Christian Association Home for about a month and worked at a corset shop. In Newark, Lewis made a plan to experiment with taking on manhood. She did not have enough funds to acquire men's clothing, but she had already established a reputation as a responsible working woman in her neighborhood, and was thus able to get credit at a local shop. She purchased a typewriter on credit, paying $4 down and promising to pay installments of $5 a month for several months. Three days later, she went to nearby New York City, walked into a pawn shop and pawned the typewriter for about $20.[107] Having laid out only $4 on the typewriter, Lewis was now $16 ahead and used the money to purchase a full suit of men's clothes and pay for a cheap hotel room on Chatham Street.[108] There, Lewis had enough privacy to change his clothes and cut his hair before making his first public appearance as a man. Lewis then returned to Newark and checked

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[106] "A Brave Little Girl"; "A Fruitless Search."

[107] "Arrested in Male Attire," *New York Times*, May 29, 1885; "Dressed in Male Attire"; "She Saw the World."

[108] Lewis checked into Charles E. Everett's hotel at 84 Chatham Street (present-day Park Row), "Dressed in Male Attire."

into a hotel, registering his name as "L.A. Burford."[109] Was he inspired by Harry T. Buford's exploits recounted in *The Woman in Battle*? The similarity between "Buford" and "Burford" might have been pure coincidence, but the use of the last name Burford hints at the possibility that the Newark gender migrant was familiar with the memoir and drew inspiration from it.

Undergarments and body shape

No doubt many gender migrants paid careful attention to their silhouettes and devised methods for shaping the appearance of their bodies underneath their clothes. Yet, descriptions of undergarments used by gender migrants in the nineteenth century are exceedingly rare. *The Woman in Battle* is singular in its attention to Harry T. Buford's underclothing. The memoir describes how Buford disguised his body shape through the use of padding. These descriptions are especially striking for the modern reader familiar with today's transgender practices: while transgender women today sometimes use padding to create the appearance of curves (particularly stuffing bra cups), transgender men do not usually use padding as a tool for masculinizing their appearance. Rather, transgender men today tend to focus on binding and minimizing the chest as the chief strategy for styling their bodily shape.[110] Buford's approach was different. Rather than simply minimizing his chest, he worked to make his midsection appear bigger.

Buford's desire to visually expand his midsection was partly dictated by the fit of nineteenth-century men's styles. The fit of men's clothes of the period had pros and cons for female-assigned gender migrants. In most public settings, wealthy and working-class

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[109] "Arrested in Male Attire."

[110] For a description of present-day transgender body shaping practices, see Laura Erickson-Schroth, ed., *Trans Bodies, Trans Selves: A Resource for the Transgender Community* (New York: Oxford University Press, 2014), 133–34.

men alike usually wore three-piece suits. Multiple layers on top—shirt, waistcoat, and suit jacket—had the advantage of helping one hide an ample chest (much more so than a simple modern t-shirt, for example). On the other hand, the fit of the trousers could present a problem. Men's pants sat high on the waist and were typically held up by suspenders (only in the post-World War I period did the waistband of men's trousers begin to gradually move down to the hips).[111] This presented a sartorial dilemma for Buford and others like him: for a person who had a relatively small waist and larger hips, high-waisted pants would accentuate these curves. Buford was concerned that showing his small waist would give him away. The memoirist opined, "A woman's waist, as a general thing, is tapering, and her hips very large in comparison with those of a man, so that if I had undertaken to wear pantaloons without some…contrivance, they would have drawn in at the waist and revealed my true form."[112] Thus, Buford took measures to pad his middle so his pants would not draw in at the waist.

After Buford first commissioned two suits from the Memphis tailor, he made his own alterations to the suit coats. Buford added heavy padding from the armpits to the hips in order to hide his waist. "This served to disguise my shape," Buford recalled, "but the padding was very uncomfortable, and I soon made up my mind that it would never do for a permanent arrangement."[113] The padded coat was "almost unbearably warm."[114] Later in New Orleans, Buford devised what he called "my apparatus" together with his old French tailor. This was a complete set of undergarments for shaping Buford's upper

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[111] For history and illustrations of nineteenth-century clothing styles, see R. Turner Wilcox, *Five Centuries of American Costume* (New York: Scribner, 1963); Phillis Cunnington, *Costumes of the Nineteenth Century* (London: Plays, inc., 1970); Lee Hall, *Common Threads: A Parade of American Clothing* (Boston, MA: Little, Brown, 1992); Daniel Delis Hill, *American Menswear: From the Civil War to the Twenty-First Century* (Lubbock, Texas: Texas Tech University Press, 2011).

[112] Velazquez, *Woman in Battle*, 58.

[113] Ibid., 57.

[114] Ibid., 85.

body to compress the chest while making the waistband of his pants stand out several inches from his natural waist.

Buford's tailor dispensed with the heavy padding and instead used a fine wire net to build a supportive structure. To understand the difference, one might think of Buford's initial padding as a stuffed cushion, whereas the fine wire net contraption could be likened to a balloon—a shell that held its shape, but was hollow inside. Using support garments to make clothing stand out from the body was common in this period, particularly for women's clothes.[115] For example, instead of draping straight down to the ground, large skirts could be made to flare out in a bell shape by wearing a cage crinoline made of metal wire underneath the skirt. Some corsets, too, had a rigid bell-shaped bottom that stood out from the body and made the wearer's hips appear larger to accentuate an hourglass silhouette. These hollow bell-shaped support garments developed as an alternative to stuffing one's skirt with multiple layers of petticoats or, worse yet, with heavy bags of horsehair. Thus, in trading padding for a hollow fine wire net structure, Buford's tailor likely looked to women's support garments for inspiration and construction techniques. And, like the women who abandoned horsehair-stuffed skirts in favor of wire cage crinolines, Buford found his new structure much more comfortable than his original padding.

Buford wore these fine wire net structures close to his skin and called them his "shields." The text does not describe their precise shape and thus invites multiple possible interpretations. Perhaps each shield was shaped somewhat like a chest plate of body armor and would go over the front of the torso. However, it seems more likely that

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[115] Jessica Glasscock, "Nineteenth-Century Silhouette and Support," *Heilbrunn Timeline of Art History* (New York: Metropolitan Museum of Art, October 2004), http://www.metmuseum.org/toah/hd/19sil/hd_19sil.htm.

Buford used the term "shields" to indicate that the pieces would be worn under the arms. A pair of underarm dress shields was the usual way to protect garments against sweat in this era. Dress shields were crescent shaped and made of multiple layers of absorbent fabric; they were sewn loosely into the spot where the bodice meets the sleeve under each arm, and this allowed them to be easily removed, washed, and replaced. Buford, then, may have called his wire net pieces "shields" because they were meant to go under the arms, they were removable, and they would be worn as a pair. His tailor made six of these shields, and Buford wrote, "over the shields I wore an undershirt," thus indicating that more than one shield would be worn at a time.[116]

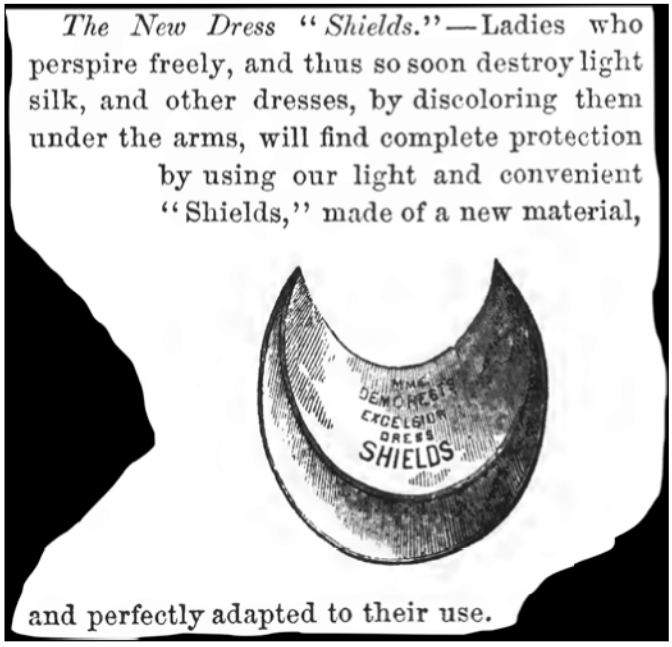

Figure 3. 4. Civil War era advertisement for dress shields.[117]

With the shields worn close to the skin, Buford would then put on a tight undershirt made of "silk or lisle thread."[118] Lisle thread was used primarily for high-

[116] Velazquez, *Woman in Battle*, 58.

[117] "Patterns from Madame Demorest's Establishment; The New Dress 'Shields,'" *Godey's Lady's Book and Magazine*, January 1864, 80.

quality socks and stockings; it was light, breathable, and woven to produce a fabric with some stretch to it.[119] In other words, Buford's undershirt would envelop his upper body like a tight stocking and help hold the shields in place at his sides. The undershirt had a band around the waist "with eyelet-holes arranged for the purpose of making the waistbands of [the] pantaloons stand out to the proper number of inches."[120] That is, Buford would button the bottom of his undershirt to the top of his pants, which were sized several inches wider than his natural waist (it was customary for men's pants to have a set of buttons around the waistband).

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[118] Velazquez, *Woman in Battle*, 58.

[119] George C. Cole, *A Complete Dictionary of Dry Goods and History of Silk, Cotton, Linen, Wool and Other Fibrous Substances*, Revised (Chicago, IL: W. B. Conkey Co., 1892), 195, 244.

[120] Velazquez, *Woman in Battle*, 58.

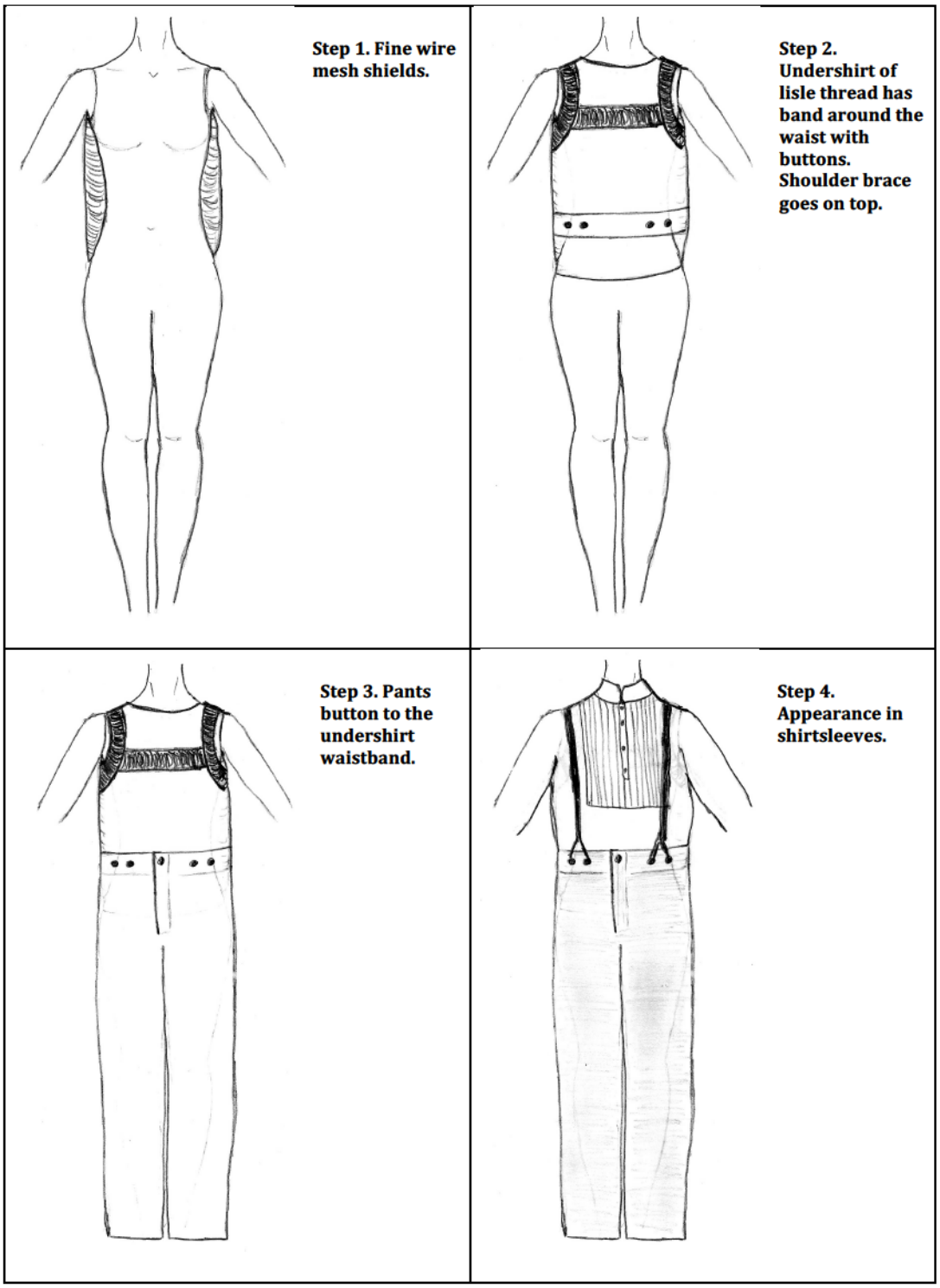

Figure 3. 5. The "apparatus," a possible rendering of Harry T. Buford's undergarments. Drawings by Jesse Bayker.

On top of the undershirt, Buford wore "straps across the chest and shoulders, similar to the shoulder-braces sometimes worn by men."[121] These straps provided additional compression on the chest and held the whole apparatus securely in place. The straps were thick enough that others might see them through Buford's shirt. According to the conventions of the time, many social situations Buford encountered required him to wear a suit coat, particularly if women were present. But in some men's spaces, Buford would sometimes appear in his shirtsleeves. This was not a problem, as Buford recalled: many men "have seen the impressions of these straps through my shirt when I have had my coat off, and have supposed them to be shoulder-braces."[122] Indeed, wearing shoulder-braces was relatively commonplace in the mid-nineteenth century. They were not only used for restricting movement after an injury. Druggists sold these items and touted their beneficial effect on the wearer's posture and overall health.[123] Shoulder-braces came in a range of different styles and often included some elastic elements. One typical style resembled a harness with thick straps over both shoulders that connected in the back between the shoulder blades. They were available for both children and adults, and it would not be unusual for a man Buford's age to wear such shoulder-braces under his shirt. Thus, although Buford's apparatus was custom-made by his tailor, other gender migrants who could not afford such a luxury might look to commercially available shoulder-braces for fashioning and holding in place a device for chest compression.

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[121] Ibid.
[122] Ibid.
[123] According to an 1881 beauty manual, shoulder-braces were "both preventive and curative of round shoulders," see *Sylvia's Book of the Toilet*, 80–81.

Figure 3. 6. Knickerbocker shoulder-brace for men, women, boys, and girls.[124]

Figure 3. 7. Back-supporting shoulder-braces for men and women.[125]

[124] "Knickerbocker Brace Company Advertisement," *The Youth's Companion*, May 15, 1890, 265.
[125] "George Frost & Co. Advertisement," *The Youth's Companion*, October 25, 1883, 450.

Buford was concerned about his waist more than any other physical attribute and believed that it would draw more attention than his voice or other physical features. For example, he believed "so many men have weak and feminine voices" that his voice would not be an impediment to his life as Harry T. Buford.[126] Buford's preoccupation with the size of his waist was influenced by the contemporary perceptions of the ideal female figure. The idea that "a woman's waist…is tapering, and her hips very large in comparison with those of a man" was, of course, grounded in the realities of human bodies.[127] But there was more than physiology at play here. The beauty ideal of the period dictated a small waist and an hourglass figure for women.

The widespread use of support garments to cinch in the waist and widen the hips belied the idea that women's bodies were simply shaped that way or that, as Buford feared, any observer could easily determine the sex of a clothed figure by merely looking at the waist. This had implications also for male-assigned individuals who wanted to appear and live as women. While Buford put considerable effort into devising a special apparatus for shaping his figure, such efforts would not be necessary for gender migrants going in the opposite direction. Traditional women's undergarments—from corsets to layers of petticoats—were already designed precisely for this purpose: to endow even a straight or angular figure with a significant waist-to-hip ratio.

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[126] Velazquez, *Woman in Battle*, 58. Buford may have been lucky in this regard, but others in his position sometimes drew attention with their high-pitched voice; see these three examples: "Woman's Rights Illustrated," *Washington (DC) Sentinel*, September 21, 1854; "A Singular Masquerade; Adventures of a Woman in Male Attire in Search of an Erring Lord and Master," *Cincinnati (OH) Enquirer*, July 3, 1871; "Mrs. Clark Saw Griffo Fight," *Brooklyn Daily Eagle*, March 5, 1895.

[127] Velazquez, *Woman in Battle*, 58.

Financial and business strategies

Prospective gender migrants who held money and property in their original name had to devise strategies for accessing their financial resources, mail, and paperwork. Assistance of an associate who could act as a conduit for financial transactions was paramount. For example, in *The Woman in Battle*, Buford's mentor/friend served as a conduit connecting Loreta Velazquez's past and Harry T. Buford's present in a new identity. The friend would receive mail in Velazquez's female name and then deliver or forward it to Harry T. Buford, thus allowing Buford to communicate with family members and associates who did not know about his change of gender. Buford also "made out a form of attorney in [the] friend's name" authorizing the friend to "attend to all…business matters" in the name of Loreta Velazquez.[128] By using a power of attorney, Buford could receive his friend's assistance in accessing his own accounts and financial resources that were still held under the previous female name. This was an important consideration for Buford. Changing one's identity might mean giving up access to previous financial resources, but Buford's experience demonstrates that one could use a trusted friend as a conduit for financial transactions and communications, and changing one's gender did not necessarily mean losing connections with one's financial past.

Giving a confidant power of attorney to transact business in one's old name was an important strategy that other gender migrants also used. One such person was Frank Gray or Mary Wolcott, the female-assigned person who lived for years as a man in Kansas City, Missouri, and sometimes traveled back to his old home in Ohio as a woman. Part of the reason that Frank Gray had to go back to Columbus dressed as a woman on a regular basis was that he was an enterprising businessman. Upon arriving in Kansas City

[128] Ibid., 68.

in 1883, Gray established a successful saloon on Main Street. He then went on to open a grocery store on the corner of Wyandotte and 7th Street and also fared well in that business.[129] But Frank Gray still held some property in Ohio under the old name Mary Wolcott, and going back to Ohio was necessary sometimes to sign paperwork and make financial transactions. In order to transact business in Kansas City, Gray gave power of attorney to a man named Edward Athey. Frank Gray empowered Athey to buy a saloon in Kansas City on behalf of Mary Wolcott using Mary Wolcott's money that was still in a bank in Ohio. It appears, Edward Athey was Frank Gray's son-in-law (fifty-year-old Gray had an adult daughter who was married and lived near him in Kansas City).[130]

By 1885, Frank Gray decided he wanted to remove his son-in-law from the financial picture. Frank Gray devised a scheme to officially transfer his saloon from his female name to his male name using a fictive loan and documents that he would sign using both of his names. The scheme went like this: Mary Wolcott borrowed cash from Frank Gray—a promissory note confirmed the loan, but no money was actually transferred anywhere. Mary Wolcott then defaulted on her loan. Frank Gray then agreed to settle the outstanding loan balance by taking over Mary Wolcott's real estate property. This property was the saloon that Mary Wolcott owned in Kansas City—the saloon where Mary Wolcott was supposedly an absentee landlord, the very saloon Frank Gray operated. Through this machination, the saloon in his adopted home of Kansas City

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[129] See record for Frank Gray, keeping grocery at Wyandotte SW corner of 7th Street and living at 701 Wyandotte Street, *Hoye's City Directory of Kansas City* (Kansas City, MO: Hoye Directory Co., 1884), 217. See record for Frank Gray, keeping saloon, living at 715 Central Street, *Hoye's City Directory of Kansas City* (Kansas City, MO: Hoye Directory Co., 1885), 243.

[130] "A Woman Masquerades for Years in Male Attire"; "Dressed as a Man; Bifurcated Garments, Bass Voice and Mustache"; "A Woman's Double Life; Masquerading as a Man for Years."

would effectively become the legal property of Frank Gray with the property title bearing Gray's male name.[131]

Such documents as were required in this legal transaction had to be signed by witnesses. Thus, Edward Athey and a number of other men were privy to Frank Gray's plan and provided their assistance. In the course of these transactions, Gray and Athey quarreled, and Athey became angry and vengeful. Maybe he felt slighted financially, or maybe domestic discord between Edward Athey and Frank Gray's daughter served as the impetus for Athey's blackmail. In November 1885, Athey revealed to the whole community in Kansas City that Frank Gray and Mary Wolcott were one and the same person. The publicity that followed prompted Frank Gray to leave Kansas City for a time, but it did not make him give up his life as a man.[132] Two years later, in 1887, Frank Gray returned to Kansas City. The scandal seems to have hurt him financially. On his return to the city, he was living again at Wyandotte and 7th streets as before, but now the city directory reported he was a waiter, instead of a prosperous business proprietor.[133] Frank

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[131] "A Woman's Double Life; Masquerading as a Man for Years"; "'He' Was a Woman," *St. Louis (MO) Post-Dispatch*, November 7, 1885.

[132] Frank Gray's story created a media sensation and circulated nationally. In addition to articles cited above, see also: "A Dual Existence," *Indianapolis (IN) News*, November 7, 1885; "Masquerading as a Man; A Woman Who Carries on Business in Male Attire," *Harrisburg (PA) Daily Independent*, November 7, 1885; "A Business Woman; Masquerades for Fifteen Years in Masculine Attire," *Detroit (MI) Free Press*, November 8, 1885; "A Strange Woman; A Lady of Fashion in Ohio, But a Man of Business in Missouri," *Decatur (IL) Herald*, November 8, 1885; "Masquerading as a Man; A Woman Who Puts on Breeches and Tries to Play a Masculine Part," *Courier-Journal (Louisville, KY)*, November 8, 1885; "The Lady with the Mustache," *Atlanta (GA) Constitution*, November 9, 1885; "A Woman's Double Life," *Richmond (VA) Dispatch*, November 11, 1885; "Kansas City, Mo, Has a Social Sensation...," *Charlotte (NC) Observer*, November 11, 1885; "There Has Just Been Uncovered in Kansas City...," *Times-Democrat (New Orleans, LA)*, November 11, 1885; "A Masquerading Female," *Weekly (Milwaukee) Wisconsin*, November 14, 1885; "It Was a Woman All the Time," *National Police Gazette (New York)*, November 21, 1885.

[133] Frank Gray is missing from the 1886 city directory for Kansas City: *Hoye's City Directory of Kansas City* (Kansas City, MO: Hoye Directory Co., 1886), 335. Note that there was another businessman named Frank T. Gray living in Kansas City at the same time; this is not the same person as the saloon proprietor discussed in this chapter. For Frank Gray's return in 1887, see record for Frank Gray, waiter, living at 701 Wyandotte street, *Hoye's City Directory of Kansas City* (Kansas City, MO: Hoye Directory Co., 1887), 281.

Gray's story illustrates ingenious financial strategies as well as the risks facing gender migrants who placed trust in their associates. Frank Gray's arrangement with Edward Athey made Gray dependent on his son-in-law and vulnerable to Athey's whims when the personal relationship deteriorated. Giving a friend or family member power of attorney over one's financial matters carried significant risks of blackmail and extortion.

Conclusion

This chapter has explored the assistance, mentorship, and practical tools needed to successfully change one's gender in the second half of the nineteenth century. Accounts of people who had reversed their migration and went back to their originally assigned gender provide details about the process and strategies for crossing the gender border. Because they had less to lose, these individuals were more forthcoming with intimate aspects of gender crossing compared with the people who came into contact with the media while still living in their adopted gender. The narrative of Loretta Velazquez, though likely embellished, provides a largely realistic account of gender migration for the period.

Gender migrants used a variety of tools to physically refashion their gender, including clothing, undergarments, hairstyles, and facial hair removal. In analyzing *how* gender migrants went about persuasively refashioning their gender, I demonstrate that assistance from mentors was key to successful gender migration. Thus, the popular perception that the process of crossing gender borders was solitary and done in complete secret is erroneous. In the nineteenth century, many social spaces were sex segregated, and assistance from mentors was especially important for those entering new homosocial spaces for the first time. Mentors familiarized gender migrants with the social norms that

enabled them to navigate spaces like bars, barbershops, and workspaces without causing doubt that they belonged there.

Accessing financial resources was a crucial concern for gender migrants. Propertied individuals like Harry Buford and Frank Gray needed to devise strategies to access funds held in their old name. Temporarily assuming their previous identity allowed people like Frank Gray to return to spaces where they were known in their old gender and handle their business needs without raising suspicions. Gender migrants could also receive assistance from associates who could conduct financial transactions on their behalf. Yet, relying on assistance in financial and other important matters exposed gender migrants to risks and highlighted their vulnerability to blackmail, both monetary and emotional.

People like Harry Buford who were well off financially could afford to hire a tailor to fashion clothing and undergarments that gave them a suitable silhouette for their new gender. For working-class gender migrants, pawnshops were the main spaces for transforming the value of items they already held into money needed to fund their gender change. Pawn shops were also used to acquire the material goods needed to convincingly change one's gender. These material goods and practical tools helped gender migrants to refashion their outward appearance and move from private gender experimentation to developing a new public persona. When confronted with scrutiny from their contemporaries, however, more than outward appearance was necessary to successfully change one's gender. The next chapter explores the narrative strategies that gender migrants deployed in order to legitimate their change of gender in the eyes of friends, strangers, police, and the state.

CHAPTER 4.

"I WAS NOT MASQUERADING":

LEGITIMATING GENDER MIGRATION IN THE GILDED AGE

Introduction

One day in March of 1884, a short man in a derby hat rode twelve miles from his rural farm to the small town of Winchester, Virginia. He dismounted his horse in front of the Frederick County Courthouse on Loudoun Street and went inside to petition the Circuit Court to change his name to Lawrence Register Payne. Everyone in Winchester already knew that 36-year-old Payne had been living as a man for a few months and did not want to be called Rebecca anymore. Now Payne hoped to persuade the court to legally recognize him as Lawrence. He carried a piece of paper that he hoped would settle the case and legitimate his change of gender—a letter from his doctor confirming that Payne was a man.

This chapter explores the narrative strategies that gender migrants used in their attempts to gain legal recognition—or at least avoid criminal punishment—in the closing decades of the nineteenth century. In their quest to legitimate their change of gender, some people sought doctors' help. This strategy was most salient for individuals, such as Payne, whose intersex anatomy puzzled doctors, opening up a space to interpret the body as properly belonging to the person's adopted (rather than initially assigned) sex. But those whose sexual anatomy could hardly be called ambiguous sometimes also hoped to convince doctors that their "psychosexual hermaphroditism" meant that they properly belonged to their chosen gender, reasoning that their drive toward gender crossing must be a result of an underlying physical condition. Importantly, they did not ask doctors to

change their bodies, but rather hoped that doctors would use their medical expertise to certify their sex and thereby legitimate their lives in the gender they chose for themselves.

Here I build on the work of scholars who have examined late nineteenth-century medical case studies and analyzed what they tell us about the way doctors categorized and treated conditions of anatomical and psychosexual ambiguity.[1] Two individuals I discuss here, Lawrence Register Payne and Estelle Culton, were among the persons whose case histories were published in medical journals in the 1880s and 1890s, and the doctors' versions of their stories have been analyzed by Elizabeth Reis. In reference to Payne's case, Reis has aptly noted: "Unfortunately, since material from patients themselves is so woefully scarce, our ability to evaluate the doctors' versions is limited."[2] Especially since doctors often changed patients' names in their publications (Payne was dubbed patient "A.B."), it is difficult to connect the medical literature to other records about the patients' lives. My research uncovers a range of sources that allow me to produce a rich portrait of Payne and Culton outside of the doctor's office. I follow them into their communities, into the streets, courts, churches, employment offices, police precincts, and homeless shelters. I particularly seek to draw out their relationships with law enforcement and the legal system in Boston, New York City, and rural Virginia. I ask, how did their interactions with doctors help or hinder their efforts to live in the gender of their choice? I show how Payne and Culton both approached their interactions

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[1] Alice Domurat Dreger, *Hermaphrodites and the Medical Invention of Sex* (Cambridge, MA: Harvard University Press, 1998); Elizabeth Reis, *Bodies in Doubt: An American History of Intersex* (Baltimore, MD: Johns Hopkins University Press, 2009); Jennifer Terry, *An American Obsession: Science, Medicine, and Homosexuality in Modern Society* (Chicago, IL: University of Chicago Press, 1999).

[2] Reis, *Bodies in Doubt*, 75.

with doctors as a potential strategy for gaining legal recognition and privileges of their adopted gender.

Avoiding criminal punishment was an important concern for gender migrants who came under police scrutiny. As chapter one explained, in some cities, gender migrants faced municipal ordinances that prohibited cross-dressing as a misdemeanor offence against public decency. Additionally, poor and working-class gender migrants were often profiled as potential criminals and picked up on vagrancy charges, even if local laws did not explicitly prohibit wearing the clothes of the opposite sex. Faced with censure and asked to give an account of themselves, gender migrants sought to explain their gender crossing in a way that might help them gain sympathy and escape punishment. Gender migrants shrewdly adjusted their stories for different audiences and tested multiple versions of their narratives in hopes of finding one that would resonate with their contemporaries and paint their gender crossing in a positive light. Late nineteenth century press was a crucial venue for circulating these stories and teaching contemporary readers what kind of narrative could serve as a plausible and benign explanation for gender crossing. Particularly, this chapter addresses the narratives of economic need and unemployment that male-assigned individuals told in an attempt to get out of trouble. While stories of women who put on men's clothes to secure men's wages and job opportunities circulated frequently since the antebellum era, stories of men who were "driven to petticoats" by want of employment gained currency briefly in the Gilded Age. Citing economic motivations did not always get gender migrants out of trouble, but their use of these narratives illuminates how notions of gender and work structured late nineteenth century ideas about gender migration.

L. R. Payne's legal recognition

Nineteenth-century doctors debated the question of hermaphrodite bodies, and practitioners often disagreed about the proper diagnosis and the correct sex designation of specific individuals. Medical professionals of the period seemed to agree about only two things. First, all humans properly belonged to either the male or the female sex. Second, it was the job of the medical expert to examine the individual's body and determine the person's "true sex."[3] How did doctors make these designations in cases of sexual ambiguity? Doctors examined patients' bodies aiming to decide which sex "predominated" in ambiguous persons. In making a determination of the patient's sex, doctors used the following factors: the structure of external genitalia and the shape of internal reproductive organs as felt through a manual exam. In the case of post-mortem examinations, doctors could closely inspect the internal reproductive organs during an autopsy, but such detailed examinations were not possible for living patients before the introduction of medical ultrasound technology in the 1940s. Doctors also considered the shape of the patient's figure and chest, presence of facial and body hair, voice pitch, and history of menstruation. Chromosomes and hormones were not yet part of sex determination in this period. Crucially, doctors also observed patients' behaviors and mannerisms and asked questions about all types of desires, proclivities, and proficiencies that they viewed as masculine or feminine: Did the patient have love affairs with women or men? Could the patient sew? Did the patient enjoy reading romantic poetry? Did the patient run a successful business? When doctors viewed the patient's body as ambiguous, behavior and proclivities could play a crucial role in tipping the scale toward a male or female designation by the doctor.

[3] Ibid., 58–59.

In the final decades of the nineteenth century, American doctors insisted that medical expertise was key to deciding the legal cases where a person's sex designation was in question. For example, J. W. Underhill, president of the Obstetrical Society of Cincinnati, spoke on the topic of hermaphroditism at the 1879 meeting of the society, noting: "The most practical points for our consideration relate to the *legal relations of hermaphrodites*."[4] In cases "which require the distinguishment of sex," Underhill argued, "the testimony of competent medical authority is very essential for the correct and intelligent solution of the legal question at issue."[5] Eighteen years later, genito-urinary surgeon C. W. Allen lamented: "Strictly proper cases for the physician's ministrations have been left too much to the care of the magistrate and police, without according to these officials the knowledge they require from us to enable them to do justice at once to the individual and to society at large."[6]

How did this medical outlook affect the lives of individuals who wanted to change their gender in adulthood? Some individuals, particularly those with ambiguous sexual organs, sought to enlist the help of doctors to effect a legal change of gender. The story of Lawrence Register Payne (previously Lydia Rebecca Payne) provides an example of a person who used medical expertise to legitimate a change from woman to man. The doctor's medical certification of sex allowed Payne to become a man in his home community at a time when most gender migrants still used geographic movement as the primary strategy for changing their gender.

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[4] J. W. Underhill, "Two Hermaphrodite Sisters," *American Journal of Obstetrics and Diseases of Women and Children* 13, no. 1 (January 1880): 176, italics in original publication.

[5] Ibid.

[6] C. W. Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," *Medical Record* 51, no. 19 (May 8, 1897): 653–655.

Lydia Rebecca Payne was born on August 23, 1847, in Frederick County, Virginia. She was the daughter of a prosperous farmer named Joseph E. Payne and his wife Sarah A. C. Payne (nee Long). Lydia Rebecca Payne had seven sisters and no brothers.[7] Her friends and family called her Rebecca. Payne attended a grammar school for girls and was a good student who finished her courses at an expedited rate. Most of Payne's sisters married prominent men in the area, but Rebecca did not marry. Her father died in 1864 when Payne was a teenager, and the family struggled in the post-war economy. In the coming years, Lydia Rebecca Payne took over running the family farm, and her business acumen brought the family back to financial stability and prosperity. Payne was known in the area for her expertise in trading livestock and traveled frequently to nearby cities and to Baltimore. Payne's property was located at a rural place called Rest, the half-way point on a road between Winchester, Virginia, and Martinsburg, West Virginia. She convinced the federal government to put a post office on her property making her the post-mistress. She also opened a general store next to the post office.[8] Payne operated the family business for nearly twenty years as Rebecca.

On January 12, 1884, Lydia Rebecca Payne visited Dr. William P. McGuire in Winchester, Virginia, and asked him to perform a physical exam to determine her sex. She was 36 years old at this time. McGuire, along with his colleague Dr. W. S. Love, performed the exam and concluded that Payne belonged properly to the male sex.

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[7] 1850 U.S. Census, record for Lydia R. Payne, family 676, District 16, Frederick County, VA, Ancestry.com; 1860 U.S. Census, record for Lydia R. Payne, family 1202, District 1, Frederick County, VA, Ancestry.com; 1870 U.S. Census, record for Rebecca E. Payne, family 235, Stonewall, Frederick County, VA, Ancestry.com; 1880 U.S. Census, record for L. Rebecca Payne, page 346A, family 372, Stonewall, Frederick County, VA, Ancestry.com.

[8] "A Reported Woman Becomes the Groom of a Happy Bride," *Shenandoah Herald (Woodstock, VA)*, January 30, 1884; "A Strange Virginia Story. The Shenandoah Valley Agitated by the Metamorphosis of Elizabeth Rebecca Payne [from Baltimore Morning Herald]," *Charlotte (NC) Observer*, January 30, 1884; "A Woman Becomes a Man. The Great Virginia Sensation," *Anderson (SC) Intelligencer*, February 28, 1884.

McGuire later reported the case in a medical journal, calling the patient "A.B." to protect Payne's privacy.[9] In his report, McGuire described Payne thus: "to all outside appearances a fairly well-formed woman about five feet four inches in height, with long hair curling down her back." Payne had well-developed breasts, no facial hair, and a high-pitched voice. Examining Payne's genitals, McGuire found a "conformation resembling the vulva of the female" and a phallus three-quarter of an inch in length, which McGuire judged to be a penis, with an imperforate glans. Payne had two testicles enclosed in separate sacs with a deep slit in between them where McGuire found the opening of the urethra. McGuire found no prostate and no internal reproductive organs. "She stated that all of her proclivities and desires had been masculine," reported McGuire, and in the end "there was no trouble in determining her sex." McGuire quickly became convinced that Payne was male and should "change her dress to that of a man."[10]

Not all agreed with McGuire's claim that there was "no trouble" determining the sex of this person. Dr. Thomas A. Ashby and Dr. Eugene F. Cordell, the editors of the *Maryland Medical Journal*, for example, suggested that McGuire might have mistaken the patient's hypertrophied clitoris for a rudimentary penis. They opined that the features McGuire described "point most markedly to imperfect female sexual development" and that "the male element is decidedly in the minority."[11] In other words, if Payne would have paid a visit to Dr. Ashby or Dr. Cordell while in Baltimore on business, the result of the physical examination might have been strikingly different. Indeed, it is possible that

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[9] Wm P. McGuire, "A Case of Mistaken Sex," *Medical News* 44, no. 7 (February 16, 1884): 186.

[10] All quotations in this paragraph from: Ibid., 186. Also, for a letter from Dr. W.S. Love discussing the case, see George DuBois Parmly, "Hermaphrodism," *American Journal of Obstetrics and Diseases of Women and Children* 19, no. 9 (September 1, 1886): 944.

[11] Ed., "A Case of Mistaken Sex," *Maryland Medical Journal: A Weekly Journal of Medicine and Surgery* 10, no. 43 (February 23, 1884): 762–63.

McGuire was not the first physician that Payne visited in hopes of obtaining medical certification of maleness. The lack of consensus among physicians about many cases of ambiguous anatomy meant that patients who sought a medical certification of sex might have visited multiple doctors in the hopes of receiving the answer they wanted to hear.

Historian Elizabeth Reis has analyzed McGuire's published case study of "A.B." as well as the controversy it created in the medical world.[12] As Reis points out, McGuire's report did not discuss "how A.B. took the news that she had testicles and ought to change her gender status," and such a diagnosis would have been a source of distress for many patients who regarded themselves as women.[13] In Payne's case, however, additional sources suggest that this person came into the doctor's office eager to change her/his life and to begin living publicly as a man.

Dr. William P. McGuire suggested a surgical intervention for Payne, telling the patient "to attempt to have by a plastic operation a new urethra made from its termination in the perineum, along the sulcus to the glans penis, in order to effect more convenient urination, as she is now obliged to do so in the sitting posture."[14] Urethral lengthening was a complicated surgery with uncertain results and a high risk of infection and complications.[15] Payne decided not to undergo the procedure. It was not medical treatment he was after. Rather, Payne wanted a letter from the doctor certifying that he was male. The doctor issued such a letter, leaving out any details of Payne's anatomy. The letter read: "At the request of Lydia Rebecca Payne I made an examination for the

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[12] Reis, *Bodies in Doubt*, 72–75. Due to Dr. McGuire's use of the pseudonymous initials "A.B.," historians have not previously connected the medical case study to L.R. Payne's records in Virginia.

[13] Ibid., 73.

[14] McGuire, "A Case of Mistaken Sex," February 16, 1884, 186.

[15] Even today urethral lengthening remains a challenging, high-risk procedure, Miroslav L. Djordjevic and Marta R. Bizic, "Comparison of Two Different Methods for Urethral Lengthening in Female to Male (Metoidioplasty) Surgery," *The Journal of Sexual Medicine* 10, no. 5 (May 2013): 1431–38, doi:10.1111/jsm.12108.

purpose of determining her sex & I do certify that in my opinion the said L. R. Payne is of the masculine gender & of the male sex. Wm P. McGuire M.D."[16] Payne hoped to use this letter to gain legal recognition of his masculine gender.

Payne immediately assumed male attire in public—a sign, perhaps, that in the privacy of his rural home, he may have experimented with men's clothes long before his physical exam with Dr. McGuire. Within days of his doctor's visit, Payne took McGuire's letter and went to the Franklin County clerk to request a license to marry Sarah M. Hinton. The bride was a 40-year-old woman who worked for Payne and lived with him. The two had been cohabitating in the back of Payne's store, while other members of Payne's family lived in other dwellings on the property. However, the startled county clerk refused to give Payne a marriage license, reasoning that if Lydia Rebecca Payne was male, then he should change his name first before applying for a marriage license. A license to marry Lydia and Sarah would be improper, according to the clerk. The county clerk advised Payne to petition for a change of name, but Payne's first opportunity to do so would not come until March when the circuit court would hold its next session.[17]

Unwilling to wait two months until March, Payne wasted no time going across state lines to the neighboring Berkeley County, West Virginia. In West Virginia, Payne and Hinton succeeded in obtaining a marriage license on January 22, 1884, with the husband's name recorded as "Lydia Rebecca Payne." The county clerk filed a duplicate copy of Dr. McGuire's letter and noted that L. R. Payne and one M. L. Payne swore

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[16] See duplicate of McGuire's note attached to record: Lydia R. Payne and Sarah M. Hinton marriage record (Berkeley, WV, January 24, 1884), West Virginia Vital Research Records Project (online database), http://www.wvculture.org/vrr/va_mcdetail.aspx?Id=12506023.

[17] "A Strange Virginia Story. The Shenandoah Valley Agitated by the Metamorphosis of Elizabeth Rebecca Payne [from Baltimore Morning Herald]."

under oath that the statements were true.[18] On January 24, 1884 (only twelve days after Payne's visit to Dr. McGuire), the couple was married by a Southern Methodist Episcopal minister at the Payne family chapel in Bunker Hill, West Virginia, and invited friends, family, and local community members to participate in the festivities.[19]

In March, Payne returned to Winchester, Virginia, to petition the circuit court to change his name from Lydia Rebecca to Lawrence Register. Based on "the testimony of medical experts that the applicant is of the male sex" the court found "his present name…inappropriate" and granted the petition.[20] Henceforth, the state legally recognized this person as Lawrence Register Payne, and all government records for the rest of his life refer to him by this male name (including census records, court records, and his death certificate).

Payne's change of gender caused much talk in the surrounding area. After the sensational New York newspaper *World* picked up the story, it also circulated widely in the national press.[21] The *World* reported an interview with Payne's new wife, stating that Sarah Hinton "was not at all ashamed of the new experience of her husband, and her love for him was such that she did not care what the world said about him. She knew he was a man and that was enough for her."[22] The *World* portrayed Hinton as a 22-year-old "refined lady" rather than the 40-year-old working woman that she was. Such errors were

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[18] Payne and Hinton marriage record. Since only the initials were recorded, it is not entirely clear who is "M.L. Payne." The initials do not match any of L.R. Payne's sisters. This further illustrates that Payne gained acceptance from his extended family. He had many relations living in West Virginia at this time.

[19] "A Woman Becomes a Man. The Great Virginia Sensation."

[20] Petition of Lawrence Register Payne (Frederick County, VA, March 1884), Chancery Records, Index Number 1884-012, Case File Number 568.5, Library of Virginia, http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=069-1884-012.

[21] George Juergens, *Joseph Pulitzer and the New York World* (Princeton University Press, 1966), 54.

[22] "How She Got Her Boots On," *World (New York, NY)*, January 27, 1884.

not uncommon in reporting gossip across state lines, and these discrepancies may indicate that the paper's informant heard Hinton's side of the story through a third party, rather than interviewing Hinton directly. Nevertheless, the sentiment expressed in the *World* article probably accurately describes Hinton's attitude toward Payne. Privately, the couple expressed to Dr. McGuire that they had "regular sexual intercourse" and that it was "perfect" notwithstanding Payne's inability to ejaculate into his wife's vagina "owing to the position of the external opening of the urethra."[23] The couple spent the remaining three decades of their lives together on Payne's farm and adopted a girl named Mabel.[24]

Payne's family embraced him in his new gender. The local press illustrates that, despite the initial shock and gossip, the local community also accepted Payne as a man. His status as a member of a respectable local family and a prosperous business proprietor no doubt helped Payne in this regard. When he visited Winchester, Virginia, in March 1884 for his name change, he was "warmly welcomed and congratulated by his many friends."[25] The *Winchester News* noted that Payne looked "remarkably well and was in jovial spirits."[26] There was no shortage of curious onlookers who gathered to see Payne in his new suit and derby hat, but Payne displayed "remarkable self possession," and

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[23] William P. McGuire, "A Case of Mistaken Sex," *Maryland Medical Journal: A Weekly Journal of Medicine and Surgery* 10, no. 44 (March 1, 1884): 774.

[24] Sarah M. Payne (nee Hinton) died in 1925, and Lawrence Register Payne passed away a year later; see Larence R. Payne death certificate (Stonewall, Frederick County, VA, May 6, 1926), Virginia Death Records 1912-2014, Ancestry.com. Lawrence Register Payne and his wife Sarah M. were buried together in the Paynes Chapel Cemetery in Bunker Hill, VA; see their joint tombstone: "Lawrence R. Payne (1847-1926)," memorial # 42036574, Find a Grave (online database), accessed December 13, 2016, http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=42036574. See the family in these census records: 1900 U.S. Census, record for Lawrence R. Payne, Enumeration district 29, page 4B, family 80, Stonewall, Frederick County, VA, Ancestry.com; 1910 U.S. Census, record for Lawrence R. Paine, Enumeration district 37, page 1B, family 23, Stonewall, Frederick County, VA, Ancestry.com; 1920 U.S. Census, record for Lawrence R. Payne, Enumeration district 44, page 4A, family 70, Stonewall, Frederick County, VA, Ancestry.com.

[25] "The Woman-Man Again [from Winchester News]," *Alexandria (VA) Gazette*, March 13, 1884.

[26] Ibid.

"those whose privilege it was to converse with him were struck with his pleasant demeanor."[27] The newspaper expressed "best wishes" for Payne's success in life as a man.[28]

The entrepreneurial Payne decided to capitalize on the fame that he earned when he changed his gender. When reporting Payne's story, both local and national newspapers portrayed him as an outgoing, dynamic person who also happened to be an expert in the livestock trade. Payne endeavored to become a public speaker and to travel delivering lectures about buying and selling livestock. As the *Winchester Times* pointed out, "the press universally, both city and country, have given him a free notice," and Payne hoped that his fame would help increase ticket sales for his lectures.[29] The local paper beckoned Payne to make his lecturing debut in Winchester, assuring him that "a full and appreciative house would be guaranteed him."[30] His time on the lecture circuit seems to have been short-lived. When Lawrence Register Payne's mother Sarah A. C. Payne passed away the following year, he returned to farming and tending to the family homestead.

It is important to note that although Dr. McGuire and Lawrence Register Payne agreed that Payne's sexually ambiguous genitalia was more male than female, his gender change from woman to man at age 36 was not a foregone conclusion, but rather a deliberate action. I argue that we should understand Payne's gender migration as a result of his own life choices. He deliberately solicited medical expertise as a tool to gain legal recognition of his adopted gender from the state of Virginia. Here Payne's own family

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[27] Ibid.
[28] Ibid.
[29] "Mr. Payne as a Lecturer [from Winchester Times]," *Staunton (VA) Spectator*, April 1, 1884.
[30] Ibid.

exemplifies the potential for a different life trajectory. In his follow-up report on the sex determination of patient "A.B.," Dr. McGuire alluded to a "family history" that he "could not make public" because of privacy concerns.[31] In fact, Payne's younger sister Lelia was also affected by the same anatomical condition.[32] A number of family members, as well as Dr. McGuire, were well aware of this information. Lelia Payne's decision to live out her life in her initially assigned gender suggests that L. R. Payne could have chosen the same path.

In 1885, a disaffected former brother-in-law revealed this private information about Lelia Payne publicly when he filed a lawsuit against the Payne family.[33] The legal matter was a custody battle over Lawrence Register Payne's niece Bessie. One of the Payne sisters, Sarah Payne Merritt, gave birth to daughter Bessie in 1872 and died shortly after childbirth. Bessie's father Hugh Merritt sent the infant to live with her grandmother Sarah A. C. Payne and aunts. That is, Lawrence Register Payne's mother and sisters, including his sister Lelia Payne, raised little Bessie. Sarah A. C. Payne died in 1886 and 14-year-old Bessie inherited some land and money from the Payne estate (the inheritance was split between Lawrence Register Payne, his sisters, and his niece Bessie). Hugh

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[31] McGuire, "A Case of Mistaken Sex," March 1, 1884.

[32] It is possible that the Payne siblings were affected by a form of Androgen Insensitivity Syndrome (AIS), an intersex condition where the body's cells are fully or partially unable to respond to the androgens produced by the testes. Dr. McGuire's case study describes a confluence of anatomical features that are commonly seen in individuals with Partial AIS. The syndrome is an X-linked genetic recessive condition, i.e. it runs in families and the mother is the carrier. This condition often affects siblings, and the fact that Payne's mother gave birth to eight daughters and no sons further points to Partial AIS as a possibility. For information about AIS, see: "Androgen Insensitivity Syndrome (AIS)," *Intersex Society of North America*, accessed December 12, 2016, http://www.isna.org/faq/conditions/ais; "Partial Androgen Insensitivity Syndrome (PAIS)," *Intersex Society of North America*, accessed December 13, 2016, http://www.isna.org/faq/conditions/pais. For discussions of gender identities of persons affected by Complete and Partial AIS, see: Claude J. Migeon et al., "Ambiguous Genitalia With Perineoscrotal Hypospadias in 46,XY Individuals: Long-Term Medical, Surgical, and Psychosexual Outcome," *Pediatrics* 110, no. 3 (September 1, 2002): e31–e31, doi:10.1542/peds.110.3.e31; Guy T'Sjoen et al., "Male Gender Identity in Complete Androgen Insensitivity Syndrome," *Archives of Sexual Behavior* 40, no. 3 (June 2011): 635–38, doi:10.1007/s10508-010-9624-1.

[33] "Two Sisters Who Are Men," *Staunton (VA) Spectator*, December 2, 1885.

Merritt lived in Ohio and did not see his daughter for years, but he attempted to get custody of Bessie once the teenager came into a modest inheritance. The Payne family argued that Hugh Merritt was only after the money and did not have his daughter's best interests in mind, and Bessie herself testified that she wanted to stay in Virginia. The court eventually sided with the Payne family and denied Hugh Merritt's request to send his daughter to live with him in Ohio.

In the course of this legal family drama, Hugh Merritt launched a range of accusations of immorality against the Payne family, including the accusation that Bessie Merrit's unmarried aunt Lelia Payne was truly male. Lelia Payne was very involved in the child's life, and the court took up the question of whether it was appropriate for Lelia Payne to associate in intimate quarters with her niece and other women.[34]

Dr. William P. McGuire, who had attended both Lawrence Register Payne and Lelia Payne, was called to testify about Lelia Payne's condition. Hugh Merritt's counsel asked the doctor whether Lelia Payne had male or female anatomy and passions. Was Lelia Payne a "dangerous associate for her niece" who was a minor?[35] Was Lelia Payne "liable to be excited by close contact with a female"? Was it proper for Lelia Payne "to associate with other females sleeping in the same bed" as was common in this rural

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[34] See Hugh Merritt's habeas corpus suit: Hugh M. Merritt v. Jacob L. Swimley & etc. (Frederick County, VA, February 1886), Judgments, Local Government Records Collection, Library of Virginia, Richmond, VA. See also these legal files for the estate dispute about the inheritance due to Merritt's children upon the death of Sarah A.C. Payne: Gdn of Annie R. Merritt etc. v. Jacob L. Swimley & wife etc. (Frederick County, VA, 1885), Chancery Records, Index Number 1885-014, Case File Number 611, Library of Virginia, http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=069-1885-014; Sarah Elizabeth V. Merritt by etc. vs. Gdn of Sarah Elizabeth V. Merritt etc. (Frederick County, VA, 1887), Chancery Records, Index Number 1887-016, Case File Number 711, Library of Virginia, http://www.lva.virginia.gov/chancery/case_detail.asp?CFN=069-1887-016.

[35] Deposition of Dr. William P. McGuire, 50, in Hugh M. Merritt v. Jacob L. Swimley & etc. (Frederick County, VA, February 1886), Judgments, Local Government Records Collection, Library of Virginia, Richmond, VA.

Virginia household?[36] In pursuing this line of questioning, the attorney revealed the social anxieties and fears directed at persons who chose to live as women, but whose bodies were perceived to be male. Merritt's attorney sought to paint Lelia Payne—a purportedly male person who lived as a woman—as a potential sexual predator whose entry into women's intimate spaces was dangerous for unsuspecting women and girls.

Although Dr. McGuire attempted to use patient privacy to deflect the questions about Lelia Payne's condition, the court insisted that he give his opinion about her anatomy. McGuire said that, in his opinion, Lelia Payne was "not a true female," but rather "a case of spurious hermaphroditism of the male type."[37] He explained, "It is a question in medical science whether there is any such thing as bona fide hermaphroditism," but as far as Lelia Payne's case, he was convinced that she was "more of a male than a female."[38] The doctor assured the court that such an anatomical condition did not in any way diminish Lelia Payne's "moral character," but he also opined that it would be more appropriate for Lelia Payne to avoid associating with women and girls in intimate quarters.[39] McGuire thought it would be more proper for Lelia Payne to follow her sibling Lawrence Register Payne's example and adopt the masculine gender. He could see that such a proposition caused Lelia Payne considerable distress, and he understood that she wanted to live as a woman regardless of the doctor's diagnosis. If Lelia Payne insisted on living as an anatomically male woman, the doctor thought she should at least avoid any appearance of impropriety by sleeping apart from other women in her family.

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[36] Ibid., 51.
[37] Ibid., 52, 47; for more on the term "spurious hermaphrodite" see, Reis, *Bodies in Doubt*, 59.
[38] Deposition of Dr. William P. McGuire, 48.
[39] Ibid., 50.

Although Lawrence Register Payne and Lelia Payne experienced similar anatomical ambiguities, their decisions about the possibility of gender change were starkly different. Lelia Payne had no plans to change her gender, and she continued living as a woman for the rest of her life.[40] Lawrence Register Payne, on the other hand, undertook gender migration as an adult and succeeded in gaining a legal recognition of his manhood from the state. The siblings likely discussed their options with each other: to continue living as women or to adopt the masculine gender? Other family members were well aware of the situation. Another doctor who testified during the Bessie Merritt custody lawsuit was Edgar Smoke, Lawrence Register Payne and Lelia Payne's brother-in-law. Smoke confirmed McGuire's findings and opinions about Lelia Payne's condition and indicated that he was well acquainted with the Payne family medical history.[41] Lawrence Register Payne and Lelia Payne's sisters and extended family seem to have accepted their choices and gender trajectories.

Estelle Culton's survival strategies

In the closing decades of the nineteenth century, doctors used the term *hermaphrodite* to describe both anatomical and psychosexual ambiguities. While Lawrence Register Payne was perceived to be a "spurious hermaphrodite" of the male type, there was emerging by the 1890s the idea of a "psychosexual hermaphrodite"—a

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[40] See Deposition of Lelia Payne, in Hugh M. Merritt v. Jacob L. Swimley & etc. (Frederick County, VA, February 1886), Judgments, Local Government Records Collection, Library of Virginia, Richmond, VA. Lelia Payne never married: 1920 U.S. Census, record for Lelia A. J. Payne, Enumeration district 79, page 1B, family 15, Petersville, Frederick County, MD, Ancestry.com; 1930 U.S. Census, record for Lelia Payne, Enumeration district 33, page 11B, family 229, Petersville, Frederick County, MD, Ancestry.com.

[41] In addition to Dr. McGuire, doctors Holliday and Smoke were deposed during the lawsuit and confirmed McGuire's opinions. Dr. Edgar Smoke was married to Angelina Payne, one of the sisters of Lelia and Lawrence Register Payne. See Smoke and Holliday depositions in the same legal file. Hugh M. Merritt v. Jacob L. Swimley & etc.

person whose sexual ambiguity was expressed primarily in their brain rather than in their genitals. How the legal system should treat such individuals was a matter of concern for doctors and patients.

In the spring of 1884, at the same time when Lawrence Register Payne was starting his life as a man, a concerned correspondent who signed E. J. H. wrote to the editors of the *Alienist and Neurologist* journal. The writer lamented the criminal punishment of individuals who wore the attire of the opposite sex in public. "Quite a large number of cases are occurring in all large cities, of persons arrested for dressing like the opposite sex. But few are criminals; many are highly respectable and honorable," asserted the writer.[42] The author argued that some individuals exhibited a strong drive to cross-dress and their activities were harmless unless accompanied by some nefarious intent to commit a crime in disguise. Many contemporaries feared that people who crossed gender borders did so with the express goal of committing theft and violence in disguise, but E. J. H. believed such intent was rare. The author argued that this point was "self-evident": an individual who goes to all the trouble and expense of obtaining a full set of attire of the opposite sex "and persists in the practice of wearing it until he becomes expert in its uses" does so to satisfy a deep personal urge, not to commit "mischief."[43]

E. J. H. demanded to know: "Why should it be a *crime* to dress as you please?"[44] The writer defended both the "man [who] dons female attire" and "vice versa" and believed that such individuals deserved "pity rather than punishment."[45] The correspondent thought it entirely unfair that the legal system inflicted "severe

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[42] E. J. H., "Correspondence [Letter to the Editor]," *Alienist and Neurologist* 5, no. 2 (April 1, 1884): 351.
[43] Ibid.
[44] Ibid., 351, 352, italics in the original.
[45] Ibid., 352.

punishment" on such individuals "with no one bold enough to defend them" before the law.[46]

In the 1890s, the category of "psychosexual" or "mental hermaphrodite" emerged in American medical literature. In 1897, Dr. C. W. Allen used these terms to discuss the medical history of his patient, Estelle Culton.[47] This person's life provides one of the most striking cases of cross-gender identification in the medical literature of the period. This person used multiple names in the 1890s. Dr. C. W. Allen reported her name only as "Viola Estella Angell." I use the name Estelle Culton to refer to this person throughout the text because it is one of the names she used more often outside of the doctor's office. Although Allen's medical article did not identify her family of origin, a number of other sources point to Culton as her original family name. When she dealt with law enforcement, she usually told them that her male name had been Reginald Culton. As a woman, she favored the first name Estelle or Stella (but sometimes also went by Viola or Violet). She used several last names, including Culton, Angel, and Lawrence.[48]

Culton was born in 1874 in Nova Scotia, Canada. She came to Massachusetts when she was about twenty years old, and about a year later she appeared in New York City, which is where she encountered Dr. Allen and his colleagues. Allen examined Culton at an asylum in New York City and found that she had apparently male anatomy, but a distinctly feminine self-identity. During a physical examination, Allen determined

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[46] Ibid.

[47] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism."

[48] Although the scarcity of Canadian birth records for the 1870s make it difficult to definitively confirm the name recorded at this person's birth, a survey of Canadian census records and Nova Scotia genealogies reveals that since the late eighteenth century, the Culton family lived in and around the small towns of Stellarton and New Glasgow, where this person reportedly grew up, and both Reginald and Estelle were among the given names used in the Culton family in the mid- to late-nineteenth century. David Allison and Clyde Edwin Tuck, *History of Nova Scotia*, vol. 3 (Halifax: Bowen, 1916), 670. Elizabeth Reis discusses this medical case using the name that Dr. Allen reported in his case study. Reis, *Bodies in Doubt*, 63.

that Culton had a "well-formed and normal-sized penis and testes, with pubic hair of the male type," but Culton's testes were not sensitive to touch, and she seemed to lack the cremasteric reflex.[49] Allen found no female external genitalia or any sign of internal reproductive organs.

Culton's male anatomy perplexed Dr. Allen and his colleagues, because everything about the way Culton walked, talked, laughed, and held her sewing needle seemed "essentially feminine" to the doctors.[50] Allen regarded Culton as a man who wished to be a woman (Allen used male pronouns to refer to the patient). The doctor proposed that Culton might be a case of "mental hermaphroditism." According to Allen, Culton's body was male, but the patient was "honestly convinced that nature had intended him for a female."[51] In Allen's understanding, a mental hermaphrodite was distinguished by a "desire to engage in a legitimate and law-abiding manner in the pursuits of the sex whose instincts the subject feels."[52] In other words, Culton's self-identity, her manners and behavior, and her desire to live and work as a woman indicated for Allen a form of mental hermaphroditism.

Allen distinguished between what he called Culton's "legitimate and law-abiding" activities on the one hand, and what he viewed as "vicious" homosexual acts practiced from "perverse inclinations" on the other hand.[53] Historian Jennifer Terry writes that "psychosexual hermaphroditism" and "psychical hermaphroditism" were "synonyms for homosexuality" in this period.[54] But we see in Allen's case study a separation of these

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[49] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 654.
[50] Ibid.
[51] Ibid., 655.
[52] Ibid.
[53] Ibid.
[54] Terry, *An American Obsession*, 411n11.

two concepts. Allen used "psychosexual hermaphrodite" to refer to an anatomically male patient who embraced a self-identity as a woman and wanted to live an everyday life as a woman. Despite the fact that Culton had sometimes engaged in sexual acts with men, Allen observed that erotic desire for men was not the driving force behind Culton's feminine self-identity. Thus, Allen explicitly separated Culton's case from homosexuals whom he perceived as driven by a perverse erotic desire for members of the same sex.

Allen presented Culton's case to fellow doctors at the New York Academy of Medicine in March 1897. Mental hermaphroditism, he believed, was exceedingly rare. Allen suggested that Culton's case brought up a number of questions for his colleagues to ponder: was her condition congenital or acquired in the course of her childhood upbringing? He was unsure, but theorized that it was probably congenital. And what was the appropriate legal treatment of such patients? Echoing E. J. H.'s letter published in the *Alienist and Neurologist* thirteen years earlier, Allen argued that mental hermaphrodites should not be punished as criminals. However, Allen did not see their transgender practices as entirely harmless. He deemed that asylum treatment was necessary for people like Culton, and advocated their removal from society.

Estelle Culton, however, had her own agenda for her interactions with doctors and her own idea of how she should be treated by the police and the courts. She certainly did not want to be confined to an asylum. In fact, Allen had hoped to present the patient herself to his colleagues at the academy, but she ran away from the asylum before he could do so. Prior to her encounter with Dr. Allen at the asylum, Culton had lived full-time as a woman for at least a couple of years. She was arrested multiple times in Boston

and New York City, and each time she fiercely defended her mode of life and her identity as a woman.

The first record of Estelle Culton's contact with the police comes from Boston. She arrived in the city around the summer of 1894. At this time she was already living full-time as a woman. Upon her arrival in Boston, she went to the police headquarters and asked whether there was any law against men wearing female attire. She was told there was no such law in Boston (this was correct). Satisfied that the law did not prohibit her mode of dress, Estelle Culton stayed in Boston working primarily as a seamstress.

She fell on hard times in December 1894 and sought help from the Temporary Home for Women—a private charity that provided housing and food to destitute women. She spent a couple of nights at the shelter. She was subsequently arrested and "charged with intent to cheat and defraud the Temporary Home for Women."[55] She was accused of wearing "the garb and paraphernalia of a woman," representing herself as "Stella Angel" (one of the names that she used), and "thereby fraudulently obtain[ing] three pounds of bread, one pound of beef and one pound of butter" from the women's home.[56]

In police court, Estelle Culton presented a two-prong defense. First, she asserted that her dress matched her way of life and told the judge: "I was not masquerading."[57] This was an important point because Culton was charged with wearing the garb of a woman for the explicit purpose of defrauding the shelter for her own economic gain. She explained that she did not simply put on a dress the day she went to the shelter, but rather that she adopted the dress of a woman on a full-time basis since May: "Ever since last

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[55] "The 'Woman Man'; Reginald Culton Arrested as Stella Angel, Having Been at the Temporary Home for Women on Recommend," *Boston Journal*, December 11, 1894.
[56] Ibid.
[57] Ibid.

May, I have appeared daily in my present costume…I adopt this everywhere, no matter where I go."[58] To support her claim, she further explained that she was referred to the shelter by a "kind lady," that is by a respectable woman in the community who knew Culton and who understood Culton to lead a woman's life.

Second, Culton used ideas about women's dress reform to defend herself. Culton's arrest came at a time when the topic of women's bicycling outfits seemed to be on everybody's lips. Bicycling as a mode of transportation (not just a daredevil sport) saw a tremendous rise in popularity in the United States in the 1890s, and many women began to modify their outfits to better accommodate cycling. This development invited a great deal of public comment, bringing women in pants into the public mind in a way that was not seen since the "freedom dresses" of Amelia Bloomer and her friends in the 1850s.[59] Culton seized on this cultural moment to make her own arguments about the freedom to dress as one pleases. In the Boston court, Culton explained that she previously went to the police to inquire about the legality of cross-dressing. The police, she claimed, told her that there was no law against cross-dressing in Boston, and that "if there was such a law women bicycle riders could be stopped from wearing the garb they do."[60] Later in a New York City police court, she would invoke the idea of the "new woman" and mention Dr. Mary Walker (a woman who was famous for her medical service in the Civil War and her eccentric embrace of men's fashions), saying "Dr. Mary Walker...wears trousers. So I was told that I might wear my skirts if I wished."[61] Thus,

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[58] Ibid.

[59] Gayle V. Fischer, *Pantaloons and Power: Nineteenth-Century Dress Reform in the United States* (Kent, Ohio: Kent State University Press, 2001), 171.

[60] "The 'Woman Man.'"

[61] "Reginald Culton's Woe; Magistrate Simms Sends to the Workhouse the Man to Whom No Attire Is Proof Against Arrest," *New York Herald*, August 11, 1895.

Culton made a connection between other women's dress reform ideas and her own quest to dress and live as she pleased.

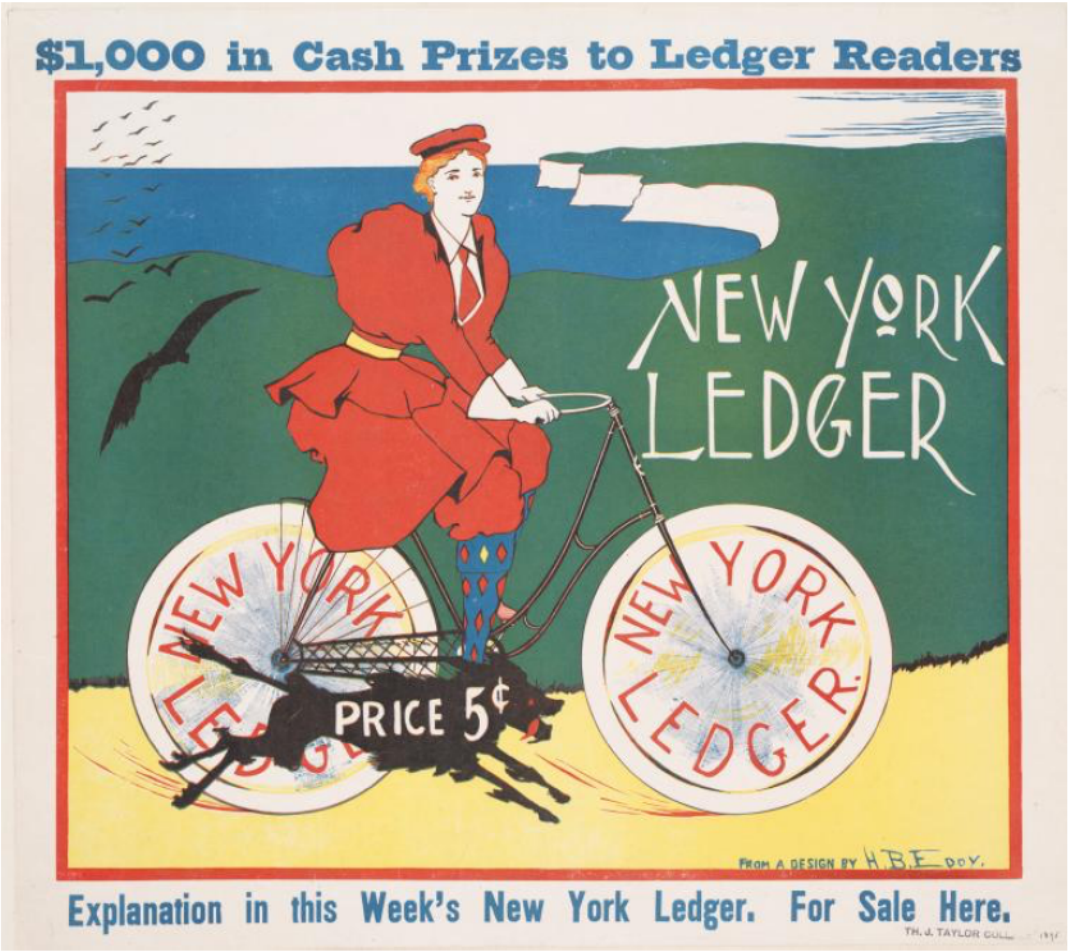

Figure 4. 1. Woman on bicycle in bifurcated outfit, 1890s poster.[62]

Judge Burke agreed that the municipal police in Boston had "no right…to say what a person shall wear."[63] Yet, Culton's case, the judge asserted, was not a question of personal taste in dress. The judge's logic seems to suggest that if Culton had worn a dress while presenting himself as a man named Reginald Culton, then the Boston police would

[62] Henry B. Eddy, *New York Ledger [Woman Bicyclist Poster]*, c. 1890s, Image ID 1258933, The Miriam and Ira D. Wallach Division of Art, Prints and Photographs: Art & Architecture Collection, New York Public Library Digital Collections, http://digitalcollections.nypl.org/items/510d47df-f6e7-a3d9-e040-e00a18064a99.

[63] "The 'Woman Man.'"

have no legal grounds to intervene. But presenting herself as a woman to the charity home was a form of fraud according to Burke, who noted: "your case is a pretty serious one as you have represented yourself to be a woman to a place that cares solely for women."[64] Culton's chief offense here was her attempt to access social services for women. Hence, the court affirmed that Estelle Culton might wear a dress if she liked, but her attempt to live as a woman did not entitle her to the meager social services that the state and private charities provided to women.

Estelle Culton spent the night in a Boston jail (with bail set at $300 she could not afford to get out). Then, on December 11, 1894, Judge Burke sentenced Culton to spend three more days in jail followed by a month of probation during which time Culton would be in the custody of the State Lunacy and Charity Board. After the probationary period, Culton was to be furnished with a man's suit and sent back home to Nova Scotia (presumably she would work at the almshouse to help earn the new suit). Culton was then sent to the Tewksbury Almshouse, 23 miles north of Boston, where the intake paperwork noted the details of the life of "Reginald Culton," stating "Although…a well developed man, he is effeminate in voice and general appearance."[65] After less than a week at Tewksbury, Culton took matters into her own hands and "absconded" from the institution.[66]

By August 1895, Estelle Culton was in New York. It is unclear exactly how or when she arrived in the city, but it seems she primarily used the name Estelle Lawrence while applying for jobs there. Through a New York City employment office she found a

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[64] Ibid.

[65] Tewksbury Almshouse Inmate Case Histories, Vol. 69 (Dec. 1894 to Feb. 1895), case 101921 (Reginald Culton), Center for Lowell History, University of Massachusetts Lowell.

[66] Culton's case file states that she absconded on December 17, 1894. Ibid.

position as a chambermaid in a hotel at Mountaindale in Sullivan County, New York, about 100 miles north of the city by train.[67] For reasons that are unclear, she left her position after only a few days, and came back to New York City with no money, no permanent home, and no job.

Two days after arriving back in New York City, patrolman McGinty arrested Culton for "being a suspicious person" and "loitering" in a public park.[68] She carried with her a satchel with "perfume, powder, powder rags, cosmetics, soap, a toothbrush and other articles."[69] After this arrest, she was sentenced to the workhouse on a charge of vagrancy. The police officer picked her up while patrolling the Ramble in Central Park. (By the 1920s, the Ramble—a woody and secluded area of Central Park—was known as a gay cruising spot, and this association continued throughout much of the 20th century. It is not clear whether the Ramble was already associated with homosexual encounters in the 1890s.)[70] Reports about Culton's arrest in New York City do not explicitly mention prostitution, but some suggested that Culton "flirted so violently" with young men in the

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[67] Estelle Culton used the services of Odell's intelligence office at 117 W. 42nd St. in New York City. "In Woman's Attire; This Mountaindale Maid Turned Out to Be a Man," *Sullivan County Record (Jeffersonville, NY)*, August 16, 1895.

[68] "Reginald Culton's Woe"; her arrest in New York gained national attention, see for example, "He Was a Lady's Maid," *Sun (Baltimore, MD)*, August 12, 1895, sec. Topics in New York; "What the Other Fellow Said," *Allentown (PA) Leader*, August 12, 1895; "Reginald Culton's Woe; the Man to Whom No Attire Is Proof Against Arrest," *Washington Post*, August 18, 1895, sec. General; "Made a Very Pretty Girl; the Story of a Man Arrested for Masquerading; Once He Was a Soubrette and for Three Years Acted as Lady's Maid," *San Francisco Chronicle*, September 11, 1895.

[69] "For She Is He and He Is She; Reginald Culton Arrested in the Park for Masquerading in Woman's Attire," *New York Herald*, August 10, 1895.

[70] George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 182; Doug Ireland, "Rendezvous in the Ramble," *New York*, July 24, 1978, http://nymag.com/news/features/47179/; Lisa W. Foderaro, "In Central Park, an Uneasy Coexistence Grows Uneasier," *New York Times*, September 13, 2012, http://www.nytimes.com/2012/09/14/nyregion/in-central-park-an-uneasy-coexistence-grows-uneasier.html.

park that this drew the attention of the patrolman.[71] It is possible that Culton engaged in sex work or hoped to solicit a paying customer in the park.

After her arrest, the police officers were apparently confused about Culton's gender and took her to Mount Sinai Hospital where she was subjected to a physical examination. Then, in police court, Culton admitted that she had "no home, no money and at present no means of support," but she pleaded with the judge to let her go, saying that she would promptly depart for Nova Scotia if she were released from custody.[72] Judge Simms was satisfied that Culton was a bona fide vagrant and sentenced her to the workhouse.[73]

Despite repeatedly telling the authorities in Boston and in New York that she would go back to Nova Scotia if they would only let her go, it seems Estelle Culton had no plans to return to Canada. The next record of her interaction with the authorities places her again in New York City some time before March 1897. She was destitute again (or still) and she once again applied to a women's shelter for help; this time it was the Florence Crittendon Mission, an institution that primarily served prostitutes. She was examined at the time of admission to the home (likely a routine procedure that other sex workers underwent upon admission). The Mission doctors decided that she was not a suitable candidate for their services.

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[71] "In Woman's Attire."

[72] "Reginald Culton's Woe."

[73] There were several grounds for a vagrancy conviction that could have been used against Culton in 1895. Having no home, no money, and no means of support fit the traditional definition of vagrancy. As discussed in chapter one, since 1845, disguising oneself in public was also grounds for a vagrancy conviction in New York state. If Culton was suspected of soliciting for the purpose of prostitution, she could also have been convicted under the "common prostitute" section of the vagrancy law. See Section 887. *Penal Code of the State of New York as Amended to, and Including, 1895. With References to Decisions*, 10th ed. (New York: S.S. Peloubet, 1895), 198–99.

It seems she was not arrested at this time, but rather taken to an asylum where a number of curious doctors (including Dr. C. W. Allen, Dr. Sherman, Dr. Grandin, Dr. H. K. Callyer and others) began to examine her and contemplate a diagnosis and an appropriate form of treatment. Upon her admission to the asylum, Allen noted that she gave her name as Viola Estella Angell and seemed "desirous of having the question of sex definitely settled."[74] But Culton did not simply want the doctors to diagnose her body or to tell her what was her "true sex." Culton hoped that the doctors would agree that she was more female than male and thus help legitimate her life as a woman. If she could get them to certify her sex as female, then perhaps this would help her resolve her problems with the police and, crucially for the destitute Culton, the physicians' certification might allow her to access social services and charity alongside other women. Although Culton had no female reproductive organs, she told the doctors that she had a menstrual period like other women.[75] Culton experienced chronic hemorrhaging from her rectum accompanied by abdominal pain. Allen did not definitively diagnose Culton's condition, but he found multiple signs that Culton suffered from anorectal disease that caused the bleeding.

Estelle Culton also hoped that her story about her childhood might convince the doctors that she was more female than male. Culton told Allen that she had been raised as a girl until age fourteen. She said this initial assignment as female came about due to an unspecified deformity of the genital organs that doctors perceived at the time of her birth. At age fourteen she reluctantly adopted the dress of a boy. Allen reported:

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[74] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 654.

[75] In a similar case, in 1906 another male-assigned gender migrant told a physician that she had "menses regularly" in the hopes of convincing the doctor that she was female; she had hemorrhoids and experienced bleeding from her rectum. R.W. Shufeldt, "Biography of a Passive Pederast," *American Journal of Urology and Sexology* 13 (1917): 454.

> Up to the age of fourteen years according to the subject, girl's clothing was worn, when, because of certain changes which had occurred in the appearance of the genitals and because the mother thought the child 'would have less trouble in the world as a male,' the dress was changed to that of a boy.[76]

Culton further told the doctor that during several years of dressing as a boy, she was constantly taunted and bullied for her effeminate ways, called "sissy," and "led the life of a dog."[77] Culton said she then decided to run away from home dressed as a girl because she found "life at home in man's attire unbearable" and had "a repugnance for man's occupations and an attraction toward the pursuits of women."[78]

Importantly, this story of her past differed from the story Culton told the Boston police and the Tewksbury Almshouse staff in 1894. Back in Massachusetts, Culton had given this story: she had always been effeminate and had sometimes worn female attire earlier in life, but she only started living as a woman on a full-time basis around age twenty. That is, she was living as a woman full-time for about seven months at the time of her Boston arrest. She did not claim then that she had been reared as a girl.[79] By the time she was arrested in New York City in August 1895, she was telling people that she dressed as a girl since childhood and then briefly lived as a young man before resuming female attire again.[80] Dr. Allen believed that Culton's statements about her childhood—that she was reared as a girl because of genital ambiguity until the age of fourteen—were a "fabrication."[81]

It is difficult to know with certainty whether Culton was raised as a girl or as a boy. Her shifting biography suggests that she crafted her story for a particular audience—

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[76] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 653.
[77] Ibid.
[78] Ibid., 654.
[79] "The 'Woman Man'"; Tewksbury Almshouse Inmate Case Histories, Vol. 69, case 101921.
[80] "For She Is He and He Is She"; "Reginald Culton's Woe"; "In Woman's Attire."
[81] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism."

either selectively omitting information about her childhood when she was arrested in Boston, or possibly fabricating the story of her childhood rearing as a girl when she was examined by doctors in New York. Here, it is important to note that fabricating a backstory was a key survival strategy for gender migrants. I argue that we should not view Culton's possible fabrication as a sign of a fundamentally deceptive character. Rather, fabricating a plausible history about one's past could help gender migrants maintain their way of life in their adopted gender in the present.[82] Particularly, when individuals' stories shift from one encounter with the police (or with doctors) to the next, we might interpret this as a sign that the person adjusted and tested different narratives in an attempt to find one that would be most effective for legitimating their gender migration.

Thus, in interpreting aspects of Culton's story as signs of fabrication, I do not seek to implicate her as a liar or fraud. Rather, I ask: what narratives did Culton think might be most effective in legitimating her life as a woman? Culton may have thought that a backstory of childhood rearing as a girl, as well as a mention of genital ambiguity at the time of her birth, might convince Dr. Allen to help, rather than hinder, her endeavor to build a life as a woman in adulthood. When Culton sensed that the doctors did not agree she was truly female and that they might soon force her to put on male attire, she once again ran away from the institution. She left behind a note saying that she could not bear to put on male attire at this time, but that she would try to do so in the future.[83]

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[82] My use of "plausible history" is inspired by Sandy Stone's foundational trans studies text and her analysis of what is gained and what is lost in the process of "constructing a plausible history." Sandy Stone, "The Empire Strikes Back: A Posttranssexual Manifesto," *Camera Obscura*, no. 29 (May 1992): 164.

[83] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 655.

One important aspect of Estelle Culton's narrative remained unchanged whenever she interacted with the police and with doctors. Whether Culton told people she grew up as a little boy or as a little girl, she had the same explanation for why she decided to live as a woman in adulthood. As a legal defense of her gender, Culton maintained that she was equally harassed when she attempted to dress as a man or as a woman. Culton told the Boston judge that she had been arrested in Halifax "for being dressed up as a man."[84] That is, as a man, Reginald Culton was so effeminate that police in Halifax believed that Culton was a woman attempting to pass in male attire.

Then in police court in New York City, Culton once again recounted how she had previously been "arrested when dressed in male attire, charged with being a woman in disguise."[85] After experiencing accusations of being a woman in male attire, Culton argued that wearing skirts and working as a woman simply made more sense.[86] Culton maintained that she could not possibly get a job as a man: "From boyhood I have been so effeminate in my appearance that I could not get employment as a man," she told the judge.[87] Later, she would tell Dr. Allen that, when living as a boy in Halifax, the youngster was "followed by a crowd…calling out that he was a girl in disguise."[88] Estelle Culton argued before the court and before the doctors that, whether she tried to live as a man or a woman, she would present an outward picture of gender ambiguity and she could not avoid harassment from the police and from the general public. This was not a

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[84] "The 'Woman Man.'"

[85] "Reginald Culton's Woe."

[86] Female-assigned gender migrants who took on men's identities sometimes gave similar explanations. For example, in 1885, one gender migrant told reporters after being arrested: "The reason I bought men's clothes was that I have often been accused of being a man in female attire and have even been threatened with arrest on that account. So I thought I would dress as a man and perhaps escape comment." See "She Saw the World; the Queer Freaks of Etta M. Lewis," *Boston Daily Globe*, May 30, 1885.

[87] "Reginald Culton's Woe."

[88] Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 653.

problem she believed she could solve or avoid. She made it clear, time and again, that although she could have lived as a gender ambiguous man, she preferred to live as a gender ambiguous woman.

Figure 4. 2. Estelle Culton in 1895.

Dr. C. W. Allen published an image of Culton in his article in the *Medical Record*. It was a photograph showing only Culton's thighs—spread open on the doctor's table—and her genitalia. Here is a drawing of Estelle Culton (alias Viola Estella Angell, Estelle Lawrence, or Reginald Culton) delivering her defense at the Yorkville Police Court in New York City on August 10, 1895, at age twenty-one. Culton probably preferred this image of herself where she has a head and holds it high, too. She was described by her contemporaries as a tall young woman (standing at 5' 10"), with a slightly angular jaw, "nose beautiful and of the Grecian type," very dark curly hair (she used curlers), rouged cheeks, and a fondness for bows and ruffles in her dresses.[89]

[89] Image source: "Reginald Culton's Woe"; for physical descriptions of Culton, see "For She Is He and He Is She"; Allen, "Report of a Case of Psycho-Sexual Hermaphroditism," 653–55; "nose..." quotation from "The 'Woman Man.'"

Kitty Russell's and Florence Smith's narrative of economic motivations

Estelle Culton was not the only male-assigned gender migrant who said she "could not get employment as a man" in Gilded Age America.[90] Consider the story of Kitty Russell, who was born around 1863 in Massachusetts. Little is known of Russell's childhood except that she lived with her mother and stepfather in South Boston, in a home filled with domestic abuse. When she was about seven or eight years old, Russell sought refuge in the home of her neighbors Peter and Martha Cottell after she suffered a beating from her stepfather. She came to the Cottells dressed as a girl. Kitty Russell never went back home, and the Cottells raised the child as their daughter from this point forward. Russell attended public school and then, as a teenager, went to work as a live-in maid and also worked sometimes as a waitress.[91]

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[90] "Reginald Culton's Woe."

[91] The details of Kitty Russell's adoption story come from the interview with Russell and her adoptive parents as reported in "A Girl, Yet Not a Girl," *Boston Daily Globe*, October 31, 1887. Also, Peter D. and Martha Cottell reported a 7-year-old girl named Catherine living in their household on the 1870 census. This is probably Kitty Russell. This child matches Kitty Russell's age (born around 1863), and "Kitty" was a common Irish nickname for Catherine in this period. The census enumerator did not record a different last name for Catherine, thus implying that her name was "Catherine Cottell," but other clues suggest that 7-year-old Catherine was a foster child, rather than the Cottells' biological daughter. As of the 1865 Massachusetts state census (two years after Catherine's birth), Peter D. Cottell was still living with his own parents, and there was no Catherine in their household. Peter D. Cottell and Martha Cottell (nee Haskell) were married later in 1865 and reported the birth of their first child (son George) in 1866. I have found no birth records for a "Catherine Cottell" in the Massachusetts vital records, while birth records for the Cottells' other children are readily available. Curiously, 4-year-old son George was listed first on the 1870 census, and 7-year-old Catherine on the next line (followed by 2-year-old son Samuel, then 6-month-old son James), even though George was three years younger than Catherine. The usual convention for census enumerators was to list children in the household from oldest to youngest, that is, one would expect to see the names Catherine, George, Samuel, James, in this order. Instead we see George, Catherine, Samuel, James. Although a seemingly inconsequential bureaucratic detail, this unconventional order on the census suggests this scenario: when asked the name and age of their oldest child, the Cottells immediately replied "George, 4 years old," then they mentioned that they also had a 7-year-old foster child named Catherine staying with them, and then went on to talk about the toddlers Samuel and James. 1870 U.S. Census, record for Peter Cotell, family no. 2118, Boston Ward 2, Suffolk County, MA, Ancestry.com; 1865 Massachusetts State Census, record for Peter D. Cottell, Family no. 30, Brewster, Barnstable, Ancestry.com; Marriage record for Peter D. Cottell Junior, spouse Martha R. Haskell (Boston, MA, April 23, 1865), Massachusetts Marriage Records 1840-1915, Ancestry.com; Birth record for George F. Cotele (Brewster, MA, July 10, 1866), Massachusetts Town and Vital Records 1620-1988, Ancestry.com.

In October 1887, Kitty Russell went to an annual military parade in Chelsea (it seems she was working at a restaurant in this Boston suburb around this time). Everyone in Chelsea was out in the streets, and businesses were closed for the public holiday. The town increased police presence on the streets, and officers were charged with looking for pickpockets. One patrolman saw Kitty Russell and thought she "acted very strangely."[92] What initially drew the officer's attention is unclear, but it does not seem to have been Russell's gender presentation. Unlike Estelle Culton, whose height and facial features sometimes prompted onlookers to do a double take and wonder about her gender, it seems the petite Kitty Russell experienced no such troubles. The officer began to follow Russell, and she became alarmed and afraid of his presence. The patrolman took her fear and agitation as a sign that she was a criminal and "arrested her as a suspicious character."[93] Distressed, Russell "protested against the charge of her being a pickpocket," but was nonetheless taken to the police station.[94]

When the officers at the station performed a search of Russell's person, they found no evidence of pickpocketing. The officers might have subjected Russell to sexual harassment, or in any case their search must have been rather intrusive, because they found that the shape of Russell's body was not what they expected from a woman. Subsequently, Chief Sibley of the Chelsea Police ordered a physician to examine Russell, and the doctor confirmed that Russell had male anatomy.

Chief Sibley ordered Kitty Russell to change her gender presentation. Russell was forced to put on an outfit of boy's clothes (she was too small to wear a grown man's suit) and taken to a barber to cut off 9 inches of her hair. Subjecting Kitty Russell to this

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[92] "Driven to Petticoats," *Boston Daily Globe*, October 29, 1887.
[93] Ibid.
[94] Ibid.

involuntary reversal can be seen as a punitive measure—it caused her considerable distress. However, Russell did not receive criminal punishment in the form of a fine or jail time. After her ordeal, she was allowed to leave the police station with her adoptive mother (Russell was twenty-four years old at this point, far from being a minor).

What backstory did Kitty Russell present to the police to gain her release and avoid criminal prosecution? Her story was widely reported in Boston and nationally as a narrative of gender crossing that emphasized economic motivations and want of employment opportunities. The papers reported that, at the time of her arrest, Kitty Russell explained to the officers that she had trouble finding work as a man, particularly because she felt unable to perform hard labor. Russell said she decided to put on skirts, and then found plenty of job opportunities in service. Russell worked for a time as a waitress in a restaurant, but said that she switched jobs several times because she was uncomfortable with all the attention that "gentlemen customers" paid her. Some of the customers pestered Kitty Russell daily to go to the theater or another place of amusement and "would not take no for an answer."[95]

The papers also reported that Russell had already "decided to become a man again and try her luck in that role once more, but was arrested before she could carry out her determination."[96] It seems that Kitty Russell told the Chelsea police that she already planned to become a man again, that if they would let her go home, she would abandon her life as a woman. The information that Kitty Russell had lived in her present gender for at least sixteen years was conspicuously absent from the initial reports of her arrest. Possibly, this was simply an omission in the papers. Perhaps Russell told police officers

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[95] Ibid.
[96] Ibid.

from the start that she had lived as a girl since childhood, but the information just did not make it into the papers. However, it seems unlikely that journalists would omit this bit of information because reporters were usually quick to seize years-long gender crossing as the stuff of headlines: "Posed as a Woman for Thirty Years," "Nine Years in Male Attire," "Masqueraded as a Woman for Fifteen Years," and so on.[97] Thus, it seems more likely that Russell herself omitted this information, fabricated a backstory of employment woes, and displayed an acquiescent attitude to the police, assuring them that her gender crossing had been a temporary endeavor for the purpose of securing a job and that she would not cross the gender border again if they released her from custody.

The next day after her release, a reporter visited the family and interviewed Kitty Russell's adoptive parents who explained to the journalist that Russell had lived as a girl for the last sixteen years.[98] The Cottells described how they saved the golden-haired child from an abusive neighbor when she was eight years old and, since that time, raised her as their own daughter. The Cottells said that they always thought Kitty Russell was a girl and were "perfectly thunderstruck by the revelations" that Kitty possessed male anatomy.[99] The parents displayed a supportive attitude and continued to speak of Russell as their daughter, saying that "Kitty did not like the new rig, as she felt like a duck out of

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[97] For some examples of headlines that emphasized years-long gender crossing, see: "A Woman Passing as a Man for Forty Years," *Constitution (Washington, DC)*, November 12, 1859; "Nine Years in Male Attire," *New York Times*, December 13, 1879; "A Business Woman; Masquerades for Fifteen Years in Masculine Attire," *Detroit (MI) Free Press*, November 8, 1885; "Forty-Two Years as a Man; Remarkable Story of a Woman Who Wore Male Attire," *Cincinnati (OH) Enquirer*, October 12, 1889; "Posed as a Woman; Max Feingold for Eight Years Successfully Masqueraded Before Women," *Topeka (KS) Daily Capital*, July 4, 1897; "Masqueraded as a Woman for Fifteen Years," *Wilkes-Barre (PA) Times*, December 21, 1901; "She Was a Man but Passed as a Woman for Thirty Years," *Tucson (AZ) Daily Citizen*, December 26, 1901; "Posed as Woman for Thirty Years," *Evening News (San Jose, CA)*, January 1, 1902.

[98] The interviewer reported visiting the family at 488 Commercial Street in Boston, "A Girl, Yet Not a Girl"; also, see record for Peter D. Cottell at 488 Commercial Street, *The Boston Directory* (Boston, MA: Sampson, Murdock, & Co., 1887), 292.

[99] "A Girl, Yet Not a Girl."

water."[100] While it is clear that the Cottells regarded Kitty Russell as their daughter, whether they truly did not know anything about their child's anatomy or simply feigned surprise at the "revelation" is less certain.

Figure 4. 3. Kitty Russell in 1887.[101]

After interviewing Russell's parents, the reporter waited around on the street and met Kitty Russell when she came home—clad in a woman's dress. Away from the Chelsea police station, Russell shed her acquiescent attitude. Immediately upon her return

[100] Ibid.
[101] Ibid.

to Boston, Russell discarded the boy's clothes, changed into her normal dress, and put on a bonnet to cover her short haircut. She asserted that she planned to wear female attire despite the risk of future police harassment, and she hoped to leave Massachusetts as soon as she could get enough money to get out of the state. In her interview with the journalist, Russell did not disavow her attraction to men: she told the reporter that she had been married to a man named Frank King a few years earlier, but that she left him after he became physically abusive. Importantly, she enumerated her job history in service, but she did not claim that she changed her gender just to find a job.

What are we to make of the emphasis on economic motivations that colored the initial reports of Kitty Russell's story? Although the *Boston Globe* publicized the interview and Russell's story of long-term gender migration just two days after her arrest, other papers quickly picked up the initial report of Russell's employment woes and ran with it. For the next two months, the story of how Kitty Russell was "driven to petticoats" in order to obtain a job in housework circulated nationally. The press portrayed a quick reversal in Russell's fortunes: as soon as Russell put on skirts, "he found no difficulty in getting positions."[102] This depiction of immediate success mirrored the way the press described stories of female-assigned individuals who put on pants in pursuit of employment. For example, the 1871 report of how Harry Johnson became a man to get a job as a typesetter in St. Louis (and later Chicago) assured the readers: "The transformation proved a fortunate one. As a man she found immediate employment."[103]

Stories of female-assigned gender migrants like Harry Johnson often highlighted economic motivations, and historians have long acknowledged that higher wages could

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[102] "Driven to Petticoats."
[103] "A Brave Little Girl," *Chicago Tribune*, February 17, 1871.

potentially serve as an incentive for women to adopt male personas in the past.[104] Tremendous gender disparities structured the nineteenth-century labor market. Consequently, the prevailing historiographical assumption is that, if economic factors were at play, this was a one-way street: only female-assigned individuals would attempt to explain their gender migration by reference to jobs and economic incentives. And yet, the reportage surrounding Kitty Russell illustrates that contemporaries sometimes used employment opportunities as a lens for understanding male-to-female gender migration.

Following Kitty Russell's arrest, the *Boston Transcript* published an opinion piece that saw wide circulation nationally under the title "Men in Petticoats; A Dream of What May Come to Pass in the Not Distant Future."[105] This author simultaneously poked fun at Russell herself, at unemployed working-class men, and at women who refused to work in domestic service. The writer suggested that a future of men going out to do housework may be on the horizon:

> There is a suggestion in this affair. It ought to be plain enough what it is. There are thousands of men, we are told, who can not find work to do. There are many more thousands of women who will not do housework. Now, of these thousands of men there are a majority, beyond a doubt, who might make themselves quite handy at housework, or at least a good deal handier than nothing at all. Let these poor wretches without employment be 'driven to petticoats.'[106]

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[104] Lillian Faderman, *Odd Girls and Twilight Lovers: A History of Lesbian Life in Twentieth-Century America* (New York: Penguin, 1992), 43; Jason Cromwell, "Passing Women and Female-Bodied Men: (Re)Claiming FTM History," in *Reclaiming Genders: Transsexual Grammars at the Fin de Siècle*, ed. Kate More and Stephen Whittle (London and New York: Cassell, 1999), 35.

[105] The *Boston Transcript* opinion piece was first reprinted in the *Chicago Tribune*, and then other smaller newspapers followed: "Petticoated Men for Housework; A Dream of What May Come to Pass in the Not Distant Future," *Chicago Tribune*, November 13, 1887; "Men in Petticoats; A Dream of What May Come to Pass in the Not Distant Future," *Lawrence (KS) Daily Journal*, December 2, 1887; "Men in Petticoats; A Dream of What May Come to Pass in the Not Distant Future," *(Logan) Ohio Democrat*, December 10, 1887; "Men in Petticoats; A Dream of What May Come to Pass in the Not Distant Future," *Stevens Point (WI) Journal*, December 10, 1887.

[106] "Petticoated Men for Housework; A Dream of What May Come to Pass in the Not Distant Future."

The writer suggested that a man could put on a "rudimentary, perfunctory" petticoat over a neat pair of pantaloons and maybe change his name to a feminine version—from Michael to Michaella or from Patrick to Patricia—as part of his transformation into a maid. "The sex of the new servants might be still further disguised a little," the author wrote, "without being denied, by adding a feminine termination to the well-known masculine name."[107] Here the writer did not suggest that the male maids could or should attempt to hide their background and pass as women. Rather, the author imagined that all parties involved would understand that the maid was male. But if men were to pursue employment as maids and cooks, then some form of symbolic feminization was required, and the skirt could provide that symbolism. The author's musings on the future of men in housework were presented in a humorous tone, but there was a grain of truth in the joke: women's clothes and identities went hand in hand with domestic work, and this shaped the contemporary narratives of gender migration from man to woman.

Consider these examples of male-assigned individuals who lived as women and worked in domestic service. In 1884, a cook in a Passaic, New Jersey, boarding house was startled when her employer, Mrs. Totten, walked into her room after hours to ask a question. Mrs. Totten was equally startled because she found her cook undressed—her dress and wig hanging on the back of a chair—and learned that her cook was a male-assigned person. The cook then explained to her employer that she was "unable to obtain employment as a man" and decided to put on skirts to get a job in service in New York

[107] Ibid.

City.[108] With too many acquaintances in the city, the cook "sought a situation in the country" to avoid being recognized by former associates and thus came to Passaic.[109] Although she was reportedly the best cook Mrs. Totten ever had, the worker quickly picked up and left (in her dress and wig) to avoid problems after this "sudden discovery."[110] It seems she had no intention of abandoning her transgender life at this time.

In 1898, a middle-aged person who had lived as a woman for over a decade was arrested for drunkenness in Brooklyn, New York. She was also a cook. The morning after her arrest she was arraigned in police court. When the judge asked her to explain why she dressed in women's clothes, she said it was because she "could get a position better" by dressing as a woman than if she "went about in male attire."[111]

In 1904, a 17-year-old youth was arrested on board a train from Atlanta, Georgia, to Memphis, Tennessee, wearing a skirt and bonnet. The youngster gave the name Robert Smith to the police and told them that dressing as a woman was necessary for childcare work. Atlanta papers reported: "The boy says he nursed several children for a lady who was traveling from Paris, Tex., to Spartanburg, S.C. some time ago, and that necessitated his dressing like a girl."[112] The lady employer was nowhere to be seen, and Smith was reportedly alone on the way back home to Texas after completing the childcare job. Smith was still wearing a dress and might have fabricated this backstory to try and escape criminal punishment for gender crossing.

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[108] "Mrs. Totten Screams; Her Sudden Discovery That Her Excellent New Cook Is a Man," *Sun (New York, NY)*, August 17, 1884.

[109] Ibid.

[110] Ibid.

[111] "Dressed as a Woman; Henry Bechlers Tells the Court His Reasons for Masquerading," *Brooklyn (NY) Daily Eagle*, July 20, 1898.

[112] "In Girls' Clothes," *Dallas (TX) Morning News*, September 3, 1904.

Gender migrants who moved from female to male told such stories of economic motivations since the early decades of the nineteenth century. Such narratives often worked to their advantage and garnered sympathy because they presented their gender migration as an essentially rational move since changing one's gender could easily double one's income. In the 1880s, these narratives were still salient and were sometimes used by women's rights leaders to advocate for equal wages for women. For example, in 1883, Lillie Devereux Blake testified before the U.S. Senate Committee on Education and Labor and argued that "women should be paid equally with men wherever they do the same work."[113] As evidence of the injustice of the gender wage gap, she related a story of a New York City gender migrant who made $9 a week after taking on a male identity (where the person's previous wages as a woman had been $4). Around the same time when Lillie Devereux Blake was testifying before the committee investigating labor relations, male-assigned gender migrants began telling similar stories of economic motivations. The problem they lamented was not the wage gap, but rather men's inability to get any employment at all. Contemporaries sometimes dismissed such claims as rubbish and sometimes took them quite seriously. Was there truth to these stories? Did 17-year-old Robert Smith really put on a dress only to get a job as a nanny for a Southern lady or did this person fabricate the narrative of economic motivations? In many cases, the fragmentary nature of the archive of transgender history makes it difficult to evaluate the real role of economic motivations in these individuals' lives. But when it comes to people like Kitty Russell—those who lived for years as women and persisted in their adopted gender after exposure and reprimand—I argue that we should interpret their

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[113] U.S. Senate, Committee on Education and Labor, *Report of the Committee of the Senate upon the Relations between Labor, and Capital and Testimony Taken by the Committee, Vol. 2-Testimony*, 48th Cong., 2d Sess., S. Rept. 1262 (Washington: G.P.O., 1885), 605.

actions as signaling a deeper commitment to their adopted gender that went beyond considerations of employment opportunities. Thus, evidence suggest that Kitty Russell and others like her fabricated a narrative of unemployment in a quest to avoid punishment for their perceived gender transgressions.

Florence Smith provides another example of a person who quite clearly fabricated a backstory of economic need and want of employment as an explanation for her gender crossing. Florence Smith was an African American gender migrant who lived in St. Louis, Missouri, in the 1870s and 1880s. Smith was born in 1856 and was raised as a boy in Florida. By 1874 (and possibly earlier), Smith arrived in St. Louis and began wearing female attire and going by the name Florence. In February 1883, Florence Smith was working as a cook for a white family on Olive Street. Smith was reportedly a "good cook," and while the woman who employed her was satisfied with the service, she became suspicious of Smith's sex.[114] The exact circumstances of how Smith's gender crossing was exposed at this house are not clear. Quite a few people in St. Louis knew Smith's background, and someone may have blackmailed Smith and revealed this information to the employer. Many gender migrants were exposed to their employers or associates in just this way. The close quarters and intimacy of a domestic service job also created many opportunities for gender migrants to be exposed. Particularly for black women, domestic service often came with the risk of sexual harassment and improprieties by the white men in the household, and unwanted physical contact could expose a gender migrant like Florence Smith.[115]

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[114] "Fined $100; For Representing Himself as a Woman and Appearing in Female Attire," *St. Louis (MO) Post-Dispatch*, February 27, 1883.

[115] For more on the conditions of domestic service, see: David M. Katzman, *Seven Days a Week: Women and Domestic Service in Industrializing America* (New York: Oxford University Press, 1978);

After Florence Smith's sex came under scrutiny in the house on Olive Street, St. Louis police arrested her. Since 1864, St. Louis had a municipal ordinance prohibiting one to "appear in any public place…in a dress not belonging to his or her sex."[116] Florence Smith was charged with appearing publicly in female attire under this ordinance, which carried a fine of $10 to $300 (giving judges tremendous discretion in imposing punishment for the offence). Appearing in First District Police Court in her dress on February 27, 1883, Smith pleaded guilty to the charge. When asked why she was wearing female attire, Smith explained that she only put on a woman's dress to get a job. She lamented that, as a man, she was "unable to obtain employment."[117] Smith had some cooking skills and, she said, a friend suggested that, if she "put on a woman's dress and underwear," she would easily secure a position in domestic service.[118] By placing the responsibility for her gender migration on another person—a friend who suggested that she should pass as a woman—Smith may have hoped to garner further sympathy from the court.

Like Kitty Russell, Florence Smith probably hoped that fabricating a narrative of economic woes and unemployment would help her escape a harsh criminal punishment for her gender migration. But what worked for Russell did not work for Smith. Florence Smith received a steep fine of $100. Failing to pay the fine, she was confined to the city

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Elizabeth Clark-Lewis, *Living in, Living out: African American Domestics in Washington, D.C., 1910-1940* (Washington: Smithsonian Institution Press, 1994); Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge, MA: Harvard University Press, 1997); Rebecca Sharpless, *Cooking in Other Women's Kitchens: Domestic Workers in the South, 1865-1960* (Chapel Hill: University of North Carolina Press, 2010).

[116] Eskridge dates the initial adoption of the St. Louis ordinance to 1864. William N. Eskridge, *Gaylaw: Challenging the Apartheid of the Closet* (Cambridge, MA: Harvard University Press, 1999), 339. For the ordinance that was in effect when Florence Smith was arrested in 1883, see *The Revised Ordinance of the City of St. Louis* (St. Louis, MO: Times Printing House, 1881), 609.

[117] "Criminal Courts. Several Matters up for Consideration Before the Four Courts Judges," *St. Louis (MO) Post-Dispatch*, February 26, 1883.

[118] Ibid.

work house where she would have to do hard labor for a couple of months until she worked off the $100 penalty. After she was released from the work house in April 1883, she was soon arrested again "on a charge of appearing in female attire."[119] This pattern continued for at least the next two years, and Smith refused to give up her preferred mode of dress—and her identity as Florence—despite continued arrests, cross-dressing and vagrancy charges, fines, confinement, and the hard labor of the work house.[120]

Florence Smith did not put on a dress in 1883 to get a job as a cook at age twenty-seven. She had lived as a woman in St. Louis since she was at least nineteen years old, and she continued living as a woman for years after the ordeal at the house on Olive Street. Only a fraction of that time she spent cooking in white women's homes. Initially, in the 1870s, she worked primarily as a sex worker. She worked alongside other women, both black and white, and was associated with multiple brothels and saloons near the Mississippi River docks. From 1874 to 1878, she was arrested multiple times for allegedly stealing money from her johns, and she was usually able to fight off the charges or was bailed out by an associate. For example, in June 1875, Charles Meyers, a grain dealer who was passing through St. Louis, claimed that $110 was missing from his pocket after he spent the night with Florence Smith at Priscilla Henry's bawdy house. The resulting grand larceny case was dismissed for lack of evidence.[121] Throughout these

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[119] "Sentenced to Die. The Date of Matthew Lewis' Execution Fixed for June 8th. Rickert Refused a Release on Bond--Other Criminal Cases," *St. Louis (MO) Post-Dispatch*, April 23, 1883.

[120] "City News," *St. Louis (MO) Post-Dispatch*, February 19, 1884; "'Florence' Smith's Case Continued," *St. Louis (MO) Post-Dispatch*, February 20, 1884; "Florence Smith Again," *St. Louis (MO) Post-Dispatch*, May 12, 1884; "First District Defendants; a Variegated Docket Worked Off by Judge Cady This Morning," *St. Louis (MO) Post-Dispatch*, August 1, 1885.

[121] For the 1875 grand larceny case, see "A Victim of the Snares," *St. Louis (MO) Dispatch*, June 1, 1875; "A Dangerous Man," *St. Louis (MO) Dispatch*, June 2, 1875; "The Court of Criminal Correction," *St. Louis (MO) Dispatch*, June 11, 1875, sec. The Courts. Additionally, for the 1874 petit larceny case, see "New Accusations," *St. Louis (MO) Dispatch*, July 24, 1874. For the 1877 prostitution sting operation targeting Florence Smith, see "Man or Woman? Florence Smith Again Under Arrest for Wearing Female

years, St. Louis police were rather confused about her gender, and reports of her court appearances used a mixture of pronouns and referred to her variously as "the African whose sex has always been a puzzle to the police" or one of the "most notorious *women* of the city."[122]

In April 1878, Smith faced grand larceny charges in St. Louis's Criminal Court. Philip Lenz claimed that Smith "lured" him "from the paths of virtue" with her charms, and then, together with fellow sex worker Emma Baptiste, robbed him of $30. By this point, the court was pretty well convinced that Smith was "a colored man who…passed himself off as a woman."[123] Despite hiring attorneys Burgess and Ferrier to represent her, in June 1878 Florence Smith was convicted of grand larceny and sentenced to two years in the Missouri State Penitentiary.[124] Throughout the trial, Florence Smith appeared in court in her dress. Even as she entered the state prison, she continued to hold on to her identity as a woman and refused to give a male name to the authorities.[125]

It was after she got out of prison in December 1879 that Florence Smith decided to seek work in domestic service.[126] It seems, she had no trouble with law enforcement for three years until her employer at the house on Olive Street called the police alleging that the cook was a man. This was the longest Smith managed to stay out of the courts.

Attire," *St. Louis (MO) Dispatch*, March 31, 1877. For the 1877 grand larceny case, see "Florence Smith Again in Trouble," *St. Louis (MO) Dispatch*, November 24, 1877.

[122] "Man or Woman? Florence Smith Again Under Arrest for Wearing Female Attire"; "Florence Smith Again in Trouble"; "A Good Week's Work; Five Bad Women Sent to the Penitentiary," *St. Louis (MO) Dispatch*, June 12, 1878, emphasis mine.

[123] "Fate of a Thief," *St. Louis (MO) Dispatch*, June 6, 1878.

[124] Albert Burgess and John D. D. Ferrier were young black attorneys who moved to St. Louis and established a law practice a short time before Florence Smith was accused by Philip Lenz of grand larceny, "Colored Attorneys," *St. Louis (MO) Dispatch*, March 18, 1878.

[125] Florence Smith record, prisoner 897, page 26, Missouri State Penitentiary Sentence and Judgment Papers: Oct 1877-Nov 1879 (microfilm roll S269), Mid-Continent Public Library Midwest Genealogy Center, Independence, MO.

[126] Ibid. Under Missouri's three-fourths rule, Florence Smith was discharged from prison on December 13, 1879, after serving 18 months, i.e. three-fourths of her sentence.

Perhaps she developed her narrative of economically-motivated gender migration during this period, and this narrative may have helped her garner sympathy from other employers or community members before she faced the police again in February 1883. The backstory she fabricated about her inability "to obtain employment on account of [Smith's] sex" did not help her get out of trouble once the police were involved.[127] After this point, Smith's constant trips to the work house on cross-dressing charges made it difficult for her to get or keep a job in domestic service, and she returned to sex work. By 1884 newspapers reported that "police have been trying to rid the city" of Florence Smith.[128] They may have succeeded in pushing her out of the city after 1885, when she seems to disappear from St. Louis records.[129]

If both women and men tried to explain their gender migrations as a matter of sexual divisions in the labor market, their stories garnered different value judgments from their contemporaries. Opinion writers portrayed men's work as hard and taxing, while women's domestic labor was often described as light. It was this same attitude toward domestic labor that ensured women's wages as cooks, maids, and laundresses would stay pitifully low.[130] (Of course, such a portrayal ignored the physical strain of much domestic labor in this period.) While women who took on male identities were sometimes chided for usurping men's jobs, they also met with admiration for taking on men's work and were sometimes described in down-right heroic terms, especially if they had to provide economic support for others.

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[127] "Criminal Courts."
[128] "Florence Smith Again."
[129] "First District Defendants."
[130] For more on how ideology shaped nineteenth-century women's employment opportunities and wages, see Jeanne Boydston, *Home and Work: Housework, Wages, and the Ideology of Labor in the Early Republic* (New York: Oxford University Press, 1990).

For example, in 1854 the press hailed a Prussian woman named Hipson as a hero after she worked for five years on a railroad to support her "infirm husband and four children" who were "starving" before she "disguised herself, worked hard, and had her wages advanced for her assiduity."[131] The press related this as a "romantic story of female devotedness."[132] The Chicago typesetter Harry Johnson was described in 1871 as possessing "traits of heroic endurance, perseverance, and sturdy self-reliance under adverse circumstances which reflect honor upon the individual and upon her sex."[133] Likewise, in 1893, the press circulated a story of a "strong hearted young woman."[134] This Italian immigrant had worked for some time on a railroad in Pennsylvania with the goal of earning enough money to bring parents to the United States. "Despite the blistering of her hands and the hardships of the labor, she toiled faithfully for months," wrote *Good Housekeeping*; the foreman decided not to discharge this person after "hearing her pathetic story."[135] Male-assigned people who became women and went into domestic labor, however, were usually chided and described as physically and morally weak and driven not simply by economic need, but rather by laziness and a desire to shirk the responsibilities of manhood.

Conclusion

In the closing decades of the nineteenth century, several approaches to solving gender migrants' legal problems emerged in police precincts and courts. As a new wave of less restrictive women's reform dress and bicycling outfits took the country by storm

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[131] "A Romantic Story of Female Devotedness...," *Times (Hartford, CT)*, February 18, 1854.
[132] Ibid.
[133] "A Brave Little Girl."
[134] "Worked as a Man; An Italian Girl Was Anxious to Earn Money [Reprint from Good Housekeeping]," *Brooklyn (NY) Daily Eagle*, December 24, 1893.
[135] Ibid.

in the 1890s, some gender migrants seized this cultural moment to present legal arguments in favor of one's right to determine one's own gender presentation. In doing so, they echoed the legal arguments exemplified by Charley Linden's case in the 1850s when the previous major wave of women's reform dress made headlines.

Fabricating a backstory became an essential survival strategy for gender migrants who faced persecution, and they found that tailoring narratives depending on their audience was an important tool for escaping punishment. Sometimes they claimed that they had only put on the clothes of the opposite sex briefly (when in fact they had been living in their adopted gender for months or years). The popular press was a crucial venue for circulating stories of gender migration that emphasized economic motivations. When stories like Kitty Russell's—narratives of male to female gender migration driven by want of employment opportunities—circulated in the press, they taught readers that a story of economic need might be seen as a plausible explanation for gender migration. Male-assigned gender migrants might then fabricate a backstory of economic need in an attempt to garner sympathy and get out of trouble with law enforcement. Male-assigned individuals' use of unemployment as a plausible explanation for gender crossing increased during the Gilded Age, in a time when many working-class men expressed anxieties about their prospects for gainful employment. Notions of gender and work structured late nineteenth century ideas about transgender lives.

Gender migrants enlisted the help of medical professionals in their attempts to legitimate their transgender lives. Lawrence Register Payne and Estelle Culton were two individuals who attempted to use doctors' expert opinions as a strategy for gaining legal recognition and social validation. They sought physicians' help in their attempts to gain

legal name changes, marriage licenses, and gender-specific social services. When the patient had an ambiguous body (as was the case with Payne), their behavior, employment, and proclivities could lead doctors to recommend that the state legally recognize the person's adopted gender. This was crucial for gender migrants to gain acceptance and to be able to remain in their natal communities. In the case of Estelle Culton, who was deemed a "psychosexual hermaphrodite," doctors attested that this individual was a law-abiding citizen who did not deserve criminal punishment. Some doctors saw gender migrants' manners, behavior, and desire to live in an adopted gender on a full-time basis as evidence that these individuals were not adopting a criminal disguise. However, not all doctors saw transgender practices as harmless, and some prescribed asylum treatment and imagined that "psychosexual hermaphrodites" should be removed from society.

People like Estelle Culton cooperated with physicians' examinations in the hope that the doctors would settle the question of their "true sex." Entering such medical examinations was a risky proposition because gender migrants knew that the doctors could interpret their bodies as belonging properly to their assigned sex. For this reason, gender migrants crafted stories about being reared in their adopted gender or claimed that they menstruated despite having no female reproductive organs. They hoped such narratives might sway doctors' professional opinions as to their sex designation. In a milieu where American physicians had not arrived at a consensus regarding cases of anatomical or psychosexual ambiguity, patients seeking to legitimate their transgender lives could appeal to doctors for medical certification of sex, but this was far from a sure strategy.

By the turn of the twentieth century, the discourse of sexology posited that individuals' transgender practices were necessarily tied to their erotic attractions. The role of passion and romance in transgender lives thus increasingly came under doctors' scrutiny. How gender migrants formed intimate relationships and how they responded to sexological ideas is the subject of the next chapter.

CHAPTER 5.

"SOME VERY QUEER COUPLES":

PASSION AND INTIMACY IN GENDER-CROSSING NARRATIVES

Introduction

In the winter of 1902, a number of American newspapers titillated their readers with the headline "Sly Cupid at Work; Brings Some Very Queer Couples Together All Over the Country."[1] The article highlighted two purportedly strange love stories. The first story featured an interracial romance between two people whose parents had been bitter enemies: an Apache woman and the white son of a Texas Ranger. This was a star-crossed lovers kind of tale—Romeo and Juliet American style—with dramatic near-death adventures, but with a happy ending. The second couple highlighted in the article were a white man and white woman in rural Maine. Theirs was a quieter life. And yet the papers purported that their case was "one of the most extraordinary of the many marvelous things accomplished by love."[2] One of the partners in this couple was "regenerated" by love, changing gender from woman to man. Or maybe he had been a man all along? The fact that the journalists did not fully understand what happened in Maine did not stop them from circulating this story.

Throughout the nineteenth century, many narratives of gender crossing that circulated in popular culture featured love and romance. Over the course of the century, there was a shift in the way contemporaries talked about romantic passions as a driving

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[1] "Sly Cupid at Work; Brings Together Some Very Queer Couples All over the Country," *Washington (DC) Bee*, February 8, 1902. This headline also ran in other papers in Kansas, Mississippi, and Pennsylvania. The article's text seems to have originated in the *Chicago Tribune*, although under a different headline and with different illustrations. See "Diverse Activities of Cupid in Divers Fields. Love Makes Man Discard Skirts," *Chicago Tribune*, January 12, 1902.

[2] "Sly Cupid at Work."

force in the lives of gender migrants. When discussing stories of female-assigned individuals who put on male attire—from "female husbands" to women following their sweethearts into the army as soldiers—their conjugal relationships were often front and center. This attention to the love lives of female-assigned gender migrants reflected the widely held cultural beliefs that women were essentially more emotional, devoted, and driven by their romantic attachments. American commentators were much less likely to draw attention to male-assigned gender migrants' romantic relationships. This changed dramatically at the turn of the twentieth century with male-assigned individuals' passions coming to the fore in some narratives that circulated in medico-legal literature and in the popular press.

This chapter takes a thematic approach to exploring romantic relationships in transgender lives from the antebellum period to the turn of the twentieth century. Here I build on queer historiography, which has already spilled much ink on the connection between gender crossing and same-sex desire in American culture. My goal here is to offer up new and surprising stories and to explore their potential to provide new insights into nonnormative modes of forging intimacy. I begin by discussing female-assigned gender migrants and their diverse relationship configurations, especially highlighting individuals who were romantically entangled with men during their transgender lives. I then turn to male-assigned individuals who were deemed sexual inverts in the emerging discourse of sexology, analyzing particularly the autobiographical writings of Jennie June who wrote about gender and sexuality from a transgender point of view. As Scott Herring has noted, Jennie June both embraced sexological discourse and also "contested, negotiated, and reworked" it, particularly in her use of the subcultural term *fairie*

alongside the sexological term *androgyne*.[3] I argue that it is useful to pay attention to her use of other colloquial terms, such as *girl-boy* and *woman-man*. Parsing out the relationship between these terms and June's use of *androgyne* helps us see what categories and modes of identification were available at the turn of the twentieth century and what terms Jennie June and her associates actually embraced as self-descriptors. I conclude with "some very queer couples" in the popular press at the turn of the twentieth century, stories where men's passions purportedly prompted a gender transformation. Reading these ambiguous cases from multiple angles, I argue that they might give us clues about the strategies that resourceful gender migrants used to build intimate relationships and control their own narratives.

Female husbands?

Like other men in their communities, many female-assigned individuals who lived as men married women. Such relationships have been well-documented by historians of gender and sexuality.[4] The popular press regularly reported about such unions under headlines touting the discovery of a "female husband," feigning shock and disbelief. Despite the rhetoric of impossibility that painted these real-life events as somehow being "stranger than fiction," stories featuring female husbands were culturally legible to nineteenth-century observers and had a long history within Anglo-American

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[3] See Herring's introduction to the 2008 edition: Werther—June, *Autobiography of an Androgyne*, ed. Scott Herring, New edition (New York: Medico-Legal Journal, 1918; New Brunswick, NJ: Rutgers University Press, 2008), xxv. Throughout this chapter, unless noted otherwise, citations for *Autobiography of an Androgyne* refer to page numbers in the author's original 1918 edition printed by the Medico-Legal Journal. Citations for the editor's introduction by Scott Herring refer to page numbers in the new 2008 edition published by Rutgers University Press and are specifically marked as such.

[4] For a synthesis of the historical literature on the topic of female husbands and same-sex marriage, see Rachel Hope Cleves, "'What, Another Female Husband?': The Prehistory of Same-Sex Marriage in America," *Journal of American History* 101, no. 4 (March 2015): 1055–81, doi:10.1093/jahist/jav028.

culture.[5] One of the earliest uses of the term female husband in print was in Henry Fielding's pamphlet *The Female Husband*: *or, the surprising history of Mrs. Mary, alias Mr. George Hamilton* (printed in London in 1746).[6] The nineteenth-century press not only reported cases of female husbands, but also occasionally reprised eighteenth-century stories.[7] The figure of the female husband also made its way into American variety theater.[8] The term remained in use in American newspapers into the twentieth century.[9]

Gender migrants' lives were especially likely to be framed as female husband stories when a dispute over the validity of the marital relationship served as the catalyst to bring the story into the public eye. For example, in 1856 Albert Guelph was broadcast as a female husband after his bride's parents tried to break up the union ("the bride…still clings with apparent affection to her female husband," newspapers reported).[10] "Female Husband Makes Her Tired" touted the papers in 1902 when Herman Wood's wife sought

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[5] On the cultural legibility of these unions despite the rhetoric of impossibility consistently deployed to describe them, see ibid., 1057, 1064–67.

[6] Henry Fielding, *The Female Husband: Or, the Surprising History of Mrs. Mary, Alias Mr. George Hamilton, Who Was Convicted of Having Married a Young Woman of Wells and Lived with Her as Her Husband. Taken from Her Own Mouth since Her Confinement*, [Published Anonymously] (London: printed for M. Cooper, 1746). This was a fictionalized satirical account based on the real-life arrest and trial of one Charles Hamilton, a female-assigned person who lived a transgender life as a man and married a woman. Hamilton's wife testified against him in court, saying that she discovered that Hamilton was not anatomically male only after they got married. For an analysis of the satirical pamphlet and the facts of the trial, see Sheridan Baker, "Henry Fielding's *The Female Husband*: Fact and Fiction," *PMLA* 74, no. 3 (1959): 213–24, doi:10.2307/460583.

[7] For example, see this 1871 article about various "anomalies in married life." The article purports that "Among the many remarkable marriages on record, none are more curious than those in which the bridegroom has proved to be of the same sex as the bride," and then recounts three stories of female husbands from the 1770s. "Hymen's Humbugs," *Cincinnati (OH) Enquirer*, March 6, 1871.

[8] George Chapman's theater company performed the comedy "Female Husband" in Vicksburg, Mississippi, in 1843. "Theater. Female Husband [Advertisement]," *Vicksburg (MS) Daily Whig*, November 17, 1843; Guy Herbert Keeton, "The Theatre in Mississippi From 1840 to 1870" (Ph.D. dissertation, Louisiana State University and Agricultural and Mechanical College, 1979), 59, 263.

[9] Additionally, for female husbands in British popular culture in the first half of the twentieth century, see Alison Oram, *Her Husband Was a Woman!: Women's Gender-Crossing in Modern British Popular Culture*, Women's and Gender History Series (New York: Routledge, 2007).

[10] "A Woman Married to a Woman!—Interesting Developments," *Brooklyn (NY) Daily Eagle*, April 26, 1856.

an annulment alleging deceit.[11] And when Nicolai de Raylan died in 1907, a family dispute over his estate led journalists to report that his widow "Can't Inherit from Female 'Husband.'"[12] Harry Stokes, who lived as a man in England for decades, came to the attention of the press in 1838 when his first wife sought a separation after many years of living together, and the papers dubbed him "A Female Husband" in a report that circulated widely in England and the United States.[13] But twenty years later, when Stokes died, he became posthumously famous as "The Man-Woman of Manchester."[14] His story once again circulated on both sides of the Atlantic, but even though Stokes had remarried and left behind a widow when he died, the reportage did not call him a female husband or center on his marital relationship (which was not under any dispute).[15]

The familiar story of a person who changes gender from woman to man and then marries a woman shows only one aspect of gender migrants' diverse relationship configurations. Over the past several decades, historians of queer lives have highlighted such stories under the analytical categories of "passing women," "female husbands," and "trans husbands."[16] I suggest that scholars should also consider the queer stories of

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[11] "Female Husband Makes Her Tired," *Atlanta (GA) Constitution*, June 28, 1902.

[12] "Can't Inherit from Female 'Husband,'" *Detroit (MI) Free Press*, May 30, 1907.

[13] "A Female Husband," *Manchester (UK) Guardian*, April 11, 1838; "The Woman-Husband," *The Guardian (London, England)*, April 14, 1838; "A Woman Husband," *Baltimore (MD) Sun*, May 18, 1838; "A Woman Husband," *Vicksburg (MS) Tri-Weekly Sentinel*, June 4, 1838; "A Female Husband," *Tennessean (Nashville, TN)*, June 5, 1838.

[14] "The Man-Woman of Manchester, a Most Remarkable Story," *Golden Era (San Francisco, CA)*, December 18, 1859, sec. Gossip Abroad.

[15] For a discussion of the posthumous coverage Harry Stokes received and citations for U.S. newspapers that printed his story, refer to chapter 1. For more coverage in the English press, see "Curious Case of Prolonged Concealment of Sex," *The Guardian (London, England)*, October 19, 1859; "Extraordinary Case," *The Times (London, England)*, October 20, 1859.

[16] On "passing women," see Jonathan Ned Katz, *Gay American History: Lesbians and Gay Men in the U.S.A.: A Documentary History*, Rev. Ed. (New York: Meridian, 1992), 209–12; San Francisco Lesbian and Gay History Project, "'She Even Chewed Tobacco': A Pictorial Narrative of Passing Women in America," in *Hidden from History: Reclaiming the Gay and Lesbian Past*, ed. Martin Bauml Duberman, Martha Vicinus, and George Chauncey (New York: NAL Books, 1989), 183–94; Jason Cromwell, "Passing Women and Female-Bodied Men: (Re)Claiming FTM History," in *Reclaiming Genders: Transsexual Grammars at the Fin de Siècle*, ed. Kate More and Stephen Whittle (London and New York: Cassell,

female-assigned individuals who, during their transgender lives as men, were romantically entangled with other men. Girl dons male attire, elopes with male seducer—this was a common script in nineteenth-century popular culture. That such narratives have received limited attention in queer historiography is not surprising. After all, these were just normative women living out their normative lives and forging their normative relationships with men, right? Taking gender migrants' claims to manhood seriously means that we have to grapple with these stories from a different angle. These individuals' emotional attachments to men, their erotic desires, and their sexual practices are difficult to unravel because the reportage of their cases offers more questions than answers about the intimate details of their lives. I begin, then, by embracing the questions and reading these reports from multiple perspectives. Here rather than looking for certainty about the intimate details that do not make it into the sources, I seek to multiply the possible interpretations of the archival material. Doing so, I argue, allows us to recognize the potential of these stories to provide new insights into queer modes of forging intimacy.

In 1859, newspapers in New England reported about a female-assigned teenager who presented publicly as a young man and went to bed nightly with his male lover. This young person was raised as a girl name Mary in East Greenwich, Rhode Island. In 1858, at the age of seventeen, Mary entered into an intimate relationship with an older man named Stephen Young, alias Samuel Austin. It appears Mary's parents did not approve of the union. The two of them decided to pass as father and son and to leave Rhode Island, both going by the last name Austin. (The teenager's male first name was not printed in

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1999), 34–61. Skidmore uses the term "trans husbands" in Emily Skidmore, *True Sex: The Lives of Trans Men at the Turn of the Twentieth Century* (New York: NYU Press, 2017), 138–71.

the papers, and I refer to him here simply as Austin. To avoid confusion between the two, I continue to refer to the older man as Stephen Young.) They went to Stafford, Connecticut, and worked for a farmer there, living with a group of other men on the large farm. Teenage Austin worked "chopping wood, driving team, and doing the work of a regular hand on the farm" alongside the men for about six months.[17] He shared a bed with Stephen Young throughout this period. In March of 1859, fellow workers became suspicious "that the 'boy' was not of the masculine gender."[18] They confronted Austin, and he spilled the beans about his relationship with his pretend father. Stephen Young became belligerent and attacked his lover when he heard that Austin had revealed their secret. The other farmers quickly intervened, and Stephen Young fled the area.

Reporting this story, the papers predictably framed it as a tale of a naïve young woman eloping with her seducer. This was a culturally recognizable narrative for nineteenth-century readers in a world where young women's parents expected to have great control over their daughters' marital age and choice of partner. Elopement stories were a mainstay of nineteenth-century popular culture. In these stories, women's passion and blind devotion to sweet-talking men could lead to all sorts of trouble. Women would do just about anything out of love, even put on male attire and pass as men. These stories especially cautioned about the dangers to naïve young women who were inexperienced in the ways of love and sex, and who could be easily influenced by older unscrupulous men who masterminded and facilitated the women's gender crossing. Putting on men's clothes in these stories often served as a short-term disguise to get out of town and did not lead to

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[17] "Romance and Crime in Connecticut," *Lowell (MA) Daily Citizen and News*, March 15, 1859; "A Man Calling His Name Samuel Austin," *Connecticut Courant (Hartford)*, March 19, 1859, sec. State Items.

[18] "Romance and Crime in Connecticut."

a long-term adoption of a new public identity as a man. Of course, these stories implied that, had it not been for the male seducer, these young women would never try to adopt male identities at all.

What did all of this mean for Austin? How should we regard his relationship with Stephen Young and Young's role in Austin's gender crossing? Considering Young's violent outburst on the farm, it is not difficult to believe that the relationship involved abuse and coercion. Maybe Austin did not want to leave the parental home at all. It could be that Austin followed Stephen Young out of fear, not love. Perhaps this young person was "induced" by a "deceiver" to take on a male identity, the way the papers reported the situation.[19]

But there is another possibility for reading this story. Conceivably, Austin wanted to live as a man and used his relationship with Young as an opportunity to start a new life. To state the obvious, eloping from East Greenwich did not require that anyone change gender—plenty of couples ran and got married in another state or simply presented themselves as husband and wife upon arrival in a new community. It is possible the idea of passing as father and son was really Austin's. Perhaps he told Stephen Young that he would go with him to Connecticut and be his lover on the condition that Young help him assume the life of a man.

The image of Austin as a helpless victim who was "induced" to take on a disguise breaks down when we consider what happened after the lovers split up. A week after the story was out, Austin made his way back home to Rhode Island where he appeared in the same male attire. Newspaper reporters could no longer fit his actions into a familiar script; they marveled that Austin continued to adhere to the masculine gender

[19] Ibid.

presentation "for reasons best known to herself."[20] Austin was described in the papers as "modest, good-looking, and able to pass for a pleasant young man of 18 years."[21] He became known in subsequent coverage as a girl-boy or boy-girl (the papers used both terms to refer to him).[22]

Austin did not stay home for long. Three weeks later, he showed up in Newport, Rhode Island, and was arrested there for his gender presentation. He was wearing male attire and smoking tobacco. When the local authorities attempted to place Austin in a jail cell with a woman, the woman made a ruckus and vehemently refused to "let the 'man' occupy the cell with her."[23] It appears that Mayor William H. Cranston hoped to facilitate Austin's return to East Greenwich and did not intend to continue detaining him in Newport. Austin drops out of the archival record after this. He may have changed his name again and continued to pursue a life as a man in another locale, the way many other gender migrants did after they became notorious in one region.

Whether coercion was part of the relationship or not, it is significant that Austin and Stephen Young built an intimate relationship as two men who lived and worked daily among men. Stephen Young was already well-known to his associates at the Stafford farm because he had worked there before he took a trip to Rhode Island and met his young lover. When Young showed up at the farm again with "his boy" in tow, the other men may have suspected that the boy was not really Young's son.[24] After all, Young probably never said anything before about a teenage son in Connecticut. It is possible, in

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[20] "The Girl-Boy, Mary E. Austin," *Lowell (MA) Daily Citizen and News*, March 23, 1859.

[21] Ibid.; "The Girl-Boy, Mary E. Austin," *Providence (RI) Evening Press*, March 25, 1859; "The Girl-Boy, Mary E. Austin," *Connecticut Courant (Hartford)*, March 26, 1859, sec. State Items; "The Girl-Boy, Mary E. Austin," *Columbian Register (New Haven, CT)*, March 26, 1859.

[22] "The Girl-Boy, Mary E. Austin," March 25, 1859; "The Rhode Island 'Boy-Girl' Again," *Providence (RI) Evening Press*, April 15, 1859.

[23] "The Rhode Island 'Boy-Girl' Again."

[24] "Romance and Crime in Connecticut."

other words, that the men on the farm suspected that Young and Austin did more than sleep in their bed together long before the farmers suspected that Austin was not anatomically male.

Passing as two male relatives was one strategy that such "queer couples" employed as a cover for their intimacy. Young and Austin passed as father and son, while others who were closer in age sometimes passed as brothers. For example, Charley Linden, whose legal battle against vagrancy disguise charges in New York City is explored in chapter one, employed this strategy for some time during his transgender life as a young man. Before adopting a male identity, Linden had been married to a man in Boston. The union was brief. Linden's husband was financially irresponsible and abusive, and Linden promptly got out. A few months after Linden moved to New York City and started going by Charley, his estranged husband found him and proposed that they try to reconcile the relationship. Linden agreed to give the relationship another go, but he had no intention of living as a woman again. Linden's husband was an actor, and Linden accompanied him on a tour of variety theaters in upstate New York. Eventually, Linden grew disillusioned with his husband's behavior again and gave him the boot. All the while they were traveling together, the pair passed as brothers.[25]

Another couple who passed as brothers were Charles Ward and John Ward. They were lovers for about nine years in the 1870s. Charles Ward had grown up as a girl in Connecticut.[26] In about 1870, at the age of seventeen, he left the parental home to make a life with his lover John Ward. It was at this point that he adopted a new gender, changed

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[25] "Discharge of Anna Linden, the Boy-Girl," *New York Tribune*, March 15, 1856.

[26] Charles Ward feared drawing attention to his "respectable" kin in Hartford, Connecticut; he told Buffalo police officers that his birth name was Sarah Jane Wilson, but he later claimed that Wilson was an alias and not his real family name. "Miss Wilson's Woes," *National Police Gazette (New York, NY)*, December 27, 1879.

his name to Charles, and took on his lover's last name. Passing as the Ward brothers, the lovers traveled together through New England for about five years. During this time, Charles Ward found employment alongside men chopping wood in the country and laboring in an urban brickyard.[27] By about 1875, the two men settled down in Buffalo, New York. They continued to live together until December 1878. Then John Ward moved out and married a widow named Emma Trost, who kept a saloon and grocery in the city. Although the supposed brothers no longer lived together, John visited Charles regularly and they continued to carry on an intimate relationship.

After John Ward moved into Emma Trost's home in 1878, Charles Ward decided to establish a boarding house on his own. Over the course of a year, Charles Ward took in a number of male boarders, and it seems they did not question his sex. Charles Ward often slept in the same room as one or more of his boarders. Living in such close quarters with a group of strangers, Charles Ward had to employ some strategies for self-protection. For example, when he went to sleep, he usually kept his loyal terrier at his feet and counted on the dog's bark to wake him if anyone approached the bed. In the fall of 1879, however, a man named Alfred Painton moved in, and after residing at Charles Ward's house for a couple of months, Painton began to wonder whether his landlord was a man or a woman. Waiting for an opportune moment when the small dog was away from its master's bed, Painton stealthily made an inspection that led him to believe Ward was female. Alfred Painton then confronted Charles Ward and accused him of being a woman in men's clothes.

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[27] "A Novel Case," *Evening Republic (Buffalo, NY)*, December 12, 1879; "A Strange Discovery," *Rochester (NY) Daily Union and Advertiser*, December 12, 1879; "A Woman in Men's Clothes," *Sun (New York, NY)*, December 13, 1879; "A Sheep in Wolf's Clothing," *Brooklyn (NY) Daily Eagle*, December 14, 1879.

Charles Ward confided in Alfred Painton and asked him to keep the secret. Here is where the story takes a dramatic turn—Alfred Painton and Charles Ward became lovers. Painton proposed marriage, and Ward agreed. They were hastily wed, Charles Ward appearing in a woman's dress before the Justice of the Peace. When they returned home, Charles Ward immediately resumed wearing his usual clothes and continued to present as a man at his boarding house and around town.[28]

We cannot know for sure how the relationship between Charles Ward and Alfred Painton unfolded, and it raises many questions. Did Charles Ward and his new lover interpret their intimacy in the same way? Did Charles Ward regard himself as a man in public and a woman and wife in private? Did Alfred Painton view Charles Ward's daily appearance as a disguise that hid Ward's true nature as a woman? Or did Painton regard Ward as a man with an unusual anatomy and a strange past? What we do know is that Charles Ward moved through the world as a man for nearly a decade, and he lived as a man in a house full of men. He shared his space, his time, and his secrets with men, keeping some at arm's length and allowing others to get closer. Charles Ward's other boarders later said that none of them ever questioned Ward's sex.[29] Of course, they may have caught on to the fact that their landlord and Alfred Painton had become lovers, but if the boarders suspected this, they avoided commenting on it.

Reading against the grain of the historical documents, I offer two (out of many) potential interpretations of the relationship between Charles Ward and Alfred Painton. First, all of the newspaper coverage portrayed Painton's uncovering of Ward's body as the spark for his desire to commence an intimate relationship with Ward. In this telling,

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[28] "A Novel Case."
[29] Ibid.

Painton immediately wants to marry the supposed woman he suddenly discovers, but paradoxically he agrees to live with a self-presenting man. However, it is possible that Painton may have approached Ward as a man and made sexual overtures to him *before* finding out what was under Ward's clothes. Such an interpretation would account for Painton's heightened scrutiny of Ward's appearance, his creeping up to Ward's bed, his reaching out for Ward's body. What did he *hope* to find under the covers? The normative narrative found in the press predictably assumes that Painton was attracted by a hidden femininity he uncovered in Ward, and that living with a person who presented as a man in public became a strange compromise for a private intimacy with a woman. Yet, Painton may have desired the man he knew *before* he knew the contours of the man's body. If Ward returned the feeling, he also understood the risk of acting on his desire for Painton. In deciding to commence a sexual relationship with Painton, Ward had to put his faith in Painton's ability and willingness to keep a secret. If we adopt a queer interpretive frame that allows Painton to desire Ward *as a man*, then Ward's decision to continue living as a man and Painton's acquiescence no longer appear like an unwelcome compromise.

The second possible interpretation involves coercion. While some of the newspaper coverage attributed a "little touch of romance" to Ward and Painton's love affair, the relationship could have entailed more coercion than romance.[30] In the first place, Painton's inspection of Ward's sleeping body was non-consensual. Painton then demanded an explanation, and Ward reportedly "begged" for Painton's silence.[31] Always alert to the possibility of exposure, Ward became even more vulnerable the moment

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[30] "A Sheep in Wolf's Clothing," *Brooklyn Daily Eagle*, December 14, 1879.
[31] "A Novel Case."

Painton knew his secret. If he were so inclined, Painton was now in a position to engage in a form of emotional blackmail: using the threat of exposure to structure his relationship with Ward. Although the press did not report that Painton forced Ward to marry, it is possible that Ward was pressured into tying the knot.

The dramatic events of December 11, 1879, brought these intimate relationships into the public eye. That evening Charles Ward met his two lovers, John Ward and Alfred Painton, in an alley in front of the saloon operated by John Ward's new wife Emma Trost. The men spoke heatedly to each other, and while the exact content of their exchange is lost to us, it appears the dynamics of the complicated love triangle were at issue. Sensing trouble, Charles Ward pleaded with Alfred Painton to calm down and go home to the boarding house where they both resided, but he was unable to diffuse the situation. It is unclear who threw the first punch, but John Ward and Alfred Painton soon engaged in a "terrific hand-to-hand encounter."[32] Alfred Painton brandished a knife, but John Ward managed to prevail and break his opponent's leg. By the time the bloody fight was over, Charles Ward had slipped away. John Ward also wasted no time running away from the troublesome scene. He left Alfred Painton in the hands of the police who pulled the patient into a neighboring house where a doctor administered treatment for the broken leg. Debilitated by pain, Painton repeatedly asked those around him to go find Charles Ward. No one, however, took Painton's request seriously, and the men who gathered to help Painton did not feel inclined to go searching for his assailant's brother. At this point, then, Painton told the police officers that Charles Ward was his wife.

Stunned by such a revelation, officers quickly headed to Charles Ward's boarding house and picked him up for questioning at the police station. Before the day was over,

[32] Ibid.

he was giving interviews to the press, saying that he "felt more at home in men's clothes" and explaining how he lived for nine years as a man.[33] Throughout the entirety of this nine-year period, Charles Ward carried on a relationship with his male lover John Ward. Two months later, Emma Trost obtained a divorce from John Ward on the grounds of adultery. For the previous year, she thought her husband was merely fond of visiting his brother. But now it seemed all too obvious to her (and to the judge who heard the case) that John Ward and Charles Ward continued carrying on a clandestine sexual relationship all throughout John's marriage to Trost.[34]

Female-assigned gender migrants have found their place in queer historiography, and scholars have given much thought to the role of love and romance in their lives. Historians have especially worked to understand female-assigned gender migrants' relationships with women. But Charles Ward's story reminds us that we must also pay close attention to the way these gender migrants formed intimate relationships with men. Here it is crucial to understand that by changing their gender socially, female-assigned individuals shifted their position vis-à-vis other men. Thus they shifted the possibilities for creating a kind of same-gender intimacy that they could not achieve while living as women. At the turn of the twentieth century, Jack Garland, who lived a transgender life as a man for many years in California, wrote:

> Many have thought it strange…that I do not care to mingle with women of my own age, and seem partial to men's company. Well, is it not natural that I should prefer the companionship of men? I am never happy nor contented unless with a few of 'the boys.' … Could women see men as I have, they would love them all.

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[33] Ibid.

[34] "The Courts. Emma Ward Obtains a Divorce Because Charles Ward Was a Woman," *Evening Republic (Buffalo, NY)*, February 21, 1880.

> Why? Because they are, with one another, open and frank. They know each other's little secrets.[35]

Although we have no record of Jack Garland's sexual partnerships (with either a man or a woman), his biographer Louis Sullivan astutely notes the significance of Garland's emotionally charged relationships with men. Sullivan writes that "Jack found the affection and emotional attachments he wished to experience, as a man in the company of other men."[36] We must follow Sullivan's lead and examine how female-assigned individuals who lived as men structured their relationships with other men, how they invested their emotional energies into these relationships, and how they formed intimate bonds as men "in the company of other men."

Turn-of-the-century androgyne

While the romantic devotions of female-assigned individuals seemed often connected to their gender crossing in popular culture, the same cannot be said for male-assigned gender migrants. For one, there was no popular term or category mirroring *female husband*. Male-assigned individuals who donned female attire might be described as strange freaks and eccentrics, driven by an unexplainable mania for women's attire (completely disconnected from their romantic feelings or conjugal relationships). Or, more insidiously, they might be portrayed as criminals adopting petticoats as a disguise while committing theft or murder.[37] Around the turn of the twentieth century, however, this changed. In several cultural arenas, including sexology and the popular press, the

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[35] Louis Sullivan, *From Female to Male: The Life of Jack Bee Garland* (Boston: Alyson Publications, 1990), 4. In addition to Sullivan's biography of Garland, for more biographical details about his life, see Skidmore, *True Sex*, 102–11.

[36] Sullivan, *From Female to Male*, 143.

[37] Peter G. Boag, *Re-Dressing America's Frontier Past* (Berkeley, CA: University of California Press, 2011), 138.

idea that male-assigned individuals' gender presentation was tangled up with their sexual and romantic passions began to take hold.

The late nineteenth century saw the emergence of sexology—a field of study concerned with the psychology of sex. Sexologists embarked on a quest to gain a scientific understanding of what shaped people's sexual behavior, attractions, and responses to various stimuli. The topic of *sexual inversion*—sometimes called contrary sexual instinct—and the figure of the invert were central to the discourse of sexology. Sexual inversion encompassed same-sex desires, cross-gender identification, and transgender practices in their various manifestations—phenomena that were tightly linked in sexological literature. The most expansive and systematic studies of these phenomena were penned by European authors. Particularly influential were *Psychopathia Sexualis*, *with Especial Reference to Contrary Sexual Instinct* by Richard von Krafft-Ebing (translated from German into English in 1892), and *Sexual Inversion* by Havelock Ellis with co-author John Addington Symonds (first published in London in 1897).[38] Although these publications addressing the topic of sexual inversion were not entirely without precedent, they were pivotal in solidifying sexology as a field of study. American doctors, such as Chicago-based James G. Kiernan and G. Frank Lydston, also contributed to the field with case studies largely drawn from their practice with inmates at state institutions. They were particularly focused on the idea of degeneration among sexual inverts and on masturbation as a vicious habit that led to the perversion of the sexual

[38] Richard von Krafft-Ebing, *Psychopathia Sexualis, with Especial Reference to Contrary Sexual Instinct: A Medico-Legal Study*, trans. Charles Gilbert Chaddock, 7th ed. (Philadelphia: F.A. Davis, 1892); Havelock Ellis and John Addington Symonds, *Sexual Inversion*, 1st ed., Studies in the Psychology of Sex (London: Wilson & MacMillan, 1897).

instinct.[39] As sexologists systematically collected and categorized case studies of sexual inversion, they recorded evidence of gender nonconformity, gender migration, and cross-gender identification. In so doing, the psychiatrists produced an unprecedented archive of transgender lives and practices, but of course, these writers also prioritized their own interpretations and categorizations of their patients' life experiences.

One person who provided a rare perspective on sexological ideas from an explicitly transgender point of view was Jennie June. Jennie June was born in 1874 into a well-to-do middle-class family in Connecticut. Assigned male at birth, she was raised as a boy but began developing a female self-identity at an early age. She was privileged with an elite education, and she first encountered the field of sexology as a university student in New York City in the 1890s. An avid diarist since the age of fourteen, she maintained a record of her own life experiences as well as her observations of others who defied gender boundaries. Her autobiographical writings, published between 1918 and 1922, when she was in her forties, provide a unique first-person account of how sexology shaped her identity and the course of her life. Jennie June's published writings include two books, *Autobiography of an Androgyne* and *The Female-Impersonators*, and several articles in medical journals.[40] Her third manuscript, titled "The Riddle of the Underworld," was under contract to be published in serial form in the journal *Medical Life* in 1921. For unknown reasons, its publication never came to fruition, but a portion of

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[39] Vernon A. Rosario, *Homosexuality and Science: A Guide to the Debates* (Santa Barbara, CA: ABC-CLIO, 2002), 27; Jennifer Terry, *An American Obsession: Science, Medicine, and Homosexuality in Modern Society* (Chicago, IL: University of Chicago Press, 1999), 80–81.

[40] The writer's published works, all printed under the dual names "Ralph Werther—Jennie June" are *Autobiography of an Androgyne*, ed. Alfred Herzog (New York: The Medico-Legal Journal, 1918); *The Female-Impersonators*, ed. Alfred Herzog (New York: The Medico-Legal Journal, 1922); "The Girl-Boy's Suicide," *American Journal of Urology and Sexology* 14, no. 11 (November 1918): 495–99; "The Fairie Boy (an Autobiographical Sketch)," *American Journal of Urology and Sexology* 14, no. 10 (October 1918): 433–37; "Studies in Androgynism," *Medical Life: A Journal of Contemporary and Historical Medicine* 27, no. 12 (December 1920): 235–46.

this unpublished manuscript was preserved by Victor Robinson, the editor of *Medical Life*.[41]

To protect her privacy and her career, Jennie June never revealed her legal birth name in her autobiographical writings. She revealed, however, several other names that she used at different points in her life and in various circumstances: Jennie June, Pussie, Earl Lind, and Raphael or Ralph Werther. All of her writings were published under the dual name "Ralph Werther—Jennie June," reflecting the dual public life she led for many years. Her two monographs also listed "Earl Lind" as an additional pseudonym (her articles did not). In previous scholarship, most historians have referred to her as Ralph Werther or Earl Lind.[42] While not incorrect, these male names are no less pseudonymous than the name Jennie June, which was *always* featured as part of her byline. I use the name Jennie June to refer to her throughout this chapter because it closely represents the female self-identity that she placed at the core of her autobiographical writings and which I highlight here.[43] She was particularly fond of the name Jennie since an early age and it was the name she subsequently adopted as an adult when she began to express her female self-identity publicly on a regular basis. It is important to remember that although I use one name to narrate her story and analyze her writings, the complexity of her life cannot

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[41] Ralph Werther—Jennie June, "The Riddle of the Underworld" (unpublished manuscript, 1921), transcription published on OutHistory.org, original manuscript held in Series IX: Miscellaneous Articles, Box 6, Folder 25, Victor Robinson Papers 1898–1947, National Library of Medicine, Bethesda, MD, http://www.outhistory.org/exhibits/show/earl-lind.

[42] For example, Chauncey uses the name Ralph Werther, while Stryker and Meyerowitz use the name Earl Lind. George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 42; Susan Stryker, *Transgender History: The Roots of Today's Revolution*, 2nd ed. (New York: Seal Press, 2017), 57; Joanne Meyerowitz, "Thinking Sex with an Androgyne," *GLQ: A Journal of Lesbian and Gay Studies* 17, no. 1 (2011): 97–105.

[43] Here I follow the name and pronoun usage set forth by Stephen Vider for Jennie June's biography featured in Port City, a permanent exhibit at the Museum of the City of New York. For a thoughtful reflection on the choice of name and pronoun historians use to refer to Jennie June, and the implications of these choices for public history, see Stephen Vider, "Jennie June & Transgender History," *City Courant: The Journal of the Museum of the City of New York*, Fall 2017, 52–63.

be encapsulated by any one referent (whether name or pronoun). Thus, my use of Jennie June should be read as a sort of abbreviation, rather than an assertion that Jennie June should be viewed as her one true and correct name.

Jennie June's autobiographical writings depicted a childhood of gender nonconformity. Describing her experiences as a preschooler, June drew a distinction between the treatment she received from the adults in her life and the treatment from other children. "Though I was…always treated (by my elders only) as a boy," she wrote, "I refused to regard myself as one and told my playmates to call me 'Jennie.'"[44] June's playmates obliged her by calling her by the female name and including her in girls' play groups. "I commonly felt myself a little girl," June wrote of her early childhood; "I was determined, as much as a child under seven can be, to identify myself with the female sex throughout life."[45] Adults, however, seemed not to notice or care about her mode of play until she reached school age and was told forcefully that she must give up wearing skirts (skirts were customary for both boys and girls in early childhood). Being forced to wear "the utterly loathed breeches" was the first shock to Jennie June's system—a moment of awareness that her idea of herself as a girl did not line up with the vision others had for her.[46]

Such unsettling moments accrued as Jennie June began school and became progressively more conscious of the incongruence between her self-image and the social expectations laid out for her as a male-assigned child. She gained a vocabulary for describing her status as a "girl-boy." Writing of her first-grade experience in school, she

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[44] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."

[45] First quotation from Werther—June, *The Female-Impersonators*, 62; second from "Riddle of the Underworld," section II: "The Boy Is Father to the Man."

[46] Werther—June, *The Female-Impersonators*, 62.

noted: "I already recognized I was not really a boy! At that age I gloated over being a girl-boy."[47] Despite the fact that she filled her writings with terms and categories taken from sexological literature, she also frequently used the nineteenth-century colloquial term "girl-boy" to describe herself and other male-assigned individuals who embraced a female self-identity.[48] She made it clear that this was the term available to her as a child. It was also a category widely understood by others in her Connecticut village. She used the term "girl-boy" to recount how girl playmates embraced her. Recalling fourth grade, she wrote: "I was always the ringleader of my girl clique…They never regarded me as a normal boy—only a 'girl-boy.'"[49] On the other hand, she described boys who used "girl-boy" as an epithet to taunt her.[50]

By the age of ten, Jennie June's parents became worried about their child's gender inappropriate behavior and enrolled her in a boys' prep school a few miles away from her village. "My parents thought that if I were shut up closely with boys and away from even the sight of girls," she recalled, "I would be cured of my effeminacy."[51] Bewildered by her new school environment, June continued to find solace in playing with girls at home during holiday breaks. Her play at this age included exchanging clothes with a girl friend and parading around in a skirt much to the chagrin of her parents. She wrote of these episodes: "Adult intimates would point the finger of scorn in vain. To pass life as far as possible like a girl was the very essence of existence, for which I was willing to sacrifice everything else."[52]

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[47] Ibid., 63.

[48] The term "girl-boy" appears in all of her writings, and one of her articles uses the term in the title: Werther—June, "The Girl-Boy's Suicide."

[49] Werther—June, *The Female-Impersonators*, 65.

[50] Ibid., 66.

[51] Ibid., 65.

[52] Ibid., 66.

This mode of play, however, waned as Jennie June approached puberty. She met with increasing disapproval from her peers, including her sister, who declared that June was "not normal."[53] More and more isolated from her peers by the age of thirteen, June agonized over her identity and her growing sexual attraction to boys. She questioned why she was different from others, asking: "Why was it that I was not taking a boy's place in life?... Why did I feel more at home in girls' attire?...Could it be that I was *a girl imprisoned in the body of a boy*?"[54] She felt despair and shame, and she thought of ending her life. Although she persevered through her own suicidal ideation, in her book she underscored the gravity of the situation by recounting how another "girl-boy playmate" committed suicide at age twelve by swallowing rat poison because he was "bitterly persecuted on account of his effeminacy."[55] She recounted multiple such tragic incidents and expressed hope that publishing her story would help cure ignorance and end the persecution that prompted gender nonconforming youth to take their lives.[56]

By the age of fifteen, Jennie June arrived at her "full realization" that she was "a male in name only."[57] In explaining her developing female identity, she often used the notion of a disguise. Throughout the nineteenth century, the idea of donning a disguise was a common trope in the press when discussing people who crossed gender borders. Disguise also formed the basis for criminal prosecution, for example, in New York where police routinely arrested people on charges of disguising their *true identity*, which was a criminal offence under the state vagrancy code since the antebellum period.[58] Jennie June

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[53] Ibid., 68.
[54] Ibid., 67, italics in the original.
[55] Ibid., 68, 80.
[56] Ibid., 1, 209; Werther—June, "The Girl-Boy's Suicide."
[57] Werther—June, *The Female-Impersonators*, 70.
[58] See chapters 1 and 4 for more on New York's vagrancy disguise law and its application to gender migrants.

used the idea of disguise in quite the opposite way in her writing. She described herself as "a girl whom Nature has disguised as a fellow."[59] She asked, "Can the reader conjure up any worse fate for a *girl*—and a very high-strung one—than for Nature to disguise her as a boy, and foreordain that *she* should be brought up as a boy and be, at school, office, etc., always shut up with the sterner sex?"[60] Thus, for Jennie June, her identity as a girl represented her true self, while she regarded the outward appearance of a boy as nature's disguise.

Jennie June described her family and community as puritan Christians. Her identity formation coincided with a period in her life when she was increasingly involved in religious exercises, including prayer meetings and daily solitary devotional practice. She began to envision a future as a Christian missionary. As she struggled with her gender identity, she turned to God in prayer asking for a solution. She first hoped that God would remove what she regarded as nature's disguise and turn her into a regular girl. "I prayed a thousand times most earnestly that the Creator would turn me into a girl in the twinkling of an eye by a miracle," she wrote.[61] By the age of fifteen, however, she saw that such a change would not materialize. Struggling with shame and anguish, she threw herself into prayer with a new request: to change her "feminine predilections" and grow into a "normal male."[62] She pursued this quest to change herself for the next several years.

In the early 1890s, Jennie June left Connecticut and came to study at a university in New York City where subsequently she spent many years of her adult life. To protect

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[59] Werther—June, *The Female-Impersonators*, 135.
[60] Ibid., 73, italics in the original.
[61] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."
[62] Ibid.

her privacy, June omitted such details as the name of her alma mater and the precise "learned profession" she successfully pursued after receiving her degree.[63] During her first two years as a college student in the city, she experienced a great deal of internal turmoil and found it impossible to resist her sexual attraction to men. Her sexual desires were particularly disturbing because they conflicted with the Christian doctrine that she studied in preparation for a career as a religious leader—a doctrine that regarded them as sinful. She began to seek answers and solutions from medical science, visiting several physicians to see if they could help her "transform…into a normal male."[64] At the age of nineteen, while pursuing this quest to become "normal," Jennie June encountered the scientific discourse of sexology and an underground sexual subculture in New York City. She used these two sources of sexual knowledge to finally reconcile her internal conflict and fashion a life that made room for embracing and expressing key aspects of her authentic sense of self. She soon began to regard herself as an *androgyne*.

Jennie June recalled how her encounter with the alienist Dr. Robert S. Newton exposed her to new ideas and put her on the road to self-acceptance.[65] "The alienist opened my eyes," she wrote, "He taught me that the androgyne's proclivities are not the depth of depravity that every one, even the two preceding medical advisers, had previously given me to understand."[66] Although June gave Newton much credit for

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[63] Werther—June, *The Female-Impersonators*, 90.

[64] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."

[65] Alienist was the common term for a doctor of psychiatry. Dr. Robert Safford Newton Jr. (1858-1903) was a neurologist and alienist who practiced in New York City and regularly served as an expert witness in criminal trials involving questions of insanity and criminal responsibility. He completed training in New York City under his father's tutelage in the Eclectic Medical College in 1876 and subsequently traveled to Europe to train for several years in Paris, Vienna, London, and Berlin. One might speculate that this training provided greater exposure to European sexologists' ideas. "Dr. Robert Safford Newton [Obit]," *New York Times*, March 26, 1903, sec. Death List of a Day; "The Eclectic Medical College," *The New York Medical Eclectic* 3, no. 3 (July 15, 1876): 210, 218.

[66] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."

improving her disposition and putting an end to her "chronic melancholia," the doctor first tried "drugs," "hypnosis," and "electrical stimulation of the brain and spinal cord" on June.[67] Only after these treatments failed to transform June's personality and erotic desires, Newton advised her: "The only thing for you to do is to follow out your instincts in moderation."[68] Nevertheless, Jennie June attributed her self-acceptance to her engagement with the latest sexological theories. In addition to her interactions with Dr. Newton, she began visiting the library at the New York Academy of Medicine where she found sexology articles in American and European medical journals and eventually read Krafft-Ebing's *Psychopathia Sexualis* and Ellis's *Sexual Inversion*.[69] She decided henceforth to embrace her feminine self-identity, even if she had to do so in secret.

She thus began what she described as her "double life."[70] She continued attending the university (and later working professionally) under her male legal name. But about once a week, she would travel to another part of the city, visiting working-class neighborhoods and bawdy places of entertainment—spaces she called "New York's Underworld."[71] These weekly activities allowed her to participate in an underground sexual subculture where she could more easily express her femininity outwardly. Here she went by a female name and found sexual partners among young working-class men (as well as, occasionally, the middle-class men who similarly made their way into these spaces in search of sexual gratification). She also observed a range of transgender practices among the people she met in this underground subculture. Jennie June was eager to make connections with others like herself. Around 1895 she was invited to join

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[67] Werther—June, *Autobiography of an Androgyne*, 1918, 73.
[68] Ibid., 81.
[69] Ibid., 74, 138–39.
[70] Werther—June, *The Female-Impersonators*, 93.
[71] See title page, Werther—June, *The Female-Impersonators*.

Cercle Hermaphroditos. This was an underground social club of approximately twenty male-assigned individuals who, like Jennie June, led a double life and presented as women on a part-time basis. In her writings she not only described her own life experiences, but also recorded her perspective on the lives of her associates.

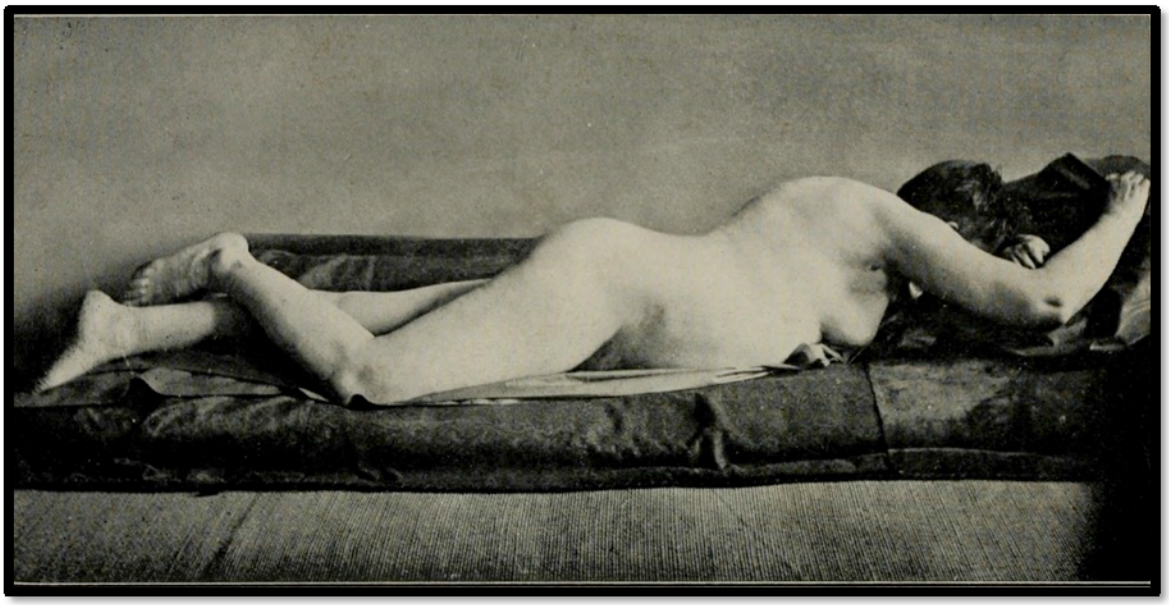

Figure 5. 1. Jennie June photograph published in 1918.

This image was used as the frontispiece to June's second book, *The Female-Impersonators*. The caption described the image thus: "Author—a Modern Living Replica of the Ancient Greek Statue, 'Hermaphroditos.'" The book also contained a photograph of a statue from the Uffizi Gallery in Florence, Italy, which the author described as "Ancient Greek Statue of an Androgyne, Called 'Hermaphroditos.'"[72]

Jennie June was careful to note that her affinity for the term *hermaphrodite* relied on Greek mythology and on the artistic images of the deity Hermaphroditos, who was often depicted as a voluptuous womanly figure with male genitalia (with the penis and scrotum being the only visible signs of maleness).[73] She likened herself to this image, as did her friends in the Cercle Hermaphroditos. But she also understood that the medico-

[72] See photograph of the author by Dr. A. W. Herzog used as the frontispiece and photograph of the ancient statue opposite page 25, ibid.

[73] Ibid., 27.

scientific use of the term hermaphrodite in the late nineteenth century did not align with this image, and for this reason, she did not use it as a self-descriptor in her publications unless she was reporting dialog among her associates.[74]

Well versed in the language and conventions of sexological literature, Jennie June presented herself not only as an object of scientific interest, but also as a producer of knowledge. Richard von Krafft-Ebing's *Psychopathia Sexualis* was responsible for popularizing the case study as a generic form central to sexological literature. As historian Scott Herring has noted, Jennie June's writings, and especially her first book *Autobiography of an Androgyne*, largely follow the conventions a pathological case study, presenting the author's individual experience as a representative example of a larger group.[75] However, June did not simply seek to lay out her story as a representative specimen for medical professionals to examine. She analyzed the practices of other androgynes (primarily recorded in her second book), and this allowed her to present a broader picture of turn-of-the-twentieth-century transgender realities beyond her own life experience. Thus, while June positioned her story as representative of her identity group, her work also highlighted some of the diversity of gender expression and sexual practices she observed among those she labeled androgynes. Moreover, in engaging with sexology, Jennie June did not merely echo the scientific literature she read or buy into its theories wholesale. Rather, she saw herself as *talking back* to the sexologists and creating knowledge from an androgyne point of view.[76] Jennie June claimed expertise on the basis

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[74] Werther—June, *Autobiography of an Androgyne*, 1918, 5–6, 195.

[75] For more on the case study as genre and how the *Autobiography* followed its generic conventions, see Herring's introduction to the 2008 edition in Werther—June, *Autobiography of an Androgyne*, ed. Scott Herring, New edition (New York: Medico-Legal Journal, 1918; New Brunswick, NJ: Rutgers University Press, 2008), xxi–xxiii.

[76] For June's method of talking back to sexologists, see especially the chapter titled "Medical Writers on Androgynism" in Werther—June, *The Female-Impersonators*, 262–68. Here she reproduces

of her own experience and her knowledge of other androgynes' lives. She wrote, "I have probably made a more thorough study of male inversion than any sexologist—being myself an extreme androgyne, and having associated with androgynes more than has any one else who ever wrote for publication."[77]

What exactly did the term androgyne mean to sexologists and why did Jennie June feel an affinity for it? As a sexological category, the term originated in the writings of Richard von Krafft-Ebing, who had a penchant for taxonomy and categorized sexual inversion into eight different categories or degrees. In Krafft-Ebing's work, the term androgyne was not merely a synonym for any sexual invert. Nor did Krafft-Ebing believe that all male-assigned individuals who were sexually attracted to men necessarily displayed feminine behaviors or appearance.

Here a brief account of Krafft-Ebing's categories will make clear the distinction between androgyne as a specific type as compared with other categories of sexual inversion. Krafft-Ebing classified some instances of sexual inversion as *acquired* conditions (those ostensibly arising over time and resulting from abnormal sexual experiences) and others as *congenital* (abnormal conditions present from birth). He further rated sexual inversion cases by degrees of severity. According to his theory, a male person afflicted with congenital sexual inversion in the first degree would be sexually attracted to men as well as to women and could potentially marry a woman and father children. Those with the second degree had exclusively homosexual desires. The first two degrees of congenital sexual inversion pertained only to erotic activity and desires. But the more severe third degree of congenital sexual inversion affected the

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portions of articles from medical journals, adding her own annotations and interpretations in brackets and arguing with the writers about the appropriate language and pronouns to use when discussing androgynes.

[77] Werther—June, "Studies in Androgynism," 242.

person's "psychical personality" and implied cross-gender identification.[78] Krafft-Ebing called this degree of inversion "effemination" in male individuals and "viraginity" in female individuals. In these cases, he wrote, "the entire mental existence is altered to correspond with the abnormal sexual instinct," explaining further that men so afflicted "feel themselves to be females," and similarly "women feel themselves to be males."[79] Hence, a male person with "effemination," Krafft-Ebing wrote, "prefers to move in the society of women," and "efforts to approach the female appearance in gait, attitude, and style of dress are frequently seen."[80] Thus, some individuals who longed to change their gender socially might have seen their experience reflected in the case studies classified under "effemination and viraginity" in *Psychopathia Sexualis*.

Krafft-Ebing's fourth (and most extreme) degree of congenital sexual inversion was called "androgyny and gynandry." This fourth degree was similar to "effemination and viraginity" in that it also implied cross-gender identification. What distinguished "androgyny and gynandry" from the third degree was the way the individual's body was affected by the condition. An androgyne was an individual who possessed fully differentiated male genitals, but was psychically female and manifested some distinctly female physical features. Krafft-Ebing noted that such features could potentially include some or all of the following: "wide hips, form rounded by abundant development of adipose tissue, absence or insufficient development of beard, feminine features, delicate complexion, falsetto voice, etc."[81] While the physical features that Krafft-Ebing read as "approach[ing] the opposite sex" included the most obvious secondary sex characteristics

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[78] Krafft-Ebing, *Psychopathia Sexualis*, 279.
[79] Ibid., 222, 280.
[80] Ibid., 279.
[81] Ibid., 305.

(such as facial hair), just about any part of the body could be thus sexed (such as a person's feet). In other words, while effemination denoted only psychic femaleness in a male-assigned person, androgyny signified psychic and physical femaleness coupled with male genitalia. Krafft-Ebing also described androgynes as "women…with masculine genitals" and the corresponding gynanders as "men…with the sexual organs of the female."[82] Crucially, the androgyne and gynander were, in Krafft-Ebing's view, the extreme expressions of congenital sexual inversion. In his taxonomy, male homosexual desire could exist independently of effeminacy, but effeminacy could not exist without sexual attraction to men. In other words, a psychically female person who had male genitals was always necessarily erotically oriented toward men. Such a taxonomy had a blind spot for male-assigned individuals who "approach[ed] the female appearance in gait, attitude, and style of dress" and felt erotic desires toward women.[83] The potential for such erotic desire and sexual expression was impossible within Krafft-Ebing's theoretical framework of sexual inversion.

Engagement with sexology played a key role in Jennie June's identity formation, and she embraced Richard von Krafft-Ebing's category of androgyne as the best term with which to describe herself in her writings. She placed this category at the core of her published work, titling her first book *Autobiography of an Androgyne*, and crediting Krafft-Ebing with bringing the "existence of androgynism" to the attention of "European and American medical science."[84] Jennie June used the term androgyne to self-consciously articulate a transgender identity, that is an identity signifying movement away from June's assigned male sex. It is important to note, however, that her

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[82] Ibid.
[83] Ibid., 279.
[84] Werther—June, *Autobiography of an Androgyne*, 1918, 6.

transgender self-image did not spring into being when she first encountered this sexological term. Rather, as the preceding account of her early life makes clear, Jennie June regarded herself as a girl long before any of Krafft-Ebing's categories became available to her.

In introducing her readers to the term androgyne, Jennie June echoed Krafft-Ebing's description of psychical and physical femaleness, writing "the physique is noticeably feminisque, and the psyche predominantly feminine."[85] She explained, "an androgyne, is a human possessing the male primary sexual determinants…with no trace of the female conformation of these organs but usually with feminine earmarks in the rest of the body."[86] Thus, we see that Jennie June used the term androgyne to describe herself as a psychic female with male genitals and with other physical characteristics that "approach the feminine type."[87] In her unpublished manuscript, she tried to quantify this mixture of maleness and femaleness by explaining that she is "physically two-thirds man and one-third woman. And psychically only one-fifth man and four-fifths woman."[88] Among her own physical "feminine characteristics" she counted her "delicate build," "feminine slope of shoulders," soft skin, hair "as fine as silk," and most importantly her breasts, which were fairly large for a male-assigned person.[89] She assured her reader, however, that she was extreme in her confluence of "noticeably feminisque" features, and that other androgynes presented a wide range of physical attributes that might not be so obvious. "There exists vast diversity in the anatomy and psyche of androgynes," she

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[85] Werther—June, *The Female-Impersonators*, 19.
[86] Werther—June, "Riddle of the Underworld," section III: Sexual Intermediates in General.
[87] Werther—June, *Autobiography of an Androgyne*, 1918, 21.
[88] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."
[89] Werther—June, *Autobiography of an Androgyne*, 1918, xi, 10–12.

wrote.[90] Their female physicality might manifest in only one or two barely conspicuous features.[91]

It will be useful here to explicate some of the other terms that Jennie June used in her writings and to clarify their relationship to her use of the term androgyne. These terms included *fairie* and *woman-man*. As George Chauncey shows, the term *fairie* was a subcultural term meaning an effeminate male-assigned person who sought sex with masculine men and specifically performed the receptive role in sexual acts.[92] Jennie June understood that many American medico-legal professionals were unfamiliar with this subcultural term, and she saw herself as introducing them to this term. She noted in the *Autobiography* that she was "one of the first users of the printed word in this derived sense" and suggested *fairie* as "a distinctive spelling" to differentiate the subcultural category from the standard meaning of the word *fairy* as a magical creature.[93] Jennie June counted herself among fairies during her youth, up to the age of about thirty-one.

The term fairie is not the subcultural equivalent of the sexological androgyne. That is, while Jennie June considered herself both an androgyne and a fairie and believed that the categories overlapped, she did not regard them as equivalent. Jennie June associated *fairie* not only with a specific kind of sexual activity (performing a receptive role), but also with promiscuity. She believed that only ten percent of girl-boys became fairies. June wrote, "about one girl-boy out of every ten becomes extensively promiscuous—in other words a fairie."[94] She frequently likened *fairie* to "fille de joie,"

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[90] Werther—June, *The Female-Impersonators*, 19.

[91] Werther—June, "Studies in Androgynism," 241.

[92] George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1994), 47–63. Chauncey uses the spelling *fairy*. In this chapter, I follow Jennie June's spelling convention for the term.

[93] Werther—June, *Autobiography of an Androgyne*, 1918, 7.

[94] Werther—June, "Studies in Androgynism," 237.

implying flirtatiousness and a brazen pursuit of sexual partners.[95] Here the act of soliciting men for sex was key. It might be sex for pay, as with "professional fairies" who collected payment for providing sexual services to men, or simply for the thrill and sexual gratification, as with avocational or "*amateur* fairies."[96] Jennie June once worked as a "professional fairie" for about two months when she lost her main source of income and tried to avoid asking her family for financial support.[97] She faced sexual violence when she engaged in sex work, making her ultimately give up the work and seek help from her family.[98] Outside of these two months, Jennie June counted herself among the avocational group for most of her "fairie career" as she called it.[99]

Although many fairies came from the ranks of androgynes, Jennie June explained, not all fairies embraced a self-identity as psychic females. Moreover, androgynes did not necessarily engage in the "extensively promiscuous" life of a fairie. As Jennie June elucidated, some of her associates at the Cercle Hermaphroditos were more selective in their flirtations and could be described as serial monogamists. For example, June described her friend Phyllis as "the most conspicuously womanish" among the Cercle's members.[100] Phyllis meticulously fashioned her feminine self-presentation and regularly ventured in public in full female attire. According to June, Phyllis also happened to rank "low in erotic *furor*" when compared with the other members of the Cercle.[101] In other words, Jennie June was careful not to give her reader the impression that androgynes' erotic desire or sexual adventurousness was in direct proportion to their embrace of

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[95] Werther—June, *Autobiography of an Androgyne*, 1918, 7.
[96] Ibid., 155; Werther—June, "Studies in Androgynism," 235, italics in original.
[97] Werther—June, "Studies in Androgynism," 235.
[98] Werther—June, *Autobiography of an Androgyne*, 1918, 157–58.
[99] Ibid., 231; Werther—June, *The Female-Impersonators*, 59.
[100] Werther—June, *The Female-Impersonators*, 199.
[101] Ibid.

femininity. Most importantly, perhaps, once Jennie June gave up her weekly sexual escapades, she considered her "career" as a fairie to be over. She became more selective in her choice of sexual partners and her sexual life no longer consisted primarily of one-night encounters. At that point, she no longer thought of herself as a fairie, but she still retained her identity as an androgyne. This is important because in previous scholarship, fairies' feminine gender presentation has sometimes been portrayed as a tool to attract men. Certainly, Jennie June and her friends wielded the sexual power of femininity for this purpose. Their femininity, however, was not simply a tool devised for attracting sexual partners; it did not only exist for the male gaze.

While Jennie June did not consider androgyne and fairie to be equivalent terms, in her writing she used another colloquial term that can be mapped onto androgyne. Jennie June considered *woman-man* to be the English colloquial equivalent to the scientific term androgyne, and likewise *man-woman* to be the English colloquial equivalent of gynander. In fact, she quibbled with Krafft-Ebing, noting that "the scientific names 'androgyne' and 'gynander' evidence a blunder of their coiner. The order of their components is the reverse of their English colloquial equivalents."[102] She wrote in a *Medical Life* article on androgynism, "It is hardly necessary to explain that 'androgyne' is the Greek for 'man-woman.'"[103] She found it rather awkward that, through the work of a German scholar, *androgyne*—the Greek word for "man-woman"—became the scientific equivalent of the English colloquial "woman-man." June noted also that *androgyne* was useful in that it was not qualified by age, thus bringing together the full life cycle of the young girl-boy and the adult woman-man. She noted in the same journal article, "The term 'androgyne'

[102] Ibid., 155.
[103] Werther—June, "Studies in Androgynism," 241.

as here used is synonymous with 'girl-boy' except that it includes adults as well as boy effeminants."[104]

As discussed in chapter one, terms suggesting a dual gendered nature, such as girl-boy, boy-girl, man-woman, and woman-man, were used regularly in the popular press since at least the antebellum period. These terms showed tremendous staying power in narratives of gender crossing and gender ambiguity throughout the nineteenth century. While these terms were frequently used by observers, it is exceedingly difficult to ascertain whether individuals who lived transgender lives embraced or rejected such terms as self-descriptors.[105] When gender migrants and gender-ambiguous individuals were interviewed by the press, they did not typically use the terms woman-man or man-woman to refer to themselves, or at least they were not reported as using these terms.

Jennie June's work, however, suggests that at least in her circle of friends, male-assigned individuals who embraced a feminine self-identity used the term woman-man to describe themselves. She avoided the use of the term woman-man in her journal articles and in her first book, which were all written with a scholarly audience in mind. However, in her second book, which she imagined might find a popular audience, Jennie June used the term woman-man frequently.[106] The word particularly popped up in her accounts of

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[104] Ibid.

[105] Boag briefly notes the presence of the terms "man-woman" and "woman-man" in the popular press, although he does not provide examples of sources using the term "woman-man" in his book, citing only examples of newspaper headlines touting "man-woman" stories. Boag, *Re-Dressing America's Frontier Past*, 16. Oram also notes the recurring use of "man-woman" in the British press in the early twentieth century. Oram additionally provides a more sustained analysis of "the man-woman and the bearded lady" as sideshow displays in the 1930s. Oram, *Her Husband Was a Woman!*, 122. Skidmore cites several popular press articles using the terms "man-woman" and "girl-boy." Skidmore, *True Sex*, 102. These works do not address the question of whether the individuals portrayed in the archival sources embraced or rejected such dual-gender terms as self-descriptors.

[106106] Jennie June expressed that she wrote the second book for the "general reader." However, she had trouble finding a popular press that would be willing to print the book, and it was eventually published in a small run of 1000 copies by the Medico-Legal Journal, i.e. the same publisher who printed her first book. Werther—June, *The Female-Impersonators*, 2.

conversations among her associates. For example, she presented extended dialog between her associates to illustrate for her reader the tone of "a typical hour's conversation" at the Cercle Hermaphroditos in the 1890s.[107] Here the reader would hear one associate after another say "us women-men" in reference to the group.[108] A Cercle member going by the name Plum lamented that she had been recently fired from her job because, she said, "some bigot denounced me to the boss," and once confronted she had to "confess to being a woman-man."[109] A friend asked Jennie June whether she knew "any woman-man whom we ought to get into the Cercle?"[110] Jennie June herself, within this dialog opined, "On the basis of self-knowledge, we women-men easily recognize our own kind."[111] Elsewhere in the book, June's friend Phillys called herself a "woman-man" and so did her friend Eunice.[112] Furthermore, Jennie June's friends discussed the transgender lives of female-assigned individuals, referring to them as men-women. Jennie June used the term *bisexual* to refer to the dual gendered nature of both androgynes and gynanders, and her writing suggested that her friends did likewise. For example, Cercle members discussed fears about violence, and Phyllis expressed concern that "in such strange ways a continuous string of both men-women and women-men are being struck down in New York for no other reason than loathing for those born bisexual."[113]

While some of Krafft-Ebing's terms and categories came to be widely used by others, androgyne was a term that did not get much traction among other sexologists. Havelock Ellis, for example, discarded the term in *Sexual Inversion*, arguing that Krafft-

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[107] Ibid., 152.
[108] Ibid., 154, 157.
[109] Ibid., 159.
[110] Ibid., 158.
[111] Ibid.
[112] Ibid., 179, 219.
[113] Ibid., 156–57.

Ebing's minute differentiation between various degrees of sexual inversion was not useful.[114] By embracing *androgyne* even as other scholars dismissed it, Jennie June signaled that she sought to draw distinctions between different kinds of sexual inverts. It is important to note, however, that Jennie June was far from a disciple of Krafft-Ebing's theories.

Jennie June took what she found useful in Krafft-Ebing's work and discarded the rest. She particularly found troublesome his theory that cross-gender identification could be acquired. While androgyny and gynandry represented congenital conditions in *Psychopathia Sexualis*, Krafft-Ebing also wrote of an acquired "mental disease" he called "metamorphosis sexualis paranoica."[115] This was the extreme degree of acquired sexual inversion. Krafft-Ebing theorized that by repeatedly engaging in homosexual erotic acts, a previously masculine man might undergo "a deep change of character, particularly in his feelings and inclinations, which become those of a female."[116] Left untreated, such a case might result in a mental disorder presenting as "the delusion of a transformation of sex."[117] Jennie June certainly did not believe that she was delusional in viewing herself as a psychic female with male genitals. She rejected the very idea of "metamorphosis sexualis paranoica." She dismissed such theories as rubbish and argued that no amount of homosexual sex could turn a masculine man into a psychic female.[118] She believed that one could only be born with a feminine "psyche, tastes, and manners."[119] Thus, for Jennie June, embracing the category of androgyne to describe herself and her associates also

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[114] Ellis and Symonds, *Sexual Inversion*, 32, 42.
[115] Krafft-Ebing, *Psychopathia Sexualis*, 216.
[116] Ibid., 197.
[117] Ibid., 216.
[118] Werther—June, *Autobiography of an Androgyne*, 1918, 23.
[119] Werther—June, "Riddle of the Underworld," section III: Sexual Intermediates in General.

signaled her rejection of Krafft-Ebing's theory (and categories) of acquired sexual inversion. She likewise rejected Freud's idea that sexual inversion was "due to homosexual seduction by an older child in early life," arguing that he had arrived at this theory "on the basis of inadequate data."[120]

Indeed, the question of whether sexual inversion was acquired or congenital preoccupied most sexologists of the era. For these scholars, the question had implications for the medical and legal treatment of these conditions. On one hand, some believed that congenital conditions should not be criminalized.[121] Jennie June embraced this logic, arguing that laws from the "Dark Ages" of sexual ignorance should be reformed to stop the criminal prosecution of "innocent androgynes" who were only following the dictates of nature by presenting themselves as women in public.[122] On the other hand, congenital conditions could be seen as more debilitating from a medical point of view, since there was no way a congenital sexual invert could be cured or redeemed.[123]

For Jennie June, however, the question of the congenital or acquired nature of her condition also had an important spiritual dimension. Although she gave up the idea of pursuing a career in the ministry, she continued to afford religion an important place in her life. In *The Female-Impersonators*, she described herself as "ultra-religious and a deep student of the bible."[124] After she came to regard her condition as congenital, she was able reconcile her identity with her religious beliefs. She found peace in the idea that God made her this way. She developed this perspective after working with the alienist Dr.

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[120] Werther—June, "Studies in Androgynism," 242.

[121] Joseph Richardson Parke, *Human Sexuality: A Medico-Literary Treatise on the Laws, Anomalies, and Relations of Sex, with Especial Reference to Contrary Sexual Desire* (Philadelphia: Professional Pub. Co., 1906), 245.

[122] Werther—June, *The Female-Impersonators*, 1, 52.

[123] Terry, *An American Obsession*, 48.

[124] Werther—June, *The Female-Impersonators*, 73.

Newton and engaging with sexological literature, and it helped relieve much of the depression and self-hate she experienced before the age of nineteen. She recalled in her manuscript, "I ceased the worse than useless longing and praying for a different nature than it had seemed good to the All Wise to predestinate."[125] Thereafter, Jennie June still experienced low points in her life when she was overcome with anguish and despair, but her negative feelings were not directed at herself. She no longer despised her femininity. Rather, she abhorred the violence and ill treatment that she sometimes experienced at the hands of others. She became angry at what she now viewed as unjust treatment of innocent androgynes by "zealous churchmen," law enforcement, and society as a whole.[126] She planned to follow up her autobiographies with a book entitled "The Bible and the Sexual Instinct" where she hoped to "demolish" negative Christian ideas about sexuality and "proclaim to the world" her "discoveries in religion and ethics."[127] She took comfort in the idea that "God Will Avenge Androgynes," assuring her readers,

> Though the world despise and ostracise us, the All-Knowing is still our refuge, and another life awaits us where conditions will be more just. The bigoted and pharisaical judges and juries who have haled hundreds of innocent androgynes off to prison should remember…Those who incarcerate the innocent in this world will in the next have to serve time in the darkest dungeons of a just God.[128]

While Jennie June awaited justice in the next world, she made the most of the life she had here on earth. June developed strategies to cope with society's gender constraints, including the strategy of presenting as a woman part time. Her part-time gender crossing provides insights on the possibilities—and the limitations—for changing gender socially at the turn of the twentieth century. As a teenager in Connecticut, Jennie

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[125] Werther—June, "Riddle of the Underworld," section II: "The Boy Is Father to the Man."
[126] Werther—June, *The Female-Impersonators*, 51.
[127] Ibid., 73.
[128] Ibid., 52.

June thought of the ways a person might use geographic migration to start a new life. She wrote of her line of thinking at the age of seventeen: "I feel like putting an end to my life, or else losing myself, to all who know who I am, in a distant city where I could live according to my queer nature."[129] This suggests that Jennie June understood how some of her contemporaries (often teenagers) used geographic movement to facilitate gender migration. She presented the idea of suicide and the possibility of leaving her family practically in the same breath. This illustrates how she felt about the possibility of leaving her past and her family behind. Both as a teenager and later in life, Jennie June thought that living as a woman full-time came at much too high a cost. Firstly, she did not want to lose her family, particularly her relationship with her mother, whom June adored. She was also concerned about disgracing her family if word of her transgender practices reached her natal community. "I may be disgraced," she wrote, "disgrace my family…be disowned by my parents, be cursed and be despised throughout the land!"[130] Secondly, she was deeply concerned about the possibility of downward social mobility. Living as a woman full-time would mean a loss of social standing and income as a highly educated professional. At issue here was not simply the fact that women's employment possibilities were much more limited in this period. At the turn of the twentieth century, some women who came from the same privileged background as Jennie June built successful careers in the field of social services and reform. Jennie June was drawn to this line of work when she first arrived in New York City. In her life as a man in the 1890s, she worked at a mission serving the city's poor. But moving away to a new city to live as a woman full-time would mean a loss of references, a loss of her educational and

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[129] Ibid., 74.
[130] Ibid.

employment history. This meant that as a woman she not only would have fewer career prospects than men, but also fewer employment options than educated women who came from similarly well-heeled families.

If living full-time as a woman came at a high cost for Jennie June, so too did living full-time as a man. She felt that it was essential for her to express her femininity outwardly and, crucially, to be *seen* as a woman by others. Expressing her femininity outwardly was, she felt, not only a desire, but a necessity. Finding a space where she could feel seen, she described "a feeling of exultation that for a brief spell I was looked upon under my real character—a bisexual," writing also, "I was intoxicated with delight because emancipated—though only for a few moments—from a hated dissimulation and disguise, and enabled to be myself."[131] Jennie June regarded erotic expression and gender expression as human needs which were tightly linked in her narrative. Finding a space where she could be herself and find sexual partners markedly improved her mood in her everyday life as a man. She wrote that "obedience to nature gave peace."[132] She knew that there were people in the world who saw her in the way she wanted to be seen, and this brought her comfort. This need for a weekly outlet for self-expression was something that Jennie June shared with the other androgynes in the Cercle Hermaphroditos. She argued that for androgynes who could not entirely abandon their lives as men, a double life was absolutely necessary, and that in the absence of an outlet for self-expression, one would be driven to despair. Presenting as a woman one night a week did not just improve her disposition on Saturday night; it made her happier in her professional life as a man six days a week.

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[131] Ibid., 112.
[132] Ibid., 101.

What did it take, then, for Jennie June to be *seen* the way she wanted to be seen? And what role did gendered attire play in outwardly expressing androgynes' femininity and signaling to others that they wanted to be seen as a women? One of the key purposes for the creation of Cercle Hermaphroditos was to support each other in putting on women's clothes. The club's members rented a room above an entertainment hall in the Fourteenth Street Rialto district where they stored their women's skirts, wigs, and accessories.[133] They would leave their homes in men's clothes to avoid drawing attention to themselves. They would then arrive at their club room and change their clothes. Donning their "feminine finery," they socialized with each other, relishing mutual recognition.[134] Some (not all) members of the Cercle would also venture out to nearby places of entertainment in their skirts, presenting as women in public outside of the Cercle's own semi-private space. Jennie June, however, never wore a skirt in public. Throughout her life, she always kept some women's clothes at home and wore them in private, finding much comfort in this practice.[135] But fearing arrest, she decided that skirts were "too risky" for "street wear."[136]

Jennie June's "street wear" on her weekly outings differed in two ways from her everyday style in her professional life. First, although she wore what could be classified as men's clothes on her outings, she opted for the most colorful and flamboyant styles she could find. Second, she wore clothes that were cheaper and more worn out, aiming to hide her class status because she feared blackmail if someone realized she was wealthier and followed her home (this fear was not unfounded as she became subject to extortion

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[133] According to June, the Fourteenth Street Rialto was an entertainment district along East 14th Street stretching from Broadway to 3rd Avenue. Ibid., 106, 152.

[134] Ibid., 151.

[135] Ibid., 87, 104.

[136] Ibid., 103–4.

on several occasions). She particularly sought to pass as a working-class person when she visited the Bowery entertainment district, which was in a working-class neighborhood and generally drew a poorer crowd than the Fourteenth Street Rialto. She usually told her weekend paramours that she worked as a waitress.

Wearing trousers meant that Jennie June had to work harder to position herself in the underground world and to get new acquaintances to see her the way she wanted to be seen—as Jennie. She effectively fashioned her gender presentation using mannerisms, gestures, and speech patterns signaling femininity to the people she met. When she encountered new acquaintances and potential paramours, she would typically introduce herself as Jennie, tell them that they should regard her as "a girl in a fellow's clothes," and then apologize for appearing in trousers.[137] She recalled telling a young bachelor, for example, "the law prohibits to me my natural or instinctive apparel. You will be so kind as to overlook my not appearing before you in gown and picture hat, won't you?"[138] This elicited a range of reactions including curiosity, confusion, and acceptance. Many of her interlocutors in New York's underground subculture complied with this request and excused her appearing in trousers.

Jennie June's gender presentation in trousers highlights the limitations of using the term *cross-dresser* as an analytical category to describe the transgender practices of historical subjects.[139] Jennie June wrote that she "wandered more widely, and in some respects flaunted [her] androgynism to a greater extent" than others in her circle.[140] "I took greater chances than any other, except in the appearing in public places in feminine

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[137] Werther—June, *Autobiography of an Androgyne*, 1918, 64.
[138] Werther—June, *The Female-Impersonators*, 108.
[139] See Boag's work for an example of "cross-dresser" as the key analytic category around which to organize a historical study. Boag, *Re-Dressing America's Frontier Past*, 18.
[140] Werther—June, *The Female-Impersonators*, 150.

apparel," she wrote; "never for a moment did I forget the possibility of being arrested."[141] Wearing clothing that culturally and legally did not belong to their assigned sex was an important aspect of crossing gender borders for many people in the nineteenth century. But the idea of cross-dressing does not account for individuals like Jennie June—those who avoided breaking the law and fashioned a feminine gender presentation *without* the use of specific articles of clothing that were seen as belonging to women.

Jennie June dreamed of being recognized as a woman by the law. June argued, "medico-legally it is wrong, to make the genitals the universal criterion in the determination of sex. Medico-legally, sex should be determined by the psychical constitution rather than by the physical form."[142] Here she articulated the idea that legal sex categorization should be based on an individual's psychic sex—what would come to be called *gender identity* later in the twentieth century. She considered it her "God-given mission…to be one of the first" to advocate for "grant[ing] justice and humane treatment to the androgyne and gynander."[143] And addressing her reader, she asked how long androgynes and gynanders would remain outlaws and whether they must "continue to suffer physical and mental torture for another century."[144] She knew that recognition of her "psychic sex" was not within reach from a legal standpoint, but she was able to achieve a sense of recognition within New York's sexual subculture. Importantly, Jennie June did not attempt to make her friends and paramours think that she had female genitalia. She was able to feel seen in New York's sexual subculture precisely because her associates did not center genitals as the chief determinant of sex categorization.

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[141] Ibid.
[142] Werther—June, *Autobiography of an Androgyne*, 1918, 22.
[143] Werther—June, *The Female-Impersonators*, 2.
[144] Ibid.

While Jennie June and her associates at the Cercle Hermaphroditos lived double lives and presented as women only part time or semi-publicly, June met others who changed their gender presentation more publicly and more completely. June envied those who felt brave or free enough to appear in public in female attire. She wrote, "Nothing would have pleased me more than to adopt feminine attire" as others had done "when going out on similar promenades, but my position in the social organism was much higher than theirs, and the adoption of female apparel would in my case have been attended with too great a risk."[145] She believed that it was easier for poorer androgynes to publicly present themselves as women. In her unpublished manuscript, June highlighted the perceived difference between herself and working-class androgynes while mocking the so-called cultured and educated classes of society for their bigotry and ignorance:

> Uncultured androgynes let their idiosyncrasy become common knowledge in their everyday circle. But the cultured, realizing that their sexually normal associates are subject to fits of temporary insanity on witnessing any evidence of androgynism in another and bitterly persecute any individual so unfortunate as to betray the earmarks of androgynism, seek to hide their idiosyncrasy from their everyday circle. They, like the present author, are thus driven to live a double life.[146]

In her *Autobiography*, June also opined that androgynes who were "uneducated" and "passed their lives in the slums of New York" were "perfectly satisfied with the lot Nature had ordained for them."[147] Poorer androgynes were less concerned about downward mobility and about losing respectability and class status due to blackmail and arrest. Furthermore, some who supported themselves through sex work did not risk losing employment due to arrest or scandal. But Jennie June could not truly speak for their experience. Working-class androgynes certainly displayed an irreverent attitude when

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[145] Werther—June, *Autobiography of an Androgyne*, 1918, 62.
[146] Werther—June, "Riddle of the Underworld," section III: Sexual Intermediates in General.
[147] Werther—June, *Autobiography of an Androgyne*, 1918, 155.

June encountered them, paying no mind to naysayers and bigots. Perhaps they truly had an easier time embracing their femininity, or maybe it only appeared that way to Jennie June who was not privy to their internal conflicts and familial relationships. As working-class people who lived transgender lives left no autobiographies of their own, it is difficult to ascertain whether Jennie June's perceptions accurately represented them. June's writings, however, remind us that working-class people were the ones who fashioned the "democratic, frank, and liberal minded" subculture from which June benefited greatly.[148]

Stories of reverse gender migration

While the sexological literature that Jennie June engaged with focused on the figure of the sexual invert, another narrative centering on male-assigned individuals who adopted women's identities circulated in the press at the turn of the twentieth century. This was an entirely different narrative—one that could not be explained using the sexological framework that posited men's effeminacy as the extreme expression of sexual inversion, inseparable from the individual's homosexual attraction toward men. For example, in the summer of 1897, the press circulated the story of Bessie or Max Feingold.[149] Here is how the narrative went: Max Feingold was an immigrant from Russia who arrived in New York City in the late 1880s.[150] He lived for years "disguised as a woman" under the name Bessie Feingold, working at Wallner's hat-making factory

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[148] Werther—June, *The Female-Impersonators*, 97.

[149] The papers variously reported this person's female name as Bessie or Becky. For Bessie, see "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein," *Cincinnati (OH) Enquirer*, July 3, 1897; "'Bessie' Was a Man," *World (New York, NY)*, July 3, 1897; "Bessie Was Only a Man," *Boston Herald*, July 4, 1897. For Becky, see "Feingold's Long Masquerade," *New York Times*, July 3, 1897; "Forewoman Was a Man," *Sun (New York, NY)*, July 3, 1897.

[150] Feingold's birthplace was reported in the papers as "Rodna Guberna" in "Russia" or "Russian Poland." This is likely a reference to Gronda (in present-day Belarus), which was part of the Russian Empire in the late nineteenth century. "Forewoman Was a Man."

on the Lower East Side.[151] In 1897, Feingold decided to move to Chicago, drop the "masquerade" and resume life under his male name.[152] Why the change of heart? "Love caused Max to drop his disguise," reported the *New York Times*.[153] Feingold met a young woman named Sophie Goldstein at the factory and fell in love. The feeling was mutual, and Feingold and Goldstein eloped and got married. How and why Feingold ever started "pass[ing] as a woman" in the first place remained a "mystery" to his associates.[154]

Some reports about Feingold drew attention to the unsuspecting men who treated Feingold as a potential love interest. *The Cincinnati Enquirer*, for example, titillated readers with the headline "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein." But the article made clear that Feingold's "lovers" were merely men who sometimes bought her ice cream.[155] The idea that men could be fooled into unwittingly flirting with Feingold was presented as a humorous side note. Most reports, however, emphasized not anxieties over Feingold's interactions with men, but rather anxieties over Feingold's inappropriate presence in women's spaces. One woman expressed disgust, complaining: "To think of that man—that thing—coming around here among us girls for seven years and we not knowing he was a man! Him putting on woman's things and acting just like a woman. It's awful!"[156] Thus, while the potential for same-sex flirtation with men appeared good for a laugh, the thought of Feingold mingling freely among women elicited indignation from former coworkers.

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[151] "Disguised as a Woman," *Kansas City (MO) Journal*, July 4, 1897.
[152] "Feingold's Long Masquerade."
[153] Ibid.
[154] "'Bessie' Was a Man"; "Bessie Was Only a Man."
[155] "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein."
[156] "Feingold's Long Masquerade."

Figure 5. 2. Bessie Feingold a.k.a. Max Feingold in 1897.[157]

This illustrator depicted "Mister Feingold" wearing a woman's shirtwaist and working at a sewing machine. The artist almost certainly never met Feingold.

Another story with a nearly identical plot came out of Maine in 1901. Here the papers reported Sylvester Cole "was a human being of the male gender, who preferred to dress as a woman, act as a woman, and pass as a woman," going by the name Maggie Cole for fifteen years.[158] Cole had worked as a servant in a rural community in Kennebec County.[159] When a young woman named Georgiana Bernard was hired to work in the same household, Cole fell in love and "discarded petticoats" revealing to his community that he was a man.[160] Cole then married Bernard. The reason why Cole lived as a woman

[157] Illustration from "Forewoman Was a Man."
[158] "Diverse Activities of Cupid in Divers Fields."
[159] "Masqueraded as a Woman for Fifteen Years," *Wilkes-Barre (PA) Times*, December 21, 1901.
[160] "Discarded Petticoats," *Hutchinson (KS) News*, December 25, 1901.

for over a decade remained unclear. Some papers reported a rumor that blamed Cole's "masquerade" on the wishes of a wealthy "eccentric uncle" who favored nieces with financial support, but even those who repeated the rumor said it was dubious since it seemed Cole never had two pennies to rub together.[161]

Both stories circulated widely beyond their communities (and even internationally), and the narratives shared many characteristics.[162] Both Feingold and Cole were in their mid-thirties, and their lovers were much younger women. Both Feingold and Cole passed many years of their adult lives living as women, and the papers emphasized this, calling Feingold a "long distance female impersonator" and highlighting Cole's "15 Years as a Woman" in headlines.[163] During that time they went completely undetected by their associates. "We all believed she was a girl," Feingold's boss was reported as saying.[164] And Feingold's female coworkers "said that nothing had ever transpired to make them suspect that Bessie was not a woman."[165] "Nobody suspected her," the papers assured.[166] Cole's associates also purportedly never had "the slightest suspicion."[167] Importantly, unlike many other gender migrants, Feingold and Cole did not enter the press upon being arrested or involuntarily being exposed while they lived as women. Rather, these individuals declared to their associates that they were in fact male and had been "masquerading" as women for years. These declarations were accompanied

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[161] "'Maggie' Cole Out of Petticoats; Another Maine Man Is 'Re-Incarnated,'" *St. Louis (MO) Post-Dispatch*, December 22, 1901.

[162] Feingold's story appeared in newspapers in Arizona, Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Texas, Virginia, and also in Wales. Cole's story appeared in newspapers in Arizona, Arkansas, Illinois, Iowa, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New York, Ohio, Pennsylvania, Virginia, Utah, and in Washington, D.C.

[163] "Bessie Was Only a Man"; "Poses 15 Years as a Woman," *Chicago Tribune*, December 22, 1901.

[164] "Bessie Was Only a Man."

[165] "'Bessie' Was a Man."

[166] "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein."

[167] "'Maggie' Cole Out of Petticoats; Another Maine Man Is 'Re-Incarnated.'"

by a willful and voluntary gender change—the assumption of male attire and name. The papers, thus, presented them as narratives of reverse gender migration—stories of male-assigned individuals who became women and then became men again. Love was the central driving force behind their transformation back into men. Feingold "fell in love…and that put an end to the masquerade," reported the *New York Times*; "but for this masculine weakness, [Feingold's] ruse would never have been suspected."[168] Similarly, headlines circulating Cole's story were replete with assertions that he "Announced His Sex Because of Love," "Became a Man to Marry a Woman," and that "Love Caused This Man to Throw Off His Mask."[169] None of the papers expressed a hint of skepticism about the veracity of these narratives.

What can we learn here about how gender migrants structured their intimate relationships and the role of love and romance in their lives? Let us assume for a moment that the details of these stories were as reported by the papers. From the perspective of Cole and Feingold, living as women hindered their ability to legally marry their partners, but it did not prevent them from forming an intimate bond with their female lovers. Quite the contrary—they were able to develop romantic relationships, sharing intimacy undetected by those around them, because they lived as women. Georgiana Bernard, who was described as an attractive young woman with no lack of marital prospects, chose for her partner the person with whom she shared the intimate space and activities that only two women in domestic service would be allowed to share. Furthermore, Bernard kept Cole's secret and the lovers concealed their relationship for some months before Cole

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[168] "Feingold's Long Masquerade."

[169] "Announced His Sex Because of Love," *Dayton (OH) Herald*, December 21, 1901; "Became a Man to Marry a Woman," *Pittsburgh (PA) Press*, December 21, 1901; "Love Caused This Man to Throw Off His Mask," *Buffalo (NY) Enquirer*, December 21, 1901.

publicly declared that he was truly a man and adopted male attire. Similarly, Sophie Goldstein and Bessie (later Max) Feingold carried on an intimate relationship for years before they eloped with Feingold resuming male attire. They were well known at the factory as "inseparable companions."[170] When Feingold threw a jealous fit and made Goldstein break off her engagement to another suitor, their coworkers did not seem to question Feingold's sex or the relationship between the women. Feingold and Goldstein "went home together every night," shared activities such as going together to the beach, wore matching outfits, and expressed affection publicly by sitting "together with their arms around each other's waist," which were all socially acceptable behaviors for two women friends.[171] They could become "inseparable companions" precisely because Feingold lived as a woman. In short, Feingold's appearance and life as a woman was not an impediment to developing a romantic relationship with Goldstein. Rather, it was the key to their intimacy.

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[170] "'Bessie' Was a Man."

[171] "Bessie Was Only a Man"; "Forewoman Was a Man"; "Feingold's Long Masquerade"; "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein."

Figure 5. 3. Cole and Bernard as a "queer couple" in 1901.[172]

The illustrator probably never met Cole and Bernard in person. The illustrator depicted Cole as a taller person embracing the more demure Bernard, with both wearing women's attire. Although the story of Sylvester Cole assured readers that Cole was truly a man, it also occasioned the circulation of this homoerotic image alongside the headline calling attention to "Some Very Queer Couples."

Now let us look at these stories from a different angle. Maybe the papers got it all wrong. Perhaps Max Feingold and Sylvester Cole pulled the wool over everyone's eyes to accomplish what they wanted—a gender migration from woman to man. It is possible that they were not male-assigned individuals at all and had never lived as men before. It could be that Feingold or Cole (or both of them) were, in fact, female-assigned individuals who had lived for 35 years of their lives as women and then decided to

[172] "Sly Cupid at Work."

change gender. The circumstances of Feingold's gender change suggest this as a strong possibility. In the first place, some of Feingold's countrymen who knew Feingold back in Russia told the papers that Bessie Feingold had "passed as a girl" in her home country even before her arrival in New York City.[173] While Sylvester Cole made a bold announcement to his community that he was truly a man, Feingold did not initially plan to make such an announcement. Feingold made a careful plan to escape New York with Goldstein. While still living as Bessie, Feingold told associates that she planned to leave New York and go to Brazil to live with her uncle. Feingold purchased a man's suit and a derby hat representing that these items were for her uncle. When Bessie Feingold left the factory, no one searched for her or supposed that Sophie Goldstein's disappearance from New York around the same time was related to Feingold's departure for South America. Some weeks later, after Max Feingold made his way to Chicago and started working in a millinery, he ran into Abraham Geiger, a former associate from New York, who was more than a little surprised by Feingold's change of appearance. Knowing that such an encounter was not impossible within the hat-making industry in Chicago, Feingold had his story ready: he had been a man all along, "masquerading" as Bessie and "passing" as a woman for years until he fell in love with Sophie Goldstein and decided to reveal his true sex and get married. Geiger knew Feingold well because of their previous business dealings in New York (they had worked together to establish their own hat business, albeit unsuccessfully). No doubt Feingold knew that Geiger would immediately write to other associates at Wallner's factory, informing them that Feingold was living as a man in Chicago. Though not keen to tell others his business, when it came down it, Max

[173] "Forewoman Was a Man"; "Astounded Her Numerous Lovers by Eloping with Pretty Sophie Goldstein."

Feingold skillfully controlled his own narrative, legitimating his change of gender and his marital relationship with Sophie Goldstein.

Here then, we have come full circle to the female husband stories that opened this chapter. Others in Feingold's position might have been called female husbands by journalists. Sexologists would have pinned him as a sexual invert (the word lesbian was also beginning to make its appearance in some American publications).[174] If he became the subject of such a narrative, Max Feingold risked losing his ability to live undisturbed in his new gender. Instead, he created his own narrative: he was a man and had been a man all along. Going back to skirts was inadvisable because skirts had been a disguise.

Cole was bolder in his assertions. After years of living in Maine as a woman, he declared to his entire community that Maggie was a false name and that he intended to resume life in his true sex as Sylvester Cole and to marry Georgiana Bernard. He was, perhaps, emboldened by another gender change story that broke in Maine mere days before. This was the story of Arthur Carver, who had been raised as a girl named Lillian Carver and lived for thirty years as a woman in the same community and then declared by affidavit (witnessed by his parents and pastor and published in the local papers) that he was and had always been male. (Carver's story did not mention love or marriage, although a year later he did marry a woman.)[175] Days after Carver's story appeared in the press, Cole announced that he was also a male all along and proceeded to marry Georgiana Bernard. If Cole tried to piggy-back on Carver's revelations hoping that the two narratives would be connected in the public mind, he was right. The press eagerly put

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[174] Skidmore, *True Sex*, 27.

[175] "'Female' Barber Was a Man; Arthur L. Carver Masqueraded for Thirty Years in His Native Village in Maine," *New York Times*, December 19, 1901; "North Haven's Man-Woman," *Republican Journal (Belfast, ME)*, December 26, 1901; "The 'Female Barber' Married," *Republican Journal (Belfast, ME)*, November 27, 1902.

the two together as stories of male-assigned individuals living long-term as women in rural Maine.[176] So strong was the association between the two, that when the *Chicago Tribune* published Cole's story, the paper erroneously ran an illustration captioned "Carver as a woman" even though the article did not mention Carver at all.[177]

Figure 5. 4. Lillian Carver a.k.a. Arthur Carver in 1901.[178]

This illustration purported to depict "Carver as a Woman," but was erroneously printed alongside the *Chicago Tribune* article that discussed Maggie Cole a.k.a. Sylvester Cole.

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[176] For example, see these two articles printed side by side: "Man Disguised as Woman; He Disclosed His Secret Only on His Wedding Day," *Baltimore (MD) Sun*, December 21, 1901; "Another Case of Disguise; Strange Story of a Deception That Grew Unconsciously," *Baltimore (MD) Sun*, December 21, 1901.

[177] "Diverse Activities of Cupid in Divers Fields."

[178] Ibid.

Conclusion

Max Feingold and Sylvester Cole were astute observers of the gender dynamics in their communities and the narratives of gender crossing that circulated in American culture. Whether Feingold and Cole had been socialized as girls or boys in childhood is uncertain, but their stories illustrate that these individuals knew (or at least hoped) that the public could readily believe the three central assumptions embedded in the narratives they told about their gender change. One, that male-assigned individuals could live as women for decades undetected. Two, that male-assigned individuals in skirts did not necessarily seek male partners. And three, that love was a powerful force that could change the direction of their lives and force them to resume their proper role as men.

Love and intimacy was important for many gender migrants in the nineteenth century, and their diverse relationship configurations deserve closer attention from scholars. The stories of female-assigned gender migrants who longed for the company of other men have much to tell us about queer modes of intimacy. By the end of the nineteenth century, some male-assigned individuals found a place in an urban subculture that allowed them to express their femininity, share their secrets with others like themselves, and explore their erotic attractions to men. Sexologists focused on the erotic aspects of these people's lives and offered theories of sexual inversion distinguishing between sexual anatomy and "psychic sex." Jennie June talked back to the discourse of sexology and provided a rich account of the lives of persons who called themselves women-men. At the dawn of the twentieth century, Jennie June made the case that, from a legal perspective, sex should be determined by one's "psychical constitution rather than

by the physical form."[179] This concern about the legal determination of sex would reshape strategies for gender migration as legal sex categories became embedded in a documentary regime of identification that emerged with the growth of the American surveillance state.

[179] Werther—June, *Autobiography of an Androgyne*, 1918, 22.

EPILOGUE

The twentieth century brought changes to American culture, medicine, and state policies. The story of Louise Lawrence illustrates some of the ways these shifts reshaped the possibilities for changing one's gender and reinventing one's public identity. Born into an upper-middle-class white family in California in 1912, Lawrence was assigned male at birth and raised as a boy. Drawn to women's attire since childhood, Lawrence developed a transgender identity and sought out others with similar inclinations in person and also by writing to people whose stories were reported in the press.[1] Meeting others who had changed their public gender identities helped Lawrence see how she could do likewise. In 1944, at the age of thirty-two, Lawrence decided to begin living full-time as a woman after years of engaging in private and part-time transgender practices. She had the support of several friends and family members as she set out to make these drastic changes in her life. As she embarked on her gender migration, she accessed services at the Langley Porter Clinic—the recently established psychiatric teaching hospital at the University of California, San Francisco.[2] She regularly saw a psychiatrist at the clinic, but did not obtain any medical treatments as part of her initial transition to living as a woman, although years later she would experiment with hormone treatment. She went on to live as a woman publicly for over three decades until her death in 1976.

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[1] For additional information on Lawrence's network-building, see Joanne Meyerowitz, *How Sex Changed: A History of Transsexuality in the United States* (Cambridge, MA: Harvard University Press, 2002), 185–86. For Lawrence's work with Dr. Alfred Kinsey and how she put her network to use, see Joanne Meyerowitz, "Sex Research at the Borders of Gender: Transvestites, Transsexuals, and Alfred C. Kinsey," *Bulletin of the History of Medicine* 75, no. 1 (2001): 72–90.

[2] Now known as Langley Porter Psychiatric Hospital, the institution was founded in 1941 as California's first neuropsychiatric institute and began offering services to patients in 1943. "Langley Porter Psychiatric Hospital and Clinics," *University of California, San Francisco*, accessed February 1, 2019, https://psych.ucsf.edu/lpphc.

In 1944, during her first year of living as a woman, Lawrence kept a daily diary, recording her psychiatric visits to the Langley Porter Clinic in San Francisco, the shifts in her family relationships, and her interactions with the police and various state officials. Mere weeks after making a resolution to live as a woman, Lawrence encountered a police officer while walking home from the grocery store in a San Francisco suburb where she had resided for several years.[3] She recalled the incident in an unpublished autobiographical manuscript:

> a car drew up to the curb just in front of me and a policeman stepped out. I knew what he was going to do and my knees became like jelly as he came nearer… he asked me if I had any identification. Knowing full well that I didn't have anything that said I was female I merely drew my driver's license out of my wallet and showed it to him.[4]

Lawrence's initial interaction with the officer on this suburban street centered on a request for documentary proof of identity. So commonplace was this request by 1944 that Lawrence knew exactly what the officer would do and say as he stepped out of his vehicle. Lawrence's inability to produce any paperwork that said she was female would become a major problem for her. Lawrence wrote of what happened next:

> Very quietly he told me to get in the car and we would go down to headquarters. Why I didn't immediately burst into tears I don't know but I did think to myself that here I was not even really on my way to doing what I had planned for so long to do and I was already being arrested and taken to jail.[5]

At the police station, Lawrence was questioned by a lieutenant, and she asked him to call Dr. Alfred Auerback—her psychiatrist at the Langley Porter Clinic. The lieutenant talked to Auerback for an hour (or so it seemed to Lawrence who nervously waited for a resolution). The officer ultimately decided not to arrest Lawrence this time, saying he

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[3] This incident is recorded in her diary on April 3, 1944: Louise Lawrence, Diary, Series I-A, Box 1, Folder 1, Louise Lawrence Collection, Kinsey Institute, Indiana University, Bloomington, IN.

[4] Louise Lawrence, Autobiography (unpublished manuscript), 95, Series I-A, Box 1, Folder 2, Louise Lawrence Collection, Kinsey Institute, Indiana University, Bloomington, IN.

[5] Ibid..

understood from the doctor's explanation that Lawrence had a legitimate reason for wearing a skirt. Still, the lieutenant admonished Lawrence to contain her sartorial practices in private: "He finally told me that I had better not wear these clothes on the street any more; that if I have to go out of the house I had better wear male attire."[6] Wearing male attire on the street was antithetical to Louise Lawrence's endeavor to live publicly as a woman. Lawrence soon moved away from the suburb where neighbors had known her as a man and relocated to San Francisco where she found an apartment and a job as a waitress at a cafe.

Here we see the way the psychiatrist's expertise helped Lawrence navigate the precarious situation of moving about publicly without documentary proof of her female identity. It was precisely for this reason that Lawrence diligently attended her appointments at the Langley Porter Clinic. But Lawrence felt deeply ambivalent about her interactions with the psychiatrist. Auerback wanted her to take an endless battery of psychiatric tests, and she did. Auerback wanted to present Lawrence as a subject for examination to a conference of 60 doctors and medical students at the clinic; she obliged and felt deeply unsettled by the experience. Lawrence also brought her wife Maria (pseudonym) to the conference at the doctor's request, and Maria sat through her own ordeal, agreeing afterward with Lawrence that the experience had been awful.[7] Lawrence

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[6] Ibid., 96.

[7] Maria was aware of Lawrence's predilection for wearing women's clothes before they got married. Their marriage eventually ended in large part because of Lawrence's quest to express her femininity outwardly on a more consistent basis. Despite the heartbreak that the breakup caused both of them, Maria was instrumental in helping Lawrence adopt a woman's identity on a full-time basis. Lawrence subsequently found love in a long-term relationship with another woman. The information about Louise Lawrence's personal life comes from the Louise Lawrence Collection at the Kinsey Institute. Lawrence made it clear that she wanted her contributions to medical science known, and she deserves recognition for her work building a transgender network in the 1940s and beyond. However, to protect the privacy of other people in her family, I use a pseudonym when referring to her wife, and I also omit here Lawrence's birth name (she changed both her first and last name when she started living as a woman).

believed that her regular appointments at the clinic were not helping her solve the pressing problems of her life. She wrote of her sessions with Dr. Auerback:

> he would ask me if I had any problems. The ones I had that were to me very critical, he had no solutions for, the ones he wanted me to talk about I couldn't seem to get interested in. I took all the tests he asked me to take and I tried my best to co-operate with him in every way possible.[8]

Lawrence continued going to Auerback primarily because she wanted legal help. "In my mind," she wrote later, "I was going along with him in order that Langley Porter Clinic would back me in case I got into any trouble."[9] This legal help was important, and it got Lawrence out of trouble repeatedly. But she felt her sessions were not helping her from a psychological or medical standpoint. This is not to say that Lawrence did not need help solving questions of self-identity and facing the challenges of changing her public gender presentation. But she looked elsewhere for that help: to her wife and other women in her family as well as to fellow transgender individuals who became a part of her support network. Her closest friends and family helped Louise Lawrence refashion her appearance, took care of logistics, encouraged her, and provided emotional support through the rough times.

Louise Lawrence came of age in the period when the prospect of changing one's bodily sex through medical technology was slowly gaining public attention. She (and others of her generation) faced the question: should the social transition to womanhood be accompanied by hormonal or surgical interventions? In the early decades of the twentieth century, several Americans obtained surgical treatments aimed at reshaping some aspects of their bodily sex. Jennie June, the autobiographer who considered herself an androgyne and participated in New York City's underground sexual subculture in the

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[8] Lawrence, Autobiography, 97.
[9] Ibid.

1890s, was one of these individuals. Although June described herself explicitly as a person with male genitals and female psyche, she also felt disconnected from her genitals and wished that her body were shaped differently. In childhood, once she came to understand her genitals as an important physical distinction that made her different from other girls, she wondered if her father's "razor ought to be sharp enough" to "rid" herself of these organs (she never actually attempted such an act).[10] As an adult, she derived no pleasure from her genitals (either alone or with partners) and explained that this part of her body played no role in her erotic encounters. In 1902 Jennie June obtained an orchiectomy, or castration surgery to remove her testes. She was twenty-eight years old at the time of her surgery.[11] In her autobiography, June explained that she had several reasons for pursuing this surgery. First, she hoped to solve spermatorrhea, or frequent nocturnal emissions, which she believed weakened her overall health and mental vigor. Physicians' ideas about the effect of nocturnal emissions varied, and presumably June's surgeon performed the surgery because he agreed that these emissions harmed her health. Second, June hoped that the operation would decrease her overwhelming erotic desires, particularly her desire to perform oral sex on men. Although she found immense pleasure in this sexual act, she felt overwhelmed by frequent erotic thoughts and fantasies that seemed to distract her even when she was not engaging in sex, and she imagined that castration would help her in this regard. Third, while it is unclear whether June readily admitted this to her surgeon, she explained to her readers that she hoped the surgery would have some feminizing effects. She especially loathed her facial hair and hoped that

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[10] Ralph Werther—Jennie June, *The Female-Impersonators*, ed. Alfred Herzog (New York: The Medico-Legal Journal, 1922), 67.

[11] Ralph Werther—Jennie June, *Autobiography of an Androgyne*, ed. Alfred Herzog (New York: The Medico-Legal Journal, 1918), xi, 13, 92, 196–98.

the operation would help her get rid of it. She was disappointed that her facial hair remained unchanged after the surgery. Jennie June explained her surgery as a private matter that had little effect on her public life. After the operation, she continued her dual existence, presenting publicly as a man in professional life and presenting as a woman to friends and paramours on a part-time basis.

One person who changed his public life after a medical intervention was Alan Hart, a female-assigned gender migrant who underwent a hysterectomy in 1917 at the age of twenty-six. Like Jennie June, Hart was a highly educated professional. While still living as a woman, Hart had obtained a medical degree from the University of Oregon. Hart was able to use his medical knowledge to convince psychiatrist J. Allen Gilbert to facilitate Hart's medico-legal transition to manhood. After the hysterectomy operation, Hart began living publicly as a man, securing legal recognition of his new name and gender with the doctor's help. He went on to live permanently as a man for the remaining forty-five years of his life.[12] Jennie June's and Alan Hart's surgeries removed existing organs, but did not introduce new hormones into their bodies. June pursued an orchiectomy hoping for a feminizing effect because she understood that testes played a role in sexual development, but she did not know precisely how these organs functioned.

Advancements in the science of endocrinology in the following decades brought a new understanding of the role of hormones in shaping bodies, and with that understanding came the prospect of manipulating hormones and thereby reshaping the physical characteristics that they control. In the 1910s, physiologist Eugen Steinach at the

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[12] J. Allen Gilbert, "Homo-Sexuality and Its Treatment," *The Journal of Nervous and Mental Disease* 52, no. 4 (1920): 297–322, reprinted in Jonathan Ned Katz, *Gay American History: Lesbians and Gay Men in the U.S.A.: A Documentary History*, Rev. Ed. (New York: Meridian, 1992), 258–79; Meyerowitz, *How Sex Changed*, 18.

University of Vienna published his research findings on masculinization and feminization of rats and guinea pigs. He transplanted the rodents' gonads, implanting castrated male rodents with ovaries and likewise implanting castrated female rodents with testes. In this way, Steinach was able to feminize male rodents and masculinize female rodents, and he reported that the operations transformed the animal's sex. Following Steinach's experiments, early attempts to change humans' hormonal levels similarly relied on the surgical transplantation of gonads. By the late 1930s, scientists developed synthetic hormones that could be administered without surgical intervention. Meanwhile, German sexologist Magnus Hirschfeld developed *transvestite* as a term for transgender phenomena, a term that would gain currency in English-language scholarship as well (Louise Lawrence and many of her friends and correspondents took on this term as a self-descriptor). In the 1920s and 1930s, surgeons working with Hirschfeld's Institute for Sexual Science in Berlin worked with patients who desired to change their public gender identities and performed surgeries to transform these patients' genitalia.[13]

In the 1930s, the European developments in the science of changing sex reached American readers primarily through the popular press. Newspapers had regularly served to circulate knowledge of gender migration for about a century, and now they also began printing stories of medical sex transformation. The scientific aspects of these reports were not always accurate, but nevertheless, the press told readers that modern science was making a change of bodily sex possible. Thus, some American readers who encountered these stories in the 1930s were gaining a model for viewing their own desires to move

[13] Meyerowitz, *How Sex Changed*, 14–50.

away from their assigned gender as a medical problem that perhaps warranted a medical solution.[14]

Although limited information about scientific approaches to changing bodily sex began to reach American readers (and some made their way to Europe to seek medical treatments), in reality very few people could make use of these medical advances in the United States. In the late 1930s, a handful of individuals began using hormones to help change their bodily sex. In 1941, for example, Barbara Richards, a male-assigned person who had used hormone injections for two years to feminize her body, asked the Superior Court of California in Los Angeles to grant her a name change (from Edward to Barbara) and to recognize her as a woman.[15] Barbara Richards moved to San Francisco and met Louise Lawrence there. Lawrence was an avid collector of all kinds of media on transgender themes, and she had already read about Richards in the papers before she met Richards through a mutual friend. Richards would become an important part of Lawrence's support system as Lawrence embarked on her own gender migration. Through Richards and others, Lawrence gained knowledge of the emerging medical possibilities for reshaping bodies through hormones. In the 1950s, Lawrence used her network, which by now included Dr. Harry Benjamin and Dr. Alfred Kinsey, to help several transgender individuals obtain hormones and surgeries. Yet, she did not consider hormonal treatments or surgeries a necessity for living as a woman on a full-time basis. Medical approaches to changing bodily sex remained highly controversial in the United States, and few people could access surgical procedures until the 1960s. Even as some Americans sought sex reassignment surgeries in the mid-twentieth century, others,

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[14] Ibid.

[15] "'Man' Asks Legal Right to Assume Woman Status," *Los Angeles Examiner*, July 3, 1941; Meyerowitz, *How Sex Changed*, 39–41.

including Louise Lawrence, continued to pursue gender migration without surgical treatments.

As medical technology slowly reshaped possibilities for gender migration, encounters with police and state authorities continued to play an important role in transgender lives. The urban policing practices pioneered in the middle of the nineteenth century proved incredibly durable. For example, the cross-dressing ordinance in San Francisco was not removed from the municipal codebook until July of 1974, and the police actively enforced the law up until that moment.[16] The Supreme Court of the United States struck down vagrancy laws as unconstitutional in a series of decisions in 1971 and 1972. In New York, officers actively used the 1845 vagrancy disguise law to police transgender practices and arrest people as vagrants until the Supreme Court's decision. Defendants in New York City challenged the law's constitutionality in the 1960s.[17] This was over a century after New York gender migrant Charley Linden vehemently insisted that he was not a vagrant and his lawyer argued that "dressing differently from others" did not make one guilty of disguising one's true identity.[18] While Charley Linden gained a release from jail in 1856, defendants in the 1960s failed to convince New York judges that the vagrancy disguise law was unconstitutional. Nevertheless, their legal challenges remind us that individuals continued to fight for the right to express their gender and live with dignity. The end of cross-dressing laws and vagrancy laws in the 1970s represents a series of important victories for the legal activists who pursued their repeal. It does not mean, however, that the policing of transgender lives and practices came to an end, only

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[16] Clare Sears, *Arresting Dress: Cross-Dressing, Law, and Fascination in Nineteenth-Century San Francisco* (Durham, NC: Duke University Press, 2014), 146.

[17] Risa L. Goluboff, *Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s* (New York: Oxford University Press, 2016), 168.

[18] "Discharge of Anna Linden, the Boy-Girl," *New York Tribune*, March 15, 1856.

that it evolved into new forms which would revolve around identity documents, surveillance, and freedom of movement.[19]

The rapid growth of the American surveillance state perhaps did more than medical science to reshape transgender lives in the first half of the twentieth century. In the nineteenth century, personal knowledge had served as the most important mode of official identification for white Americans, especially those who could lay claims to respectability. Race and class structured who could and could not move about freely without paperwork. In the early decades of the twentieth century, the idea that everyone's identity could and should be documented on official state-issued paperwork gained currency in America and impacted the strategies necessary to pursue gender migration.

The federal government first began developing a documentary system for identifying individuals who were crossing national borders in the wake of the Chinese Exclusion Act of 1882. U.S. customs officials began issuing "return certificates" to Chinese workers departing from American ports, granting them permission to return in the future. By 1885, over thirty-five thousand return certificates had been issued at ports in the West; this level of surveillance was unprecedented at the time. These certificates did not include photographs, only a short description of the migrant's features; and the federal government lacked the bureaucratic infrastructure necessary for enforcing its nascent documentary regime.[20] In the late nineteenth century, U.S. citizens traveling

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[19] For scholarship on more recent surveillance, policing, and carceral practices that circumscribe transgender lives, see Nat Smith and Eric A. Stanley, *Captive Genders: Trans Embodiment and the Prison Industrial Complex* (Oakland, CA: AK Press, 2011); Dean Spade, *Normal Life: Administrative Violence, Critical Trans Politics and the Limits of Law* (Cambridge, MA: South End Press, 2011); Toby Beauchamp, *Going Stealth: Transgender Politics and U.S. Surveillance Practices* (Durham: Duke University Press, 2019).

[20] According to Beth Lew-Williams, the Chinese Exclusion Act "did not produce a corps of federal officials trained to monitor migrants, a network of detention centers, a bureau of immigration, or a designated system for administrative review. All this came later." For a discussion on "return certificates"

abroad could obtain passports to ease their passage, but were not required to do so. In the 1920s, the State Department gradually standardized passports issued to American citizens and required these papers for reentry into the U.S.[21] Many individuals, however, never crossed national borders, and the job of documenting individual identity fell primarily to the individual states in issuing birth certificates and driver licenses.

The implementation of official birth registration procedures throughout the country proceeded with uneven success in the first three decades of the twentieth century. So uneven were these policies that by the early 1940s nearly one-third of the working-age population still did not have a birth certificate. World War II was a major turning point: defense industry jobs required a birth certificate as proof of citizenship, and hundreds of thousands of native-born citizens sought birth certificates for the first time in their lives through the process of delayed registration of birth. This process differed greatly by state and presented insurmountable obstacles for many people who could not prove to the state the facts of their birth.[22] The birth certificate became important to accessing economic opportunities during the war (as well as in the post-war administration of the welfare state).

As automobiles flooded American roads in the 1920s, states also began licensing drivers, and soon the driver license came to be regarded as an important document verifying individual identity. The form of these documents varied by state, and early versions did not have photographs. The Social Security Act of 1935 paved the way for

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and the decentralized federal government's inability to enforce identity documents for Chinese migrants in the late nineteenth century, see Beth Lew-Williams, *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America* (Cambridge, MA: Harvard University Press, 2018), 55–73.

[21] For the history of the passport, see Craig Robertson, *The Passport in America: The History of a Document* (New York: Oxford University Press, 2010).

[22] For the history of birth certificates, see Shane Landrum, "The State's Big Family Bible: Birth Certificates, Personal Identity, and Citizenship in the United States, 1840-1950" (PhD diss., Brandeis University, 2014).

another federal-issued document—the social security card—that purported to verify one's identity but listed only the individual's name. By the 1940s, this document became important for nearly all workers who hoped to be legally employed in most industries. By World War II, federal and state agencies were keeping track of individuals, their identities, and their movements on an unprecedented scale. These developments deeply affected the ability of individuals to adopt new identities. Individuals living in the United States were now routinely called upon to carry state-issued documents that were supposed to attest to their true identity. It is within this context that Louise Lawrence encountered the police officer on the street in 1944 and was required to present some form of identification on demand.

The rise of a documentary regime of identification meant three things for gender migrants. First, it would become more difficult for people to change identity socially without seeking official sanction from the state to change their documents. Second, since most identification documents for use within the country's borders were issued by different state agencies rather than by the federal government, gender migrants' experiences attempting to change their paperwork (with or without medical intervention) would vary tremendously based on the jurisdiction where they resided. And third, people still continued to change their gender socially without state approval, but this led to a precarious existence. Increasing use of identity documents affected transgender lives beyond their interactions with state agents—it created a social expectation that each individual should have state-issued papers matching his or her apparent identity. In other words, the emerging surveillance state created a world where identification documents would be necessary for a whole range of endeavors, from boarding a plane to opening a

bank account and securing a job. The documentary regime of identification profoundly affected the economic dimensions of transgender lives.

In a twentieth-century world where identity documents became necessary for full economic citizenship, gender migrants who were undocumented by the state would lead a precarious existence. In order to document their identity in the adopted gender, some individuals turned to doctors to certify their sex on the basis of psychiatric tests and purportedly irreversible bodily changes. But this did not mean that people would stop crossing the gender border without doctors' orders or without legal recognition. Those who could not access doctors' expertise or did not want to reshape their bodies continued to take matters into their own hands and reinvent their identities without state sanction. This meant living without identification documents that matched one's adopted identity.[23] Twentieth-century developments, particularly medical advancements, certainly opened up new prospects for living transgender lives. However, it is important to acknowledge the possibilities that existed before transsexuality and which were foreclosed in the modern era. The world where one could conceivably reinvent one's identity without approval from the state began to fade, and gender migrants increasingly came to consider a change of official documents an important step in their journey.

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[23] The issue of identity documents remains a pressing concern in the twenty-first century. The first National Transgender Discrimination Survey, reported that only one-fifth of respondents who transitioned from one gender to another had been able to update all of their records across all government agencies, and 41% of transgender persons lived with zero identification documents to match their present gender identity. The problems with obtaining identity documents compound the rates of discrimination in hiring and housing, and 40% of those who presented incongruent documents in the course of daily life reported being harassed in various settings. Jaime M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), 139, http://transequality.org/PDFs/NTDS_Report.pdf.

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Magazines

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Home Monthly
Juvenile Miscellany
London Journal: and Weekly Record of Literature, Science, and Art
New York
Tit-bits from All the Most Interesting Books, Periodicals and Newspapers in the World
Yankee Notions
Youth's Companion

Newspapers

Albany (NY) Evening Journal
Alexandria (VA) Gazette
Allentown (PA) Leader
Alton (IL) Evening Telegraph
American and Commercial Daily Advertiser (Baltimore, MD)
Anderson (SC) Intelligencer
Atlanta (GA) Constitution
Augusta (GA) Chronicle
Boston Daily Globe

Boston Evening Transcript
Boston Herald
Boston Investigator
Boston Journal
Boston Post
Brooklyn (NY) Daily Eagle
Buffalo (NY) Enquirer
Centinel of Freedom (Newark, NJ)
Charlotte (NC) Observer
Chicago Tribune
Cincinnati (OH) Enquirer
Columbian Register (New Haven, CT)
Connecticut Courant (Hartford)
Constitution (Middletown, CT)
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Detroit (MI) Free Press
Evening News (San Jose, CA)
Evening Post (New York, NY)
Evening Republic (Buffalo, NY)
Evening Star (Washington, DC)
Evening Telegram (New York, NY)
Fort Wayne (IN) Times and Peoples Press
Golden Era (San Francisco, CA)
Grant County Herald (Lancaster, WI)
Guardian (London, England)
Harrisburg (PA) Daily Independent
Hartford (CT) Daily Courant
Hutchinson (KS) News
Indianapolis (IN) News
Janesville (WI) Daily Gazette
Kansas City (MO) Journal
Lawrence (KS) Daily Journal
Litchfield (CT) Republican
Los Angeles (CA) Examiner
Lowell (MA) Daily Citizen and News
Manchester (England) Guardian
Massachusetts Spy (Worcester)

Nashville (TN) Union
Nashville (TN) Union and American
National Police Gazette (New York, NY)
National Tribune (Washington, DC)
New London (CT) Daily Chronicle
New York Herald
New York Times
New York Tribune
Newburyport (MA) Herald
Norwich (CT) Aurora
Ohio Democrat (Logan)
Pantagraph (Bloomington, IL)
Patriot (Harrisburg, PA)
Pittsburgh (PA) Daily Post
Pittsburgh (PA) Evening Chronicle
Pittsburgh (PA) Press
Plain Dealer (Cleveland, OH)
Portland (ME) Weekly Advertiser
Providence (RI) Evening Press
Republican Journal (Belfast, ME)
Richmond (VA) Dispatch
Richmond (VA) Whig
Rochester (NY) Daily Union and Advertiser
Salem (MA) Observer
Salem (MA) Register
San Francisco (CA) Chronicle
Shenandoah Herald (Woodstock, VA)
Southern Weekly Post (Raleigh, NC)
Southerner (Tarboro, NC)
St. Louis (MO) Daily Times
St. Louis (MO) Dispatch
St. Louis (MO) Post-Dispatch
Staunton (VA) Spectator
Stevens Point (WI) Journal
Sullivan County Record (Jeffersonville, NY)
Sun (Baltimore, MD)
Sun (New York, NY)
Tennessean (Nashville, TN)
Times (Hartford, CT)
Times (London, England)
Times (Philadelphia, PA)
Times-Democrat (New Orleans, LA)
Times-Picayune (New Orleans, LA)
Topeka (KS) Daily Capital
Tucson (AZ) Daily Citizen
Vicksburg (MS) Daily Whig

Vicksburg (MS) Tri-Weekly Sentinel
Washington (DC) Bee
Washington (DC) Sentinel
Washington (DC) Post
Weekly (Milwaukee) Wisconsin
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