

Southern Sirens:
Disorderly Women and the Fight for Public Order in Reconstruction-Era New Orleans

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ABSTRACT

Elizabeth Parish Smith: *Southern Sirens:
Disorderly Women and the Fight for Public Order in Reconstruction-Era New Orleans*
(Under the direction of Jacquelyn Dowd Hall)

Whether enticing men into brothels, brawling on city backstreets, or pocketing employers' trinkets, the working women of New Orleans threatened the public order that city authorities desperately wished to define by and for themselves alone. They were "disorderly" women, sometimes criminal, sometimes unchaste, and always ultimately ungovernable. "Southern Sirens" examines thousands of women's criminal cases in New Orleans, Louisiana, from 1865 to 1877 and finds that, in this tumultuous era, the common women of the Crescent City became a cipher through which public order and political authority were contested. From drinking to stealing to fighting, even killing, their behaviors exposed municipal leaders' limited ability to "keep the peace," even through the city's new, innovative regulation of the sex trade. That these transgressions so often drew from across New Orleans's broad racial spectrum, involving white, black, Creole, and foreign-born women alike, further frustrated conservative efforts to reassert white supremacy over southern society. City officials and the local conservative press attempted to contain women's disorder through shame, stricture, and incarceration, but more often than not penalties were minimal and enforcement sporadic. The city thus effectively conceded its ability to control fully these women who, by flouting laws and libels against them, sought to claim their labors and pleasures for themselves.

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Introduction

To imagine arriving in New Orleans after the Civil War, modern-day travelers must reorient themselves to that most defining feature of the city, the Mississippi River. Like so much else here, it can turn you around. In this wide bend, the river flows south to north and flips the city's sense of direction in its path. Disembarking at the foot of Canal Street in the muggy uncertainty of spring 1865, the French Quarter, the oldest and most diverse neighborhood in the city, lay to your north but was known as "below Canal" in reference to the flow of the river (a usage that is still commonplace today). To the south "above Canal" was uptown New Orleans, also called the American Sector after its more recent settlement following the Louisiana Purchase. The two sides of Canal, the French Quarter and the American Sector, marked so much of what made the city unique in the nineteenth century: the Caribbean-inflected multicultural port meeting the clearinghouse of the Southern plantation economy, its wealth and its savagery alike.

The first blocks of Canal showcased the city's economic and political power to the eager eyes of new arrivals. Banks, exchanges, and markets filled the same streets as City Hall, the Louisiana State Capitol, and the U.S. Custom House. That these sites were violently contested in the postwar period testifies to the tremendous power one could wield from them, not only in the city, but in the state and country at large. Within five blocks of the river, though, one would hear a different song. In a shift so rapid that it seemed, on second thought, to have been present all along, the city once again disoriented you and

displayed its cacophony of inhabitants—their races and nationalities, their labors and leisures—in an unapologetic tumble. And nothing so captured this tumult as the diverse women of the city who were as enchanting and dangerous as New Orleans itself. For many visitors and locals alike, these women personified New Orleans and its famous, frustrating “disorder.”

So much of the mythology of the Crescent City draws upon its female inhabitants, and the late nineteenth century shared in this tradition. Family stories of *filles à la cassette*, young French girls who immigrated with only a small trunk (or “casquette”) of belongings in the city’s first fragile years, circulated alongside reveries about the exotic beauties on display at quadroom balls in the early nineteenth century. Belles enraptured high society with their coquettish ways, rough women conspired with riverboat gamblers and other seasoned New Orleans criminals, and “voodoo queens” such as Marie Laveau exercised mysterious powers well beyond their lowly status as women of color in a society based on exploitation by race and gender. These legendary figures of New Orleans’s history cast long shadows over the women of the late nineteenth-century city, in whose actions one could perceive echoes of their city’s lore.

The Union army captured New Orleans in April 1862, and much of the city’s experience of wartime occupation concerned the behavior of its women. If southern-sympathizing local men made Major General Benjamin Butler and his troops feel unwelcome after their arrival in the city, many of New Orleans’s women went even further: they made them feel unmanly. Expecting deference due to their status as both conquerors and men, Union officers and soldiers instead found themselves ignored, insulted, and spat upon. Women festooned themselves in Confederate colors, played southern songs on their pianos,

refused to ride streetcars with Federals aboard, and in one especially unpleasant incident emptied a pot of “not very clean water” over the head of Admiral David Farragut. Marveled one Union general, “Such venom one must see to believe . . . I look at them and think of fallen angels.”¹

Such behavior, unambiguously mocking federal authority, occasioned Butler’s infamous “Woman Order” on May 15, 1862. It stated,

As the officers and soldiers of the United States have been subject to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous noninterference and courtesy on our part, it is ordered that hereafter, when any female shall, by word, gesture, or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation.²

Much of the initial reaction and scholarly analysis of the order since has stressed how it maligned New Orleans women who, by their publicly political actions, were now classified as that better-known public woman, the prostitute. (The order’s logic, of course, presupposed that they were not already one and the same woman. The prostitutes rumored to dump their chamber-pots on passing Federals suggests this was not always safely the case.) Such an affront against white southern women explains the outrage heaped upon the Woman Order and the “Beast Butler” throughout the Confederacy. Preeminent diarist Mary Boykin

¹ Chester G. Hearn, *When the Devil Came Down to Dixie: Ben Butler in New Orleans* (Baton Rouge: Louisiana State University Press, 1997), 101-2; and Alecia P. Long, “(Mis)Remembering General Order No. 28: Benjamin Butler, the Woman Order, and Historical Memory,” in *Occupied Women: Gender, Military Occupation, and the American Civil War*, eds. LeeAnn Whites and Alecia P. Long (Baton Rouge: Louisiana State University Press, 2009), 21-2.

² Hearn, *When the Devil Came Down to Dixie*, 103; and Long, “(Mis)Remembering General Order No. 28,” 23-4. See also Joy J. Jackson, “Keeping Law and Order in New Orleans Under General Butler,” 1862,” *Louisiana History: The Journal of the Louisiana Historical Association* 34.1 (Winter 1993): 51-57.

Chesnut, for her part, echoed the common presumption that Butler's order "turn[s] over the women of New Orleans to his soldiers."³

Butler himself, of course, understood the Woman Order differently. For him, regarding these politically unruly women as prostitutes was not an insult to their honor (or only that). Rather it offered a practical mechanism for subjecting these women to the laws of public order from which they, as self-proclaimed "ladies," believed themselves exempt. Class distinctions among women were thus key to the order, especially as these differences exposed only certain classes of women, specifically prostitutes and other lower-class women, to the full discipline of the law. Butler wrote in his correspondence of his worry that "Every opprobrious epithet, every insulting question was made by these bejeweled, becrinolined, and laced creatures calling themselves ladies . . . [C]ould I arrest the women?"⁴ For all its infamy, the Woman Order allowed him to do just that by collapsing categories among women and thus subjecting them all to the law's authority or at least the threat thereof. Butler's Woman Order did not outlast his short tenure in command of the city, but it forecast how New Orleans's postwar authorities would likewise struggle to curb the fractious interaction of gender, class, and public space, especially as conflicts over race were added to the combustible brew. The infamous Woman Order thus portended many everyday contestations by and among women on the streets of Reconstruction-era New Orleans.

³ Hearn, *When the Devil Came Down to Dixie*, 106. Crystal Feimster uses the reaction the Woman Order received across the South to illustrate how widespread fears of rape were among southern women during the Civil War. Crystal N. Feimster, "General Benjamin Butler and the Threat of Sexual Violence during the American Civil War," *Daedalus* 138.2 (Spring 2009): 126-34.

⁴ Hearn, *When the Devil Came Down to Dixie*, 102.

Louisiana's experience of Reconstruction was as long, complex, and violent as that of any other former Confederate state.⁵ An 1864 state constitution relocated the capital to New Orleans, where it remained until 1879, and abolished slavery in the state. African Americans greeted this new era of freedom with unprecedented, jubilant optimism for the future while also guarding against the opposition they faced at every advance. The war's end in April 1865 held more ambiguous meanings for white New Orleanians. The *Daily Picayune*, the city's most widely circulated newspaper, spoke for many when it greeted the end of four years of horrific war and sacrifice with a mixture of relief, resignation, and even a trace of rejuvenation too. "With heart-felt thankfulness [to] welcome the dawn of Peace," the *Picayune* wished in particular to turn the city's attention back to local matters.⁶ "We hear of nothing but the restoration of order and revival of business everywhere," it observed in early June 1865.⁷ These twin goals of public order and revived commerce became a conservative refrain throughout the period. For the *Picayune* and civil authorities, this agenda forestalled attention to issues of racial justice that were so crucial to Louisianians of color and their political allies.

⁵ Ted Tunnel graciously calls Louisiana's experience "the most intricate history of any Reconstruction state." Ted Tunnel, *Crucible of Reconstruction: War, Radicalism, and Race in Louisiana, 1862-1877* (Baton Rouge: Louisiana State University Press, 1984), 2. For more on Reconstruction in Louisiana, see the following selected works: James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006); Justin A. Nystrom, *New Orleans After the War: Race, Politics, and a New Birth of Freedom* (Baltimore: Johns Hopkins University Press, 2010); Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba After Slavery* (Cambridge: The Belknap Press of Harvard University, 2005); and Joe Gray Taylor, *Louisiana Reconstructed, 1863-1877* (Baton Rouge: Louisiana State University Press, 1974).

⁶ "The Advent of Peace," *Daily Picayune*, New Orleans, Louisiana, 29 April 1865, 4.

⁷ "Revival of Business: Reopening of Our Rivers and Railroads," *Daily Picayune*, New Orleans, Louisiana, 10 June 1865, 2.

As much as they wished to do so, though, civil authorities could no more keep national concerns out of their “home affairs” than they could keep New Orleans out of national debates.⁸ During the Reconstruction era, the federal government committed itself to protecting the rights of citizenship newly won by African Americans in the Fourteenth and Fifteenth Amendments, including the vote for men. A Louisiana state constitution, drafted in 1868 by a racially-inclusive body, declared that “All persons, without regard to race, color or previous condition . . . are citizens of this State . . . [and] They shall enjoy the same civil, political, and public rights and privileges.”⁹ This was truly a revolutionary revision of southern law. African Americans’ rights, however, were always in extreme peril as the federal government’s presence was much too weak to withstand the violent opposition of southern whites. Vigilante terror and deadly riots tore through country lanes and city streets across the South, and innumerable Americans—male and female, black and white—died at the hands of conservative whites willing to use violence to restore the monopoly of power they had lost.

The Crescent City experienced a particularly turbulent (and nationally significant) fifteen years between its occupation in April 1862 and the last removal of federal troops from the city in April 1877. Jurisdiction alternated between military and civil authorities, Republicans and Democrats vied for power, and clashes over governance erupted into such large-scale violence that W. E. B. Du Bois describes it as a “practical reopening of the Civil

⁸ “Report of the Grand Jury,” *Daily Picayune*, New Orleans, Louisiana, 11 July 1865, 1.

⁹ *State Constitutional Convention of the State of Louisiana, March 7, 1868. Printed by the New Orleans Republican, in accordance with a resolution of the Constitutional Convention, adopted March 7th, 1868* (New Orleans: The Republican Office, 1868), 3.

War.”¹⁰ These local political contests were intertwined with pressing national questions, regarding African Americans’ civil rights, which were themselves driven by events in New Orleans such as the Mechanics’ Institute Riot (also called the New Orleans Riot) in July 1866, which contributed to the turn to Congressional Reconstruction. Whoever wielded power in the city, however, the central questions of Reconstruction—race, labor, and governance—remained at the heart of both formal politics and daily life in the Crescent City.

The importance of New Orleans to the national discourse of Reconstruction combined with its remarkably diverse population makes the city particularly fertile grounds for the study of poor and working women’s lives amid sweeping social changes. On the eve of war, New Orleans was by far the largest, wealthiest, and most cosmopolitan of southern cities. The sixth largest city in the country with almost 170,000 inhabitants in 1860, it was over four times as populous as Charleston or Richmond.¹¹ Its early occupation did not spare it the economic devastation experienced across the South. Wartime inflation, a decline in agricultural production, and the disruption of trade razed the local and regional economy. Taxable property in Louisiana fell almost by half, and yet postwar New Orleans still offered the potential to amass considerable wealth.¹² In 1867, for example, the *Picayune* bragged

¹⁰ W. E. B. Du Bois, *Black Reconstruction in America: 1860-1880* (1935; reprint, New York: Free Press, 1992), 466. Historian James K. Hogue examines five so-called “street battles” in New Orleans during the Reconstruction period, explicitly connecting them to the wartime confrontations that preceded them. James K. Hogue, *Uncivil War*.

¹¹ The 1860 census listed New Orleans with a total population of 168,675. *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census, under the Direction of the Secretary of the Interior, by Joseph C. G. Kennedy, Superintendent of Census* (Washington: Government Printing Office, 1864), 615.

¹² In his 1930 memoir of his governorship of Reconstruction-era Louisiana, Henry Clay Warmoth emphasizes the dire economic condition of the state when he took office in 1868. He describes the city of New Orleans and the state of Louisiana as “bankrupt.” He continues, “Interest on the State and City bonds had been in default for years; the assessed property taxable in the State had fallen in value from \$470,164,963.00 in 1860 to \$250,063,359.63 in 1870; taxes for the years 1860, 1861, 1862, 1863, 1864, 1865, 1866, and 1867 were in

that New Orleans was “the great commercial emporium of the South, and one of the wealthiest cities in the Union,” distinctions that city leaders desperately desired to maintain.¹³ Although its growth would be outpaced by cities in the North, Midwest, and West, the Crescent City remained the largest city of the former Confederacy throughout the postbellum period.¹⁴

This large population was also extraordinarily diverse, a heterogeneity that gave New Orleans politics and daily life a distinct cast among its southern counterparts. Before the war, the city’s free people of color far outnumbered those of all other major southern cities combined; there were over ten thousand *gens de couleur libres* in the Crescent City in 1860. The census of that year listed almost eighty percent of the city’s free people of color as being of mixed ancestry. Many of these men and women identified as Creoles of color who, like “white” Creoles, traced their ancestry to French and Spanish settlers in colonial Louisiana or emigration from Saint-Domingue after the Haitian Revolution. These Creoles continued to form a political, economic, and educational elite among people of color in New Orleans in the postwar period.¹⁵ In combination with freedpeople and immigrants, they comprised a

arrears.” Henry Clay Warmoth, *War, Politics, and Reconstruction: Stormy Days in Louisiana* (1930; reprint with an introduction by John C. Rodrigue, Columbia: University of South Carolina Press, 2006), 79.

¹³ “The Vote of the City,” *Daily Picayune*, New Orleans, Louisiana, 3 May 1867, 3.

¹⁴ As the ninth largest city in the country, New Orleans had 191,418 residents in the 1870 census. By 1880, the Crescent City was the tenth largest city with 216,090 residents; this was its last appearance in the top ten. *Population of the United States in 1860*, 615; and *Ninth Census—Volume I: The Statistics of the Population of the United States, Embracing the Tables of Race, Nationality, Sex, Selected Ages, and Occupations. To Which Are Added the Statistics of School Attendance and Illiteracy, of Schools, Libraries, Newspapers and Periodicals, Churches, Pauperism and Crime, and of Areas, Families, and Dwellings, Compiled, From the Original Returns of the Ninth Census (June 1, 1870,) Under the Direction of the Secretary of the Interior, by Francis A. Walker, Superintendent of Census* (Washington: Government Printing Office, 1872), 156.

¹⁵ For more on the eighteenth- and nineteenth-century history of New Orleans’s free people of color, see John W. Blassingame, *Black New Orleans, 1860-1880* (1973; reprint, Chicago: University of Chicago Press, 2007); Mary Gehman, *The Free People of Color of New Orleans: An Introduction* (New Orleans: Margaret Media, 1994); Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the*

slim majority of New Orleans's population in the 1860s and 1870s. On the eve of war, New Orleans had the second largest slave population in the South, exceeded only by Charleston. After Emancipation, especially with black migration into cities, New Orleans's population of color more than doubled to reach 50,456, larger than Charleston's and Richmond's combined.¹⁶ Its immigrant population was also much greater in both size and proportion than any other southern city. A quarter of Crescent City residents in 1870 had been born in another country, most in Germany or Ireland. The city's Gallic roots also remained prominent as French-born residents comprised its third largest immigrant group, France's largest representation in any major American city at the time.¹⁷

This heterogeneous majority lived alongside native-born whites who comprised just under half of the city's total population although they held much of New Orleans's political and economic power. Local whites, however, were themselves a more diverse group than this simple label implies. White Creoles still figured prominently in Crescent City society

Eighteenth Century (Baton Rouge: Louisiana State University Press, 1992); Kimberley S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997); Justin A. Nystrom, *New Orleans After the War*; Lawrence N. Powell, *The Accidental City: Improvising New Orleans* (Cambridge: Harvard University Press, 2012); Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans* (Baltimore: Johns Hopkins University Press, 2009); Carol Wilson, *The Two Lives of Sally Miller: A Case of Mistaken Racial Identity in Antebellum New Orleans* (New Brunswick: Rutgers University Press, 2007).

¹⁶ The 1860 census recorded 2,365 free blacks in New Orleans and 8,324 free "mulattoes" (totaling 10,689 free people of color); 9,937 black slaves and 3,448 "mulatto" slaves (totaling 13,385 slaves); and 64,621 foreign-born residents. People of color, both free and enslaved, thus amounted to 24,074 or roughly 14 percent of the city's population in 1860, and immigrants comprised approximately 38 percent of the total population. In 1860, only Charleston had a larger slave population than New Orleans with 23,529; Richmond, by contrast, had 11,699. *Population of the United States in 1860*, xiii and xxxi-xxii. In the 1870 census, foreign-born and "colored" residents comprised 52 percent of New Orleans's total population at 48,475 and 50,456 respectively. This census did not account for a "mulatto" category. The 1870 census listed Charleston, South Carolina, with a "colored" population of 26,173 and Richmond, Virginia, with 23,110. *Ninth Census (1870)*, 156, 258, and 280.

¹⁷ New Orleans had a foreign-born population of 48,475 in 1870, thus comprising a quarter of the total population. Of this number, 15,239 hailed from the various German States (31 percent of the city's foreign-born population), 14,693 from Ireland (30 percent), and 8,845 from France (18 percent). *Ninth Census (1870)*, 156 and 386-91.

and, while a majority of native-born whites hailed from Louisiana, many others moved to New Orleans from northern states. In fact, more whites moved to the city from New York than any other state, more than one-and-one-half times as many as from nearby Mississippi.¹⁸ Some of these men and women may have planned short tenures in the city, and many passers-through of all races and nationalities stayed only for a few months, weeks, or days as they conducted their business—or sought their pleasures—in the busy city. This remarkable medley of people lived interspersed in the city’s neighborhoods, creating a cultural bricolage that was very distinctly New Orleanian.¹⁹

Many variables, including gender, race, family, work, and neighborhood, shaped women’s lives in the Reconstruction period, but what stands out is how similar their experiences often were across all of these lines. For city officials and modern scholars alike, New Orleans’s poor and working women quickly exceed and confound classifications of their identities, lives, and behaviors. Categories of black, white, Creole, and foreign-born were just a start, and they can imply clearer racial and social distinctions than actually existed. Housekeeper, servant, cook, washerwoman, seamstress, madam, or prostitute were similarly slippery categories of labor that could be interchanged and combined throughout a woman’s life. Labels such as legal or illicit, respectable or criminal, could also be ambiguous among the working classes. Women, in fact, often needed such fluidity of

¹⁸ The 1870 census listed 2,637 whites in New Orleans as born in New York and 1,584 born in Mississippi, the second-highest number of those born outside Louisiana. The other highest states were Alabama (1,034), Kentucky (1,012), and Pennsylvania (1,009). The vast majority, however, had been born in Louisiana at 78,209 Louisiana-born whites. *Ninth Census (1870)*, 380-85.

¹⁹ New Orleans’s population lived in a salt-and-pepper residential pattern until the twentieth century, interspersed by race, ethnicity, and even class. As Richard Campanella notes of the Crescent City in the nineteenth century, “Ethnic intermixing prevailed markedly over segregation.” Richard Campanella, “An Ethnic Geography of New Orleans,” *Journal of American History* 94.3 (December 2007): 704-25. Quote from page 707.

identification and opportunity to survive on the economic and social margins of Southern society, particularly in a period as fraught as Reconstruction.

Women representing all these categories made their homes, found work, and sought recreation in the New Orleans underworld that was so much a part of the city's working-class neighborhoods. In the late nineteenth century New Orleans was already famous as the "Great Southern Babylon" for the host of disreputable social practices and commercial activities that marked its river-based economy.²⁰ Henry Clay Warmoth, governor of Louisiana from 1868 to 1872, described the capital as "a dirty, impoverished, and hopeless city . . . flooded with lotteries, gambling dens, and licensed brothels."²¹ He could have added the countless drinking establishments, enumerated by city ordinances as taking one of the following descriptions: "grog-shop, bar-room, tavern, cabaret, coffee-house, beer-house, pleasure-garden, saloon, theatre, [or] club-room."²² These disreputable enterprises, spreading across the city and overtaking entire neighborhoods, provided opportunities for labor and leisure for black, white, Creole, and immigrant women, who mixed relatively freely with men from the same broad racial spectrum.

This louche underworld frequently served as women's gateway into crime as well, in large part because these establishments fell under police oversight as did women's common behaviors within them such as drinking or solicitation. The 1868 state constitution that

²⁰ Alecia P. Long uses this phrase for the title of her book on prostitution and sex across the color line in the late nineteenth and early twentieth centuries. Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2004).

²¹ Warmoth, *War, Politics, and Reconstruction*, 80.

²² Henry J. Leovy, Attorney at Law, "Coffee Houses, Cabarets, Bar Rooms, Etc.: An Ordinance relative to Coffee Houses, Cabarets, Bar Rooms, etc.," 143-6 in *The Laws and General Ordinances of the City of New-Orleans, Together with the Acts of Legislature, Decisions of the Supreme Court, and Constitutional Provisions Relating to the City Government* (New Orleans: Bloomfield & Steel, 1866), 142.

granted citizenship across racial lines similarly opened “all places of business, or of public resort . . . to the accommodation and patronage of all persons, without distinction or discrimination on account of race or color,” a distinct reversal of previous laws that had segregated such businesses.²³ While establishments might serve customers of all races, however, city ordinances still carefully oversaw their practices or at least gave authorities the mechanism to do so. Public balls had to be licensed for a fee by the mayor, theatres had to hire city policemen for their events, and “place[s] where liquors are sold” were forbidden to feature music.²⁴ Overseeing these spaces for compliance with these and other strictures brought police, judges, and other city officials into the lives of working-class women across the races in ways that middle-class women more rarely experienced. Behaviors in these public spaces, moreover, were policed in a way that similar drinking, fighting, or propositioning would less likely be in middle-class, “private” homes unless under unusual circumstances.

In this era of political unrest and social anxiety, the common women of New Orleans became a cipher through which public order and governance were contested. Troubled by women’s public behaviors during wartime occupation, Gen. Butler authorized police oversight by categorizing any unruly woman as “a woman on the town,” a euphemism for a prostitute that also had more literal meaning for working-class women who spent their lives in public spaces or “on the town.” In the immediate postwar period the city again turned to

²³ This was the thirteenth article from the 1868 state Bill of Rights. *State Constitutional Convention of the State of Louisiana, 1868*, 4.

²⁴ Henry J. Leovy, Attorney at Law, “Balls, Theatres and Public Exhibitions: An Ordinance concerning Public Balls, Theatres and Public Exhibitions” 102-6 in *The Laws and General Ordinances of the City of New-Orleans, Together with the Acts of Legislature, Decisions of the Supreme Court, and Constitutional Provisions Relating to the City Government* (New Orleans: Bloomfield & Steel, 1866), 102; and Henry J. Leovy, “Coffee Houses, Cabarets, Bar Rooms, Etc.,” 1870, 144.

its laws about prostitution, this time reviving a short-lived set of city ordinances from 1857 setting up the regulation of prostitution, the “licensed brothels” to which Gov. Warmoth referred. This was a dramatic legal and social experiment that ceded legitimacy to vice in exchange for a measure of control over the location and public appearance of the trade. Deemed a success by city authorities, these 1865 ordinances initiated a half-century of regulated prostitution in the city, an earlier and longer experiment than in other American cities. While city residents generally supported the system’s intentions, they did at times quibble over its implementation. The *Picayune*’s assessment, for example, fluctuated with its opinion of the current mayor, police department, or party in power. Prostitution thus became a legalized trade understood more often through a political than a moral lens. In the meantime, women in the trade found that regulation allowed them plenty of room to operate as they waltzed careful, calculated circles around the city’s laws meant to control them.

Prostitutes were not the only “disorderly” women, but we can use New Orleans’s regulation of prostitution as a model for the wide range of women’s transgressions in the city, the political symbolism of their behaviors, and the city’s limited responses to them. Whether enticing men into brothels, brawling on city backstreets, or pocketing employers’ trinkets, the common women of New Orleans threatened at every turn the public order that city authorities so desperately wished to define by and for themselves alone. They were “disorderly” women, sometimes criminal, sometimes immoral, and always ultimately unmanageable. For example, the *Picayune* cited one hundred and sixty-seven women arrested in May 1865, the first month of peacetime. The charges covered at least thirty offenses including assault and battery, counterfeit money, drunkenness, indecent conduct, insanity, larceny, obscene language, trespass, vagrancy, and more. In thefts alone, women

were alleged to have stolen everything from clothing, jewelry, housewares, money, and even “her friend’s lover.”²⁵ This all made for a busy, but routine, month in the effort to police women’s transgressions.

In myriad ways, New Orleans’s women simply refused to “keep the peace.” From drinking to stealing to fighting, their behaviors exposed city authorities’ limited ability to maintain a stable public order, even among the supposed gentler sex. Municipal officials and the local press attempted to contain women’s disorder through shame, stricture, and incarceration. More often than not, though, authorities had to rely on minimal penalties or sporadic enforcement since it was beyond their capacity to punish every offense. In so doing, the city effectively conceded its ability to control fully these women who, by flouting laws and libels against them, claimed the labors and pleasures of their bodies for themselves. That women very often shared these transgressions in common across racial lines frustrated conservative efforts to reassert white supremacy over southern society. In this tumultuous period after the Civil War, the behaviors of New Orleans’s common women thus represented more than just episodes of local color or ribald humor. Instead, authorities perceived these women as harbingers of a public disorder that tore through lines of race and gender and, in so doing, threatened to rend the fragile social fabric of the postbellum South.

* * *

Like New Orleans and its varied environs, this project sits amid a complex yet interwoven landscape of scholarship about gender and politics in the nineteenth-century South. In particular, it addresses questions of race, sexuality, labor, and governance at the heart of women’s lives in the Reconstruction era. For the past three decades, historians have

²⁵ “Provost Court,” *Daily Picayune*, New Orleans, Louisiana, 4 May 1865, 9.

explored how the experiences of working-class and minority women differed from those of their middle-class, white counterparts. These accounts often highlight the importance of labor both paid and unpaid in common women's lives. Scholars aim to provide the women Christine Stansell calls "laboring women" a history of their own that is not refracted through the experiences of either middle-class women or working-class men.²⁶ Especially in scholarship concerning women of color, historians emphasize women's creative resistance to employers' efforts to claim their time, energies, and bodies for their use alone. Tracing the range of women's labors and resistance to exploitation is especially important in the post-Emancipation period when, as Tera Hunter explains, the struggle over women's work "define[d] how meaningful freedom would be."²⁷

By looking at these working women as important historical actors in their own right, scholars have recovered much about women's everyday lives, struggles, and triumphs and have also, as Hunter's point suggests, connected gender to socio-political questions that might, on the surface, appear to have little to do with women. The large body of scholarship

²⁶ Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1982). Jennifer Morgan also uses this term "laboring women" in order to highlight the dual exploitation of women's productive and reproductive labor under slavery. Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004).

²⁷ Tera Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War* (Cambridge: Harvard University Press, 1997), 26. The historiography on poor and working women across the races in the nineteenth century is, thankfully, large and rich. The following works are among the best in the field highlighting women, class, and labor in the nineteenth-century South: Victoria E. Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South* (Chapel Hill: University of North Carolina Press, 1992); Susanna Delfino and Michele Gillespie, eds., *Neither Lady Nor Slave: Working Women of the Old South* (Chapel Hill: University of North Carolina Press, 2002); Noralee Frankel, *Freedom's Women: Black Women and Families in Civil War Era Mississippi* (Bloomington: Indiana University Press, 1999); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997); Hunter, *To 'Joy My Freedom*; Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York, Basic Books, 1985); Suzanne Lebsock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: W. W. Norton & Company, 1984); and Diane Miller Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004).

examining prostitution in the nineteenth-century U.S. provides a wonderful example of the insights gained by examining the treatment of women, sexuality, and race under a variety of legal systems and local customs.²⁸ What comes to the fore in many of these works is the corrupt, inconsistent nature of police or judicial oversight and women's creative adaptations to a variety of circumstances. While "Southern Sirens" also stresses the flawed workings of the judicial system and women's resilience, it uncovers an earlier and more flexible regulatory system than most scholars have recognized.²⁹ In addition, by looking at prostitution and women's crimes more generally through the lens of postwar politics, we gain an enhanced understanding of the stakes women shared in common in their labors,

²⁸ The scholarship on prostitution in nineteenth-century America addresses many issues including the economic and social constraints that prompted women to enter prostitution, the legal status of the trade, society's sexual double standard, sisterhood among women, and prostitution's place among emerging urban commercial entertainments. For a sampling of important works in this field, see Anne M. Butler, *Daughters of Joy, Sisters of Misery: Prostitutes in the American West, 1865-90* (Urbana: University of Illinois Press, 1985); Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York: Vintage Books, 1998); Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W. W. Norton & Company, 1992); Marilyn Wood Hill, *Their Sisters' Keepers: Prostitution in New York City, 1830-1870* (Berkeley: University of California Press, 1993); Paula Petrik, "Capitalists with Rooms: Prostitution in Helena, Montana, 1865-1900," *Montana: The Magazine of Western History* 31 (April 1981): 28-41; and Stansell, *City of Women*. These works are a part of an important international body of work on prostitution in the nineteenth century. For example, see Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850*, trans. Alan Sheridan (Cambridge: Harvard University Press, 1996); Jill Harsin, *Policing Prostitution in Nineteenth-Century Paris* (Princeton: Princeton University Press, 1985); Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (New York: Cambridge University Press, 1980); and Judith R. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (Chicago: University of Chicago Press, 1992). For a sampling of the literature on women and crime in nineteenth-century America, see Kali N. Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham: Duke University Press, 2006) and Karen Haltunnen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Cambridge: Harvard University Press, 1998).

²⁹ Scholarship on prostitution in New Orleans is a rich, successful field. Too many works, however, date regulation to the later Storyville period (1897-1917) and minimize the regulatory system from which this famous district was carved (Alecia Long's work is an important exception to this oversight). For more on the history of New Orleans's underworld, especially prostitution, see also Herbert Asbury, *The French Quarter: An Informal History of the New Orleans Underworld* (1936; reprint, New York: Basic Books, 2008); Emily Epstein Landau, *Spectacular Wickedness: Sex, Race, and Memory in Storyville, New Orleans* (Baton Rouge: Louisiana State University Press, 2013); Long, *The Great Southern Babylon*; Al Rose, *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District* (Tuscaloosa: University of Alabama Press, 1974); and Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009).

neighborhoods, and relationships with authorities in this liminal period. We also see what differentiated women's experiences from each other. What emerges is both the limitations and perniciousness of race in women's lives and southern history.

This examination of women, work, and crime is situated within the rich terrain of scholarship on the South in the Reconstruction period. Historians of the Reconstruction South have long examined class relations in light of the fraught racial politics of the period, and recent scholarship has introduced contests over gender and sex into the discussion as well. Hannah Rosen describes "the simultaneity of enormous hope and disillusioning terror, of extraordinary possibility and overwhelming constraint, of radical openings and violent closure" that characterized the period for women of color.³⁰ White women of the era had a taste of this, too, even if they were not generally subject to the same violent white supremacist reprisals as were black women.

Themes of sexual violence, labor contests, and the legal protection of the household have been especially important for scholarship about gender in Reconstruction. This scholarship has challenged distinctions between the public world of politics and the private world of the body and family that, when in place, minimize women's contributions to the broad revolutions of Reconstruction. We can now recognize that what Martha Hodes identifies as "the broader sexualization of politics in the Reconstruction period" made women across the racial spectrum central actors in the national struggles of the era.³¹ The common

³⁰ Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009), 4-5.

³¹ Hodes, *White Women, Black Men*, 171. The scholarship examining women in the South during Reconstruction includes the following work: Jane Turner Censer, *The Reconstruction of White Southern Womanhood, 1865-1895* (Baton Rouge: Louisiana State University Press, 2003); Catherine Clinton and Nina Silber eds., *Battle Scars: Gender and Sexuality in the American Civil War* (New York: Oxford University Press, 2006); Laura F. Edwards, *Gendered Strife and Confusion: The Political Culture of Reconstruction* (Urbana: University of Illinois Press, 1997); Frankel, *Freedom's Women*; Glymph, *Out of the House of*

women of New Orleans experienced this “broader sexualization of politics” intimately as their bodies and behaviors were enfolded into contested narratives of governance, labor, and the public order in a postbellum southern city. This occurred to a remarkable degree across lines of race, including in ways that outlasted Reconstruction itself.

This study uses the term “disorderly” to encapsulate the challenges women posed to the postwar South’s fragile public order. In her classic work, *Unruly Women: The Politics of Social and Sexual Control in the Old South*, Victoria Bynum poses the rhetorical question, “Why should historians interested in the dynamics of power and politics in the antebellum South investigate this politically powerless minority of women?”³² The answer, of course, is that they were not as “politically powerless” as their marginalized status might suggest. Here Bynum and other scholars build on a theoretical foundation that traces power in a society, not

Bondage; Hodes, *White Women, Black Men*; Hunter, *To ‘Joy My Freedom*; George C. Rable, *Civil Wars: Women and the Crisis of Southern Nationalism* (Urbana: University of Illinois Press, 1989); Rosen, *Terror in the Heart of Freedom*; Sommerville, *Rape and Race in the Nineteenth-Century South*; Anne Firor Scott, *The Southern Lady: From Pedestal to Politics, 1830-1930* (Chicago: University of Chicago Press, 1970); Lee Ann Whites, *The Civil War as a Crisis in Gender, 1860-1890* (Athens: University of Georgia Press, 1995); and LeeAnn Whites, *Gender Matters: Civil War, Reconstruction, and the Making of the New South* (New York: Palgrave Macmillan, 2005).

The general historiography for the Reconstruction period is unusually long, complex, and often contentious. The first influential interpretation of Reconstruction through the lens of class and the exploitation of labor comes from W. E. B. Du Bois in his 1935 classic, *Black Reconstruction in America: 1860-1880*. It took several more decades for historians to turn a similarly critical eye to the myth of Reconstruction as a “tragic” era of white oppression and black corruption, the view propagated by the so-called “Dunning School” of scholars after William Archibald Dunning. The list of influential books covering the Reconstruction period includes the following works: Thomas J. Brown, ed., *Reconstructions: New Perspectives on Postbellum America* (New York: Oxford University Press, 2008); Dan T. Carter, *When the War Was Over: The Failure of Self-Reconstruction in the South, 1865-1867* (Baton Rouge: Louisiana State University Press, 1985); William A. Dunning, *Reconstruction, Political and Economic, 1865-1877* (New York: Harper & Brothers, 1907); Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Perennial Classics, 1988); John Hope Franklin, *Reconstruction After the Civil War* (Chicago: University of Chicago Press, 1961); Steven Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (1983; reprint, New York: Oxford University Press, 2006); Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877* (New York: Alfred A. Knopf, 1965); Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Baton Rouge: Louisiana State University Press, 1971); Joel Williamson, *The Rage for Order: Black/White Relations in the American South Since Emancipation* (New York: Oxford University Press, 1986); and C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction* (New York: Oxford University Press, 1966).

³² Bynum, *Unruly Women*, 1.

only from its center or peak, but from myriad points throughout. This schema of the diffusion of power in any given society, especially in the volatile postbellum South, means that marginalized women are in fact integral to the social order of their societies: their “disorder” matters very much.³³

This study begins in the summer of 1865, when the city of New Orleans implemented the regulation of prostitution, and concludes in April 1877 with the withdrawal of federal troops from the Crescent City and the return of white conservatives to uncontested governance of the city and state. Compared to other southern cities at the time, New Orleans provides a remarkably rich source base. “Southern Sirens” draws especially on primary sources created by the press and the criminal courts.

New Orleans’s *Daily Picayune* was among the most-widely distributed papers in the region. It deemed itself “the most successful paper in the South” and prized its reputation as a moderate voice for the South’s leading commercial and cultural center.³⁴ It also prided itself on never being “the organ of a party” as so many other nineteenth-century newspapers were.³⁵ In August 1865, for example, it happily reprinted this praise from an Alabama paper: “Nothing flashy, sensational or up-startish, but always able, truthful and reliable, the New

³³ Scholars have analyzed women as “disorderly,” “unruly,” or “deviant” great effect in U.S. women’s history, examining topics as diverse as education, labor, politics, religion, sexuality, and more. Although these works cover multiple regions and eras, they all utilize the concept of women’s “disorder” way to interrogate what “order” meant in the first place, especially in regards to gender, and how it was both policed and resisted. See Bynum, *Unruly Women*; Jacquelyn Dowd Hall, “Disorderly Women: Gender and Labor Militancy in the Appalachian South,” in *Journal of American History* 73.2 (September 1986): 354-82; Susan Juster, *Disorderly Women: Sexual Politics and Evangelicalism in Revolutionary New England* (Ithaca: Cornell University Press, 1994); and Caroll Smith-Rosenberg, *Disorderly Conduct: Visions of Gender in Victorian America* (New York: Oxford University Press, 1985).

³⁴ “Death of A. M. Holbrook,” *Daily Picayune*, New Orleans, Louisiana, 6 January 1876, 1.

³⁵ “Volume XL,” *Daily Picayune*, New Orleans, Louisiana, 25 January 1876, 4.

Orleans Picayune stands among the very foremost of Southern newspapers.”³⁶ A more objective assessment suggests the limits of the *Picayune*’s moderation. In fact, the *Picayune* often displayed a decidedly conservative slant, especially in matters concerning race in politics, law, and society, even if it never officially aligned itself with the local Democratic Party. Nor were its reporters immune to flash and sensationalism when they seemed to serve a story and the paper’s sales. It is this conservatism cloaked in moderation that makes the *Picayune* such an accurate reflection of the views of the majority of white New Orleanians, including city authorities, many of whom patronized the paper.

One of the principal areas of coverage for the *Picayune* was crime, which it featured prominently alongside editorials about local and national politics. These stories often involved the working-class women of the city, and they are extraordinarily revealing when read against surviving records from the city’s criminal justice system. Four municipal districts composed Orleans Parish, roughly the city itself, and each had a recorder’s court that handled police arrests. (Incomplete records survive for the recorder’s courts although their proceedings were covered by the *Picayune*.) Recorders were a popularly-elected position, and they adjudicated minor cases, assigned fines or short sentences to the Workhouse or Parish Prison and sent select cases up to the parish’s criminal court, the First District Court. Often involving property or more serious physical violence, cases in the First District Court went before juries, which were racially integrated after 1868 although they remained all-male. Defendants might be sentenced either to the Parish Prison or to the State Penitentiary in Baton Rouge. Many cases, however, ended in a *nolle prosequi*, meaning that charges were dropped by the prosecution.

³⁶ “The New Orleans Picayune,” *Daily Picayune*, New Orleans, Louisiana, 9 August 1865, 4.

The recorder's courts and the criminal court provide a lens onto what scholars call "local law," which offers great benefit for social historians and especially historians of women. As Laura Edwards explains, "localized law maintained the social order—the 'peace.'" Since women (and common men, too) had an essential interest in the "peace"—whether in breaking it themselves or witnessing those who did—local law therefore accorded women a more prominent, indeed an essential, role absent from many other public forums.³⁷ In these scenes in local courts we see "the courtroom as a cultural arena," as Ariela Gross puts it.³⁸ Although disproportionate power always lay in the hands of judges, police, and other city officials, common folks clearly exercised authority of their own in pursuing charges against offenders, testifying about incidents in their neighborhoods, or defending themselves or friends against charges. So at home were some people in these venues that the *Picayune* claimed in the summer of 1865 that "Too many persons seem to think the Recorder's courts a place where they may vent their petty spite on their neighbors. The courts are State institutions and their time and the people's money should not be taken up in settling domestic disputes."³⁹ The doors of such institutions were opened across the races in the Reconstruction period as African Americans could bring charges and testify, including

³⁷ Laura F. Edwards, *The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South* (Chapel Hill: University of North Carolina Press, 2009), 4.

³⁸ Ariela J. Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008), 12. For studies of gender in nineteenth-century local courts, especially in the South, see the following works: Peter W. Bardaglio, *Reconstructing the Household: Families, Sex, and the Law in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 1995); Bynum, *Unruly Women*; Edwards, *Gendered Strife and Confusion*; Edwards, *The People and Their Peace*; Gross, *What Blood Won't Tell*; Hodes, *White Women, Black Men*; and Sommerville, *Rape and Race in the Nineteenth-Century South*. Work on the nineteenth-century also greatly benefits from the creative scholarship using local courts in colonial America. See in particular Kathleen Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996); and Kirsten Fischer, *Suspect Relations: Sex, Race, and Resistance in Colonial North Carolina* (Ithaca: Cornell University Press, 2002).

³⁹ "Recorder Vennard's Court," *Daily Picayune*, New Orleans, Louisiana, 15 August 1865, 8.

against whites, and serve on juries if they were male. Although no judges were black, the city's police force was integrated, too, in 1867.⁴⁰ Because these courts brought in so many New Orleanians across lines of race and class, their records are invaluable even if they are at times tantalizingly fragmentary.

These newspapers and court records allow us to contextualize women's transgressions within the larger society around them. The *Picayune*, for instance, appealed to subscribers by bragging that its editions "contain the news from all parts of the world, the state of the markets, general home and foreign intelligence, poetry, something to think about, something to make one wiser . . . yet costs no more than a drink of lager."⁴¹ Given the paper's layout—major stories appeared on most pages—articles about women's "disorderliness" necessarily lay side by side with all of these matters above (and advertisements for lager, too). Criminal courts also offered a full panorama of local life, and their proceedings were avidly followed much as reality television is today. "There is always a motley gathering in the municipal courts," the *Picayune* described, "The crimes are as various as [defendants'] condition."⁴² Together, the newspapers and the court records allow us to reconstruct the everyday, complex realities of "disorderly" women's lives in the larger political and social context of the period.

The central aim of "Southern Sirens" is to integrate the common women of New Orleans into the central political struggles of the postwar South. To accomplish this task, I draw tools and perspectives from three areas of theoretical exploration: "deviance," sex

⁴⁰ For more on the New Orleans police force, see Dennis C. Rousey, *Policing the Southern City: New Orleans, 1805-1889* (Baton Rouge: Louisiana State University Press, 1996).

⁴¹ "Newspapers," *Daily Picayune*, New Orleans, Louisiana, 21 July 1865, 3.

⁴² "Scenes in Court," *Daily Picayune*, New Orleans, Louisiana, 13 December 1869, 2.

panics, and sex regulation and resistance, all three of which illustrate the importance of the periphery in politics. My understanding of deviance relies on Émile Durkheim. Defined by neither criminality nor insanity exclusively, deviance for Durkheim functions as a social space in which behaviors are debated and given meaning within their social context. This approach calls us away from looking at crime as a fixed category and instead asks us to consider why certain behaviors were designated as “deviant” and by whom.⁴³

Deviance is not necessarily sexual for Durkheim, so the question then becomes why sexual deviance acquired such salience during Reconstruction. Here “Southern Sirens” draws on Gayle Rubin to clarify the ideas of a “sex panic.” Rubin draws attention to times when broader socio-political anxieties are refracted through fears of a specific sexual threat. In these moments, apprehensions are not explicitly expressed but are instead articulated through “sex panics” with which they may, on the surface, have “no intrinsic connection.”⁴⁴ Her assertion that “Sexual acts are overburdened with an excess of significance” speaks to the disproportionate concerns about women’s disorder in the Reconstruction period, especially in New Orleans’s new efforts to restrain the sex trade.⁴⁵

⁴³ Émile Durkheim, *The Rules of Sociological Method* (1895; reprint, New York: Free Press, 1982). For a feminist examination of Durkheim, see Jean Elisabeth Pedersen, “Sexual Politics in Comte and Durkheim: Feminism, History, and the French Sociological Tradition” in *Signs: Journal of Women in Culture and Society* 27.1 (Autumn 2001): 229-63. For an overview of the study of deviance in sociology, see Craig B. Little, *Deviance and Control: Theory, Research, and Social Policy*, 3rd ed. (Itasca, IL: F. E Peacock Publishers, Inc., 1995).

⁴⁴ Gayle S. Rubin, “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality,” *Pleasure and Danger: Exploring Female Sexuality*, ed. Carole S. Vance, 267-313 (Boston: Routledge & K. Paul, 1984), 269.

⁴⁵ Rubin, “Thinking Sex,” 279. See also Gayle S. Rubin, *Deviations: A Gayle Rubin Reader* (Durham: Duke University Press, 2011). Histories of sexuality in the nineteenth-century U.S. also observe sex and sexuality “overburdened” with meaning beyond the act alone. See John D’Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* (New York: Harper & Row, 1988); and Helen Leftowitz Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America* (New York: Vintage Books, 2002).

These two theoretical strands complement Michel Foucault's treatment of crime, regulation, and resistance. He echoes Durkheim's understanding of how societies construct deviance when he writes that "It is true that it is society that defines, in terms of its own interests, what must be regarded as a crime: it is not therefore natural."⁴⁶ This idea that crime is simultaneously both inevitable and "unnatural," as well as Foucault's concepts of discipline, surveillance, and "punishment-as-spectacle," shed light on how multiple actors including municipal authorities, women's neighbors, and the local press formulated their own perspectives on women's disorder and did so to serve their "own interests."⁴⁷

Like Rubin, Foucault also regards sexuality as "overburdened" with meaning. Examining the discourses surrounding sex as "a problem of truth," he considers sexuality "an especially dense transfer point for relations of power," a site of continual contestations.⁴⁸ Foucault thus allows for resistance within power systems. As he explains, "Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power."⁴⁹ Thus challenge and destabilization are possible throughout society and they need not be organized as opposition, as "exteriority," to be recognized as resistance. This argument allows us to read resistance even in the actions of women who did not understand their behaviors as such.⁵⁰ These three theoretical

⁴⁶ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Pantheon Books, 1997), 104.

⁴⁷ Foucault, *Discipline and Punish*, 9.

⁴⁸ Michel Foucault, *The History of Sexuality: An Introduction, Volume I*, trans. Robert Hurley (New York: Vintage Books, 1990), 103.

⁴⁹ Foucault, *The History of Sexuality*, 95.

⁵⁰ Judith's Butler's work is also useful in elaborating on regulation and resistance. She argues that identity functions as "a regulatory fiction" by foreclosing other possibilities for sexual pleasure and political alignment, a useful understanding of how authorities' labeling of women as "disorderly" or criminal sought to suppress

perspectives help us bring the margins of New Orleans's society—the women in its backstreets, bars, and brothels—into the heart of southern history.

* * *

“Southern Sirens” follows the disorderly women of Reconstruction-era New Orleans through five thematic chapters. “‘Fascinating sirens’: Regulating Prostitution in Reconstruction-Era New Orleans” examines the city’s regulation of the sex trade, which began in July 1865. The regulatory ordinances aimed to give city leaders some control over prostitution by outlining prostitutes’ location and public behaviors. The municipal government taxed the trade, thus allowing the city to profit directly from its most notorious industry. Postwar regulations also dropped racial distinctions among women in the trade, a striking Reconstruction-era revision. The sheer range and variety of prostitution in the city, however, made it difficult to specify parameters on the trade, much less to enforce them. Women of all races worked in situations ranging from dreary cribs to opulent mansions and catered to customers as diverse as themselves. Powerful madams and controversial “waiter girls” defied straightforward characterizations of “lewd and abandoned women” and tested regulation’s reach over commercialized sex. Nevertheless, city leaders stuck by regulation as an elastic system that could accommodate both crackdowns on and concessions to the women they desired, deplored, and profited from alike.

more than her individual actions alone. While Butler’s work is primarily intended for queer politics, I emphasize the normal/deviant instead of straight/gay dichotomy which, after all, postdates this study. Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990), 9 and 32. In addition, Butler concurs with Foucault’s refusal of the “exteriority” of resistance, describing “agency as a reiterative or rearticulatory practice, immanent to power, and not a relation of external opposition to power.” If resistance operates as a play on, or refusal of, dictated identities, we can then analyze authorities’ formulation of deviance as sex regulation and, in turn, the women’s refusal to submit fully to regulation as resistance. Judith Butler, *Bodies That Matter: On the Discursive Limits of “Sex”* (New York: Routledge, 1993), 15.

Chapter two, “‘Females on the Rampage’: Women’s Everyday Violence on the Streets of New Orleans,” explores women’s use of public violence as a way to resolve personal grievances with limited legal consequences. Women’s altercations offer a glimpse into their daily lives and their fractious relationships with husbands, lovers, neighbors, and coworkers. Criminal charges of fighting and assault against women were second only to larcenies in their everyday frequency while, at the same time, such violence portended the larger, ungovernable disorder of the era. To defuse these anxieties, the *Picayune* focused on women’s fights as originating in sexual jealousies or, in the case of street fights among large groups of men and women, as involving women from the *demimonde* who were understood to be already predisposed to violence. Nevertheless, the frequency of women’s altercations shone a bright, unflattering light on the inability of city authorities to maintain public order and, by extension, to calm anxieties about broader violence, particularly along the lines of race, in the volatile postbellum city.

“‘Suspected a servant girl’: Thefts by Domestic Servants” begins two chapters devoted to the criminal charge most often made against women in Reconstruction-era New Orleans: larceny. Women’s larceny cases were treated very differently by the courts depending on the occupation and race of the woman accused. Domestic service employed more women than any other occupation in the city, and it involved women of all races. Prosecutions of larcenies allegedly committed by domestic workers, though, focused primarily on black women’s violations, and these cases were punished much more harshly than other types of larcenies. Courts convicted a much higher percentage of women accused in these cases, and their punishments were severe. This punitive treatment suggests the importance of closely policing domestic servants, who had easy access to employers’

possessions and might want to supplement their low wages by taking or “borrowing” money, clothing, jewelry, or housewares. The focus on punishing black women, moreover, buttressed whites’ authority over black female employees at the cost of denying domestic workers the mutual risks and obligations understood to exist between others employers and laborers.

The fourth chapter, “‘Both woman and money was gone’: Larcenies in New Orleans’s Regulated Sex Trade” examines the apparently contradictory treatment of prostitutes accused of larceny by their male clients. In contrast to their treatment of domestic workers, New Orleans courts convicted relatively few prostitutes charged with larceny. Prostitutes’ thefts were among the most common property crimes in postbellum New Orleans, and the public generally displayed limited sympathy for the victimized men, who were blamed for making themselves easy targets by their drunkenness, naiveté, or poor choice in companions. Yet, of those prostitutes who were convicted, an overwhelmingly percentage received the court’s harshest sentence: hard labor at the State Penitentiary. The punitive sentences for these few women reveal anxieties about the effectiveness and even the purpose of regulating prostitution. Whatever their outcome, prostitutes’ larcenies testified to women’s daring adaptations to difficult circumstances and exposed how unpredictable, brash, and violent the *demimonde* continued to be, even under regulation.

“‘Miserable, low, unredeemable butchery’: Women and Deadly Violence,” the last chapter, considers accusations of murder made against women. Juries acquitted most of the women so charged, but the mass gathering of evidence and testimony in these cases open a window into domestic relations rarely explored with such detail and realism in public discourse. The *Picayune*’s coverage of these cases invited a city of readers into the most

intimate aspects of women's lives—their marriages, families, and finances—all in an effort to explain the tragedy and assign blame for it. If it could not prove a woman's innocence, the paper eagerly seized on implications of intemperance or insanity; in other instances, murder might be justified as an act of self-defense. Increasingly, though, race became the determining factor in how the paper evaluated a woman's culpability for so serious a crime, especially in cases involving property disputes. Individual women of color who were implicated in others' deaths symbolized the wider dangers of social change in the Reconstruction period in a way that no white or immigrant woman did. It is thus in women's murder cases that the differing treatments of white women and women of color in public discourse are the most apparent in the Reconstruction period.

Finally, the conclusion, "The End of Reconstruction and the Erasure of White Female Deviance," suggests that distinctions drawn between the behaviors white women and women of color became markedly starker after Reconstruction as public discourse minimized the disorderliness of white women, emphasizing deviance as a racialized category for women of color. In fact, perhaps only among New Orleans's most famous women—the racially-diverse prostitutes of its notorious *demimonde*—did an alternate image of white women's deviance persist due to the survival of the city's regulatory system, including its lack of racial distinctions, until the eve of the First World War. It was thus among some of New Orleans's most disorderly women, its *demireps*, that Reconstruction-era laws survived the longest.

The disorderly behaviors discussed in "Southern Sirens"—and the varied reactions they provoked—showcase the confusion, the beauty, and the violence that New Orleanians of all races, sexes, and classes experienced during the Reconstruction period. They also testify to the determination, daring, and even disgust that motivated women to act as they did.

Women's "disorder" reveals daily lives fraught with dangers but enlivened by the family and friends, labors and pleasures, that knit women's experiences together across lines of race, age, and neighborhood. To return to our imagined arrival at the foot of Canal Street, we can look around and see, as the *Picayune* marveled, "The throng upon the street, the crowd upon the banquette, contain the elements of many a strange history."⁵¹

⁵¹ "About Town," *Daily Picayune*, New Orleans, Louisiana, 29 April 1868, 2.

Chapter One

“Fascinating Sirens”: Regulating Prostitution in Reconstruction-Era New Orleans

On Wednesday morning, July 12, 1865, the *Daily Picayune* announced a new city ordinance, conspicuously carried on the paper’s front page. In large type the bulletin read “An Ordinance Concerning Lewd and Abandoned Women.” It detailed multiple restrictions on the city’s many prostitutes, the first municipal attempt to regulate prostitution since a similar but short-lived experiment in 1857. The sex trade was restricted from the “best” areas of town, and prostitutes were prohibited from certain public behaviors such as drinking or open solicitation. The announcement’s prominent position on the front page, where it remained for five more editions, laid bare the regulation of prostitution as a vital concern of both city government and the *Picayune*’s wide readership. Far from marginal or hidden, prostitution was a large public industry in New Orleans, involving thousands of women from across the city’s diverse populace and innumerable men as clients as well as financial beneficiaries of the trade’s largesse.⁵²

All of these groups were affected by the new ordinance so boldly featured in the *Picayune* but none more so than the “lewd and abandoned women” themselves. Three days after the announcement first ran, over a hundred women found themselves in court charged with violating the new laws by remaining outside the permissible zones. The *Picayune* ran a

* Title quotation from “Misfortune,” *Daily Picayune*, New Orleans, Louisiana, 5 February 1869, 2.

⁵² “The City of New Orleans, Official [No. 6302.],” *Daily Picayune*, New Orleans, Louisiana, 12 July 1865, 1.

description of the scene the next day. The courthouse, always full, now positively overflowed with the “nymphs” of New Orleans’s sex trade, described by the court reporter as “Females of all hues, dresses, ages and sizes.” “All degrees of style of dress or of beauty were represented,” he remarked, a common comment on the range of women working as prostitutes in the city. “We noticed one remarkably handsome quadroon girl,” he continued, “but ugliness was rather in the ascendant.”⁵³

The women were clearly uncertain about what the new laws held in store for them and their profession. They spread throughout the packed courthouse, nervously waiting “on the steps of the stairs, or . . . in clusters of two or three, discussing their condition.” Deciding that they had not yet had enough time to find accommodations in compliance with the new ordinance, the Recorder dismissed all the women—“wisely” in the *Picayune*’s assessment—on the promise that they would do so as soon as possible. “So adieu to the nymphs,” the article concluded, but the experiment of a regulated sex trade in a city so notorious for its sins had just begun.⁵⁴

New Orleans’s association with prostitution long predated the Reconstruction era or even the city’s incorporation into the United States. Young prostitutes were among the first women to immigrate to the colony within years of its founding, and French and Spanish colonial laws as well as the city’s Roman Catholic heritage encouraged toleration of the institution as a necessary evil, as did the persistent imbalance of men to women in the city’s early years.⁵⁵ The explosion of the Mississippi River trade after American acquisition in

⁵³ “The One Hundred and Five Nymphs,” *Daily Picayune*, New Orleans, Louisiana, 16 July 1865, 8.

⁵⁴ *Ibid.*

⁵⁵ So-called “correction girls,” imported from a house of correction in Paris, arrived in New Orleans in 1721. Herbert Asbury, *The French Quarter: An Informal History of the New Orleans Underworld* (1936: reprint,

1803 occasioned what writer Herbert Asbury describes as “the invasion of the river men,” notorious for their patronage of the sex trade among other unsavory pursuits.⁵⁶ As steamboats replaced flatboats and the city grew to one of the largest in the country, demand for prostitution only increased.⁵⁷

A dearth of well-paid, stable employment opportunities for women of all races ensured that large numbers of women would enter the trade whether out of choice, desperation, or some combination thereof. Outright coercion forced others into prostitution, including enslaved women placed into brothels by their owners in the decades preceding Emancipation. Generations of city officials tolerated the trade, infrequently enforcing weak laws against prostitution, and landlords collected high rents by taking prostitutes as tenants. Both groups participated in the bribery, blackmail, and general corruption that protected the trade and the profits it produced. At the end of the antebellum era, only direct port business generated more money in the city than prostitution according to historian Judith Schafer.⁵⁸ Powered by this profitability, the sex trade expanded beyond outlying areas such as the notorious “Swamp” of the early nineteenth century and into the heart of the city by the 1860s, cross-pollinating respectable neighborhoods and overrunning ineffective laws against

New York: Basic Books, 2008), 12; and Judith Keller Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009), 1.

⁵⁶ Asbury, *The French Quarter*, 98.

⁵⁷ By 1820 New Orleans was in the top ten largest cities listed in the U.S. census, peaking at number three in 1840.

⁵⁸ Schafer, *Brothels, Depravity, and Abandoned Women*, 145. For more on the history of prostitution in New Orleans, see Emily Epstein Landau, *Spectacular Wickedness: Sex, Race, and Memory in Storyville, New Orleans* (Baton Rouge: Louisiana State University Press, 2013), especially chapter one, “The Promised Land of Harlotry,” 17-44.

it. The sex trade became, in short, one of the main industries of Civil War-era New Orleans.⁵⁹

Not only its size but its composition distinguished New Orleans's sex trade. Other U.S. cities such as New York had large, visible sex trades but New Orleans's was much more heterogeneous, reflecting the city's extraordinary racial diversity. After the Civil War, freed black women as well as women from the city's large historically-free black and Creole of color (*gens de couleur libres*) communities worked in the trade, soliciting customers alongside native-born white women and first- and second-generation immigrant women, often Irish. In fact, the availability of black and so-called "mulatto" women to white men was a trademark of the city's sex trade, contributing to New Orleans's national sexual infamy.

Antebellum New Orleans had few measures to enforce against prostitution other than statutes against vagrancy, public nuisances, and disturbances of the peace. Other American cities in the mid-nineteenth century policed prostitution in similar ways, but few cities hosted as large and as visible an industry as New Orleans. Paradoxically, the short-lived Lorette Ordinance of 1857 aimed to arm city authorities with stronger laws against prostitution by permitting its practice in certain areas of town and under women's licensure. Structured around an annual tax, this approach allowed the city to regulate the trade and profit from it.

⁵⁹ The prominence of prostitution in New Orleans's economy and culture was similar to that in other nineteenth-century U.S. cities, if rather greater in the Crescent City. Historians of prostitution in the nineteenth-century U.S. explain the trade's prominence by a combination of factors, including limited employment opportunities for women, the embrace of the trade by sporting male culture, and the profitability of sex-related businesses in expanding urban areas. The best national comparison for New Orleans's sex trade is another port city, New York, which has received extensive attention from historians of prostitution. See Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York: Vintage Books, 1998); Timothy Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W. W. Norton & Company, 1992); Marilyn Wood Hill, *Their Sisters' Keepers: Prostitution in New York City, 1830-1870* (Berkeley: University of California Press, 1993); and Amy Gilman Srebnick, *The Mysterious Death of Mary Rogers: Sex and Culture in Nineteenth-Century New York* (New York: Oxford University Press, 1995).

Although the ordinance lasted merely two years, the sex trade remained a contentious social problem—and a thorn in authorities’ side—especially during the city’s occupation in the Civil War when the Union army saw in prostitution both real and symbolic threats to social order.⁶⁰ Still under military authority in the summer after war’s end and reeling from economic devastation, the city once again undertook the regulation of prostitution.

The regulatory ordinances enacted in July 1865 aimed to give city leaders some control over prostitution by prescribing the location of the trade and outlining prostitutes’ public behaviors. Fines were assigned for each offense, and the municipal government also collected money through high annual taxes on the trade.⁶¹ The system strengthened earlier laws against prostitution while incorporating European strategies aimed at controlling the trade through regulation rather than prohibition. The result was a unique set of laws that defined prostitution as an essentially legal activity so long as it was practiced within certain parameters. Importantly, unlike their 1857 predecessor, these postwar ordinances bore the distinct mark of Reconstruction by dropping distinctions among the women by race: They regarded all “lewd and abandoned women” alike across racial lines. Regulation would endure without racial revisions in the Crescent City for another half century. In fact, segregation was never again implemented in the legalized New Orleans *demimonde*, which

⁶⁰ Prostitutes’ contentious behavior to Union army officials, especially Major Gen. Benjamin F. Butler, the “Beast,” has become the stuff of legend, particularly in their creative use of chamber pots. Asbury, *The French Quarter*, 225-7; and Chester G. Hearn, *When the Devil Came Down to Dixie: Ben Butler in New Orleans* (Baton Rouge: Louisiana State University Press, 1997).

⁶¹ Henry J. Leovy, Attorney at Law, “Lewd Women: An Ordinance concerning Lewd and Abandoned Women,” 274-80 in *The Laws and General Ordinances of the City of New-Orleans, Together with the Acts of Legislation, Decisions of the Supreme Court, and Constitutional Provisions, Relating to the City Government* (New Orleans: Bloomfield & Steel, 1866), 275. See also Henry J. Leovy and C. H. Luzenberg, Attorneys at Law, “Lewd Women: An Ordinance concerning Lewd and Abandoned Women,” 202-6 in *The Laws and General Ordinances of the City of New Orleans, Together with the Acts of the Legislature, Decisions of the Supreme Court and Constitutional Provisions Relating to the City Government* (New Orleans: Simmons & Co. Printers, 1870).

was permanently shuttered on the eve of the First World War. In this way, these regulatory laws proved among the longest-lasting reforms of the Reconstruction era.

Fully controlling the industry, however, was as futile as resisting the sirens themselves—as city leaders were well-aware. The constant cascade of fines paid for various violations benefitted the city’s treasury but also exposed the legal system’s inability to regulate prostitution effectively. The sheer range and variety of the industry’s practice in the city made it difficult to specify limits on the trade, much less to enforce them. Women of all races worked in situations ranging from dreary cribs to opulent mansions and catered to customers of all social classes and personal dispositions, including those with a penchant for violence. Powerful madams and controversial “waiter girls” defied straightforward characterizations of “lewd and abandoned women” and tested regulation’s reach over commercialized sex. Faced with the defiant women of the *demimonde*, authorities conceded that regulation, though imperfect, was perhaps the only way to shepherd “hearts full of wayward impulses.”⁶²

* * *

In the early nineteenth century, New Orleans’s laws concerning prostitution were fragmentary, vague, and ultimately ineffectual.⁶³ The exchange of sex for money was not explicitly prohibited, but behaviors around the trade were criminalized though inconsistently enforced. As early as 1817, ordinances fined prostitutes who “shall occasion scandal or disturb the tranquility of the neighborhood,” and in 1837 neighbors were granted the right to

⁶² “Trémé Station,” *Daily Picayune*, New Orleans, Louisiana, 4 November 1868, 7.

⁶³ In his 1936 book, *The French Quarter: An Informal History of the New Orleans Underworld*, Herbert Asbury proclaims of antebellum New Orleans that “For sheer innocuity the laws by which the authorities pretended to regulate the conduct of the ‘woman notoriously abandoned to lewdness’ . . . have never been surpassed in an American city.” Asbury, *The French Quarter*, 353.

petition collectively against an offending woman.⁶⁴ Restrictions on “frequent[ing], or drink[ing] in, any coffee-house or cabaret” emerged in 1845, and the first efforts to restrict location, specifically ground floors in the prosperous First District, passed in 1839.⁶⁵ By 1850 New Orleans police could crack down on “disorderly” houses, another pliable definition of a legal offense.⁶⁶ In addition to these piecemeal restrictions, police applied laws against vagrancy and public nuisances more in an effort to discourage streetwalking than to suppress the sex trade entirely.

Lacking laws specifically against prostitution as an industry, police used minor offences and disturbances of the peace to take women off the streets, raid unruly houses, and collect fines.⁶⁷ Historians emphasize the flexibility that this legal arrangement, common in nineteenth-century American cities, offered police and city officials, who could apply laws selectively against the street trade or troublesome brothels while ignoring operations that were less unruly or were willing to pay for their sufferance. Timothy Gilfoyle notes that this practice in New York City amounted to an “elaborate yet informal system of de facto regulation” since it allowed police some role in shaping the practice of prostitution.⁶⁸ Their

⁶⁴ The 1837 law required a minimum of three neighbors’ signatures. The number was lowered to two in 1845. Asbury, *The French Quarter*, 353-354, and Schafer, *Brothels, Depravity, and Abandoned Women*, 17.

⁶⁵ Asbury, *The French Quarter*, 354, and Schafer, *Brothels, Depravity, and Abandoned Women*, 17. At this time (1836-1852), the administration of the city of New Orleans was divided into three separate municipalities that functioned with considerable independence. The American Sector was the First Municipality, the wealthiest and most powerful of the three. See Dennis C. Rousey, *Policing the Southern City: New Orleans, 1805-1889* (Baton Rouge: Louisiana State University Press, 1996), especially chapter two, “From One Many: Policing the Partitioned City, 1836-1852,” 40-65.

⁶⁶ Schafer, *Brothels, Depravity, and Abandoned Women*, 18.

⁶⁷ For more on New Orleans’s antebellum laws relating to prostitution, see Schafer, *Brothels, Depravity, and Abandoned Women*, especially chapter one, “Selling Sex and the Law,” 17-30.

⁶⁸ Gilfoyle, *City of Eros*, 259. Many historians of prostitution in the nineteenth-century U.S. characterize this inconsistent and light-handed legal treatment of prostitution as informal toleration of the sex trade. Marilyn Wood Hill describes a “revolving-door approach to prostitution” in New York City, for example, while Anne

authority, though, remained muted by the weak prohibitions authorities had at their disposal. This was particularly true of brothels' locations. With demand and profits so high, brothels spread across American cities in the nineteenth century, including into affluent, respectable neighborhoods.⁶⁹ New Orleans was not spared. By the mid-nineteenth century, the sex trade had left outlying areas and encroached into central avenues of the city, bringing the unruly face of prostitution onto the doorsteps of ordinary New Orleanians. Under this piecemeal system, city authorities had no means to confront this incursion directly.

An alternate model of addressing prostitution was offered by European cities, most famously Paris where municipal leaders took responsibility for regulating the trade in the early nineteenth century. Recognizing prostitution as a necessary evil, Parisian officials implemented a system of regulation designed to control prostitution's location and practice and to answer public health concerns that blamed prostitutes for transmitting diseases, especially syphilis, across society. Administered by a separate *police des mœurs* (morals police), the so-called "French system" prohibited prostitution from select areas of the city and certain sites such as cabarets or covered walkways. It dictated women's behavior by imposing curfews, requirements for decent dress, and rules for solicitation while also

M. Butler says of the frontier West that "The judicial structure perpetrated and regulated institutionalized vice." Joel Best describes the treatment of prostitution in St. Paul, Minnesota as "quasi-formal policies of regulation," explaining how police used periodical arrests of madams "to bring the city income and, far more important, to give the police leverage to control the brothels, minimizing crime and other potential problems." Hill, *Their Sisters' Keepers*, 139; Anne M. Butler, *Daughters of Joy, Sisters of Misery: Prostitutes in the American West, 1865-90* (University of Illinois Press, 1985), 103; and Joel Best, *Controlling Vice: Regulating Brothel Prostitution in St. Paul, 1865-1883* (Columbus: Ohio State University Press, 1998), xi.

⁶⁹ Scholars emphasize how the sex trade spread across American cities and invaded centrally-located neighborhoods during the nineteenth century, leaving outlying areas. In the process, prostitution became a more visible industry than ever before. As Christine Stansell observes, "Prostitution was becoming urban . . . a noticeable feature of the ordinary city landscape," and Gilfoyle notes that it "became a public activity, conducted in the open and visible to unengaged neighbors and observers." Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1982), 173-4; and Gilfoyle, *City of Eros*, 18.

mandating regular medical examinations for venereal disease. Only by submitting to these examinations—and receiving treatment when necessary—could a woman be registered to work in a *maison de tolérance* (tolerated brothel), which was itself subject to oversight by the *police des mœurs*. Through this system, as historian Jill Harsin explains, Parisian authorities “did not expect to end prostitution, but they were convinced that they could keep it within reasonable bounds.”⁷⁰

Formulating its own treatment of prostitution in the postwar period, New Orleans effectively combined existing city laws with Paris’s regulatory model to create a system intended to oversee the trade and simultaneously profit from it. Many historians of legalized prostitution in New Orleans focus on the later Storyville period (1897-1917), sometimes to the exclusion of similar earlier practices. Storyville, however, had four decades of legal precedence. The July 12, 1865, announcement of “An Ordinance Concerning Lewd and Abandoned Women” carried so prominently in the *Picayune* largely reinstated measures from a set of city ordinances briefly implemented in 1857. As what Judith Schafer labels “the first attempt to contain and license prostitution in the United States,” these 1857 regulations were popularly known as the Lorette ordinances, a nod to their Parisian inspiration as Lorette was an area of Paris widely associated with prostitution. Overturned within two years on a “flimsy technicality” corrected in 1865, subsequent versions of these regulations remained in place until 1917 and defined the city’s calculated treatment of prostitution.⁷¹

⁷⁰ Jill Harsin, *Policing Prostitution in Nineteenth-Century Paris* (Princeton: Princeton University Press, 1985), 54.

⁷¹ Schafer, *Brothels, Depravity, and Abandoned Women*, 145 and 153. The official names of the Lorette ordinances were Ordinance No. 3267, O.S., and Ordinance No. 3428, O.S. The Louisiana State Supreme Court declared the ordinances unconstitutional because the licenses ran from April to March rather than January to December as the state constitution mandated for all licenses. Schafer attributes the overturning of the 1857

The 1865 regulations (No. 6302 O.S.) repeated many of the Lorette ordinances verbatim, beginning with forbidding the sex trade in the best areas of town by confining its practice to four large zones in the city. So large were the zones that one comprised the entire French Quarter, stretching six blocks from the Mississippi River to Basin Street and fourteen blocks from Canal to Esplanade Streets. These areas were too large and their populations too heterogeneous to be labeled sex districts, but they represented the first lasting legal efforts to dictate the geographic boundaries of the trade. In effect, the demarcations created a long border through the city along which prostitution clustered. This beltway, roughly Rampart and Basin Streets, was not a strict boundary confining the trade within its walls but instead a line of concentration that kept prostitution from spreading too far in either direction.⁷²

Echoing Paris's laws, ordinances also blocked prostitution from "any one-story house, or a room or closet of the first or lower story of any house" within these zones. Police officers were required to take any woman found violating these restrictions before a recorder, who assigned a fine of twenty-five dollars or, if the woman could not pay, "not less than thirty days' imprisonment" if she did not move within three days.⁷³

ordinances to the opposition of wealthy, influential landlords in the restricted areas of New Orleans who refused to lose their most profitable renters, prostitutes. Schafer and Alecia P. Long count at least eight revisions of regulatory ordinances from 1865 to 1917. Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2004), 107, and Schafer, *Brothels, Depravity, and Abandoned Women*, 153. For more on the 1857 ordinances see Schafer's chapter nine, "'An Ordinance Concerning Lewd and Abandoned Women,'" 145-54.

⁷² The border in the First District was Rampart Street, also then called Hercules and Circus Streets in sections; it was neighboring Basin Street in the Second District. The other three limits for each were the east-west boundaries of the district and the Mississippi River, meaning that the Rampart/Basin boundary was the critical location in these specifications. The complete boundaries for all four districts were as follows, "*In the first district*—Between the river and Hercules, Circus and Rampart streets, Felicity road and Canal-street. *In the second district*—Between the river and Basin-street, Canal and Toulouse streets, and between the river, the bayou St. John, Toulouse-street, and Esplanade-street. *In the third district*—Between Esplanade-street, Elysian Fields, the river, and Broad-street. *In the fourth district*—The river, the Carrollton rail-road, the upper line of said district and Felicity road." Leovy, "Lewd Women," 1866, 274-5.

⁷³ *Ibid.*, 274-9.

In these spatial restrictions, the ordinances stopped noticeably short of explicit legalization of the trade, a legally and morally untenable position for the city to take openly. But, as later city attorneys summarized postwar laws, this approach allowed that “these poor creatures must live somewhere.” This “somewhere” remained a large part of the city, which was technically, as the lawyers opaquely noted, “within [the] limits outside of which lewd women could not live.”⁷⁴ Nevertheless, these restrictions represented the strongest spatial containment yet for prostitution in the city and were in fact, as Alecia Long argues, “the city’s first residential segregation ordinances.”⁷⁵

As in the French system, laws also prohibited a range of public behaviors, especially around solicitation. These behavioral proscriptions built directly upon earlier laws, absorbing piecemeal restrictions into the regulatory system. Combining several earlier laws, the 1865 regulations enacted the following restrictions:

Public prostitutes, or notoriously lewd and abandoned women, are forbidden to frequent any cabaret or coffee-house, or to drink therein, or to stand upon the sidewalk in front of or near the premises they may occupy, or at the alleyway, door or gate of such premises, or to sit upon the steps thereof, or to accost, call or stop any person passing by, or to walk up and down the sidewalks, or to stroll about the streets of the city indecently attired, or in other respects so to behave in public as to occasion scandal, or disturb and offend the peace and good morals of the people.⁷⁶

⁷⁴ In *George L’Hote and the Church Extension Society of the Methodist Episcopal Church v. The City of New Orleans, et al.* (1899), Samuel L. Gilmore, City Attorney, and James J. McLoughlin, Assistant City Attorney, defended the Storyville regulations before the U.S. Supreme Court. As part of their successful argument, they traced the history of New Orleans’s regulation of prostitution beginning with the 1857 ordinances and reinstalled in 1865’s No. 6302 O.S. Appendix A: “A city of New Orleans brief in the George L’Hote suit to prevent the establishment of the district known as Storyville,” 185-190, in *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District*, by Al Rose (Tuscaloosa: University of Alabama Press, 1974), 186-8.

⁷⁵ Long, *The Great Southern Babylon*, 102-3.

⁷⁶ Leovy, “Lewd Women,” 1866, 279. See also Leovy, “Lewd Women,” 1870, 206.

These prohibitions, also heavily spatial, aimed to curtail public drinking, streetwalking, and solicitations of both verbal and visual varieties. The brothel itself was visible to innocent passersby, but the explicit business of its residents ought not to be. To enforce these measures, neighbors could petition the mayor to close a brothel if at least “three respectable citizens” complained that it was a neighborhood nuisance or could testify that its residents routinely engaged in disorderly behaviors such as “committing indecencies by the public exposure of their persons.” Recalling Paris’s *maisons de tolérance*, brothels were also subject to police visitation at any time, a new measure under regulation. These behavioral provisions aimed to protect the “good morals of the people” by shielding them from prostitutes’ trade in open view. Violations earned women a fine of five dollars or imprisonment as a vagrant, punishments meted out daily to women across the city.⁷⁷

Significantly, the postwar ordinances made no racial distinctions among “lewd and abandoned women,” a distinctively Reconstruction-era innovation. The revisions conspicuously dropped an 1857 ordinance that declared it illegal for “white women and free women of color, notoriously abandoned to lewdness, to occupy, inhabit, or live in the same room.” The same provision forbade people of color from employing white women in their brothels, but both items were now repealed.⁷⁸ Nor were there any other laws to segregate by

⁷⁷ Leovy, “Lewd Women,” 1866, 276-9.

⁷⁸ Leovy and Luzenberg, “Lewd Women,” 1870, 204. Article 8 from 1857, which mandated segregation under regulation, was repealed in the late 1860s. This racial provision was initially a part of the 1865 implementation but was subsequently dropped, likely after the 1868 state constitution prohibited discrimination by race. Even before the repeal, though, there is little evidence that the segregation of brothels was enforced to the same degree as other restrictions on the trade. Integrated houses long existed in New Orleans, including in the antebellum and postbellum periods. Racial segregation was not officially imposed upon the city’s *demimonde* until Ordinance No. 4118 C.C.S. in early February 1917, but the district was closed before the law could go into effect. See Schafer, chapter two, “‘Disgusting Depravity’: Sex across the Color Line,” *Brothels, Depravity, and Abandoned Women*, 31-46 and Long, chapter five, “‘As Rare as White Blackbirds’: Willie Piazza, Race, and Reform in Storyville,” *The Great Southern Babylon*, 191-224.

race where women could live, work, or socialize in the areas of the city open to prostitution. Racial difference certainly affected individual prostitutes' relationships to the law, particularly in their treatment by police officers, judges, and juries, but the law themselves made no such distinctions.⁷⁹

New Orleans's regulations closely resembled their Parisian model in restricting prostitutes' locations and behaviors, but the two systems diverged in the *raisons d'être* for licensure and, by extension, for regulation itself. The French system, like Great Britain's Contagious Diseases Act of 1866, focused on submitting women in the trade to periodic medical examinations less for their own well-being than to quell public concern about rampant venereal disease.⁸⁰ Licensure facilitated the *police des mœurs*'s administration of this medical oversight. (Some U.S. cities enacted regulatory medical examinations, most notably St. Louis in 1870, but these experiments were short-lived.⁸¹) A city of epidemics, New Orleans was no stranger to public health concerns. Well-practiced in quarantining and undertaking contemporaneous sanitary improvements, the city likely believed its spatial restrictions would benefit public health by containing possible social "contagions" within certain demarcated areas.⁸² City authorities, however, conspicuously dropped Paris's

⁷⁹ Studies of nineteenth-century U.S. cities observe a common pattern in which women who were racial or ethnic minorities were more likely to be arrested for prostitution or related activities than were white women in the trade. See Hill, *Their Sisters' Keepers*, 53.

⁸⁰ For more on the Contagious Diseases Act of 1866 and feminist opposition to it, see Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge, U.K.: Cambridge University Press, 1982).

⁸¹ St. Louis's Social Evil Ordinance (1870) lasted only four years, defeated largely by the efforts of clergymen. Joel Best, *Controlling Vice*, 17.

⁸² Alain Corbin uses the medical understanding and control of smells to explain Paris's regulatory system in the nineteenth century. Spatial restrictions not only contained the (unavoidable) threat of "putrefaction" but popular regulation prevented it from festering. Regulated brothels thus functioned as "dispersed establishments for drainage." Alain Corbin, "Commercial Sexuality in Nineteenth-Century France: A System of Images and

medical examinations and treatments altogether. No medical examination was required, nor did a separate (expensive) police force oversee the system. Instead, officials saw concentrating prostitution in certain areas of the city, however broad they were at this time, as a sufficient protection for public health.

Rather than Paris's medical examinations, New Orleans instead organized regulation around taxation and the profits that regulation brought into the city treasury helped to protect the system for decades to come. Each woman paid "an annual license tax of one hundred dollars," which went directly into the city treasury. The regulations also forced landlords to pay for the privilege of partaking in this lucrative trade by applying a 250-dollar annual tax "to open or keep any house, building, or room . . . for the purpose of boarding or lodging lewd and abandoned women, or of renting to such women." A fine of one hundred dollars or a minimum of thirty days' imprisonment awaited anyone caught evading the taxes, prostitute or landlord alike. These penalties, the harshest of the regulatory ordinances, reiterated the centrality of taxation to New Orleans's system. In addition, landlords discovered renting illegally to prostitutes, for instance in a prohibited area or in a one-story building, faced "a penalty of fifty dollars for each and every girl or woman" working on their property. Finally, even individual citizens, not just the city treasury, stood to profit from enforcing these provisions as informers received half of the total fine paid when they reported violations of the zoning and taxation ordinances.⁸³

The *Daily Picayune* implicitly endorsed the measures, particularly as a supplement to raids, the principal means of anti-prostitution enforcement in cities without regulatory

Regulations," *Representations* 14: The Making of the Modern Body: Sexuality and Society in the Nineteenth Century (Spring 1986): 209-219. Quote from page 216.

⁸³ Leovy, "Lewd Women," 1866, 275-9.

systems. Remembering how New Orleans police had prosecuted prostitutes before regulation, an 1867 editorial portrayed raids as futile by recounting how police rounded women up and “in the morning, in single file, they were marched before the Recorder,” who either fined or briefly imprisoned them. Soon, though, the women reemerged to “resume their occupation with even more abandonment.” The *Picayune* saw these raids as financial shakedowns masquerading as moral crackdowns. No one actually supposed that the arrests either deterred women from practicing their trade nor stopped prostitution’s spread across the city. Relying on raids alone was thus a much weaker response than openly addressing the trade as they did in “the old cities of Europe.” The question of choosing to regulate prostitution, the paper concluded, was “a delicate, but an important one, and should not be shirked.”⁸⁴

The *Picayune* also supported regulation in both principle and politics. In its discussion of prostitution and other disreputable businesses such as saloons and gambling dens, the paper repeatedly argued that prohibitory approaches were, at best, naïve about human nature and, at worst, were “repulsive forms of political and religious intolerance.” So the paper proclaimed when blue laws were proposed in early 1867. “We have old established customs,” the paper protested, “which it would be difficult at this time to oppose with any possibility of a degree of success, considering the mixture of our population, not to speak of the merits of the changes proposed.” Not only was prostitution, like drinking on Sundays, an “old established custom” in New Orleans, but the *Picayune* could not foresee prohibition’s success in a city as large and diverse as their own. Like the city government, which it was often quick to criticize, the *Picayune* doubted both the plausibility and the desirability of

⁸⁴ “Periodical Raids—Frail Ones,” *Daily Picayune*, New Orleans, Louisiana, 5 February 1867, 8.

prohibitionary approaches, especially as they were often popularly associated with the region the paper derided as “our social antipodes, New England.”⁸⁵ Public opinion seemed largely to align with the paper as there were not yet any prominent citizens’ groups opposing the new laws.

Opposition to prohibition was also viewed through the lens of Reconstruction politics. Distrust of government ran high among white southern conservatives, including the reporters of the *Picayune*, who opposed what they perceived as the state and federal governments’ imposition of subjective standards of justice and good order in their local community. This suspicion heightened opposition to prohibitionary strategies. Laws mandating racial equality differed dramatically from prohibitionary ordinances, but both were viewed by some New Orleanians as government abuses born of ignorance of local customs.

This principle of upholding local discretion regarding regulation became unimpeachable when combined with the financial rewards of taxation. That the city so directly profited from prostitution was not comfortably publicized by the *Picayune*, but it was in line with the taxation of other businesses that paid “their receipts from dissipation.” The paper defended such taxes in 1867 by observing of saloons that “The weakness of human nature can never be a subject of corrective legislation, and we would just ask the question, ‘Are not our authorities crowding the real payers of our city expenses rather heavily?’”⁸⁶ At a time when the city struggled to meet its financial obligations—and its citizens to meet their own—new sources of revenue could not be rejected and this, the profitability of prostitution to the city as well as many of its citizens, helped protect the regulated trade.

⁸⁵ “Blue Laws,” *Daily Picayune*, New Orleans, Louisiana, 23 February 1867, 8.

⁸⁶ “The Tax on Drinking Saloons,” *Daily Picayune*, New Orleans, Louisiana, 13 October 1867, 8.

Enforcement of the regulatory ordinances ranged from policing minor offenses to raiding disorderly establishments and occasionally pursuing criminal charges. Most women in the trade encountered the law primarily at the level of the recorders' courts, the lowest level of criminal justice in the city. Recorders enforced the ordinances of New Orleans's regulatory system and confirmed the city's focus on policing prostitutes' location and public behaviors. The number of *demireps* brought before these courts was persistently high. In June 1870, for example, the *Picayune*'s court reporters named over one hundred prostitutes appearing in the city's four recorders' courts.⁸⁷ Police charged some with exposing their persons, fighting, being a public nuisance, or disturbing the peace; others were accused of insult and abuse, larceny, or drunkenness—all offenses widely shared with men and women outside of New Orleans's *demimonde*. The *Picayune* reported almost half of the women as “violating a city ordinance” without specifying which regulatory provision had been broken, although sometimes this involved non-payment of the annual tax. Fines for all these offenses generally amounted to five or ten dollars or, if they could not be paid, sentences for five or ten days in the Parish Prison. No punishment reported in this month exceeded ten dollars or a month in prison.⁸⁸ While these assorted charges brought many women before the recorders' courts each month, they were not intended to deter women from prostitution itself nor did these appearances represent the routine police round-ups of all prostitutes practiced in many cities without regulatory systems.

⁸⁷ These 113 cases represent only those reported by the *Picayune* in June 1870. There may have been others that were not mentioned by the paper. Comprehensive police arrest records for the city have not survived.

⁸⁸ See articles in “The City” section of the *Daily Picayune*, New Orleans, Louisiana, 1 June 1870 – 30 June 1870.

The most conspicuous disciplinary actions—police raids and criminal court cases—targeted entire houses rather than individual women in the trade, although madams were sometimes made to stand in for their bordellos. These efforts were often directed against brothels deemed too noisy or troublesome by the police or their neighbors. In 1871 neighbors charged a woman named Jane Agnes with “keeping a disorderly brothel” on Rampart Street. One man who lived nearby with his wife and children testified that “daily the house is noisy to the great inconvenience of the neighbours,” and another man complained that “the house was so noisy that he has not been able to sleep all night.” The policeman on the nighttime beat told the court that he could easily discern the men and women in Agnes’s house “using obscene language, such as suck me, you are not doing it right, words of Son of a Bitch . . . and other dirty words.” So loud were the revelers that he heard them three blocks away. His supervising officer added that the house was “more noisy than in these Kind of houses ordinar[ily],” and a third neighbor agreed, stating that the noise was “a disturbance which is not allowed nor heard generally in such houses as this one.” Repeatedly, police officers and neighbors alike stressed that they knew Agnes’s house was a brothel, but it was the noise, not the women’s trade, that so bothered the neighborhood. Nevertheless, the First District Court dropped the case against Agnes.⁸⁹ To escape prostitution—and the noise and disorder it brought to the neighborhood—the city offered residents little choice but to move to a restricted area or simply tolerate their disreputable neighbors.

However interested New Orleanians were in judging the efficacy of regulation, one variable continued to frustrate enforcement, namely the corruption that pervaded all ranks of

⁸⁹ *State of Louisiana v. Jane Agnes*, case no. 3265, 6 August 1871, First District Court, Louisiana Division, City Archives and Special Collections, New Orleans Public Library (hereafter “First District Court”).

the city's criminal justice system from individual policemen to judges and other city leaders.⁹⁰ Initially many in New Orleans hoped that regulation would stem some of the corruption protecting the trade in the city. One week before the ordinances were announced, the *Picayune* carried an explosive report from a police committee assigned to investigate vice in the city. The report uncovered how corruption among police officers and recorders allowed thievery, gambling, and prostitution to flourish all but unchecked in the city. On the lowest level, individual policemen formed mutually-advantageous relationships with women in the trade. As the *Picayune* summarized of the report, "The men who keep certain women, and the women who keep certain men, and the names of the policemen who have received large sums from such houses for connivance and neglecting to enforce the laws, are all described." "Out of a salary of \$80 or \$150 [a month]," as the report described, policemen improbably sustained a lifestyle with an expensive mistress, "a horse and buggy," dinners at fashionable restaurants, "champagne suppers at the lake—massive gold watches and sparkling diamond breastpins." The committee's investigation laid bare what was already suspected, that "This is living like smart police officers who know their business."⁹¹

Worse yet was the corruption among the city's recorders. The committee knew that exposing this level of corruption was a risky venture:

The next nuisance which the Commission would like to handle must be done by us as we would a dangerous reptile which we are afraid to touch, on account of its power to sting us—and yet we touch it with the hope to crush it. Into the word nuisance

⁹⁰ Historians of nineteenth-century New York also emphasize the impact of corruption on police enforcement (or lack thereof). Gilfoyle describes a decentralized, low-level corruption in which individual police officers received pay-offs in return for protecting houses from closure. Hill observes that a more "systematic and organized control of commercialized sex through payoffs" did not emerge until the final decades of the nineteenth century. Gilfoyle, *City of Eros*, and Hill, *Their Sisters' Keepers*, 150.

⁹¹ "Report of the Police Committee," *Daily Picayune*, New Orleans, Louisiana, 4 July 1865, 8.

we condense the Recorders and their courts, for such indeed they are.

The committee described deals made between judges and their “pettifogging partner,” crooked lawyers, wherein a judge frightened “the poor prisoners” with an exaggerated charge, prompting defendants to hire the lawyer with whatever they could pay. The judge then swiftly dropped all charges, thus fleecing the defendant while also avoiding punishing crimes and offences. These schemes illustrated what the committee labeled “the laxity of justice and the blackmailing propensity of the judge” and also benefitted defendants who could best afford this corrupt protection. As the *Picayune* concluded of this investigation, “Corruption, in its most putrified and disgusting form, pervades every avenue, almost every member and attaché of these courts. The poor, unfriended prisoner sinks into the Workhouse—while the rich, influential thief, gamblers, loafer, or prostitute walks forth in freedom.”⁹²

The police committee was right to worry that exposing recorders’ corruption was akin to “handl[ing] . . . a dangerous reptile . . . [with] its power to sting us” as a contentious turf war between the police and recorders’ courts came to dominate local news by the end of the summer. In late August 1865, a quarrel broke out between the Chief of Police John Burke and two of the city’s recorders. Police accused Recorder H. T. Vennard of the First District of selling confiscated court property, including fifty sacks of cotton, for personal profit.⁹³

⁹² *Ibid.*

⁹³ “Recorder Vennard’s Case,” *Daily Picayune*, New Orleans, Louisiana, 20 August 1865, 8. This article contains a selection of letters exchanged among Burke and police officers in the First District. Two days later, Vennard was accused of refusing to return a barrel of sugar. “The Recorders’ Courts,” *Daily Picayune*, New Orleans, Louisiana, 22 August 1865, 8. Vennard came to New Orleans from New Hampshire in 1840 and was active commercial business as well as the First District Recorder’s Court before and after the war. He died “an old, well known and wealthy citizen” in 1892. “Judge H. T. Vennard,” *The Daily City Item*, New Orleans, Louisiana, 3 February 1892, 1.

Burke leveled more extensive allegations against Recorder Arthur Gastinel of the city's Second District, home to much of the city's sex trade. Police accused Gastinel of retaining prisoners in his private cells outside their jurisdiction "for corrupt purpose."⁹⁴ Policemen were under explicit orders from the mayor and Burke to take prisoners to the district lock-up, not the cells at the recorder's court where, as Burke alleged of Gastinel, "the prisoners may be fair game for himself and his jackals to prey upon." Gastinel retaliated by threatening that "any policeman who refuses to do as he orders, will be committed for contempt," as a lieutenant in the Second District reported to Burke, who rejoined, "When Recorder Gastinel went to your office last evening and threatened you with arrest, you should have arrested him."⁹⁵

Underlying these allegations of corruption were political divisions between the police, under military authority in 1865, and the recorders, who held popularly-elected positions and tended to align with white conservative politics. Gastinel openly opposed the regulation of prostitution and initially tried to block its implementation, arguing that it was passed illegally under military authority.⁹⁶ Nevertheless, he took advantage of the women brought before his court to extract what money he could from them without enforcing the new city laws too strictly. Eleven women, including at least six prostitutes and three madams, testified to extortion before Burke, the mayor, and other city officials, and the *Picayune* reprinted their bold testimonies over the course of four days in late August 1865.

⁹⁴ Louis Gastinel was a long-serving recorder in the Second District of the city, roughly the French Quarter. For more on John Burke and his tenure as Chief of Police, see Rousey, *Policing the Southern City*, 113-4.

⁹⁵ "Startling Developments," *Daily Picayune*, New Orleans, Louisiana, 20 August 1865, 8. The police submitted their correspondence to the *Picayune* to reprint.

⁹⁶ Gastinel charged that it was illegal to pass city ordinances without a City Council's approval. The protest, however, was dismissed by the City Attorney. "An Important Question," *Daily Picayune*, New Orleans, Louisiana, 15 August 1865, 1.

Their affidavits spoke simultaneously of women's vulnerability to corrupt officials as well as their savviness in how best to navigate this crooked, politically-divided system.

Mary Frances and Josephine Durand, both black women living on Dauphine Street, recounted their arrests for violating a city ordinance, for which they were both sentenced by Recorder Gastinel to one month in the Parish Prison. As they remembered, "After sentence they were placed in the cell near the court; while in the cell a man whom they do not know came there and asked them if they had any money." They replied that they did not whereupon the man asked Frances "to give him the gold chain she wore around her neck, and that he would get her released." She again declined, and both women were taken to the Parish Prison. At this point their madam, a black woman named Hannah Peters, intervened. She went to the court and, as she testified, "She was told by a man in the court that she could get the girls out of jail for \$25 each." Peters did not have that much money but, as she left, another man approached her and negotiated the price to twenty dollars for both Frances and Durand. Peters delivered the money to his office the next day, explaining that she knew where to find him because "About three weeks ago he got two more of her girls out of prison, for which she paid him \$10." She suspected that the man was Louis Gastinel, brother of the recorder. Whoever he was, he was an effective agent, and Frances and Durand were immediately released.⁹⁷

Madam Catherine Hoher of Toulouse Street and one of her residents, Annie Moberry, both white, were able to supply another name to the investigators, this man a member of the police.⁹⁸ Gastinel convicted Moberry and another woman from the house,

⁹⁷ "Startling Developments," *Daily Picayune*, 20 August 1865.

⁹⁸ We presume that Annie Moberry, Ellen Landry, and Catherine Hoher were white as the *Picayune* did not specify their race as it had with Mary Frances, Josephine Durand, and Hannah Peters in the same article.

Ellen Landry, on charges of being drunk, fighting, and disturbing the peace, and both received sentences of thirty days' imprisonment. As they had with Mary Frances and Josephine Durand, court officers detained the two women in the small cells of the recorder's court after their sentencing. "While there," as Moberry recounted, "one Capt. Fremeaux came to her and offered to get her out for \$10; he made a similar proposition to Ellen Landry." Hoher was present at this time, and she agreed to pay seventeen dollars that day. Fremeaux came to their house two days later to collect the other three dollars. He used the occasion to demand another five dollars per woman and warned Hoher "that next time these women got arrested they would not get off easily."⁹⁹ The economic agreement between these men and Recorder Gastinel was revealed in the testimony of a black madam named Lizzie Perkins, who ran a house at the corner of Customhouse (now Iberville) and Franklin Streets. She negotiated with an unnamed man for the release of one of her residents for twenty-five dollars, "\$5 of which he said was for him, and \$20 for the Recorder."¹⁰⁰

This cycle of arrests, sentencing, and pay-offs became routine to many women in the Crescent City's sex trade, and the police fought a futile battle against the corruption pervading their own ranks. These women's testimonies, so well publicized in August 1865, exposed the everyday exploitations of what the *Picayune* condemned as "systematized corruption."¹⁰¹ Despite this early investigation, allegations of corruption dogged New Orleans's police and criminal justice system for the rest of the Reconstruction period. The police changed hands from federal to local to state control, but crooked practices, especially

⁹⁹ "Startling Developments," *Daily Picayune*, 20 August 1865.

¹⁰⁰ "More Developments," *Daily Picayune*, New Orleans, Louisiana, 24 August 1865, 8.

¹⁰¹ "The Mayor vs. Police Corruption," *Daily Picayune*, New Orleans, Louisiana, 22 August 1865, 1.

related to vice, continued unabated.¹⁰² Recorder Gastinel, for instance, continued to butt heads with successive police chiefs, in 1867 disputing the police's right to release prisoners from his custody. He instead proclaimed that "hereafter no person arrested in the Second District shall be released except by an order from him, the Governor of the State, or the commanding general," excluding the mayor and chief of police from this authority and leaving its everyday application to himself alone.¹⁰³ Presumably he used this authority to continue to extort prisoners as he had the women in 1865.

Throughout the period, New Orleans police and judges were known to engage in a variety of crooked practices, including selling confiscated goods and accepting payoffs to release prisoners and shield illicit businesses from scrutiny. Brothels must have regarded bribes as standard business expenses, and they could spend considerable amounts ensuring officials' cooperation. Herbert Asbury estimates that these payoffs were "as high as two hundred dollars a week for each of the large parlor-houses, and twenty dollars for the lowest of the cribs." An individual policeman might charge twenty-five cents to a dollar for each woman in houses on his beat, money that was famously left on door stoops at night for covert collection.¹⁰⁴ As the figures most responsible for enforcing local law, the recorders aroused particular skepticism. At the very least, they tended too often towards leniency, perhaps a

¹⁰² New Orleans police, like the rest of the city, remained under military government until April 1866. Police then went to local control until 1868 when Louisiana Republicans, supported by Congress after infamous racial violence such as the Mechanics' Institute Riot of July 1866, created the Metropolitan Police under state control. The Metropolitan Police would last only as long as Reconstruction itself until Democrats took control of the state government. See Rousey, *Policing the Southern City*, especially chapter four, "The Shock of Change: War, Occupation, and Early Reconstruction, 1861-1868," 102-25, and chapter five, "Crisis of Legitimacy: The Metropolitan Police, 1868-1877," 126-58.

¹⁰³ "A Question of Authority," *Daily Picayune*, New Orleans, Louisiana, 8 March 1867, 8. See also "Which King?" *Daily Picayune*, New Orleans, Louisiana, 9 March 1867, 9.

¹⁰⁴ Asbury, *The French Quarter*, 352-3. Asbury also notes that many powerful government officials and business leaders financed brothels in the city, working in partnership with madams and reaping a generous share of their spoils.

suspect leniency in the *Picayune*'s estimation. In May 1868 the women of one lavish brothel appeared in Recorder Gastinel's court charged with robbing a customer. The paper described the scene and Gastinel's reaction: "The flash of costly diamonds and the rustle of silken robes looked out of place in the gloomy hall. But the court evidently enjoyed it, for his face brightened, and he looked anything but displeased."¹⁰⁵

Gastinel was not the only recorder to react to prostitutes with more amusement than censure. In November 1868, "a bevy of four or five of those delicate exotics" came before the Recorder's court of the First District. All housemates, one woman stood accused of intent to kill another, but Recorder Becker protected all from general view in the courtroom. He seated the alleged victim in a corner close to his bench. As the annoyed court reporter for the *Picayune* surmised, "clad in costly robes, fair haired and blue eyed, no wonder she excited the jealous vigilance of the magnate of the bench." When the trial commenced, Becker moved all its participants to his private office, and "There, away from the crowd, the case was decided." The reporter wryly concluded that this "curious" move "can only be accounted for on the hypothesis that it was more comfortable in there."¹⁰⁶ Both of these incidents involved serious allegations—larceny and intent to kill—but were nevertheless casually dropped by the recorders. The *Picayune* depicted both judges as lenient towards, even indulgent of, prostitutes and their crimes, but the "silken" and "costly robes" in each incident suggest that the women had the means to pay off the recorders and, in the second case, may have been called upon for sexual favors as well.

¹⁰⁵ "A Robbery," *Daily Picayune*, New Orleans, Louisiana, 9 May 1868, 2.

¹⁰⁶ "Beauty in Court," *Daily Picayune*, New Orleans, Louisiana, 12 November 1868, 7.

As frustrating as this situation must have been to honest officials, public reaction to this corruption usually said more about larger political issues than the specific treatment of prostitution and crime in the city. The August 1865 investigation into recorders' corruption was conducted at a time when the city's police remained under military authority and, though the recorders were popularly elected, the *Picayune* claimed to echo a general public sense that the criminal justice system was not functioning properly, in part because its branches answered to different constituencies. The police fell back to local control in April 1866 and, although the force was still plagued by corruption, public outcry appeared muted. Judge W. W. Howe of the First District Court, himself a state appointee, in 1867 called New Orleanians' attention to the "bribery, corruption, oppression, extortion and misdemeanors in office, crimes which seem to flourish with peculiar vigor in times of change and trouble like these," but he was also forced to admit that "it is painful with what indifference the public regard their existence."¹⁰⁷

City control of the police was short-lived. Democratic control of local government, specifically the police force, culminated in the Mechanics' Institute Riot, or simply the New Orleans Riot, of July 30, 1866, in which local whites attacked a meeting of Republicans in the city and killed thirty-eight men, most of them African-American. Not only did this violence contribute to the turn to Congressional Reconstruction nationally but locally the prominent participation of policemen in the attacking white mob led to a sweeping restructuring of the city's police force. In 1868 with Congress's blessing Louisiana Republicans created the Metropolitan Police, which combined Orleans, Jefferson, and St. Bernard Parishes into one police district. Overseen by the state government, the

¹⁰⁷ "Charge to the Grand Jury," *Daily Picayune*, New Orleans, Louisiana, 2 April 1867, 8.

Metropolitan Police joined administrative reforms with Reconstruction-era objectives for a racially-representative force.¹⁰⁸ In large measure the changes were effective. More policemen meant more arrests, and the Metropolitan Police employed men of color in numbers roughly proportional to their local population and, moreover, assigned them to posts across the city, not just in historically-black neighborhoods.¹⁰⁹

Historian Dennis C. Rousey labels the diverse Metropolitans “pioneers of integration,” but this police force aroused great opposition among local whites, who resented the increased expenses of the new system, its ties to state Republicans, and its racial composition.¹¹⁰ While the *Picayune* reviled “this odious system of Metropolitan Police imposed upon us in violation of our clearest rights of local self-government and police,” the

¹⁰⁸ The administrative reforms were modeled after New York’s Police Reform Act of 1845, which is generally seen as a landmark in the professionalization of police forces in the U.S. New York’s system specified policemen’s duties, regularized salaries, and increased responsibility for surveillance. It was itself modeled on London’s Metropolitan Police created in 1829. See Srebnick, *The Mysterious Death of Mary Rogers*, especially chapter five, “Who Murdered Mary Rogers?: Police Reform, Abortion, and the Criminalization of Private Life,” 84-108. In his study of police in nineteenth-century New Orleans, Dennis C. Rousey emphasizes that cities in the U.S. South had a tradition of military-style police in their use of slave patrols. Although not the professionalized forces of later reforms, these police were more clearly organized—and more heavily-armed—than their counterparts in northeastern cities in the early nineteenth century. Rousey, *Policing the Southern City*, especially chapter one, “Into and Out of the Orbit of Mars: The Military Style of Policing, 1805-1836,” 11-39.

¹⁰⁹ In March 1873, the state legislature passed the Metropolitan Brigade Law, which authorized the governor to call up the Metropolitan Police as a militia throughout the state, and Metropolitans were called up in such violent incidents as the Colfax Massacre of that same year. This measure, however, further angered white New Orleanians, who saw this as further evidence of the politicization of the police to protect Republicans. Dennis C. Rousey summarizes the reforms of the Metropolitan Police: “The state government under Republican administration increased the size of the force, expanded Metropolitan Police jurisdiction to encompass the entire state . . . , mounted a substantial contingent of police on horseback and deployed other men on boats, instituted medical screening of recruits and imposed strict medical discipline on active members of the force, provided more on-the-job instruction and drill, offered pensions for long service, sharply reduced arrests for vagrancy, and gave the police larger public health and social service roles.” See Rousey, *Policing the Southern City*, especially chapter four, “The Shock of Change: War, Occupation, and Early Reconstruction, 1861-1868,” 102-25 and chapter five, “Crisis of Legitimacy: The Metropolitan Police, 1868-1877,” 126-58. Quote from page 126.

¹¹⁰ An 1870 investigation by the *Picayune* determined that expenditures for the Metropolitan Police almost doubled those of previous police systems in postwar New Orleans, increasing from \$561,959.55 to \$939,800.99 in the first year of its implementation (comparing 1867 to 1868). Moreover, these expenditures, paid by local taxes, compared unfavorably with other major U.S. cities larger than New Orleans. “The Metropolitan Police,” *Daily Picayune*, New Orleans, Louisiana, 27 December 1870, 1.

force survived on support from Republicans in state offices (themselves sustained by Congress) and so the Metropolitan Police lasted only as long as Reconstruction itself.¹¹¹ Public concern about corruption swelled concurrently with political contempt for the Metropolitans, enfolding prostitutes within this larger political drama. Critics of the Metropolitan Police accused them of failing to enforce laws controlling prostitution, gambling, and crime generally in the city. In March 1870, for example, a “shooting affray” occurred in a brothel on Basin Street, but police charged the woman only with assault, a minor charge. The *Picayune* hinted at corruption in the case’s handling, protesting of the charge of assault that “This is certainly a very nice way of putting it, and clearly evinces the intensely delicate sensibility of our metropolitan police.”¹¹²

The corruption implied in this instance was fully exposed in early 1870 when two robbers dubbed the “Toulouse street burglars” and their female companions, both *demireps*, escaped the city with the aid of high-placed police officials. Professional thieves, the two men robbed a bank on Toulouse Street and absconded with an unstated but undoubtedly large amount of money. Police, however, did not acknowledge the robbery for two days, thereby allowing the men to escape the city on a schooner captained by a police official’s brother. Members of the police also arranged the concealment and later the transport of the two prostitutes named Annie Flynn and Maggie Scott to join their lovers first in Vicksburg, Mississippi, and then to points unknown. This incident, investigated in depth by the Metropolitan Police and the *Picayune* once it came to light, resulted in one firing and several reprimands, but public opinion condemned the entire Metropolitan Police system for the

¹¹¹ “The Metropolitan Police,” *Daily Picayune*, New Orleans, Louisiana, 11 February 1870, 11.

¹¹² “A Nice Way of Putting It,” *Daily Picayune*, New Orleans, Louisiana, 8 March 1870, 2.

widespread corruption the “Toulouse street burglars” exposed, including at the highest level of the Board of Commissioners. The *Picayune* blasted the “tangled mesh of police duplicity” that secured the escape of Flynn, Scott, and the robbers, going so far as to denounce the Metropolitans as “a system of police depravity and corruption without example in this or any other city.”¹¹³

The *Picayune* largely refrained from directly denouncing the Metropolitans for including men of color in its ranks, but it did not shy away from employing racialized rhetoric to condemn police corruption, editorializing that “The leprosy of mutual robbery and plunder has become so effectually ingrained into the composition of the police force that the few good men on it cannot whiten the black mass into a single redeemable feature.”¹¹⁴ Such attacks revealed the political opposition, including racism, at the heart of protests of corruption. This criticism, however, obscured the corrupt practices that had long dogged the municipal government of New Orleans in all its branches, including earlier police systems. Despite increased attention to the issue in the pages of the *Picayune* at times of political stress, the forms and, likely, the frequency of corrupt dealings with the New Orleans *demimonde* were largely unchanged over the period.

No police system in Reconstruction-era New Orleans whether under military, local, or state authority attempted to purge corruption from its ranks in any sustained manner. Instead, the regulatory system, far from discouraging corruption, accommodated it. By

¹¹³ “An Inefficient Police: The Burglars Escape,” *Daily Picayune*, New Orleans, 12 February 1870, 2; and “Black Mailing by the Police: The Way Swindling Is Done,” *Daily Picayune*, New Orleans, Louisiana, 8 April 1870, 2. For more on the incident, see “More About the Police: The Workings of the System,” *Daily Picayune*, New Orleans, Louisiana, 10 February 1870, 2; “A Speculative Police: How They Do,” *Daily Picayune*, New Orleans, Louisiana, 11 February 1870, 2; and “The Toulouse Street Burglars: Two of Them Arrested,” *Daily Picayune*, New Orleans, Louisiana, 13 February 1870, 2.

¹¹⁴ “An Inefficient Police,” *Daily Picayune*, 12 February 1870.

acknowledging that prohibition was not its objective, regulation allowed corruption to continue more covertly than before since the open practice of prostitution in the city did not itself demonstrate that police were failing to enforce anti-prostitution laws, as was the case in non-regulated cities such as New York. Madams, landlords, and individual women continued to bribe and barter with policemen of all ranks, but the practice of their business itself did not testify to corruption in the city. But corruption's continuance was not the only flaw in the implementation of regulation. The great variety of *demireps*' lives and practices not only financed corruption but also challenged the regulatory system's assumption that their identities could be easily classified and their business made orderly.

* * *

The most marked characteristic of the New Orleans's *demimonde* was its diversity. Its women workers came from across the city's wide racial and ethnic spectrum, and their heterogeneity became part of the appeal—and infamy—of New Orleans's commercial sex trade. Prostitution painted a broad sweep across the city, overtaking a beltway of neighboring streets with its allures, dangers, and general disorder. Women worked across the city in accommodations ranging from dark, depressing “cribs,” occupied only by a woman and a bed, to opulent mansions dizzily decorated to the height of current fashion. Madams presided over these bordellos, often becoming well-known and even powerful public figures. Other women worked as “waiter girls” in saloons throughout the city with the scope of their duties left titillatingly ambiguous. This great diversity in both participants and practice continually complicated the task of defining so broad an industry, much less formulating and enforcing specific regulations on it.

Mirroring the general population of the city, white, black, Creole, and immigrant women all worked in prostitution, sharing the same neighborhoods and streets, sometimes even the same houses. Prostitution in New Orleans was, in fact, unique in the nineteenth-century U.S. in combining size, visibility, and racial diversity. New York's industry was similarly large and conspicuous, but women of color comprised only a small proportion of the trade, reflecting their smaller population in the city.¹¹⁵ Prostitution in the West, on the other hand, involved higher proportions of black, Native American, Mexican, and Chinese women, but none of these frontier cities matched New Orleans in either the sheer size or national notoriety of their trades.¹¹⁶

The *Picayune* employed a variety of language to describe black women in prostitution. They might be "colored nymphs, ugly as mud," "dirty strumpet[s]," or "dusky nymphs."¹¹⁷ Sometimes they were even "darkly fair" but, however characterized, they were prominently featured in the paper's reporting of the sex trade.¹¹⁸ In the antebellum period it had been illegal, if still not uncommon, for black women to live and work alongside white women; now such arrangements occurred widely and legally, including with black madams renting rooms to white prostitutes.¹¹⁹ Customers routinely included white men as well as

¹¹⁵ Hill estimates that African Americans comprised only approximately five percent of New York City's population in the mid-nineteenth century. Although she finds a few so-called "Creole" or black brothels, most prostitutes were white. Hill, *Their Sisters' Keepers*, 55-57.

¹¹⁶ Butler, *Daughters of Joy, Sisters of Mercy*, 4-14.

¹¹⁷ "First District," *Daily Picayune*, New Orleans, Louisiana, 25 August 1866, 3; "Larceny," *Daily Picayune*, New Orleans, Louisiana, 11 December 1867, 8; and "Recorder Neville's Court," *Daily Picayune*, New Orleans, Louisiana, 4 December 1867, 2.

¹¹⁸ "Recorder Neville's Court," *Daily Picayune*, 4 December 1867.

¹¹⁹ For instance, in 1868 black madam Julia Arbuckle and white resident Mary Wilson sued two policemen for attempted rape at Arbuckle's Magazine Street brothel. "Attempt at Rape," *Daily Picayune*, New Orleans, Louisiana, 10 January 1868, 8.

men of color. The *Picayune* did not always identify race, but when it did reveal the race of both a prostitute and her client it hastened to chastise white men who patronized black women. For example, the paper expressed “little sympathy” when a white man claimed that a woman named Anne Clayton, “the keeper of a low negro den on Basin street,” had robbed him of eighty dollars. “It was, to say the least,” the paper commented, “not a very suitable place for a person to go professing to be white.” White men, it would seem, surrendered some of their social authority by paying a black women for sex. But even the *Picayune* had to acknowledge the frequency of such transactions, admitting after this man’s alleged loss that “His case is similar to that of many men almost daily laid before the authorities,” a statement that did not refer only to prostitutes’ thefts.¹²⁰

Perhaps no figure so well epitomized the city’s sex trade or indeed New Orleans’s unique culture in the nineteenth century as the prostitute of mixed ancestry, identified as “mulatto,” “quadroon,” or “octaroon” in the parlance of the day. Often Creole, these women occupied a liminal racial space still widely recognized as between black and white (although the proportion of African ancestry defined their social status). Legal documents of the postwar era collapsed this complexity into the totalizing category of “colored,” but popular attitudes, including those expressed by the *Picayune*, attributed to them a unique allure that captivated male customers, white men particularly. Despite its general disapproval of interracial sex, the paper did not fail to observe how beguiling multiracial prostitutes could be, noting for example in 1870 that the emergence of a “*café au lait* complexioned” woman named Octave Montgomery in the trade was “just now creating intense excitement . . . by

¹²⁰ “A Disturbance in Burgundy,” *Daily Picayune*, New Orleans, Louisiana, 30 January 1868, 2.

envious rivalry of claimants for her smiles.”¹²¹ The *Picayune*’s common description of these women as “fancy quadroons” communicated multiple meanings.¹²² On one hand, women of mixed ancestry were often employed in better, more exclusive houses, and some women achieved material success unattainable in the other types of work available to them.

Multiracial women were also *fanciful* figures, women who excited sensuous imaginings that obscured their real lives and experiences. New Orleans novelist George Washington Cable drew upon this romanticism in his 1881 novella *Madame Delphine*, which tells the story of the eponymous woman, a quadroon, and her daughter Olive, who could pass for white. His descriptions relate the prevailing attitudes of the day:

[A]s the present century was in its second and third decades, the *quadroones* . . . came forth in splendor. Old travellers spare no terms to tell their praises, their faultlessness of feature, their perfection of form, their varied styles of beauty,—for there were even pure Caucasian blondes among them,—their fascinating manners, their sparkling vivacity, their chaste and pretty wit, their grace in the dance, their modest propriety, their taste and elegance in dress. In the gentlest and most poetic sense they were indeed the sirens of this land.¹²³

Such portraits emphasized multiracial women’s beauty, which was only intensified by the transgressive awareness that, however many “pure Caucasian blondes [were] among them,” their ancestry was not wholly white. Their allure fed on a tragic eroticism around depictions of multiracial women, Cable’s characters included. In nineteenth-century literature, “mulatto” women were often figures of sadness and struggle who bore the punishment for their “unnatural” begetting throughout their lives. Contemporary racial ideology ascribed a

¹²¹ “Disturbance on Gasquet Street,” *Daily Picayune*, New Orleans, Louisiana, 25 February 1870, 2.

¹²² “Second District,” *Daily Picayune*, New Orleans, Louisiana, 30 March 1866, 3.

¹²³ George Washington Cable, *Madame Delphine*, in *Old Creole Days*, 1-84 (1881; reprint, Gretna, Louisiana: Pelican Publishing Company, 2001), 5-6.

heightened, even dangerous, sexuality to women so conceived. As another character in *Madame Delphine* says of young, beautiful Olive, “She is a *quadroone*; all the rights of her womanhood trampled in the mire, sin made easy to her—almost compulsory.”¹²⁴ Particularly since black women were so often represented as the seducers rather than the victims of the white men who fathered their children, multiracial women were widely regarded as combining the beauty of white ancestry with the sexual rapacity imputed to people of color.¹²⁵ The *Picayune* described this as “the fiery blood of the tropics—emotions that fever and blood that burns, under a complexion of *caufé au lait*.”¹²⁶ Such attitudes drove demand for women of mixed ancestry in New Orleans’s sex trade, particularly in a city long associated with *plaçage*, quadroon balls, and other forms of tolerating sex between white men and multiracial women.¹²⁷

The participation of women of color in the New Orleans sex trade was one of its most distinctive features, but white native-born and immigrant women formed the majority of the city’s prostitutes, just as in the general population. Many came from the Crescent City’s

¹²⁴ *Ibid.*, 26.

¹²⁵ Deborah Gray White posits the Jezebel figure as one of the two primary images of black women in the nineteenth-century South. The Jezebel was “a person governed almost entirely by her libido” and was deployed to obscure white men’s sexual exploitation of enslaved women. Deborah Gray White, *Ar’n’t I a Woman? Females Slaves in the Plantation South* (New York: W. W. Norton & Company, 1985), 29. Long observes that “The cultural power and appeal of the octoroon as an erotic type came partly from her ability to integrate strands of all the nineteenth-century sexual stereotypes of women,” including the different ones for white and black women. She argues that multiracial women in the trade afforded their white male customers an opportunity to “transgress the color line” with women believed superior to other women of color. Long, *The Great Southern Babylon*, 206.

¹²⁶ “An Unfortunate,” *Daily Picayune*, New Orleans, Louisiana, 16 February 1869, 2.

¹²⁷ *Plaçage* was a system in which white men contracted long-term sexual relationships with free women of color, who were often quadroon or octoroon. It was largely associated with Creole traditions in New Orleans and peaked in the late eighteenth and early nineteenth centuries. Its mystique, however, continued long after the formal system of *plaçage* declined and certainly contributed to the eroticization of multiracial women in New Orleans. For more on the history of women of mixed ancestry in New Orleans’s sex trade, see Landau, *Spectacular Wickedness*.

large Irish population, the largest in the South. It was common in nineteenth-century U.S. cities for immigrant women to dominate the local sex trade. For instance, in Dr. William Sanger's famous *The History of Prostitution* (1858), the most important study of prostitution in the nineteenth-century U.S., over sixty percent of the women he interviewed in New York's trade were foreign-born, the largest number of them Irish.¹²⁸ Likewise, Judith Schafer estimates that "a large majority" of New Orleans's antebellum prostitutes were Irish although their share likely decreased with more African-American women entering the trade after Emancipation.¹²⁹ Their whiteness, however, was largely invisible in discussions of prostitution in the city. Unlike the condemnations and eroticizations of women of color in the trade, white women's race received little explicit comment from the *Picayune*. Instead, the paper's matter-of-fact treatment of white prostitutes spoke to the general social tolerance of prostitution in New Orleans where it was seen as in no way remarkable that white women worked in the trade, especially when they were drawn from the city's working and immigrant classes.

Descriptions of individual men who patronized women in the sex trade are rare although we know that it was a common practice among men from all ranks of society. Prostitutes had long been known to solicit sailors, and the port of New Orleans brought in many customers as men travelled through the city either on river- or sea-going vessels. But prostitution in New Orleans encompassed a much broader range of clients than this.

Nineteenth-century gender ideology celebrated men's sexual agency and appetites and

¹²⁸ Hill, *Their Sisters' Keepers*, 53, and Stansell, *City of Women*, 178. See William W. Sanger, M.D., *The History of Prostitution: Its Extent, Causes, and Effects Throughout the World; Being an Official Report to the Board of Alms-House Governors of the City of New York* (New York: Harper & Brothers, 1858).

¹²⁹ Schafer, *Brothels, Depravity, and Abandoned Women*, 11.

assumed that men were not always satisfied within marriage. Contemporary attitudes also sanctioned a man's sexual access to women considered his social inferiors by class, ethnicity, or race, making working-class women, immigrant women, and women of color particularly vulnerable to men's sexual exploitation. That these were often the groups of women working in prostitution only confirmed men's assumed sexual proprietorship.¹³⁰

In urban areas these attitudes toward male sexuality coalesced in what was called sporting culture, which celebrated drinking, gambling, fashion, sport, and sex. Chief amongst sporting pursuits was the patronage of prostitutes.¹³¹ Not all men who patronized New Orleans's sex trade defined their leisure by the sporting culture, but it certainly encouraged a larger social tolerance for prostitution. To a remarkable extent, men shared in these activities across broad differences in economic status and, in New Orleans, across race as well. Day laborers, dock workers, artisans, sailors, and steamboatmen pursued the same activities as professionals and moneyed gentlemen and, while their budgets might send them to different brothels, these houses shared the same streets and blocks.¹³²

Silence usually shrouded the names of men who visited these bordellos unless they were somehow cheated there. The *Picayune* routinely publicized the names of men who

¹³⁰ For more on nineteenth-century sexual ideology, see Long, *The Great Southern Babylon*.

¹³¹ This sporting culture indulged in the leisure pursuits made possible by disposable income and urban life filled with peers of similar ages and tastes. Particularly for a young man, prostitutes offered sex without the financial responsibilities of marriage or a more general social commitment while a married man might justify liaisons with prostitutes as protecting his respectable wife from his won prodigious sexual appetites. Brothels were, moreover, spaces of male socialization where men could enjoy sex, alcohol, and gaming among their peers apart from the increasingly-feminized space of the nineteenth-century home and family. For more on male sporting culture, see Cohen, *The Murder of Helen Jewett*; Gilfoyle, *City of Eros*, especially chapter five, "Sporting Men," 92-116; Helen Lefkowitz Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America* (New York: Vintage Books, 2002), especially chapter six, "New York and the Emergence of Sporting Culture," 125-43; and Srebnick, *The Mysterious Death of Mary Rogers*.

¹³² Judith Schafer writes of antebellum New Orleans that "Often free men of color, white men, and slaves all patronized the same brothels on any given night. This amount of racial integration was unknown in other southern cities." Schafer, *Brothels, Depravity, and Abandoned Women*, 157.

made allegations of theft while staying with a prostitute, certainly a deterrent to other men in like situations, but it was sometimes more circumspect with white middle-class or wealthy men caught in brothels.¹³³ For instance, in spring 1870 a “very respectable gentleman” alleged that he was “severely stabbed” during a robbery attempt. He first blamed a gang of male ruffians, but it was soon discovered that he had actually been in “a disreputable house on Franklin Street,” a street notorious for its many black prostitutes. Even though the *Picayune* believed that the man “has only been the victim of his own evil passions,” especially in crossing the color line, it withheld his name from publication since “he has a family, who would be mortified by such an exposure.”¹³⁴ The police also took pains to protect the names and reputations of wealthy men, often because of bribes or deference to their social power. In the summer of 1870, for example, the *Picayune* reported that a raid on a Basin Street brothel had discovered “a number of well known gentlemen, *highly respectable*, enjoying the hospitalities of the place.” The paper wished to provide their names to its readers but could not as the police had “retired without making an arrest.”¹³⁵ In this and so many other instances, men who visited brothels usually suffered little legal recourse or social censure for their choice of companions.

Fueled by this high demand, prostitution spread across the city.¹³⁶ Writing in 1936 Herbert Asbury claims, rather fantastically, that in 1870 “New Orleans had a population of

¹³³ For more on prostitutes’ larcenies, see chapter four, “‘Both Woman and money was gone’: Larcenies in New Orleans’s Regulated Sex Trade.”

¹³⁴ “Stabbing,” *Daily Picayune*, New Orleans, Louisiana, 7 April 1870, 2.

¹³⁵ “A Raid,” *Daily Picayune*, New Orleans, Louisiana, 27 August 1870, 2. Emphasis original.

¹³⁶ Historians of prostitution in nineteenth-century New York also find that the sex trade was practiced throughout the city. It was not associated with separate sex districts (always unofficially in New York) until the end of the nineteenth century. Gilfoyle, *City of Eros*, 223; Hill, *Their Sisters’ Keepers*, 175-6; and Srebnick, *The Mysterious Death of Mary Rogers*, 9.

approximately 190,000 bordellos of every degree of viciousness.” His figure is greatly exaggerated as it would represent almost one brothel per person in the city, but it does speak to the larger perception that postwar New Orleans was all but taken over by houses of prostitution.¹³⁷ Although the regulation of prostitution is often associated with the creation of contained sex districts, this was not yet the case in the 1860s and 1870s. The postwar ordinances permitted prostitution in all but the most respectable, elite areas, and working-class neighborhoods throughout the city housed the sex trade with little concern from city authorities.

Cases involving prostitutes before the First District Court allow us to chart how prostitution spread across the city in the postwar period while reporting by the *Picayune* helps to characterize the sex trade in different locales. As dictated by postwar regulations, the sex trade clustered in the corridor around Rampart and Basin Streets. Some of these streets were technically outside of the demarcated areas, but authorities generally tolerated brothels there as long as they were close to this boundary. Although only three blocks deep, this beltway traversed much of the city and lay near major commercial areas and prosperous residential areas as well as neighborhoods populated by humbler businesses and homes—all with the approval of the regulatory system. Approximately one-third of the city’s sex trade resided above Canal Street in the First District (the American Sector).¹³⁸ Much of this business was one block east of Rampart along Dryades Street, particularly the three blocks

¹³⁷ Asbury, *The French Quarter*, 352. The 1870 U.S. Census lists the total population for Orleans Parish as 191,418. *Ninth Census of United States, 1870, vol. 1: Population and Social Statistics* (Washington, D.C.: U.S. Government Printing Office, 1872), 34.

¹³⁸ This statistic is drawn from seventy-eight cases involving prostitutes before the First District Court, principally larceny and assault and battery cases. Twenty-eight of these cases occurred on streets in the First District, eleven of these on Dryades Street. This number likely underestimates the percentage of the sex trade in the First District since it relies on police enforcement.

between Common and Poydras Streets.¹³⁹ The *Picayune*'s description of the area illustrates how certain parts of the city were overrun by the sex trade and other illicit businesses.

Dryades was to be avoided by respectable citizens as "Incessantly the glare of the gaslight flashes out upon frail women, the drunken *debauche*, the excesses of the depraved and the vicious."¹⁴⁰ This description echoed refrains about prostitution in different areas across the city in which sex, alcohol, and general unruliness dominated any evening's activity.

Most of New Orleans's sex trade was based in brothels, and the area around Dryades Street was no exception. As with Paris's *maisons de tolérance*, brothels were easier for the city to monitor and tax under regulation, and they helped to keep sexual encounters off of the streets. Ordinances all but compelled women to move into bordellos by cracking down on streetwalking and submitting even unwitting boardinghouse keepers and landlords to heavy fines if they rented to prostitutes. The number of women sharing a house generally ran from four to seven, relatively small operations which fostered—or forced—intimacy among the women residents.¹⁴¹ Like most brothels in the city, those of Dryades Street were modest buildings befitting their residents' social status. Interior descriptions are rare, but one

¹³⁹ Dryades Street is now divided under several names: University Place, O'Keefe Avenue, Oretha Castle Haley Boulevard, and Dryades Street respectively from Canal Street upriver. The section of the street most discussed here is now called O'Keefe Avenue.

¹⁴⁰ "A Scuffle on Dryades Street," *Daily Picayune*, New Orleans, Louisiana, 4 October 1870, 2.

¹⁴¹ This data is drawn from prostitutes' cases before the First District Court that drew as witnesses groups of women all residing at the same address. The average number was 5.4 women, and the median was five. See *State of Louisiana v. Mary Tillman and Elizabeth Richard*, case no. 17573, 24 October 1866, First District Court (seven women); *State of Louisiana v. Lizzie Johnson*, case no. 285, 13 September 1868, First District Court (five women); *State of Louisiana v. Sarah Jones*, case no. 5032, 20 January 1873, First District Court (four women); *State of Louisiana v. Lizzie Johnson*, case no. 7099, 21 June 1874, First District Court (four women); *State of Louisiana v. Ellen Smith*, case no. 7870, 5 April 1875, First District Court (six women); *State of Louisiana v. Lucy Johnson*, case no. 7907, 5 June 1875, First District Court (five women); and *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*, case no. 8846, 27 April 1876, First District Court and related case *State of Louisiana v. Mary Hall, Celestine Antoine, and Louiza Bernard alias Bone*, case no. 8876, 27 April 1876, First District Court (total of seven women).

woman's mysterious death in the First District in November 1866 provides a glimpse into postwar brothels.

At seven o'clock one Saturday morning the body of a white woman was found drowned in a well in the backyard of a brothel on Perdido Street, which intersects Dryades. Her name was Annie Moody, and she was "about 25 or 30 years of age, sandy hair and stout built," as the *Picayune* reported. Her homely appearance communicated the house's humble position in the local trade, as did her plain clothing. Rather than the flashy silk gowns worn by women in the most exclusive houses, "she had on a calico dress, brown cloak, and a heavy pair of shoes." "She had," as the paper noted, "followed an abandoned life for years" as her relatively older age attested.¹⁴² Five women lived in the brothel including Ann Brown, who ran the house while still taking her own customers. Brown had known Moody for four years although she had just taken her room the morning before after being released from the city workhouse. Moody's room had likely been vacated by another woman recently jailed. Better houses were able to protect their women from imprisonment through bribes and pay-offs, but Brown had little such influence to peddle.¹⁴³

Ann Brown, two other women from the house, and two male customers present at the time of the body's discovery testified at the coroner's inquest, and they described in detail their and Moody's activities the night before. The house kept late hours with comings and goings through the night. The first man arrived at seven in the evening and left before midnight. Two others showed at ten and eleven o'clock, about the time that Brown and

¹⁴² In her mid- to late-twenties, Annie Moody was on the older side for nineteenth-century prostitutes, who typically entered the trade in their late teens. Many had left the trade, perhaps through marriage, by their mid-twenties.

¹⁴³ "Horrible Death and Supposed Murder," *Daily Picayune*, New Orleans, Louisiana, 17 November 1866, 9.

another resident, Kate Smith, went out to the market to get coffee. Brown later went to bed with one of the men while Smith waited until two in the morning to retire to her room alone, the only woman of the house to do so that night. Between 4 and 5 A.M., another resident showed the first man out of the house, finding the front gate unexpectedly left open. At seven in the morning, as the house awoke and the remaining men prepared to leave, Brown saw Moody's body in the well, a tragic coda to an otherwise ordinary evening at the house.¹⁴⁴

Testimony at the inquest revealed the shared working-class background of the men and women of the brothel, all of them white. Two of the men worked on steamboats out of New Orleans, one as a steward and the other as an onboard laborer. Another man lived nearby and drove a dray. This uptown house thus catered to a regular clientele of local men who could identify themselves as "an old acquaintance" of women in the house. One had even known the woman he patronized when she was a girl, although he added that he "had not seen her before for fifteen years."¹⁴⁵

Their local roots and established relationships with the women probably protected the men in the investigation of Moody's murder. She had last been seen by Brown at 10 P.M., "standing on the gallery on the rear of the house . . . her hair . . . hanging down her shoulders," as Brown testified, "a stout man . . . standing by her side." The man was Tom McDonnell, a regular visitor to the house and the last known person to see Moody alive. He was not, however, regarded with suspicion as the case abruptly ended after coroner's jury's verdict that she "came to her death by violence, committed by some persons unknown."¹⁴⁶ In

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*

1836 New York, by contrast, the murder of a prostitute named Helen Jewett became a national sensation as did the trial that followed, and both events were discussed and debated for years afterward as one of the most famous murders in the nineteenth-century U.S. Jewett, renown for her beauty and romantic allure, had worked in the best New York bordellos and was rumored to have had among her clients some of the most powerful men in the city.¹⁴⁷ Annie Moody, however, slipped almost immediately into anonymity, even within New Orleans, another victim of the city's *demimonde* obscured by the distinctively unromantic character of her life and work.

The Dryades area was no stranger to violence within or outside its many brothels, and much of it was interracial. One particular Sunday night in 1870 was the occasion of a fight between “some half a dozen men and women” on the sidewalk. As the paper recounted, “there were black women and white men, white women and mulattoes, rolling, tumbling, screaming and biting, while others stood by enjoying the scandalous encounter.” When the police tried to break up the melee, the combatants “flew at them like so many demons.”¹⁴⁸ Months later the *Picayune* reported that “a half dozen colored haridans set on a stranger, a Mr. Holmes, from Verdon, Ill., and [he] would have been robbed but for his cries for assistance.” The paper noted of Dryades Street that “robbery and theft are things of hourly

¹⁴⁷ Helen Jewett was murdered in her brothel in New York on April 9, 1836. She was violently beaten and killed with a hatchet. Her bed was then set ablaze in an attempt to conceal the murder, although the flames alerted the other women in the house. Her murderer, Richard P. Robinson, was a young clerk in the city and a long-time customer. Few doubted his guilt, but the general sentiment was that his life should not be ruined for killing a prostitute, and he was acquitted at his trial. The murder was sensationalized by the New York press, whose readers followed it obsessively, and the national press also picked up the story. Cohen, *The Murder of Helen Jewett*; Gilfoyle, *City of Eros*; and Hill, *Their Sisters' Keepers*.

The 1841 death of another New York prostitute, Mary Cecilia Rogers known as “The Beautiful Cigar Girl,” also created a media sensation, and “Mary Rogers” became shorthand for a murdered prostitute, although it seems she died of a botched abortion rather than a premeditated murder. In her book *The Mysterious Death of Mary Rogers*, Amy Gilman Srebnick argues that Rogers's death helped lead to New York's police reform and the criminalization of abortion, both in the 1840s. Srebnick, *The Mysterious Death of Mary Rogers*.

¹⁴⁸ “A Scuffle on Dryades Street,” *Daily Picayune*, 4 October 1870.

occurrence,” often accomplished through violence, and indeed it featured two more such violent acts within the next couple of days. Although the *Picayune* called for authorities to “clear the street out,” the police found themselves hard-pressed to instill quiet and good order here or in so many other areas of the city’s *demimonde*.¹⁴⁹

On the west side of the beltway ran Franklin Street, which crossed both above and below Canal Street. The area of New Orleans most associated with black prostitutes, Franklin Street was described by the *Picayune* as “a bad place” where “The ribald song—the orgies of drunken men and women—complete the realization of horror not to be found out of pandemonium.”¹⁵⁰ It was, in fact, the location for one-tenth of prostitutes’ criminal court cases, the third highest number of any street. That much of the trade here occurred in “cribs” only added to the street’s disrepute as women crowded into buildings subdivided to house (and collect rent from) the most prostitutes possible. The *Picayune* declared of Franklin Street that “peaceably disposed citizens find it almost impossible to endure,” but this was largely because the coffee-houses, saloons, and brothels that lined it catered largely to black customers or “idle and worthless negroes” in the *Picayune*’s estimation.¹⁵¹ Franklin Street’s notoriety, then, had as much to do with its clientele as with the women who worked there.

Most of the city’s sex trade was located in the French Quarter in the city’s Second District where prostitution spread broadly across six streets and at least eighteen blocks. Streets in the Second District were the most frequently noted by the *Picayune* in connection with prostitution, and almost two-thirds of all prostitutes’ cases before the First District Court

¹⁴⁹ “Attempted Robbery,” *Daily Picayune*, New Orleans, Louisiana, 13 January 1871, 2. See also “Cutting,” *Daily Picayune*, New Orleans, Louisiana, 13 January 1871, 2; and “Robbery,” *Daily Picayune*, New Orleans, Louisiana, 15 January 1871, 7.

¹⁵⁰ “A Bad Place,” *Daily Picayune*, New Orleans, Louisiana, 24 June 1870, 2.

¹⁵¹ “A Public Nuisance,” *Daily Picayune*, New Orleans, Louisiana, 26 June 1870, 2.

were alleged to have occurred here. The center of the trade in the French Quarter—its busiest blocks and the most infamous address in the city—was Burgundy Street, six blocks from the riverfront. (It was the same thoroughfare as Dryades Street, just changing names at Canal.) Over a third of all prostitutes' cases before the First District Court took place on this street alone and many more on streets that intersected it.¹⁵² Women of all races worked on Burgundy, even in the same houses more frequently than in other locations. Their customers were likewise a diverse and rowdy group as one policeman discovered in 1868 when he came upon “two white men, three negroes and four sable damsels, all indulging in a free fight.”¹⁵³

Brothels, saloons, gambling dens, and other illicit businesses filled at least six blocks, decried by the *Picayune* as “the evil class that line both sides of the street.”¹⁵⁴ The nightly activities along Burgundy—prostitution, gambling, drinking, thievery—were shared by other streets, but here these social evils and their perpetrators were concentrated like nowhere else in the city. It was “the haunt of the worst characters in the city,” the most violent robbers and thieves and the lowest, most degraded prostitutes in the city, who were as likely to rob or assault their clients as to seduce them.¹⁵⁵ The *Picayune* identified it as New Orleans's Alsatia, an area of early-modern London notorious as a den of crime and social disorder that the law was powerless to suppress.¹⁵⁶

¹⁵² Twenty-seven of seventy-eight cases involved allegations of crimes on Burgundy Street. This included ten assault and battery and fifteen larceny cases. This total number comprised thirty-five percent of all prostitutes' cases before the First District Court and forty-three percent of those in the First District.

¹⁵³ “A Disturbance in Burgundy,” *Daily Picayune*, 30 January 1868.

¹⁵⁴ “A Bad Place,” *Daily Picayune*, New Orleans, Louisiana, 2 June 1868, 2.

¹⁵⁵ “A Bad Place,” *Daily Picayune*, New Orleans, Louisiana, 2 April 1868, 2.

¹⁵⁶ “A Bad Place,” *Daily Picayune*, New Orleans, Louisiana, 6 May 1869, 12.

So notorious was Burgundy Street that even one block alone achieved lasting infamy. The block between Bienville and Conti Streets was known as Smoky Row, a collection of ramshackle buildings converted into brothels staffed by women who were likewise described as run-down at best. Herbert Asbury judges that “the dives of Smoky Row were as low as with which New Orleans had ever been afflicted,” and Al Rose concurs, labeling its women “the lowest element ever to practice prostitution in New Orleans.”¹⁵⁷ Their accounts highlight “a hundred black females who ranged in age from prepuberty to the seventies,” but contemporary newspaper accounts also note “Quite a number of females of a complexion from tan to pure Caucassian.”¹⁵⁸ Interestingly, many descriptions of Smoky Row and the rest of Burgundy Street recall tales of “the Swamp,” the center of prostitution in early nineteenth-century New Orleans. The haunt of rough rivermen on the outskirts of town—thus “the Swamp”—it was said that no policeman dared enter the area. Characterizations of Smoky Row and its environs as an Alsatia outside the law’s grasp echoed the era of the Swamp, but now this lawless underworld existed right in the heart of the city with the sanction of city authorities.

The paper’s hyperbolic description of nighttime on Burgundy Street illustrates the general social disorder attributed to prostitution, even under the regulatory system. As an 1869 editorial read,

As soon as the shadows of twilight fall the banquettes are thronged with the evil and depraved. Vice stalks forth in pursuit of victims, and the mask is dropped from features gross in deformity. From its dens echo the ribald song and peals the

¹⁵⁷ Asbury, *The French Quarter*, 390; and Al Rose, *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District* (Tuscaloosa: University of Alabama Press, 1974), 10.

¹⁵⁸ Rose, *Storyville, New Orleans*, 10; and “An Array of Females,” *Daily Picayune*, New Orleans, Louisiana, 10 March 1868, 2.

laugh where sin and horror hold a rivalry. The lights from many a gilded saloon flash over women and men, to whom crime is habitual and virtue an unmeaning word. It is here that the outlaw harbors and the enemies of society find a lair. Humanity shudders at spectacles which they regard as amusing, while its habitués care for nothing that is not wretched and debased.

The paper, however, proposed no remedy for the situation. The “good element which yet lingers in the evil thoroughfare” had no recourse but to relocate, in effect surrendering the street so that “none but the victims will know it again forever.” The police and city authorities thus largely abandoned Burgundy Street to the devices of its disreputable, disorderly inhabitants.¹⁵⁹ Regulation allowed authorities to protect certain areas of town from such infestation but also granted police the flexibility to tolerate the trade where they believed it did less harm. Although Burgundy was the most dramatic example of a street all but ruled by the sex trade, it remained one of many left so throughout the city.

The other most famous street for prostitution in Reconstruction-era New Orleans was Basin Street, two blocks behind Burgundy but, in the nature of its trade, a world away.¹⁶⁰ Stretching across the First and Second Districts, Basin was, in Asbury’s words, “a scarlet

¹⁵⁹ “A Bad Place,” *Daily Picayune*, 6 May 1869.

¹⁶⁰ Tellingly, both streets appeared to have a noticeable presence of female property ownership. City directories of the time do not provide a complete list of properties and addresses (especially for illicit businesses), but we can still observe this trend for Burgundy and Basin Streets. For instance, an 1866 city directory lists three women property-holders in the area of Basin Street most associated with prostitution: Mrs. Sarah Walton at the corner of Customhouse and Basin, Miss Laura Clifton at No. 15 Basin, and Mrythe [Myrthe] Bertrand at the corner of Canal and Basin. (We can infer that these three women were white as the book does not provide a racial descriptor.) Burgundy Street, in particular the area around Smoky Row, also listed women of color as property owners: Louise Lecont at No. 60 Burgundy and Virginia Knox at No. 85 Burgundy. Of all five of these women, only Lecont is provided an occupation, that of “rooms.” We cannot be sure these women were madams—none appeared as such in either court records or the *Picayune*—but there is a high likelihood that they were somehow connected to the trade. Charles Gardner, *Gardner’s New Orleans Directory for 1866, including Jefferson City, Gretna, Carrollton, Algiers and McDonogh; with a Street and Levee Guide, Business Directory, and an Appendix of Much Useful Information* (New Orleans: True Delta Book and Job Office, 1866).

thread through the heart of New Orleans.”¹⁶¹ By the Storyville era of the late nineteenth and early twentieth centuries, Basin Street became the most legendary address of the New Orleans sex trade and, by extension, of prostitution generally in the U.S. Its parlor-houses were the most ornate in the country at the turn of the century, but this development was already clearly underway in the postwar period. Although some of the lodgings were more modest, by 1870 the street was already best known for what the *Picayune* referred to as “the famous sin palaces on the Boulevard du Basin.”¹⁶² Both above and below Canal Street, prostitution overtook what had been prime residential real estate, moving into stately homes and building new mansions, even grander than those they replaced.¹⁶³ The bordellos were fitted and furnished to the height of fashion with no luxury spared: mahogany woodwork, gilded mirrors, Oriental rugs, crystal chandeliers, marble fireplaces, and more were *de rigueur* at these exclusive addresses. Customers paid for their share of this luxury, easily spending fifty dollars or more for expensive wine and even more expensive company in the best houses, a far cry from the twenty-five cents often charged in Smoky Row. As they did in the later Storyville era, the most exclusive brothels catered to a wealthy white male clientele and tended to be run and staffed by white and multiracial women.¹⁶⁴

Discretion, dispensed in so many ways, ruled these “sin palaces.” The expensive rates purchased the customer an experience that purported to expunge all the baser elements of the sex trade in favor of worldly sophistication distinguished by luxurious décor, fine

¹⁶¹ Asbury, *The French Quarter*, 357.

¹⁶² “A Raid,” *Daily Picayune*, 27 August 1870.

¹⁶³ Herbert Asbury asserts that the construction of many of these brothels was financed by politicians and government officials, who then shared a portion of their profits. Asbury, *The French Quarter*, 357-8.

¹⁶⁴ For more on Basin Street, see Asbury, *The French Quarter*, chapter twelve, “Some Loose Ladies of Basin Street,” 350-94.

wine, and uncommonly beautiful women. He expected to be shielded from the theft, drugging, and violence practiced in cheaper establishments like those on Burgundy Street. A customer also assumed that the madam of the house could protect his identity should there be any trouble with the police, and indeed the steep pay-offs madams supplied to police and local authorities largely protected the houses from scrutiny. Even the residents of the houses benefited. For instance, when two inmates of one Basin Street house waged a violent quarrel in 1868 leaving one with “several stab wounds in [her] side and shoulder,” the incident never made it before the police even as participants’ names were carried openly in the *Picayune*. As the paper stated, “the utmost precautions [were] taken to prevent the matter reaching the ears of the police,” even as they reached the reporter in great detail.¹⁶⁵

The paper was more forthright about the protection the police offered exclusive Basin Street brothels in its discussion of a December 1870 raid on “the Boulevard du Basin, and that sister street in iniquity, the humble and unpretentious Dryades.” The police picked up “a motley herd of human beings, of every age and condition, of the feminine gender.” Although there were plum pickings in the Basin Street mansions, the police instead mainly targeted the lower establishments on Dryades Street. “Not among palaces of sin—not into sumptuous halls of profligacy and vice entered they,” the *Picayune* observed, “their fierce wrath awakened only in sheds and hovels, where poverty barter virtue for the sustenance of life.” The paper accused the police of cruelty for prosecuting women involved in the trade through desperation rather than greed. Such women would be better served by “a pittance for charity” than by imprisonment.¹⁶⁶ Implicit in the *Picayune*’s discussion was the corruption

¹⁶⁵ “A Stabbing Affray,” *Daily Picayune*, New Orleans, Louisiana, 15 July 1868, 2.

¹⁶⁶ “A Raid Upon the Lowly,” *Daily Picayune*, New Orleans, Louisiana, 7 December 1870, 2.

that protected Basin Street bordellos, but the ordinances likely violated by the Dryades Street women—being a public nuisance or engaging in street solicitations—were less likely to apply to residents of parlor-houses in the first place. The regulatory laws themselves thus helped to minimize police interference in the city’s most exclusive brothels.

The regulations that helped to protect parlor-houses also did little to curb the power of the madams who presided over them. In fact, by officially tolerating their houses, regulation if anything formalized madams’ authority in the New Orleans *demimonde*. Commanding authority through their local celebrity, deft use of the legal system, and ostentatious self-display, Hamilton and other New Orleans madams made it clear that they were much more than the simple “lewd and abandoned women” targeted by city ordinances. The full scope of the madams’ power and influence was rarely unveiled but, when exposed by extraordinary circumstances, these incidents became important local events whose notoriety in turn only added to madams’ renown.

Such was the case in July 1870 when two men engaged in a deadly quarrel in the brothel run by Kate Townsend, described three years earlier by the *Picayune* as “the most fashionable courtesan of the town.”¹⁶⁷ Likely the most famous parlor-house in all of Reconstruction-era New Orleans, Townsend’s mansion at No. 40 Basin Street above Canal between Common and Gasquet Streets had been built after the war at a rumored cost of over a hundred thousand dollars, as Asbury reports, “at the joint expense of a high police official, a Recorder, and several members of the Common Council.”¹⁶⁸ It was the most exclusive brothel in the city where all the customers were personally vetted by Townsend herself

¹⁶⁷ “School for Scandal,” *Daily Picayune*, New Orleans, Louisiana, 10 April 1867, 8.

¹⁶⁸ Asbury, *The French Quarter*, 360-1. Asbury writes that it was built in 1866 although the *Picayune*, which regularly featured Kate Townsend in various local reporting, did not list Basin Street as her address until 1870.

before being admitted to the parlor.¹⁶⁹ This formality satisfied regulation's command against public solicitation, but it did not keep all trouble away.

On Saturday night July 30, 1870, two local white men arrived at No. 40 Basin Street around 10:30 P.M. after an evening of eating, drinking, and gambling. Kate Townsend personally welcomed James White and Augustus Taney when they entered the house and even inquired about Taney's recent travels. Following custom, the men were expected to treat the women present, then six including Townsend, to wine before making their evening's selection. When Taney tried to order a bottle, however, he found that he only had \$2.50. Townsend waved off his concern, telling him he could settle the bill another time, but neither Taney nor White were satisfied. The eye witnesses, all women, remembered the origin of the men's quarrel differently. One recalled White provoking Taney by proclaiming, "I can pay for the wine, and lick any dirty s-n of a b-h that don't want to pay for it." Others, including Townsend, testified that Taney accused White of stealing from him. One of the two male musicians playing out of sight in the hall recounted that he heard Taney, whose voice he recognized, say "If you don't give me my money, I'll shoot you." White drew a knife on his accuser, at which point the women scattered out of the parlor, thus avoiding the quarrel's conclusion: James White stabbing Augustus Taney in his left side.¹⁷⁰ Taney stumbled out of the room, meeting Townsend, who remembered his final moments, "Mr. Taney then came to

¹⁶⁹ *Ibid.*, 371. Al Rose claims that Townsend's house may well have been "the flossiest brothel in the hemisphere" during its heyday. Rose, *Storyville, New Orleans*, 13.

¹⁷⁰ "The Basin Street Homicide: The Examination Before Recorder Houghton," *Daily Picayune*, New Orleans, Louisiana, 17 August 1870. See also "The Basin Street Homicide," *Daily Picayune*, New Orleans, Louisiana, 2 August 1870, 2; "The Basin Street Homicide," *Daily Picayune*, New Orleans, Louisiana, 3 August 1870, 2; and "The Basin Street Homicide: The Coroner's Inquest Continued," *Daily Picayune*, New Orleans, Louisiana, 4 August 1870, 2.

me and said, ‘oh, Kate,’ and put his hands around my neck.” He died in her arms in the brothel’s hallway.¹⁷¹

From the testimony reprinted in the *Picayune*, we can name five women who lived in the brothel, all apparently white like Townsend, and the two Italian musicians employed by Townsend. An unnamed servant of the house, likely black, is also mentioned.¹⁷² The murder’s aftermath exposed not only their identities but the extensive ties among parlor-houses, their clients, and the city police. After the incident, Townsend sent the unnamed servant to find the beat policeman, Officer Van Kirk, who was well-known in the *demimonde*.¹⁷³ Van Kirk knew both White and Taney and had spoken to them on the street before they entered the brothel. Another officer, Capt. G. J. Schriber, knew White by name and brought “Jimmy” peacefully to the station later that night. Even the Chief of Police, Col. A. S. Badger, had met Taney earlier in the evening five blocks away on St. Charles Street, where the two had quarreled on account of what Badger called Taney’s “loud talk and nonsense.” All three officers absolved James White of wrongdoing by emphasizing Taney’s notoriously bad character. He was known to carry a “large Colt’s revolver” and, as Chief of Police Badger testified, “when under the influence of liquor the deceased was very disagreeable, and sometimes quarrelsome; I have known him to be engaged in several cutting

¹⁷¹ “The Basin Street Homicide,” *Daily Picayune*, 3 August 1870.

¹⁷² The women’s names were Rosa/Rose Allen, Allie/Alice Keys, Jenny/Jinny Higdon, Jenny Maretta/Maratti, and Belle Woods, and the musicians, Rafael Barra and Louis Barra/Baure, lived on Bourbon Street. The *Picayune*’s spelling of their names was not consistent. Most servants employed in brothels were black women and, in the most exclusive houses, sometimes men as well. See “The Basin Street Homicide,” *Daily Picayune*, 3 August 1870; “The Basin Street Homicide: The Coroner’s Inquest Continued,” *Daily Picayune*, 4 August 1870; and “The Basin Street Homicide: The Examination Before Recorder Houghton,” *Daily Picayune*, 17 August 1870.

¹⁷³ Officer Van Kirk was among the few police officers commended by the *Picayune* for his honest enforcement of local laws, and he led numerous raids against brothels in the First District.

and shooting scrapes.” By contrast the accused White, in Van Kirk’s words, was “reasonable and well-disposed.”¹⁷⁴

The police thus painted the murder as an act of self-defense. James White was not guilty of malice nor by extension was Kate Townsend’s brothel to blame for this event of “widespread regret.”¹⁷⁵ The deadly incident, as this line of reasoning implied, could have happened anywhere. This perspective ignored the violence that occurred widely in brothels, including the “sin palaces” of Basin Street. The handling of the case also suggested that the only eye-witnesses were the house’s residents, alone in the brothel except for Townsend, Taney, White, and the two musicians. This seems unlikely for a busy Saturday evening. Moreover, can we believe that all the women of the house, including Townsend, fled the parlor not to witness the stabbing? Investigations into the case did not push the women on their timely exits from the room, and only one resident acknowledged that “I did not see any man in the parlor with the exception of Mr. White and Mr. Taney; *there may have been others,*” a possibility that was never resolved.¹⁷⁶

Far from damaging the reputation of Townsend or her house, the 1870 incident only added to her local celebrity. So fabled did the murder become that legend tells that Townsend, who kept White’s knife, later died by it in 1883 at the hands of her long-time lover, a member of a prominent New Orleans family.¹⁷⁷ Celebrity, combined with wealth

¹⁷⁴ “The Basin Street Homicide: The Examination Before Recorder Houghton,” *Daily Picayune*, 17 August 1870.

¹⁷⁵ “The Basin Street Homicide,” *Daily Picayune*, 3 August 1870.

¹⁷⁶ *Ibid.* Emphasis mine.

¹⁷⁷ Asbury describes that Townsend’s “fancy man,” Treville Egbert Sykes, became jealous over her attentions to a young man. The dispute ended in a fatal fight in her suite in the brothel on November 3, 1883. Sykes was acquitted at trial and waged a long but unsuccessful fight against Louisiana’s anti-concubinage laws to inherit Townsend’s wealth. Asbury, *The French Quarter*, 372-8. See also Rose, *Storyville, New Orleans*, 11.

and political connections, endowed Kate Townsend and madams like her with considerable social capital in the city, power that often allowed them to skirt local laws and regulations or even use them in their own favor. Born in Liverpool in 1839, Kate Townsend immigrated to New Orleans in 1857, began her *demimonde* career soon after, and opened her own brothel in 1863, becoming a commanding local figure along the way.¹⁷⁸ Both individual citizens and the criminal justice system deferred to her authority, as one derelict customer named Jacob Bayersdoffer learned in 1867. He had fallen over one hundred dollars behind in his payments, “alleged to be due her,” as the *Picayune* explained, “for wine drank in her house, and . . . ‘reveling.’” Determined to collect, she repeatedly had her coachman drive her to Bayersdoffer’s house, no doubt creating quite a spectacle along the way.¹⁷⁹

The *Picayune* described what happened after one day’s ride: “Not finding that gentleman at home, she took occasion to tell his wife that if Mr. B. did not pay what he owed her, she would hire one of her men to knock his brains out, and tear down his house.” Bayersdoffer was furious at the threat, so much that “wisely or not, [he] concluded to cause the arrest of Miss Kate, and throw himself under the protecting care of the law.” The recorder and the *Picayune* alike conceded that Townsend would have been better to pursue her cause through the civil courts, but they saw no reason to prolong the hearing, dismissing her with a twenty-five-dollar fine that, though steep, everyone knew she could easily pay. Her case quickly concluded, “Miss Kate swept as gracefully as a queen out of court.”¹⁸⁰

¹⁷⁸ Asbury, *The French Quarter*, 368-9. Her first brothel was located at the corner of Villeré and Customhouse Streets.

¹⁷⁹ “School for Scandal,” *Daily Picayune*, 10 April 1867.

¹⁸⁰ *Ibid.* The article listed Bayersdoffer’s full name but also abbreviated it to Mr. B. in subsequent mentions for convenience.

As the most famous madam in town, Kate Townsend was no stranger to the *Picayune*'s pages, but this "queen" was a rarer sight in the city courtrooms, which made her irregular appearances like that with Bayersdoffer all the more sensational. This case, as the paper observed, "attract[ed] the sensual appetite of the lobby members of [the] Recorder's Court," and repeated references to her as "Miss Kate" or "Mrs. Townsend" accorded her a marker of respect rarely applied to prostitutes, including those of her own elite house.¹⁸¹ In 1869 she appeared alongside nine other well-known madams, all charged with selling wine without a license. Their presence in the recorder's court "created no ordinary interest," the paper reported, "and bench and bar appeared anxious to do them reverence." The *Picayune* itself took the side of the "fair prisoners," accusing the policeman of targeting them not out of "zeal for the public service" but in an attempt to collect half of the fines imposed on the ten madams.¹⁸² Her social power, equal parts sensual glamor and practical resourcefulness, made her and her ilk appear all but untouchable, a class apart from those around them.

This fame, and the social authority it afforded them, not only protected madams from criminal charges but encouraged them to use the courts for redress. Under regulation women in all levels of the trade appeared as claimants before the courts; since prostitution was not necessarily illegal, women perceived no impediment to pressing criminal charges and indeed neither judges nor juries appeared biased against them. Madams' legal allegations were not therefore unique, but their local celebrity, as well as their money and connections, could only aid them in their cases. In 1868 madam Ida Brown, a white woman who ran the *Maison d'Amour* on the corner of Basin and Gasquet Streets, charged a young woman named Nellie

¹⁸¹ See also "On the Rampage," *Daily Picayune*, New Orleans, Louisiana, 3 October 1868, 7.

¹⁸² "Liquor License," *Daily Picayune*, New Orleans, Louisiana, 13 November 1869, 2. See also "A Police Raid," *Daily Picayune*, New Orleans, Louisiana, 12 November 1869, 2.

Everson with obtaining money under false pretenses. Brown claimed to have lent Everson money “pledged [on] the future pecuniary rewards which, it was presumed, her charms would realize.” Before she earned the money back, however, Everson decamped to a rival house. Brown made a bold appearance before the court, bringing along four residents to testify on her behalf. The *Picayune* described Brown’s show of force: “The magnificent sweep of costly robes, the glitter and the flash of jewelry, as the beautiful women filed into the crowded court room, formed a spectacle not often seen in that gloomy retreat.”¹⁸³

A year later Ida Brown accused a black woman named Mary Johnson, likely a servant in the house, with larceny in a case that made it up to the First District Court. Brown told the court that “The accused came into my room, and took the money from under my pillow.” Johnson confessed that “I took the money amounting to forty dollars from the bed of Miss Ida Brown,” and a resident of the house testified that “I found the money under a table leg in the Hall.”¹⁸⁴ Brown achieved satisfaction in both cases. Johnson was sentenced to five months in the Parish Prison and Nellie Everson’s costly departure was settled on the sly. The recorder “left before a decision was reached,” the *Picayune* explained. “It struck us, however, that he was balancing attention to the case in hand, and the smiling array of witnesses, who were only awaiting an opportunity to give him the benefit of their experience.”¹⁸⁵

¹⁸³ “Money Difficulties Among the Demireps,” *Daily Picayune*, New Orleans, Louisiana, 6 November 1868, 7. See also “False Pretences,” *Daily Picayune*, New Orleans, Louisiana, 4 November 1868, 8.

¹⁸⁴ *State of Louisiana v. Mary Johnson*, case no. 631, 14 January 1869, First District Court.

¹⁸⁵ “Money Difficulties Among the Demireps,” *Daily Picayune*, 6 November 1868. This incident involved Recorder Becker who was suspected in other incidents of accepting women’s sexual favors in exchange for lenient adjudication.

The spectacle created by madams' public appearances, especially in crowded courtrooms, allowed these cases to serve a double purpose. Not only did madams seek legal redress for wrongs against them, but they simultaneously used these trials as opportunities for self-display where they could demonstrate their considerable wealth and social power. Brown with her "smiling array of witness" understood this trick, as did another well-known madam named Hattie Hamilton. Hamilton ran Twenty-One, a "mulatto" house at No. 18 Basin Street and perhaps the only bordello whose grandeur could be said to rival Townsend's.¹⁸⁶ In December 1867 she charged a young white man named Charles Stewart with obtaining goods and money by false pretenses. He visited her house one Tuesday night and, as the *Picayune* recounted, "by his colloquial powers made himself generally agreeable." He treated everyone to champagne and told them all that "he had just come down the river with a lot of cotton, and he intended to have a merry time of it while he remained here." Thus presenting himself as a man of means, he entrusted a "plump packed sealed" purse to Hamilton and even borrowed ten dollars when he went out to tend to business the next morning. Hamilton took advantage of his absence to examine the purse's contents, only to find that "it contained nothing but an old newspaper." The paper described the events of the following evening:

Stewart, imbibing too freely, during the day, was indiscreet enough to revisit the house yesterday evening about 1 o'clock . . . Hattie was determined to be revenged for being duped, and she quietly sent for an officer, placed Stewart in his custody and rode to the station and preferred the charge . . . Stewart had to wind up his gay career in the lockup last night.¹⁸⁷

¹⁸⁶ Asbury, *The French Quarter*, 364.

¹⁸⁷ "On a 'Bust,'" *Daily Picayune*, New Orleans, Louisiana, 5 December 1867, 8.

The deceitful young man was swiftly convicted by the First District Court early the next month.¹⁸⁸

Like Ida Brown, Hattie Hamilton used the law to uphold her authority over her brothel. She also exploited the incident to advertise her social power in the city by cutting an imposing figure at the trial. She arrived at court in “a fine equipage” and watched Steward led into the courthouse before “Hattie then, with great dignity, alighted.” Revealed was “a stately, fashionably attired female.” The only concession the *Picayune* made was to call her simply “Hattie” rather than Mrs. Hamilton or even Miss Hattie; perhaps this was because she ran a house for mixed-race women or perhaps it was simply the reporter’s style. The distinction was not insignificant, but it paled before the respect otherwise granted her by the paper.¹⁸⁹

In one of the most outrageous and yet mysterious events of the Reconstruction era, Hattie Hamilton appeared to get away with the murder of her lover, a state senator. James Beares, a Republican, was better known for his partnership with Hamilton than for his politics, and he had even removed her from her Basin Street brothel to a house on tony St. Charles Street. Neighbors knew them as man and wife, and so the *Picayune* first reported of them after Beares’s sudden death on the evening of May 27, 1870 (although, tellingly, the same article still called her “Miss Hamilton”).¹⁹⁰ The couple had been alone in a side room of their house when a shot was fired. Beares was mortally wounded but told police before he

¹⁸⁸ “First District Court—Judge Howell,” *Daily Picayune*, New Orleans, Louisiana, 11 January 1868, 8.

¹⁸⁹ “On a ‘Bust,’” *Daily Picayune*, 5 December 1867. Joel Best also observes the ostentatious self-display of madams in St. Paul and notes that “By dressing colorfully and invading public settings, the women demanded the recognition that the respectable world sought to deny them.” Best, *Controlling Vice*, 68.

¹⁹⁰ “Shooting of Senator Bears,” *Daily Picayune*, New Orleans, Louisiana, 29 May 1870, 2. Beares was alternately spelled “Beares” and “Bears.”

died that he had accidentally fired the gun “while capping a pistol.” Hamilton’s behavior, however, seemed suspicious, and police arrested her two nights later.¹⁹¹

Beares’s death might have become one of the most sensationalized events of the era except for its sudden, unsatisfactory denouement. “The curtain drops on all that is mysterious,” the *Picayune* announced not a week after the fatal incident. The paper suggestively reported,

No one, it appears, is willing to assume the responsibility of making a charge against her, and Tuesday evening Chief of Police Badger ordered that she should be set at liberty. It would be useless to inquire what motives have incited the friends of the deceased to pursue the course they have. It is their affair, and the public have no concern in it.

What the paper did not need to say was that Beares’s brother clearly balked from exposing the corrupt connections—personal, financial, and political—among politicians, the police, and the *demimonde*. Better for all involved to accept a dying man’s testament of a tragic accident. The *Picayune* concluded its coverage of the case by observing that “the unfortunate woman will go forth into the community with the taint of blood upon her hands, suspected by all, whether innocent or guilty,” but her lover’s death did not hurt Hamilton’s business at all.¹⁹² The paper continued to cover happenings at “the fashionable brothel of Hattie Hamilton, No. 18 Basin street” without mention of the suspected murder, and she died still a prominent madam—and a rich woman—in 1882.¹⁹³

¹⁹¹ “Death of Senator Bears,” *Daily Picayune*, New Orleans, Louisiana, 30 May 1870, 2.

¹⁹² “The St. Charles Street Homicide,” *Daily Picayune*, New Orleans, Louisiana, 2 June 1870, 2. See also “The Homicide of Senator Bears,” *Daily Picayune*, New Orleans, Louisiana, 1 June 1870, 2.

¹⁹³ The notice of her death noted that she had jewelry and furniture in her possession “valued at \$2148.75.” “The Knife,” *Daily Picayune*, New Orleans, Louisiana, 10 December 1872, 3; and “The Courts: Civil Cases,” *Daily Picayune*, New Orleans, Louisiana, 30 August 1882, 2. For more on Hattie Hamilton, see Asbury, *The French Quarter*, 364-7.

If madams like Hattie Hamilton operated *above* city laws and regulations, then so-called “waiter girls” existed *outside* of them. Serving liquor and possibly more to the male customers of concert saloons, waiter girls frustrated the regulatory system precisely because they could not be clearly defined as prostitutes or not. Much larger and grander than ordinary saloons or coffee-houses, concert saloons emerged as the ultimate urban entertainment venue for men in the late nineteenth century. Combining popular theatrics, music, dancing, and plenty of alcohol, concern saloons allowed men to gather, gamble, drink, and more in one space. Some attendees freely incorporated stealing, swindling, drugging, beating, and even killing into their entertainments as well. Proprietors gave grandiose, often European names to their establishments, decorated a large hall with a long bar and a rear stage, and staffed their businesses with as many as a hundred serving girls.¹⁹⁴

In New Orleans concert saloons like the Napoleon, the Bismarck, the Pavilion, and the Egyptian multiplied in prime commercial real estate, many within a few blocks of the beltway that housed much of the sex trade. These concert saloons, also frequently called “beer houses,” dominated the street that crossed Canal as St. Charles Street in the American Sector and as Royal Street in the French Quarter.¹⁹⁵ The *Picayune* complained that “They have rendered St. Charles street a reproach and an eye-sore to the city,” but this infestation testified to the concert saloons’ wide appeal and quick growth.¹⁹⁶ The paper observed that

¹⁹⁴ Concert saloons were a prominent part of what Gilfoyle terms the “commercialization of sex” in the nineteenth century, explaining that “Sexual desires were now expressed through institutions of public leisure and commercial exchange.” This change made the sex trade increasingly visible and meant that, as Gilfoyle notes, “Commercial sex had become less a function of poverty and unemployment and more the product of entrepreneurs supplying a demand.” See Gilfoyle, *City of Eros*, 98 and 120.

¹⁹⁵ St. Charles Avenue was then called St. Charles Street.

¹⁹⁶ “Raid on the Beer Houses,” *Daily Picayune*, New Orleans, Louisiana, 2 December 1870, 2. For more on concert saloons in New Orleans, see Asbury, *The French Quarter*, especially chapter eleven, “‘Hell on Earth,’”

“the extremes of society” patronized these establishments: “The merchant, the man of good society and the man of humble life were found carousing with the debauchee, and drinking with depraved women and more evil men.”¹⁹⁷ The paper frequently highlighted the dangers posed by these “evil men” and protested that the noise and vulgarity spilling into the streets drove away “law-abiding and respectable citizens,” especially ladies, from the area.¹⁹⁸ It was the “depraved women,” however, who made concert saloons so fascinating to their customers and critics alike.

Waiter girls sold and served drinks to customers but were also a part of concert saloons’ sensual attractions. When some of the first concert saloons opened in New Orleans, the *Picayune* immediately noticed “Pretty waiter girls dressed in fantastic costumes, and mimicking very coquettish ways.”¹⁹⁹ Sometimes called “beer-jerkers,” a woman earned either a commission on or a percentage of the sales she made, making it in her and the proprietor’s best interest to increase sales by whatever means necessary.²⁰⁰ Men thus purchased the woman’s attentions along with her beer and liquor—and which they enjoyed more was not always clear. The paper described a group of travelers’ enjoyment of the experience:

The night was novel and the scene bewildering. Lovely waiter girls poked their pretty little noses right into their faces, and pinched their cheeks familiarly. Their rolls of greenbacks begot respect among the habitués, and the pretty waiter girls

315-49; and Long, *The Great Southern Babylon*, especially chapter two, “The Business of Pleasure, Concert Saloons and Sexual Commerce in the Economic Mainstream,” 60-101.

¹⁹⁷ “A Raid on the Beer Houses,” *Daily Picayune*, New Orleans, Louisiana, 1 December 1870, 2.

¹⁹⁸ “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 7 December 1870, 2.

¹⁹⁹ “Concert Saloons,” *Daily Picayune*, New Orleans, Louisiana, 16 July 1868, 2.

²⁰⁰ Asbury, *The French Quarter*, 322; and Hill, *Their Sisters’ Keepers*, 207.

glanced at them with bewitching grace They called for champagne and treated copiously. The pretty girls grew more familiar and sat upon their knees The Turk in his seraglio was poorly off compared to them. They were sipping nectar and toyed with the graces. What happiness!²⁰¹

Such flirtations alone were questionable enough, but the legal question was how much further this “familiarity” extended. When proprietors appeared in court, they asserted their businesses’ respectability by defending the waiter girls. For instance, when the famous Pavilion Saloon of Baronne Street was raided in 1868, “Several witnesses testified to the orderly character of the place and the good reputation of the girls.”²⁰²

Such evaluations, however, were not widely credited. For as many admirers as waiter girls had within concert saloons, few voices were raised publicly in their defense. General opinion condemned them in the roughest terms, painting them as simply prostitutes in another venue. Thus the *Picayune* denounced streets like St. Charles where “indecent and abandoned women shout, and sing, and scream, to attract their uncouth admirers.”²⁰³ A young woman who took employment in a beer house was described as “abandoning” her family and her virtue in the same way as a woman who entered a brothel and, should she meet a tragic end, it was assumed that “The life she has led in these places has revived the darkest and worst shades of evil to her.”²⁰⁴ The comparisons were not without merit. Living only off sales, many women likely supplemented their scant income by engaging in prostitution, using the concert saloon as a way to meet customers before adjourning

²⁰¹ “Catahoulians on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 9 June 1870, 3.

²⁰² “The Concert Saloons,” *Daily Picayune*, New Orleans, Louisiana, 13 August 1868, 2.

²⁰³ “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 30 November 1870, 2.

²⁰⁴ “A Young Magdalene,” *Daily Picayune*, New Orleans, Louisiana, 22 September 1869, 2; “Rearrested,” *Daily Picayune*, New Orleans, Louisiana, 30 September 1869, 2; and “Attempted Suicide,” *Daily Picayune*, New Orleans, Louisiana, 17 April 1870, 10.

elsewhere or perhaps even to a darkened corner or private box in the building. Others stole from their customers and, if discovered, threatened that “she knew where he lived, and if he ‘kicked up a row’ she’d tell his wife,” a warning heard in many a brothel as well.²⁰⁵ The women’s illicit behavior was all the more threatening because of concert saloons’ locations alongside many prominent hotels, banks, and other major businesses. Prostitution seemed to have escaped its protected beltway—if authorities could prove that it was indeed part of waiter girls’ trade.

Just as New Orleans’s regulatory laws encouraged brothel prostitution and thereby enhanced the madam’s powerful position, so city ordinances inadvertently carved a niche out for prostitution in these concert saloons. The regulation of prostitution tried to drive it from the streets by prohibiting streetwalking or suggestive behaviors or dress. “Lewd and abandoned women” were not allowed to drink in saloons or coffee-houses, in part to discourage solicitations there, but laws did not forbid women from being employed as servers in such places. So when proprietors’ competition for the highest profits and customers’ demand for the prettiest service met women’s limited options for meeting potential clients, the supplementary business of some waiter girls was all but guaranteed, and the city was left with relatively few mechanisms to thwart it.

Tellingly, New Orleans officials responded to concert saloons’ threat to public order in the same way they did prostitution’s—through regulation—and met many of the same frustrations and impediments along the way. By the summer of 1870, complaints about these beer houses, including their “coarse, rude women,” dominated local concerns. The *Picayune* bemoaned that St. Charles Street, “once the favorite promenade of the people,” was now “an

²⁰⁵ “A Slight Mistake,” *Daily Picayune*, New Orleans, Louisiana, 17 November 1870, 2.

infected district,” and residents protested that these businesses had made it so their neighborhoods “resembled the saturnalia of a horde of demons.”²⁰⁶ In particular, neighbors objected to how waiter girls “are culled from among the most lewd and abandoned of the fallen women of the town, and do not hesitate to exhibit their persons in the most shameful manner, and indulge in the most vulgar and obscene conversation and singing.”²⁰⁷

After delays feebly explained as “the press of [other] business,” the City Council bowed to mounting public pressure in August 1870 and passed a series of ordinances on “keepers of coffee-houses where instrumental and vocal music and theatrical performances are allowed.”²⁰⁸ Proprietors paid an annual tax: one hundred dollars for instrumental music, two hundred dollars for vocal music, and three hundred dollars for theatrical or dance productions. Concert saloons also had to close before midnight and secure the consent of half of neighboring property owners. The *Picayune* optimistically pronounced that “The beer saloons may probably survive until the 1st of January, but it is scarcely possible that they will endure for a longer time,” but most New Orleanians knew better.²⁰⁹

As with prostitution, none of these regulations were designed to eliminate concert saloons or the services of the women who worked there. Profits easily outpaced taxes, and the mandated closing time could be slyly evaded. Neighborhood consent likely only

²⁰⁶ “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 6 August 1870, 2; and “St. Charles Street Concert Saloons,” *Daily Picayune*, New Orleans, Louisiana, 3 August 1870, 2.

²⁰⁷ “St. Charles Street Concert Saloons,” *Daily Picayune*, 3 August 1870.

²⁰⁸ “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 11 August 1870, 2; and “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 17 August 1870, 2. For more on the City Council’s delays, see “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 9 August 1870, 2; “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 13 August 1870, 2; and “The Beer Saloons,” *Daily Picayune*, New Orleans, Louisiana, 16 August 1870, 2.

²⁰⁹ “The Beer Saloons,” *Daily Picayune*, 17 August 1870.

contributed to saloons clustering together, a healthy competition that increased business and drove out uncooperative neighbors. Proprietors were wealthy men with powerful political connections, and neither individual policemen nor city leaders were eager to challenge them. Once again, regulatory laws were far from prohibitory, enforcement was lax, and corruption pervaded the system. The role of waiter girls, moreover, was entirely ignored by the new regulations. Occasional raids cracked down on beer houses labeled “disorderly,” as they did on select brothels, and sometimes women were gathered up and arrested but their business was little changed. Within five months of the regulations’ enactment, the once-optimistic *Picayune* conceded of concert saloons that “The impression had got to be fixed among them that they could do pretty much as they pleased. If they choose to rob and plunder, they might do so with impunity; if they wished to murder, why, then, a tragedy would only vary the monotony of unscrupulous crime and accumulated debauchery.”²¹⁰

The waiter girls’ triumph over inadequate regulatory laws against them echoed the experiences of women across New Orleans’s *demimonde*, including the powerful madams who ran its most storied establishments. A group as diverse as their industry itself, New Orleans prostitutes constantly confounded the laws meant to control their location and especially their behaviors. They stretched across the city along streets that marked nightfall—and sometimes broad daylight—with revelry and mayhem that appealed to as many people as it appalled. The different sites of the sex trade varied widely in character, as did its workers and customers, but together they comprised a *demimonde* that, by straining authorities’ commitment to regulation, helped to define their world for themselves.

* * *

²¹⁰ “Raid on the Beer Houses,” *Daily Picayune*, 2 December 1870.

When the *Picayune*'s editors so boldly featured "An Ordinance Concerning Lewd and Abandoned Women" on July 12, 1865, they could not have known that they were announcing the beginning of a policy that, rather than limiting prostitution, would eventually make New Orleans's sex trade perhaps the most famous in the world. Nor could they have foreseen that these ordinances would become among the longest-lasting Reconstruction-era reforms in the city—laws implemented by federal military authorities soon embraced and defended by New Orleanians as an example of self-rule and local governance. (It would, in fact, take another act of federal authority, an order by the U.S. Navy, to end regulation in 1917.²¹¹)

Ordinance No. 6302 O.S. of July 1865 survived for so long because it worked well enough for most New Orleanians, including the men whose desires—and dollars—drove the trade. Regulation's various provisions provided city authorities with mechanisms to police the trade, while its taxes brought much-needed revenue into city coffers. Meanwhile residents and property-holders now enjoyed some protection from the sex trade's encroachment as prostitution clustered around the demarcated boundary in the city. Women in the trade, moreover, gained guidelines of how to practice their trade with minimal police interference and were granted an official legal status that allowed them to use the criminal justice system openly, a right that madams in particular exploited to their great benefit. The system, though, did not always function smoothly. Pervasive, persistent corruption

²¹¹ Secretary of the Navy Josephus Daniels ordered the closure of New Orleans's tolerated red-light districts in order to safeguard troops shipping out to wartime Europe through the port of New Orleans. Storyville was thus closed on November 12, 1917, ending fifty-two years of regulation in the city. As Long notes, "Although local officials agreed to end the Storyville experiment, they did so with little enthusiasm, and enforcement was spotty." Long, *The Great Southern Babylon*, 227-8. For more on Storyville and its closure, see the conclusion, "The End of Reconstruction and the Erasure of White Female Deviance."

undermined regulation's goals as did partisan political rivalries among the police, judges, and the general public.

Regulation achieved its greatest success in its profitability and its effort to impose geographic restrictions on the trade. The elasticity built into the system, best demonstrated by its "soft" boundary line along Basin and Rampart Streets, allowed regulation to respond reactively to a variety of situations. Police could crack down on certain women, select brothels, or even entire streets when public opinion demanded vigilance, but most of the time authorities could use individual arrests and occasional raids to maintain the appearance of regulation while actually taking minimal action against the trade. In such a way, the profitable industry was never really threatened and, in fact, gained an even more secure foothold in New Orleans's local economy and culture through its legal toleration.

The third goal of regulation—controlling women's public behaviors—remained a more difficult task. Here regulation met its biggest impediment: the defiance of the women themselves. *Demireps* poured into police stations and recorder's courts, charged with violating the regulatory ordinances or other local laws. Madams amassed great personal power and influence that they used to flout restrictions on their trade, and "waiter girls" in concert saloons challenged authorities even to determine who a "lewd and abandoned woman" really was. In the process, the regulations and the police who enforced them were often exposed as inept, sometimes even malicious. For instance, an overzealous raid on a Basin Street bordello earned the *Picayune's* censure in 1870. Prompted by "a little sound of revelry in the house," police officers, as the paper described, "swarmed into the vestibule, ambushed the back stairs, and crept in all the windows of the domicile. Policemen's brawny arms were locked ruthlessly around silk and satin bodices and pressed caressingly into

slender waists.” The *Picayune* seethed at the perversion of justice brought on by “no great outrage of the law,” and the madam intimated that either “her people are more charming, or that she may have more money to defray the penalties of alleged transgressions.”²¹² Faced with the harshest of police crackdowns, both the *Picayune* and the madam defended prostitutes’ right to practice their trade and, when necessary, to expose officials’ faults for all see. In this and the innumerable other daily actions of the *demimonde*, women forced city authorities to negotiate the public order alongside the “lewd and abandoned women” themselves.

²¹² “A Raid upon the Frail,” *Daily Picayune*, New Orleans, Louisiana, 15 November 1870, 2; and “A Raid,” *Daily Picayune*, New Orleans, Louisiana, 27 November 1870, 2.

Chapter Two

“Females on the Rampage”: Women’s Everyday Violence on the Streets of New Orleans

One Sunday morning in 1874, two women drew the attention of their neighborhood when they engaged in a loud, vicious brawl. Young Rosa Berjac, a white teenager, was running an errand for her mother when she met a black woman named Celestine Johnson on the street. What ignited their anger is unknown, but soon the women were trading insults and blows. Berjac recounted how Johnson grabbed her hands and threatened to choke her. “I then got loose and called her a black nigger” before running off, Berjac told the court. Johnson gave chase and, according to Berjac, “[she] caught my bonnet[,] throwing me down and raising up my Clothes.” At least a half dozen neighborhood residents watched the fight, doing nothing to intervene. A group of men playing ball in a nearby field heard the women’s screams and, as one remembered, “on looking around I saw the Head of Miss Berjac protruding from under the petticoats of this accused.” Only when he ran over to separate the women did peace return to the neighborhood.²¹³

The streets and public areas of New Orleans erupted with violence of all kinds during the Reconstruction era. The *Daily Picayune* declared itself living in “a new era of crime,”

* Title taken from “Females on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 18 July 1868, 2; “Females on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 9 April 1870, 10; “Females on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 22 June 1870, 2; and “Females on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 16 October 1870, 2.

²¹³ *State of Louisiana v. Celestine Johnson*, case no. 7404, 25 October 1874, First District Court, Louisiana Division, City Archives and Special Collections, New Orleans Public Library (hereafter “First District Court”).

noting that “Scenes of violence succeed each other so rapidly, that the community scarcely grows calm from the excitement engendered by one outrage, before it is agitated by another.”²¹⁴ Fueled by anxieties, antagonisms, and often alcohol, fights broke out within families, among neighbors, and between strangers. Numerous allegations of interpersonal physical violence came before the city’s criminal and records’ courts daily as men and women stood accused of everything from simple fisticuffs to assaults with intent to kill. “Thieves, pickpockets, or professional roughs of the worst possible description” prowled the city’s streets targeting the drunk and defenseless while “gangs of young ruffians . . . parade the streets in parties of three or four, and do not hesitate to attack and rob any belated citizen whom they may meet.”²¹⁵ Small but deadly knives, brass knuckles, and other weapons were concealed beneath clothing and openly displayed in shop windows, and their frequent use transformed commonplace quarrels into dangerous affairs.²¹⁶

Contemporaries and historians alike debate how much of this violence was new to the postbellum. The *Picayune* lamented that “There is reason to fear that among the other sad effects of the late war is a recklessness in the use of weapons of destruction” while at the same time contending that “Young men, who have risked their lives in a hundred bloody battles, . . . have acquired a thorough disgust for the bloody arbitrament of arms.”²¹⁷

²¹⁴ “An Era of Crime,” *Daily Picayune*, New Orleans, Louisiana, 3 November 1870, 2.

²¹⁵ “The Loafers on St. Charles Street,” *Daily Picayune*, New Orleans, Louisiana, 1 August 1869, 2; and “Disturbances in the Rear of the City,” *Daily Picayune*, New Orleans, Louisiana, 18 August 1869, 2.

²¹⁶ “Our Police: Peace and Order,” *Daily Picayune*, New Orleans, Louisiana, 14 March 1866, 6; and “Concealed Weapons,” *Daily Picayune*, New Orleans, Louisiana, 5 December 1866, 11.

²¹⁷ “Our Police: Peace and Order,” *Daily Picayune*, 14 March 1866; and “Comparative Peace and Order: New York and New Orleans,” *Daily Picayune*, New Orleans, Louisiana, 24 August 1865, 4. The former article focused on the decline of dueling among the “gentlemen of New Orleans.” It blamed the city’s violence on “a large class of foreigners, vagabonds, and adventurers from other States and from Europe” who populated New Orleans while praising locals as “marked for their peaceful and orderly demeanor,” certainly a generous estimation of native New Orleanians’ penchant for violence.

Whatever the effects of war on interpersonal violence, large-scale public violence undoubtedly increased after the war as racial hostilities and political rivalries fueled deadly battles in the streets of New Orleans. Local Democratic militias, White Leagues, Republican officials, the Metropolitan Police, federal troops, and city residents from across New Orleans's wide racial spectrum comprised a combustible, deadly brew, and numerous riots, battles, and coup attempts exploded in the city throughout the Reconstruction period.²¹⁸

Violence was thus an experience broadly shared among New Orleans residents, including women. In fact, when the *Picayune* observed in the summer of 1865 that "Quarreling seems to be contagious," it was specifically referring to women's disputes and altercations, which filled local news columns as well as the city's courts.²¹⁹ Assault cases were common among women in the city's criminal court, second only to larceny charges. (A similar pattern emerged among male defendants, cautioning us against gendered stereotypes about who perpetrates violence.)²²⁰ Many more cases were concluded in the lower recorders' courts among those that came to the authorities' attention in the first place. To modern eyes, the unrelenting frequency of these incidents exposes how shockingly mundane violence, even extreme violence, could be in the nineteenth century. New Orleans in particular had long had a reputation for brawling and bloodshed, including by its female residents. The context of violence, however, changed dramatically in the postwar South. Now women's physical

²¹⁸ James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006).

²¹⁹ "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 31 August 1865, 1.

²²⁰ Charges of assault or other non-fatal physical violence represented 38.7 percent of all First District Court cases against women during the Reconstruction period, totaling 607 cases in all. There is no reason to think that the rate for men was much different. For example, there were 241 cases of assault or related charges against men in 1866, representing 36 percent of all men's cases in that year. Related but lesser charges such as fighting and disturbing the peace were even more frequent in the lower recorders' courts.

violence appeared to symbolize the larger, ungovernable disorder of their era, especially tensions about the emergence of a post-Emancipation society. Women's violence also reflected on the effectiveness of the city's experiment with regulating the public behaviors of prostitutes, a class of women often embroiled in violence.

Celestine Johnson and Rosa Berjac's fight was typical of many other acts of everyday violence by and among women. Johnson was convicted and sentenced to one month in the Parish Prison, a common sentence for the crime. She became part of the roughly one-third of women charged with assault who were convicted, a percentage similar to other crimes and a group more likely to include women of color.²²¹ We do not know what provoked Johnson and Berjac's fight or even if the women were already acquainted, but their dispute fed on racial pejoratives and sexualized displays of violence such as Johnson's raising Berjac's skirts over her head. The *Picayune* liked to call such encounters a "petticoat fight": Even as it protested that "female hands were never made to tear a body's eyes out," the paper did not hesitate to invite readers to enjoy these spectacles secondhand.²²²

In these violent encounters women fought with whatever they had at their disposal. For Johnson and Berjac it was only their hands, which they used to grab, choke, and hit each other and pull at one another's clothes. Another woman threw "an old shoe, and also an oyster shell" at her opponent, and a wife caused serious injury by pouring scalding water on

²²¹ There were 608 cases of assault or assault with intent to kill charges against women from 1865 to April 1877 before the First District Court, accounting for 38.7 percent of all women's cases. Of these 608 cases, 168 ended in conviction (27.7 percent). The average sentence for women convicted was 56.7 days with a median sentence of ten days. It appears that women of color were more likely to be convicted than white women, as was generally true for all women's cases before the First District Court.

²²² "Second District," *Daily Picayune*, New Orleans, Louisiana, 8 March 1866, 3; and "Females on the Muscle," *Daily Picayune*, New Orleans, Louisiana, 4 July 1868, 2.

her sleeping husband.²²³ Women also struck out with bottles, including one malicious combatant who “broke up a glass bottle and tied the fragments in a towel.”²²⁴ In the heat of the moment, women lashed out with household items such as broomsticks and washboards, and everyday items including an iron, shovel, brick, “heavy billet of wood,” and “shoemaker’s awl” were transformed into weapons capable of deadly violence.²²⁵ Brass knuckles and pistols occasionally appeared in women’s fights. Knives, though, were the preferred instrument as blades from table knives and razors to axes and hatchets figured in a majority of women’s fights involving weapons. In ways ranging from fists to firearms, women openly displayed “the fury of the virago.”²²⁶

Women most frequently fought other women including romantic rivals, neighbors, housemates, coworkers, landladies, and fellow *nymphs du pave*. They also attacked husbands and lovers, tenants and clients, and at times officers of the law. What is so remarkable about these altercations is how public many of them were. Like the street-side row between Johnson and Berjac, the majority of women’s assault cases that came before the First District Court were alleged to have occurred in public areas. The vast majority of women’s assaults erupted in brothels, restaurants, ballrooms, and saloons and especially on *banquettes* (sidewalks) and in yards across the city. Public fights were, of course, more

²²³ “Oyster Shell,” *Daily Picayune*, New Orleans, Louisiana, 9 August 1865, 4; and “A Man Scalded by His Wife,” *Daily Picayune*, New Orleans, Louisiana, 21 December 1869, 2.

²²⁴ “Miscellaneous,” *Daily Picayune*, New Orleans, Louisiana, 10 May 1870, 3.

²²⁵ “Dangerous Assault,” *Daily Picayune*, New Orleans, Louisiana, 27 May 1870, 2; and “A Dangerous Assault,” *Daily Picayune*, New Orleans, Louisiana, 6 November 1870, 2.

²²⁶ “Attempt to Kill,” *Daily Picayune*, New Orleans, Louisiana, 22 August 1868, 7. Cases of assault using a weapon were heavily represented among women’s assault cases sent before the First District Court. Of these cases, 45.9 percent involved the use of a knife including table and kitchen knives, dirks, and pen knives; 10.8 percent a razor; and 9.5 percent an axe or hatchet, totally 66.2 percent in all. Other alleged weapons included bottles, brass knuckles, bricks or brickbats, broomsticks, clubs, cotton hooks, glass tumblers, irons, pistols, pokers, rope, shovels, sticks, tubs, washboards, and whips.

likely to come to the attention of the police, but they also reflected the lives of New Orleans's working-class women whose relationships, labors, and leisure took place around and in view of others without the expectations of privacy that were beginning to characterize the middle class. Even the single-family residences and boardinghouses in which the remaining quarter of fights occurred were not particularly private as family, friends, and neighbors comprised an ever-present audience to any quarrels or altercations.²²⁷

So often waged in open view, these fights created spectacles of violence in which women aired their personal grievances on a public stage. They exposed sexual betrayals, spiteful gossip, and disputes over money or possessions to an audience of onlookers while also avenging the perceived wrongs against them. The neighborhoods, streets, and other public areas became what historian Christine Stansell terms "a woman's theater of discord."²²⁸ Physical violence provides a window into women's daily lives and the complex, contested relationships that comprised their world. In particular, these fights highlight the centrality of work in women's everyday experiences. Violence was undoubtedly problematic and dangerous, but by way of direct, forceful self-assertion it was tough to match, especially for women with few other resources.²²⁹

²²⁷ Twenty-five percent of examined cases of women's assaults before the First District Court were alleged to have taken place in brothels, followed closely by 23.6 percent both on streets and in residences such as houses and boardinghouses. Yards were the location of 16.7 percent of women's alleged assaults, and 6.9 percent took place in public leisure sites like saloons, restaurants, and ballrooms. The remainder, roughly four percent, occurred in a police station or courtroom.

²²⁸ Christine Stansell writes of fights in the neighborhoods of working women that "Extravagant and histrionic, these demonstrations of passionate grievances were directed not simply at beating up the antagonist but at securing sympathy and solidarity from the audience." Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1986, orig. 1982), particularly chapter three, "Women in the Neighborhoods," 41-62. Quote from page 59.

²²⁹ Historian Kali N. Gross posits women's crimes, including violence, as a window into their personal psyches and past experiences in *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910*. As Gross notes, "black female crime provides a rare sounding of black women's feelings and emotional turmoil," including their past experiences as victims of violence. Kali N. Gross, *Colored Amazons:*

These “free feminine fight[s]” also shone a bright, unflattering light on the inability of the New Orleans police to maintain public order and, by extension, to calm anxieties about broader violence, particularly along the lines of race, in the volatile postbellum city.²³⁰ Police were often entirely absent from the scene as in Celestine Johnson and Rosa Berjac’s fight or, if they were present, were all but powerless to intervene. In this context, women’s airing of their everyday problems—cheating lovers, work disputes, and unpaid debts—took on wider significance as violent encounters that portended a more general, and more perilous, social disorder in the city outside the authorities’ control. Women on occasion even used such public violence to challenge the police and criminal justice system directly by disrupting court proceedings, resisting arrest, and exposing police brutality. Women thus demonstrated that there were more than torn petticoats at stake when they, as the *Picayune* put it, “allowed their angry passions to rise higher than the law allows.”²³¹

* * *

Like other nineteenth-century newspapers, the *Daily Picayune* nurtured stylistic aspirations beyond simple reporting. Columns burst with literary flair and historical allusions, and the embellishment of local anecdotes was matched only by reporters’ pontifications on them. So the *Picayune* moralized about women’s fights in 1868 that “It is very naught for females to engage in such encounters—they ought to cultivate, instead, smiles, and love and fondness.”²³² Reporters’ frequent recounting of women’s physical

Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910 (Durham: Duke University Press, 2006), 77.

²³⁰ “Second District,” *Daily Picayune*, New Orleans, Louisiana, 8 April 1866, 3.

²³¹ “A Feminine Riot,” *Daily Picayune*, New Orleans, Louisiana, 28 September 1865, 8.

²³² “Assault and Battery,” *Daily Picayune*, New Orleans, Louisiana, 30 January 1868, 2.

violence belied such platitudes, but they still liked to ascribe such “naughty” behavior to romantic predicaments, especially sexual jealousy. Thus they could apply a favorite adage, “the Bard of Avon’s trite but true saying, ‘the course of true love never did run smooth.’”²³³ Women attacked husbands and lovers, but more often women turned against the other woman in such scenarios, at least according to the paper.²³⁴ The *Picayune* was right that many incidents of women’s physical violence did concern competition over a man, but the paper’s exclusive focus on sexual jealousy obscured the more complicated interpersonal dynamics and economic dependencies that fed the green-eyed monster.

Women’s attacks on their husbands ranged from verbal abuse to attempted murder. One wife “shouted murder, [and] screamed like a locomotive” when she “saw her lord in conversation with a rival beauty,” while other wives attacked husbands with butcher knives and axes.²³⁵ The *Picayune* acknowledged that these incidents were noteworthy because “such instances of brutality usually come from the other side of the house.”²³⁶ The paper occasionally attributed the violence to serious concerns within the relationship. One man charged his wife, from whom he was separated, with insult and abuse when they had “a violent altercation” concerning her right to see their children, who lived with him. The case was settled when “The mother was put under bonds . . . to keep the peace for six months” and

²³³ “Females on the Rampage,” *Daily Picayune*, 22 June 1870.

²³⁴ In women’s assault cases before the First District Court, almost three-fourths of the cases alleged women’s violence against other women (72.4 percent of examined cases). By contrast, less than one in five cases was against a man (excluding cases of resisting arrest).

²³⁵ “Family Infelicity,” *Daily Picayune*, New Orleans, Louisiana, 13 December 1869, 2.

²³⁶ “Desperate Attempt,” *Daily Picayune*, New Orleans, Louisiana, 1 June 1869, 2.

the husband agreed to offer her weekly visitations.²³⁷ Another woman claimed self-defense in a violent attack on her husband. In fall 1865 the paper reported a man found “lying on the floor with a terrible gash in his forehead” in “a little shanty on Gravier street.” His wife, Kate Murray, quickly confessed and “the irate Kate said she had struck her husband on the head with a pitcher . . . and that she would knock his brains out if she could.” She quickly added that “she did it in order to save her own life.” Even amidst the grave violence and serious accusations in this case, the *Picayune* mocked both parties by adding that “we . . . congratulate ourselves that Kate was no sweetheart of ours.”²³⁸

In most cases, though, the paper only emphasized the superficial origins of women’s quarrels with their husbands, noting that “It is remarkable how many cases of domestic infelicity proceed from slight causes.”²³⁹ Among these the *Picayune* included jealousy, differences of temperament, and general observations that “She seems determined to wear the breeches.”²⁴⁰ This trivialization of discord within marriages justified the reluctance of the paper—and New Orleans courts—to assign blame to either husband or wife in many of these incidents. Wives’ assaults on husbands resulted in a public mediation of their personal conflicts, but the courts aimed “To soothe feelings so excited and calm the domestic storm,” not to exacerbate the dispute by further public review. So recorders often dismissed the cases outright or settled them succinctly, “probably,” as the *Picayune* reckoned of one wife so accused by her husband, “considering that they were a sufficient punishment to each

²³⁷ “Recorder Vennard’s Court,” *Daily Picayune*, New Orleans, Louisiana, 2 April 1865, 7; and “Recorder Vennard’s Court,” *Daily Picayune*, New Orleans, Louisiana, 9 April 1865, 8.

²³⁸ “Recorder Campbell’s Court,” *Daily Picayune*, New Orleans, Louisiana, 20 September 1865, 8. See also “About Kate Murray,” *Daily Picayune*, New Orleans, Louisiana, 20 September 1865, 2.

²³⁹ “Family Infelicity,” *Daily Picayune*, 13 December 1869.

²⁴⁰ “Arrests,” *Daily Picayune*, New Orleans, Louisiana, 27 March 1866, 2.

other.”²⁴¹ In other instances, husbands “fail[ed] to appear to prosecute” their wives, in part likely sparing themselves some embarrassment in the airing of their marital troubles.²⁴²

One area in which women often received unqualified sympathy was in avenging men who had broken their engagements through sexual betrayals. Seduction was usually insinuated in these cases, casting the women as undisputed victims of men’s treachery. In 1865 a white woman named Kate Donovan was arrested for shooting her lover, himself a policeman. She allegedly intended to kill him, but her shot caught only his left hand. The *Picayune* explained that “It is said that he had promised to marry her, but was a faithless swain—a gay Lothario.” Within the month, the case against Donovan was dropped with a *nolle prosequi*.²⁴³

Another women directly claimed her right to protect her virtue through violence. “The future Mrs. Roper,” who was likely white, learned one evening that her fiancé had spent the day openly entertaining a prostitute at the lake. Going to his house, Roper’s fiancée, whose name was omitted by the paper, “waited his coming fierce in wrath, and armed with punishment.” The paper described his appearance after the fight as looking like he “had passed through the hopper of a grist mill.” He promptly had her arrested, but she defended herself before the recorder by “claim[ing] that she had a right to redress her personal injuries, inasmuch as she had no father and mother to do it for her.” By simultaneously playing both victim and avenger, the fiancée took it into her own hands to defend her respectability,

²⁴¹ “Recorder Woofley’s Court,” *Daily Picayune*, New Orleans, Louisiana, 28 April 1865, 8.

²⁴² “Recorder Vennard’s Court,” *Daily Picayune*, New Orleans, Louisiana, 23 December 1866, 4.

²⁴³ “Recorder Vennard’s Court,” *Daily Picayune*, New Orleans, Louisiana, 8 April 1865, 8. See also “Arrests,” *Daily Picayune*, New Orleans, Louisiana, 8 April 1865, 2; “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 16 April 1865; and “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 22 April 1865, 8.

especially as a woman unprotected by family. However vicious, her actions earned the paper's tacit approval as it veiled her identity from general view. The recorder, moreover, simply cautioned her against such a violent course of revenge in the future but otherwise dropped Roper's case.²⁴⁴

If the *Picayune* believed that the violence of many white women against duplicitous seducers was justified, it also accepted—and even delighted in—prostitutes' violence against their parasitic lovers. While these women's virtue was hardly at stake, their paramours were even more compromised by their financial dependence on women who gained their wealth through iniquity. The paper liked to see such men humbled, as happened to one “well-known man about town” in 1869. His generous benefactor was unnamed, but the *Picayune* implied she was Kate Townsend, the wealthiest and most famous madam in postwar New Orleans. The paper observed that “of all things calculated to excite her wrath, attention to another female is the worst.” So when she heard that he, like Mr. Roper, had gone “to the Lake with a rival beauty,” she summoned her carriage and “started in hot pursuit.” The paper narrated the scene:

[H]e was speedily overtaken by the now furious pursuer, and an attack on the unfortunate youth commenced that really threatened his life, while it utterly destroyed his good looks. The fingers of the “lady” were adorned with large diamonds . . . and they cut into the face like a knife. The blood trickled down his face and covered his breast, matted his locks, and made him look as if he had gone through a first-class battle, where all the wounds had fallen to his portion.

The roles of the lovers were fully inverted in this incident as the woman held both financial and physical power over her lover. Even the title of the article reinforced this reversal, labeling the incident “A Lively Fight: A Recussant [*sic*] Lover Brought Back to a Sense of

²⁴⁴ “A Female on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 26 January 1869, 2.

his Duty.”²⁴⁵ Tellingly, the “future Mrs. Roper” and this ““lady”” had much in common despite the chasm of respectability between them. Both of their lovers were caught carousing lakeside with other women, presumably prostitutes in both cases. Both, moreover, were white and either middle-class or wealthy (albeit through different means). Accounts of women targeting their husbands and lovers focused largely on white women, ignoring the experiences of jealousy for women of color. Jealousy and other strong feminine emotions apparently belonged primarily to white women, even when they had little claim to virtue.

When they fought husbands and lovers, women were quick to forgive and reconcile. Writing about the jealous bejeweled courtesan, presumably Kate Townsend, the paper claimed that remorse soon succeeded fury as “She thought she had killed him, and now caresses followed as thick as blows did before.”²⁴⁶ Women’s willingness to forgive erring lovers likely contributed to their tendency to blame the other woman in these scenarios instead and, very often, to direct retaliation at her instead. These fights could be just as brutal as those against men. The *Picayune* described one street fight between two women as “a scientific display of muscle . . . said to have excelled any achievement of the modern prize ring.” “The cause of the unpleasantness,” the paper continued, “is said to be the fascination

²⁴⁵ “A Lively Fight: A Recussant Lover Brought Back to a Sense of his Duty,” *Daily Picayune*, New Orleans, Louisiana, 9 January 1869, 2. If this were Kate Townsend, the man involved may have been Treville Egbert Sykes, whom Herbert Asbury describes as a “member of a good New Orleans family . . . [and Townsend’s] ‘fancy man’ for almost twenty-five years.” They had a history of conflict in their relationship, particularly spurred by mutual jealousies, that culminated in his murder of her in 1883. Herbert Asbury, *The French Quarter: An Informal History of the New Orleans Underworld* (1936: reprint, New York: Basic Books, 2008), 372-3. For more on Kate Townsend, see chapter one, “‘Fascinating Sirens’: Regulating Prostitution in Reconstruction-Era New Orleans.”

²⁴⁶ “A Lively Fight,” *Daily Picayune*, 9 January 1869.

of an Adonis, whom they loved not wisely but too well,” a frequent refrain of newspaper coverage.²⁴⁷

Fights over men were most frequently associated with prostitutes. Women of the *demimonde* were assumed to resort to physical violence more often and more readily than their respectable counterparts; such savagery was, in fact, regarded as an inescapable result of their ruin. They were particularly liable to fight, according to the *Picayune*, when at odds over a “gentleman friend.”²⁴⁸ The paper explained of one woman’s stabbing of a housemate in 1870 that they were fighting over “some worthless vagabond.” Though both women were among “the worst and most vicious of their class,” they nevertheless demonstrated the trait that, according to the paper, “seems to be the only redeeming trait of these women—their affection.”²⁴⁹ A month later a nearby brothel was “the scene of an encounter between two irate females, in which rocks, sticks, knives and a dilapidated clothes pool were the instruments of hostility.” The melee ended only when one woman fractured the other’s skull. “[T]he immediate cause of the hostile demonstration,” the *Picayune* noted with little surprise, “was jealousy.”²⁵⁰

Women outside the *demimonde* also fought over men, particularly wives seeking revenge on their husbands’ lovers. Wives used physical violence to expose the dishonor of the other woman, who in turn fought to protect herself and her reputation. The *Picayune*, breaking its usual pattern, related one such case involving two black women in the spring of 1876. Caroline Moore was mired in a vicious quarrel with Maria Radley, who accused

²⁴⁷ “Females on the Rampage,” *Daily Picayune*, 9 April 1870.

²⁴⁸ “Cutting Affair,” *Daily Picayune*, New Orleans, Louisiana, 28 May 1867, 8.

²⁴⁹ “Stabbing,” *Daily Picayune*, New Orleans, Louisiana, 14 April 1870, 2.

²⁵⁰ “A Female Affray,” *Daily Picayune*, New Orleans, Louisiana, 18 May 1870, 2.

Moore of sleeping with her husband. Moore's own husband was "up the river on [a] steamboat," and Radley alleged that her husband was staying in Moore's house in the steamboatman's absence, a charge that Moore flatly denied in a heated verbal confrontation in her home. The women met on the street days later. Moore told police that she tried to run away, but Radley intercepted her and "cut her upon the forehead and stomach." Moore claimed she then acted in self-defense as "she drew her knife and stabbed her assailant [Radley], inflicting fourteen wounds." For her part, Radley "refused to say anything about the cutting."²⁵¹

These altercations often took place in view of the whole neighborhood or, at times, multiple neighborhoods. This was the case late one evening in 1869 when a wife, a white woman named Mrs. Carnegie, followed her husband to Emma Wilson's house on Basin Street, one of the main thoroughfares of the city's sex trade. There, in sight of the many men and women who populated such streets after dark, she confronted her husband, perhaps not only about visiting a prostitute but specifically about visiting a black woman like Wilson. As the beat policeman recounted, "a scuffle took place between Mr. Carnegie and Mrs. Carnegie but no blows were struck."²⁵²

The officer sent the couple on their way home, but Wilson followed not far behind. Near the Carnegies' house, in front of their family and neighbors, Mrs. Carnegie turned to Wilson, declaring "I was sorry that my husband was visiting her again." Onlookers said that Wilson replied "you damn bitch[,] I will kill you" before setting on her with a glass bottle. By the time the women were pulled apart, as Mrs. Carnegie testified, "I was covered with

²⁵¹ "A Bloody Affair," *Daily Picayune*, New Orleans, Louisiana, 31 March 1876, 1.

²⁵² *State of Louisiana v. Emma Wilson*, case no. 1299, 2 July 1869, First District Court.

blood . . . and discovered that a piece of the glass bottle was still stick [sic] in my head.” In this fight, Emma Wilson left the confines of the *demimonde* to challenge a customer’s wife on the family’s own doorstep, perhaps avenging Mrs. Carnegie’s intrusion into her own neighborhood. Mrs. Carnegie, in turn, asserted her rights over her husband not only in front of the brothel but before her own family and neighbors and, moreover, before the court when she charged Wilson with assault. Their racial difference made each woman’s incursion all the more audacious.²⁵³

Jealousy offered an easy, tantalizing narrative for the *Picayune* in reporting these women’s fights, but more was on the line in these conflicts than sexual fidelity alone. Emma Wilson and other women in New Orleans’s sex trade depended on men as customers for their business, while wives like Mrs. Carnegie were also tied economically to their husbands, so competition over men was by no means as one-dimensional as “the fascination of an Adonis.”²⁵⁴ Competition for customers was a fierce business in the *demimonde* as a woman’s survival depended on attracting male patronage in part by keeping it away from other women. This helps to explain many of the brutal acts of violence by prostitutes precipitated by seemingly trivial causes such as one black woman stabbing another in the face and neck “regarding some wearing apparel” in 1870.²⁵⁵ Months later another brawl, as the *Picayune* noted, “originated in a dispute about the proper manner of dressing hair.”²⁵⁶ Far from a superficial concern, personal appearance was an essential commodity to the successful prostitute, at times enough to be contested through physical violence.

²⁵³ *Ibid.* The case apparently ended when Wilson could not be located by the authorities in late December 1869.

²⁵⁴ “Females on the Rampage,” *Daily Picayune*, 9 April 1870.

²⁵⁵ “Stabbing,” *Daily Picayune*, New Orleans, Louisiana, 7 June 1870, 2.

²⁵⁶ “Females on the Rampage,” *Daily Picayune*, 16 October 1870.

Attracting a man's eye, of course, was not nearly enough. In the best parlor-houses women entertained a potential client together in the parlor before he made his selection of companion. Women competed for customers under this veneer of sensual sociability, and this contest often dissolved into violence in fine and rough houses alike. So it was for two residents of a "palatial bagnio" on Basin Street. As the *Picayune* recounted,

Both are very beautiful, and both charmed the senses of an admiring swain. So bewildered was he by the fascinations of each, that . . . he knew not which to choose when the other dear charmer was nigh. This hesitancy provoked the jealous damsels to fight.²⁵⁷

Unlike in most other newspaper accounts of prostitutes' fights, the man here is no Lothario or Adonis but simply an indecisive customer whose hesitation was costing each woman time and money. The *Picayune* still used its characteristic heightened language in reporting the incident, but romanticism clearly adorned only the language, not the event itself.

Even more was at stake for wives. The straying husband of Maria Radley potentially brought income as well as companionship into Caroline Moore's house, both of which would have been even more important with her own husband away on the steamboat. Another husband like Mr. Carnegie might squander the family's money on drink, cards, or women and leave his wife and children vulnerable to financial ruin. Maria Radley, Mrs. Carnegie, and other wives in their position thus had much to fear from other women, especially if they suspected their husbands might desert them. Similarly, fiancées like the "future Mrs. Roper" saw marriage as an opportunity for financial security, even advancement. A lover's betrayal or desertion did more than violate romantic pledges of love and fidelity; it also endangered the young woman's attractiveness to other suitors, as did others' defamation of her character.

²⁵⁷ "On the Rampage," *Daily Picayune*, New Orleans, Louisiana, 3 March 1868, 2.

In their fights with and over men, women broadcast their intimate angers and anxieties, and they also exposed how precarious women's relationships with men could be. In one unusual incident in which a black woman was portrayed sympathetically for fighting over a man, the *Picayune* related the struggle of Lucy Johnson, "a likely looking colored woman, with a young child in her arms." Johnson assaulted her husband's lover but defended herself before the court by "stat[ing] that her liege lord had deserted her, would not support their child, and was now living with another." The man countered that Johnson "was not his wife; that he married her during Confederate times, and that all bargains entered into then were now null and void." Whether because she was black or, perhaps relatedly, because the court did not recognize her claim to marriage, the recorder ordered her "pay \$10 or go to the Parish Prison for twenty days," a far cry from the court's usual preference simply to "calm the domestic storm."²⁵⁸ The *Picayune*, however, explicitly praised Johnson for trying to protect herself and her child, concluding that "she was bound to have her rights. Good for Lucy."²⁵⁹ What became of Johnson is unknown, but like many women of different castes, professions, and races in postwar New Orleans, she demonstrated the lengths to which she would go to fight for her livelihood, even survival, in uncertain times.

* * *

Like their ties with husbands and lovers, women's relationships within their neighborhoods were a complex mix of cooperation and conflict, especially within the crowded, heterogeneous communities of working-class New Orleans. In homes, boardinghouses, and yards across the city, women traded insults with their neighbors,

²⁵⁸ "Recorder Vennard's Court," *Daily Picayune*, New Orleans, Louisiana, 23 December 1866, 4.

²⁵⁹ "Deserted Her," *Daily Picayune*, New Orleans, Louisiana, 3 August 1866, 3; and "Recorder Ahern's Court," *Daily Picayune*, New Orleans, Louisiana, 3 August 1866, 9.

destroyed their property, and violently attacked them. They quarreled over cruel gossip, household goods, and unpaid debts while landladies at times resorted to violence to expel tenants and secure their rents. These disputes highlighted the centrality of labor both paid and unpaid in women's lives and also illustrated how women's everyday actions and responsibilities transpired in open view of their neighborhoods. In both of these ways, working-class women of New Orleans had much in common with their counterparts in the *demimonde*, many of whom came from (or eventually returned to) these same neighborhoods. Prostitutes fought their madams, clients, and most often each other in their brothels, which were technically monitored by the city's regulatory system but, in reality, were largely ceded to the control of women who lived and worked there. In these brothel fights, as with neighborhood altercations, women exercised considerable authority over public spaces and even policed what was allowed to happen there.

Neighbors in late nineteenth-century New Orleans generally shared close quarters in a city whose growth was hemmed in by the water and swamps surrounding it on all sides. Certain areas such as the Irish Channel or the historically-black Faubourg Tremé were associated with particular racial groups, but most working-class neighborhoods were remarkably diverse, pressing together families of various racial and ethnic backgrounds and businesses of all moral persuasions. Residents crowded into boardinghouses and New Orleans's distinctive shotgun houses and shared streets, banquettes, and yards, especially as the summer's oppressive heat and humidity drew them outdoors. (More neighborhood fights did, in fact, occur in the steamy months of July and August.²⁶⁰)

²⁶⁰ The higher number of fights in the hot summer months is drawn from a collection of cases alleging female neighbors' fights from the First District Court and the *Daily Picayune*. July and August had the most fights, followed by April and November. Other fights were distributed roughly equally over the remaining months.

Conflicts among neighbors were all but inevitable, so much so that the *Picayune* commented in 1869 that “It is said that two married ladies, each representing the head of a family, cannot dwell together in harmony.”²⁶¹ The image of women, particularly older women, as meddlesome neighbors was widely shared. In the summer of 1870, the *Picayune* unflatteringly described two local women as “a lady who takes more interest in the affairs of her neighbors than the law allows” and another as possessing a “temper so sour that she is not relished by her neighbors.”²⁶² Another older woman terrorized fellow residents of her boardinghouse, who ascribed her supernatural voodoo powers. “For a week past she has been preparing a liquid substance,” the paper wrote, “which she told the family had in it the power of life and death, and that she meant to work on them a terrible retribution with it.” When the liquid was left on their doorstep one morning, “the whole family fled the house as from a pestilence.” They never returned to the boardinghouse, but they charged the older woman with assault with intent to kill.²⁶³

Other neighborhood menaces were far more tangible. When an Irish woman named Mary Burke got into “the feminine luxury of a quarrel” with a female neighbor, she was “not satisfied with the war of words, [and] proceeded to break in her windows, burst open the door, tear up the carpets and destroy the furniture.”²⁶⁴ This invasion and destruction of another’s home breached neighbors’ personal spaces and refigured them as public, contested terrains. Physical violence further amplified these violations. In November 1872 an uptown

²⁶¹ “Malicious Mischief,” *Daily Picayune*, New Orleans, Louisiana, 7 July 1869, 2.

²⁶² “Recorder Weber’s Court,” *Daily Picayune*, New Orleans, Louisiana, 18 June 1870, 2; and “Recorder Weber’s Court,” *Daily Picayune*, New Orleans, Louisiana, 24 July 1870, 2.

²⁶³ “A Singular Case,” *Daily Picayune*, New Orleans, Louisiana, 7 August 1868, 2. The outcome of the case is unknown.

²⁶⁴ “Malicious Mischief,” *Daily Picayune*, New Orleans, Louisiana, 15 August 1868, 7.

resident named Eliza Smith was chatting with a male friend at her front gate when another woman burst in from the street brandishing a knife. The man later told the First District Court that as he started to leave the accused “immediately rushed in the gate past me and attacked Eliza Smith and before I could get her away from Eliza Smith she had cut her (Eliza) in the back three times.” Smith emphasized both the physical damage and the spatial violation of the alleged assault, telling the court that the other woman “cut me three times with a Knife in my own yard.” Her emphasis on the yard being her “own” was unusual in court depositions, in which claimants (or, more precisely, the court clerks who recorded their words) usually just stated “the yard.” Nevertheless, the First District Court dropped the case.²⁶⁵

At times multiple women participated in violence against their neighbors, making the altercations all the more dangerous. In May 1867 an older black woman named Charity Ross suffered serious physical injury and property damage when she was attacked in her yard by three next-door neighbors, described by the *Picayune* as “all colored Amazons.” “They pummeled, gouged and battered old Charity without mercy,” wrote the paper. After this, as Ross told the First District Court, one of the women “threw a brick at witness, said brick striking a wash tub standing in witness’ door breaking it into pieces.” Ross and her property were only spared when a male neighbor pulled the other women away with the help of several bystanders. The court fined two of the attackers twenty dollars apiece and dropped charges against the third.²⁶⁶

²⁶⁵ *State of Louisiana v. Lavinia Harris*, case no. 4764, 3 November 1872, First District Court.

²⁶⁶ *State of Louisiana v. Laura Johnson, Sarah Johnson, and Matilda Livingston*, case no. 18035, 4 May 1867, First District Court; and “Sent Down,” *Daily Picayune*, New Orleans, Louisiana, 8 May 1867, 8.

The shared spaces and lack of privacy in boardinghouses often amplified neighbors' quarrels. Residents not only knew each other's lives (and faults) intimately but they also had easy access to each other's possessions and bodies. In February 1877 a brawl broke out in a crowded downtown boardinghouse over gossip about the alcohol consumption of a woman named Ellen Smith. One resident, Eliza Sanders, had joined several other people visiting a new baby in another woman's room when Smith burst in with a dirk knife and jumped on her, tearing at Sanders's clothes. "I said don't turn my clothes over my head before these men," Sanders told the court. She managed to extricate herself, running upstairs and then back down, all the time with Smith on her heels hitting her with a broom. The fight was briefly interrupted by the landlady, Elizabeth Hill. "The accused got Eliza Sanders in my front room down on the Sopha," Hill told the court, "and was beating her severely with a broomstick and she said she would Kill her." Hill forced the women apart and "I told Ellen Smith not to come in my house fighting."

Smith, though, was too infuriated to hear this warning. The two combatants flew into the room of a woman named Mrs. Prower, who was also in Smith's sights. Smith grabbed a basin on Prower's bed and smashed it to the ground while proclaiming "Mrs. Prowers you damn bitch[,] I'll kill you if you said I was drunk." Only the swift arrival of a neighboring woman who heard the row from the street below brought the violence to an end when, as she testified, "I put [Smith] out of the room." Altogether at least nine people, including two unidentified men and two additional female residents, witnessed or participated in the fight, which involved at least five women in its tumultuous course. For her misdeeds, Smith spent one day in the Parish Prison.²⁶⁷

²⁶⁷ *State of Louisiana v. Ellen Smith*, case no. 9386, 7 February 1877, First District Court.

Ellen Smith fought so ferociously in response to mean-spirited gossip, but many neighborhood disputes among women concerned the labor they performed both for their families and for pay. They fought over domestic goods and implements such as articles of clothing, household linens, domesticated animals, and even access to residential cisterns. In 1876 Eliza Thomas alleged that another woman came into her yard and filled a bucket from Thomas's cistern. "I asked her who gave her permission to get water from my Cistern," Thomas told the court, and, when she ordered the woman away, "The accused then emptied the water out of her bucket and struck me over the temple with the bucket." An unnamed man broke up the fight, but the woman later returned with a hatchet, threatening "let me in[,] I want to Kill her."²⁶⁸ As with the bucket, the item under dispute very often became a means of attack. In 1869 two white women fought over a tub and a set of washboards that one had borrowed from the other. When the owner demanded them returned, the second woman declared that she "would not give them to me, but struck me with the wash board and tub" before throwing them into the open gutter, perhaps ruining them for both women.²⁶⁹ These everyday goods might be commonplace, but they were not inexpensive to replace or repair. Access to them was, moreover, essential in caring for one's self and family and, for some women, in performing paid labor such as cleaning, laundering, or cooking.

These fights over household goods and personal items on occasion revealed the racial intermixing of New Orleans's working-class neighborhoods. As with many neighborhood disputes, these episodes often began with some form of mutual assistance or even friendship

²⁶⁸ *State of Louisiana v. Lizzie Baptiste*, case no. 8860, 22 April 1876, First District Court. Baptiste was found not guilty.

²⁶⁹ *State of Louisiana v. Lizzie Scott*, case no. 934, 13 March 1869, First District Court. The case against Scott ended with a *nolle prosequi*. These women were unlikely to be professional washerwomen as most were then women of color.

between women, here across racial lines. Christine Stansell observes that the limited resources of working-class families “made the neighborhoods important resources in the negotiations and battles of daily urban life.”²⁷⁰ Under a depressed postwar southern economy these needs became even more acute for residents of New Orleans, and cooperation easily turned to conflict, perhaps even more readily in relationships built across the contentious ground of race. In 1872 a black woman named Betsy Johnson charged Maggie Mitchell, a white woman, with assaulting her in the yard of their boardinghouse. The women quarreled over Mitchell’s failure to return a set of Johnson’s blankets, apparently the final straw in a deteriorating relationship. Another housemate named Sarah Jones recounted the fight before the First District Court:

[B]etween the hours of 8 and 9 o’clock in the morning, Betsy Johnson said to the accused: Maggie, as we cannot agree together, give me my blankets The accused said ‘I won’t do it, you black wench.’ The accused then caught hold of a shovel and struck her on the forehead. She then caught Betsy by her hair and dragged her into . . . Maggie’s room and struck her with her fist twice. Betsy did not strike the accused.

In such a fight, racial antagonism compounded a personal quarrel, here over blankets, and exploded into a fit of violence not uncommon among neighbors. Two other housemates, including Johnson’s brother, corroborated Jones’s account of the alleged assault, but the court was forced to drop the case a month later when, after a hasty removal from the boardinghouse, Mitchell could not be found.²⁷¹

²⁷⁰ Stansell, *City of Women*, 42.

²⁷¹ *State of Louisiana v. Maggie Mitchell*, case no. 4432, 13 July 1872, First District Court. Mitchell was perhaps Irish as immigrants often shared neighborhoods with New Orleanians of color. We do not know the race of the witness Sarah Jones.

Women's everyday lives and labors in these neighborhoods blurred the lines between domestic and public spaces, so it makes sense that their fights often unfolded before others' eyes and ears.²⁷² Bridget Murphy was in her downtown yard one afternoon in spring 1867 when another Irish woman named Bridget Kelly cut her with a knife, "almost severing her arm in two" according to the *Picayune*. The noise attracted the attention of two black women who were each ironing inside their nearby homes. (They may have been washerwomen although the court did not record their professions.) Eliza Carter quickly abandoned her ironing when she heard the commotion, ran out to the second-floor gallery, and, as she told the court, "saw the accused cutting Mrs. Murphy." Rebecca Hall similarly dropped her work when she heard someone, possibly Carter, "crying look out[,] she is cutting Mrs. Murphy with a Knife." An older, unidentified white man was then trying to stop the attack but Kelly, as Carter testified, "reached over the shoulder of this old man . . . and cut [Murphy] in the face with a Knife." Here we see a diverse neighborhood of women—and one older man—at work and privy to all that was occurring around them. Even the weapon in Kelly's assault was a domestic utensil, described by the paper as "a common table knife." For her actions and on the testimony of two black women, Bridget Kelly went to the Parish Prison for five days.²⁷³

Women also fought to collect debts or ensure payment for their labor. In 1875 a seamstress named Sarah Johnson went to a family's house to collect \$11.50 that they owed her. Both she and the family were black, although a class difference likely loomed between

²⁷² In her study of working women in New York, Stansell observes that the middle class's ideal of a private family home "was absent from the lives of urban laboring women, who observed no sharp distinctions between public and private." Stansell, *City of Women*, 41.

²⁷³ "Another Cutting Affair," *Daily Picayune*, New Orleans, Louisiana, 28 April 1867, 8; and *State of Louisiana v. Bridget Kelly*, case no. 18036, 27 April 1867, First District Court. See also "Sent Down," *Daily Picayune*, New Orleans, Louisiana, 7 May 1867, 3.

them if the family was well-off enough to employ a seamstress. The payment Johnson claimed to be owed likely represented a significant amount of labor and was valuable money to a woman in the poor-paying needle trade. She and the daughter exchanged words and insults in the family's front yard until, according to witnesses in the neighborhood, the daughter hit her with an iron poker and then ran into the house, slamming the door as Johnson tried to force her way in. Giving up, Johnson retreated across the street, nursing the cut on her head. "The mother," she told the court, "ran over the street[,] struck me on the back three times and snatched [my] bonnet and braid." Unable to collect her bill, Johnson was willing to resort to violence in open sight of her clients' neighbors; the daughter and mother, for their parts, both struck out at Johnson whether to refuse to pay the bill, defend their home, or simply out of animosity. Johnson brought assault charges against the daughter, but she was ultimately acquitted.²⁷⁴

Many neighborhood disputes concerned the payment of rents. Sometimes the exact amount owed was under dispute as in 1865 when the *Picayune* reported two women clashing over "the sum of one dollar additional rent."²⁷⁵ At other times tenants resisted payment. One landlady met violent resistance when she tried to collect rent from a mother and daughter living in her boardinghouse. She told the court that the older woman "called me a son of a bitch and said 'I'll give you the money you ought to have,' and struck me over the shoulder with a broom stick."²⁷⁶ Mother and daughter escaped conviction in this case, but the former

²⁷⁴ *State of Louisiana v. Louisa Johnson*, case no. 7801, 16 April 1875, First District Court.

²⁷⁵ "Recorder Vennard's Court," *Daily Picayune*, New Orleans, Louisiana, 5 January 1865, 1.

²⁷⁶ *State of Louisiana v. Ellen Gaffney*, case no. 4320, 19 May 1872, First District Court. Later that year, living on the same street but apparently in a different house, Ellen Gaffney and her daughter Margaret Purcell were tried for the alleged infanticide of Purcell's infant daughter (with Gaffney charged as an accessory). The case was dropped the next year when the First District Court jury could not reach an agreement. *State of Louisiana v. Margaret Purcell and Mrs. [Ellen] Gaffney*, case no. 4501, 27 July 1872, First District Court.

continued quarreling with her neighbors and was accused of striking a female housemate over the head with a bottle three years later.²⁷⁷

Perhaps more often the attacks came from the landladies, who repeatedly demonstrated their readiness to use violence and other mischief to collect what they believed they were due. In 1875 a male tenant named Joe Hughes alleged that his boardinghouse keeper, Mrs. Donahue, tried to force him out of his room through escalating violence. “I said I would not give it up as I always pay my rent regularly,” he told the court. She first tried to take away his rocking chair and then his table, but “I told her that she could not take anything from my room.” Donahue then drew “a large Knife” which Hughes seized from her, but she ran downstairs and returned with a hatchet. “I ran towards her and took it away,” as Hughes recounted, thus prompting her to retrieve a cotton hook for her third and final attempt on him. “She struck me on the shoulder and ripped my shirt with it. I then called out ‘Murder! Watch!’” which finally brought a policeman to the scene. Donahue was ultimately acquitted by the First District Court jury, which was perhaps unconvinced by Hughes’s dramatic account.²⁷⁸

The most ferocious boardinghouse keeper in postbellum New Orleans was undoubtedly a woman named Margaret Boylan, who maintained a house uptown on Melpomene Street for her husband, children, and tenants. One of New Orleans’s many Irish immigrants, Boylan was married with two sons before the Civil War, and her husband Robert operated a grocery store. Like many married women who rented out spare rooms, Boylan

²⁷⁷ *State of Louisiana v. Mrs. [Ellen] Gaffney*, case no. 8175, 5 July 1875, First District Court. The affiant lived at the same address as Gaffney, but it is unknown whether she was a landlady or fellow resident. Court documents are inconclusive for this case, but it appears likely Gaffney once again escaped conviction.

²⁷⁸ *State of Louisiana v. Mrs. Donahue*, case no. 8448, 3 November 1875, First District Court. Donahue’s first name is not recorded in surviving court documents.

supplemented the family's income at the time by taking two single male tenants. The postwar period, however, found the family struggling. Robert had lost his grocery store and now worked on the levee. The family had expanded to four children, but the second son, born in 1859, had since died.²⁷⁹ In the 1860s Boylan had occasional run-ins with the police such as an incident in 1866 when she was fined a steep twenty-five dollars "for being drunk, and grossly insulting and abusing" a fellow Irishman, but the 1870s found her more frequently before the courts.²⁸⁰

Boylan likely expanded her boarding operation in the 1870s to provide for her family but, in the process, she proved herself as vicious as she was resourceful. (She may also have had problems with alcohol as multiple incidents alleged that she was drunk at the time.) In December 1873 a woman named Mrs. Fanny Johnson, perhaps a widow, rented a room from Boylan, but she and Boylan quarreled when Johnson informed her that she intended to leave when the month was over. Johnson alleged that Boylan stole a mirror valued at eighteen dollars from her room in retaliation even though, as Johnson testified, "I did not owe her a dollar as I had paid my room rent in advance."²⁸¹ Boylan was acquitted in the incident, but two years later a male boarder accused her of assault and battery against him and his wife. As he told the court, "the accused came into my room and commenced to abuse my wife who

²⁷⁹ The 1860 Census for Orleans Parish listed Margaret Boylan as born in 1832 in Ireland. Her husband Robert was then thirty years old and listed as having a grocery store and 400 dollars in property. They had two children, both born in Louisiana: Steven, age four, and Philip, age one. The two boarders were John Cochran, a twenty-seven year-old laborer born in Ireland, and Edward Caulfield, also twenty-seven and born in Ireland but a baker. The 1870 Census for Orleans Parish listed Boylan as "keeping house" and Robert as a working on the levee. Their children were Stephen, thirteen; Peter, ten; Joseph, five; and Margaret, three. No boarders were listed in 1870.

²⁸⁰ "Recorder Ahern's Court," *Daily Picayune*, New Orleans, Louisiana, 24 November 1866, 8.

²⁸¹ *State of Louisiana v. Mrs. [Margaret] Boylan*, case no. 6213, 4 December 1873, First District Court.

was confined to bed. I ordered [her] out[,] she cursed me a Bastard Son of a Bitch. She then assaulted me and tore the shirt off my back.”²⁸²

That same year two female boarders accused Boylan of fits of violence and destruction. Boylan and a tenant named Alice Herb had a violent altercation that stretched over two days. On the first day Boylan allegedly struck Herb “with a rope, beating me over the shoulder.” The next afternoon when Herb was out of her room Boylan “did go in my room, and break my trunk and tear up my clothing,” altogether valued at twenty dollars. The women fought again later that afternoon, likely when Herb returned and saw her property destroyed. Boylan’s son Stephen, then eighteen, joined the scuffle in which, as Herb testified, “she did assault strike Knock and Kick me” with a “heavy stick.” Two months later another female boarder, Louiza Snowden, alleged that Boylan “violently assaulted struck and Knocked me down and threw a bucket of water on me.” These cases, along with that of the male boarder and his wife, were tried simultaneously in early September 1875, but Boylan spent only one hour in the Parish Prison for all three incidents.²⁸³

We do now know if all of Margaret Boylan’s altercations with her tenants concerned the collection of rent; some of the incidents appeared to spring from a pure vindictiveness that likely needed little spark to ignite into violence, especially with alcohol for fuel. As with other women’s disputes over possessions or money, Boylan chose violence over a more

²⁸² *State of Louisiana v. Margaret Boylan*, case no. 8142, 20 July 1875, First District Court.

²⁸³ *State of Louisiana v. Margaret Boylan*, case no. 7887, 16 May 1875, First District Court (assault with a dangerous weapon); *State of Louisiana v. Mrs. [Margaret] Boylan*, case no. 7901, 17 May 1875, First District Court (malicious mischief); *State of Louisiana v. Margaret Boylan and Stephen Boylan*, case no. 7881, 17 May 1875, First District Court (assault and battery); *State of Louisiana v. Margaret Boylan*, case no. 8245, 13 July 1875, First District Court (assault and battery); and *State of Louisiana v. Margaret Boylan*, no. 8142, 1875 (assault and battery). Boylan pled guilty of assault and battery and was sentenced to one hour in the Parish Prison in case number 8245 against Louiza Snowden, but this outcome likely incorporated the other cases as well. The charges against Stephen Boylan in case number 7881 were apparently dropped.

orderly legal resolution, perhaps because she had little confidence in the courts or because violence offered a more immediate result. Her attacks may have sprung spontaneously from the malice of the moment, or she may have anticipated the confrontations and schemed her best revenge. However they came to be, her brawls demonstrated more than an individual woman's disagreeable personality or meddlesomeness. By brawling with housemates over disputed household goods, attacking unpaying customers, or striking tenants and destroying their things, working women asserted their right to protect what was theirs—their goods, money, and wages—and to govern their own labors as they saw fit. If the ferocity and frequency of Boylan's fights were exceptional, her self-assertion, through violence if necessary, was like many other women's neighborhood disputes.

Although often treated as a caste apart, prostitutes in postbellum New Orleans shared much in common with other working women in the city. They usually came from similar backgrounds and indeed sometimes the same families. They often lived in the same or at least adjacent neighborhoods, especially since the city's regulatory system aimed to funnel prostitution into working-class areas. In addition, the sometimes porous line between casual or occasional prostitution and full immersion in the trade blurred distinctions between “women on the town” and *nymphs du pave*.²⁸⁴ Their fights were similar, too. Like other women, prostitutes clashed over personal disagreements, disputed possessions, and unmet payments, and these conflicts similarly highlighted the inseparability of work from other aspects of their lives. Most of their altercations occurred in brothels. Prostitutes' brothel

²⁸⁴ Christine Stansell observes the frequency of informal prostitution including occasional streetwalking and “treating” (providing sexual favors in return for a night on the town and various commercial entertainments) among working-class women in mid-nineteenth-century New York. She notes that “Women on their own earned such low wages that in order to survive, they often supplemented waged employment with casual prostitution.” Stansell, *City of Women*, particularly chapter nine, “Women on the Town: Sexual Exchange and Prostitution,” 171-92. Quote from page 176.

fighting were among the most common forms of everyday violence in Reconstruction-era New Orleans as a quarter of all women's alleged assaults took place there. By fighting in their brothels and at times using violence to protect their houses from others, women claimed this public space as their own to control as they saw fit.

As with neighborhood disputes, prostitutes' fights offer a record of women's daily interactions and commonplace concerns. In 1874 a black woman from the notorious Smoky Row area of Burgundy Street attacked a washerwoman with a razor, cutting her twice in the arm.²⁸⁵ In a profession where self-presentation and dress were so important in attracting customers, prostitutes had frequent dealings with washerwomen and seamstresses, and some of these business arrangements devolved into personal animosity and, at times, physical violence. Prostitutes also clashed with their madams, perhaps because they disagreed with their financial terms or management of the house. Madams exercised great personal authority over the women in their houses, able to charge them exorbitant room and board, demand certain standards of conduct or dress, or evict residents without warning. Against this power, prostitutes might resort to violence out of self-protection, desperation, or even psychological turmoil. So the *Picayune* implied of one "young siren" who attempted to kill the venerable madam Kate Townsend in 1868. "The savage beauty," the paper related, "attacked the woman with a knife, and would have killed her but for the interference of others."²⁸⁶

Women also had violent quarrels with male customers in their brothels, sometimes resorting to self-defense. The *Picayune* described altercations in New Orleans's *demimonde*

²⁸⁵ *State of Louisiana v. Louisa Johnson*, case no. 6368, 25 January 1874, First District Court. The verdict for this case is unknown.

²⁸⁶ "On the Rampage," *Daily Picayune*, New Orleans, Louisiana, 3 October 1868, 7.

as “the bloody affrays which too frequently occur among the lower orders of society” but, as with violence within marriages, attacks were assumed to originate most often from men.²⁸⁷

In August 1868 the *Picayune* reported that a man attacked “a very pretty female” with a hatchet in her brothel; a week later the customer of another “very pretty female . . . fired two shots at her and would have killed her but for the interposition of the rest of the inmates of the house.”²⁸⁸ Years before, a young woman of color working in a brothel near Burgundy Street was “shot in her right eye” by a black male client and taken to her mother’s home to convalesce.²⁸⁹ Other women suffered such brutal assaults at the hands of customers that they died from their injuries. In May 1866 a white woman named Ellen Gasper was badly beaten by Mat Hogan, a customer who frequently visited her brothel, the Lion House on Dauphine Street. She told one of her housemates that “Mat Hogan took her by the hair of the head and beat it against the floor.” She died of her injuries soon thereafter, and Hogan, a white Union army veteran, fled the city and was never brought to trial.²⁹⁰

Men may have initiated most conflicts, sometimes with tragic results, but prostitutes visited their fair share of violence on customers. *Demireps* attacked men with knives, guns, or their bare hands; there was even one encounter in 1868 that the *Picayune* described as a

²⁸⁷ “Attempt to Kill,” *Daily Picayune*, New Orleans, Louisiana, 13 March 1868, 2.

²⁸⁸ “Attempt to Kill,” *Daily Picayune*, New Orleans, Louisiana, 23 August 1868, 2; and “Attempt to Kill,” *Daily Picayune*, New Orleans, Louisiana, 2 September 1868, 2.

²⁸⁹ “Recorder Woofley’s Court,” *Daily Picayune*, New Orleans, Louisiana, 23 March 1865, 4.

²⁹⁰ “Murder of Ellen Gaspar,” *Daily Picayune*, New Orleans, Louisiana, 18 May 1866, 8; “Arrested,” *Daily Picayune*, New Orleans, Louisiana, 23 January 1867, 2; and “Rearrested,” *Daily Picayune*, New Orleans, Louisiana, 25 April 1867, 8. Ellen Gasper’s name was alternately listed as “Helen” and “Gaspar.” Hogan was twice rearrested in early 1867 after returning to the city. He was arrested in January for vagrancy, recognized as the suspected murderer of Gasper, and rearrested in April charged with murder. The *Picayune* explained why the case was dropped again: “Owing to the absence of two witnesses who are at present in St. Louis, we understand that Hogan was again released.” “Rearrested,” *Daily Picayune*, 25 April 1867. This is the last known trace of this case.

“flogging exhibition—a mad female, and a scared youth.”²⁹¹ Women often responded to insults and allegations with physical violence. In 1870 a white denizen of Franklin Street, learning that she had been insulted by a black man named Joe Parker, called him into her house and broke his arms with an iron poker.²⁹² That same year the *Picayune* reported on another woman who, when accused by a customer of stealing twenty-four dollars, “burst a bottle over his head into a thousand pieces as he was going out of the house, because he ventured to insinuate a suspicion against her honesty.”²⁹³

Women who attacked their customers sometimes clearly did so in self-defense. In 1866 the *Picayune* described a dangerous encounter between Rosa Lee and a customer named Eugene Rahm. In Lee’s Gasquet Street brothel they exchanged “angry words” before Rahm “seized her by the throat as if to choke her.” Lee managed to get away and “quickly drawing a pistol fired,” her shot grazing Rahm’s arm.²⁹⁴ Three years later a mysterious “difficulty” in a Dryades Street house at 5:30 in the morning concluded with a man named Washington Rockwell being shot in the thigh. The residents of the brothel barred the door against a policeman who heard the shot, thereby protecting the woman’s identity. Whomever she was, the *Picayune* judged her actions warranted, explaining that “It appeared that Rockwell did not wish to prosecute, the assailant, being sensible, perhaps, that his conduct had provoked the assault, and that the woman was justified in the course she pursued.”²⁹⁵

²⁹¹ “Got Flogged,” *Daily Picayune*, New Orleans, Louisiana, 7 February 1868, 8.

²⁹² “On the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 1 December 1870, 2.

²⁹³ “Miscellaneous,” *Daily Picayune*, New Orleans, Louisiana, 27 March 1870, 3.

²⁹⁴ “Shot by a Woman,” *Daily Picayune*, New Orleans, Louisiana, 30 May 1866, 9.

²⁹⁵ “Shooting Affray,” *Daily Picayune*, New Orleans, Louisiana, 25 May 1869, 1.

This unnamed woman was protected by the other residents of her brothels, who shielded her against any legal consequences for her act of violence. Similarly, Ellen Gasper, who lingered in great pain after having her head beaten into the floor, was carefully tended by her housemates as she died; one woman, identifying herself as Gasper's "intimate friend," even kept vigil by Gasper's bed for several nights as she lay there dying.²⁹⁶ Just as the tight quarters in New Orleans's communities forced neighbors into an everyday intimacy, so women in the sex trade came to know each other well by working in the same houses or in clusters of brothels across the city. At times, this proximity produced professional cooperation, even friendship—the "sisterhood" historians sometimes observe among women in the trade.²⁹⁷ For example, two white prostitutes named Elizabeth Richards and Mary Tillman appeared together in court records and newspaper accounts at least five times in the course of four years, a frequency that testified to their close connection as well as their troubled relationship with the law. Living in the same brothel, they were accused of drinking

²⁹⁶ "Murder of Ellen Gaspar," *Daily Picayune*, 18 May 1866.

²⁹⁷ Historians of prostitution debate the degree to which women in the sex trade shared a collective sense of "sisterhood." As her title *Their Sisters' Keepers* suggests, Marilynn Wood Hill asserts that prostitutes depended on each other for material and emotional support in nineteenth-century New York, replicating the bonds among middle-class women. As Hill writes, "A female support network was as essential to a prostitute's life as it was to other nineteenth-century women's lives, and certain structural aspects of prostitution—living and working together—facilitated close female friendships," even though she acknowledges that these bonds did not develop into "a self-conscious political sense of sisterhood." Other scholars of prostitution argue against "sisterhood," noting that women's lives of violence and desperation precluded much cooperation. Judith Schafer observes of prostitutes in antebellum New Orleans that "The need to successfully compete with their fellow prostitutes drove out sisterhood." Others suggest that the sex trade was too psychologically deleterious to support productive relationships. "The dynamics of prostitution," as Anne M. Butler argues of prostitutes in the nineteenth-century American West, "encouraged women to indulge in dishonesty, suspicious, fighting, and attack."

The different types of historical sources available for study certainly determine any representation of sisterhood or its absence. Court records based on disputes and allegations offer little evidence of cooperation while Hill's focus on women's correspondence, leisure activities, and residential patterns provides more instances of sustained relationships and even meaningful friendships. Marilynn Wood Hill, *Their Sisters' Keepers: Prostitution in New York City, 1830-1870* (Berkeley: University of California Press, 1993), 296 and 323; Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009), 156; and Anne M. Butler, *Daughters of Joy, Sisters of Misery: Prostitutes in the American West, 1865-90* (Urbana: University of Illinois Press, 1985), 45.

illegally in bars, drugging and stealing from clients, and generally violating the public order, often alongside other women from their house.²⁹⁸

Richards and Tillman's relationship was certainly cooperative, perhaps even companionate, but it was not the rule among prostitutes. The legal system, quite simply, was not generally a place for "sisterhood." In fact, a majority of prostitutes' alleged assaults, approximately sixty-five percent of those before the First District Court, were against other women in the trade. The *Picayune* declared in spring 1865 that "These appear to be fighting times among women of a certain class," a veiled reference to prostitutes, and the size and volatility of the New Orleans *demimonde* meant that these "times" continued uninterrupted throughout the postwar period.²⁹⁹ They fought housemates and, more often, women living nearby. The *Picayune* reported that most brothel fights resulted from romantic rivalries, but women also clashed over rude insults, borrowed money, articles of clothing, and potential customers.³⁰⁰

²⁹⁸ "Second District," *Daily Picayune*, New Orleans, Louisiana, 30 August 1866, 3; "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 30 August 1866; *State of Louisiana v. Mary Tillman and Elizabeth Richard*, case no. 17573, 24 October 1866, First District Court; "Robbery," *Daily Picayune*, New Orleans, Louisiana, 25 October 1866, 8; "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 1 November 1866, 8; "Misfortune," *Daily Picayune*, New Orleans, Louisiana, 5 February 1869, 2; and "Miscellaneous," *Daily Picayune*, New Orleans, Louisiana, 7 April 1870, 2.

²⁹⁹ "Another Cutting Case," *Daily Picayune*, New Orleans, Louisiana, 17 March 1865, 8.

³⁰⁰ Judith Schafer examines violence involving prostitutes in antebellum New Orleans and concludes that "prostitutes lived extremely violent and dangerous lives" and that much of this violence came "from each other." Schafer, *Brothels, Depravity, and Abandoned Women*, 107. See in particular chapter four, "Infamous Public Women," 60-73, and chapter six, "Violent Lives, 89-107. Marilynn Wood Hill, who elsewhere emphasizes "sisterhood" among prostitutes, observes that such intimacy could also lead to violence among women. As she explains, "those in closest proximity were vulnerable to displaced anger generated by frustrations a prostitute might feel about her life in general." Hill, *Their Sisters' Keepers*, 295. For more on prostitutes' experiences of violence as both victims and perpetrators in the nineteenth-century U.S., see Butler, *Daughters of Joy, Sisters of Misery*; Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York: Vintage Books, 1998); and Amy Gilman Srebnick, *The Mysterious Death of Mary Rogers: Sex and Culture in Nineteenth-Century New York* (New York: Oxford University Press, 1995).

Prostitutes' altercations were widely assumed to be the most vicious of fights among women. Many prostitutes were women of color, Irish, or working-class, all groups then stereotyped as prone to violence; physical aggression was, moreover, believed to accompany the sexual "ruin" of women. Thus believed to lack—or to have lost—gentler feminine sensibilities, prostitutes were assumed to fight as frequently as men but even more savagely. When two women from "the delightful precincts of the Boulevard du Basin" fought in June 1868, the *Picayune* observed that "the enraged sirens displayed the most ferocious desire to scratch each other's eyes out."³⁰¹ No doubt prostitutes' violence was sensationalized for the *Picayune*'s readers, but the brutality was often real and dangerous. In 1872 a women from Basin Street was "cut and wound[ed] in the face with a razor" when visiting an acquaintance on Franklin Street. Her assailant, another prostitute, received a relatively severe sentence for one year in the Parish Prison.³⁰² Prominent injuries, especially on the face, were a serious impairment for women whose financial survival depended on attracting male patronage, but other blows were even more dangerous. In 1868 two women cut off another woman's ear in a fight on Burgundy Street, and five months later a prostitute on Rampart Street "had her skull fractured by a blow on the head with a brick-bat." The attack came from a woman described by the *Picayune* as "one of the most vicious and dangerous of her class."³⁰³

Some brothel fights involved housemates or, as the *Picayune* described them, "interesting 'ladies' both occupy[ing] the same domicil." Brothels' close quarters, fierce competitions, and plentiful alcohol fueled residents' antagonisms, and rows erupted over any

³⁰¹ "Feminines on the Muscle," *Daily Picayune*, New Orleans, Louisiana, 2 June 1868, 2.

³⁰² *State of Louisiana v. Sarah Taylor*, case no. 4891, 16 November 1872, First District Court.

³⁰³ "Mayhem," *Daily Picayune*, New Orleans, Louisiana, 17 May 1868, 2; and "An Affray Between Demireps," *Daily Picayune*, New Orleans, Louisiana, 1 October 1868, 2.

number of causes. Many altercations among housemates originated in verbal disputes that escalated into physical violence. A woman named Mary Jane Francis was in her room one Sunday evening in spring 1872 when a housemate, Louisa Jones, “came there and insulted me.” “I told her to leave the room,” Francis recounted to the court. Jones eventually retreated, but when Francis later left her room “as I was going out she jumped upon me and stabbed me in the side.” The First District Court sentenced Jones to one hour in the Parish Prison for the assault.³⁰⁴

Women from different houses had even less incentive to maintain peaceful relationships. Women lived in close proximity as prostitution dominated certain areas of the city; they competed for the same customers and socialized at the same saloons and entertainment spots; and very often they shared past residences as women frequently relocated among brothels. Just as neighborhood women trespassed into each others’ homes, so women in the *demimonde* took their quarrels into each others’ brothels. In the process, the brothel became contested space, not so much between women and the police as but among women themselves.

The invasions of rival brothels by infuriated prostitutes read much like the wreckage neighborhood women sometimes brought on each other. Two prostitutes whom the *Picayune* described as “very pretty females who sometimes go on a spree, and when under such inspiration conduct themselves very unprettily” remind one of landlady Margaret Boylan raging at her tenants. One Friday night in July 1868, presumably after drinking heavily, the women burst into the room of a prostitute named Kate Gracey and “having some spite against that ‘lady,’ without any to do administered to her a couple of black eyes, tore up her

³⁰⁴ *State of Louisiana v. Louisa Jones*, case no. 4038, 31 March 1872, First District Court.

wardrobe, smashed the furniture, and threw a costly vase out of the window.” These two “unpretty” women were as intent on destroying Gracey’s well-appointed room as they were on hurting her physically. In fact, the process—and expense of—repairing or replacing her wardrobe, furniture, and décor likely took longer than the healing of the bruises on Gracey’s eyes.³⁰⁵

For other women, the destruction of property was merely a by-product of a physical assault. In the fall of 1866, Fanny Lavinia’s house on Franklin Street was visited by two other prostitutes of color. The three women quarreled until Lavinia demanded that they leave. One of the women responded by, “striking affiant over the head with a glass tumbler” while the second woman picked up a glass bottle lying on the ground nearby and used it to strike Lavinia as well.³⁰⁶ One of the rougher areas of the New Orleans *demimonde*, Franklin Street was heavily populated by small brothels and cribs, and this concentration of prostitutes undoubtedly heightened the competition among women there. In 1872 a customer witnessed an attack on a woman named Fanny Hall in a Franklin Street brothel. Identifying two women, both named Lizzie, he told the court that “big Lizzie told little Lizzie why don’t you cut the damned bitched.” Hall remembered that “both of them stabbed me once in my face and in the breast.” Despite corroboration of the affiant’s testimony, which was relatively rare in alleged brothel fights, both Lizzies were acquitted.³⁰⁷

Well-aware of the danger that their fellow *demireps* posed, women tried to prevent women they did not either know or trust from gaining access to their brothels. When a

³⁰⁵ “Females on the Rampage,” *Daily Picayune*, 18 July 1868.

³⁰⁶ “Recorder Gastinel’s Court,” *Daily Picayune*, New Orleans, Louisiana, 30 October 1866, 8.

³⁰⁷ *State of Louisiana v. Lizzie Williams and Lizzie Dudley*, case no. 4835, 27 November 1872, First District Court.

prostitute named Julia Lane heard a knock on her crib door one Friday evening in 1875, she was loathe to open the door. As she cracked the door open, a woman lunged in and “cut at me with a razor,” for which the assailant went to the Parish Prison for one day.³⁰⁸ As a crib-worker, Lane had no housemates to protect her or her space and was thus all the more vulnerable. In other brothel attacks, women acted to prevent violence in their houses, even at the expense of protecting their housemates. In spring 1874, for example, also on Franklin Street, a woman named Mellie Mitchell was pulled into a brothel’s door by a woman who exclaimed “You bitch you are the very one I want and will cut your throat.” Another woman of the house interceded, not to protect Mitchell, but to push the pair out the door, telling the attacker “not to cut [her] in [the] house.” Mitchell was “stabbed . . . in the neck, head and arm” and her assailant convicted to three months in the Parish Prison, but the unnamed woman had successfully kept the violence outside the brothel.³⁰⁹

Pairs or small groups of women perpetrated many brothel invasions, giving each other courage and support as they fought on another’s terrain.³¹⁰ Mellie Mitchell’s attacker, for example, had three other women with her who may not have participated directly in the

³⁰⁸ *State of Louisiana v. Jane Johnson*, case no. 7626, 9 February 1875, First District Court.

³⁰⁹ *State of Louisiana v. Mary Delmore*, case no. 6601, 23 April 1874, First District Court.

³¹⁰ The incidents most often associated with the “invasion” of brothels in the nineteenth century were so-called “brothel riots” in which large groups of riotous, intoxicated men forced their way into brothels and destroyed women’s property. Patricia Cline Cohen describes brothel riots, which peaked in the first half of the nineteenth century, as “typically includ[ing] forced entry, verbal intimidation, and property damage.” Historians interpret these brothel riots as violent displays of male supremacy. As Cohen explains of the men involved, “They were contemptuous vandals, there to remind the women of the intimate power men have over them by sheer physical force and intimidation.” Timothy Gilfoyle observes that “brothel riots were part of a larger transformation in the patterns of male leisure and social behavior . . . [especially] an increase in communal drinking” in the mid-nineteenth century. In addition, Judith Schafer notes that these brothel riots also reflected men’s resistance to brothels’ spread into their neighborhoods. Cohen, *The Murder of Helen Jewett*, 83-4; Timothy Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W. W. Norton & Company, 1992), 81; Schafer, *Brothels, Depravity, and Abandoned Women*, 65.

assault but certainly did nothing to stop it.³¹¹ One woman in the *demimonde*, though, who never needed such assistance was a woman of color named Josephine Taylor. Working on Dryades Street for much of the Reconstruction period, Taylor tore, bit, struck, and kicked anyone who crossed her path, male and female alike, fully earning her sobriquet of “The Mexican Tigress.”³¹² Among her many exploits she made a habit of attacking other women in their brothels. In 1875 she and a woman named Françoise Simpson, who also worked on Dryades Street, quarreled over clothes with Taylor demanding that Simpson return her clothes and Simpson insisting that, as she told the court, “[Taylor] had no clothes at my house.” Taylor was not deterred and burst into Simpson’s brothel, brandishing a knife and declaring of the clothes that “she would have some.”³¹³ Three years before, she assaulted another Dryades Street woman, who testified that Taylor “took a stick out of the wash kettle and struck me with it over the head.” Taylor then kicked her in the stomach and, when the alleged victim tried to flee, “She run after me with a brick bat and a bottle saying she would kill me.” Taylor received a one-day sentence to the Parish Prison for assaulting Simpson but was acquitted in this earlier case despite the testimony of two other witnesses.³¹⁴

When Taylor’s intended victims were not alone, they were sometimes able to expel her from their brothels, answering her violence with their own. In July 1867 Taylor entered a

³¹¹ *State of Louisiana v. Mary Delmore*, case no. 6601, 1874.

³¹² This nickname, “The Mexican Tigress,” was unlikely to mean that Josephine Taylor was Mexican or of Mexican descent. In fact, prostitutes frequently adopted another nationality to add to their sexual exoticism or to supply an alternate, more romantic life story. Some women of color, particularly those of mixed-race backgrounds, took Spanish or Latin American names or nicknames in order to claim an ancestry besides the contemporary designation of “colored” whether this was technically true or not. Describing oneself as Spanish, Cuban, or Mexican might also function as a marker of Creole heritage.

³¹³ *State of Louisiana v. Josephine Taylor alias Mexican Tigress*, case no. 7728, 3 March 1875, First District Court.

³¹⁴ *State of Louisiana v. Josephine Taylor*, case no. 4095, 24 April 1872, First District Court.

Basin Street brothel two blocks from her home on Dryades and, as one resident testified, “commenced abusing Louisa Smith.” Two other women present, including this witness, intervened and tried to get her to leave. Thus began a struggle among the four prostitutes, all women of color, in which Taylor punched one in the face and, grabbing a nearby bucket, launched it through the brothel’s window before fleeing.³¹⁵ As ferocious as “The Mexican Tigress” could be, here she managed only limited violence and one broken window. That her sentence from the First District Court was for a mere four hours in the Parish Prison must have been all but inconsequential to the women in the Basin Street brothel. Willing to match Taylor’s violence—and with the decided advantage of outnumbering her three to one—her opponents forced her out of their brothel and likely prevented injury to Louisa Smith. Although regulation made brothels a public space supposedly monitored by New Orleans police, in these instances it was women who exercised control over the space, especially when they acted together. The Basin Street women and others in brothel fights may have sought primarily to protect themselves and their housemates, but in so doing they also claimed the space of the brothel as their own.

Fighting in their neighborhoods and brothels across the city, the working women of New Orleans enforced their own standards of labor, reciprocity, and even friendship through mutual cooperation and, often, brutal violence. The *demimonde* was admittedly a different sort of neighborhood, the brothel a different type of boardinghouse, but physical violence tied these spaces together and called attention to the women—young and old, black and white, respectable and fallen—who exercised control over the day-to-day business of the

³¹⁵ *State of Louisiana v. Josephine Taylor*, case no. 18232, 17 July 1867, First District Court. We do not know the race of the affiants in other cases against Taylor since the First District Court did not reliably record race after 1869.

communities. Also notable was the degree to which these neighborhood and brothel fights were public events, often witnessed by other residents, customers, and bystanders. Whatever grievances precipitated women's brawls or whomever they attacked, women's fights in postbellum New Orleans very often played out in open view as women staked their claim to public spaces.

* * *

In June 1870 the *Picayune* detailed an incident it deemed "eminently interesting." "Two pugnacious females indulged in a pugilistic encounter in the gutter," it reported of a street fight the night before. The women battled like the indefatigable "Kilkenny cats," hitting, pulling, and scratching at each other until "they left nothing but . . . torn and abbreviated skirts."³¹⁶ The next month two more "pugnacious females" clashed on a nearby street, "illustrating the maturity of their muscle by repeated knock-downs."³¹⁷ As colorful as these episodes were for the *Picayune*'s readers, they were not unfamiliar. Women, often prostitutes, battled not only "in the gutter" but in restaurants, ballrooms, and saloons across the city. Their fights exposed how feeble police efforts to control public spaces often proved to be. Women also challenged the criminal justice system directly by fighting in police stations and courtrooms and using violence to resist arrest. Women's "pugnacity" in these public spaces thus targeted more than their individual opponents alone.

A dizzying number and array of public leisure sites marked New Orleans as a thoroughly modern metropolis, placing it alongside other large American cities such as New York where commercial entertainments were increasingly coming to dominate urban

³¹⁶ "A Fight in the Gutter," *Daily Picayune*, New Orleans, Louisiana, 24 June 1870, 2.

³¹⁷ "Recorder Houghton's Court," *Daily Picayune*, New Orleans, Louisiana, 19 August 1870, 2.

culture.³¹⁸ Brothels, concert saloons, and gambling halls catered to the predominantly male sporting culture, but men and women alike patronized city restaurants, ballrooms, and, to a lesser degree, coffee-houses and saloons. Unlike the neighborhood and brothel disputes that so often concerned some aspect of women's work, altercations at sites of public leisure often turned on sexual jealousy. Women might encounter—or follow—a lover and his new companion in one of New Orleans's restaurants, and violence occasionally ensued. In December 1869 a woman named Kate Williams from a Basin Street brothel followed her lover "in company with his more recent inamorata" into an oyster saloon. Inside the restaurant, as the *Picayune* reported, Williams "commenced a savage attack with a knife upon her rival," stabbing the other prostitute in the face and breast several times before she was pulled away.³¹⁹

Prostitutes were not the only women to fight in restaurants. A white woman named Maria Davis was recently engaged but knew that her "John is a flirt." Inclined toward jealousy, Davis followed him until "she discovered John, Tuesday evening, doing the honors of a restaurant table to a fair Malinda." Screaming "You brute! You devil!" Davis showered blows over "the coquetting fair one and the inconstant John" with a heavy club until the other woman fled the restaurant and John collapsed to the floor, "tak[ing] the remorseless blows that beat him almost into jelly." The attack only ceased when the restaurant's waiters brought police to the scene. These restaurant fights ensured numerous witnesses, which was likely why the *Picayune* could offer such detailed reporting of these assaults. Unlike the fight involving jealous prostitutes, though, here the scorned woman targeted the straying

³¹⁸ Gilfoyle, *City of Eros*.

³¹⁹ "Stabbing," *Daily Picayune*, New Orleans, Louisiana, 31 December 1869, 2.

man, not just the other woman. Whether out of deference to a respectable man or pity for his humiliation, the *Picayune* concealed John's last name, which it did not do for the prostitutes' lovers. The paper also gave much greater attention to Davis's temperament, observing that "Her affections are something like those of the tigress—pleasant enough when not excited, but dangerous if aroused." Prostitutes who engaged in similar violence, by contrast, rarely received such individual attention and instead were understood to act more or less predictably for women in their profession. Though Davis was deemed "A Dangerous Female," she was certainly not presumed to represent all affianced women.³²⁰

Women also fought in the ballrooms that hosted large social events. Given the large crowds in the ballrooms, police were instructed to monitor these events closely, but that did not prevent women's altercations. In fall 1865 the *Picayune* reported a fight between two young women of color at a ballroom on St. Louis Street, likely the Union Hall Ball Room. The paper vaguely noted that the dispute arose "when either their lovers, attendants, or sweethearts, neglected them, or they grew jealous of their attractions of other fair ones; at all events, they were not in a good humor." This halting explanation suggested that the reporter did not know the actual cause of the row, substituting instead the stock narrative of romantic frustrations and jealousies.³²¹ One striking aspect of ballroom fights is the apparent absence of weapons, which police were evidently fairly successful in keeping out of these large, public entertainments.

Of all public leisure spaces none saw as many fights as saloons and coffee-houses where alcohol propelled men and women alike into violence. Almost always the women

³²⁰ "A Dangerous Female," *Daily Picayune*, New Orleans, Louisiana, 11 March 1869, 2.

³²¹ "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 6 September 1865, 1.

involved were prostitutes. Nineteenth-century drinking establishments were male domains, largely off-limits for women of all ages, races, and professions with the exception of women of the *demimonde*. Technically New Orleans's city ordinances forbade "any lewd woman to frequent any cabaret or coffee-house, or to drink therein," but such laws were more easily ignored by *demireps* than moral injunctions were by respectable women, and prostitutes openly patronized saloons across the city both to solicit customers and to enjoy their own leisure.³²²

A coffee-house on the corner of Franklin and Customhouse Streets was the scene of several fights between men and women, including one in 1866 in which a prostitute named Molly Williams argued with a man until, as the *Picayune* reported, "she gave practical vent to her anger by cutting [him] with a dirk knife."³²³ Six years later at the same saloon, a local man was socializing with a friend when, as he testified, "the accused Rosa Victor in passing rubbed against me, [and] she cursed [me] for a motherly son of a bitch." He responded by "push[ing] her aside, then she drew a razor" and cut him in his side and arm. Victor went to the Parish Prison for one day.³²⁴ Unlike in restaurants, the women and men involved in barroom fights were often unacquainted. Rather than romantic quarrels, these fights hinged on perceived offenses, heated arguments, and, most of all, the overconsumption of alcohol.

By contrast, fights among prostitutes in saloons typically involved women who knew each other well. In January 1873 Harriet Parker was passing a Monday night with two

³²² Henry J., Attorney at Law, "Lewd Women: An Ordinance concerning Lewd and Abandoned Women," 274-80 in *The Laws and General Ordinances of the City of New-Orleans, Together with the Acts of Legislation, Decisions of the Supreme Court, and Constitutional Provisions, Relating to the City Government* (New Orleans: Bloomfield & Steel, 1866), 276.

³²³ "Cutting Affair," *Daily Picayune*, New Orleans, Louisiana, 21 January 1866, 3.

³²⁴ *State of Louisiana v. Rosa Victor*, case no. 4727, 16 October 1871, First District Court.

housemates from her Burgundy Street brothel in a saloon on the corner of Basin and Bienville Streets two blocks away. There another woman named Sarah Jones, as Parker told the First District Court, “came up to me and cut me once with a penknife.” Parker’s housemates corroborated her account of the alleged assault, also identifying Jones, but the case apparently ended when Jones could not be located by the police.³²⁵ Later that spring, two housemates from a brothel on Customhouse Street had a violent altercation late one Friday evening in a Dryades Street concert saloon. The complainant, Martha Froman told the court that her housemate “came up to me and insulted me by calling me improper names, and upon my replying, she cut me twice in the shoulder with a knife . . . inflicting severe wounds in my shoulder and arm.”³²⁶ As Froman’s case illustrates, barroom brawls differed little from brothel fights except in location. Indeed, the saloon became an extension of the brothel: a space for women to meet customers, socialize with friends, and settle disputes. Additionally, the barroom fights all involved the use of knives, suggesting that many prostitutes routinely carried small concealed knives. In many instances women likely intended them for their own protection, but they sometimes became instruments to perpetrate violence as well, especially when the women were intoxicated.

While only prostitutes typically visited saloons and coffee-houses, all New Orleans women traversed the city’s streets while running errands, visiting friends and family, going to work, or doing any number of other daily activities. The streets of postwar New Orleans and the banquettes that lined them overflowed with sights, smells, and sounds of all varieties. Men, women, children, animals, carriages, carts, wagons, and streetcars crisscrossed the

³²⁵ *State of Louisiana v. Sarah Jones*, case no. 5032, 20 January 1873, First District Court.

³²⁶ *State of Louisiana v. Victoria Decart alias Jane Robinson*, case no. 5581, 3 May 1873, First District Court. The case ended with a *nolle prosequi*.

streets as people moved to and fro across the city. When women confronted their opponents here, they met, as the *Picayune* often configured it, as on the open field of battle. Roughly a quarter of all women's alleged assaults occurred on the streets, where the participants could be sure of an audience whether that was their design or not.

In their street fights women aired their personal grievances before friends and family, neighbors and coworkers, strangers and acquaintances. They fought over familiar issues. In fall 1868 a "jealous female" struck another "colored damsel" with a rock on a street corner as they argued over a particularly "admirable" man.³²⁷ The year before a woman named Louisa Royal was stabbed when another woman "asked me if it was true that I had called her a bitch." Royal denied it but, as her friend told the court, "The accused then slapped Louisa and stabbed her twice in the arm with a dirk." The assailant went to the Parish Prison for ten days.³²⁸ Whatever their origin, these unpredictable explosions of public violence combined the ordinary and the horrific in disquieting ways, such as in an 1875 incident in which one woman allegedly attacked another with a hatchet as she boarded a crowded streetcar.³²⁹

The audience for these street fights could be quite large and enthusiastic. In spring 1876 the *Picayune* described one "cowhiding affair, in which a woman played the most prominent role" almost as it would a play upon the stage. The unnamed white woman was a wife who took a whip to the husband who had recently deserted her. The paper narrated the scene: "while the unsuspecting Lothario was standing on the banquette in front of his shop, up came his strong armed spouse, with a good long whip, and gave it to him right and left,

³²⁷ "An Affray Between Females," *Daily Picayune*, New Orleans, Louisiana, 2 October 1868, 7.

³²⁸ *State of Louisiana v. Corine Brown*, case no. 9197, 12 July 1867, First District Court.

³²⁹ *State of Louisiana v. Suzanne Montaign*, case no. 7752, 18 March 1875, First District Court. The defendant was acquitted.

whereupon he beat a hasty retreat into the shop.” The wronged wife took her revenge using a weapon widely regarded as an instrument of domination and did so, moreover, in front of her husband’s place of business. The “unsuspecting Lothario” was thus undercut in every way, and the witnesses on the busy downtown street appeared to appreciate his comeuppance. The *Picayune* described the large crowd of bystanders, perhaps including some of his customers, as “very much amused at the drama which was being enacted, and was sorry when a policeman let down the curtain.” The reporting of this encounter, placed on the *Picayune*’s front page under the large headline “Cowhided,” broadcast the wife’s revenge further to a city of readers, many of whom likely agreed with the reporter’s intimation that the husband’s humiliation was justly deserved.³³⁰

Women’s street fights were at times so fiercely-fought and widely-witnessed that the *Picayune* compared them to professional boxing matches. In summer 1870 two women clashed over “their respective claims to the affections of a nice young man” on the corner of Dryades and Union Streets. “All the requirements of the modern prize ring were persistently observed,” the *Picayune* remarked. The women, one white and the other described as “brown,” battled tenaciously as “some twenty-five or thirty bottles were smashed over resisting craniums,” and the fight barely slowed until “after the forty-fourth round.” The noise attracted “a large posse of notice” to the street corner, and another sizable audience later joined the women in the recorder’s courtroom.³³¹ Here “Lawyers, police officials and interested spectators formed quite an imposing array,” which included a couple of young men who, in very embarrassing fashion, cried aloud in “partisan sympathy in behalf of the jealous

³³⁰ “Cowhided,” *Daily Picayune*, New Orleans, Louisiana, 9 March 1876, 1.

³³¹ “A Lively Encounter,” *Daily Picayune*, New Orleans, Louisiana, 10 June 1870, 3.

squabbles of females.”³³² Waged before its street-corner crowd and restaged in the courtroom a week later, this fight transformed women’s violence into a larger public spectacle that attracted widespread—and passionate—public attention.

Its racial composition certainly contributed to public interest in the fight, especially with the sexual connotations of women competing for the same man. In other public quarrels the theme of race was even more prominent, suggesting the frequent political undertones of women’s street fights. In April 1867 the *Picayune* described at length a “Prize Fight Between Two African Females” that a white male reader had encountered on the outskirts of the city. He espied “a large crowd of negroes of both sexes, who were all talking loudly and appeared to be in a state of excitement about something.” Curious, he followed them to a spot where two black women alighted from separate carriages, and “The crowd at once set up a huzza, and a ring was formed.” Referencing the famous 1860 bout between boxers John C. Heenan and Tom Sayers, the *Picayune* described the ensuing battle:

They then went at it in regular prize ring, pugilistic style, and fought with all the pluck of Heenan and Sayres [*sic*], though, perhaps, not with the same beautiful science. The crowd yelled, and the two tigresses became perfectly infuriated, and scratched and bit each other like wild beasts, and tore off every particle of each other’s clothing. One of them finally “threw up the sponge” and begged for mercy.

Even when the loser conceded, “her body and face all bloody and mutilated,” her supporters took up her side, and the women’s fight became a general melee among the crowd.³³³

³³² “The Perkins-Brown Imbroglia,” *Daily Picayune*, New Orleans, Louisiana, 19 June 1870, 2. See also “Recorder Houghton’s Court,” *Daily Picayune*, New Orleans, Louisiana, 19 June 1870, 2; and “Recorder Houghton’s Court,” *Daily Picayune*, New Orleans, Louisiana, 21 June 1870, 2. Mollie Perkins charged Anne Brown and her friend Josephine Goey, also called Boston Joe, with assault and battery with a dangerous weapon. The *Picayune* noted that “the colors of the contests [are] white and brown,” but it did not specify race for the individual women. The outcome of the case is unknown. “A Lively Encounter,” *Daily Picayune*, 10 June 1870.

³³³ “Prize Fight Between Two African Females,” *Daily Picayune*, New Orleans, Louisiana, 5 April 1867, 8.

The circumstances of the fight's public staging are unclear. The incident displayed some degree of planning with its time, location, and manner of transportation evidently prearranged and disseminated among the local black community. The vengeful fury displayed by both women might suggest a personal motive, but it also accorded to contemporary racist stereotypes of African Americans' savagery and sexuality. The *Picayune* figured the women as "tigresses" and "wild beasts" both for their violence and for uncovering their bodies before onlookers apparently without shame. The article concluded by asking "Where were the police?" and marveling that such an event could take place within the city limits without any sign of police oversight. The threat lay in the large gathering of black men and women, here just to see a fight but perhaps also capable of assembling in such a manner for more menacing purposes. In its ability to gather such a crowd, which then turned violent itself, this fight thus portended more ominous social and political possibilities.³³⁴

Although the paper's language in "Prize Fight Between Two African Females" was certainly heightened to describe the fighting of black women before a large, enthusiastic crowd, motifs of eroticism and brutality were familiar elements in its coverage of many women's public fights, as was the implication that local authorities were overmatched by these everyday disruptions of the social order. The anxieties around racial unrest and sexual display exposed by articles such as this were somewhat allayed by the *Picayune*'s focus on women's street fights as usually involving prostitutes, whose race and gender became less significant than their connection to the *demimonde*. The stresses and dangers of prostitutes' lives—not to mention their consumption of alcohol—certainly contributed to their frequent

³³⁴ *Ibid.*

resort to violence as demonstrated by their fights in brothels and barrooms. These two spaces, however, were specifically associated with prostitution, and few other women ventured there. City streets, by contrast, belonged to all women of New Orleans, and women of all backgrounds and trades occasionally clashed there. By emphasizing prostitutes' role in street fights, though, the *Picayune* could safely relate the sexual titillation, brutal violence, and racial composition of these public spectacles while sidestepping explosive anxieties around gender, race, and political violence.

Street fights took on distinctly sexual and even masculine overtones in the *Picayune's* reporting. The paper made the rending of clothing the signature manner of attack in women's street fights, especially among women already sexualized by their work in the sex trade.³³⁵ The *Picayune* described an 1868 brawl involving six prostitutes on Dryades Street with a wink as "a promiscuous encounter." After the women tore off each other's clothes, bloodied noses, and beat heads, "Several *nymphs* were reduced to an apparel that might very properly be characterized as *en dishabille*." The scene "resembled very much the fight of the Kilkenny cats, who lost everything but their *tails*."³³⁶

When "Demireps [went] on the Rampage" in November 1870, their clothes and beauty suffered the gravest injuries according to the *Picayune's* account of a Franklin Street melee, even though "Sticks, clubs, and brickbats were freely resorted to" in this brawl among a group of white prostitutes. The "fallen angels" had their veils torn and their "silks and satins trampled in the mire." Completing the tableaux of the women's ruination, the paper described the loss of their personal beauty, prostitutes' greatest asset: "Blue eyes rapidly

³³⁵ Assault cases involving the use of a weapon were overrepresented in cases before the First District Court since they were regarded as more serious than lesser cases of fighting or assault.

³³⁶ "A Free Fight," *Daily Picayune*, New Orleans, Louisiana, 2 October 1868, 2. Emphasis original.

became black, and milky white complexions grew discolored from the abrasions of tiny fists.”³³⁷ Such vivid descriptions allowed readers to imagine the course and aftermath of these street fights with particular attention given to the combatants’ exposed bodies or beautiful faces, however bruised or cut they might be.

The eroticization of prostitutes’ street fights was frequently accompanied by an emphasis on women’s “muscle” and other stereotypically masculine qualities of physical aggression. When two women from Basin Street “engaged in a hostile demonstration” one Friday night in 1868, the *Picayune* described the street fight as marked by “scratches and blows, and rent garments, and a wonderful extent of muscle.”³³⁸ A March 1876 fight on Trémé Street between two prostitutes “result[ed] from a discussion relative to their respective muscular qualities,” demonstrating a pride in physical strength and belligerence that the paper did not ascribe to respectable women. Emphasizing her masculine traits, the *Picayune* termed the loser of this fight “the vanquished gladiatorix,” and in January 1867 the recorder responsible for adjudicating a Basin Street brawl among three quadroon women had to “try to-day to find out who was the best ‘man.’”³³⁹ Associating these women with masculine qualities such as muscle, aggression, and of course violence itself did not contradict the women’s simultaneous eroticization because all of these qualities were already safely associated with women in the sex trade.

The sexual immorality of these women—the ruin that both drove them to public violence and legitimated readers’ interest in visualizing their fights—was further underlined

³³⁷ “Demireps on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 19 November 1870, 2.

³³⁸ “An Affray between Females,” *Daily Picayune*, New Orleans, Louisiana, 26 September 1868, 2.

³³⁹ “Belligerent Females,” *Daily Picayune*, New Orleans, Louisiana, 5 March 1876, 3; and “Second District,” *Daily Picayune*, New Orleans, Louisiana, 18 January 1867, 9.

by the *Picayune*'s focus on large-scale street fights involving numerous prostitutes, clients, and bystanders. The "promiscuous encounter" in 1868 in which the *Picayune* described the combatants as losing "everything but their *tails*" was labeled as such in part because "a half dozen females of various ages" participated.³⁴⁰ In the spring of 1870 "six frail ones," according to the paper, "indulged in a little fight on Basin street," the "little" teasingly referencing both the superficial causes of prostitutes' quarrels and the size of the brawl.³⁴¹ The fights could be even larger. In December 1868 "The denizens of that part of Dryades street . . . were treated this morning to another free fight between its lively inhabitants," this time involving "about a dozen females."³⁴²

Men frequently joined in these melees. In September 1868 the *Picayune* related that "A party of ten persons, male and female, were arrested last night on Franklin street, accused of fighting and disturbing the peace." Repeating familiar language, the paper wrote of the scene that "Rent silks and torn broadcloths were scattered around in promiscuous confusion," including the exposure of men's bodies with that of the women's. The article concluded that "altogether, the battle ground, the spectators and the combatants, formed no inapt representation of Donnybrook Fair."³⁴³ No other forms of women's violence placed such emphasis on the large number of participants as in prostitutes' street fights, nor did any other give less attention to the origin of the quarrel. In the *Picayune*'s representation, these "promiscuous" or "free" fights apparently sprung merely from the dissipation—and presumably the drunkenness—of the combatants, male and female alike.

³⁴⁰ "A Free Fight," *Daily Picayune*, 2 October 1868.

³⁴¹ "Recorder's Court, First District," *Daily Picayune*, New Orleans, Louisiana, 6 May 1870, 2.

³⁴² "A Free Fight," *Daily Picayune*, New Orleans, Louisiana, 3 December 1868, 7.

³⁴³ "Quite a Melee," *Daily Picayune*, New Orleans, Louisiana, 17 September 1868, 7.

As much as the participating women could be belittled as violent *nymphs* of the *demimonde*, their street fights also exposed the inability of the police to maintain public order on city streets. The regulation of prostitution demarcated certain areas of town in which the sex trade could be legally practiced, a measure that directed police to these locales as well as into the brothels themselves. Nevertheless, just as the *Picayune* lamented “Where were the police?” in “Prize Fight Between Two African Females,” so it found the failure of city authorities repeatedly demonstrated in prostitutes’ streets fights, a negligence made all the worse since these well-known streets should have been carefully policed.³⁴⁴ Criminal court cases and local reporting related to prostitution often mentioned a police officer working the beat on the main thoroughfares of the city’s sex trade, but these policemen appeared noticeably overmatched by street melees among prostitutes and their customers.

At times the *Picayune* portrayed the officers as downright bumbling. Burgundy Street, the most debauched thoroughfare in the city, was well-accustomed to what the paper termed “riot and mirth,” but one officer on that beat had perhaps become too acclimated to it. A Wednesday evening in January 1868 found him slumbering, “cosily ensconced in the corner saloon” until a disturbance that was loud even by that neighborhood’s standards erupted. The paper described the unnamed policeman’s response:

He hastened to the scene of riot, breathing dire threats against the disturbers of the peace. On reaching the scene he discovered two white men, three negroes and four sable damsels, all indulging in a free fight. They were too many for him—he couldn’t cope with the situation, but beat a hasty retreat.

³⁴⁴ “Prize Fight Between Two African Females,” *Daily Picayune*, 5 April 1867.

The policeman fled in search of backup, but the combatants had dispersed by the time he returned to the scene. “He was very sorry—who wouldn’t be?” the *Picayune* concluded of his feeble reaction to the fight.³⁴⁵

The policeman in this Burgundy Street row was caught literally sleeping on his job, but the *Picayune* also pointedly detailed the participants in the melee. The “free fight” involved five men, two white and three black, and four women described as “sable,” likely of mixed ancestry.³⁴⁶ That this heterogeneous group composed across lines of race and gender so overmatched the dozing policeman exemplified the daunting challenges of public order faced by New Orleans authorities. Despite significant changes in the size, composition, and partisanship of the police force in the Reconstruction period, it struggled to match the ferocity and determination of its opponents be they political foes, professional criminals, or the common people, including the women, of New Orleans.

In fall 1870 the *Picayune* reported a similar fight on Dryades Street. In this incident the revelers did not flee but rather turned against the police officer, a none-too-subtle representation of the police’s impotence against public disorder. Hearing a commotion, the policeman ran to the scene to find, “Some half a dozen white men, white women and mulattoes, rolling, tumbling, screaming and biting, while others stood by enjoying the scandalous encounter.” Once again the *Picayune* highlighted the interracial composition of the melee. The officer quickly summoned his colleagues and tried to separate and arrest the combatants, but “those who a moment before were fighting, were united on the instant against the common enemy—the police. They flew at them like so many demons.” The men

³⁴⁵ “A Disturbance in Burgundy,” *Daily Picayune*, New Orleans, Louisiana, 30 January 1868, 2.

³⁴⁶ *Ibid.*

and women were “finally arrested,” but their street fight once again exposed the limits of police authority in Reconstruction-era New Orleans and also demonstrated the readiness of some men and women alike to use violence to challenge this “common enemy—the police.”³⁴⁷

In some public fights women explicitly addressed their relationship to city authorities. By brawling in courtrooms and resisting arrest, women rejected the control the police and criminal justice system claimed over them and their actions. In courtrooms, women attacked those who testified against them or simply continued the altercation that first led them there. In 1868 the *Picayune* described two combatants, both married white women, who “converted [a] court room into a prize ring, wherein to settle some little disputed point in the art of pugilism.” The result was “an interesting spectacle of bloody noses, rent crinoline and torn apparel,” an unusually sexualized image for a woman outside the sex trade. This depiction of the courtroom scene was meant to shame the recorder as much as the women themselves, which was perhaps why the *Picayune* indulged in this unusual language for apparently respectable women. “[He] accords to the ladies a great many privileges,” the paper noted, and “So paralyzing was [the fight] on the Judge, that from his seat of his honor he could barely articulate ‘lock them up.’” Described in similar language to a street fight, this courtroom brawl produced a like result, namely the humiliation of city authorities.³⁴⁸

In 1875 another woman, Henrietta Johnson, similarly attacked a woman testifying against her, doing so as her opponent sat on the witness stand. The victim, Maggie Smith, told the First District Court that she saw Johnson enter another woman’s house and take

³⁴⁷ “A Scuffle on Dryades Street,” *Daily Picayune*, New Orleans, Louisiana, 4 October 1870, 2.

³⁴⁸ “Females on the Muscle,” *Daily Picayune*, New Orleans, Louisiana, 17 July 1868, 7.

away, “one box of matches, one candle and a hair braid.” After her testimony was complete, “as I was leaving the witness stand I was struck and beat in the face by said Henrietta Johnson.” She sentenced to one month in the Parish Prison and given an additional three months for the larceny case; this was at least her second trip to jail in the postwar period.³⁴⁹ As a prostitute Johnson had frequent encounters with New Orleans’s criminal justice system and, in multiple assaults over the Reconstruction period, she showed herself willing to confront not only opposing witness but the police themselves. As an officer testified of arresting her one morning in 1874 on Franklin Street, “on the way to the station she pulled out a razor and assaulted me with it.”³⁵⁰

Henrietta Johnson was one of numerous women who used violence to resist arrest, thereby directly contesting the police’s authority over her. In April 1868, for example, the *Picayune* reported that a woman set upon her arresting officer “with evident design to scratch his eyes out.”³⁵¹ The paper frequently attributed such behavior to excessive alcohol use. Later that year the paper noted that a white woman named Jennie White shared a common proclivity among men and women alike to misbehave when under the influence of alcohol, “but Jennie grows destructive in her cups” the *Picayune* regretted to report. One summer day she went on a tear and “broke up the furniture of her room, smacked the costly mirrors in the parlors, whaled the landlady, and blacked the eye of an interfering policeman.”³⁵²

³⁴⁹ *State of Louisiana v. Henrietta Johnson*, case no. 8063, 26 June 1875, First District Court. She was also convicted to three months in the Parish Prison in the larceny case “to begin and take effect at the expiration of the sentence in case 8063.” *State of Louisiana v. Henrietta Johnson*, case no. 8020, 18 June 1875, First District Court.

³⁵⁰ *State of Louisiana v. Henrietta Johnson*, case no. 6316, 1 January 1874, First District Court.

³⁵¹ “A Female on the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 29 April 1868, 2.

³⁵² “On the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 15 July 1868, 2.

Alcohol apparently goaded even respectable women into violence against the police—or at least later afforded a convenient explanation for their fury. In late 1865 police arrested Annie Anderson, a white woman, for drunkenness and for fighting another woman. “But,” as the *Picayune* said of her arrest, “this seemed only to give her a zest for fighting.” As he placed her in the cell, “she seized officer Dryden by the throat,” and her rampage continued as “She bit and she ‘fit’” until the paper dropped the curtain on the scene as “her deeds and doings were of so extensive a character that they will hardly bear repetition.” She protested that she was a respectable woman who had never been arrested before and “said that her name should not go into the papers,” a request with which the *Picayune* did not comply. Anderson might claim respectability, but her actions, however motivated by drink, exposed her and the police to scrutiny.³⁵³

As the women who came into constant contact with the police, prostitutes figured prominently in instances of women using violence to resist arrest. They were often well-acquainted with individual policemen, particularly those who worked on their streets. This intimacy and the regulatory laws that fostered it weighted prostitutes’ and police officers’ relationships with heavy symbolism while simultaneously having real effects on how women could conduct their lives and business. As their street brawls illustrate, prostitutes were accustomed to lackadaisical policemen who, whether out of ineptitude or corruption, minimized their interference with the doings of women in the sex trade. When officers did intercede in prostitutes’ disputes or attempt to arrest them, they were often answered with violence.

³⁵³ “A Row in the Lock-Up,” *Daily Picayune*, New Orleans, Louisiana, 29 November 1865, 9.

In July 1868 the *Picayune* described Fanny Henkle, like many other women in her profession, as “unit[ing] to great personal beauty . . . great muscle.” Also like other women, Henkle overindulged in alcohol and grew “somewhat boisterous near her domicile on Franklin street.” When the beat policeman tried to subdue her, “Fanny, resenting this invasion of her right of speech, pitched into the officer, giving him a black eye, tearing his clothes, and causing him to make a precipitate retreat.” Interestingly, the *Picayune* here remarked on the policeman’s torn clothing just as it did for prostitutes in street fights, perhaps compounding his humiliation at Henkle’s hands.³⁵⁴ The next June an officer charged Cornelia Ann Yaeger, “a sable denizen of Trémé street,” with biting him on the face, and the following year a fight between a woman named Mary Jacquet and her lover Charles Hutchinson, a well-known criminal, was interrupted by an officer who received “a fearful beating and scratching” from them both for his exertions.³⁵⁵ Unlike prostitutes’ fights in barrooms, women rarely appeared to be armed with knives or other weapons when resisting arrest. Instead, women relied on punching, tearing, biting, beating, and scratching to retaliate against the officers, suggesting the spontaneity of these violent reactions as well as the police’s success in disarming them as they were taken into custody.

Some prostitutes made quite a habit of challenging police authority. Josephine Taylor, the black prostitute who brandished the nickname of “The Mexican Tigress” and gained notoriety for invading others women’s brothels, repeatedly resisted arrest through violence. In multiple incidents over the Reconstruction period, she fought police officers at every stage of the arresting process. In 1867, under arrest for verbally harassing a possible

³⁵⁴ “On Her Muscle,” *Daily Picayune*, New Orleans, Louisiana, 28 July 1868, 2.

³⁵⁵ “Mayhem,” *Daily Picayune*, New Orleans, Louisiana, 22 June 1869, 3; and “Assault on a Police Officer,” *Daily Picayune*, New Orleans, Louisiana, 30 November 1870, 2.

customer, she lashed out as a policeman tried to restrain her, “pick[ing] up a brick and strik[ing] witness with it in the back of the head making a severe wound.”³⁵⁶ Five years later, as an officer testified, “she kicked me on the left loin, bit me in the left hand and struck me several times” as he arrested her; and in 1876 she bit another policeman as he placed her in a cell at the precinct station.³⁵⁷

These attacks on policemen vividly demonstrated women’s resistance to what they viewed as authorities’ interference in their lives and trade. Remarkably, prostitutes appeared to receive some public sympathy for these acts at least to the extent of shaming the policemen involved or having their assault charges dismissed by the courts. For all her notoriety Josephine Taylor, for example, was convicted in only one of the cases in which an officer accused her of assault, and the *Picayune* continued to stress the powerlessness of the police in these incidents just as did it in accounts of street melees. In July 1869 the paper described an encounter among half a dozen policemen and a prostitute named Molly Colter. The *Picayune* observed that “Of huge proportions, and a strength that resembles that of some wild animal, Molly is well calculated to take care of herself.” The police tested her resolve when they tried to arrest her after a client accused her of stealing his watch. “When the policeman was so bent upon taking her, and Molly so bent upon not going,” the *Picayune* recounted, “conflict was inevitable. At last the struggle commenced—a real pugilistic encounter.” The officer called over “some half dozen or less of his comrades,” and the fight began in earnest:

³⁵⁶ *State of Louisiana v. Josephine Taylor*, case no. 18353, 25 August 1867, First District Court. The verdict is unknown for this case.

³⁵⁷ *State of Louisiana v. Josephine Taylor*, case no. 4094, 24 April 1872, First District Court; and *State of Louisiana v. Josephine Taylor*, case no. 9267, 8 August 1876, First District Court. Taylor was acquitted in the former case and convicted to four months in the Parish Prison in the latter case.

The melee waxed prodigious—the contest interesting. But Molly was evidently a match for all; they didn't wish to hurt her, and she didn't care how much she hurt them. At last, exhausted and unable to protract the controversy, she laid down on the banquette, and declared they would have to pack her, for she would not walk. A council of war was held. The officers were at their wits' end. Carry that enormous burden they could not. A wheelbarrow was, however, happily suggested by some one, and rolling the obese and dangerous burden into this, she was finally wheeled off to the station.

The *Picayune*'s description of the fight repeatedly emphasized Colter's power over the police. They could not restrain her but were only able to arrest her when she was too tired to continue. Even then, they were "at their wit's end" about how to convey her to the police station until they seized upon the wheelbarrow. In almost every way Colter overpowered and demeaned the police. All of this, moreover, unfolded as "The natives gathered from all directions to witness the encounter."³⁵⁸

In these fights in public areas, women drew attention to their personal quarrels before audiences entranced by the spectacles before them. In restaurants women avenged cheating lovers, and they attacked housemates in barrooms near their brothels. Women's street fights at times resembled professional boxing matches in both their ferocity and their staging, and large-scale melees involving as many as a dozen men and women apparently erupted for little apparent reason. The more savage and sexualized this public violence, though, the more important it became for the *Picayune* to claim that it originated in the sex trade. As figures already notorious for their open eroticism and physical aggression, prostitutes from across the racial spectrum could be associated with such public violence without addressing the anxieties that underlay so much of the broader, explosive violence of Reconstruction. The very visibility of women's fights, however, exposed the inability of the New Orleans

³⁵⁸ "A Determined Resistance," *Daily Picayune*, New Orleans, Louisiana, 7 July 1869, 2.

authorities to police the city effectively. Women overmatched officers of the law on city streets and in courtrooms. Women also used violence to resist arrest and, in the process, directly challenged the police's authority over their bodies and behaviors in ways that, beyond the desperation of the moment, also unmasked the political dimensions of even commonplace confrontations.

* * *

Physical violence bound the women of Reconstruction-era New Orleans together in close, sometimes contemptuous connections across lines of race, ethnicity, class, and occupation. It revealed remarkably more interracial sociality than we might expect, creating unexpected alliances and opponents alike. This violence simultaneously divulged economic, racial, and political contests that roiled below many personal antagonisms. Women's sexual jealousies supplied riveting romantic dramas, but women's economic dependence on men as husbands or, for prostitutes, as customers meant that more than sexual fidelity or romantic pledges were at stake in these contests. Similarly, neighborhood fights provide a lens into women's everyday activities and concerns, so many of which revolved around the labor they performed for either their family or for pay, including in the sex trade. These brawls in public spaces such as restaurants, saloons, and city streets made women's violence both a simultaneously troubling and titillating public spectacle. The *Picayune* highlighted public violence among the disreputable women of the *demimonde*, but women's challenges to police in the form of overpowering them in street-side clashes, fighting in courtrooms, and resisting arrest could not be easily quieted.

In a rare surviving incident, the political undercurrents of women's acts of physical violence surfaced explicitly in the actions and words of a black woman named Louisa

Johnson. Accused of assaulting a police officer in April 1873, Johnson used violence to protect herself and to expose larger abuses against women in Reconstruction-era New Orleans. Attending a public ball one Saturday night, “One of my friends was drunk,” she later explained to the court, “and I want[ed] to take her home.” An officer blocked their path on the sidewalk, threatening to arrest them both. Another man assisted him in physically restraining the two women. This man “commenced to Kick and strike me,” whereupon Johnson tried to run. But the officer “struck me with his club” and “He kept on beating me.” She told the court that “then [I] took a knife from my pocket and cut him.”³⁵⁹ This attack, explicitly presented as a defense against authorities’ excessive use of force, did not protect Johnson in court—she was convicted—but it offered her a voice that echoes today as a testament to the rights of expression and self-preservation demanded by so many other “Females on the Rampage.”

³⁵⁹ *State of Louisiana v. Louisa Johnson alias Jones*, case no. 5291, 13 April 1873, First District Court.

Chapter Three

“Suspected a Servant Girl”: Thefts by Domestic Servants

Canal Street, cutting its long, wide aisle through the heart of New Orleans, was busy three days before the new year of 1870 arrived. Hucksters and promenaders mixed with shoppers and merchants as the restless population prepared to leave behind the decade of civil war and face a still-uncertain future. It was a Wednesday evening, not yet seven o'clock, but one woman was leaving work who should not have been. Mary Johnson, a black woman in domestic service, had packed her trunk, brought it down to the front of the house, and was about to depart when intercepted by her employer. Mrs. Schwartz became suspicious upon seeing her servant “about to take from the house her trunk without no cause,” as her husband Benjamin Schartz would later testify. Since Johnson had given no indication of quitting the job or moving elsewhere, Mrs. Schwartz insisted on examining the trunk and discovered within it three fine shawls, four Balmoral skirts,³⁶⁰ and two pairs of stockings, worth around fifty dollars altogether. Her husband promptly had Johnson arrested, and Johnson served one year at the Louisiana State Penitentiary in Baton Rouge.³⁶¹

* Title taken from *State of Louisiana v. Sarah Griggs alias Reid*, case no. 8357, 17 July 1875, First District Court, Louisiana Division, City Archives and Special Collections, New Orleans Public Library (hereafter “Louisiana Division”). Griggs’s alias of Reid may have been either a maiden or married name or simply another name by which she was known. It was not uncommon for the First District Court to list defendants as having an alias.

³⁶⁰ A popular design, Balmoral skirts featured a hoop with a wooden bustle, usually finished in a plaid fabric.

³⁶¹ *State of Louisiana v. Mary Johnson*, case no. 1686, 29 December 1869, First District Court, Louisiana Division. The Schwartzes appear to have been white although records rarely noted witnesses’ race. It was very

Like Mary Johnson, many working women in Reconstruction-era New Orleans were employed in domestic service. Few occupations welcomed women in the late nineteenth century; professions were reserved for men as were skilled jobs and craftwork. In the industrialized North, working women sought jobs in factories or doing piecework, but few such positions were available in the South, which had little large-scale manufacturing. New Orleans's river-based economy created many jobs for men—sailors, deckhands, and stevedores to name a few—but most positions were considered too dangerous or physically demanding for women.³⁶² Many, of course, entered New Orleans's regulated sex trade either on a temporary or long-term basis, but respectable options were limited, especially for women of color or foreign-born women. A few women with the proper education or training became teachers, governesses, and nurses. If skilled with a needle—and able to attract enough clients—a woman could work as a dressmaker or seamstress. Most women, however, were forced into domestic service, working as maids, cooks, or children's nurses in other people's homes. Many freedwomen found themselves tunnel into domestic service, which also employed girls in their early teens. Some worked as washerwomen or as chambermaids in hotels or on steamboats; though often better paid, these jobs were still considered extensions of domestic service.³⁶³

common for a husband to testify even when it had been the wife who witnessed the event in question. The wife's first name was also infrequently provided.

³⁶² For more on nineteenth-century workers on the Mississippi River, see Thomas C. Buchanan, *Black Life on the Mississippi: Slaves, Free Blacks, and the Western Steamboat World* (Chapel Hill: University of North Carolina Press, 2004).

³⁶³ Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War* (Cambridge: Harvard University Press, 1997), 26. For more on black women in domestic service in the nineteenth century, see Susanna Delfino and Michele Gillespie, eds., *Neither Lady Nor Slave: Working Women of the Old South* (Chapel Hill: University of North Carolina Press, 2002); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family, from Slavery to the*

In these pre-mechanized days, routine housework extracted unlimited time and energy for even simple chores, and any household that could afford it would typically hire additional help. One advertisement from 1869, for example, stated that “three honest and industrious Girls are immediately wanted to cook, nurse, wash and iron.”³⁶⁴ Although not all employers could afford to hire three workers, all households required this extensive labor. Sometimes the help was live-in, meaning that a woman could be summoned for work any time of the day or night. Living-in also made a woman more vulnerable to abuse, especially sexual exploitation, at her employer’s hands. When they could afford it, most women preferred to live separately from their employers, either with family or friends or in some type of boardinghouse. Domestic workers changed jobs more frequently. Rather than settling in with one family, most women were constantly on the lookout for better-paying, more convenient, and safer positions.

One-tenth of all women in New Orleans worked in domestic service, making it the single largest occupational category for women.³⁶⁵ The vast majority of these 10,000 women, roughly three-quarters, were born in the United States, and many women so employed in New Orleans were, like Mary Johnson, African-American.³⁶⁶ Before

Present (New York: Basic Books, 1985); and Barbara Ryan, *Love, Wages, Slavery: The Literature of Servitude in the United States* (Urbana: University of Illinois Press, 2006).

³⁶⁴ Advertisements, *Daily Picayune*, New Orleans, Louisiana, 26 October 1869, 5.

³⁶⁵ “Selected Statistics of Age and Sex,” *Ninth Census of the United States, vol. 1: Population and Social Statistics* (Washington, D.C.: United States Government Printing Office, 1872), 629; and “Selected Occupations, with Age and Sex, and Nativity,” *Ninth Census of the United States, vol. 1: Population and Social Statistics* (Washington, D.C.: United States Government Printing Office, 1872), 792.

³⁶⁶ “Selected Occupations, with Age and Sex, and Nativity,” *Ninth Census of the United States*, 792. Approximately 10,000 people working in domestic service in New Orleans were U.S.-born. Although this figure also would have included many second-generation Irish women, we can speculate that most of these women were black since white, American-born women often harbored a stigma against working as domestics. See Hunter, *To Joy My Freedom*; Hasia R. Diner, *Erin’s Daughters in America: Irish Immigrant Women in the*

Emancipation, most free women of color in New Orleans worked as domestics although Creole women and other women of mixed ancestry were more likely to get better positions.³⁶⁷ This pattern continued after Emancipation, and many black women migrating from surrounding rural areas took jobs as domestics after arriving in the city. In addition, many immigrant women worked in domestic service. New Orleans's two largest immigrants groups during this period, the Germans and the Irish, comprised roughly five and ten percent respectively of the city's servants.³⁶⁸ These figures do not include women born in the U.S. to German and Irish parents, and we know many second-generation Irish women in particular worked as domestics.³⁶⁹ Some advertisements specifically asked for white women (which likely including Irish women), such as one from 1867 that read, "WANTED—A white woman to cook, wash and iron for a small family."³⁷⁰ The majority of advertisements, though, did not specify race.

Domestic service thus encompassed a wide range of working women in the South's most diverse city. Though it was dull and demanding work—and paid very little—domestic

Nineteenth Century (Baltimore: John Hopkins University Press, 1983), particularly chapter four, "Broom, Loom, and Schoolroom: Work and Wages in the Lives of Irish Women," 70-105.

³⁶⁷ For a discussion of free women and work in antebellum New Orleans, see Jane E. Dabel, "My Ma Went to Work Early Every Mornin': Color, Gender, and Occupation in New Orleans, 1840-1860," *Louisiana History: The Journal of the Louisiana Historical Association* 41.2 (Spring 2000): 217-29.

³⁶⁸ "Selected Occupations, with Age and Sex, and Nativity," *Ninth Census of the United States*, 792. German-born women represented a disproportionately lower number of women in domestic service compared to their overall percentage in the wider population (4.5% to 8%) and Irish-born women were disproportionately higher (10.6% to 7.7%). In exact numbers, this meant that 605 German-born women and 1,434 Irish-born women were employed as domestic servants in 1870 New Orleans.

³⁶⁹ According to Hasia R. Diner, "As late as 1900 60.5 percent of all Irish-born women employed in the United States worked in domestic capacities." Second-generation Irish women also preferred work in domestic service to many other fields such as factory work. Diner, *Erin's Daughters in America*, 89. Also see Margaret Lynch-Brennan, *The Irish Bridget: Irish Immigrant Women in Domestic Service in America, 1840-1930* (Syracuse: Syracuse University Press, 2009).

³⁷⁰ Advertisements, *Daily Picayune*, New Orleans, Louisiana, 13 January 1867, 5.

service offered employment that a woman of any background could access with little formal training and pursue throughout her life. It also could be made to accommodate family responsibilities and childcare, especially for cooks and washerwomen.³⁷¹ One sampling of New Orleans domestic workers suggests an average age of thirty-six years and indicates that approximately one-third of the women were married. Many either could not read or write or had limited literacy skills.³⁷² With few alternatives, working women in New Orleans filled these jobs—and sometimes exploited them to their own benefit.

Some women in domestic service saw in their jobs an opportunity for more than long hours, arduous tasks, and meager wages. With access to employers' homes and valuables, servants frequently supplemented their scant compensation by theft as Mary Johnson had tried to do. The records of the First District Court, the city's criminal court, reveal the frequency of such thefts and the severity with which they were treated.³⁷³ Almost half of the women sentenced to the State Penitentiary from New Orleans for larceny were domestic servants, by far the largest category.³⁷⁴ Hard labor at the State Penitentiary in Baton Rouge

³⁷¹ Hunter, *To 'Joy My Freedom*; and Jones, *Labor of Love, Labor of Sorrow*.

³⁷² Record of Arrests, Metropolitan Police District of New Orleans, Second District, February 1871. The Record of Arrests recorded nationality, occupation, and literacy although not race. This sampling is drawn from the month February 1871 for the second district of the city (roughly Uptown). It is a small sampling, but one of the few sources in which such information is available. Twenty-four of the sixty-six women arrested that month worked in domestic service as servants, laundresses, or cooks, the second-largest occupation to housekeepers (meaning work for their own families). Less than a third (seven women) were married, and barely a half could read or write (thirteen women). Their average age was thirty-six, and laundresses and cooks were on average older than servants.

³⁷³ This chapter examines all women's larceny cases resulting in sentences to the State Penitentiary, all women's larceny cases from the years 1866 and 1876, and a random sampling of other cases from 1865 to 1877.

³⁷⁴ The First District Court of Louisiana convicted only sixty-three women to the State Penitentiary from January 1865 to April 1877. Of these, fifty-seven were for larceny. The other six cases included two murders and one manslaughter, attempted murder, arson, and kidnapping. We can determine the relationship between the victim and the accused in thirty-nine of these fifty-seven larceny cases, and almost half (or eighteen) of these involved a domestic servant. The second largest category for larceny is prostitutes at fourteen or one-third of the known cases. These cases are discussed in chapter four, "'Both woman and money was gone: Larcenies

was the harshest sentence of the First District Court, and only a quarter of all women convicted of larceny during this period were sentenced there.³⁷⁵ Most women simply went to the city's Parish Prison for several months, days, or even hours, but domestic workers received much harsher sentences, even for stealing as little as seven dollars. That domestics like Mary Johnson comprised such a large proportion of larceny cases at the State Penitentiary demonstrates the seriousness with which their crimes were treated. This was no simple transgression to be easily rectified. Though they provided necessary labor, domestic servants simultaneously threatened to undermine an employer's authority over the household and, by extension, the larger social hierarchies that these relationships replicated.³⁷⁶

Three principal factors explain the prevalence of domestic servants sentenced to the State Penitentiary. First was simply access. Domestic servants worked in close contact with their employers, and they had easy access to their money and valuables. All that was often needed was a turned back and the property could be theirs. Such intimacy, of course, also made them the first suspect when the theft was discovered. When a "set of diamond jewelry" disappeared in 1868, the aggrieved employer immediately had a suspect in mind since "The jewels were kept in her room, to which no one had access but the girl who waited upon

in New Orleans's Regulated Sex Trade." The only other relationship to occur with any frequency was shoplifting (five cases).

³⁷⁵ The First District Court tried 1,568 cases involving women from January 1865 to April 1877, and larceny was the most frequent charge. Seven hundred and thirty women (or 46.6%) of the women tried faced charges of larceny, and the court found roughly one-third (252 women or 34.5%) of them guilty. However, of these convictions, only a quarter (or 57 of 252 women) were sentenced to the State Penitentiary.

³⁷⁶ The danger that domestic servants posed to employers' household and social authority has been well explored in literary studies of fictionalized masters-servant relations. See Mark Thornton Burnett, *Masters and Servants in English Renaissance Drama and Culture: Authority and Obedience* (New York: St. Martin's Press, 1997); Rebecca Stern, *Home Economics: Domestic Fraud in Victorian England* (Columbus: Ohio State University Press, 2008); and Kristina Straub, *Domestic Affairs: Intimacy, Eroticism, and Violence Between Servants and Masters in Eighteenth-Century Britain* (Baltimore: John Hopkins University Press, 2009).

her.”³⁷⁷ In this light the frequency with which the court tried and convicted domestic servants of larceny could be expected, although other common types of larceny did not receive hard-labor sentences at nearly the same rates. For example, larcenies often involved housemates or people who boarded in the same house—also obvious suspects—but only one woman is known to have gone to the State Penitentiary for this offense during the Reconstruction period.³⁷⁸

Clearly more than access affected the frequency and outcome of these cases. The punitive sentencing received by domestic workers suggests that authorities recognized these relationships as particularly vulnerable and understood the need to police them closely. Because using domestic workers left employers—and their property—exposed, the state acted to protect employers when they were least able to protect themselves. Nineteenth-century courts, including criminal courts, were heavily concerned with protecting property rights, and the First District Court’s judgments in these cases accorded with this emphasis on property protection.³⁷⁹

Finally, these service relationships also carried significant symbolic meaning, especially around race. Domestic workers introduced broader social contests into employers’ homes, transforming the household into a site of labor negotiations.³⁸⁰ These negotiations

³⁷⁷ “Theft,” *Daily Picayune*, New Orleans, Louisiana, 22 March 1868, 9.

³⁷⁸ In 1866, for example, the First District Court convicted two women of larceny from a fellow boarder and both received sentences for the Parish Prison for ten days or less despite stealing property of the value of \$104 and \$40 respectively.

³⁷⁹ See Laura F. Edwards, *The People and Their Peace: Legal Culture and the Transformation of Inequality in the Post-Revolutionary South* (Chapel Hill: University of North Carolina Press, 2009).

³⁸⁰ The economic dynamic between employers and domestic workers has been closely examined in scholarship on Great Britain. See Bridget Hill, *Servants: English Domesticity in the Eighteenth Century* (New York: Oxford University Press, 1996); Pamela Horn, *The Rise and Fall of the Victorian Servant* (Stroud: Sutton, 2004); Carolyn Steedman, *Labours Lost: Domestic Service and the Making of Modern England* (New York: Cambridge University Press, 2009).

took place in a new context after Emancipation. While white employers wished to maintain access to black labor, women of color sought employment that acknowledged the value of their labor and their personal dignity. Nevertheless, domestics often negotiated from a weaker position. Since the early days of slavery, the drudgery of housework had fallen largely to enslaved women, and the labor came to be as debased as the workers themselves.³⁸¹ The association of housework with racial inferiority continued after Emancipation, and domestic service carried a heavy stigma of social inferiority, whatever the race of the working woman.

Employers presumed themselves their employees' social superiors, often explicitly in race, gender, and economic status. Servants' larcenies exposed the vulnerability of these hierarchies, especially within the "private" space of employers' homes.³⁸² For this reason, these transgressions reverberated beyond the individual household in which they occurred and threatened the fragile social system of the Reconstruction South, especially in terms of race and labor. It was therefore all the more important that the court seemed able to control these women workers. By convicting such a high percentage of accused domestics and punishing them so harshly, the court attempted to impose order in this field although the frequency of the crimes themselves suggested the futility of this task.

These many servant larceny cases reveal conflicts between working women and their employers openly discussed in few other sources. Employers wanted their servants to be "honest and industrious" as the advertisement read—reliable, hard-working, and, most of all,

³⁸¹ See Kathleen Brown, *Good Wives, Nasty Wenches and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996) and Kirsten Fischer, *Suspect Relations: Sex, Race, and Resistance in Colonial North Carolina* (Ithaca: Cornell University Press, 2002).

³⁸² Thavolia Glymph highlights how the understanding of the master's or employer's house as "private" obscures the very real (and often violent) political dynamics within it. Glymph, *Out of the House of Bondage*.

obedient.³⁸³ The women filling these jobs had conflicting goals. While most surely would have preferred amicable relationships with their employers, they were concerned first-and-foremost with preserving their autonomy. For black women especially, this freedom to control their own lives was newly gained and still fragile in the extreme. Women wanted well-paying jobs, and they also needed these posts to complement other aspects of their lives, including family responsibilities, living arrangements, and leisure time. Though dismissed as “unjust and unreasonable demands of either white or colored servants” by conservatives, working women required such conditions, and they went to great lengths to attain them.³⁸⁴ Although it is tempting to read women’s larcenies against employers solely as acts of resistance, this cannot be true in all instances; some women surely stole just because they could or because they needed money that honest work could not provide. Nevertheless, the thefts and, perhaps even more importantly, the way they were handled by employers and legal authorities expose the daily conditions of working women’s lives and the political stakes of their labor.

* * *

The files of New Orleans’s First District Court open a window onto this phenomenon and document women’s actions otherwise obscured in newspaper rhetoric or popular lore of the dishonest servant. The first level of records for the court was the execution docket, which documented costs per case. Despite its rather macabre title, the execution docket was foremost about court finances; the clerk usually catalogued the accused’s full name, charge, and final verdict, but his principal task was to tally expenses. Only in rare instances does the

³⁸³ Advertisements, *Daily Picayune*, 26 October 1869.

³⁸⁴ “Said a young Southern mother,” *Daily Picayune*, New Orleans, Louisiana, 24 February 1867, 4.

execution docket preserve any details about a case such as what was stolen.

For this information we need the court's individual case files—an assortment of any surviving legal documents from the case—but these hardly constitute a complete record either.³⁸⁵ Consisting principally of various affidavits and depositions, case files differ widely in how much information they provide about an incident and the people involved. Testimony from the accused rarely appears, and the depositions can be elliptical and sometimes contradictory. The defendant's age, address, marital status, or occupation are never stated directly; we can only infer such information from descriptions of the accused in depositions. These gaps mean that recovering the circumstances of alleged crimes is not always possible or that tantalizing questions may remain unanswered.³⁸⁶

Perhaps the most glaring omission in the documents is race. If Reconstruction courts were supposed to be color-blind, then the First District Court took the imperative quite literally, if only in their record-keeping. By 1870, court documents no longer regularly recorded a person's race. Even before this, however, clerks' specification of race had been haphazard. We are therefore working with a small number of cases in which the defendant's race can be determined with certainty; the race of affiants and witnesses is less likely still to be known.³⁸⁷ In spite of these shortcomings, the cases of Louisiana's First District Court

³⁸⁵ The case files have not survived for all cases before the First District Court, but most are available. Sometimes local newspapers reported details about a case that the court records omitted. I will incorporate such information when it is available.

³⁸⁶ The limited personal information provided by the court documents also complicates the task of locating defendants in the U.S. census or other public documents such as death or marriage records. With a more common name, guaranteeing an exact match is difficult, if not impossible, especially because addresses were not listed in the census until 1880. Often women with more distinctive names do not appear in the censuses at all, suggesting that many women lived too far on the social margins to be tracked by the census-takers, whom they may also have wished to evade.

³⁸⁷ The defendant's race can be determined for twenty-four of the sixty-three women sentenced to the State Penitentiary from Orleans Parish during this period (38.1% of the cases). This is principally between 1865 and 1871 and may slightly overstate the percentage of black women since court clerks and deponents were more

document people, relationships, and events for which there is little or no record elsewhere.

* * *

In the course of their daily chores, household servants used, cleaned, sorted, washed, or otherwise had access to almost everything their employers owned. Housewares of all varieties, clothing and linens, jewelry, and cash all disappeared from employers' homes, secreted away in pockets, baskets, or any other means of transport. One woman even got away with two shotguns worth thirty and eighty dollars apiece.³⁸⁸ Often working alone, domestics stashed away their ill-gotten gains—or simply borrowed them—and decamped from their worksites, which might be private homes, boardinghouses, hotels, or steamboats. Items alleged stolen by servants ranged in value from \$6 to \$625, but neither conviction nor sentencing appeared to be affected by the amount stolen. All property was worth protecting for the First District Court.

Kitchenwares and household goods, items worked with daily, often disappeared along with the servant. One employer fired a black women named Margaret Brown after numerous household items went missing during the month she was employed. The employer later testified that, after dismissing Brown, "I then found that during that month I had lost among other things one mosquito bar [valued at] \$5.00, one undergarment \$2.00, three sheets \$12.00, 2 pillowcases \$3.00, 1 blanket \$5.00, 3 bedspreads \$25.00, 1 towel 50¢, 1 breast pin

likely to record a black woman's race than a white woman's. We do know that black and white women before the First District Court often faced similar charges and received comparable sentence lengths, depending on the exact nature of the crime. Although the numbers are somewhat unreliable for the reasons described, it also seems that black women were 16% more likely than white women to be convicted by the First District Court. Race will be noted where it is known.

³⁸⁸ *State of Louisiana v. Dennis Young and Emma Hays*, case no. 18939, 14 May 1868, Louisiana Division, First District Court.

\$10.00 and one badge \$3.50 with a good many others.” Altogether, the goods were worth at least \$143.³⁸⁹

Mary Calvin, another black servant, had been employed only two days when her employer, Louisa Deverget, noticed items missing. Upon searching Calvin’s house, police found “4 Champagne Glasses, 4 liquor Glasses, 3 crystal dishes, one crystal vase, and some coffee cups.” Deverget also recovered a linen sheet and a box of jewelry containing two gold chains, two breast pins, and a pair of earrings. In all, the items were worth around one hundred dollars—quite a prize in two days’ time.³⁹⁰ Neither Brown nor Calvin had long been employed when employers discovered their thefts; whether this was their usual pattern or isolated acts of desperation, we do not know. For her efforts, Margaret Brown served an eighteen-month sentence to the State Penitentiary. The case against Mary Calvin, on the other hand, ended abruptly after six months when, although she was listed as being held at New Orleans’s Parish Prison awaiting trial, she “could not be found there.”³⁹¹

Clothing was the item most likely to be stolen by a household servant and, at a time when many clothes were still hand-sewn and often intricately made, they were also very valuable. Half of the servants sentenced to the State Penitentiary had stolen clothing among other items, and numerous women served lesser sentences at the Parish Prison for the same crime. In 1868 an employer charged a black woman named Mary Lewis with stealing an assortment of clothing and linens from his wife and daughter. When police searched Lewis’s residence across town, they found one black silk cape, one nightgown, two undersleeves,

³⁸⁹ *State of Louisiana v. Margaret Brown*, case no. 3486, 15 September 1871, First District Court, Louisiana Division.

³⁹⁰ *State of Louisiana v. Mary Calvin*, case no. 16939, 10 December 1865, First District Court, Louisiana Division.

³⁹¹ *State of Louisiana v. Mary Calvin*, no. 16939, 1865. Calvin’s case ended in a *nolle prosequi*.

three chemises, five towels, and five pairs of linen and lace curtains, altogether valued at \$66.50. Lewis pled guilty to the charges and served one year of hard labor at the State Penitentiary.³⁹² Each individual item of clothing may have been worth ten dollars or less, but because most women stole clothes in a larger bundle, the average value of property stolen in these cases was roughly seventy-five dollars, no small sum. By comparison, the average worth of housewares stolen was thirty dollars.³⁹³

Jewelry was the single most valuable object at domestic servants' fingertips. Easily fitting fit into the palm of your hand or the tuck of a pocket, stolen jewelry could easily be worth one hundred dollars or more. The average worth of jewelry stolen by servants was an impressive \$108, equivalent to at least eleven good dresses.³⁹⁴ In late 1865, a black woman named Mary André stole several pieces of jewelry from her employer, Jean Emile Farrés, wrapped the pieces in stolen handkerchiefs and concealed them in her room in Farrés's house. The cache included a pair of diamond earrings, a diamond ring, a gold-mounted coral bracelet, and a miniature hair bracelet,³⁹⁵ altogether valued at an astonishing four hundred dollars. After her hidden treasure was discovered, André served three months in the Parish

³⁹² *State of Louisiana v. Mary Lewis*, case no. 411, 13 October 1868, First District Court, Louisiana Division.

³⁹³ The median value of clothing stolen (\$67) was also higher than the median value for housewares (\$42) and silverware (\$47.50).

³⁹⁴ Stolen jewelry had the widest range in value from one item of \$8 to the largest sum of \$400. These large caches that women stole around one-third of the time raise the calculated average, and the median value of jewelry stolen was \$25, often representing one or two small pieces. However, for each item's relative size, jewelry usually had higher value than housewares or clothing.

³⁹⁵ A hair bracelet was a popular piece of jewelry incorporating human hair into its design. Because the hair often came from a loved one, these hair pieces could have a particularly high sentimental value. Beyond bracelets, hair was also used to make other types of jewelry such as earrings, broaches, and rings.

Prison.³⁹⁶ Jewelry was frequently stolen along with clothing since the two were often stored near each other in employers' rooms. In 1872, Mary Williams earned a year in the State Penitentiary for stealing jewelry and clothing from her employer. The four dresses, two undergarments, skirt, silk sash, and cravat she stole were the largest part of her bundle, but they were worth only twenty dollars compared to the seventy-dollars worth of jewelry—three gold breast pins and a gold watch and chain—that she had also stashed away.³⁹⁷

Money was less accessible to servants since employers usually kept cash and coin locked away, but women could take advantage of an employer's trust or negligence. In the summer of 1868, one employer went to bed leaving a sum of \$625 in his pants' pocket. He had collected the money from an unnamed party earlier that day and may have intended to deposit it safely in the morning. Instead, he awoke missing his fortune as well as his nurse, a black woman named Josephine Allen. She was arrested a week later, pleading to the policeman that "she believed she was Abandoned and that was the reason she took the moneys." (She may have owed money on a debt.) Allen was sentenced to six months in the Parish Prison.³⁹⁸ The median amount of money stolen in such cases was forty-six dollars, not as large as Allen's gain but still substantial.³⁹⁹ In 1871, a black woman named Virginia

³⁹⁶ *State of Louisiana v. Mary André*, case no. 16904, 14 December 1865, First District Court, Louisiana Division. The court documents record Farrés's name as "Forest" although he signs it as the former, a reminder of how clerks transposed witnesses' speech.

³⁹⁷ *State of Louisiana v. Mary Williams*, case no. 4800, 15 November 1872, First District Court, Louisiana Division.

³⁹⁸ *State of Louisiana v. Josephine Allen*, case no. 150, 18 July 1868, First District Court, Louisiana Division. What caused Allen to feel "Abandoned" is not recorded in the documents. For unexplained reasons, she gave the stolen money to a man named John Johnson and his wife, who kept \$600 for themselves and gave her \$50. This suggests that she may have owed them money. These circumstances may have accounted for her sentence of six months in the Parish Prison, a relatively lenient sentence for stealing such a large sum.

³⁹⁹ Josephine Allen's large sum of \$625 distorts the average money stolen to an inflated \$182.25. The median amount of \$46 is much more representative of this type of servant larceny.

Butler stole forty dollars, just below this average, from a tin box stored in an armoire. As her employer explained, “the key of the armoire [*sic*] stood . . . in a cigar box in the same room and Could be seen by any body.” Despite her employer’s carelessness, Butler was convicted to one year in the State Penitentiary.⁴⁰⁰

Like Allen and Butler, most domestic servants stole items when alone in a room or residence and, since they very often worked unsupervised, the opportunities were many. Court depositions are filled with phrases such as “She was the only one in the house” and other indications that servants worked alone or at least in different rooms of the home than employers.⁴⁰¹ In the summer of 1868, employer Mrs. Saul B. Todd had already decided to fire her employee, a black woman named Lucy Johnson, as she “was not of any account as a servant, she not knowing how to cook or do anything else, and also having a very annoying cough.” However, before she was able to summon Johnson, Todd was taken ill and forced to remain upstairs in bed for three days. With her employer stuck upstairs, Johnson stole a photograph album and towel valued at six dollars from the downstairs and hid them in her room. The court saved Todd the trouble of firing her “annoying” servant when it sentenced Johnson to five days in the Parish Prison.⁴⁰²

Just as servants usually worked alone in employers’ home, so they usually stole alone. In only a couple of servant larceny cases did women work in pairs. In one, two women robbed a former employer of a twenty-five dollar pair of gold earrings, although only

⁴⁰⁰ *State of Louisiana v. Virginia Butler*, case no. 3396, 25 September 1871, First District Court, Louisiana Division.

⁴⁰¹ *State of Louisiana v. Ellen Edinburg*, case no. 3401, 2 October 1871, First District Court, Louisiana Division.

⁴⁰² *State of Louisiana v. Lucy Johnson*, case no. 175, 12 August 1868, First District Court, Louisiana Division.

one of them was convicted of the charge.⁴⁰³ The other case involved a black woman named Emma Hays who was accused of stealing of an assortment of goods valued at almost \$150: one double-barreled gun, one single-barreled gun, six keys, one pair of socks, one pair of boys' pants, one hunting bag, two linen shirts, and six keys. Charged with burglary, an accusation carrying more severe penalties than larceny, Hays stood trial with a man named Dennis Young, whose relationship to her is unclear. Hays came under suspicion "because on the same day she left witness' house the key of the gait was missing." Young received a sentence of three years of hard labor, but the verdict for Hays remains unknown, most likely a *nolle prosequi*.⁴⁰⁴ With only two known cases, it is impossible to determine how working in pairs affected women's conviction or sentencing.

New Orleans's many boardinghouses also employed women as chambermaids, and as in private homes this work offered many chances for theft. In 1871, a white woman named Evaline Faro was cleaning a boardinghouse when a resident missed a gold watch and necklace, together valued at seventy-five dollars, from the top drawer of her bureau. When alerted, the landlady Mrs. Catherine Leland immediately suspected Faro, whom she had just hired that morning. Leland confronted Faro, who frantically replied that she could "search her things but should not search her person." At this, the chambermaid ran out of the front door, taking with her the jewelry and three dresses Leland provided her staff. In her haste Faro left behind her child, alone in her room upstairs. What became of the child after Faro was sentenced to eighteen months at the State Penitentiary is unknown.⁴⁰⁵

⁴⁰³ *State of Louisiana v. Cora Jones and Mary Rector*, case no. 8690, 21 February 1876, First District Court, Louisiana Division.

⁴⁰⁴ *State of Louisiana v. Dennis Young and Emma Hays*, no. 18939, 1868. Burglary involved breaking and entering a residence or business.

⁴⁰⁵ *State of Louisiana v. Evaline Faro*, case no. 3476, 21 October 1871, First District Court, Louisiana Division.

This boardinghouse, which supplied uniforms to its staff, was clearly a more exclusive establishment, although that did not protect it from theft. One of the fanciest hotels in the city had the same problem. A woman named Mary McDwyer, described by the *Picayune* as “a chambermaid in the St. Louis Hotel,” targeted its elite guests including being “charged with the larceny of a gold watch, chain, breastpin, and locket belonging [to] U.S. Senator Alex. Ramsey, of St. Paul, Minn.” This case was dismissed, but allegations against her continued until the paper suspected that she was undertaking “a systematic plan of robbery in the St. Louis Hotel.”⁴⁰⁶

One woman who was convicted of larceny worked on a steamboat called the *Magenta* in 1866. The boat’s captain had already discharged a black chambermaid named Elizabeth Jackson for stealing when he received word that the ship was missing a considerable array of items valued at least fifty dollars: eighteen towels, six sheets, four curtains, four tablecloths, one bedspread, seven teaspoons, two large spoons, one salt cellar, fourteen large goblets, three small goblets, two tumblers, two pitchers, two cups, two saucers, one sugar bowl, five plates, and one soap dish. How Jackson removed so many items from the boat is not explained, but all were found in her residence, many bearing the name or logo of the *Magenta*. She received ten days in the Parish Prison.⁴⁰⁷

Women also worked as washerwomen, which they could either do at their own residences or at their employer’s.⁴⁰⁸ Whether it was a woman’s only job or part of her many

⁴⁰⁶ “Larceny Case,” *Daily Picayune*, New Orleans, Louisiana, 5 June 1867, 8. A recorder’s case dismissed the charge against her made by Sen. Ramsey, but the outcome of later cases are not known.

⁴⁰⁷ *State of Louisiana v. Elizabeth Jackson*, case no. 17614, 17 November 1866, First District Court, Louisiana Division.

⁴⁰⁸ Because the case files provide so little information about a woman’s occupation, it is often impossible to tell if a woman worked independently as a laundress or if laundry was just one part of her chores as a domestic.

responsibilities to an employer, laundry provided the perfect opportunity for stealing valuable clothing and linens.⁴⁰⁹ Ellen Edinburg had been washing clothes alone at her employer's home in the fall of 1871 when she left abruptly, leaving her work unfinished in the yard. Suspicious, her employer went to examine the pile of wet clothes and found that "One Petticoat, Four towels and Two Chemises and one top Petticoat" were missing, valued at around ten dollars. Edinburg received a sentence for ten days in the Parish Prison.⁴¹⁰ In 1869 the employer of a black woman named Lizzie Scott accidentally enclosed a pair of gold earrings and a breastpin together valued at fourteen dollars in the wash she gave Scott to do. When the employer retrieved the laundered clothes, the jewelry was no longer among them. In another stroke of bad luck for the employer, the case against Scott ended abruptly when she could not be found to stand trial.⁴¹¹

In whatever domestic capacity they worked, many women left their workplace immediately after the theft and did not return. Occasionally, they would hide the items in their room, as Lucy Johnson had done when her employer was ill, but remaining in the house prevented women from using the items themselves and delayed reselling them. It also made the objects easier for the employer to find. Yet it was often domestics' sudden departures that aroused the suspicion of employers, who would then search their homes and find, as they

⁴⁰⁹ Tera W. Hunter discusses instances of washerwomen "borrowing" employers' clothes. See Hunter, *To 'Joy My Freedom* especially chapter four, "'Washing Amazons' and Organized Protests," 74-97.

⁴¹⁰ *State of Louisiana v. Ellen Edinburg*, case no. 3401, 2 October 1871, First District Court, Louisiana Division.

⁴¹¹ *State of Louisiana v. Lizzie Scott*, case no. 1191, 22 July 1869, First District Court, Louisiana Division. Whatever happened to Lizzie Scott is unknown. She may have successfully hidden with relatives or friends or, more likely, she may have left New Orleans. Four of the six known servant larceny cases ending in *nolle prosequi* in this period did so because the defendant could not be found. Cases also ended in *nolle prosequi* when a defendant died, although the police did not seem to think this likely in Scott's case as they continued to search for her.

had feared, items missing. One November morning in 1866, Jane Williams sent her servant, a black woman named Fanny Francis, to the market. Williams assumed Francis would carry the same basket she always took and return soon. However, as Williams would later testify, “being gone some time, witness went to look for her and found the Basket in the yard and the trunk of clothing missing.” Francis had disappeared with two dresses, three skirts, a nightgown, blanket, pair of drawers, pair of stockings, and four handkerchiefs, worth twenty-six dollars in all. She served six months at the Parish Prison.⁴¹²

Especially when stealing larger objects, women used baskets, bundles, or trunks to take the stolen items with them as they fled the house. In her attempted theft of her employers’ Canal Street home, Mary Johnson had tried to remove the stolen clothing in her trunk. Her attempt was foiled when her employer noticed the hefty trunk being taken out without explanation.⁴¹³ Women often had more success with baskets or bundles, which they used in their daily work and so did not invite as much suspicion. Ellen Edinburg, who left abruptly in the middle of doing laundry, carried away a bundle from her employer’s yard. Unluckily for her, a neighbor noticed that she had arrived to work “having in her hands a small bundle” but “when I saw her going away she had a bundle twice as large as the one she came with.” She served ten days in the Parish Prison.⁴¹⁴

⁴¹² *State of Louisiana v. Fanny Francis*, case no. 17559, 4 November 1866, First District Court, Louisiana Division. Clerks of very often recorded witnesses’ depositions in the third person.

⁴¹³ *State of Louisiana v. Mary Johnson*, no. 1686, 1869.

⁴¹⁴ *State of Louisiana v. Ellen Edinburg*, no. 3401, 1871. Three years later, a woman named Ellen Edenburg went to the State Penitentiary for one year after stealing a pair of gold earrings, two skirts, and a pocket handkerchief. In this case, Edenburg’s relationship to the accused is unknown. It is very possible that this is the same woman since court documents often spelled names in different ways. It would also be plausible that her second conviction led to a harsher sentencing. However, we have no conclusive proof that these two Ellen Edinburgs/Edenburgs are the same woman. Compared to other types of larceny such as those by prostitutes very few domestic servants, if any, surface as conclusive repeat offenders. The absence of this information makes it impossible to speculate whether multiple offences affected a woman’s sentencing.

Other women used the voluminous skirts then in fashion to conceal objects, as a hotel maid demonstrated in 1866. The *Picayune* reported of a maid that “doubtless feeling the want of a mosquito bar [in] this warm weather, [she] quietly took possession of one and tucked it around her hoops.” Such a trick, notorious among female shoplifters, almost worked until “On leaving the hotel, the traitorous fabric slipped down and trailed upon the ground *a la mode*, and her guilt was detected.” The paper did not relate the outcome of the case.⁴¹⁵

Depositions include the length of employment in roughly one-third of servant larceny cases, and the time worked varies greatly. In 1868, a black woman named Adeline Johnson had been employed for eighteen months when she asked her employer for “a Certificate of Good conduct.” That same day, she absconded with three fine dresses, including one of very expensive silk. In place of the certificate she sought, Johnson received two years in the State Penitentiary.⁴¹⁶ On the other end of the spectrum, Sarah Griggs, who had hurriedly resold seventy dollars of jewelry for \$2.50 in 1875, had worked less than one full day before committing the theft. For her transgression, she served a year in the State Penitentiary.⁴¹⁷ Most common was the experience of Elizabeth Curtlan’s employer, who testified in 1870 that “Accused was a servant at my house for three weeks . . . From time to time while she was in my service I missed articles of property.”⁴¹⁸ The median length of employment before

⁴¹⁵ “Arrests,” *Daily Picayune*, New Orleans, Louisiana, 1 May 1866, 2.

⁴¹⁶ *State of Louisiana v. Adeline Johnson*, case no. 445, 13 October 1868, First District Court, Louisiana Division.

⁴¹⁷ *State of Louisiana v. Sarah Griggs alias Reid*, no. 8357, 1875.

⁴¹⁸ *State of Louisiana v. Elizabeth Curtlan*, case no. 2001, 29 April 1870, First District Court, Louisiana Division.

servants left their jobs or employers discovered the thefts was twenty-six days, just short of a month.⁴¹⁹ It is possible that some women took jobs as domestics harboring the intention to steal from their first day. Such indeed may have been the case with Sarah Griggs. It seems more likely, however, that most committed their larcenies at an opportunistic or desperate moment and did not choose their line of work explicitly for this purpose.

Many women planned to resell or pawn the stolen goods rather than use them themselves. Such a strategy got the suspicious items out of their hands as quickly as possible, but it also offers glimpses of the desperation rather than calculated opportunism that sometimes motivated women's actions. In spring 1875, an employer Widow Adele Hite "missed the girl Mary [Thelinaque] who was making up my bed and [thought] it was something wrong about the girl for going away without any cause." Hite remembered a gold thimble and gold ring, together valued at twenty dollars, that she had left in the room and were now, as she discovered, missing. She hurriedly dressed to summon the police but found her shoes gone, too. Hite's daughter soon found Thelinaque, who confessed to the crime and voluntarily told the policeman where she had sold the goods.⁴²⁰ That same year, a servant named Sarah Griggs stole seventy dollars worth of jewelry, including a fifty-dollar pair of diamond earrings. Police found the store where she had sold the jewelry and were told by the operator that "she had given the accused \$2.50 on it."⁴²¹ Both Thelinaque and Griggs appear confused, even desperate, in their quick reselling of the stolen goods well below their worth. They may have needed to raise money quickly, but the depositions are silent on what exact

⁴¹⁹ The average length of employment was three months, a somewhat inflated figure.

⁴²⁰ *State of Louisiana v. Marie Thelinaque*, case no. 7789, 22 April 1865, First District Court, Louisiana Division.

⁴²¹ *State of Louisiana v. Sarah Griggs alias Reid*, no. 8357, 1875.

circumstances lay behind their actions. Both women received sentences for one year at the State Penitentiary.

Other alleged thefts were never intended as such in the first place. Since surviving records of the First District Court do not usually include testimony by the accused, glimpses of these alternative explanations are best seen in the *Picayune*'s coverage of alleged servant larcenies. At times, women seized goods to compensate for low or unpaid wages. A black woman named Mary Constance took four shirts and one undergarment, together valued at twenty dollars, from her employer in 1865. As the paper related of her appearance in a recorder's court, "She said in self-defense that Mrs. Hudson owed her money, and that she had merely confiscated these things." This language of "confiscation," whether used by Mary Constance herself or the voice of the reporter, communicated that she believed her actions to be fair and justified under this situation. The article continued, "This did not satisfy the learned judge and she goes to the Workhouse for four months."⁴²²

In other instances, women intended only to borrow the goods, often clothing or jewelry, before returning them. Such an act brought "a girl named Ellen Waters," presumably white, before a recorder's court charged with stealing a selection of her employer's jewelry. "The girl confessed to having taken the things to wear," the paper explained, "but denied having any intention of steal them." Washerwomen in particular were also known to wear employers' clothes before returning them, an appropriation that infuriated employers. The case against Waters, though, was dismissed without penalty "in consequence of her youth and good character," a benefit of the doubt more easily, and often,

⁴²² "Recorder Vennard's Court," *Daily Picayune*, New Orleans, Louisiana, 18 March 1865, 1.

extended to white women.⁴²³ Despite the differences in the explanations they offered and the judgments they received, both Mary Constance's and Ellen Waters's cases reveal a more flexible attitude towards property than employers or the courts recognized. When these different understandings of property came into conflict, the claims made by women in domestic service were generally dismissed in favor of sole ownership and use by the employers alone.

* * *

While opportunities were plentiful, getting away with thefts was much more difficult for domestic servants. Of course, an employer might not suspect the woman or even notice items missing; such incidents never would have appeared before the courts. In other instances, employers chose not to file charges, especially if they recovered the stolen goods. In January 1866, for example, the *Picayune* wrote of one employer robbed of \$500 who "had an interview with the darkey, and by a talk which he made plain enough to suit her comprehension . . . the legal result of wrong-doing, she owned up, and gave up the spondulix. The Colonel having his property restored, would not proceed any further against the dishonest domestic."⁴²⁴ In other instances women agreed to return the property in question, as one "young servant girl" arranged in 1868, "on the condition that her mistress would not prosecute."⁴²⁵ How often incidents of "dishonest domestics" were resolved in a similar fashion is impossible to determine.

⁴²³ "Larceny of Jewelry," *Daily Picayune*, New Orleans, Louisiana, 24 May 1868, 3.

⁴²⁴ "Let Off," *Daily Picayune*, New Orleans, Louisiana, 24 January 1866, 3.

⁴²⁵ "A Robbery of Jewelry," *Daily Picayune*, New Orleans, Louisiana, 29 September 1868, 2.

The First District Court convicted most women accused of larceny by their employers. In fact, the conviction rate for domestic servants was almost double that for women's larcenies generally, a striking figure.⁴²⁶ Such a high probability of conviction resulted in large measure from the ease with which these crimes could be solved and prosecuted. The fact that women often worked alone in the house implicated them immediately when items went missing. Margaret Brown was easily convicted of stealing \$143 in housewares when her employer testified that "She was the only person living in the house beside my self," and the court sentenced her to eighteen months in the State Penitentiary.⁴²⁷ Similarly, Sarah Griggs, who had worked in her position less than one day before caught stealing, was an immediate suspect not only because she was new but because "There was no one in the house at that time but the accused and myself."⁴²⁸ She served one year in the State Penitentiary.

Employers sometimes caught women in the act of stealing, almost guaranteeing their conviction. A young law student named Joseph H. Spearing was studying at home one winter evening in 1875 when he heard his mother frantically call him from downstairs. She had spotted the family's servant Mary Jane, who was likely black, leaving out of the side gate "with a large bundle of clothing and a basquet of provisions." Mrs. Spearing called out for

⁴²⁶ Six known servant larceny cases before the First District Court ended in *nolle prosequi*. No women's servant larceny cases ended in acquittal. As was common for the First District Court, charges would simply be dropped against a woman rather than have the trial proceed and find her not guilty. This pattern was not uncommon, although perhaps more exaggerated than in women's larceny cases generally. This project also examined all women's larceny cases before the First District Court for the years 1866 and 1876, and the conviction rate for domestic servants was 71%. Only 42.5% of general women's larceny cases from these years resulted in conviction. The conviction rate for all general women's larceny cases during the entire Reconstruction period was an even lower 34.5%.

⁴²⁷ *State of Louisiana v. Margaret Brown*, no. 3486, 1871.

⁴²⁸ *State of Louisiana v. Sarah Griggs alias Reid*, no. 8357, 1875.

Mary Jane to return but she instead hastily threw the bundle over the back fence and took flight down the street. Mrs. Spearing then cried out to her studying son to give chase. Joseph eventually caught the woman in front of a neighbor's house. Mary Jane had dropped the bundle and basket as she ran, but Joseph found her still holding the key to his mother's kitchen. Probably feeling very much the lawyer-in-training, Joseph secured a confession and had her arrested. Back at the house, Mrs. Spearing located another basket that "I presume [the] accused intended to take away at some future time." Between this hidden basket and those unceremoniously cast aside as she fled, Mary Jane had attempted to take away \$64 worth of clothes and linens, including four dresses, three dress bodies, and four ladies' skirts. The First District Court sentenced her to eight months of hard labor at the State Penitentiary.⁴²⁹

Other women were betrayed by people who had, sometimes unwittingly, been enlisted in hiding the stolen goods. Margaret Slack had not given a second thought to letting Eliza Williams leave a bundle of clothes at her house one night in early 1876. After all, as Slack later testified, "she had been in the habit of Leaving her dirty clothes There for her mother to get." The next morning, however, Slack heard from a neighbor that Williams's employer had caught her the night before stealing "a Pair of corsets and some other underclothing." "I then opened the Bundle that Eliza had Left with me," Slack recounted, "and saw a silk Dress, an alpaca Dress and several other things of Ladies under clothing." Slack quickly returned the items to the employer and joined him on the stand against

⁴²⁹ *State of Louisiana v. Mary Jane*, case no. 7575, 26 January 1875, First District Court, Louisiana Division. Mary Jane was likely African American since the court was less likely to record a surname for a black woman.

Williams. For attempting to steal clothing valued at \$150, Williams went to the State Penitentiary for eighteen months.⁴³⁰

Mary Jane and Eliza Williams's cases illustrate another crucial element to conviction: recovery of the missing property. Women were occasionally convicted without the items having been located, but usually the discovery of the stolen goods was a decisive factor in establishing guilt. At nine o'clock one summer morning in 1866, a white woman named Annie Burke left the house in which she was employed "without saying a word to anyone." With her disappeared around fifty dollars worth of silverware, including three silver spoons and forks and various silver-plated utensils. The goods were never recovered, and the case against Burke ended in *nolle prosequi*.⁴³¹ Another white servant, Mary Fallon, met a harsher fate. Accused of stealing at least forty-dollars worth of silverware, Fallon received a sentence for one year at the State Penitentiary when six silver spoons, six silver forks, and sixteen silver teaspoons were found in her possession.⁴³² Burke and Fallon had both stolen silverware of similar value and both women were white. Only the recovery of the stolen goods stands out as an important difference between the two cases.

⁴³⁰ *State of Louisiana v. Eliza Williams*, case no. 8731, 10 January 1876, First District Court, Louisiana Division. Slack's description of an "alpaca Dress" likely referred to a mohair or wool dress, probably of fine quality.

⁴³¹ *State of Louisiana v. Annie Burke*, case no. 17372, 14 August 1866, First District Court, Louisiana Division. The deposition of the arresting officer also states that the accused, when arrested, "denied her name was Annie Burke." No more mention of this claim appears in court documents, though, so this does not seem to have become a point of contention in the case.

⁴³² *State of Louisiana v. Mary Fallon*, case no. 3273, 26 May 1871, First District Court, Louisiana Division. A Mary Fallon appears in the 1880 U.S. Census in Orleans Parish as a seamstress born in the United States of Irish parents. If this is the same Mary Fallon, she would have been twenty years old at the time of this case in 1871. There is an 1876 case involving a Mary Fallon in which the accused stole a cloak worth six dollars from the affiant's door; whether this affiant was an employer is unclear from the records. For her transgression, this Mary Fallon was sent for one day to the Parish Prison. This may be the same woman, but it is impossible to confirm. There is another Mary Fallon case in 1873 in which she is accused of attempting to steal fourteen ducks from a neighbor. This Mary Fallon, however, does not seem to be a match as she is identified as "Dutch," likely meaning German, and also because she is described as a property-holding neighbor.

Police usually located the stolen items in the woman's room or residence. This process of search and recovery was obviously easiest when the woman lived in her employer's home, and in these instances employers often found the items themselves. In 1873 Kate Mitchel worked and lived in a boardinghouse when a resident noticed a mosquito bar missing and, suspecting Mitchel, went to search her room. The resident found two expensive lace curtains hidden under the mattress and a linen shirt under the armoire. Later, police uncovered two more men's shirts, a vest, and undergarments secreted in the room, altogether worth seventy-seven dollars. Mitchel served one year in the State Penitentiary.⁴³³

Distinctive features or monograms made it easier to recover stolen items and, unfortunately for many women, housewares and clothing in particular often carried such marks. Rose Johnson had been employed in the Seymour household just over one month in fall 1870, during which time she managed to abscond with eleven chemises, three skirts, two pairs of sheets, twelve yards of fine lace, and a large piece of all-purpose fabric called Domestic, altogether valued at \$129. Johnson made the unfortunate choice, though, to take the fabric to the same seamstress Mrs. Seymour used. When Mrs. Seymour and her mother arrived one day, they recognized the fabric and, as the seamstress testified, "looking then more scrupulously at the cloth we found Mr. Seymour's name[,] residence and office written in pencil under the cloth stamp." With this evidence against her, Johnson was convicted although her sentence was a very lenient one day in the Parish Prison.⁴³⁴

At other times, employers or police found women wearing the items they had stolen or perhaps, in their mind, borrowed. Although a few women were able to account for their

⁴³³ *State of Louisiana v. Kate Mitchel alias Kate Ruby*, case no. 5355, 25 April 1873, First District Court, Louisiana Division.

⁴³⁴ *State of Louisiana v. Rose Johnson*, case no. 2335, 25 August 1870, First District Court, Louisiana Division.

suspicious apparel, most women faced conviction after being discovered wearing the stolen goods. In 1866 a black woman named Marie Trépagner discovered her servant Henriette Jackson, who was also black, wearing one of her linen shirts. Summoning the police, Trépagner had Jackson's residence searched and there found a coat, pair of stockings, fan, dress, and handkerchief, all belonging to her and worth approximately fifty dollars. The court sent Jackson to the Parish Prison for one month.⁴³⁵

Women were also caught wearing employers' jewelry. In early 1876, Mary Rector and Cora Jones paid an unexpected visit to the home of a former employer, whom they had just spotted boarding a streetcar. As they headed upstairs, they told a woman working in the kitchen that they just wanted "to see how the new nurse cleaned up." They departed just as quickly as they had arrived, leaving five minutes later with a pair of gold earrings worth twenty-five dollars in hand. Their former employer, for whom they had worked six months, first suspected the new nurse but later had the police search the home of the women who had left his service two weeks previously. When police arrived at Rector and Jones's residence, Rector immediately ran from the room and out of the back of the house. Removing the earrings as she ran, she tried to make it to the yard's cistern to dispose of them but was intercepted by a policeman, who grabbed her by the arm as she struggled to remove the second earring. Both women claimed that they simply found the earrings on a doorstep but pleaded that the earrings hurt their ears, which was why Rector tried to remove them so quickly. The First District Court gave little consideration to Jones's sore ears and sentenced

⁴³⁵ *State of Louisiana v. Henriette Jackson*, case no. 19392, 18 August 1866, First District Court, Louisiana Division. This case is one of the few in which the employer's race is specified as black. Marie Trépagner was likely in the minority as an employer of color, but the First District Court records probably under-represented their numbers since it did not regularly record the race of affiants or witnesses.

her to a year at the State Penitentiary. The case against Rector, however, was mysteriously dropped even though she had been the one found wearing the earrings.⁴³⁶

The differing fates of these three women found wearing stolen goods—Marie Thelanique going to the Parish Prison, Cora Jones to the State Penitentiary, and Mary Rector receiving a *nolle prosequi*—highlight the variance in the sentences received by women working in domestic service. The First District Court convicted most domestic servants, approximately seven in ten. Why some women went to the Parish Prison and others to the State Penitentiary is not explained by surviving documents, nor do any obvious patterns distinguish between these types of cases. Sentence lengths for convicted servants in the Parish Prison ranged from one day to six months; the average was two and a half months, significantly shorter than one would serve in the State Penitentiary. The median worth of goods stolen in Parish Prison sentences was \$45, although the range ran from \$6 to \$625. There is no correspondence between the length of a woman's sentence in the Parish Prison and the value of what she stole.⁴³⁷

The Parish Prison housed beggars, drunks, and brawlers along with other assorted offenders sent there by the police to cool their heels and tempers; this was also where recorders usually sent prostitutes found violating the city's regulatory ordinances. The State

⁴³⁶ *State of Louisiana v. Mary Rector and Cora Jones*, no. 8690, 1876. This is one of the few known cases involving former servants before the First District Court although the *Picayune* reported more in the city's recorder's courts. Although the circumstances of Rector and Jones leaving the employment are unknown, former employees may have viewed theft as a way to revenge former employers' perceived wrongs. They may also have hoped that current employees would first come under suspicion, as indeed happened in this case with the new nurse. Interestingly, the employer's testimony does not include any information about Rector and Jones speaking with his current employee, raising the possibility that the servant may have hidden these events from her employer until forced to testify in court.

⁴³⁷ The median length of sentence at the Parish Prison was one month, although neither the average nor the median alone communicates the wide range in sentence lengths. The average amount stolen by women servants at the Parish Prison was \$144.56, but this figure is not as representative of the overall range as the median figure. As with the sentence lengths, such great variance is difficult to capture in either of these calculations.

Penitentiary eighty miles upriver in Baton Rouge was an altogether more serious venture, and only four percent of all women tried by the First District Court on any charge ended up there.⁴³⁸ Larceny was the only non-violent crime for which women received sentences for the hard labor at the State Penitentiary, but it comprised over ninety percent of the women so sentenced, a testament to how common crimes against property were and how seriously courts perceived them. Domestic servants were the largest category represented in these larcenies, accounting for almost half of the cases in which we can determine the relationship between the victim and the accused.⁴³⁹ The average sentence length for servants held at the State Penitentiary was roughly thirteen months, one month below the average hard-labor larceny sentence but significantly longer than women serving at the Parish Prison.⁴⁴⁰

Surviving documents say nothing of sentencing except the final decision. Without this information, sentencing is often confusing, at times appearing arbitrary. No explanation is offered by the goods or value stolen. The average amount stolen in servant larceny cases at the State Penitentiary was \$84.89, actually lower than the average for the Parish Prison. The amounts stolen range from seven to three hundred dollars but, as with the Parish Prison, this seems to have had little effect on sentence length.⁴⁴¹ Nor were the thefts of some types of goods such as jewelry or money more harshly punished than others.

⁴³⁸ From 1865 through April 1877, 1,568 women were tried on all charges before the First District Court. Of these, sixty-three received sentences for hard labor at the State Penitentiary.

⁴³⁹ Eighteen servants are represented among the thirty-nine women in whose cases the relationship between the victim and the accused can be determined, or 46.2% of these cases. The other four categories in size order are prostitutes (fourteen), shoplifters (five), and one stranger and one renter.

⁴⁴⁰ The median length for both women servant larcenies and larcenies generally at the State Penitentiary was twelve months, meaning that the two were quite similar. The average length for all women's crimes at the State Penitentiary was sixteen months, this calculation including two five-year sentences for arson and manslaughter.

⁴⁴¹ The media amount stolen in women's servant larcenies at the State Penitentiary was \$75, not too far from the average of \$84.89.

A few patterns in sentencing, however speculative, emerge from these cases. Most women at the State Penitentiary served sentences of one year for stealing from their employers, but some differences stand out in cases with either shorter or longer sentences. The shortest sentence given appears connected to the identify of the victim, who was another servant in the house. When a black woman named Alice Carr snatched forty-nine dollars from under another servant's pillow, she was rewarded with three months of hard labor, the shortest sentence of any woman at the State Penitentiary during this period. Clearly the court cared more about protecting the property of employers than that of other employees.⁴⁴²

It also seems possible that a defendant's youth may have contributed to shorter sentences. Depositions never state a defendant's age directly nor do most even allude to it. Only in a handful of cases can we get a sense of the defendant's relative youth. In 1873 a servant named Lucy Harris absconded with twelve dollars in cash from her employers. She may have been young because her employers immediately summoned her mother to the scene. As the employer recounted, "The Mother then took Lucy Harris, the prisoner and after punishment, she acknowledged that she had stolen the money and had purchased the new articles of clothing which were found in her room." Harris received a sentence to the State Penitentiary for eight months, below the average of a year, but still an ordeal for a young woman.⁴⁴³ Perhaps her youth influenced this sentencing, although Eliza Williams, who had tried to hide her stolen bundle at the neighbor's where she left her dirty clothes for her mother, also appears to have been young, and her sentence was longer than average at

⁴⁴² The court still regarded the offense seriously enough to send her to the State Penitentiary rather than the Parish Prison. *State of Louisiana v. Alice Carr*, case no. 17974, 13 April 1867, First District Court, Louisiana Division. See also "Sent Down," *Daily Picayune*, New Orleans, Louisiana, 18 April 1867, 8.

⁴⁴³ *State of Louisiana v. Lucy Harris*, case no. 5583, 4 June 1873, First District Court, Louisiana Division.

eighteen months.⁴⁴⁴ We do not know the race of either young woman, but neither received the benefit of the doubt sometimes accorded to “youth and good character,” especially for white women.⁴⁴⁵

Surviving documents are silent on many questions we have may about sentencing: Why did some domestic servants go the Parish Prison and others to the State Penitentiary? Why did some women receive significantly longer sentences than others? Local knowledge such as a woman’s reputation or her demeanor in court is often unrecoverable, but what other factors were at play in the conviction and sentencing of women in domestic service? In the absence of answers to these questions, we have to accept that cases which appear nearly identical often met very different ends. We also have to consider, albeit with limited information, the effect of race on these cases, their outcomes, and the larger issue of women’s work in the postbellum southern economy and social order.

* * *

Race is perhaps the most compelling element in the cases of domestic servants accused of larceny, but it also remains the most enigmatic. The First District Court did not regularly record a defendant’s race after 1870, and its practice of only documenting race for people of color—with whiteness as the assumed, invisible norm—further complicates the task of distinguishing cases that involved white defendants from those cases in which race, whatever it may have been, was simply not listed. Additionally, the use of “colored” to describe all non-white individuals erased the complex racial system of nineteenth-century New Orleans and imposed a bifurcated system of either “c” or the invisible “w” on people

⁴⁴⁴ *State of Louisiana v. Eliza Williams*, no. 8731, 1876.

⁴⁴⁵ “Larceny of Jewelry,” *Daily Picayune*, 24 May 1868.

who may have identified as neither.

The evidence we do have, however, is conclusive that black women predominated in both servant larceny accusations and convictions. Almost nine in ten domestic servants tried and convicted by the First District Court were black.⁴⁴⁶ By contrast, black women represented only a quarter of all women's larceny cases from 1865 to 1869, meaning they are clearly disproportionately represented in servant larceny cases. That black women were a majority of the servants accused and convicted of larceny is not surprising since they dominated the field of domestic labor. Such high numbers, however, overrepresent their presence in the field, which was no larger than seventy-four percent in Reconstruction-era New Orleans. Between these two figures lay the legacy of slavery and the racialization of a crime that we know working women of all races committed.

Throughout the nineteenth century, employers constantly complained that they could not keep good help—that domestic workers were careless about their work or changed jobs at a whim, thus creating more problems for employers than they solved. This “servant problem” was not unique to the postbellum South, but here its implications were magnified by the fitful, and ultimately futile, transition to a new racial order based on legal equality.⁴⁴⁷ Before Emancipation, slave-owners complained of slaves' thefts, and historians have interpreted such actions as one of the most important forms of resistance available to enslaved African Americans.⁴⁴⁸ An 1866 article in the *Picayune* remembered that “chicken

⁴⁴⁶ Black women comprised 86.4% of servant larceny cases where race was recorded. Similarly, they were 88.2% of servants convicted by the court. The court's method of recording race only when a defendant was black means that the number of white women is likely underrepresented. The general pattern, however, of trial and conviction based on race should not be affected by this variance.

⁴⁴⁷ See Ryan, *Love, Wages, Slavery*.

⁴⁴⁸ See Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004); Glymph, *Out of the House of*

stealing” was “one of [slaves’] weaknesses that their masters and mistresses overlooked, and other people looked upon it as one of the failings of the institution.” That the problem persisted after freedom, however, was unacceptable, and the article concluded that “such little violations of the rights of property should be taken notice of.”⁴⁴⁹

Such a call, common to white conservative discourse, conveniently collapsed the protection of property into the policing of race. Protecting against these “little violations of the rights of property” allowed authorities to crack down on women of color in a harsher, more targeted manner than they did for other transgressions such as violations of regulatory ordinances or acts of physical violence. These misdemeanors were simply not as racialized as were thefts by domestic servants, even though women across the racial spectrum perpetrated all of these crimes. This is not to diminish the lives and transgressions of white domestics, including those who were convicted of larceny and sent to the State Penitentiary despite their race.⁴⁵⁰ Employers, however, may have been more likely to report offending black women to the police, and the First District Court, in turn, was more likely to convict them.

Black women’s actions clearly threatened greater social damage than property loss alone. Their thefts from employers’ households demonstrated the inability of both individual employers’ and the courts to control their labor fully. To camouflage this deficiency, the court strictly enforced penalties against servants’ thefts in a manner that they did not do for other types of larceny. Unlike in most other types of larceny cases with lower rates of

Bondage; and Deborah Gray White, *Ar’n’t I a Woman? Female Slaves in the Plantation South* (New York: Norton, 1985).

⁴⁴⁹ “Recorder Gastinel’s Court,” *Daily Picayune*, New Orleans, Louisiana, 9 January 1866, 2.

⁴⁵⁰ We know of at least two white women domestic workers sent to the State Penitentiary from New Orleans during the Reconstruction period.

conviction, thefts by domestic workers met strict enforcement by local authorities, who rarely sided against employers. Simply assuming guilt, the court confirmed employers' social authority while also maligning all women working in domestic service, particularly when they were women of color.

* * *

Every issue of the *Daily Picayune* ran advertisements calling for "respectable young women to do housework" or from women themselves desiring "A Situation by a Respectable woman."⁴⁵¹ But however "respectable" employers wanted them to be, some domestic servants did abscond with items large and small, valuable and trivial. Some women may have understood their actions as supplementing meager wages, as retaliation against an employer's wrongs, or simply as borrowing select goods. Other women may have been desperate for funds, and a few may have stolen just for kicks, because the item appeared theirs for the taking. Little of this mattered for New Orleans's First District Court, which usually treated these cases with atypical severity.

These women's actions undermined employers' authority and exposed the fallacy at the heart of white conservatives' explanation of crime, namely that African Americans and others on the margins of southern society choose crime over productive employment. Observing the busy police courts, the *Picayune* advocated for the "morality of labor," claiming that "Mere hard work is a most moralizing, civilization agent."⁴⁵² Domestic servants refuted this easy fix since they stole in the course of their labors. Work itself created their opportunities for crime, and conservatives could name no easy solution for their

⁴⁵¹ Advertisements, *Daily Picayune*, New Orleans, Louisiana, 2 December 1866, 5.

⁴⁵² "Recorder Vennard's Court," *Daily Picayune*, New Orleans, Louisiana, 11 August 1865, 8.

transgressions. The *Picayune* praised one young white mother pledging to “be, in a measure, independent” of hired domestic labor, but even such a vow betrayed how essential domestic workers were to households across the South.⁴⁵³ The assumption, after all, was that she could only do without their help “in a measure.” Since employers could not do without them—and since their labors would always present opportunities for theft—the First District Court needed to police domestic servants closely and strictly punish the transgressions that did occur. Such a strategy was the only way to appear in control of these women’s labors.

Under such scrutiny, working women must have known that they had to create their own advantages whenever they could. They could also band together as two black women did in early 1870 when Mary Burke testified in favor of her friend Caroline Johnson, whose employer had lost a breast pin worth twenty dollars from her house. Burke explained to the judge and all-male jury that Johnson had joined her that afternoon and helped her finish her day’s work sweeping cars at the railroad depot. It was in the ladies’ car, as Burke explained, that Johnson spotted the pin among the floor’s debris, saying “Mary! look that I found.” Burke went even further for her friend, claiming to have accidentally dropped the pin into the gutter later that day, never to be recovered. We do not know whether Burke’s version of events was true, but there the friends stood, two black women trying to beat the odds of southern justice. In this instance, they won. The court dropped the charges against Johnson, and both women likely soon went back to work, Burke at the depot and Johnson in a new employer’s home.⁴⁵⁴ Society at large may have always treated them with suspicion, but on

⁴⁵³ “Said a young Southern mother,” *Daily Picayune*, 24 February 1867, 4.

⁴⁵⁴ *State of Louisiana v. Caroline Johnson*, case no. 1774, 21 January 1870, First District Court, Louisiana Division.

this day two working women refused the label of “disorderly” while still claiming the spoils of their labor—whether stolen or simply found—for themselves.

Chapter Four

“Both woman and money was gone”: Larcenies in New Orleans’s Regulated Sex Trade

We cannot be sure exactly what happened in the brothel that night in January 1869 except that an unlucky man lost 136 dollars. Three versions of the evening’s events survive but, though they share a similar outline, each reshuffles the cast and conflicts of the incident. The first version came from the testimony of a black woman named Jenny Douglass before New Orleans’s criminal court, the First District Court. She began her narrative at a coffeehouse where she lingered awhile over a glass of gin. Technically prostitutes like Douglass were not allowed this small consolation but, since few bar owners refused a paying customer, this restriction became just another disregarded city ordinance.⁴⁵⁵ Soon enough it was time to return to her Burgundy Street house in the back of the French Quarter and at the heart of New Orleans’s legalized sex trade. Walking back, Douglass spotted a coworker, Maggie Lewis, running towards her in the street as another woman, Felicity Washington, stood on the building’s front gallery, entirely naked. When she saw a man hurriedly exit the house a moment later, Douglass immediately “suspected something” and likely guessed what had happened even before Lewis reached her. Her suspicions were confirmed when Lewis opened her hand to reveal a ten-dollar note, excitedly explaining that “I made Felicity

⁴⁵⁵ Henry J. Leovy, Attorney at Law, “Lewd Women: An Ordinance concerning Lewd and Abandoned Women,” 274-80 in *The Laws and General Ordinances of the City of New-Orleans, Together with the Acts of Legislation, Decisions of the Supreme Court, and Constitutional Provisions, Relating to the City Government* (New Orleans: Bloomfield & Steel, 1866), 276.

Washington robbed [*sic*] that man.” Perhaps regretting the time wasted over gin in the coffeehouse, Douglass answered, “You made a better job than me.”⁴⁵⁶

The second account appeared in the *Daily Picayune* the next morning, and it transformed “that man” from Douglass's testimony into the titular “An Unfortunate Young Man” and supplied his name, Damas Dyon. The article is extraordinary for its length of sixty-eight lines (similar accounts rarely exceeded ten) and the details it provides, few of which align with those offered by Jenny Douglass. It narrates a cautionary tale of a “handsome youth . . . [from] down the coast” who came to New Orleans “to see the sights” and brought with him a large amount of money. Although he had heard tales of “sirens and robbers who walked abroad at night,” he still “had not grown accustomed to the bewildering allurements of city life” according to the paper. These “bewildering allurements” materialized in the form of two “radiantly clad damsels with Spanish eyes and a complexion *café au lait*,” a much more vivid description than the simple “colored” given by court records.⁴⁵⁷ Eagerly returning to their rooms, he tried to charm them with lines he had memorized from dime novels and ordered wine for the women as a prelude to other pleasures. It was here that Dyon’s play ended abruptly as the women apparently drugged his drink. As the *Picayune* dryly observed, “He went to sleep in the house—he woke up in the

⁴⁵⁶ *State of Louisiana v. Felice Washington and Maggie Lewis*, case no. 685, 18 January 1869, First District Court, Louisiana Division, City Archives and Special Collections, New Orleans Public Library (hereafter “Louisiana Division”). Maggie Lewis is likely listed in the 1870 census for Orleans Parish. Here she is described as a “mulatto” woman who came to New Orleans from Mississippi and would have been twenty-one years old at the time of this case. The other women do not appear in the census or other public records.

⁴⁵⁷ The First District Court only recorded a person’s race as “colored” and never used “white,” “mulatto,” or any other description but simply left it blank. Therefore, not only does “white” function as an invisible norm, but the use of “colored” erased the complex racial gradations of nineteenth-century New Orleans into a singular category.

street.”⁴⁵⁸

The final surviving version of the night's events comes from Dyon himself, who provided the shortest and most straightforward of the three accounts. Unlike the vivid scenes and narrative flourishes of the first two retellings, his deposition for the First District Court largely follows a formulaic script. He recounted how Maggie Lewis had called him into the house around 6:30 that night and, after receiving a payment of fifty cents, took him to bed. He had 136 dollars in his wallet and unwisely fell asleep afterwards. As he remembered, “When he got up, both woman and money was gone.” Felicity Washington, the naked woman from the front gallery, was only incidental to the action or perhaps Dyon remained oblivious to the role she had played in the theft. While searching for Lewis, Dyon ran into Washington, informing her that “your friend played a pretty trick on me.” As he later testified, “Felicie answered I don't know her at all.”⁴⁵⁹

Stressing in turn women's trickery, men's naïveté, or a common “pretty trick,” these varying accounts of one incident map out wider uncertainties about prostitutes' thefts. Prostitution operated as a regulated trade in postwar New Orleans, but these thefts signaled that the sex trade and its workers could never be fully controlled. Under regulation, the city delineated which elements of the sex trade would and would not be tolerated. To do this, city leaders had to clarify the goals of regulation while also acknowledging the limitations of

⁴⁵⁸ “An Unfortunate Young Man,” *Daily Picayune*, New Orleans, Louisiana, 20 January 1869, 2.

⁴⁵⁹ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869. The court documents spell his name “Dion” rather than “Dyon.” The *Picayune* article “An Unfortunate Young Man” describes him as from “down the coast” while the court records list his address as 12 Mandeville. This may indicate that he stayed in the Faubourg Marigny area while in New Orleans. Like many other male claimants before the court, he signed his name with a mark, and the only indication we have of his age comes from the “young” in the title of the *Picayune*'s article (the First District Court did not record age). Documents in the case list Washington variously as Felicity, Felice, and Felicie. I have chosen to use Felicity here as it is the name given by Jenny Douglass, clearly an acquaintance of Washington's. The two others could also be diminutives of “Felicity.”

police oversight. In numerous city ordinances targeting prostitutes' location and public behaviors such as solicitation, New Orleans committed itself primarily to policing the public face of prostitution. Consequently a constant stream of women appeared before the city's recorder's courts for minor violations. What happened between the prostitute and her client, however, remained largely untouched by the law.⁴⁶⁰

This was certainly the case with Damas Dyon's mysterious brothel visit. With three such different narratives of his robbery, we cannot know for certain what played out that evening or who was behind it. Even small details such as where Dyon awoke or when he left the brothel differ among the versions. The primary conflict in Dyon's testimony is between Maggie Lewis and himself, but Jenny Douglass implicates Felicity Washington in the larceny as well, albeit under Lewis's orders. Douglass, in fact, claimed that Washington confessed to her, "yes it was true, she had robbed that man."⁴⁶¹ Did Washington trust Douglass enough to confide in her, or was Douglass framing her colleague for a role in the crime that, according to the victim, she did not commit? The two women had been tried together for assault two months previously for hitting a customer with a bottle at the same brothel. Although they had been acquitted, had some hard feelings remained from this earlier incident?⁴⁶²

Complicating matters further is the *Picayune's* misidentification of the women.

Lewis and Washington disappeared entirely from the newspaper account, replaced by an

⁴⁶⁰ The fact that city ordinances gave so little attention to a prostitute's agreement or relationship with her client reminds us that the city's decision to regulate prostitution was not about protecting the sex worker, as many modern calls for legalization are. For more on prostitution in Reconstruction-era New Orleans and the city's system of regulation, see Chapter One, "'Fascinating Sirens': Regulating Prostitution in Reconstruction-Era New Orleans." See also Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2004).

⁴⁶¹ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869.

⁴⁶² *State of Louisiana v. Felicie Washington and Jenny Douglass*, case no. 515, 26 November 1868, First District Court, Louisiana Division.

unknown, generically-named Molly Smith and, in a surprise appearance, Jenny Douglass herself.⁴⁶³ One's inclination may be to trust court testimonies over a reporter more committed to sensationalism than to accuracy, but subterfuge by Douglass remains a tantalizing possibility. Whatever Douglass's intentions, they mattered little to the First District Court, which concluded the case by dispatching Lewis to the State Penitentiary for six months and Washington to the Parish Prison for two months. (In so ruling, the court seemed to believe Douglass's version of event, which may have helped them convict the other women.)⁴⁶⁴

Conflicting and confusing accounts of prostitutes' alleged thefts are common, especially since the testimony of the accused was rarely preserved by the First District Court. Newspaper coverage, moreover, was inconsistent, depending on the whims of the court reporter and the columns needing to be filled. Nevertheless, we can trace a general pattern in how these larcenies occurred and how they were treated by the press and local courts. The scene of the theft generally ran as one victim recounted in 1873: "the accused was standing at the door and asked me to come in . . . I gave her the twenty five cents, I took my pants off, placed them on a chair, I went to bed. Whilst I was on the bed the accused grabbed my pants, and took [the money] from the pocket."⁴⁶⁵ The crime could be extremely profitable.

⁴⁶³ "An Unfortunate Young Man," *Daily Picayune*, 20 January 1869.

⁴⁶⁴ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869. Washington had served time in the Parish Prison previously having been sentenced there for thirty days by a recorder's court in August 1868 for, as the *Picayune* described it, "disturbing the peace, and conducting himself [*sic*] otherwise improperly." She also served two separate sentences from the First District Court for one day in the Parish Prison for assault and battery in 1869 and 1870. "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 14 August 1868, 2; "A New Offence," *Daily Picayune*, New Orleans, Louisiana, 31 December 1869, 2; *State of Louisiana v. Felicie Washington*, case no. 1126, 21 June 1869, First District Court, Louisiana Division; and *State of Louisiana v. Lizzie Washington alias Felicie Washington*, case no. 1706, 29 December 1869, First District Court, Louisiana Division.

⁴⁶⁵ *State of Louisiana v. Lizzie Johnson*, case no. 5678, 5 July 1873, First District Court, Louisiana Division.

Men generally paid a dollar or less for a prostitute's services, while the median amount alleged stolen in these cases was twenty-five dollars with spoils of one hundred dollars or more not uncommon. Although the women involved in Dyon's case appear to have been either black or Creole, white and immigrant women were implicated in many such thefts as well, and the men involved were as diverse as the women they accused.

These allegations were common fodder for the *Daily Picayune*, which reported men's misadventures among the city's *demimonde* with obvious relish. Although few accounts were as long or detailed as that involving Damas Dyon, most emphasized the man's gullibility as much as the woman's crime just as "An Unfortunate Young Men" did. Even the shortest of reports portrayed the men as dupes, listing women accused of having "hooked" money or valuables from an unsuspecting customer.⁴⁶⁶ The most surprising characteristic of these frequent, if short, articles is the lack of sympathy they displayed for the male victim. One such account bluntly stated that "One must expect to get burnt if they play with fire."⁴⁶⁷ Although the *Picayune* did not explicitly condone the women's actions, it presented the thefts as a known risk of patronizing the sex trade.

Male victims also found little satisfaction in local courts, whose response to these thefts was often surprisingly slack, especially when compared to larcenies by domestic servants. The First District Court was notoriously reluctant to prosecute cases of prostitutes charged with larceny despite the often straightforward nature of the crime. Many men, of course, never came forward with charges, but even when they did only a quarter of the cases ended in conviction, far less than the average conviction rate for all women's larcenies. Half

⁴⁶⁶ "Arrests," *Daily Picayune*, New Orleans, Louisiana, 17 March 1866, 8.

⁴⁶⁷ "Heavy Larceny," *Daily Picayune*, New Orleans, Louisiana, 24 November 1869, 2.

of the cases ended in *nolle prosequi*, meaning that the court dropped the case.⁴⁶⁸ Evidence was often insufficient for conviction, and many cases stalled at “he said, she said” with the man as the only witness. Cases also ended abruptly when the accused could not be found by the police, perhaps having disappeared into the New Orleans underworld or left town altogether just as the male affiants, often in transient jobs themselves, may also have done. Occasionally juries simply acquitted the woman of all charges, even when the evidence against her appeared incriminatory. Whatever the specific outcome, the court seemed less able—or less willing—to convict women in these cases than in other types of larceny.

When it did convict, however, the First District Court treated these cases in a particularly punitive fashion. The fate of Maggie Lewis at the State Penitentiary was much more typical than Felicity Washington’s lighter sentence to the Orleans Parish Prison as relatively few prostitutes went to the local jail for this crime. Instead, most, like Lewis, were transported to Baton Rouge to serve sentences for hard labor at the State Penitentiary.⁴⁶⁹ In fact, prostitutes convicted of stealing from their clients accounted for almost a quarter of all women sent to the State Penitentiary from New Orleans from 1865 to 1877, outnumbered only narrowly by domestic workers also convicted of larceny. Prostitutes, however, received

⁴⁶⁸ The margin between the two figures consists primarily of cases ending in acquittal and cases where the verdict is unlisted. This data is drawn from all women’s larceny cases before the First District Court in the years 1866 and 1876. In these years, just 27.7 percent of cases involving prostitutes charged with stealing from their clients reached conviction. By comparison, 42.5 percent of all women’s larceny cases ended in conviction, as did 71 percent of cases of female servant larceny. The number of prostitutes’ cases ending in *nolle prosequi* was 50 percent, a higher percentage than for all women’s larcenies (38.6 percent) or for domestic workers (42.9 percent). The margin between prostitutes’ cases and those of other women may be even wider since the verdict is unlisted for 17.6 percent of the prostitutes’ cases and in 14 percent of all women’s larceny cases. This sampling is also affected by whether the relationship between the affiant and the accused can be determined from the court files. This relationship is unclear in 45.6 percent of all women’s larceny cases in this sampling, effectively removing them from this comparison. For more on larcenies by domestic servants, see Chapter Three, “‘Suspected a Servant Girl’: Larcenies by Domestic Servants.”

⁴⁶⁹ For example, in 1876 only one prostitute convicted of larceny was sent to the Orleans Parish Prison while the other four convicted women went to the State Penitentiary.

longer sentences than servants, suggesting that theirs could sometimes be viewed as a worse offense.⁴⁷⁰ Although a small percentage of such thefts, the cases resulting in sentences for hard labor at the State Penitentiary shared much in common with similar incidents occurring regularly, if not nightly, in the city. That these cases met such different fates than the “hooks” almost mockingly related by the *Picayune* reveals the ambivalence that marked responses to these crimes in Reconstruction-era New Orleans.

In brothel bedrooms and backstreet cribs, prostitutes stripped their clients of wallets, pocket change, and sometimes small fortunes. Such thefts were a common and well-known danger in the sex trade, an apparently attendant crime to even regulated prostitution. Just as confusion often reigns in the surviving documents, so it did in the response to such incidents, and no certain denouement awaited any of the participants. The frequency of these thefts forced the people of New Orleans to confront the true intention of regulated prostitution—keeping up appearances, not controlling behavior—and to consider whether it accomplished even this limited aim. In deciding how much of a threat a prostitute robbing her client posed to society, New Orleanians had to ask the same of prostitution itself. Could the regulation of prostitution ever be effective, or did these *demimonde* dramas prove that prostitution and its women workers could never be fully controlled?

* * *

The robust sex trade of postbellum New Orleans was more notorious than any other city’s in the nineteenth-century U.S., and this ribald reputation owed much to the women in the trade, including their propensity to rob clients. Prostitutes’ “hooks” took just as many

⁴⁷⁰ On average, the sentence length at the Louisiana State Penitentiary for prostitutes convicted of larceny was 17.6 months. For domestic workers the average was 12.9 months. The difference between the median sentence lengths was even wider at 21 months for prostitutes and 12 months for servants.

forms as the women themselves. Some attempts appeared desperate, others more inventive, and some even violent. Frequency was sometimes all they shared in common. The *Picayune* regularly reported alleged larcenies occurring in women's "domiciles," noting "another one of those unfortunate contretemps, following on the heels of illicit pleasure."⁴⁷¹ In March 1868, for example, the paper featured fourteen such thefts, and these represented only those appearing before the recorder's courts and then selected for the *Picayune*'s pages; many others never would have made it to the public's attention. Such thefts were likely attempted daily by New Orleans's prostitutes and would thus have been among the most common property crimes in the city.⁴⁷²

Unlike the lengthy exposition offered of Damas Dyon's victimization, the *Picayune* usually provided few details about the alleged robbery other than its participants and location. Although the case files of the First District Court differ widely in length and detail, depositions of men alleging theft often provide rich accounts of these incidents.⁴⁷³ Most men's depositions began with a "calling in" by the accused woman such as "I was passing in

⁴⁷¹ "Robbery in a House of Ill-Fame," *Daily Picayune*, New Orleans, Louisiana, 19 March 1868, 2.

⁴⁷² Judith Schafer also highlights the frequency of prostitutes' larcenies in her study of the sex trade in antebellum New Orleans. She describes these thefts as a routine element of prostitution: "a systematic pattern of public women taking advantage of situations in which they could help themselves to others' property." See in particular chapter five, "Larceny and Robbery among Prostitutes," pages 74-88, which discusses how women had many easy opportunities to steal and few disincentives. Judith Keller Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009), 88.

⁴⁷³ It is worth noting that depositions did not necessarily narrate the event exactly as it occurred, if it even occurred at all. Male claimants doubtless embellished or even fabricated their accounts on occasion. Perhaps they could not remember what had happened, they were too embarrassed to tell the truth, or they were simply mistaken; men may also have filed charges to avenge a woman for some other offense. It is difficult, if not impossible, to uncover men's true intentions, but we can use these cases to construct a general profile of how these thefts occurred and who was involved in them.

front of the house of both accused. I was called in.”⁴⁷⁴ Not only were the men “called in” but they usually described themselves as only “passing” along the street, albeit in neighborhoods notorious for their sex trade. One man described his encounter in very sanitized terms as “She asked me to stop and I consented,” painting himself as assenting to a prostitute’s invitation rather than seeking her out.⁴⁷⁵ Men were often reluctant to accept the offer, at least according to their testimony. One tried to protest a lack of funds, claiming “She asked me if I want to do a job, I told her I had no money, she said yes you have some money.” She was right—he had 185 dollars which she later extracted from his pants’ pocket.⁴⁷⁶ Another man explained that, when “asked . . . did I want to trade,” “I told her no I did not for I had a wife. She persuaded me to undress.”⁴⁷⁷ How much of this hesitancy was feigned for the court—or for a wife—cannot be known, but these descriptions reveal that prostitutes aggressively sought potential clients and often initiated the exchange. A man may also have believed that portraying the accused woman as initiating the exchange would work in his favor as he pursued charges against her. Some men, though, spoke frankly of their visits and said directly that “he went to the House of accused,” implying premeditation or even an ongoing relationship.⁴⁷⁸ Another man even acknowledged that “he visited the accused at her house to satisfy his passions.”⁴⁷⁹

⁴⁷⁴ *State of Louisiana v. Mary Love and Mary McElroy*, case no. 9259, 23 November 1876, First District Court, Louisiana Division.

⁴⁷⁵ *State of Louisiana v. Mollie Williams*, case no. 9019, 28 June 1876, First District Court, Louisiana Division.

⁴⁷⁶ *State of Louisiana v. Annie Johnson*, case no. 5677, 15 July 1873, First District Court, Louisiana Division.

⁴⁷⁷ *State of Louisiana v. Martha Anderson*, case no. 8090, 1 June 1875, First District Court, Louisiana Division.

⁴⁷⁸ *State of Louisiana v. Emma Walker*, case no. 162, 10 August 1868, First District Court, Louisiana Division.

⁴⁷⁹ *State of Louisiana v. Elizabeth Syfax*, case no. 18712, 2 March 1868, First District Court, Louisiana Division.

However they got there, the men eventually “went to bed.” As one man recounted, “I went in and got into bed with her; I stayed with her all night until the next morning.”⁴⁸⁰ It was usually at this point, with the man in bed, that the larceny occurred. The exact method of the theft could vary widely. Most common was simply snatching the man’s wallet out of his discarded pants. Sometimes women were quite brazen. One man—the one who had protested about his wife—experienced just such a bold attempt, claiming “I took off my pants, laid them on the wash stand and as quick as I turned my back she picked and I saw her take my pocket book out of my pocket.” Nor did she back down when discovered. As he continued, “I commanded her to give it up but she would not.”⁴⁸¹ Another man paid his dollar, put his wallet back in his pocket, undressed, and laid his pants on a chair. “In a few moments I got out of bed,” he remembered, “and went to a corner of the room to wash.” This gave his companion, a young woman of mixed ancestry named Lizzie Davis, enough time to grab his wallet and the forty-eight dollars it contained.⁴⁸² Another man, perhaps aware of these dangers, tried to hide his money “between the mattresses” but lost it nonetheless.⁴⁸³

⁴⁸⁰ *State of Louisiana v. Louisa Johnson*, case no. 5097, 12 February 1873, First District Court, Louisiana Division. Some male claimants omit the “go to bed” and move directly from entering the house to the missing money or valuables, leaving this middle step unsaid. Nevertheless, the nature of the larceny remains clear from other elements of their testimony.

⁴⁸¹ *State of Louisiana v. Martha Anderson*, no. 8098, 1875.

⁴⁸² *State of Louisiana v. Lizzie Davis*, case no. 6162, 10 December 1873, First District Court, Louisiana Division. Elizabeth Davis is listed as a “courtesan” in the 1870 census. She was born in Mississippi and at the time lived in a house with three other women, two black and another woman listed as “mulatto” like Davis. She was twenty-three years old at the time of the alleged “hook” in December 1873. Davis had been tried for a similar crime in 1872 with another woman, but this earlier case ended in *nolle prosequi* as did the later case as well. *State of Louisiana v. Lizzie Davis and Sarah Jones*, case no. 3966, 19 March 1872, First District Court, Louisiana Division.

⁴⁸³ *State of Louisiana v. Harriet Parker*, case no. 4775, 10 November 1872, First District Court, Louisiana Division.

With no easy way to conceal their loot, many women took flight after the theft. Some women favored speed in both the pick and the escape. As one man recounted of his 1873 visit to a Burgundy Street brothel, “Whilst I was on the bed the accused grabbed my pants, and took from the pocket twenty dollars in Gold, four Five dollar notes and 25¢ in U.S. currency[,] after so doing, the accused ran towards the back door.”⁴⁸⁴ Such an escape, however, immediately alerted the victim to the theft, so more often women tried to sneak out of the room. Sometimes they left as the man slept or they excused themselves, citing a small task and promising a quick return. “[T]he accused got up and said I am going in the other room to wash,” one man testified in 1873, “you wait for me until I come back, she did not come back.” Only then did he notice that she had absconded with his wallet.⁴⁸⁵ Evasion was even easier when the man was passed out drunk, and there is evidence that some women targeted intoxicated men. One man fell for such a scheme: “Melite Johnson took me by the arm and pulled me in the house saying that I was too drunk.” Her promise of protection proved duplicitous as she divested her inebriated visitor of fifty dollars and a silver watch.⁴⁸⁶

One element that differentiated prostitutes’ thefts from other larcenies was the frequency with which women worked together. One-third of prostitutes’ larceny cases before the First District Court involved two or more women as defendants, and men’s

⁴⁸⁴ *State of Louisiana v. Lizzie Johnson*, no. 5678, 1873.

⁴⁸⁵ *State of Louisiana v. Annie Johnson*, no. 5677, 1873.

⁴⁸⁶ *State of Louisiana v. Melite Johnson and Mary Hester*, case no. 9202, 10 June 1876, First District Court, Louisiana Division. In her study of prostitution in nineteenth-century New York, Marilyn Wood Hill notes that getting a client drunk and then divesting him of his money was a “speciali[ty]” for some women in the trade. Moreover, often a man’s charges against such women were dismissed because of his drunken, unreliable state. Marilyn Wood Hill, *Their Sisters’ Keepers: Prostitution in New York City, 1830-1870* (Berkeley: University of California Press, 1993), 37 and 157.

depositions detailed varying degrees of complicity.⁴⁸⁷ Sometimes the alleged schemes were as simple as one woman handing the loot to another. As one man recounted, “I then felt that Mary Love had her hand in my pocket[,] she took my pocket book containing \$35.00 and passed it to the other accused Mary McElroy.”⁴⁸⁸ Usually one woman screened another’s actions, for instance by keeping the man—and his attention—in bed as a second woman snuck in the room. One deposition from 1873 illustrates this scheme quite candidly. A man named Hilario Rubira first stated that “Whilst Mary Johnson was entertaining me preventing me from seeing what was going on[,] Lizzie Johnson took the money out of the pocket book.” Rubira later had the court clerk strike out the phrase “preventing me from seeing what was going on,” hesitant to admit to the court that he had not seen the actual theft.⁴⁸⁹ Nevertheless, the efficacy of this strategy was clear, and women frequently attempted variations of it, including the use of outright violence. One man told a dramatic tale of his loss of \$9.85 at a Burgundy Street brothel in 1876: “a yellow woman who is not in court now, entered the room and asked me for my pants and blew the candle[,] she took the pants and threw it to Julia Ann Johnson, there the other three accused held me and beat me while I was attempting to get out.” Three women out of seven prostitutes in all went to the State

⁴⁸⁷ Schafer offers numerous cases of prostitutes working together to rob clients in antebellum New Orleans. Schafer, *Brothels, Depravity, and Abandoned Women*, 79, 85, and 87. Cooperation among women is also cited in studies of prostitution elsewhere. Timothy J. Gilfoyle observes the common practice in nineteenth-century New York City of luring men, especially sailors, and then robbing them with the help of an accomplice. Deborah A. Symonds also finds the common use of an accomplice in nineteenth-century Edinburgh, Scotland, although these were often women pickpockets posing as prostitutes. Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W.W. Norton & Company, 1992), 50. Deborah A. Symonds, *Notorious Murders, Black Lanterns, and Moveable Goods: The Transformation of Edinburgh’s Underworld in the Early Nineteenth Century* (Akron, Ohio: University of Akron Press, 2006), 60-7.

⁴⁸⁸ *State of Louisiana v. Mary Love and Mary McElroy*, no. 9259, 1876.

⁴⁸⁹ *State of Louisiana v. Lizzie Johnson and Mary Johnson*, case no. 5656, 18 July 1873, First District Court, Louisiana Division.

Penitentiary for this one episode, including Johnson.⁴⁹⁰

Prostitutes almost always targeted money in their thefts and could come away with a veritable fortune. The amount stolen in known “hook” cases in this period ranged from 5 to 612 dollars, and we cannot know how much more was stolen without ever being reported to the police. United States currency, colloquially called greenbacks, was the most common form of money stolen. One man robbed of 120 dollars in 1872 testified that “I opened my pocket book to give Sylvia some money; she saw the Whole of my money and exclaimed ‘O God what a lot of bills.’”⁴⁹¹ In a southern economy starved of cash after the Civil War, so many greenbacks would have been a sight indeed and would be much more tempting to the fleet-fingered than local bank notes. Women also stole gold and silver pieces although their weight made them more cumbersome than greenbacks, especially in large amounts.

Women stole non-monetary items much more rarely. In 1876, two prostitutes lifted a silver watch worth fifteen dollars and a vest worth two dollars from a client as well as sixty dollars in U.S. currency and five dollars in silver.⁴⁹² A year earlier, a man was robbed of a Smith and Wesson silver-mounted pistol valued at twenty dollars as well as twenty-two dollars in cash, and another man lost twenty dollars and his spectacles when visiting a

⁴⁹⁰ *State of Louisiana v. Mary Hall, Celestine Antoine, and Louiza Bernard alias Bone*, case no. 8876, 27 April 1876, First District Court, Louisiana Division. The depositions in this case also pertain to another case, *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*. Julia Ann Johnson, Lizzie Bernard, and Ella Smith were convicted for larceny and sent to the State Penitentiary (Johnson for two years and Bernard and Smith for nine months apiece). The trials of Scott and the three women from case number 8876 all ended in *nolle prosequi*. *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*, case no. 8846, 27 April 1876, First District Court, Louisiana Division.

⁴⁹¹ *State of Louisiana v. Louisa Johnson and Sylvie Ann Gillum*, case no. 4529, 12 August 1872, First District Court, Louisiana Division.

⁴⁹² *State of Louisiana v. Melite Johnson and Mary Hester*, no. 9202, 1876.

Burgundy Street brothel in 1873.⁴⁹³ It is initially surprising that more prostitutes did not steal clothing, jewelry, or accessories. Pickpockets, of course, were known to target items such as pocket watches, which could be quite valuable. Prostitutes, however, may have realized that money was both easier and safer to steal, principally because it was more difficult to track and identify. The women who stole the silver watch were both convicted when it and the vest were discovered in an armoire in their house, and the woman, who stole the pistol, might also have been convicted had she not died in the Parish Prison while awaiting trial.⁴⁹⁴

Men's depositions rarely stated the race of the accused woman, and court documents also did not consistently record race for most of the Reconstruction period.⁴⁹⁵ Here the *Picayune*, which usually omitted details of the actual theft, helps us fill in information missing from the First District Court's records.⁴⁹⁶ In July 1865 as the regulation of the sex trade began in New Orleans, the *Picayune* observed "females of all hues, dresses, ages and sizes" working as prostitutes in the city, and it reported just as wide a spectrum accused of stealing from their clients.⁴⁹⁷ In relating these thefts, the *Picayune* characterized accused

⁴⁹³ *State of Louisiana v. Mary Cronan*, case no. 8621, 27 December 1875, First District Court, Louisiana Division; and *State of Louisiana v. Mary Johnson and Caroline Ward*, case no. 5425, 11 May 1873, First District Court, Louisiana Division.

⁴⁹⁴ *State of Louisiana v. Melite Johnson and Mary Hester*, no. 9202, 1876; and *State of Louisiana v. Mary Cronan*, no. 8621, 1875. Melite Johnson received a sentence for a two days in the Parish Prison and Mary Hester for two years in the State Penitentiary. The discrepancy between their sentences is not explained by the surviving documents. Interestingly, the case against Mary Johnson and Caroline Ward for stealing twenty dollars and a pair of spectacles was dismissed by the court even though the alleged victim claimed that Johnson had been wearing the spectacles when she was arrested. *State of Louisiana v. Mary Johnson and Caroline Ward*, no. 5425, 1873.

⁴⁹⁵ We can speculate why male affiants did not include the accused's race in their depositions and testimonies. Perhaps they simply did not offer information beyond the court's requirements, but such omissions also suggest that many customers, like the laws themselves, regarded the *demireps* less by their race than their profession.

⁴⁹⁶ Clerks for the First District Court only recorded a defendant's race through 1869, and even then they did not so do for every case.

⁴⁹⁷ "The One Hundred and Five Nymphs," *Daily Picayune*, New Orleans, Louisiana, 16 July 1865, 8.

white prostitutes as “fair but frail ones” or individually as “fair Henrietta” or “fair Louise.”⁴⁹⁸ It straightforwardly labeled some black women as “colored” or “of a colored complexion.”⁴⁹⁹ The paper’s most descriptive language, however, was usually reserved for Creole women or women of mixed ancestry; the prostitutes who robbed Damas Dyon, for example, were described as “Spanish ladies” with “a complexion *café au lait*,” both common *Picayune* descriptors for multiracial women.⁵⁰⁰

Very often, though, the paper did not specify a woman’s race in reporting prostitutes’ larcenies. Like some court clerks, reporters at times intended the absent descriptor to signify that the subject was white; whiteness was usually assumed when not otherwise stated. There are other instances, however, in which we know that a woman was not white, and the paper’s silence on this point may have been a simple omission, perhaps due to a column’s limited space or a reporter’s lack of information. Even more than this, the race of an offending prostitute may have been of less consequence to a reporter and his readers than her actions, especially for women who worked in the lowest, most “debased” rungs of the trade. Just as the regulatory ordinances saw little need to distinguish “lewd and abandoned women” by race, so did the paper and the general public regard such distinctions as less consequential in the *demimonde* than elsewhere in society. Therefore, despite extensive court records and newspaper articles detailing prostitutes’ larcenies, we can determine a woman’s race in only a limited number of instances. Nevertheless, we can be sure that black, white, and

⁴⁹⁸ “Scene in the Police Court,” *Daily Picayune*, New Orleans, Louisiana, 14 March 1868, 7; “Another Robbery,” *Daily Picayune*, New Orleans, Louisiana, 10 June 1868, 7; and “Charged with Larceny,” *Daily Picayune*, New Orleans, Louisiana, 8 August 1868, 7.

⁴⁹⁹ “Court Items,” *Daily Picayune*, New Orleans, Louisiana, 25 July 1867, 8; and “Arrests,” *Daily Picayune*, 17 March 1866, 8.

⁵⁰⁰ “An Unfortunate Young Man,” *Daily Picayune*, 20 January 1869. Emphasis original.

multiracial women all attempted to “hook” their clients and all were taken to court for their offenses.

In a city so notorious for its decadence and dissipation, New Orleans’s sex trade offered men all the pleasure they could purchase but not without a share of risk as well. Men’s narratives of alleged larcenies by prostitutes echoed similar refrains of victimization: stripped down to their essential vulnerability, they were robbed of their primary source of authority in the relationship—money. Women picked a man’s wallet while he slept, while he washed up, or while he was otherwise engaged; women stole right in front of his eyes or worked together to swipe his things away. Sometimes he lost little besides his pride, but a man also risked the loss of hundreds of dollars for fifty-cents worth of pleasure. And though his solicitation of a prostitute was perfectly legal in postbellum New Orleans—and larceny of any kind was not—he would find little sympathy in his misfortune from the public discourse about such crimes or even the court system sworn to protect its citizens.

* * *

The men who went public with allegations against prostitutes were as divergent a lot as the women they accused. Only slight sketches of their lives survive, and many left nothing more in public records than their name. Whomever they were, however they lived or, most curiously, why they had so much money, men’s lives intersected when the transactions negotiated for their pleasure went awry. Whether they signed their affidavits and depositions with elegant signatures or simple marks, the men hoped for justice but more often earned ridicule or even blame for placing themselves in such a position. The *Picayune* carried their allegations as either comedic tableaux or didactic warnings for its readers, and the First District Court rarely brought their allegations to conviction. Amid their many

frustrations, these men discovered how little personal power they often had to draw upon.

New Orleans provided a wide range of jobs to the city's men and attracted many others seeking an escape from a devastated southern agrarian economy. Particularly in the busy winter trade season, the Crescent City hosted men from across the country who sojourned in the city for varying lengths of time, as did men brought into the port of New Orleans from all over the world. These visitors helped make New Orleans as diverse a city as any other in the United States, and their money financed the city's infamous underworld.⁵⁰¹ Roaming from gaming tables to saloon bars to prostitutes' beds, these men filled New Orleans's backstreets, and some would later walk a few blocks over to pursue charges in the First District Court, located in the front of the French Quarter.

The court's records, however, reduced these diverse men to a series of names and claims. The First District Court's records included only the affiant's name and sometimes his address; a man's age, race, or occupation were rarely if ever included.⁵⁰² The *Picayune*, moreover, usually did not provide much more information, perhaps to universalize the man's experience or simply because they knew little more themselves. We do know that most men who filed charges lived in New Orleans, likely encompassing men from across a wide racial spectrum. Almost sixty-five percent of men whose addresses were recorded by the First

⁵⁰¹ There were 140,923 white men and women in New Orleans according to the 1870 Census; they thus represented 73.6% of the city's total population of 191,418. 48,475 of these people were foreign born (25.3% of the total population), and 92,448 were native-born (48.3% of the total population). 50,456 were "colored" (26.4%) although the census does not break down this categorization further. *Ninth Census of the United States, 1870, vol. 1: Population and Social Statistics* (Washington, D.C.: United States Government Printing Office, 1872), 34.

⁵⁰² We know the race of three men appearing as claimants before the First District Court in these cases. Two were white men making accusations against black women, and the third man was Chinese.

District Court lived within the city.⁵⁰³ Their residence assured that they could wait out a trial of several months and may also have made them more familiar with the city's criminal justice system.

The second largest group of men, roughly a quarter, were from other areas in south Louisiana. Like Damas Dyon from "down the coast," they came to New Orleans to conduct business, to visit relatives, or perhaps to pursue pleasures unavailable in the countryside.⁵⁰⁴ One man came from a plantation in St. James Parish about fifty miles upriver and another from a sawmill in Jefferson Parish, neighboring New Orleans.⁵⁰⁵ If these two men were laborers, another man described as a "keeper of steamship" in Algiers, directly across the Mississippi River from the city, may have been somewhat more prosperous.⁵⁰⁶ These men likely came into the city periodically and would have been familiar with its sex trade.

A few other men coming before the First District Court were visiting New Orleans from further afield although we can only speculate for what reason or for how long. One man listed his address as a steamboat docked at the foot of Poydras Street, suggesting that he was a steamboat worker in town for a limited period of time.⁵⁰⁷ Another man similarly gave

⁵⁰³ We can determine that 64.7% of men whose addresses were recorded by the First District Court lived in New Orleans. Almost a quarter of men, or 23.5%, were from other areas in south Louisiana, and a couple others were temporary visitors to New Orleans. These figures may overestimate the number of male claimants who were residents of the city as the court may have more likely to record an address for a local resident than for a traveler to the city. Nevertheless, the figure of local claimants likely remains above fifty percent. In his study of mid-nineteenth-century New York City, for instance, Gilfoyle finds that fifty-five percent of male accusers in prostitute larceny cases were city residents. Gilfoyle, *City of Eros*, 108.

⁵⁰⁴ "An Unfortunate Young Man," *Daily Picayune*, 20 January 1869.

⁵⁰⁵ *State of Louisiana v. Mary Hall, Celestine Antoine, and Louiza Bernard alias Bone*, no. 8876, 1876; *State of Louisiana v. Lizzie Davis and Sarah Jones*, no. 3966, 1872.

⁵⁰⁶ *State of Louisiana v. Louisa Johnson and Sylvie Ann Gillum*, no. 4529, 1872.

⁵⁰⁷ *State of Louisiana v. Emma Mitchell*, case no. 8781, 25 March 1876, First District Court, Louisiana Division.

a temporary local address but specified that his home was in Ohio.⁵⁰⁸ Perhaps not coincidentally, neither of their cases ended in conviction. When trials took months and even years to conclude, the odds were particularly stacked against men with limited time in the city, and many would have avoided placing charges at all.⁵⁰⁹

The only other direct evidence we have about the men is their signatures or lack thereof. A majority of men were able to sign their names to court documents compared to only one of the prostitutes they accused—a remarkable testament to the gulf in class and education that often separated women from their customers. Some men, though, signed rather awkwardly, and almost one in three simply used an “X.” Although we must be careful not to infer too much from such limited data, these figures do suggest that the men were drawn from across the city’s professional and laboring classes. This conclusion, moreover, corresponds with what we know of the clientele for other cities’ sex trades, which were also patronized by men of all social ranks.⁵¹⁰

The amounts of money alleged stolen in these cases may also reflect the men’s social status. One-sixth of reported thefts involved sums above one hundred dollars, the same proportion for much smaller “hooks” of ten dollars or less, suggesting the wide range of men

⁵⁰⁸ *State of Louisiana v. Lizzie Davis*, no. 6162, 1873.

⁵⁰⁹ Schafer makes a similar point about antebellum New Orleans prostitutes stealing from out-of-town customers and usually escaping prosecution. Schafer, *Brothels, Depravity, and Abandoned Women*, 82-6.

⁵¹⁰ Studies of nineteenth-century New York City repeatedly highlight the heterogeneity of the sex trade’s male clientele. Although they may have patronized different establishments and paid different prices, “all sectors of the male population,” as Marilyn Wood Hill observes, “were represented in the clientele. Hill, *Their Sisters’ Keepers*, especially chapter eight, “Friends and Lovers, Relationships with Men,” 253-92. Quote from page 254. See also Gilfoyle, *City of Eros*, especially chapter five, “Sporting Men,” 92-116. For the diversity of male clientele in 1830s-1850s New York City, see Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York: Vintage Books, 1998); Amy Gilman Srebnick, *The Mysterious Death of Mary Rogers: Sex and Culture in Nineteenth-Century New York* (New York: Oxford University Press, 1995); and Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Urbana: University of Illinois Press, 1982), especially chapter nine, “Women on the Town: Sexual Exchange and Prostitution,” 171-92.

who visited New Orleans's prostitutes. Although the amount of money stolen varied widely, almost half of prostitutes' larceny cases were for alleged thefts of between twenty and fifty dollars, a sizable amount when man rarely paid a prostitute more than one dollar. Men, of course, may have been more likely to pursue charges in cases involving larger amounts of money, but they still demurred on why they had so much money in the first place. Only one claimant, a man named Peter Brown, provided an explanation, telling the court that he had just withdrawn 165 dollars from a bank and added it to the 20 dollars he already had in his wallet. After going to a bar and there meeting a prostitute named Annie Johnson, Brown ended the evening with none of the money.⁵¹¹ Like Brown, many man likely enjoyed a long evening of drinking and perhaps gambling, capping it off with a visit to a prostitute. The man who lost the largest reported amount in the period—612 dollars in gold pieces and U.S. currency—had it stolen from a paper bag rather than a wallet, suggesting that the money may have been hastily secured winnings from a night of gambling. Other men like south Louisianan Damas Dyon, who lost 136 dollars, carried large sums to finance their trip to the city and thus would have been all the more helpless for losing all the money they had with them.⁵¹²

Whatever their background, most men who patronized prostitutes in New Orleans did so in the brothels lining the backstreets of the French Quarter, the oldest area of the city. Six blocks back from the Mississippi River, Burgundy Street was the busiest street in the area. As countless court documents attest, the street's reputation as what the *Picayune* called "that

⁵¹¹ *State of Louisiana v. Annie Johnson*, no. 5677, 1873.

⁵¹² *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869; and "An Unfortunate Young Man," *Daily Picayune*, 20 January 1869.

evil place Burgundy” was justly earned.⁵¹³ Almost two in five of all alleged “hooks” appearing before the First District Court during this period took place on Burgundy Street, more than double any other location in the city. In fact, almost half of all prostitutes’ larcenies in the French Quarter occurred on a single, volatile block of Burgundy between Bienville and Conti Streets, the so-called Smoky Row. Moreover, many other “hooks” were reported within one or two blocks of Burgundy Street. The two other locations with highest number of alleged thefts, for instance, were Dauphine and Toulouse, streets which respectively ran parallel to and intersected Burgundy.⁵¹⁴

Because this area was so notorious for its inhabitants and their thieving ways, the *Picayune* had difficulty treating its larceny victims as all that innocent themselves. “Men who go into such places ought to lose their money,” said the *Picayune* in 1868 when one man reported being robbed at “one of the innumerable low haunts of the city.”⁵¹⁵ Reporters routinely refused to offer any sympathy to a complaining man. As the paper stated after yet another robbery in a Burgundy Street house, “Such occurrences are by no means unfrequent on that thoroughfare, but the unfortunate individuals very rarely meet with much sympathy in their wrongs.”⁵¹⁶

Importantly, the paper’s disapproval was not for employing a prostitute but for so

⁵¹³ “Attempt to Kill,” *Daily Picayune*, New Orleans, Louisiana, 13 March 1868, 2.

⁵¹⁴ Thirty-percent of prostitutes’ larceny cases involved alleged incidents on Burgundy Street. The second and third highest number were listed on Dauphine Street (17.6%) and Toulouse Street (14.7%). At least eight cases before the First District Court specified that the location of the alleged larceny was on Burgundy between Bienville and Conti Streets. This location was also listed as the address for many more prostitutes involved as defendants and witnesses in First District Court cases. For more on Burgundy Street, see chapter one, “Fascinating Sirens.”

⁵¹⁵ “A Robbery,” *Daily Picayune*, New Orleans, Louisiana, 28 March 1868, 7.

⁵¹⁶ “A Robbery,” *Daily Picayune*, New Orleans, Louisiana, 23 August 1868, 7.

naively playing her dupe. No doubt some men often felt great humiliation when their escapades were made public, but shame came primarily from being victimized by the prostitute, not from merely associating with her.⁵¹⁷ “Every large city has its evils,” the *Picayune* observed in an editorial in support of regulated prostitution, and the many men who frequented prostitutes had to be aware of the risks.⁵¹⁸ If a man entered into such liaisons without taking logical precautions such as limiting the amount of liquor he drank or money he carried, the blame for such recklessness was (almost) all his own. As the paper dryly observed, “The frequency and extent of the robberies alleged to have been committed within the purlieus of Toulouse and Burgundy awakens the suspicion that the unfortunate individuals give too great rein to their fancy, or are corrupt and foolish in the extreme.”⁵¹⁹

Made into figures of ridicule in the press, men found little consolation in the criminal court system either. In their depositions to the First District Court, many men detailed how they ran for the nearest police officer after discovering that they had been robbed. Affiants did not explain why they decided to seek police intervention—certainly many men in their position did not—but their frustration is all but tangible as they sought out help for their misfortunes. As though the theft itself were not enough of an affront, some men were further humiliated when women made light of their accusations, and this may have prompted them to have the women arrested. One man, who had been drinking heavily, realized that two prostitutes had picked his pocket without even getting him in bed. When he confronted

⁵¹⁷ The main exception was white men patronizing black prostitutes, especially those of darker complexions. Nevertheless, this often eluded comment in Reconstruction New Orleans.

⁵¹⁸ “Periodical Raids—Frail Ones,” *Daily Picayune*, New Orleans, Louisiana, 5 February 1867, 8.

⁵¹⁹ “Another Robbery,” *Daily Picayune*, New Orleans, Louisiana, 20 March 1868, 2.

them, “Accused Laughed, Witness then had the accused arrested.”⁵²⁰ But finding a policeman provided women time to escape and, even with an officer’s assistance, many men were unable to find the women to have them arrested. “I went out on the street and met the Sergeant,” one man testified in 1875, “he went back with me but she was gone.”⁵²¹ Another man had a similarly futile experience: “When I returned with the officer to search the house for accused[,] the house was empty.”⁵²²

Police sometimes displayed limited sympathy for the complaining man as well. Joseph Warren’s 1876 encounter with a prostitute named Mollie Williams ended when he discovered fifty dollars missing. “She laughed at me and said she did not have it,” he remembered. “I told her I had a good mind to tear her throat out.” At this threat, Williams ran away and all that Warren could do was bring a policeman to the scene. But the first officer he approached “told me it was not his beat.” Although he eventually found an officer willing to arrest Williams, Warren’s lack of authority had been exposed by his violent but empty threat against her and the withholding of the first policeman’s aid.⁵²³ Another man had even worse luck when after losing eighty dollars and complaining to a nearby officer, “I pointed her out to him and he arrested both of us and placed us in jail.”⁵²⁴ Clearly even officers of the law believed that duped men were sometimes as much a nuisance as the

⁵²⁰ *State of Louisiana v. Mary Tillman and Elizabeth Richard*, case no. 17573, 24 October 1866, First District Court, Louisiana Division.

⁵²¹ *State of Louisiana v. Martha Anderson*, no. 8090, 1875.

⁵²² *State of Louisiana v. Annie Johnson and Mary Davis*, case no. 8538, 21 December 1875, First District Court, Louisiana Division.

⁵²³ *State of Louisiana v. Mollie Williams*, no. 9019, 1876.

⁵²⁴ *State of Louisiana v. Lizzie Johnson alias Smith*, case no. 4629, 10 September 1872, First District Court, Louisiana Division.

women they accused.⁵²⁵

If the man chose to press charges, he would go before one of the city's four recorders' courts as early as the same day of the offence.⁵²⁶ The recorder, a popularly elected position, heard the man's complaints and judged their merit. Many cases ended here. The *Picayune* observed that recorders occasionally dropped charges when the claimant's evidence was too dubious. The paper remarked of one man's dismissal in March 1868 that "his confused statement and inexplicit answers failed to make a very solid impression."⁵²⁷ The next month another man was similarly frustrated when the recorder decided that "The appearance of James, and his manner of stating his case, gives warrant to the belief that he didn't lose that pocketbook."⁵²⁸ Just a week later, another man, apparently a lawyer, detailed accusations against a woman who promptly "denied all complicity in the transaction, and intimated in very uncomplimentary terms that complainant never had so much money in his life." The reporter further editorialized that "the court accorded Mr. Whip a short but pithy moral lesson, which he will do well to observe."⁵²⁹ Because limited records survive from the city's recorders' courts—and they do not specify the type of larceny—we cannot determine what

⁵²⁵ In her study of prostitution in mid-nineteenth-century New York City, Hill describes a prostitute's "working relationship" with policemen on beat in her neighborhood. Madams and prostitutes called on officers to deal with aggressive customers or disruptions in their brothels. In exchange, policemen received tips and information from the women. At times, according to Hill, these relationships "even reached a 'friendship' level." There is no reason to suppose that these same relationships could not have developed among police officers and prostitutes in New Orleans. If that were the case, a policeman who knew the accused woman may have taken her side against her accuser to preserve their working relationship or even friendship. Hill, *Their Sisters' Keepers*, 149-158.

⁵²⁶ Recorders' courts functioned as police courts in the city. Only a single record book of one of the four recorders' courts survives, for the Second District (roughly uptown) from 1870 to 1873.

⁵²⁷ "Still Another Robbery," *Daily Picayune*, New Orleans, Louisiana, 4 March 1868, 8.

⁵²⁸ "Another Larceny," *Daily Picayune*, New Orleans, Louisiana, 16 April 1868, 2. The drunken state of many men may have encouraged the recorder to dismiss their allegations.

⁵²⁹ "Stay Away Then," *Daily Picayune*, New Orleans, Louisiana, 29 April 1868, 2.

percentage of larceny cases against prostitutes ended at this early stage, but we can guess from the *Picayune*'s reporting that it was a substantial number.

When the Recorder believed it warranted, he sent the case up to the First District Court, the criminal court of Orleans Parish. In these cases the recorder had some reason to suspect the woman's guilt, perhaps the recovery of stolen property in her possession, others' corroboration of the claimant's testimony, or an awareness of the woman's prior misdeeds or bad reputation. The case against a woman named Sarah Mullen, for instance, was sent to the First District Court when a police officer noticed her sneaking out of the brothel in a suspicious manner and promptly arrested her. "On these facts," the *Picayune* noted, "Sarah was sent before the First District Court." We do not know what ultimately happened in her case.⁵³⁰ Even if the men were initially glad to have their cases continued before the upper court, frustration soon set in for many. Male claimants in these cases had to wait an average of twenty-one days for the trial to commence and then another average fifty-one days for it to conclude one way or another. Some trials even dragged on for over a year as the police attempted to locate the participants.

When finally announced, the verdict pleased few men. Almost three-fourths of prostitutes tried for larceny before the First District Court got out of the charge either when acquitted or, more often, when the court dropped the case. The court convicted only twenty-eight percent of women charged in known "hook" cases, a figure far below the rate for domestic servants' larcenies and also below the rate for women's larcenies generally. Correspondingly, the number of these cases ending in *nolle prosequi* was significantly higher than other women's larcenies. A full half of all prostitute larceny cases were dropped by the

⁵³⁰ "Recorder Gastinel's Court," *Daily Picayune*, New Orleans, Louisiana, 19 March 1868, 2.

First District Court for a variety of reasons.⁵³¹ Perhaps the jury could not come to a decision; the juries themselves, after all, were volatile units, especially after being racially integrated in 1867. Cases also ended prematurely when a claimant or defendant could not be found to continue the trial. Some women may have left town to escape the charges, and the male claimants might need to seek or continue their employment outside the city, regardless of the trial's outcome. In at least a few instances, the women on trial were either too ill to proceed or even died, and such unfortunate fates may have met men as well.

Although court documents do not specify why a case ended in *nolle prosequi*, the evidence in some was likely too inconclusive for a jury to reach conviction. Here the sly—and clearly effective—nature of a “hook” worked to a woman’s great advantage for, even if she were the most likely suspect, it was frustratingly difficult to prove her guilt decisively. The *Picayune* was well aware of this challenge, commenting after one failed raid of two brothels where thefts had been reported, “The difficulty of getting at the real criminal in such cases always operates as an escape.”⁵³² The possibility of police corruption, of course, always underlay these scenes, and some madams and prostitutes likely paid off policemen and other officials to safeguard their businesses. Male property-owners who rented to prostitutes also had a stake in their protection and may have used bribes for such a purpose. Such corrupt measures aimed to prevent allegations against women from coming to light—

⁵³¹ This data is drawn from all women’s larceny cases before the First District Court in the years 1866 and 1876. In these years, just 27.7 percent of cases involving prostitutes charged with stealing from their clients reached conviction. By comparison, 42.5 percent of all women’s larceny cases ended in conviction, as did 71 percent of cases of female servant larceny. The number of prostitutes’ cases ending in *nolle prosequi* was 50 percent, a higher percentage than for all women’s larcenies (38.6 percent) or for domestic workers (42.9 percent). The samplings for other types of women’s larcenies such as shoplifting or stealing from a fellow boarder are much smaller, but they also display a higher conviction rate than prostitutes’ thefts. Two-thirds (66.7 percent) of female shoplifters were convicted as were one-third (33.3 percent) of female housemates. Only 16.7 percent of women’s shoplifting cases ended in *nolle prosequi* and 33.3 percent for female housemates.

⁵³² “A Raid,” *Daily Picayune*, New Orleans, Louisiana, 25 August 1868, 7.

and certainly from being prosecuted—or, if they did sneak through to the First District Court, would have ensured that the women received favorable outcomes.⁵³³

Even without police corruption, the male claimants could not always provide enough evidence for a woman's conviction. Men often did not witness the actual taking of the money, and this worked to their disadvantage. One man named Lewis Mackelson went to bed with a prostitute, Johanna Hauck, at around midnight in a house on Dauphine Street. He got up two hours later, crossed the room for a glass of water, and "I found my pocket book on the mantel piece empty." He asserted that "I am certain I had the money in my pocket book . . . [but] she said she did not know where it was." Apparently asleep during the theft, Mackelson could not convince the court of Hauck's guilt, and the case was dropped.⁵³⁴ Much the same may have happened in a case against Lizzie Davis, a twenty-three year-old woman of mixed ancestry. Robbed of forty-eight dollars when he turned his back to wash, Davis's target was sure that she had stolen his money, but he had not seen the actual theft. Like many other men, he could only argue that "I am sure there was no person in the room while I was there, but the accused and me," but such statements may have been insufficient for conviction.⁵³⁵

When multiple women were involved, it was often difficult to ascertain from the man's testimony who had perpetrated the actual theft. This occurred in another case

⁵³³ For more on corruption and New Orleans's sex trade, see Chapter One, "Fascinating Sirens." In her study of prostitution in antebellum New Orleans, Schafer suggests that landlords and other powerful men who benefitted from the sex trade were not above frightening a complaining customer and forcing him to leave the city. In both the antebellum and postbellum period, landlords might also pay women's legal fees and supply them with the city's most effective defense attorneys. Schafer, *Brothels, Depravity, and Abandoned Women*, 87. For an example of landlords supplying lawyers to women in the sex trade, see, "A number of the leaders of the demi-monde of New Orleans," *Daily Picayune*, New Orleans, Louisiana, 10 November 1869, 9.

⁵³⁴ *State of Louisiana v. Johanna Hauck*, case no. 9013, 8 July 1876, First District Court, Louisiana Division.

⁵³⁵ *State of Louisiana v. Lizzie Davis*, no. 6162, 1873.

involving Lizzie Davis, this time accused alongside a woman named Sarah Jones. Hanging up his coat with twenty dollars in one pocket, the man went to bed with Jones and alleged that Davis slipped into the room at some point. “I couldn’t tell which of them took it,” he admitted. “I laid with my back to the coat.” The case was dropped one month later.⁵³⁶

Another man named John Hart accused two women, Louisa Johnson and Sylvie Ann Gillum, of the theft of 120 dollars when he visited them on Burgundy Street in 1872. He had set up a meeting with Johnson three days before but took Gillum to bed instead when Johnson was not there to meet him. “After I had been in bed with Sylvia,” Hart remembered, “Louisa Johnson came in; I got up and asked her to come to bed with me, which she did.” It was ten minutes after Gillum left that Hart discovered his money missing, but he did not know which woman had taken it or if they had cooperated in the scheme. This case also ended in *nolle prosequi*.⁵³⁷

Women used various schemes to prevent men from seeing the theft or its perpetrator, and these concealments often protected them in court as well. Particularly since so many of these larcenies occurred late at night, women used darkness to hide their movements or those of an accomplice. One man, perhaps wary of such schemes, asked for a match to light the room’s lamp as he visited a Burgundy Street brothel at two o’clock one Tuesday morning. As he reached for the lamp, “accused told me to give her the match, which I did Accused left the room with the lamp and left me in the dark.” It was only when he reached the first streetlight and was able to see into his wallet that he discovered thirty-four dollars

⁵³⁶ *State of Louisiana v. Lizzie Davis and Sarah Jones*, no. 3966, 1872.

⁵³⁷ *State of Louisiana v. Louisa Johnson and Sylvie Ann Gillum*, no. 4529, 1872. Gillum is also named as Sylvia Gillian in the case file.

missing.⁵³⁸ One man saw even less, alleging that “Accused was in the other room and She placed her hand through a hole in the wall and took the money out of my pocket.”⁵³⁹ He certainly could not testify conclusively about her identity. Both cases ended with the accused women escaping conviction.

Other men were unable to see what was happening around them because they were passed out drunk. One man testified that he had joined a woman named Mollie Williams at eight o’clock in the morning, and promptly “I sent for some beer which we drunk.” After three more quick rounds, “I began to feel sleepy.” When he finally awoke at six in the evening—ten hours after his arrival—his wallet and fifty dollars were gone. The court dropped its charges against Williams, likely finding the man an unreliable witness.⁵⁴⁰ Another man named John C. Wilson was similarly duped of four hundred dollars in gold coins in 1866 when he spent an afternoon drinking with as many as eight prostitutes, both black and white. After drinking “several times,” he noticed two white women, Mary Tillman and Elizabeth Richard, attempting “to take the Watch from his pocket.” Suddenly self-aware, he “immediately noticed that the Money which he had in a bag in his pocket containing \$400.00 had disappeared,” perhaps another instance of stolen gaming winnings. Tillman and Richard were acquitted of the larceny, an unusual alternative to simply dropping charges. That they were white may have affected this favorable outcome, but Wilson’s case was certainly weakened when none of the coins were found on the women’s premises. The

⁵³⁸ *State of Louisiana v. Annie Johnson and Mary Davis*, no. 8538, 1875.

⁵³⁹ *State of Louisiana v. Lizzie Jones*, case no. 7831, 12 May 1875, First District Court, Louisiana Division. In their studies of mid-nineteenth-century New York City, Gilfoyle and Hill both observe the existence of “panel houses” specifically designed for use in prostitutes’ larcenies. In these rooms, a panel of some sort, be it a false wall or a curtain, would be installed for an accomplice to enter the room through undetected. Gilfoyle, *City of Eros*, 173; and Hill, *Their Sisters’ Keepers*, 199.

⁵⁴⁰ *State of Louisiana v. Mollie Williams*, no. 9019, 1876.

word of an intoxicated man, so careless with a fortune, seemed unreliable indeed.⁵⁴¹

Rumors of prostitutes drugging their clients also surfaced in some incidents although it is difficult to untangle reality from more fanciful cautionary tales. The *Picayune* occasionally asserted that “there is little doubt the man was drugged,” but few men included such claims in their depositions.⁵⁴² Many men admitted drinking, if never exactly saying they were drunk, but only one man implied something more sinister to the First District Court. J. R. Boatwright testified of a visit to Smoky Row that “Awhile after I was in the house they gave me a drink, after that I do not recollect anything that occurred.” He awoke in the morning with twenty dollars and his glasses gone, and he promptly accused Mary Johnson and Caroline Ward, both of whom had solicited him the night before. However, even though “the spectacles was found on the person of Mary Johnson,” his case against the two women was dropped within the month.⁵⁴³

The image of Boatwright leaving the brothel the next morning, stumbling without his spectacles and perhaps still feeling the drugs’ lingering effects, inspired little confidence in him or his testimony. And so it would be for countless other men, bedraggled, debauched, and irate, who presented charges against the women of New Orleans’s *demimonde*.

Although the frequency of prostitutes’ “hooks” was well-known, particularly in the notorious area around Burgundy Street, men from the full social spectrum of postbellum New Orleans

⁵⁴¹ *State of Louisiana v. Mary Tillman and Elizabeth Richard*, no. 17573, 1866. Wilson initially also charged the six other women present at the scene, but they were discharged on a lack of evidence. Of these women, two were listed as black and the rest presumably were white including Tillman and Richard. Richard is the only known prostitute accused of larceny in this period who was able to sign her name, suggesting that she may have been a madam or at least better educated than most of her peers.

⁵⁴² “Robbery,” *Daily Picayune*, New Orleans, Louisiana, 24 July 1868, 2.

⁵⁴³ *State of Louisiana v. Mary Johnson and Caroline Ward*, no. 5425, 1873. Schafer also refers to prostitutes in antebellum New Orleans using “opiates” to drug and rob customers. Schafer, *Brothels, Depravity, and Abandoned Women*, 79.

fell victim to these schemes. Time after time they received limited sympathy from the *Daily Picayune*, and the First District Court convicted relatively few of the women they accused. Few men cut as pathetic a figure as Boatwright, deprived of sight by the loss of his glasses and of good sense by the alleged drugging, but Boatwright nevertheless exemplified how they were regarded as a group. Prostitutes were able to rob them—and usually get away with it—because the men could claim limited social authority against them, either in the masked moments of the theft itself or later as they made complaints before policemen, judges, and juries. Thus even though the regulation of prostitution had afforded men legal access to prostitutes, it ultimately did very little to protect them within that relationship. When the First District Court was able to convict, however, women paid dearly for their “pretty trick.”⁵⁴⁴

* * *

The low conviction rate of prostitutes charged with larceny allowed women to pursue a lucrative side business in theft while working in the sex trade. More individual women reappeared before the First District Court in this period for this crime than for any other, and most avoided conviction each time. The prostitutes who were not so fortunate, however, received some of the strictest sentences meted out by the court. In a response new to the postwar period, most went to the State Penitentiary in Baton Rouge rather than the local Orleans Parish Prison, and there they served sentences that exceeded those for any other women’s property crime. This apparent contradiction in the court’s handling of prostitutes’ larceny cases between low conviction rates and harsh sentencing exposed the larger uncertainty about prostitution and its companion crimes in Reconstruction-era New Orleans.

⁵⁴⁴ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869.

The unrelenting frequency of prostitutes' "hooks" forced the city and its citizens to evaluate the intent and efficacy of regulating prostitution in the first place.

A remarkable one in seven women charged in "hook" cases in this period came before the First District Court multiple times for this same alleged offense. Although numerous women, including several prostitutes, stood trial before the criminal court on different charges over the period, repeated appearances for the same crime occurred most frequently among prostitutes accused of larceny.⁵⁴⁵ Their multiple cases reveal lives thoroughly rooted among the city's *demimonde*. A woman named Jennie Williams appeared before the First District Court in both 1875 and 1876, accused of stealing forty-five and twenty-five dollars respectively in a Burgundy Street brothel. Although the outcome of the first trial is not recorded, Williams likely escaped conviction since she was back working at the same location within the year. In the second case, a local man named Louis Perkins claimed that she left the room suddenly and, when she failed to return, he discovered his money missing. Another man testified on Perkins's account, explaining that he saw Williams later at a restaurant nearby and that she "called for a cocktail, she had some money and was counting it." Nevertheless, the case stalled in court because the police could not locate Williams. Two months later her doctor submitted a letter to the court "Certify[ing]

⁵⁴⁵ By contrast, a generous estimate of women's repeat appearances in servant larcenies is one in ten women. Some of the women in this figure may not have been the same person, because it is more difficult to verify women's identities in servant larceny cases since the documents are less likely to provide their address or their address had changed. Therefore, this figure may overestimate how frequent recurrences were for women's servant larcenies.

Felicity Washington, the woman standing naked on the front gallery in the opening case of this chapter, offers an example of a prostitute charged with larceny who was also accused of assault in other cases before the First District Court. In addition to her larceny case with Maggie Lewis, Washington was tried for assault or assault and battery on three occasions and was twice convicted to one-day sentences at the Parish Prison. *State of Louisiana v. Felicie Washington and Jenny Douglass*, no. 515, 1868 (assault, acquitted); *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869 (larceny, two months Parish Prison); *State of Louisiana v. Felicie Washington*, no. 1126, 1869 (assault, one day Parish Prison); and *State of Louisiana v. Lizzie Washington alias Felicie Washington*, no 1706, 1869 (assault and battery, one day Parish Prison).

that Mrs. Jennie Williams is very sick and not able to leave her bed, her recovery is very doubtful.” After two more months—and Williams’s continued absence—the First District Court dropped the case. Whether the purported illness was a means of avoiding trial or something genuinely more serious is not known, but Williams was clearly part of a larger network that could twice pay her bond, secure a doctor’s care, and hide her from court officials for at least four months.⁵⁴⁶

Another prostitute who came before the First District Court multiple times was a young Creole woman of color named Celestine Antoine. Born in the city in 1856, she was a child during the war and came of age without parents or guardians, disconnected from domestic life. She likely entered the sex trade as young as her early teens and spent time in the Girls’ House of Refuge.⁵⁴⁷ In 1872, a woman spotted sixteen-year-old Antoine at a back-of-town bar wittily called the “Fifteen Amendment.” Antoine paid for her drink with a gold button the woman recognized as stolen from a friend. She turned Antoine into the police, and the teenager was again sent to a city-run institution, this time the Parish Prison for two months.

Within three years, Celestine Antoine was definitively working as a prostitute, and a man accused her of stealing thirty-five dollars when he visited her rooms on Burgundy Street although the court apparently dropped the case within a month.⁵⁴⁸ The next year she was tried with six other prostitutes for robbing Celestin Gregoire, who alleged that she was one of

⁵⁴⁶ *State of Louisiana v. Jennie Williams*, case no. 8588, 2 January 1876, First District Court, Louisiana Division. Williams’s first case was *State of Louisiana v. Jennie Williams*, case no. 7629, 14 February 1875, First District Court, Louisiana Division.

⁵⁴⁷ The 1870 Orleans Parish Census lists Celestine Antoine as residing in the House of Refuge (Girls). She was born in Louisiana in 1856 and is described as “mulatto.”

⁵⁴⁸ *State of Louisiana v. Celestine Antoine*, no. 8891, 1875.

three women who “held me and beat me” while a fourth woman took nine dollars from his pocket. Gregoire testified that a “yellow woman” had been the first to enter the room and had extinguished the candle and grabbed his pants. Antoine, listed as a “mulatto” in the census, may have been this “yellow woman” although we cannot be sure. While she escaped conviction in this case as well, she was clearly well-acquainted with the First District Court before she even reached twenty-one years of age.⁵⁴⁹

No prostitute, however, was a more frequent visitor to the criminal court than a black woman named Lizzie Johnson, who was charged with stealing from clients perhaps as many as ten times between 1869 and 1874; five of these cases made it up to the First District Court.⁵⁵⁰ One of Johnson’s first appearances in the historical record, though, was one of sadness, not trickery. On August 12, 1869, the *Picayune* carried another of its not infrequent notices of a prostitute’s attempted suicide. It observed that “About 2 o’clock yesterday afternoon a colored woman named Lizzie Johnson attempted to commit suicide in the disreputable house No. 201 Bienville streets, by taking morphine.” Thankfully a doctor was summoned and able to “reliev[e] her from its effects.” The paper attributed her desperate act to rejection in love, lamenting that “Like any another of her sex, the gentle damsel loved not

⁵⁴⁹ *State of Louisiana v. Mary Hall, Celestine Antoine and Louiza Bernard alias Bone*, no. 8876, 1876. See also the accompanying case, *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*, no. 8846, 1876.

⁵⁵⁰ Although a name as common as Lizzie or Elizabeth Johnson is difficult to verify with information as limited as that provided by court records, five cases before the First District Court occurred on or near Burgundy Street and three at the same address, making it likely that most if not all involved the same woman. The *Picayune* carried numerous articles about a woman who may have been this same Lizzie/Elizabeth Johnson, including for accusations of larceny. See “Recorder Woolfley’s Court,” *Daily Picayune*, New Orleans, Louisiana, 21 July 1865, 8; “Recorder Vennard’s Court,” *Daily Picayune*, New Orleans, Louisiana, 29 June 1865, 8; “Recorder Gastinel’s Court,” *Daily Picayune*, New Orleans, Louisiana, 5 August 1865, 8; “Fighting,” *Daily Picayune*, New Orleans, Louisiana, 1 February 1866, 2; “On the Rampage,” *Daily Picayune*, New Orleans, Louisiana, 21 December 1869, 2; “Recorder Gastinel’s Court,” *Daily Picayune*, New Orleans, Louisiana, 19 August 1869, 2; “Recorder Staes’s Court,” *Daily Picayune*, New Orleans, Louisiana, 26 July 1870, 2; “Larceny,” *Daily Picayune*, New Orleans, Louisiana, 15 March 1876, 8; and “Larceny,” *Daily Picayune*, New Orleans, Louisiana, 20 April 1876, 8.

wisely but too well.”⁵⁵¹ We do not know whether Johnson had actually been betrayed by a lover or if this was simply the *Picayune*’s stock narrative for such actions, but when she resurfaced Johnson was no longer cast in the role of a “gentle damsel.”

Rather than the tragic fallen woman, the Lizzie Johnson of First District Court records was a clever woman who long eluded the penalty of the law. In November 1870 a man accused her of stealing 141 dollars when he was in her room on Conti Street between Dauphine and Burgundy. The case apparently ended three months later when she could not be found.⁵⁵² The same thing may have occurred in another case against her in September 1872. Here she was accused of stealing eighty dollars by sneaking a man’s pants out of the room under her dress, but the outcome of the case is unknown.⁵⁵³ Two years later she was again accused of larceny but in an even trickier way. As the man testified, “whilst in bed with another woman accused entered the room from the back door and she took from my pocket \$35.00 in U.S. currency and went away immediately.” Johnson, though, was able to provide three witnesses, all women from a brothel on Burgundy Street, who could testify on her behalf, and the court dropped the case.⁵⁵⁴

Lizzie Johnson also stood accused in one of the most interesting cases of the period, a case that demonstrated her keen manipulation of the justice system and its prejudices. It

⁵⁵¹ “Attempted Suicide,” *Daily Picayune*, New Orleans, Louisiana, 12 August 1869, 2.

⁵⁵² *State of Louisiana v. Elizabeth Johnson*, case no. 2553, 29 November 1870, First District Court, Louisiana Division.

⁵⁵³ *State of Louisiana v. Lizzie Johnson alias Smith*, no. 4629, 1872.

⁵⁵⁴ *State of Louisiana v. Lizzie Johnson*, case no. 7099, 21 June 1874, First District Court, Louisiana Division. The other women’s testimonies do not survive. This case is possibly the most likely *not* to be the same Lizzie Johnson as the other cases, because Johnson should have been serving an eighteen-month sentence in the State Penitentiary at this time. However, the witnesses in this case share the same address as the “main” Lizzie Johnson, and it is possible that Johnson’s penitentiary sentence was commuted or the case appealed without either circumstance being noted in the First District Court’s case files.

began in early July 1873 when a local Chinese man named Ah. Hein visited her on Burgundy Street at 9:30 one Monday morning. He paid her twenty-five cents, but then “Whilst I was on the bed the accused grabbed my pants,” extracted \$82.50 in U.S. currency and assorted gold and silver pieces, and “ran towards the back door.” Johnson escaped to another brothel three doors down but was quickly captured. Just fifteen days later, the First District Court convicted her of the larceny, but she had one more card to play. By the end of August, her lawyer requested a new trial, arguing

That the only witness sworn for the prosecution as to the larceny was a heathen, to wit a chinaman who . . . swore to tell the truth by several devils, that the laws of this state requires an oath to be taken before the Holy Evangelist . . . and therefore there could be no conviction in as much as the witness mentioned was never really sworn at all in accordance to the Law.

The appeal met success. Whatever disdain the court may have held for Johnson’s actions, profession, or race was outweighed by distrust—and ultimately dismissal—of the Chinese man’s testimony against her. In this instance, a man’s race and religion so discredited him to the court that the word of a black prostitute was deemed more valuable. Overturning its earlier verdict, the First District Court dismissed the charges on September 15. All of the twists and turns of the case had taken place in just two and a half months.⁵⁵⁵

As many times as Johnson tricked the system, though, even she could not do so indefinitely. On the same day that the court dropped Hein’s case against her, it convicted her on another larceny charge. Two weeks after she had stolen \$82.50 from Hein, Johnson stole \$25 from another man with the help of Mary Johnson, who had just escaped a larceny charge

⁵⁵⁵ *State of Louisiana v. Lizzie Johnson*, no. 5678, 1873. The court clerk transcribed the man’s name as Ah. Hein, and Hein signed his deposition in Chinese. He was likely one of the numerous Chinese immigrants working in New Orleans, many in the city’s busy markets. He gave his testimony through an interpreter, another fact that Johnson’s lawyer mentioned with mistrust.

of her own the previous month.⁵⁵⁶ (We cannot confirm whether the two women were related.⁵⁵⁷) The man's testimony presented Lizzie as the principal perpetrator of the larceny; it was she, not Mary, who received a dollar's payment, slept with him, and then picked his pocket afterwards as Mary "entertain[ed]" him in some unstated way.⁵⁵⁸ Lizzie Johnson stood trial on this and Hein's charge simultaneously in the summer of 1873, pleading not guilty in each case in July and paying her bond on the same day to cover both cases. In August she heard the court twice declare her guilty, first on a Thursday and then on the following Tuesday. By September, one conviction had been overturned, but the other earned her an eighteen-month sentence to the State Penitentiary. Johnson reappeared in the First District Court records one last time during the Reconstruction period but in this instance as a claimant, not the accused. In late 1876, back living on Burgundy Street, Johnson had another woman convicted for "cut[ting] me three times in the back without any cause or provocation"

⁵⁵⁶ *State of Louisiana v. Mary Johnson and Caroline Ward*, no. 5425, 1873. This was the case concerning the stolen spectacles and ended in *nolle prosequi*. This larceny was alleged to have occurred at the same address as that involving Lizzie Johnson and Mary Johnson.

⁵⁵⁷ The surname Johnson appears frequently among prostitutes charged with larceny in this period. We know of at least six Johnsons: Annie, Julia Ann, Lizzie, Louisa, Lucy, and Mary. Johnson was the most common surname of the period, but evidence from the First District Court case files, however limited, suggests that some of these women may have been related. At the very least, all six worked on the block of Burgundy Street between Conti and Bienville, sometimes at the same address. (There is also a Melite Johnson although her address is different than any of the Johnsons above.) We do not know the race of any of these women besides Lizzie Johnson. See the following cases: *State of Louisiana v. Elizabeth Johnson*, no. 2553, 1870; *State of Louisiana v. Louisa Johnson and Sylvie Ann Gillum*, no. 4529, 1872; *State of Louisiana v. Lizzie Johnson alias Smith*, no. 4629, 1872; *State of Louisiana v. Louisa Johnson*, no. 5097, 1873; *State of Louisiana v. Mary Johnson and Caroline Ward*, no. 5425, 1873; *State of Louisiana v. Lizzie Johnson and Mary Johnson*, no. 5656, 1873; *State of Louisiana v. Annie Johnson*, no. 5677, 1873; *State of Louisiana v. Lizzie Johnson*, no. 5678, 1873; *State of Louisiana v. Lizzie Johnson*, no. 7099, 1874; *State of Louisiana v. Lucy Johnson*, case no. 7907, 5 June 1875, First District Court, Louisiana Division; *State of Louisiana v. Annie Johnson and Mary Davis*, no. 8538, 1875; *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*, no. 8846, 1876.

⁵⁵⁸ *State of Louisiana v. Lizzie Johnson and Mary Johnson*, no. 5656, 1873.

in a nearby ballroom at the corner of Conti and Trémé Streets.⁵⁵⁹ Likely engaged in the sex trade and perhaps its accompanying larcenies, too, Lizzie Johnson remained immersed in the violence that pervaded prostitutes' lives in postbellum New Orleans, violence that could come from either their own or others' hands.

The endless availability of customers, the relative ease of theft, and the great sums that could be had enticed women like Lizzie Johnson to steal repeatedly, especially when there were often no legal consequences. Although there is no evidence from the courts of what Kali N. Gross calls "badger thefts" (women posing as prostitutes to rob men), "hooks" may have been just as much a part of some New Orleans prostitutes' work as the sex acts they were paid to perform.⁵⁶⁰ Barring violent backlash from the men themselves—a threat

⁵⁵⁹ *State of Louisiana v. Martha Johnson*, case no. 9245, 3 November 1876, First District Court, Louisiana Division. Lizzie Johnson accused Martha Johnson of assault and battery, and Martha Johnson was convicted and sentenced to three months in the Parish Prison. It is unclear whether the women were related, but Lizzie Johnson is listed as living on Burgundy Street between Toulouse and St. Peter, near where she lived in the earlier cases. (No address is provided for Martha Johnson.) Martha Johnson may have been another prostitute, but there is no record of her in other First District Court cases.

Schafer and Long both examine cases including prostitutes as claimants in antebellum and late-nineteenth-century New Orleans respectively. Schafer, *Brothels, Depravity, and Abandoned Women*, and Long, *The Great Southern Babylon*. Studies of prostitution in nineteenth-century New York City also find that prostitutes commonly used the legal system to make claims against men and other women. Women's willingness to do so attests to a degree of trust in the justice system, specifically that they would not be denied a hearing because of their profession. As Marilyn Wood Hill concludes, "Prostitutes expected the municipal government to defend their interests and protect their persons and property . . . because they viewed themselves as part of the public citizenry, not as legal deviants who must function outside the established system." Hill, *Their Sisters' Keepers*, 159. See also Gilfoyle, *City of Eros*, and Cohen, *The Murder of Helen Jewett*.

⁵⁶⁰ Kali N. Gross describes badger thefts as "crime[s] whereby women posing as prostitutes lured, subdued, and robbed would-be patrons." It is unclear if these women never acted as prostitutes or if theft was their main but not only trade. Gross estimates these thefts at eight percent of all black women's crimes in late-nineteenth and early-twentieth-century Philadelphia. She observes that they often targeted white men specifically, so that "By effectively 'tricking the trick,' black badgers turned the older script [of sexual exploitation] on its head." She finds, moreover, that women often got away with these thefts as the justice system had limited sympathy for white men who patronized black prostitutes. See Kali N. Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham: Duke University, 2006), especially chapter three, "Tricking the Tricks: Violence and Vice among Black Female Criminals," 72-100. Symonds also finds women pickpockets in nineteenth-century Edinburgh, Scotland, posing as prostitutes to target men. Like Gross, she implies that these women were professional thieves more than prostitutes. Symonds, *Notorious Murders, Black Lanterns, and Moveable Goods*, 60-7. Although such incidents may be among the prostitute larceny cases for Reconstruction New Orleans, most involved women actively working in the sex trade. For instance, men's

always before a prostitute no matter her actions—a woman could “hook” men as a regular practice, in times of desperation, or simply when the opportunity arose. Most did so with relative impunity as there were few safeguards on a man’s relationship with a prostitute, even in a legalized sex trade. A minority of women tried, just over a quarter, however, were convicted and like Lizzie Johnson they received the full brunt of the law’s punishment.⁵⁶¹ Only thirteen known prostitutes from New Orleans went to the State Penitentiary for larceny in this period, surely a tiny fraction of the women who engaged in such thefts, but they represented almost a quarter of all New Orleans women sent to the State Penitentiary from 1865 to 1877.

The First District Court’s surviving records offer little explanation of why some prostitutes’ cases ended in conviction while so many others did not. As with Lizzie Johnson’s five appearances before the criminal court, testimony and other evidence against the accused woman sometimes appeared most incriminating in cases that were ultimately dropped, while cases ending in conviction often had little to differentiate them from those that did not. Reasons for conviction are therefore difficult to establish conclusively, but we can suggest two possibilities: race and the corroboration of witnesses.

depositions often reference sleeping with the woman before their wallets were taken, and the women maintained residences in known brothels or within the municipal boundaries for prostitution.

At issue may be the classification of a larceny as a “pickpocket” scheme, even in cases where the accused woman was a prostitute and not just posing as one. Deidre Palk finds that women involved in the sex trade accounted for 76 percent of the female “pickpocket” cases before the courts in late-eighteenth and early-nineteenth-century London and Middlesex. Here the categories of prostitute and pickpocket frequently overlapped and distinguishing one from the other was of little consequence to either the courts or the historian. Deidre Palk, *Gender, Crime and Judicial Discretion, 1780-1830* (Woodbridge, Suffolk: The Royal Historical Society by the Boydell Press, 2006), 80-7. Postbellum New Orleans, on the other hand, regarded these as distinct offenses. Very few pickpocket cases came before the First District Court, and in reporting larcenies the *Picayune* focused on the public nature of a pickpocket working in crowded streets and markets while a prostitute’s hook took place behind brothel walls.

⁵⁶¹ This data is drawn from all women’s larceny cases before the First District Court from the 1866 and 1876. In these years, 27.7 percent of cases involving prostituted charged with stealing from their clients reached conviction.

The race of the accused woman is perhaps the more tantalizing and yet the more mysterious possible reason for conviction. We know the race of five New Orleans prostitutes convicted to the State Penitentiary in this period: Lizzie Johnson, Elizabeth Syfax, and Emma Walker were black, Maggie Lewis was of mixed ancestry, and Laura Smith was white.⁵⁶² This would mean that there were at least four women of color at the State Penitentiary for this offense and just one known white woman. Even this one white woman, moreover, was the daughter of Irish immigrants, diminishing her claim to “whiteness” as it was understood by many in the late nineteenth century. (Some official documents for New Orleans still listed Irish separately from white in this period, but those of the First District Court did not.) Of course, the large number of accused prostitutes who escaped conviction would have included many non-white women, be they black, multiracial, or Irish. Nevertheless, women of color were more likely to be convicted for these larcenies than were white women, even if most women of all backgrounds were still able to avoid conviction. Limited evidence makes this conclusion only tentative, but it fits with what we know of race and criminal justice in the postbellum South. During this period, after slavery and before Jim Crow, white women were still widely convicted of crimes, but non-white women bore the

⁵⁶² The First District Court listed the race of Emma Walker as “colored.” *State of Louisiana v. Emma Walker*, no. 162, 1868. Court documents also described Maggie Lewis as “colored” although she was described as “mulatto” in the 1870 Orleans Parish census. (The First District Court’s records only used “colored” and never more specific descriptors, so some defendants listed as “colored” may have been of mixed ancestry.) *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869. Court records did not record race for Lizzie Johnson, Elizabeth Syfax, or Laura Smith although we can determine their race from other sources. The *Picayune* described Johnson as “colored” in an article about her 1869 suicide attempt. “Attempted Suicide,” *Daily Picayune*, 12 August 1869. Similarly, in an article about her case, the *Picayune* described Syfax as “a negress.” “The Robbery Case in the Second District,” *Daily Picayune*, New Orleans, Louisiana, 8 March 1868, 2. Smith’s race is provided by the 1880 Orleans Parish census when she was an inmate in the Orleans Parish Prison. She was born in 1848 Louisiana to Irish parents and is listed as having no occupation. There does not appear to be a correlation between race and a woman’s sentence length at the State Penitentiary. Walker (black) and Lewis (“mulatto”) both received six-month sentences, Syfax’s (black) was one year, and Smith’s (white/Irish) was two years.

greater, disproportionate share of the state's discipline.⁵⁶³

We can more definitively measure the effect that additional witnesses had on convictions in “hook” cases before the First District Court. Cases that featured other witnesses for the prosecution besides the alleged male victim were three times more likely to end in conviction than those without, and most prostitutes who were sent to the State Penitentiary had multiple people testifying against them in their trials.⁵⁶⁴ Police officers were the most frequent additional witness to appear before the court. They were especially advantageous when they could claim to have received some form of confession or when they had recovered the stolen property. In 1875 a man named Francis Brown, who worked at a grocery store in the Faubourg Marigny, claimed that two prostitutes named Emma Brown and Eliza Wingfield had robbed him of ten dollars when he visited them on St. Peter Street between Dauphine and Burgundy. Francis Brown's first witness was a police sergeant who had accompanied him back to the women's house after the theft. There, as the policeman testified, “Francis Brown pointed Emma Brown to me saying that she was the woman that had robbed him.” Officer C. J. Walton also accompanied them to the brothel and recalled that “Emma Brown said in my presence that she had given to Eliza Wingfield half of the money.” Even though Wingfield's role in the theft was unclear, his testimony was enough to

⁵⁶³ Gross, *Colored Amazons*; Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge: Harvard University Press, 1997); and Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (Chapel Hill: University of North Carolina Press, 2009). Studies of nineteenth-century prostitution outside the South find that, even when police were largely tolerant of prostitution, they were still more likely to arrest women who were foreign-born, especially Irish, or who worked in neighborhoods heavily populated by immigrants. There is too little data to draw comparisons for black prostitutes. Hill, *Their Sisters' Keepers*, 53.

⁵⁶⁴ Sixty percent of all prostitutes' larceny cases ending in conviction featured at least one other witness besides the alleged victim. This figure was just twenty percent for cases ending in acquittal or *nolle prosequi*. Six of the nine prostitute larceny cases with sentences to the State Penitentiary likewise had testimony from someone other than the complainant. The First District Court's case files do not include depositions or testimony from witnesses for the defense although a list of names is included for some cases.

force both her and Emma Brown to plead guilty to the charge—a rare occurrence in these cases—and they each went to the State Penitentiary for two years.⁵⁶⁵ Similarly, a testifying policeman also bolstered Celestin Gregoire’s case against the seven prostitutes he accused of beating and robbing him. Officer Joseph Derbin, who had been summoned to the scene after the alleged theft, confirmed that “the pocket book in court is the same I found.” Rarely were either the wallet or the money recovered by the police, so Derbin’s success likely helped convicted three of the accused women.⁵⁶⁶

Occasionally other men testified on behalf of the alleged victim, usually corroborating the man’s location and activities for the evening in question. In 1868 a local man named François Ducas visited Emma Walker, a black prostitute, at her brothel on Toulouse Street. As he recalled, he “paid her twenty five cents to sleep with her[,] afterwards the accused got out of bed and went to witness’ pants and then ran out.” Another man, possibly a housemate of Ducas’s, confirmed that he “recognizes the accused [as] who the first witness was in bed with.” Walker was convicted and went to the State Penitentiary for six months.⁵⁶⁷ Sometimes other men’s testimony did as much harm to the alleged victim’s ego as to the accused’s defense. Christian Johnson, who lost fifty dollars and a silver watch when Melite Johnson coaxed him off the street “saying I was too drunk,” had been warned of the danger he was in according to a male housemate. A woman at their house had cautioned Christian “that it was wrong to take so much money.” Nevertheless, his

⁵⁶⁵ *State of Louisiana v. Emma Brown and Eliza Wingfield*, case no. 8261, 1 September 1875, First District Court, Louisiana Division.

⁵⁶⁶ Derbin’s testimony against Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson is found in *State of Louisiana v. Mary Hall, Celestine Antoine, and Louiza Bernard alias Bone*, no. 8876, 1876. Although they were two separate court cases, it concerned the same incident as *State of Louisiana v. Lizzie Bernard, Adele Scott, Ella Smith, and Julia Ann Johnson*, no. 8846, 1876.

⁵⁶⁷ *State of Louisiana v. Emma Walker*, no. 162, 1868.

housemate acknowledged that “I saw Christian Johnson put his money in his pocket and also his watch When he came back he had no vest watch nor money.” However foolish he was, Christian was also lucky: police were able to recover his watch in Melite Johnson’s room, and she received two years at the State Penitentiary.⁵⁶⁸

Much less common were women testifying against other women, and yet both known cases in which this occurred ended with convictions and sentences to the State Penitentiary. Jenny Douglass, who had left her Burgundy Street brothel for a drink of gin, returned just in time to see Damas Dyon storming out of the house. The First District Court called her to testify in its case against Maggie Lewis and Felicity Washington, and she recounted how Lewis had proudly shown her a ten-dollar note and Washington had admitted to the theft, purportedly on Lewis’s orders. Douglass was the only witness to appear other than Dyon, and her testimony likely helped secure the women’s conviction, particularly Washington’s to the Parish Prison since Dyon had only implicated Lewis in the larceny. Nevertheless, Douglass’s comment to the court that Lewis and Washington “made a better job than me” revealed a measure of admiration and even envy of their actions that defied the court’s condemnation of the women.⁵⁶⁹

Douglass’s alternative assessment of her fellow prostitutes was necessarily ambivalent—she was testifying against them after all—but it provides a glimpse into prostitutes’ complicated interactions. Various cooperative, calculating, and even cruel, relationships within New Orleans’s *demimonde* were fractiously interwoven but interwoven nonetheless. Though usually unspoken, the sense of other women lingering just outside the

⁵⁶⁸ *State of Louisiana v. Melite Johnson and Mary Hester*, no. 9202, 1876. Mary Hester, who lived in the same house as Melite Johnson but whose role in the theft was not clear, received two days in the Parish Prison.

⁵⁶⁹ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869.

door or on the street below pervades “hook” cases, but whether these women were allies or adversaries varied greatly. Historians debate the degree of solidarity experienced among women working in the sex trade, and certainly some did work together in “hooking” their customers and splitting the spoils.⁵⁷⁰ Although women competed for customers, they might also rely on each other’s protection as suggested by the lists of women testifying in another’s defense, testimonies that were sadly rarely recorded by the First District Court. But at other times women refused assistance or even betrayed each other out of self-preservation, vengeance, or fear. Jenny Douglass may have felt some of these emotions herself, especially if the *Picayune*, which named her as one of the thieves, was right in assigning her a larger role in the theft than the court knew.

In at least one other case before the First District Court during this period, a woman’s perfidiousness sent one of their own to the State Penitentiary. The case, which featured five female witnesses, also illuminated the busy social world in which prostitutes’ actions always had an audience. In 1868 a white man named F. Forière accused a black woman, Elizabeth Syfax, of stealing 612 dollars, a truly astounding sum. Reporting the allegation, the *Picayune* marveled less at the amount stolen than at Forière’s taste in companionship. The *Picayune* harangued,

⁵⁷⁰ Marilyn Wood Hill argues for a sense of shared experience or sisterhood among women in New York City’s nineteenth-century sex trade in her appropriately-titled study, *Their Sisters’ Keepers*. She argues that emotional bonds helped women endure the many difficulties of their profession, especially if they were alienated from families or other sources of support. She observes that relying on newspaper articles and legal records “distort[s]” women’s relationships in the sex trade by focusing on conflict. To counterbalance this, she also uses women’s correspondence and descriptions of their leisure activities as well as census and tax records that demonstrate women living together over the course of multiple years. See Hill, *Their Sisters’ Keepers*, especially chapter nine, “As a Friend and Sister: Relationships with Women,” 293-320. Judith Keller Schafer argues against Hill in *Brothels, Depravity, and Abandoned Women*, stating that “If a sisterhood existed among public women in antebellum New Orleans . . . evidence of it proves difficult to find.” Instead, she finds numerous instances of women fighting and stealing from each other in antebellum First District Court records. Schafer, however, is using primarily the court cases and newspaper accounts that Hill criticizes as showing only part of the picture. Schafer, *Brothels, Depravity, and Abandoned Women*, 73.

The evidence left no room for doubt that the victim had been fleeced in losing his money is only exceeded by the frightful depravity which could urge a man, seemingly respectable, to visit *per amour*, a negress possessing in unrelieved intensity every feature of the native Ethiopian, black as Erebus, crooked and ungainly as an ape. May God, in human pity, improve that man's taste!⁵⁷¹

That such brutally racist language was largely atypical for the conservative paper in the 1860s highlighted the ignominy of Forière's victimization as well as the paper's abhorrence of Syfax.

The First District Court, however, wiped any racist polemics from its records and used the testimony of other women, likely other women of color, to convict Syfax. Their depositions alongside Forière's portrayed a relatively typical "hook" scene, albeit one that included numerous named bystanders. Forière arrived at Syfax's Toulouse Street brothel at eleven o'clock one Monday evening. He entered the house with almost three hundred dollars in gold and even more in paper notes, all stashed "in a paper bag." This impromptu wallet may suggest that the money was gambling winnings although the *Picayune's* description of Forière as "respectable" can also be read as "wealthy"; either or both may explain why he had so much money. "[H]e visited the accused at her house to satisfy his passion and paid her," Forière told the court, "he also gave her 30 cts for liquor, and took a drink[,] he then undressed and went to bed and left his clothes on the sofa." The thirty cents of liquor he had ordered was not his first drink of the evening. He later had to clarify that "he was drunk but not drunk enough to loose his reason" when he visited Syfax, adding further that "he knew whom he was and what he was doing," a statement that hinted much the opposite. Forière then remembered that Syfax "rolled him over" and blew out the room's candle before joining

⁵⁷¹ "The Robbery Case in the Second District," *Daily Picayune*, 8 March 1868, 2.

him in bed.⁵⁷²

Afterward, when Forière was safely asleep, Syfax snuck out of the room and across the street to find another black woman, Mary Coleman. Syfax had a proposition for her—or so Coleman claimed in her deposition to the court. Syfax told her neighbor that “she had had a man for all night and asked witness to come over and get under the bed and steal the man’s money.” Coleman, though, staunchly opposed the scheme—at least in her testimony—and when she stopped by Syfax’s room later that evening and was questioned “if she done as she asked, Witness answered no she did not.” Nevertheless, there appeared to be no hard feelings between the women as “Witness staid talking a while to the accused but then went away to cross the street to her own Room,” perhaps when she heard Forière stir and call for “accused to light the candle.”⁵⁷³

Forière had slept an unspecified length of time and awoke, perhaps still somewhat inebriated, to a discomfiting discovery: his paper bag and its great fortune were gone. If he—or Syfax for that matter—was panicked, he did not betray it in his deposition, claiming to have found the alleged thief in new and surprising company: “[I] found the accused standing at the door, talking to the Policeman upon the Beat.” Forière called to her and “asked her to return him his Money, at least half of it.” Stuck bargaining with a prostitute—and in the presence of a police officer no less—Forière clearly lacked any control of the situation, no matter how “respectable” he was in the world outside the brothel. Begging the policeman to get back some of the money, he protested that “he did not want to go to Court,” perhaps because he knew the frequent futility of such a course or because he dreaded the

⁵⁷² *State of Louisiana v. Elizabeth Syfax*, no. 18712, 1868.

⁵⁷³ *Ibid.*

public exposure it would bring. He may also not have wanted to call attention to the great sum that was stolen if it were not legally his. Whatever the reason for his initial hesitancy, the officer convinced him that criminal charges were the only option, and Syfax's chat with the policeman ended in her arrest.⁵⁷⁴

Another prostitute, a woman named Mary Brighman, had arrived back at the house a few moments before, finding Forière and Syfax "quarreling about money." When he decided to have her arrested, Syfax turned to Brighman and admitted that "yes she had a hundred dollars of the money." She then surrendered it to the policeman. Syfax, however, recanted the next day, assuring her housemate that "she did not have any money[,] she was only bluffing." Brighman seemed to regard this claim dubiously, and her testimony to the court confirmed Forière's version of events.⁵⁷⁵

Next, two more prostitutes came before the court, this time to corroborate Mary Coleman's testimony. The first, Annie White, said very little, perhaps trying to remain neutral. "On [the] night in question," she stated, "the accused came over to Mary Coleman and asked her to go to her house . . . That [is] all witness knows about it." The second woman, Elizabeth Wilson, had more to say, telling the court that she had brought two men back to the house. Forière, she said, "went to bed with the accused, and witness went to bed with his friend." Wilson then confirmed that Syfax had asked an unnamed woman to hide under her bed but the woman refused. Like Brighman, Wilson also claimed that Syfax had confessed to stealing at least some of Forière's money. The final witness against Syfax was a woman who shared her prison cell later that night. Marie Sander, whose own alleged crime

⁵⁷⁴ *Ibid.*

⁵⁷⁵ *Ibid.*

is unknown, testified that Syfax “said she had stolen some Money” but that she had given it to two other people whose names or relations to her were unknown.⁵⁷⁶

No other known prostitute larceny case before the First District Court in this period provided so many witnesses against the accused, and the evidence against Elizabeth Syfax for stealing so large a sum appeared incontrovertible. For her offense, she went to the State Penitentiary for one year. And yet many questions and unresolved possibilities linger even in this case. The theft received two notices in the *Picayune*, one being the racist attack on Syfax. The other, earlier notice was much tamer and offered a relatively standard report of such an event, emphasizing that the theft occurred while the victim was “sleeping off the effects of a debauch.” But it added an interesting twist to the story that the First District Court would not hear. The *Picayune* listed four women as accessories to Syfax’s theft: “Mary Bingham, Mary White, Elizabeth Wilson, and Josephine Turner.”⁵⁷⁷ Wilson, of course, would later testify against Syfax, and Bingham was likely the Mary Brighman from court records and Mary White may similarly have been the court’s Annie White. (Both the First District Court records and the *Picayune*, as we have seen, often mistook names.) If they had been initially implicated in the larceny, it is possible that the women turned against Syfax in an effort to protect themselves, and in fact none were listed as accessories or co-defendants by the time the case reached the First District Court.

Marie Sander’s testimony also offers insight into the women’s testimony against one of their own. Sander stated to the court that she “came here as a witness by request of the

⁵⁷⁶ *Ibid.* Race is only recorded for Mary Coleman in the First District Court’s files for this case. This includes its mentions of Elizabeth Syfax, whose race is not provided by the court files. If Syfax were black as the *Picayune* establishes, then we can conclude that the court clerk did not record race for the people involved in this trial. Therefore we cannot take the absence of a racial signifier to mean that the person in question was white.

⁵⁷⁷ “Accessories to Robbery,” *Daily Picayune*, New Orleans, Louisiana, 4 March 1868, 8.

landlady of the accused.”⁵⁷⁸ If at least White, Brighman, and Wilson worked in the same brothel as Syfax, not only might they have been familiar with her offense but they may also have acted under a madam’s orders to protect the house’s reputation and get rid of troublesome Elizabeth Syfax. We cannot conclusively establish any of these possibilities, but the incident reveals how fraught and dangerous relationships within the city’s *demimonde* could be. It also reminds us that the narratives provided by the First District Court’s records always represented someone’s agenda and rarely that of the accused woman herself. Witnesses may have confused or even fabricated the events they narrated, and some defendants may in fact have been innocent of the charges. The women who were convicted, though, whether they were truly guilty or not, received particularly punitive punishments.

The severity of a woman’s sentencing by the First District Court could be measured by both its location and its length. The court could send convicted men and women to either the Orleans Parish Prison or, in more serious instances, the State Penitentiary. Sentences for the Parish Prison spared convicts hard labor and transport to Baton Rouge; the Parish Prison also carried significantly shorter sentence lengths, sometimes just days and never more than six months. The First District Court, though, rarely offered convicted prostitutes this relative leniency. In fact, from 1865 to early 1877 it sent only three known prostitutes to the Parish Prison on larceny charges.⁵⁷⁹ By comparison, domestic servants, though much more likely to be convicted, were also twice as likely to receive the lesser sentence to the Parish Prison than were prostitutes.⁵⁸⁰

⁵⁷⁸ *State of Louisiana v. Elizabeth Syfax*, no. 18712, 1868.

⁵⁷⁹ This number is certainly an underestimate since we have to depend on depositions and other court records to clarify the relationship between the victim and the accused.

⁵⁸⁰ At least thirty-two percent of convicted domestic servants went to the Orleans Parish Prison compared to just sixteen percent of prostitutes. This data was compiled by examining all cases resulting in sentences to the State

It is difficult to tell from surviving court documents why these few convicted prostitutes were granted relatively lighter sentences. Two of the cases involved two defendants, and in each case one woman went to the Parish Prison and the other to the State Penitentiary. Perhaps the court viewed one of them as more of an accomplice to the crime than the main perpetrator. This may have been the case for Felicity Washington whose codefendant Maggie Lewis was sent to the State Penitentiary for six months for robbing Damas Dyon while Washington went to the Parish Prison for just two months. (Dyon had placed Washington at the scene of the theft but did not implicate her directly.)⁵⁸¹ Although she stood trial alone, a woman named Martha Anderson received only a three-month sentence to the Parish Prison likely because her accuser did not witness the actual theft but tepidly offered that “as no one else had been in the House or room with us two[,] I made the charge against the accused.”⁵⁸² We do not know how race may have affected these cases because we can only determine the race of Felicity Washington, who was listed as “colored.”⁵⁸³

Not only were prostitutes disproportionately sent to the State Penitentiary, but they also served the longest average sentences for property crimes among women sent there from New Orleans. The average sentence length for prostitutes at the State Penitentiary was

Penitentiary and sampling other larceny cases from the period. Thus State Penitentiary cases will be somewhat overrepresented in these figures, but the approximate proportional comparison remains accurate.

⁵⁸¹ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869.

⁵⁸² *State of Louisiana v. Martha Anderson*, case no. 5052, 28 January 1873, First District Court, Louisiana Division.

⁵⁸³ *State of Louisiana v. Felice Washington and Maggie Lewis*, no. 685, 1869. The designation “colored” in First District Court records basically meant non-white and included black and mixed-race women. Washington may have been the latter if the *Daily Picayune* was correct in reporting that Dyon was “hooked” by women of mixed ancestry. “An Unfortunate Young Man,” *Daily Picayune*, 20 January 1869.

almost a year and a half, five months longer than that for domestic servants and four months longer than for all women's larcenies.⁵⁸⁴ Only women convicted of violent crimes such as murder, kidnapping, or arson served longer average sentences than prostitutes, a measure of just how punitive their sentences were.⁵⁸⁵ Half of New Orleans prostitutes served sentences at the State Penitentiary ranging from six to eighteen months; the other half had two-year sentences, as long a sentence as was ever assigned for a property crime. By comparison, the sentence for a domestic servant convicted of larceny was most likely to be one year. There was no apparent correlation between the amount of money stolen and a woman's sentence length, nor between sentence length and her race. Elizabeth Syfax, the black woman convicted of stealing 612 dollars, received a one-year sentence while Laura Smith, white, served two years for the theft of just ten dollars.⁵⁸⁶ As with so much else about these cases, we do not know why women received the sentences they did, but their long sentence lengths were extraordinary among other property crimes.

This tension between unlikely conviction but strict sentencing was new to the postbellum period, and it lay bare the fundamental contradictions at the heart of New Orleans's regulation of prostitution. In the decades before the war, as during Reconstruction the First District Court of New Orleans convicted relatively few prostitutes charged with

⁵⁸⁴ The average sentence length for prostitutes convicted of larceny to the State Penitentiary was 17.6 months. This same average was 12.9 for servant larcenies and 14.2 months for all women's larcenies at the State Penitentiary (including cases for which we cannot determine the relationship between the claimant and the accused).

⁵⁸⁵ Only six women went to the State Penitentiary from New Orleans for violent crimes during this period. There were two convictions for murder (with sentences for six months and two years) and one each for the following crimes: arson (five years), kidnapping (three years), manslaughter (five years), and assault with intent to kill with a dangerous weapon (two years).

⁵⁸⁶ *State of Louisiana v. Elizabeth Syfax*, no. 18712, 1868; and *State of Louisiana v. Laura Smith*, no. 7989, 1875.

larceny, but it punished the convicted minority much more leniently. In her study of the city's antebellum sex trade, Judith Keller Schafer observes the frequency with which prostitutes stole from clients and then escaped conviction, but none of subjects who were convicted went to the State Penitentiary. Rather, all served sentences of a year or less in the Orleans Parish Prison.⁵⁸⁷ Under postbellum regulation policies, the city cast convicted women as proof that it could discipline offending women. By giving them such harsh sentences, the First District Court announced its authority over prostitution in the city.

And yet at the same time the convicted prostitutes at the State Penitentiary would have known that they were the exceptions to the rule. They had been the unlikely and unlucky ones convicted for "hooking" a client and, as large a group as they were proportionally at the State Penitentiary, they knew that they were only a fraction of the women engaging in these behaviors. Back home in New Orleans, women robbed their customers day and night, and most got away with it. Even some women at the State Penitentiary had gotten away with it before. Just not this time.

The First District Court's use of these women as warnings to the wider *demimonde* demonstrated the city's need to display its power over regulated prostitution. This tokenism, however, simultaneously revealed another, more dominant element of the city's relationship to regulation. Tokenism exposed the city's admission of a certain futility by design. That these convicted women, however harshly sentenced, were in such a minority among prostitutes charged with larceny unmasked the fact that the city had no real intention of

⁵⁸⁷ In her study of New Orleans's First District Court from 1846 to 1862, Schafer cites thirteen cases of prostitutes' alleged larcenies that ended in *nolle prosequi* and two cases that ended in acquittals. Five cases ended with convictions to the Parish Prison: one for one month, one for six months, two for one year, and one of an uncertain term. The only State Penitentiary sentence she cites in this type of case is for a male accomplice who received a five-year sentence in 1853. Many other cases described in the *Picayune* never went to trial at all. Schafer, *Brothels, Depravity, and Abandoned Women*, especially chapter five, "Larceny and Robbery among Prostitutes," 74-88.

controlling women in the sex trade. Regulations enacted in July 1865 focused on women's location and public behaviors such as solicitation, dress, and drinking. Ordinances aimed to hold landlords accountable for their tenants and to empower neighbors to report violations. Taxes were affixed to the trade as were guidelines to legal practice, but few of these strictures went behind brothel walls and closed doors and into the actual transaction itself.⁵⁸⁸

Concerns over prostitution in New Orleans were therefore not over the practice itself but primarily over its public image. Regulations were designed, as the ordinances read, to prevent actions "in public as to occasion scandal, or disturb and offend the peace and good morals of the people."⁵⁸⁹ Absent from all these byzantine restrictions was the actual contracting between the prostitute and client and how they should conduct their relationship. City ordinances, in effect, never intended to dictate the essential business of prostitution. Instead, regulation validated the relationship between prostitute and client without governing the relationship itself. By deliberately focusing on the public characteristics of prostitution, city law conceded that its one-on-one exchange was beyond the purview of the law.

Thus, although prostitutes' larcenies technically remained crimes like other thefts, preventing or punishing them was not the focus of regulating New Orleans's sex trade, and all but a token few of the women tried for the offense escaped punishment. On one level, this was a pragmatic decision as the circumstances of these thefts were often so obscured by darkness, drink, or derision that the courts and press were reluctant to become involved. But more was at work in this tokenism than practicality. Fully confronting prostitutes' thefts would mean reevaluating tolerance of the trade and possibly sacrificing one of the city's

⁵⁸⁸ Leovy, "Lewd Women," 1866. For more on the regulation of prostitution as controlling the public appearance of the trade, see Chapter One, "Fascinating Sirens."

⁵⁸⁹ Leovy, "Lewd Women," 1866, 278.

largest taxable industries on the altar of law and order. In the unstable postbellum period, the city of New Orleans was unwilling to forfeit these profitable pleasures, even at individual men's expense.

Because the First District Court convicted relatively few prostitutes charged with larceny, many women judged the potential rewards of "hooking" well worth the risks. Many men never pressed charges, and accused women faced only a one-in-four chance of being convicted by the city's criminal court. Women like Celestine Antoine learned to play these odds at a young age, and others like Lizzie Johnson grew skilled at manipulating the legal system as adroitly as she did her customers. When a woman's luck ran out, though, the legal consequences were severe. Convicted prostitutes overwhelmingly went to the State Penitentiary, and there they served particularly long sentences for the theft of as little as five dollars. Although her profession was legal and her fellow prostitutes many, this network of protection could crumble instantly and desert a woman to the court's whims, as happened with Elizabeth Syfax. That the First District Court convicted so few was due as much to its own motives as to women's resources. City ordinances dealt principally with the public practice of prostitution and made no special arrangement for prostitutes' thefts, even though their frequency was well-known. By defining only certain parts of prostitution as legitimate fields for legal intervention, New Orleans yielded its responsibility—and revealed its incapacity—to monitor other, murkier aspects of the regulated sex trade.

* * *

The New Orleans prostitutes transported upriver to the State Penitentiary in Baton Rouge made the journey as representatives of a city whose reputation was just as notorious as

their own. By undertaking regulation, the city of New Orleans embraced its notoriety in exchange for a chance to shape the public appearance of prostitution and transform it into a taxable industry. The city's sex trade would remain essentially legal until 1917, and at no point in this half-century of formal tolerance did women's thefts from clients prompt widespread concern about the experiment. In the Reconstruction period, these "hooks" were well-documented in local courts and the city press, yet few people beyond the actual victims appeared truly outraged by the women's actions. As the *Picayune* recounted of one case before a local judge, "the court evidently enjoyed it, for his face brightened, and he looked anything but displeased."⁵⁹⁰ Such sentiments were widely shared—the paper's readers, after all, enjoyed the scene, too.

Each unlucky woman sent to the State Penitentiary for this crime left behind hundreds more women who engaged in the same activities. Black, white, Creole, or immigrant, New Orleans prostitutes never lacked for clients and, if courts seemed reluctant or unable to prosecute them, they could be confident in "hooking" customers to great profit at little legal risk. Sneaking out of dark rooms, hiding under beds, or even reaching through holes in walls, women demonstrated that neither payment nor punishment could ever fully control their actions. Though they are often ambiguous and confusing, narratives of prostitutes' larcenies attest to women's creative and daring adaptations to difficult circumstances, adaptations which sometimes depended on other women's aid and other times failed because of their betrayals. What emerges is not a neat picture of New Orleans's *demimonde*, which always disrupted attempts to order it anyway. Prostitutes inhabited an unpredictable, brash, and violent world that could sometimes be exploited for their gain but could also earn them

⁵⁹⁰ "A Robbery," *Daily Picayune*, New Orleans, Louisiana, 9 May 1868, 2.

censure unparalleled for similar crimes. The *Picayune* chided one man complaining of a theft in a brothel that “those who dance must pay the piper.”⁵⁹¹ At times the lesson applied to women as well, but in the meantime the music—and the women—continued.

⁵⁹¹ “A Robbery,” *Daily Picayune*, New Orleans, Louisiana, 5 May 1868, 2.

Chapter Five

“Miserable, low, unredeemable butchery”: Women and Deadly Violence

In October 1865 the attention of New Orleans was seized by an apparently deadly serving of ice cream. The frozen treat had been consumed by a woman named Fanny Couch who operated a large downtown boardinghouse. Bedridden from poor health, Couch sent a couple of residents to the market for ice cream, ate it enthusiastically, and died in the grip of violent sickness later that night. When an autopsy revealed “arsenic enough in her stomach to have killed a horse,” suspicion immediately alighted on a resident named Pelagie Brown who, in addition to bringing Couch the ice cream, was also in the process of buying out Couch’s operation—if she had not fallen too far behind on her payments.⁵⁹² Amidst rumors of long-term illness, contentious residents, and forged deeds of sale, the *Picayune* treated Brown cautiously, warning its readers that “the evidence is contradictory,” and indeed Brown escaped conviction in Couch’s death.⁵⁹³ When Brown herself died four years later, however, the paper cast her in an entirely different light. Now the paper proclaimed “the terror of her evil name” and unequivocally identified her as a poisoner. “It is to be hoped she repented for

* Title taken from “Evidence Before the Jury of Inquest,” *Daily Picayune*, New Orleans, Louisiana, 12 August 1865, 8.

⁵⁹² “Forgery and Perjury,” *Daily Picayune*, New Orleans, Louisiana, 25 November 1865, 6.

⁵⁹³ “Evidence Before Coroner Yeiser,” *Daily Picayune*, New Orleans, Louisiana, 12 October 1865, 8.

her sins,” the *Picayune* concluded of Pelagie Brown, “and that the crimes which stained her life, were pardoned in her death.”⁵⁹⁴

Two years after the end of Brown’s saga, the paper had the opposite reaction to the tragic death of a young orphan. William “Willie” Kane, only seven years old, died of tetanus after living under the abusive guardianship of a family named Lanagan and their housemate, Mary Ann Hickey. The paper immediately labeled William Lanagan, his wife Annie, and Hickey a “savage crew” responsible for “the brutal killing of a child.” They were all three notorious drunkards who beat Kane daily and neglected his basic care and well-being. Their actions toward the boy, the paper observed, were “so horrible and cruel that they would appear incredible if not established by undoubted evidence,” but within six weeks the *Picayune* dramatically altered its assessment of the case.⁵⁹⁵ When the accused appeared in court, the paper shared “the sympathy which arises in [their] behalf.” “The great black eyes,” it estimated of Annie Lanagan, “are not those of a cruel woman” and, while Hickey was “not so prepossessing,” the reporter was nevertheless moved by “the tears [that] would well up in her eyes and roll silently down her cheeks.”⁵⁹⁶ Even after Hickey and William Lanagan were convicted for young Kane’s murder, the *Picayune* continued to take their side, stating, “That the verdict was not justified by the evidence in the case is certain.”⁵⁹⁷

The *Picayune*’s change in tune for the two cases came down to race: Pelagie Brown was black, and Annie Lanagan and Mary Ann Hickey were white. Brown, whose case in fall

⁵⁹⁴ “Suicide of a Poisoner,” *Daily Picayune*, New Orleans, Louisiana, 3 January 1869, 2.

⁵⁹⁵ “Homicide on Dryades Street: A Child Beaten to Death,” *Daily Picayune*, New Orleans, Louisiana, 11 May 1871, 2.

⁵⁹⁶ “The Lanagan Murder Case: The Accused on Trial,” *Daily Picayune*, New Orleans, Louisiana, 30 June 1871, 2.

⁵⁹⁷ “The Lanagan Case: Motion for a New Trial,” *Daily Picayune*, New Orleans, Louisiana, 12 July 1871, 2.

1865 left plenty of room for doubt of her guilt, died in early 1869 a notorious murderer, “unscrupulous, ambitious and vindictive.”⁵⁹⁸ The guilt of Lanagan and Hickey in summer 1871, by contrast, seemed certain until their “youth . . . beauty and delicate graces” won the *Picayune*’s sympathy.⁵⁹⁹ In a crime so serious and so relatively infrequent, the race of the accused became all the more important in discussions of murders perpetrated by women and who did—and who did not—receive the benefit of a doubt for her violent acts. Whereas misdemeanors, assaults, and larcenies could be passed off as interesting scenes of local color, allegations of murder were a different, dangerous business. Historian Karen Haltunnen explains of murder that “The act rends the community in which it takes place” and forces its members to “confront what has happened and endeavor to explain it, in an effort to restore order to the world.”⁶⁰⁰ If it could not substantiate her innocence, the *Picayune* eagerly seized on implications of intemperance or insanity to explain how a given woman could commit murder. In some instances, murder might even be justified as an act of self-defense. Race, however, proved the determining factor in how the paper evaluated a woman’s culpability in murder cases. “Females of all hues, dresses, ages, and sizes” were associated with everyday crime in the city of New Orleans, but its cold-blooded murderesses came to be seen as of one “hue” alone.⁶⁰¹

⁵⁹⁸ “Suicide of a Poisoner,” *Daily Picayune*, 3 January 1869.

⁵⁹⁹ “The Lanagan Murder Case: The Accused on Trial,” *Daily Picayune*, New Orleans, Louisiana, 1 July 1871, 2. Lanagan and Hickey may have been of Irish descent although this is not stated in any court documents or *Picayune* articles.

⁶⁰⁰ Karen Haltunnen, *Murder Most Foul: The Killer and the American Gothic Imagination* (Cambridge: Harvard University Press, 1998), 1-2.

⁶⁰¹ “The One Hundred and Five Nymphs,” *Daily Picayune*, New Orleans, Louisiana, 16 July 1865, 8.

In contrast to the ubiquity of women's assault and larcenies cases, only fifteen allegations of murder or manslaughter committed by women came before the First District Court in the twelve years of Reconstruction.⁶⁰² Of these only two cases are known to have ended in conviction, one involving the unfortunate Mary Ann Hickey and another a black woman named Jane Washington. Held to a high standard of evidence, juries acquitted most of the women so charged, even across lines of race; other cases were simply dropped by the court. The mass gathering of evidence and testimony in these cases, though, opened a window into domestic relations rarely explored with such detail and realism in public discourse. Neighbors revealed each others' past indiscretions, ignoble behaviors, and financial deceptions while marriages came under the scrutiny of friends, family, acquaintances, and strangers alike as testimonies were delivered before an eager courtroom audience. The *Picayune*, by reprinting these testimonies verbatim, invited a city of readers into the most intimate aspects of women's lives—their marriages, their families, and their finances—all in an effort to explain the deadly tragedy and assign blame for it.

In relating these murder cases to its wide readership, the *Picayune* also wrote these alleged murderesses into the political narrative of Reconstruction. Simple "disorderliness" was insufficient for white and Irish women, and sometimes even women of color, who were suspected in others' deaths. The paper encoded their actions as explainable, even justifiable, by the circumstances in their lives, be it abuse, alcoholism, or mental illness. Other women, the *Picayune* maintained, were entirely innocent, or had been caught up in an unfortunate accident. The *Picayune* and its white readers could thus understand these incidents, but fear and alarm came to characterize reactions to allegations against black women, especially for

⁶⁰² This does not include cases of alleged infanticide or concealing childbirth. Suspicions of women's foul play occasionally appeared in the *Picayune*, but not all of these incidents made it before the courts.

deaths involving some form of property or financial dispute. Blackness itself was revealed as particularly dangerous when emboldened by the social equalities and financial opportunities possible under Reconstruction. “Miserable, low, unredeemable butchery” was thus unimaginable for many women, especially white women, except in anomalous circumstances. For black women, though, such cruelty epitomized the menacing exercise of their newfound ambitions and freedoms that, if uncurbed, threatened to poison not only individual victims but southern society as a whole.

* * *

New Orleans’s densely-populated and racially-diverse households and neighborhoods were no strangers to conflict, including among female residents. In tight quarters, small quarrels quickly exploded into physical violence that occasionally turned deadly. When it did, many neighbors witnessed the offense—or soon heard of it—and formed their own estimations of it. Testimonies in women’s murder cases brought these many neighbors before the crowded court, where they disclosed the daily activities and secretive behaviors of both the deceased and the accused, knowledge that only such intimate proximity could make them privy to. The effect of these testimonies on the cases’ conclusions is not always evident, but they allow us to recover ordinary New Orleanians’ perceptions of violence, family, and community in the turbulent postwar period.

Neighbors’ reactions to the tragic death of young Willie Kane reveal a local community already concerned about the abusive treatment the boy received from William and Annie Lanagan and Mary Ann Hickey. These testimonies also cast doubt on the *Picayune*’s adamantness that the accused parties could not be capable of such cruelty. Billy and Annie Lanagan were a young couple, each around twenty years of age and white, likely of

Irish descent. The paper's description highlighted their youthfulness with its attendant implications of innocence. Billy had "a beardless, boyish face, straight sandy hair and brown eyes," while Annie was "Petite in figure, slender and graceful, with masses of blonde hair shading her face." "He has nothing in his appearance to indicate a bad, malicious heart," the *Picayune* continued, and her shy beauty made her "an object of universal sympathy." They had a small child, an infant whom Annie lovingly cradled in her arms during the trial. In fact, the sight of Annie Lanagan as a loving mother was the *Picayune*'s first indication that she and her co-defendants were incapable of so mistreating young Kane. As the court reporter observed, "The young mother's face beaming with love for her child as she looks fondly on it, has in it no trace of the homicide."

Living with them were Billy's mother and Mary Ann Hickey, a woman just a few years older than Billy and Annie. The elder Mrs. Lanagan received little attention from either the court or the paper, but Hickey was a somewhat more ambiguous figure. After the accused parties' court appearance, the *Picayune* immediately noted that the twenty-five year-old was not so beautiful as Annie Lanagan. She was small with "dark chestnut hair and hazel eyes" and a heavier figure. Against Lanagan's almost angelic beauty, Hickey read as a figure more marked by sadness than innocence. Hickey described herself to the court as "an orphan without near or dear Relations, to Speak a Kind word for Me," and she may have been among a group of women arrested for lewd and abandoned behavior four years before. How or when she came to live with the Lanagans is unknown but, whether because of her appearance or her history, she was not judged as leniently as Annie Lanagan.⁶⁰³

⁶⁰³ "The Lanagan Murder Case: The Accused on Trial," *Daily Picayune*, 30 June 1871; and "Recorder Ahern's Court," *Daily Picayune*, New Orleans, Louisiana, 15 March 1867, 8. In spring 1867, a "Mary Hickey" and two other women, all apparently white or Irish, were arrested on St. Thomas Street and fined ten dollars by the recorder's court for being lewd and abandoned.

Like Hickey, young Willie Kane was an orphan. The inquest listed him as six years old and a native of Virginia; one neighbor described him as “a strong healthy boy.” Neighbors knew that he had lived with the Lanagans for at least two years, and it later came to light that he had been with them since infancy although no one knew how this arrangement came to be. A police officer who knew him from the neighborhood described young Kane as “a good mannerly boy.” A neighborhood woman complemented him as “a quiet boy,” but at least one neighbor described him in less generous terms as “saucy” and a little wild. Only after the trial was it revealed that, as the *Picayune* reported, “An elder brother of Willie Kane, now fifteen years of age, also lived in the family.” Where this brother was at the time of young Kane’s death is unknown.⁶⁰⁴

The incident in question occurred on Friday, April 28, 1871, in the Lanagans’ residence, a boardinghouse at 158 Dryades Street. Margaret Silbernagel, who lived with her mother Maria two doors away, witnessed the alleged assault from her back gallery:

[O]n Friday April 28th 1871, I saw Bill Lanigan Kicking and beating Wm Kane the deceased[,] after that Mrs. Lanagan whiped him with her Shut hands. I saw Mary Ann Hickey take deceased by the feet and put him into a barrel of water. After taking him out of the water she put a piece of rope round his neck and hung him to the bed post and took him down right away.⁶⁰⁵

Henry Turner, another resident at the boardinghouse, offered more detail on Annie Lanagan’s actions. Watching from the yard next door, Turner “heard a Child hollow Watch and Murder” before “Annie Lanagan came from yard and went into the back room. She said I’ll

⁶⁰⁴ *State of Louisiana v. William Lanagan, Annie Lanagan, and Mary Ann Hickey*, case no. 3022, 28 April 1871, First District Court, Louisiana Division, City Archives and Special Collections, New Orleans Public Library (hereafter “First District Court”); “The Lanagan Murder Case: The Accused on Trial,” *Daily Picayune*, 30 June 1871; and “The Lanagan Case: Motion for a New Trial,” *Daily Picayune*, 12 July 1871.

⁶⁰⁵ *State of Louisiana v. William Lanagan, Annie Lanagan, and Mary Ann Hickey*, no. 3022, 28 April 1871.

stop your Mouth. She then took him and threw him on the bed and held him by the throat so he could not holloa. She then moved him to the foot board and held there by throat the same way.” Turner described Hickey next “put[ting] him in the barrel with his head down” but did not mention that she hung him from the bedpost. Neighbors’ descriptions of the barrel also somewhat diverged. Margaret Silbernagel implied that there had been water in the barrel, and both her mother and Turner described Kane as wet. Two other residents of the boardinghouse, though, disputed this. Annie Johnson testified that “I saw Mary Hickey put the deceased into a barrel but did not wet him” while Louisia Washington, apparently the only witness of color, added that “There was no water in [the barrel].”⁶⁰⁶

If the neighbors disagreed about the exact points and manner of the incident on April 28, they spoke in one voice of the long history of abuse and neglect Willie Kane had received from Hickey and the Lanagans. For the two years they had lived in the neighborhood, Kane had been consistently mistreated. Multiple neighbors testified of the violence that Billy Lanagan regularly unleashed on the boy. Andrew Wright, who lived next door to the Lanagans, told the Grand Jury that he had seen Billy “slap the deceased, catch him by the hair and knock him down and use him pretty bad.” Wright concluded that “The treatment of the boy was cruel and harsh,” and another acquaintance offered that “I saw Billy Lanagan strip the boy naked and beat him with a stick or board or anything he could find. I saw this some dozen or more times.”

Women in the neighborhood also indicted Annie Lanagan and Mary Ann Hickey in the boy’s abuse. Maria Silbernagel testified that she had seen Annie Lanagan whip Kane,

⁶⁰⁶ *Ibid.* Court records do not note the race of Louisia Washington or any other person involved in the case, but the *Picayune* did describe only Washington as “colored” in its reprinting of court testimonies. “The Lanagan Murder Case: The Accused on Trial,” *Daily Picayune*, 1 July 1871.

and Annie Johnson and a next-door neighbor, Mrs. Sophia Loeper, claimed to have seen her beat him as well. Henry Turner, the only man to implicate the accused women in Kane's ongoing abuse, stated that "[I] have seen the child beaten often principally by Annie Lannagan." Nor were the two other women of the Lanagan household, Billy's mother and Mary Ann Hickey, exempted from the accusations of violence. Margaret Silbernagel explained that "I have seen the mother of Mrs. Annie Lanagan beating William Cain with her shut fist," and her mother Maria Silbernagel assessed that "The most ill-treatment was visited upon [Kane] by Billy Lanagan and Mary Ann Hickey."⁶⁰⁷ That only one of the male witnesses testified to the abusive actions of the women of the Lanagan household suggests the responsibility neighborhood women took for policing each others' behaviors, especially toward children, even if most of their male counterparts underestimated women's violence.

Neighbors testified that the episodes of violence against Willie Kane occurred when he was sent to fetch whiskey for the Lanagan household, particularly for its women. Andrew Wright told the grand jury that "The three accused used to send the boy out for liquor at all times of the day and night," and Mrs. Zazelia Roos explained that they sent him out "in Cold Weather when it was freezing, almost naked." Some of the neighbors, though, differentiated among the accused parties. Maria Silbernagel stated that "[I] have seen Annie and Wm. Lanagan follow the boy to the whiskey shop and kick him clean home," presumably to hurry him along, but Annie Johnson maintained that "Billy used to whip him because he went to the Coffee House for whiskey, and Annie whiped him if he would not go." Whether Billy Lanagan abstained from whiskey or not, the chorus of condemnations for the Lanagan household's drinking habits certainly left an unfavorable impression upon the courtroom

⁶⁰⁷ *State of Louisiana v. William Lanagan, Annie Lanagan, and Mary Ann Hickey*, case no. 3022, 1871; and "The Lanagan Murder Case: The Accused on Trial," *Daily Picayune*, 1 July 1871.

audience. Tellingly the *Picayune* minimized this dimension of the case once it began to depict the accused sympathetically.⁶⁰⁸

The Lanagans' neighbors, male and female alike, also recognized that the violence visited on young Kane was potentially deadly. Maria Silbernagel detailed the "Many a time" she witnessed various members of the Lanagan household whip, beat, and kick Kane, acknowledging that "I think he Could not live under such treatment." Louisia Washington concurred, stating that "it was impossible for the Child to live with the beatings he received. They could not treat him worse than he was." Nevertheless, the neighbors apparently made few efforts either to alert the authorities or to intervene themselves for the boy's protection. Mrs. Sophia Loeper, who lived next door, testified that on one occasion of abuse, "I holloed Oh! My God!," after which "Lanigan then abused me badly and told me to go away that I had no business there." Joseph Owens described an episode the previous year when he summoned the police after seeing "Annie Lanagan have William Kane naked under the hydrant with the water running down his throat." She released the boy when Owens called the police, but even Kane's cries of "Watch!" and "Murder!" on the day of his last beating failed to secure intervention. Even if they disapproved, most neighbors appeared reluctant to become involved in the situation, and one neighbor even sanctioned the Lanagan's actions. Under questioning during the trial, Annie Johnson admitted that she thought "[Kane] was a saucy child—would curse and swear dreadfully. He was not an obedient child . . . [I] never saw them whip him when he didn't deserve it."⁶⁰⁹

⁶⁰⁸ *State of Louisiana v. William Lanagan, Annie Lanagan, and Mary Ann Hickey*, case no. 3022, 1871.

⁶⁰⁹ *State of Louisiana v. William Lanagan, Annie Lanagan, and Mary Ann Hickey*, case no. 3022, 1871; and "The Lanagan Murder Case: The Accused on Trial," *Daily Picayune*, 1 July 1871.

After the April 28 incident, neighbors did not see Kane until he was moved to Charity Hospital on May 6. Annie Johnson, who lived in the same house as the Lanagans, testified that “Wm Kane was in bed two days before he was sent to the Hospital. He was quite stiff all that time[,] he could not turn his head.” The Lanagans then sent for a doctor, who “said the child had the lock jaw.” A woman identified in testimonies only as Mrs. Cline brought Kane to the hospital, where he arrived “paralyzed and insensible” according to the hospital clerk. It was already clear the boy was dying, but he lingered for four more days. Officer Frank Byrnes, who knew him well, visited Kane three times in the hospital, and on the first day Kane told him that “Mary Ann Hickey had beat him, tied his two hands, and put him in a barrel of water.” That admission is the only time we hear Kane’s voice, even indirectly. The boy died on May 10. Physicians soon concluded that he died of idiopathic tetanus as “the child was stiff in the back; indeed, from his heels to his head,” but the inquest found that his body had “no marks of violence.”⁶¹⁰

Two doctors testified that the Lanagans’ and Hickey’s abuse of Kane likely led to the tetanus, but they could not assign it definitively as the cause. The city physician explained during the trial that “The causes of this character of lockjaw are remote. It may be occasioned by hunger, exposure, fear, ill-treatment, epileptic fits, etc.”⁶¹¹ The neighbors’ testimonies of abuse, however, evidently overpowered the physicians’ equivocation as the jury convicted Billy Lanagan and Mary Ann Hickey and sentenced them both to six months in the State Penitentiary in Baton Rouge. (Why Annie Lanagan was excluded is not clear,

⁶¹⁰ *Ibid.*

⁶¹¹ “The Lanagan Murder Case: The Accused on Trial,” *Daily Picayune*, 30 June 1871.

especially since it was she rather than her husband who allegedly participated in April 28 incident.)

After the guilty verdict, the *Picayune* supported Billy Lanagan's motion for a new trial (which apparently did not meet with success). The paper argued that "In the original trial there was nothing to show that the child, Willie Kane, died of ill-usage directly attributable to the accused," referring to the doctors' testimony that tetanus could be produced by a number of causes. It was at this point that the paper revealed the existence of Kane's elder brother, who "it is understood, says and will testify that his little brother was kindly treated." Finally—and rather audaciously—the *Picayune* claimed that the general public had been "greatly prejudiced by rumors that gained circulation before [the] trial," many of which of course had been carried by the paper itself.⁶¹²

While the paper warned "that an evil report spreads fast and is augmented by every one who retells it," the Lanagan and Hickey case exposed the limits as much as the extent of neighborhood gossip.⁶¹³ At least thirteen neighbors testified in the case, many of them providing extensive evidence of the mistreatment that Kane routinely received. Yet they had been willing to tolerate, even condone, the violence they regularly witnessed. Even the violent April 28 incident had not initiated any charges against the Lanagans and Hickey, a process only begun after Kane's death almost two weeks later. The case thus revealed not only the weight given to neighborhood gossip in murder cases but the forbearance with which many New Orleanians viewed everyday violence, including that against children. The

⁶¹² "The Lanagan Case: Motion for a New Trial," *Daily Picayune*, 12 June 1871.

⁶¹³ *Ibid.*

Picayune's coverage, moreover, suggested the clemency that white skin could earn a defendant for murder, especially if she were as beautiful as Annie Lanagan.

What distinguished Willie Kane's tragic death from so many other household and neighborhood altercations was not only his young age but the duration of the mistreatment he received. Most deadly quarrels, by contrast, were spontaneous and involved adult combatants. When an Irish woman named Mary Doyle argued with her landlady over rent in 1867, the quarrel escalated from recriminations to name-calling to, allegedly, fatal physical violence. The landlady, an older black woman named Jane Brown, fell into a faint after the fight and died soon after. Doyle's trial for Brown's murder exposed household dynamics in a working-class New Orleans neighborhood, where a white immigrant woman might rent from a black family. It also demonstrated the district attorney's willingness to charge an Irish woman, increasingly placed in the racial category of "white," with the death of an African American in the early years of Reconstruction. Unlike the Kane case, however, the relative silence of Brown's neighbors as well as her race and age likely contributed to Doyle's acquittal.⁶¹⁴

On the night of April 29, 1867, on Perdido Street not far from the Lanagans' household, Jane Brown asked of her tenant Mary Doyle, "Ain't you going to pay your rent tonight?" Brown had first approached Doyle, who rented a room from her, a few nights before, but Doyle had still not paid. The tenant claimed she had a good reason not to pay, answering that "When you bring my clothes back I will pay you." Brown denied stealing any clothing, telling Doyle that she herself found Doyle's trunk open in her room earlier that day and locked the door to protect Doyle's things. "If you think your clothes are gone you

⁶¹⁴ *State of Louisiana v. Mary Doyle*, case no. 18026, 29 April 1867, First District Court.

may search my house before you leave,” Brown told her accuser. This exchange took place as both women remained in their respective rooms, shouting at each other down the open gallery of the house. Their shouts attracted the attention of Brown’s daughter, Emily Banks, and Banks’s husband Henry. Henry came out of their room onto the gallery, and Emily went to her mother, who was then heading to Doyle’s room.⁶¹⁵

The quarrel escalated from here. Now in Doyle’s room, Brown reiterated that she had not stolen her clothes, to which Doyle replied that “I wish they may do good to those who have them, they may go to hell,” adding that Brown was a “d—Liar.” Brown said to her daughter, “listen at that irish biddy cursing me . . . she can’t stay in my house and curse me for a damned bitch.” Turning back to Doyle, Brown said “don’t call me that in my own house, after the care I have taken with you and your child,” suggesting that she resented Doyle for violating their friendship as much as their financial arrangements. Emily Banks told the court what happened next:

At this accused struck deceased in the breast . . . with her fist.
Witness ran between accused and deceased and caught
deceased in her arms and found deceased had lost her speech.
Witness then called for her husband to come help her . . . and
[he] helped carry deceased on to the gallery.

Doyle immediately fled the room, and Henry Banks sent his wife “to go for whiskey to rub deceased with.” Within a few minutes, Jane Brown was dead, passed before her daughter could return to her side. Henry Banks testified that Doyle then returned to her room and inquired “is she dead?” When he confirmed she was, “Mary Doyle broke and ran into the

⁶¹⁵ *Ibid.*

street.” Where Doyle’s child was during all this time or what later became of him/her is unknown.⁶¹⁶

Unlike the extensive and opinionated newspaper coverage of the death of young Willie Kane, the murder case against Mary Doyle received a straightforward retelling by the *Picayune*. The paper offered little comment on the case besides relating its general outlines to readers. Its only descriptions of the women involved were to identify Jane Brown as “an old colored woman” and Doyle as “an Irish woman” and once as “a very poor woman.”⁶¹⁷ Both descriptions marginalized the women, especially since no further elaborations were made on either their physical appearance or their moral character. The only editorializing was to caution readers that “the daughter of the deceased was the only one who testified that any blow was given.”⁶¹⁸ This observation was not strictly born out by testimonies at either the inquest or trial in which Henry Banks as well as his wife recounted that, as Henry said, Doyle “struck [Brown] with her fist.” Nevertheless, the three other neighbors called to testify at Doyle’s trial could only corroborate the verbal altercation; they heard the shouts but did not witness any blows, meaning that only Brown’s relations made allegations of an assault.⁶¹⁹

More than the act of alleged violence itself, the focus of the trial and its reporting came to be Jane Brown’s age, which was estimated between sixty-five and seventy and repeatedly deemed “old.” At the inquest the coroner reported that he was “unable to find any

⁶¹⁶ *Ibid.*

⁶¹⁷ “Investigation Concerning the Death of Jane Brown, Colored: Mary Doyle Arraigned,” *Daily Picayune*, New Orleans, Louisiana, 4 May 1867, 8; “The Case of Mary Doyle,” *Daily Picayune*, New Orleans, Louisiana, 5 May 1867, 8; and “The Case of Mary Doyle,” *Daily Picayune*, New Orleans, Louisiana, 25 May 1867, 8.

⁶¹⁸ “The Case of Mary Doyle,” *Daily Picayune*, 5 May 1867.

⁶¹⁹ *State of Louisiana v. Mary Doyle*, case no. 18026, 29 April 1867, First District Court.

charges that would indicate death by violence” but instead observed the ossification of the valves of the heart, which was “very common among old people.” A neighbor testified that “deceased was not what he would call a right sound hearty woman,” and the city physician proffered an extended discussion of how Brown’s “death was caused by fainting.” He testified that he had conducted an exhaustive autopsy in which “there was no evidence of death by violence at all.” Instead Brown had taken a shock and, due to her age, fainted. Nor was Doyle to blame for the shock as he explained that “a scare crow presented to deceased while living might as readily have induced death.” If anything, Henry Banks mishandled her during the faint. As the *Picayune* summarized, “The body was held up, when it should have been laid out at full length to permit a reaction of blood to the head.”⁶²⁰

With this evidence in mind, the jury quickly acquitted Doyle and “The prisoner was thereupon discharged and went her way rejoicing.”⁶²¹ Significantly, no discussion of the case commented on the interracial composition of the household, nor did the *Picayune* oppose charging an Irish woman with the death of a woman of color or even applaud her acquittal. Neighbors’ relative silence in this case and the *Picayune*’s matter-of-fact reporting divested Brown’s death of any sensationalism, and the 1867 incident became an unfortunate accident suffered by a woman marginalized by her race and age.

Five years after Jane Brown’s death, another neighborhood quarrel ended in the death of an older woman, but this confrontation was witnessed by the neighborhood. One Sunday afternoon in summer 1872 Louisa Simmons and Rachel Groves began trading insults on Erato Street outside Groves’s home. The barbs soon became blows, although at whose

⁶²⁰ *State of Louisiana v. Mary Doyle*, case no. 18026, 29 April 1867, First District Court; and “Investigation Concerning the Death of Jane Brown, Colored: Mary Doyle Arraigned,” *Daily Picayune*, 4 May 1867.

⁶²¹ “The Case of Mary Doyle,” *Daily Picayune*, 5 May 1867.

initiation differed among witnesses' accounts. Later that day Groves's daughter, Celestine Davis, was frantically summoned home by her children, who told her that "Grandmother was dying." Davis found her mother "perfectly paralyzed"; Groves passed away eight days later in Charity Hospital. Testimonies in the case paint a neighborhood divided in its opinions of the deceased, the accused, and what transpired between them.⁶²²

The lack of a clear narrative in the case—how the fight began, who struck the other, and what the allegedly fatal blow was—made Groves's death difficult to explain. The encounter began after an afternoon summer rain shower. Neighbor Mary Ann Keenan, standing in her doorway, saw Louisa Simmons pass by soaked with rain. "I told her 'it wouldn't hurt her much,'" Keenan told the court, teasing her short neighbor that "'it made her grow two inches taller.'" Rachel Groves then came out of her door acting as though she would measure Simmons, who pushed her away saying that "[Groves's] daughter had been talking bad about her and she didn't want any thing to do with her." Keenan testified that Groves "then went in the house, came out with a brick and threw it at accused." Another neighboring woman, Maria Baptiste, witnessed how quickly the tenor of the encounter changed, telling the court that "[I] Saw Rachael Groves meet the accused, they commenced playing and afterwards quarreled." Baptiste continued that she then "Saw Rachael Groves throw a brick at Louisa, the accused." Both neighborhood women testified that they "did not see accused strike the deceased."⁶²³

Other neighbors blamed the violence on Simmons, recounting that she forced her way into Groves's house. Abram Evans, the only man to testify in the case, said that "Accused

⁶²² *State of Louisiana v. Louisa Simmons*, case no. 4502, 21 July 1872, First District Court.

⁶²³ *Ibid.*

picked up a piece of block and threw it into the house.” None of these witnesses saw Simmons actually striking Groves, but they recalled her bragging about the harm she had done Groves and would not hesitate to do again. Mary Jane Robinson joined the crowd assembling on the street outside Groves’s house as the women quarreled. “When I got there,” as she told the court, “Louisa was coming out, and says ‘Now you won’t trouble me no more for I am tired of it.’” When Robinson commented that “you ought to be ashamed to knock the old lady down that way,” Simmons retorted, “You had better attend to your business if you know what is good for yourself.” Similarly, when Celestine Davis confronted Simmons after seeing her mother’s dangerous condition, “I asked her if she struck Mother. Accused said she did and she would strike me.”⁶²⁴

The trial explored the question of possible intemperance and mental illness, trying to account for the violence. Neighbors who maintained Simmons’s innocence described Groves as often drunk and possibly insane. Mary Ann Keenan testified that Groves “was under the influence of liquor” when the two women quarreled, and Maria Baptiste branded Groves an habitual drunkard, adding that she kept her distance from Groves after realizing that the older woman was “in the mania way.” Baptiste, who lived in the same house, even suggested that Groves may have injured herself well after the afternoon fight. When Baptiste returned home at ten o’clock that night, “The deceased was in her room, throwing herself about and making a violent disturbance . . . [which] continued all night and until I left home the next day.” The neighborhood, though, was far from unanimous about Groves’s drinking. Mary Jane Robinson, who had confronted Simmons about attacking the older woman, spoke well

⁶²⁴ *Ibid.*

of Groves and told the court that “I have known her for over three years. I had never known her to be drunk.”⁶²⁵

As with Jane Brown’s death, the deceased’s age once again overshadowed accusations of violence in the city physician’s assessment of the case. In her sixties, Groves was repeatedly described by neighbors as “the old Lady,” and the city physician testified that her “brain had been suffering from [a] degeneration of the vessels for some time.” He could not rule out that a violent blow had caused her apoplexy but, as he told the court, “she was liable to die at any time from any exciting cause.” Among the numerous contradictions of neighbors’ testimonies, the jury concluded that it had insufficient grounds for conviction and soon acquitted Simmons.⁶²⁶

How easily Simmons returned to the neighborhood so divided on the question of her complicity in Groves’s death is unknown, but the afternoon quarrel which began so simply with a joke about the rain demonstrated how easily violence fractured communities and how seamlessly it blended into daily life. These incidents opened New Orleans’s diverse working-class neighborhoods to scrutiny, including of their creative constructions of family and friendship forced by circumstance and proximity. That these relationships frequently crossed racial lines was so commonplace that it merited no special comment. The trials exposed neighbors’ intimate assessments of each others’ lives, habits, and health, questions that became even more pressing when women were accused of murdering their closest of associates, their husbands.

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⁶²⁵ *Ibid.*

⁶²⁶ *Ibid.*

The search for an understanding of how women could be capable of deadly violence became a much more explicit concern with accusations of women killing their husbands. Explanations for such violence had to overcome not only the intimacy of such relationships but also the differences in power, both physical and social, between men and women. Alcohol use by one or both parties, a long history of abuse, and the tangled bonds among spouses, families, and the larger community allowed for public sympathy, even leniency, for some women suspected of killing their husbands, but lines of race were more consequential than in many other types of women's crimes.

The murder of Charles Durnin, a fifty-three-year-old Irish immigrant, in November 1870 by repeated blows to the head with an axe “startle[d] the community with a horror so unexampled,” in the *Picayune*'s words.⁶²⁷ Alerted by a concerned neighbor, the local beat policeman passed Charles's wife Jane calmly “stirring up some soup or stew in the yard,” entered the home, and found Durnin lying on the sofa “bleeding profusely.” Returning outside, as the officer told the court, “I then asked Mrs. Durnin what did she do . . . and she said go and see for yourself.” After checking back on Charles, unbuttoning his collar, calling him by name, and yet finding him still unresponsive, the policeman located an axe “Covered with blood” near the cistern, and he arrested Jane Durnin for the murder of her husband.⁶²⁸

A tenant of the Durnins, a black woman named Maria Marion, was the only witness to the deadly act. From her room at the back of the house, Marion “heard something like a pounding noise, and heard some one which I think was Mrs. Durnin call three times to

⁶²⁷ “Homicide on Clara Street: A Man Killed by His Wife,” *Daily Picayune*, New Orleans, Louisiana, 17 November 1870, 2.

⁶²⁸ *State of Louisiana v. Jane Durnin*, case no. 2750, 16 November 1870, First District Court.

Charley to get up.” Leaving her room, Marion followed Mrs. Durnin’s voice to the doorway of the front room and, as she later told the court, “[I] saw her give the ax on his head.” When Marion asked her what she was doing, Mrs. Durnin snapped back, “go and mind your own God Damn business and don’t interfere,” at which Marion rushed back to her room and “locked my door.” Mr. Durnin was dead soon thereafter.⁶²⁹

Like her husband, Jane Durnin was Irish and she was also at least ten years his senior, listed as sixty-five by the *Picayune*. The day after the attack, in its first of many articles covering Charles’s death, the *Picayune* described Jane Durnin as “An old woman, gray-haired and decrepid,” her appearance hardened by poverty and drink. As the paper said of her and her husband, “both were accustomed to drink[,] the man, it is said, being almost constantly intoxicated.”⁶³⁰ Hours before his death, Maria Marion had seen Charles “stumbling” around the house visibly intoxicated, first unsteadily making his way downstairs, then outside to the water closet, and finally to the sofa in the front room, where his wife later encountered him. Marion also remembered that “Mrs. Durnin seemed to be a little intoxicated but not much.”⁶³¹

Upon first reporting the horrors of the incidents, “unparalleled in the annals of crime,” the *Picayune* concluded that “Either desperate ferocity, or the mind driven frantic by ill-treatment, could alone have prompted the execution of so dreadful a deed.”⁶³² Indeed, while Jane Durnin never denied responsibility for the bloody act, from reporters’ first visit to her prison cell she maintained that she had acted in self-defense. As the *Picayune*’s reporter

⁶²⁹ *Ibid.*

⁶³⁰ “Homicide on Clara Street: A Man Killed by His Wife,” *Daily Picayune*, 17 November 1870.

⁶³¹ *State of Louisiana v. Jane Durnin*, no. 2750, 1870.

⁶³² The *Picayune* identified Jane Durnin as “Jane Darwin” in much of its early coverage of the event.

related, “When informed that her husband was dead she exclaimed: ‘I’m glad of it; had he laid his hands on me again, I would have been gone forever.’ These words were said in a calm determined tone that left no doubt of her sincerity.” Mrs. Durnin’s version of events filled in the gap between Marion’s seeing a drunken Charles collapse onto the sofa and hearing “pounding” sounds of violence hours later. Durnin told reporters and later the court that her husband had threatened to kill her. The *Picayune* retold her narrative,

She endeavored to get out of his way, and did escape with a single blow, the man returning to bed and the woman going out of the house, but she almost immediately returned, armed with a hatchet, and demanded to know if he was in earnest when he said he would kill her. He replied, “Yes, I am,” and at the words she hit him with the blade of the hatchet, repeating the blow six times, inflicting mortal wounds.⁶³³

With this description Durnin made it clear that her husband first perpetrated the violence and threatened to continue it in the future. She later told at the court that she acted “to save her life from the fury of a man maddened by drink, and insanely bent on her destruction.”⁶³⁴

Despite the terrible violence of her attack, Jane Durnin received what the paper identified as “widespread pity” throughout the six months from Charles’s death to her final acquittal.⁶³⁵ Although horrific, her response was deemed justifiable by her husband’s long-standing abuse, a focus of much of the trial alongside the alcoholism that no doubt enflamed this violence further. The First District Court initially tried Durnin on a charge of murder, a case that ended with a *nolle prosequi*, and then on a charge of manslaughter. At both trials the Durnins’ son and daughter, “two very respectable young people” in the *Picayune*’s

⁶³³ “Homicide on Clara Street: A Man Killed by His Wife,” *Daily Picayune*, 17 November 1870.

⁶³⁴ “Tragedy on Clara Street,” *Daily Picayune*, New Orleans, Louisiana, 20 May 1871, 3.

⁶³⁵ “The Homicide on Clara Street,” *Daily Picayune*, New Orleans, Louisiana, 22 November 1870, 2.

estimation, testified on behalf of “their unhappy mother,” tracing the troubled track of their parents’ thirty-year marriage.⁶³⁶

The son James recalled a particularly terrifying incident in 1859 when his father “while in his drunkenness” threatened to kill Jane with a double-barreled shotgun. “I jumped in front of my mother telling my father to kill me and not my mother,” James told the court. When this did not dissuade Charles, the daughter Kate, then just eleven, also moved between her mother and father, “thinking that as she was his favorite child that he would stop.” Still he did not back down until the family’s dog, as James narrated, “Seeing the attempt my father made on my mother, he seized my father by the right wrist and sunk his teeth in, then my father dropped the gun saying, it is time to drop it, as even the dog has gone against me.”⁶³⁷

After this 1859 incident, Charles Durnin abandoned the family for California, returning to New Orleans at an unspecified date. He may have been gone for some time or frequently absented himself as the police officer who discovered the scene pointedly referred to the house as “Mrs. Durnins.” Kate Durnin, now twenty-two, reported seeing her father “with an ax in his hand trying to get into the house,” suggesting that her mother may have been keeping him out. Either way, Charles was home often enough to continue to visit violence on his wife. James called the abuse “everyday life” and detailed two recent episodes in which his father “attempted to throw my mother down stairs, [and] he drew a carving knife on me no later than three weeks ago whilst I was defending my mother.” Kate had been able to take the knife away from her father but affirmed that “[I] have heard my

⁶³⁶ “Tragedy on Clara Street,” *Daily Picayune*, 20 May 1871.

⁶³⁷ *State of Louisiana v. Jane Durnin*, no. 2750, 1870.

father threaten my mother's life almost every day," adding that "My father was very quarrelsome when in liquor."

The children's portrait of their abused mother conveyed a very different impression of Jane Durnin than her tenant Maria Marion's relation of an aggressive landlady shouting "mind your own God Damn business." Marion mentioned nothing relating to violence in the family, even though the four months that she had resided in the house would have included the encounter with the carving knife. Nevertheless, the children's portrayal of their mother's long sufferance carried more weight than the testimony of a black tenant, and Jane Durnin was acquitted on the charge of manslaughter. The *Picayune*'s last comment on the case was that "This verdict restores an aged woman of many afflictions and a sad life, to her family and children. The awful tragedy forced upon her was perhaps inevitable, and she has been kindly judged by men."⁶³⁸

The *Picayune* suggested that the abuse Jane Durnin had long endured led to a "partial insanity" and proposed that "it was in an impulse of delirium that the fearful deed was committed." Such a pronouncement helped the *Picayune* to understand the murder and, in particular, its brutality. A "perpetual dread of her life" was alone insufficient to explain Durnin's violent deed entirely, even against a husband as "excessively tyrannical and brutal" as hers.⁶³⁹ Instead, she had to be gripped, if only in the deadly moment, by a mania that absolved her of even justifiable culpability in her husband's horrific death.

A similarly violent murder occurred in August 1865 when another husband was discovered dead on a sofa with a bloody hatchet nearby. In this earlier crime, however, both

⁶³⁸ "Criminal Court," *Daily Picayune*, New Orleans, Louisiana, 21 May 1871, 3.

⁶³⁹ "The Homicide on Clara Street," *Daily Picayune*, New Orleans, Louisiana, 18 November 1870, 2.

husband and wife, while also Irish, were younger than the Durnins and had no apparent history of abuse. Alcohol again played a prominent role in the death, although here on the side of the supposed murderess. Intoxication did not fully absolve the wife of guilt, but the case at least admitted of some doubt, in part due to race. The *Picayune* first introduced this “appalling murder” with a Shakespearean couplet: “Murder most foul as in the best it is,/ But this foul, strange and unnatural.” While not Hamlet’s patricide, the alleged murder of forty-year-old John Manning by his wife Catharine was nevertheless “foul, strange and unnatural” both in its brutality and in the relationship between the pair.⁶⁴⁰

John Manning was a steamboat deckhand married since 1859; Catharine, now thirty-three, had borne two children but neither had survived. The couple quarreled one day over a large sum of money, some three to five hundred dollars according to different accounts. Early the next afternoon, John collapsed on the sofa in a drunken stupor just as Charles Durnin did. He may never have risen again as neighbors found “large clotted drops of blood, and a man lying on his face,” according to one woman named Margaret Murray. A black boy, thirteen years old, saw Catharine Manning saying ““What shall I do? what shall I do?”” as she tried to revive him by “pour[ing] water down his throat.”⁶⁴¹ The autopsy reported “Six wounds on the scalp, one in the face, [and] four fractures of the skull, made with an ax or hatchet.”⁶⁴² It was another vicious murder that pointed to the victim’s wife.

The *Picayune* deemed “this whole case to be one of miserable, low, unredeemable butchery,” and yet it sought an explanation for the violence. Just as Jane Durnin had to be

⁶⁴⁰ “Murder,” *Daily Picayune*, New Orleans, Louisiana, 11 August 1865, 8.

⁶⁴¹ “Evidence Before the Jury of Inquest,” *Daily Picayune*, 12 August 1865.

⁶⁴² “Murder,” *Daily Picayune*, 11 August 1865.

driven mad in order to murder her drunken husband with an axe, so Catharine Manning had to be herself indisposed in some fashion. “Sudden irritation, the demon of intemperance, or, most probably, the devil himself, possessed the wife,” the paper observed.⁶⁴³ The devil may have been the most interesting explanation but intemperance was the most likely since, as the paper judged, Catharine Manning “had a countenance defiled with habitual drink,” and she had been arrested and fined fifteen dollars for public drunkenness just the night before the murder.⁶⁴⁴ Her use of alcohol did not absolve Manning of guilt, but it did explain how a woman could be capable of striking her husband in the head eleven times with a hatchet—gruesome work to undertake.

For her part, Catharine Manning denied having killed her husband. She claimed instead that, as the Chief of Police John Burke recounted, “her husband had come in all covered with blood.” Burke, however, saw no blood “on the dead man’s shoes, or lower part of his pants” nor on any other article on his person; there was no trace of blood on “the banquette for half a square,” but Burke did see evidence that blood had been washed from the sofa and “He found behind the door a bucket of blood water, covered with a woman’s dress.”⁶⁴⁵ The *Picayune* itself believed that it had tricked Manning into a confession of guilt when its reporter, “by way of a ruse,” informed her in her prison cell the morning after the incident that John had survived. “I am glad of it, for I was afraid I had killed him,” Manning was reported as responding.⁶⁴⁶

⁶⁴³ “Evidence Before the Jury of Inquest,” *Daily Picayune*, 12 August 1865.

⁶⁴⁴ “Evidence Before the Jury of Inquest,” *Daily Picayune*, 12 August 1865; and “Murder,” *Daily Picayune*, 11 August 1865.

⁶⁴⁵ “Evidence Before the Jury of Inquest,” *Daily Picayune*, 12 August 1865.

⁶⁴⁶ “More About the Murder,” *Daily Picayune*, New Orleans, Louisiana, 12 August 1865, 2.

That Catharine Manning was intoxicated at the time of the murder—a fact corroborated by Chief of Police Burke—would not have legally protected her from conviction, even if it helped the *Picayune* account for the ferocity of her violence. Instead, the case itself admitted enough doubt to accommodate Manning’s proclamations of innocence. “The case is one of a peculiar, revolting and aggravating nature,” the *Picayune* acknowledged at the conclusion of her trial, “but the guilt of the accused rests solely upon circumstantial evidence.”⁶⁴⁷ Even as neighbors were adamant that “there was no one else to do it,” no one had witnessed Catharine in the same room as her husband before his death.⁶⁴⁸

There was, moreover, another neighbor on whom a general sense of misgiving focused, a woman named Anne Morgan. The *Picayune* described her as “a dark Indian-like-looking woman,” a description that distanced her from the Irish women involved in the case. Besides the unnamed black boy, Morgan was the first person to arrive on the scene and the first to accuse Catharine Manning of murder. The *Picayune* qualified Morgan’s account by adding “if her story is to be believed,” and another neighbor testified that “Mrs. Morgan was intoxicated” when she ran to inform others of the murder.⁶⁴⁹ None of the depositions, trial testimonies, or newspaper accounts went so far as to accuse Morgan of any misdoing beyond being meddlesome and drunk, but her strange, even sinister presence in the case, especially as a woman of color, may have raised enough doubt to help secure Manning’s eventual acquittal from what was in 1865 still an all-white jury.⁶⁵⁰

⁶⁴⁷ “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 8 February 1866, 2.

⁶⁴⁸ “Evidence Before the Jury of Inquest,” *Daily Picayune*, 12 August 1865.

⁶⁴⁹ *Ibid.*

⁶⁵⁰ “First District Court,” *Daily Picayune*, 8 February 1866.

The role of race in the perception of women's murder cases became clearer in the treatment received by a woman of color named Jane Washington, who was accused of murdering her husband Abram in August 1865. Occurring the same month as John Manning's murder, Abram Washington's death was a slower, more mysterious process. Like other couples exposed to public scrutiny in these murder cases, the Washingtons "were not patterns of conjugal felicity" and were rumored to quarrel frequently, as the *Picayune* reported.⁶⁵¹ According to a witness, Jane stabbed Abram in the head with a knife during an argument; as the deposition read, "witness says that the knife was driven with great force against the head." Others testified that Jane later admitted to attacking her husband, threatening that "if he did not act right she would see his heart's blood." She allegedly told an acquaintance, "I feel better now since Abe and I have had a fight."⁶⁵²

Unlike the Durnin and Manning cases, though, neither court records nor the *Picayune's* reporting elucidated the cause of the Washingtons' quarrels. Neither abuse nor money, mania nor drunkenness, was deployed to account for the violence—the violence simply was. In the absence of other explanations, the Washingtons' race stood at the center of the story and was thus implied to be the root of Jane's deadly attack. In fact, the violence visited on Abram Washington, while certainly brutal, was not as horrific as John Durnin's and Charles Manning's deaths by axe and hatchet respectively, both of which produced almost immediate death. Abram Washington, by contrast, lived eleven days after the encounter, and his condition during this period was a crucial question in the trial against his wife. A neighbor testified that Abram wore a bandage over the wound and, four days after

⁶⁵¹ "First District Court—Judge Abell," *Daily Picayune*, New Orleans, Louisiana, 13 December 1865, 2.

⁶⁵² *State of Louisiana v. Jane Washington*, case no. 16820, 8 August 1865, First District Court.

the altercation, fell noticeably ill. As the man described, “he then took to bed and had severe, nervous symptoms, he seemed to have lost his reason and was uncontrollable.” Before this illness, as this neighbor testified at the inquest, “deceased was a healthy man; was at work on the Levee every day.”⁶⁵³

Jane Washington’s defense was not recorded in either court documents or the newspaper, but the *Picayune* remarked that it featured “root doctors, negro preachers, and others” to persuade the all-white jury that “Abraham came to his death from natural causes.” These were hardly groups to which the paper accorded respect, nor did it grant Washington herself a sympathetic portrayal. In her forties, she was described as “stout and coarse-looking.” As the paper continued, “we do not think any body would fall in love with her, or kiss her for her mother’s sake.” The jury evidently agreed with this harsh assessment, rather quickly finding Washington guilty, albeit “but of manslaughter” to the paper’s palpable disappointment.⁶⁵⁴

By several measures the case against Jane Washington was more ambiguous than Jane Durnin’s or Catharine Manning’s. There were no witnesses to the act, and her husband died over a week later. Like other women, though, Washington did admit attacking her husband and threatening him further harm. Washington’s conviction and her two-year sentence for the State Penitentiary were later overturned by the Louisiana Supreme Court, who ruled that medical testimony ascribing Abram’s death to the assault eleven days earlier by comparing it to another case had been misleading to the jury.⁶⁵⁵ Nevertheless,

⁶⁵³ *Ibid.*

⁶⁵⁴ “First District Court—Judge Abell,” *Daily Picayune*, 13 December 1865.

⁶⁵⁵ *State of Louisiana v. Jane Washington*, no. 16820, 1865. For more on Jane Washington’s case, see “Coroner’s Inquest,” *Daily Picayune*, New Orleans, Louisiana, 22 August 1865, 2; “Inquests,” *Daily Picayune*, New Orleans, Louisiana, 22 August 1865, 2; “First District Court—Judge Abell,” *Daily Picayune*, New

Washington's depiction by the paper—and her initial conviction itself—differed noticeably from the treatment given to white, even Irish, women suspected of murdering their husbands. Race affected all areas of women's criminality, but racial distinctions emerged incontrovertibly in cases of murder. Jane Washington's case suggested a racialized approach to women's deadly violence that would crystallize in one of the most notorious murder cases of the period, that of Pelagie Brown and the deadly ice cream. In this case, where money, property, and power were all clearly at stake, black women became an even clearer threat, not just to those around them, but to society at large.

* * *

When women's disputes over property turned deadly, the alleged murders were especially dangerous to the South's precarious social order, particularly when they involved black women. Narratives of accidents or abuse, drink or derangement failed to account for women's actions when an untimely death stood to bring them monetary gain. This type of case was disturbing to the general public because it revealed women to be capable of cruel, calculated, and deadly violence while at the same time according with many long-standing fears of African-American women in particular. Race thus came to be the focus in the *Picayune's* coverage of such murder cases. Focusing on black women's deadly ambitions, the paper presented their pursuit of increased economic power as a deadly game that revealed the worst tendencies of their race and of Reconstruction itself.

Murder cases involving disputes over money or property spun particularly intricate webs of relationships, deceptions, and legal proceedings. Such cases allowed the public to

Orleans, Louisiana, 17 December 1865, 6; "First District Court," *Daily Picayune*, New Orleans, Louisiana, 6 February 1866, 2; and "The Courts: Supreme Court of Louisiana," *Daily Picayune*, New Orleans, Louisiana, 17 April 1866, 5.

scrutinize the complexities of both personal relations and economic and legal practices under the guise of a murder investigation. The conclusions reached, though, often had as much to do with the race of the woman involved as the case itself. Such an inquiry occurred with the death of a forty-eight-year-old Irish man named Peter McGloin in December 1871 and the suspicion of his sister-in-law's involvement. McGloin disappeared after last being seen drinking with a group of men at a coffeehouse, already appearing rather worse for the wear in the middle of the afternoon. His body was found nine days later in the New Basin under a bridge, and the city surgeon concluded that "death was found to have been caused by a wound, 4 inches in length, inflicted with a sharp cutting instrument, on the left side of the head."⁶⁵⁶

Two of McGloin's male drinking companions and his sister-in-law, all white or perhaps Irish, were suspected of his murder. Ann McGloin, though only charged as an accessory, was at the center of events as Peter's disappearance was presumed by many, including his own brother (and Ann's husband), to be connected to a legal case he had been pursuing against her. In a case still tied up in the legal system, Peter alleged that Ann owed him six hundred dollars although she claimed that his charge was based on a forged document.⁶⁵⁷ Suspicion against Ann McGloin postulated a partnership with two men named Barney Duffy and John Farmer to help her perpetrate the murder.⁶⁵⁸

⁶⁵⁶ *State of Louisiana v. Barney Duffy, John Farmer, and Ann McGloin*, case no. 3844, 14 December 1871, First District Court.

⁶⁵⁷ *Ibid.*

⁶⁵⁸ Their description as "old men" by the *Picayune* might also have implied Ann McGloin's centrality in the alleged murder. "Trial of Barney Duffy, John Farmer and Ann McGloin: For the Murder of Peter M'Gloin," *Daily Picayune*, New Orleans, Louisiana, 19 April 1872, 2.

As Duffy and Farmer both narrated to the court, they met Peter McGloin when walking down the street one afternoon, and they all agreed to share a drink at Mr. Weaver's Coffee House. Duffy had known McGloin for many years, having employed him before and after the war, but McGloin and Farmer were unacquainted before that day. After the drink Duffy and McGloin continued talking while Farmer moved across the room to read. Soon after Duffy and McGloin approached him, asking him to read aloud a note the latter carried. Expressing "some remorse on his Con[science]," McGloin asked the two men to sign the document as witnesses. Duffy later described its contents: "The document read that the deceased had never lent a cent to the deceased's Brother's Wife [Ann], or that she had even asked any Money from him." Duffy described it simply as "a family Broil," while Farmer remembered "I said I was very sorry to see so many of my Country Men doing rash acts [and] regretting them afterwards, but however this [was] of no account as it was irregular and not drawn up right, and that it was a matter of No Consequence who signed it." So Farmer, not giving it a second thought, signed the note as did McGloin and Duffy and the three men then went their separate ways.⁶⁵⁹

Beyond Barney Duffy and John Farmer's recounting of the events at the coffeehouse, much of the other testimony in the case—all of which was reprinted verbatim in the *Picayune*—concerned the role of Ann McGloin.⁶⁶⁰ Her marriage to the deceased's brother Hugh came under scrutiny as the two had apparently long been separated. A female friend of Ann, who had known her for sixteen years, told the court that she knew that "the McGloins have sued Mrs. McGloin for money and a suit of divorce [but] I have never heard Mrs.

⁶⁵⁹ *State of Louisiana v. Barney Duffy, John Farmer, and Ann McGloin*, no. 3844, 1871.

⁶⁶⁰ See in particular "The New Basin Murder," *Daily Picayune*, New Orleans, Louisiana, 16 December 1871, 2; and "The Murder at the New Basin," *Daily Picayune*, New Orleans, Louisiana, 17 December 1871, 7.

McGloin mention anything about the McGloins only that she regreted having married him.” Hugh McGloin quickly ascribed Peter’s disappearance to his estranged wife. Searching for his brother days later, Hugh met Ann on the street, and “She shook her hand at me and said I’ve killed your Brother and I’ll kill you.” Ann denied the allegations.⁶⁶¹

Bystanders near the New Basin, where Peter McGloin’s body was later discovered, reported hearing the sounds of struggle, including a woman’s voice, the night of his disappearance. A black man named Thomas Jones offered the following testimony, recorded hastily by the court clerk: “Says he heard a mighty screaming. Saw a scuffle[,] heard a man say murder murder watch watch, heard a cry don’t Kill me, heard a splash . . . [and] heard a woman say give him another lick.” A white man employed as a night watchman at the New Basin, also heard the sounds of a violent struggle followed by a splash. A third witness saw the confrontation unfold and was herself seen by the accused co-conspirators. The witness, a white woman named Annie Reed, told the court that “Mr. Duffy struck one of the others[,] the man who was struck said oh my God [and] I heard a splash[,] heard a woman say you better give him another lick.” The trio then approached Reed, and Ann McGloin “offered me 25 dollars to keep the secret of the killing of the man.” Reed offered the most damaging testimony against Duffy, Farmer, and McGloin and, again, placed Ann at the center of the murder.⁶⁶²

This is where the case stood when it dropped from the historical record abruptly in April 1872, five months after Peter McGloin’s disappearance. All three of the accused maintained their individual innocence although not necessarily that of each other. When

⁶⁶¹ *State of Louisiana v. Barney Duffy, John Farmer, and Ann McGloin*, no. 3844, 1871.

⁶⁶² *Ibid.*

asked under questioning “Are you aggravated with Mrs. McGloin,” John Farmer answered, “Slightly.”⁶⁶³ For Farmer, who maintained his innocence, Ann McGloin had subjected him to public suspicion that she had gotten him to murder her brother-in-law in retaliation for a charge of six hundred dollars against her. And yet even if Farmer meant the “Slightly” as a studied understatement, it perfectly expressed larger attitudes towards the case. The *Picayune* printed testimonies from the coroner’s inquest at length in the days after the discovery of Peter McGloin’s body, but the editorializing with which the paper was often so generous was absent from its coverage, replaced with verbatim transcription of witnesses’ testimony. Ann McGloin clearly stood at the center of events but did not receive so much as a physical description, much less a character assessment, from the paper. Caution appeared to rule the *Picayune*’s coverage of this case, and the race of its participants likely played no small part in this editorial reticence.

The *Picayune*’s representation of Pelagie Brown, the black woman widely believed to have served her landlady poisoned ice cream, demonstrated how race affected the paper’s treatment of an accused murderess and how these lines began to harden over the Reconstruction period. The events and personalities in Fanny Couch’s downtown boardinghouse at Carondelet and Poydras Streets on an early fall evening in 1865 are best related by a tenant who knew both the deceased and the accused well.⁶⁶⁴ Morris Bock, a German man, was one of the diverse boarders of Couch, a fifty-eight-year-old woman who herself claimed Mexican citizenship.⁶⁶⁵ Bock had a particularly close relationship with

⁶⁶³ *Ibid.* The First District Court likely dropped the case. See also “Suspicion of Foul Play,” *Daily Picayune*, New Orleans, Louisiana, 15 December 1871, 2.

⁶⁶⁴ “An Important Case,” *Daily Picayune*, New Orleans, Louisiana, 11 October 1865, 8.

⁶⁶⁵ “The Poisoning Case,” *Daily Picayune*, New Orleans, Louisiana, 13 October 1865, 2; and “First District Court—Judge Abell: Trial of Pelagie Brown,” *Daily Picayune*, New Orleans, Louisiana, 25 May 1866, 8.

Louisa Pelagie Brown (called Pelagie), so close that he later had to clarify for the court that, while he was “quite intimate with Mrs. Brown” and frequently went out riding and to saloons with her, “Witness did not want to marry or live with [her] . . . He has a family North.”⁶⁶⁶ Brown, a woman in her early forties, acted as a second-in-command for the boardinghouse when Couch was ill, as Bock reported his landlady had frequently been of late.⁶⁶⁷ In fact, Bock and other tenants had been paying their rent directly to Brown for several weeks on her instruction.⁶⁶⁸

Morris Bock knew of Pelagie Brown’s plans to open her own boardinghouse, perhaps at a new location or at Couch’s should she retire soon. One night as they made one of their frequent trips to a nearby ice cream saloon, she inquired if he would move to Canal Street if she opened an establishment there. He asked if that meant “she had not bought Fanny Couch’s furniture,” to which she responded that she would not pay Couch’s price of two thousand dollars as “it was not worth \$1500.”⁶⁶⁹ As they made their way back, Bock offered to carry the glass of ice cream they were bringing Couch, then sick in bed, but Brown insisted on holding it herself. Arriving home, Brown took the ice cream up to Couch, and Bock retired to his room where Brown awoke him sometime later telling him “You must go for a doctor—Fanny is taken violently ill!” Bock replied that they would have to tell the doctor that she had been eating ice cream, even if it made him angry, but Brown refused, saying “It is the doctor’s business to find out what is the matter with her.” The doctor gave

⁶⁶⁶ “Trial of Pelagie Brown,” *Daily Picayune*, New Orleans, Louisiana, 25 May 1866, 3.

⁶⁶⁷ “Mrs. Pelagie Brown’s Case,” *Daily Picayune*, New Orleans, Louisiana, 23 November 1865, 2.

⁶⁶⁸ “Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866; and “Trial for Perjury,” *Daily Picayune*, New Orleans, Louisiana, 11 December 1866, 8.

⁶⁶⁹ “Further Evidence Before Coroner,” *Daily Picayune*, New Orleans, Louisiana, 12 October 1865, 2.

Couch an emetic, but she still passed away overnight.⁶⁷⁰ A young girl in the house had also eaten some of the ice cream and, as her mother later testified, “was very sick afterwards and vomited some.” The girl fully recovered under the doctor’s care.⁶⁷¹

At this point the situation might have seemed simply a case of spoiled food and an immune system weakened by illness, but the issue of the sale of Fanny Couch’s furniture cast suspicion on the incident. Bock reported that Brown showed him a bill of sale for Couch’s furniture the next day shortly after the body was removed; the document, as he told the court, “purport[ed] to be signed by Mrs. Couch, stating she had received the money.”

Contradicting what she had said the night before, Brown told him that she had already bought out Couch’s operation but had not had a chance to complete her payments.⁶⁷² Soon the other tenants—and the police—were suspicious of these circumstances, especially when no part of the payment could be found among Couch’s belongings.⁶⁷³ Even her friend Bock worried about the inconsistencies in Brown’s story, later trying to explain to the court that “he did not then speak English so well.”⁶⁷⁴

Lengthy trials followed, trials which were covered in extensive detail by the *Picayune*. The paper carried at least twenty-nine articles about Pelagie Brown from 1865 to 1869, a more sustained level of coverage than for any other alleged crime by a woman in the

⁶⁷⁰ “Evidence Before Coroner Yeiser,” *Daily Picayune*, 12 October 1865.

⁶⁷¹ “Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866.

⁶⁷² “Further Evidence Before Coroner,” *Daily Picayune*, 12 October 1865; and “Evidence Before Coroner Yeiser,” *Daily Picayune*, 12 October 1865.

⁶⁷³ “Evidence Before Coroner Yeiser,” *Daily Picayune*, 12 October 1865; “The Poisoning Case,” *Daily Picayune*, 13 October 1865; “The Poisoning Case,” *Daily Picayune*, New Orleans, Louisiana, 14 October 1865, 8; “First District Court—Judge Abell: Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866; and “Trial for Perjury,” *Daily Picayune*, 11 December 1866.

⁶⁷⁴ “Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866.

Reconstruction period. The legal handling of the incident centered on two questions addressed in separate trials by the First District Court: Did Brown murder Fanny Couch, and was Brown's bill of sale for Couch's furniture a forged document and therefore perjury? As the paper remarked, "Crimes always travel together, and in this case there may be poisoning, forgery and perjury."⁶⁷⁵

Investigation of the first question began with a moonlit excavation of Couch's body. Her cause of death had initially been declared consumption, but suspicion of foul play prompted, as the paper reported, an "examination of the body . . . by candle light in the Girod street cemetery."⁶⁷⁶ The medical results were just as striking as the excavation itself as the coroner found evidence of arsenic, a discovery which was confirmed at a more extensive (and better lit) autopsy later conducted at the Charity Hospital. As the *Picayune* reported, "The result of the examination of these learned gentlemen is, that they detected considerable quantities of arsenic in the stomach of the deceased."⁶⁷⁷ Three days later the paper specified the amount as "one and three-tenths grains of arsenic" when "from half a grain to a grain is sufficient to take away life."⁶⁷⁸ The next month, as the case came under increasing public scrutiny, the *Picayune* reported "arsenic enough in her stomach to have killed a horse."⁶⁷⁹

Suspicion fell squarely on Pelagie Brown and her ice cream, but evidence admitted some room for doubt. A black woman named Louisa Brown (not to be confused with Louisa

⁶⁷⁵ "The Poisoning Case," *Daily Picayune*, 13 October 1865.

⁶⁷⁶ "First District Court—Judge Abell: Trial of Pelagie Brown," *Daily Picayune*, 25 May 1866; and "The Poisoning Case," *Daily Picayune*, New Orleans, Louisiana, 15 October 1865, 9.

⁶⁷⁷ "An Important Case," *Daily Picayune*, 11 October 1865.

⁶⁷⁸ "The Poisoning Case," *Daily Picayune*, 14 October 1865.

⁶⁷⁹ "Forgery and Perjury," *Daily Picayune*, 25 November 1865.

Pelagie Brown) worked for Couch when the landlady was ill, which she had been for the last “two or three months.” She later told the court that “Mrs. Couch was always sick and complaining—once in a while in bed, weak or coughing.” Another black female servant also testified that “Mrs. Couch was off and on in bed all the time I was there—seemed consumption,” and she further recalled *Pelagie* Brown attentively caring for Couch without incident.⁶⁸⁰ Couch’s illness, of course, did not explain the arsenic found in her system. Connecting the arsenic to *Pelagie* Brown, though, proved difficult. Some reports cast doubt on the ice cream. Within days of first reporting the autopsy results, the *Picayune* noted skepticism about whether arsenic could be served in the frozen treat as “arsenic is soluble in water at 55°.”⁶⁸¹ Finally, as the *Picayune* conceded in late November 1865, “It does not appear that the possession of poison has been traced to Mrs. Brown.” This prompted the paper to say of Brown that, though the legal evidence may have been indefinite, “Morally the proof against her is clear enough.”⁶⁸²

The reception of this varying evidence shifted as the general opinion of *Pelagie* Brown also changed. Initial coverage of Couch’s mysterious death in the *Picayune* expressed nothing so much as confusion, hardly unwarranted in such a complex situation. The day after the incident became public, the paper cautioned that “the evidence is extremely contradictory.”⁶⁸³ In the next couple of days, though, the paper observed that “This remarkable case appears to assume darker hues as it progresses.”⁶⁸⁴ It was still not until a

⁶⁸⁰ “First District Court—Judge Abell: Trial of *Pelagie* Brown,” *Daily Picayune*, 25 May 1866.

⁶⁸¹ “The Poisoning Case,” *Daily Picayune*, 15 October 1865.

⁶⁸² “Mrs. *Pelagie* Brown’s Case,” *Daily Picayune*, New Orleans, Louisiana, 22 November 1865, 2.

⁶⁸³ “Evidence Before Coroner Yeiser,” *Daily Picayune*, 12 October 1865.

⁶⁸⁴ “The Poisoning Case,” *Daily Picayune*, 13 October 1865.

week later that an unambiguously sinister tone eclipsed “this most tragical case,” specifically when the paper learned of Brown that “This woman is not white” (itself an interesting admission of its prior assumption of whiteness). A week into the investigation, the *Picayune* elaborated that Brown was a former slave, and it then promptly condemned “the indiscriminate sale of poisons,” a practice that had garnered no special comment until this association between a former slave woman and poisoning became relevant to the case.⁶⁸⁵

Almost six weeks after its coverage began, the *Picayune* offered its first physical description of Pelagie Brown when she appeared before the recorder’s court. “She is a lady of some forty-three or forty-four years of age,” the paper observed, “vigorous and determined looking and of a dark, bilious temperament.” This description no doubt reflected the reporter’s assessment of her character as much as her appearance. “Though accused of the crime of murder, she seemed cool and calm,” the article continued. Brown’s portrayal did not aim to elicit sympathy or even skepticism from readers; instead, she was presented as a woman clearly capable of cold, calculated murder.⁶⁸⁶ Her supposed use of poison made her actions even more terrifying. This was no fit of passion, no sudden explosion of force but, as the paper editorialized against poison, “This word is the very synonym of death, and that, too, in a most frightful form.”⁶⁸⁷ Brown was, in appearance and action, the worst form of danger.

⁶⁸⁵ “The Poisoning Case,” *Daily Picayune*, New Orleans, Louisiana, 17 October 1865, 2; and “Arsenic Eating,” *Daily Picayune*, New Orleans, Louisiana, 18 October 1865, 8. The fact that the *Picayune* did not know that Pelagie Brown was a woman of color was likely because her race had not factored into court proceedings or possibly that the paper’s reporters had not yet seen her (a possibility supported by the absence of any physical description of her to this point). It also raises the interesting possibility of whether Brown was attempting to “pass” as white, especially by living in a boardinghouse of diverse ethnicities including Mexican and German residents.

⁶⁸⁶ “Mrs. Pelagie Brown’s Case,” *Daily Picayune*, 23 November 1865.

⁶⁸⁷ “Poison!” *Daily Picayune*, New Orleans, Louisiana, 26 May 1866, 12.

This “frightful form” accorded seamlessly with fears of black women’s use of poison that stretched back into the days of slavery. Brown’s case added concerns about black women’s increasing economic power, a distinctly Reconstruction-era twist on old fears. Examination of the case quickly centered more on Brown’s motives than the poisoning itself, a shift in focus made necessary by the inability to trace the poison back to Brown. The perjury case against Brown, based on a suspicious bill of sale she presented to the court, therefore became as consequential as the murder charge. The two women had agreed on the sale of Couch’s furniture for \$1500, but Brown had not completed payment by the time of Couch’s death. The landlady’s lawyer told the court that Brown “made various excuses for not complying with her promise,” such that Couch became impatient and threatened to turn Brown out of the house if she did not pay. According to the administrator of Couch’s will, Brown even admitted as much to him the day after the death, acknowledging that she “had not paid for the furniture, [and] she wanted him to deal leniently with her.”⁶⁸⁸

Perhaps fearing that “leniency” would not be enough to protect her, Brown forged a completed bill of sale—or such was the charge against her. Not only did she contradict herself to her friend Morris Bock about whether she had completed her payments, but she soon produced a receipt confirming her full payment of \$1500 and carrying Couch’s signature.⁶⁸⁹ Such a document was remarkably similar to the note in which Ann McGloin’s ill-fated brother-in-law allegedly renounced his legal case of six hundred dollars against her

⁶⁸⁸ “Trial for Perjury,” *Daily Picayune*, 11 December 1866. See also “First District Court—Judge Abell: Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866.

⁶⁸⁹ “Further Evidence Before Coroner,” *Daily Picayune*, 12 October 1865. Two other women, a Mrs. A. Theard and her daughter Miss P. Marchand, were initially charged with forgery connected with the document. See “The Poisoning Case,” *Daily Picayune*, 14 October 1865; “The City,” *Daily Picayune*, New Orleans, Louisiana, 15 October 1865, 2; “The Poisoning Case,” *Daily Picayune*, 17 October 1865; “Correction,” *Daily Picayune*, New Orleans, Louisiana, 3 November 1865, 9; “Recorder Campbell’s Court,” *Daily Picayune*, New Orleans, Louisiana, 21 November 1865, 2; and “Forgery and Perjury,” *Daily Picayune*, 25 November 1865.

and which Ann so quickly produced for the authorities. Brown's receipt, however, was immediately greeted with skepticism and became the centerpiece of her trial for perjury and, more generally, in discussions of her culpability in Couch's death. Couch's lawyer observed that "[he] does not think the manner in which the mark supposed to be made by Fanny to the receipt as her signature is the usual way in which she made her mark."⁶⁹⁰ Moreover, a court clerk testified that, when he had first seen the document, it carried two witnesses' signatures. It later listed three names; "one has been added," he told the court.⁶⁹¹

It is possible to imagine Pelagie Brown caught in a thorny, but not murderous, situation in which Couch's sudden death endangered her investments and left her scrabbling to secure her future economic plans in the midst of a larger tragedy. One tenant, Capt. Riordan, suggested that Brown may have found herself in just such an unenviable spot. He told the court that Brown had pulled him aside the day after Couch's death and "said she was perplexed; she had bought the furniture but had not paid for it; the deceased was in a too low condition to finish the transaction." Perhaps a panicked Brown erred in forging a bill of sale; this she might have done without poisoning Couch, but few observers appeared inclined to grant her such a benefit of a doubt. Several witnesses claimed immediate suspicion of Brown's actions. After their conversation, Brown asked Riordan to sign the receipt as a witness, which he told the court he "indignantly refused to do." She later approached an acquaintance, a black woman named Mrs. Hudson, with the same request. Hudson also

⁶⁹⁰ "Evidence Before Coroner Yeiser," *Daily Picayune*, 12 October 1865.

⁶⁹¹ "Trial for Perjury," *Daily Picayune*, 11 December 1866.

rebuffed Brown, explaining to the court that “she had been security once for the accused, and put to some trouble thereby, and she would not be caught again.”⁶⁹²

The language Mrs. Hudson used in her brief statement to the court—or the manner in which the reporter transcribed it—was telling. Referring to being “caught” by Brown and “put to some trouble,” Hudson reinforced the image of a conniving, calculating Brown.⁶⁹³ She was the type of woman, according to the *Picayune*, who was capable of killing to advance her selfish interests. Reports of the property she already owned reinforced this image and also cast a pall on the accumulation of property and wealth by all women of color. The paper speculated that Brown had little money “as she occasionally borrowed small sums of Mr. Bock”—it did not say what had become of the money she collected for rent—but she did own property on St. Peter Street in the French Quarter valued at four thousand dollars.⁶⁹⁴ She had, furthermore, been able to outbid a German woman in the arrangement to buy out Couch’s operation.⁶⁹⁵ These facts spoke to remarkable financial success for a woman born into slavery.

The verdicts rendered in Brown’s criminal cases reflected the perceived dangers of black women’s economic mobility. In late May 1866 an all-white jury at the First District Court convicted Brown of manslaughter, and another jury found her guilty of perjury that November.⁶⁹⁶ Previously that summer, though, she had been granted a new trial on the

⁶⁹² “Trial for Perjury,” *Daily Picayune*, 11 December 1866. See also “First District Court—Judge Abell: Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866.

⁶⁹³ “Trial for Perjury,” *Daily Picayune*, 11 December 1866.

⁶⁹⁴ “The Poisoning Case,” *Daily Picayune*, 15 October 1865.

⁶⁹⁵ “Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866.

⁶⁹⁶ “First District Court—Judge Abell: Trial of Pelagie Brown,” *Daily Picayune*, 25 May 1866; and “Trial for Perjury,” *Daily Picayune*, 11 December 1866.

manslaughter conviction. By summer 1867 this new trial ended in a *nolle prosequi*.⁶⁹⁷ A similar appeal failed in the perjury case, and she received a sentence of five years in the State Penitentiary, among the harshest penalties received by a New Orleans woman in the Reconstruction period for any crime.⁶⁹⁸ The fact that Brown ultimately escaped the murder charge but suffered such severe repercussions for the forged bill of sale exposed anxiety that went far beyond fears of physical harm, even murder, and instead disputed the legitimacy of black women's acquisition of economic power in the postwar South.

And yet Brown's story—and her infamy—were far from finished. In 1868, just one year into her five-year sentence, Brown received a pardon from the Democratic governor of Louisiana, Joshua Baker, the circumstances of which remain mysterious. (Perhaps Baker had a special place in his heart for those accused of perjury as he was arrested on the same charge during his brief term in office.) The *Picayune*, which did not report the pardon, found Brown again in early January 1869. It remembered her as even more notorious than it had portrayed her a few years previously. "There are few women in the country," the article opened, "who have acquired the reputation which clings to the name of Pelagie Brown."⁶⁹⁹

The article then described an impressive list of transgressions, few of which had been previously brought to light. While in October 1865 the paper reported that "she was formerly, we are told, a slave belonging to Mr. Wiltz," now "Once a slave, she was strongly suspected of an attempt to poison the family of Mr. Wiltz." Interestingly, this "strong

⁶⁹⁷ "First District Court," *Daily Picayune*, New Orleans, Louisiana, 20 June 1867, 8.

⁶⁹⁸ "First District Court," *Daily Picayune*, New Orleans, Louisiana, 5 May 1867, 8.

⁶⁹⁹ "Suicide of a Poisoner," *Daily Picayune*, 3 January 1869.

suspicion” was never mentioned during the earlier coverage of her trial for murder.⁷⁰⁰

Furthermore, during the war she led “a life of debauchery” by partnering with a notorious burglar.⁷⁰¹ In the harshest of its earlier language, the *Picayune* described Brown in late 1865 as “vigorous and determined looking and of a dark, bilious temperament.”⁷⁰² The condemnation of her character was even plainer now: “Unscrupulous, ambitious and vindictive, she brought to the accomplishment of her purposes, remarkable intelligence, and a will that no obstacle could effectually subdue.” Brown was thus, by any measure, a dangerous woman but not for raw aggression or savagery. Instead, her threat was her “intelligence,” her ability to achieve “her purposes” no matter what—or who—stood in her way. If the politics of the period opened the door to her ambitions, Reconstruction was a terrifying danger indeed.⁷⁰³

This later, crueler characterization was to serve as Brown’s obituary as this article reported her suicide in the early days of 1869. After her pardon Brown used her remaining property to set up a boardinghouse two blocks away from her former residence. But the depressed southern economy took its toll on all boardinghouse keepers, Brown included. The dawn of 1869 found her, as the *Picayune* noted, “with a big house, but all of her furniture seized for house rent, and she without a cent of money and her boarder without a thing to eat.” Thus, though legally absolved of criminal wrongdoing, Brown was

⁷⁰⁰ “Arsenic Eating,” *Daily Picayune*, 18 October 1865; and “Suicide of a Poisoner,” *Daily Picayune*, 3 January 1869.

⁷⁰¹ “Suicide of a Poisoner,” *Daily Picayune*, 3 January 1869.

⁷⁰² “Mrs. Pelagie Brown’s Case,” *Daily Picayune*, 23 November 1865.

⁷⁰³ “Suicide of a Poisoner,” *Daily Picayune*, 3 January 1869.

nevertheless humbled. Once well-established with prospects of a large business, she was now penniless, indebted, and patronized by only one hungry tenant.⁷⁰⁴

The article concluded that,

This appears to have been more than she could bear; she told two old colored servants—by the way, she had not paid her servants for months—New Year’s Eve: “You will never see me more after today.” It is believed she took arsenic, for Friday morning she was found dead in bed. Thus perished one of the most remarkable women, whose names has even been connected with crime in New Orleans.

It was a fitting coda for the *Picayune* to offer on the “unscrupulous” woman’s life. Her financial ambitions foiled, she allegedly took her own life in the same fashion that she had done Couch’s four years before. It was as the article’s title stated “The Suicide of a Poisoner,” *by poison* it might have added.⁷⁰⁵ The danger she posed to society was thus conveniently contained—even avenged—and her story brought to a satisfying end, but the specter of black women’s increasing economic and social power was a larger threat of which Brown, however notorious, was just one representation in the Reconstruction period.

* * *

The women suspected of murder in Reconstruction-era New Orleans represented a diverse cross-section of much of the city’s female population. They sometimes struggled to get along with their husbands, families, housemates, and neighbors, and they faced problems with alcohol and abuse, finances and mental illness. The investigations of their alleged

⁷⁰⁴ *Ibid.*

⁷⁰⁵ *Ibid.* For additional *Picayune* articles on Pelagie Brown, see “The Poisoning Case,” *Daily Picayune*, New Orleans, Louisiana, 8 November 1865, 6; “Criminal Court—Judge Abell,” *Daily Picayune*, New Orleans, Louisiana, 27 January 1866, 2; “First District Court—Judge Abell,” *Daily Picayune*, New Orleans, Louisiana, 20 April 1866, 13; “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 27 May 1866, 12; “First District Court—Judge Abell,” *Daily Picayune*, New Orleans, Louisiana, 3 June 1866, 13; “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 11 November 1866, 8; and “First District Court,” *Daily Picayune*, New Orleans, Louisiana, 10 March 1867, 12.

murders brought all of these topics into public discussions. Juries and readers alike probed a woman's relationships, daily habits, and business affairs in the name of assessing whether she could be capable of such deadly violence. In most instances the *Picayune*—and the courts as well—found a way either to argue for her innocence or to justify her resort to violence. Meddlesome neighbors were already in poor health or an abusive husband threatened her life. At the very least, drink or derangement drove a woman to extreme violence that would otherwise be inconceivable. The difference—and the danger—arose in incidents involving women of color.

Throughout the Reconstruction period the legal and public treatment of black women's disorderliness was not automatically differentiated sharply from that given to other women, including white women. The *Picayune* did not always designate race when reporting on the diverse women of the city's sex trade, nor did the courts assign them more lenient sentences. Only for women in domestic service did a strong pattern by race emerge and here, as with Pelagie Brown, the entwining dangers of race and economic aspirations often came to the forefront. In both types of alleged crimes, the charge itself, be it larceny or even murder, was a vehicle for addressing the more general threat of black women's expanded economic opportunities as either employees or entrepreneurs. Other women, however "disorderly," did not represent the revolutionary political, social, and legal changes of Reconstruction to the same degree as women of color, who could pay a steep price for their individual and collective aspirations.

In 1874, almost a decade after Pelagie Brown first gained infamy in the city, another woman of color was suspected of using poison for illegitimate economic gains. A white French family named Vidou sat down for dinner and, as the *Picayune* reported, "[had]

partaken of a small quantity of the soup when they were seized by a most violent nausea and terrible pains in the stomach.”⁷⁰⁶ Everyone survived the vicious sickness, but suspicion soon alighted on an elderly black widow named Mrs. Emily Adams, who was then negotiating the purchase of a large plot of land from Mrs. Vidou. Public sentiment proclaimed Adams, like Brown, a poisoner, and she was likewise accused of forging a bill of sale. As in a replay of the earlier case, the First District Court convicted Adams of “willful and corrupt perjury” even as the poison could not be traced back to her.⁷⁰⁷

Although the family all returned to health, Adams remained a figure of great mistrust. She operated a local school and religious society (wrongly suspected to be “that mysterious hierarchy, the Voudous” by the paper) and had accumulated considerable property in the city, including “a grave yard on Washington Avenue.” Consequently, as the *Picayune* warned, “[she] wields large influence among the negroes in her district.” For over a year, as the cases against her were adjudicated, Adams held the deed to the property in question and collected rents from it. “So all this time,” the paper protested, “Mrs. Vidou was seen the negress Adams enjoying possession of her property.”⁷⁰⁸ Adams could not be charged as a murderess—neither the dead bodies nor the evidence were there—but the city used the suspicion against her to arrest her economic ambitions for herself and her community.

Whatever happened between Emily Adams and the Vidou family, she became for conservatives another example of the threat of Reconstruction to deprive whites of life,

⁷⁰⁶ “Resurrected,” *Daily Picayune*, New Orleans, Louisiana, 15 December 1875, 1.

⁷⁰⁷ “The End of the Vidou Case,” *Daily Picayune*, New Orleans, Louisiana, 28 April 1876, 1. The First District Court convicted Adams, but we do not know what sentencing she received. Her name does not appear among women sent to the State Penitentiary, suggesting she may have served a lighter sentence to the Parish Prison.

⁷⁰⁸ “The End of the Vidou Case,” *Daily Picayune*, 28 April 1876; and “Resurrected,” *Daily Picayune*, 15 December 1875.

property, and peace of mind. Adams, like Pelagie Brown and other women of color, was more than a political symbol of contested social change. She became a woman capable of murder if it advanced her interests, especially at whites' expense. The *Picayune's* description of her increasingly applied, not to disorderly women of all races, but to black women specifically in the final, violent years of Reconstruction: "The predominant expression of her dark countenance was one of cunning."⁷⁰⁹

⁷⁰⁹ "The Vedou Case," *Daily Picayune*, New Orleans, Louisiana, 17 December 1875, 4. For more on the so-called Vidou case, see "Poisoning," *Daily Picayune*, New Orleans, Louisiana, 17 July 1874, 8 and "The Vidou Case," *Daily Picayune*, New Orleans, Louisiana, 16 December 1875, 1.

Conclusion:

The End of Reconstruction and the Erasure of White Female Deviance

The small town of Colfax in central Louisiana must have seemed a world away from the cosmopolitan state capitol. New Orleans, with its mélange of architectural styles, spread from high ground to marshland in a wide bend of the Mississippi River while Colfax, as one historian describes it, “was not really a town but a collection of old plantation buildings atop the steep east bank of the Red River.”⁷¹⁰ While New Orleans looked out to the expansive world beyond the mouth of the Mississippi, Colfax like much of the Red River Valley trudged forward in relative isolation for most of the Reconstruction period. Even the names spoke of their differences. *Nouvelle-Orléans* took the name of Philippe II, Duke of Orléans, the regent of France at the time of the colony’s founding in 1718: The city’s long and diverse history since reflected its multicultural origins. Colfax, on the other hand, had a history very much of the present political moment. Both it and its parish, of which it was the seat, had been recently created and named after the sitting Republican vice president, Schuyler Colfax, and president, Ulysses S. Grant, respectively. Colfax was thus a product of Reconstruction itself. Fittingly it was here that the process of Reconstruction for Louisiana and the rest of the South experienced a deathblow that would eventually affect the women of New Orleans in divergent ways.

⁷¹⁰ Ted Tunnel, *Crucible of Reconstruction: War, Radicalism, and Race in Louisiana, 1862-1877* (Baton Rouge: Louisiana State University Press, 1984), 189.

Republicans designed Grant Parish with a slim black majority that they hoped would help the party maintain local control, but this assumed a clear, orderly political practice in the parish and state at large.⁷¹¹ When the disputed election of 1872 resulted in two rival state governments, one representing the recognized Republican victors and the other by the Democrats (or “Fusionists”), politics once again derailed into deadly, large-scale violence. The worst incident occurred in Colfax on Easter Sunday, April 13, 1873. Black Republicans had gathered in the courthouse to assert their electoral victory and to escape murderous violence in the countryside. Here they camped for almost a week, preparing to face gathering white paramilitary forces who rejected both the Republicans’ recent victory and the legitimacy of Reconstruction itself.⁷¹²

The situation looked dire. The number of black militiamen was easily doubled by the surrounding white forces, who were also significantly better armed. Once the battle began, it quickly became a massacre. The white forces set fire to the roof of the courthouse, shot men who fled the burning building, and executed the surviving prisoners later that evening. Over one hundred black men perished by shot or flames with only a few miraculous survivors; three white men were killed in the action, allegedly by friendly fire.⁷¹³ Eric Foner concludes

⁷¹¹ James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006), 107.

⁷¹² Ted Tunnel emphasizes that the violent, complex political contestations of Reconstruction-era Louisiana are best understood as “a crisis of legitimacy” over the state’s governance. Tunnel, *Crucible of Reconstruction*, 6.

⁷¹³ *Ibid.*, 1. For more on the Colfax Massacre, also see Hogue, *Uncivil War*, especially chapter four, “The Street Battle of 1873: The Battle of the Cabildo and the Spread of Paramilitary Insurrection,” 91-115; LeeAnna Keith, *The Colfax Massacre: The Untold Story of Black Power, White Terror, and the Death of Reconstruction* (New York: Oxford University Press, 2008); and Charles Lane, *The Day Freedom Died: The Colfax Massacre, the Supreme Court, and the Betrayal of Reconstruction* (New York: Henry Holt, 2008).

that the Colfax Massacre was “the bloodiest single instance of racial carnage in the Reconstruction era.”⁷¹⁴

The events that followed the Colfax Massacre confirmed the blow that white Democrats in Louisiana’s Red River Valley had leveled against the entire Reconstruction enterprise. Similar if smaller incidents occurred throughout Louisiana in coming days as militarized Democrats removed Republicans from local office by force or threats thereof.⁷¹⁵ New Orleans’s Metropolitan Police, belatedly deployed by the Republican governor, arrived in Colfax by steamer one day too late to protect the parish’s legitimate government and its supporters, and all of the white participants in the massacre eventually escaped conviction for their crimes.⁷¹⁶ The case reached the U.S. Supreme Court in 1876 in *United States v. Cruikshank*; the court ruled that the Fourteenth Amendment and other federal safeguards did not apply to paramilitary violence such as the Colfax Massacre. As historian Ted Tunnel summarizes the decision, “because a private army and not the State of Louisiana committed the massacre, the federal government was powerless to act.”⁷¹⁷ If participants in such racial and political retaliation could go, as President Grant said in 1875, “unwhipped of justice,” then what could protect Reconstruction from the violent counterrevolution organized against it?

⁷¹⁴ Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Perennial Classics, 1988), 437.

⁷¹⁵ Hogue, *Uncivil War*, 112.

⁷¹⁶ The Metropolitan Brigade Law of 1873 granted the governor the authority, as Dennis C. Rousey explains, “to muster the Metropolitan Police as a militia brigade whenever he deemed it necessary for public safety.” This power proved more politically controversial than practically effective. Dennis C. Rousey, *Policing the Southern City: New Orleans, 1805-1889* (Baton Rouge: Louisiana State University Press, 1996), 129.

⁷¹⁷ Tunnel, *Crucible of Reconstruction*, 193.

Reconstruction staggered on for another four years after the horrors in Colfax, and much of its story was written on the streets of New Orleans. In September 1874, the city exploded in violence as the Crescent City White League, a paramilitary wing of the local Democratic Party, challenged the Metropolitan Police and the state militia, both racially integrated, for control of the state government. This so-called Battle of Liberty Place involved thousands of combatants and its lines stretched from Poydras Street to Jackson Square across the most important commercial and governmental space in the city. The Crescent City White League succeeded in overthrowing Louisiana's Republicans for three days until federal troops arrived to restore the Reconstruction government.⁷¹⁸

By 1876, only Louisiana, South Carolina, and Florida remained under Republican control or "unredeemed" in the language of white conservatives. As had become its habit, Louisiana had another disputed election in that year, but now a similar scenario played out simultaneously on the national stage as well. Political uncertainty in these three southern states meant that their electoral votes in the presidential election were likewise unclear, leaving neither Republican Rutherford B. Hayes nor Democrat Samuel J. Tilden the clear victor. As the country still waited for the outcome of the presidential race in January 1877, New Orleans witnessed two gubernatorial inaugurations as rival state governments eyed each other across town, the Democrats encamped above Canal Street in Lafayette Square and the Republicans in the Quarter, just blocks away from the heart of the city's demimonde. Their respective locations bespoke their visions for the future of the city and country alike: the uptown American Sector represented the conservative racial and commercial goals of sectional reconciliation versus the alternate vision of racial inclusivity and productive tumult

⁷¹⁸ For more on the Battle of Liberty Place, see Hogue, *Uncivil War*, chapter five, "The Street Battle of 1874: The White Leagues Seize Power," 116-43.

in the city's oldest neighborhood. The two sides of Canal Street thus became an urban tableau of the entire contest of Reconstruction itself.

Louisiana Democrats soon launched another coup d'état, a variation of the 1874 strategy, that the federal government now had no interest in contesting. Three thousand members of the state's White Leagues spread across New Orleans as a thousand federal troops in the city simply let the coup unfold. As historian James K. Hogue describes it, "The last days of the Republican regime in Louisiana amounted to a prolonged agony of the inevitable surrender."⁷¹⁹ In February the Compromise of 1877 was struck. In this deal, Democrats agreed to let their opponent Hayes take the presidential victory in exchange for the withdrawal of the last federal troops from the former Confederacy; everyone knew this would mean the fall of the final three Republican governments in the South and the completion of Democratic "redemption." By late April, only the troops guarding Louisiana's statehouse remained. The Louisiana Democrats' unchallenged "bloodless coup d'état" officially achieved its victory on April 24 as the last of the federal troops left New Orleans, ceding the city and its state to the "Redeemers" and their vision of a South restored to white supremacy. This last "Redemption," staged on the streets of New Orleans, may have been relatively bloodless, but its antecedents and its consequences were quite the opposite.⁷²⁰

The common women of New Orleans usually do not figure into the story of the fall of Reconstruction, but they would have known its tortured process well. They walked these same contested streets, and many lived and worked within blocks of these organized spasms of violence. They likely debated the conflict on street corners, outside neighbors' gates, and

⁷¹⁹ Hogue, *Uncivil War*, 175-6.

⁷²⁰ For more on what he calls the "bloodless coup d'état" of 1877, see Hogue, *Uncivil War*, chapter seven, "The Street Battle of 1877: A Perfect Coup d'Etat," 160-79.

inside coffeehouses and barrooms. They certainly knew men involved in the fighting: husbands, lovers, brothers, friends, and even the familiar beat policemen, all of whom might now be foot soldiers in the city's battles over the legacy of the war. Though not necessarily obvious participants, women were intimately familiar with these events and were no doubt concerned about what the outcome would mean in their lives.

* * *

The political lines of Reconstruction may have divided New Orleans's working women but remarkably little else did. Across the city's broad racial spectrum, these women shared much in common over the period. The collapse of Reconstruction and the imposition of a segregated South often obscures the fluidity of racial lines during the postwar period. This was especially true in a city which had long recognized complex gradations of race and which also had a large population of immigrants, many of whom, especially the Irish, had an ambiguous place in the black-white racial dichotomy. In the heyday of Reconstruction, public space had been thrown open to folks across all of these lines. Communities mobilized against the dual threats of a shattered economy and a conservative opposition; men voted in elections and won public office; and women sought opportunities and endured exploitations in ways informed by their race and numerous other factors including age, ethnicity, finances, and family, not to mention their own wits and abilities. To political and racial conservatives, this all appeared to be a carnival of chaos nowhere better illustrated than in the "disorderly" behaviors of so many New Orleans women. In fact, it was these women's presence in public spaces—neighbors' yards, crowded streets, employers' homes, and brothel bedrooms—that so often warranted special scrutiny by city authorities, who enfolded them into larger political debates about governance and order.

For many women, the postbellum years represented a time of hardship, a challenge of survival in a changing world. They met this task in a variety of ways. Domestic servants who appropriated employers' housewares to supplement scanty wages or "waiter girls" in concert saloons who sold more than beer both exploited low-paying jobs for more resources or money. Women such as Lizzie Johnson, notorious for stripping men of their wallets on visits to her brothel, likewise twisted the circumstances of their labor as prostitutes into opportunities for additional profit. Some women, though, had even fewer avenues for survival. Women's dangerous turns to alcohol and violence may in part be understood as an exhaustion of other means of self-sufficiency or self-expression. One thinks of women such as boardinghouse keeper Margaret Boylan, whose family suffered the loss of a child and her husband's pre-war grocery store; it is plausible that her distress manifested itself in alcoholism and violent dealings with her tenants. Similarly, a woman such as Jane Durnin, long-abused by her ne'er-do-well husband, could not be protected by her children—or even the family dog—and ultimately secured her survival only through his murder. For these women, Reconstruction was a time of great personal challenges, though its end offered little relief either.

For many other women, though, Reconstruction was a time of unprecedented opportunity, even if it often came with considerable risk and sacrifice. This was especially true for women of color in the city. Creoles of color like teenaged prostitute Celestine Antoine and black women like the friends Caroline Johnson and Mary Burke, who shielded one another from an employer's accusation of theft, experienced an era in which their rights to equal citizenship by race (if not gender) were proclaimed the law of the land. As women they could not vote, but they celebrated their equality in ways as diverse as utilizing the legal

system to address employers' wrongs and drinking in back-of-town bars emblazoned with names such as The Constitution or The Fifteen Amendment, Antoine's haunt. For many African-American women, including the aspiring boardinghouse keeper-cum-suspected poisoner Pelagie Brown, the postwar period—and their own cunning—saw them advance from enslavement to self-sufficiency, even material success, in this city of promise and peril.

At the same time Pelagie Brown's story foretold much of the ultimate tragedy of the Reconstruction era. Her dreams of operating her own boardinghouse on Canal Street, the city's principal economic thoroughfare, vanished overnight with the mysterious death of the woman she hoped to succeed in business. She escaped the poisoning charge but not that of perjury, and she met a wretched end. Allegedly killing herself, she left behind only a failed business and a notorious reputation. Brown's narrative is not so different from Reconstruction's itself. She believed that the postwar period offered her renewed dignity and a chance to prove, and improve, herself. Instead, she became a villainous figure whose untimely end the *Picayune* celebrated, a representation of the dangers of the Reconstruction South.

The twelve years of the Reconstruction period witnessed an uneven differentiation among women's crimes and transgressions. On one level, women across New Orleans's working classes found many of their everyday behaviors criminalized by city authorities, especially as the city's police force expanded under Republican rule. At the same time, conservatives pointed to the city's rowdy streets and neighborhoods as a sign of the failure of these same authorities. It all made for a jarring polyrhythm. An altercation between neighbors over a borrowed washtub or a philandering husband might provoke disciplinary action, but its very occurrence also proved the inefficacy of this discipline in the first place.

The women themselves, perhaps aware of their ability to slip between these lines and avoid punishment, used these transgressions to bring personal concerns into a public forum of friends and neighbors, sometimes even into the courts and press. In the process they made a political statement all their own about the fluidity of authority and the power of agency across racial (and gender) lines in this liminal period.

On another, more sinister level, however interracial their world often appeared, distinctions were drawn among disorderly women by race, if still in an incomplete manner. While city authorities ignored most allegations of larceny against prostitutes regardless of their race, they did not do so for similar accusations against black domestic servants, who were convicted disproportionately to their presence in the field. Similarly, participants in extreme violence such as large-scale street brawls or murder were racialized. A white woman, it was widely perceived, would resort to such violence only in the most dissipated or desperate of circumstances. These same actions by women of color did not demand explanation since they were considered more “natural.” Moreover, while women across New Orleans’s broad racial spectrum behaved in transgressive ways, women of color were more likely to be convicted should their actions come before a judge or jury—a simple, cruel calculation that held even as the city took steps to make justice more colorblind than it had ever before been in southern history or would long be again. So while distinctions of race were often subtle among disorderly women, they at times announced themselves with destructive candor.

* * *

Historians distinguish between the formal end of Reconstruction and the longer, anguished asphyxiation of civil rights in the South, a process that by many measures did not

culminate until the 1890s. The specific end date of April 1877 did not occasion an immediate collapse of Reconstruction's laws, including those that secured legal rights across race. In the decades to come, the "Redeemed" South, including Louisiana, revised one Reconstruction-era law after another, most famously those protecting voting rights and equal access to "all places of business, or of public resort," as Louisiana's 1868 state constitution phrased it.⁷²¹ This would become the Jim Crow South that, among many offenses, attempted to whitewash New Orleans's diverse racial heritage into the "one drop" rule of racial categorization.

This purge, however, was not total. Writing about Reconstruction in 1910, W. E. B. Du Bois observed that many of its laws remained in place well after "Redemption": certain remainders of the liminal postwar period thus endured long after the restoration of white supremacy. As he explained, "there stands on the statute books of the South to-day law after law passed between 1868 and 1876, and which has been found wise, effective, and worthy of preservation."⁷²² Du Bois offered this observation as a defense of a period of American history then widely reviled and of its lawmakers, especially African Americans, routinely dismissed as corrupt, incompetent, or simply ignorant.

When he wrote this piece in the early twentieth century, one such surviving law was the regulation of prostitution in New Orleans. Du Bois made this observation about

⁷²¹ This phrase appears in Article 13 of the Bill of Rights of Louisiana's 1868 state constitution. The full article reads, "All persons shall enjoy equal rights and privileges upon any conveyance of a public character; and all places of business, or of public resort, or for which a license is required by either State, parish or municipal authority, shall be deemed places of a public character, and shall be opened to the accommodation and patronage of all persons, without distinction or discrimination on account of race or color." *State Constitutional Convention of the State Louisiana, March 7, 1868. Printed by the New Orleans Republican, in accordance with a resolution of the Constitutional Convention, adopted March 7th, 1868* (New Orleans: The Republican Office, 1868), 4.

⁷²² W. E. B. Du Bois, "Reconstruction and Its Benefits," *American Historical Review* 15.4 (July 1910), 799.

Reconstruction-era laws forty-five years to the month after military authorities in New Orleans implemented Ordinance No. 6302 O.S., and the regulation of prostitution in the city had continued ever since. A handful of revisions altered the outline of the system, but only in degree. The purpose and philosophy of regulation endured unadulterated even as many other local and state laws from Reconstruction fell by the wayside. The landmark 1868 state constitution, for instance, was rewritten in 1879 and again in 1898, stripping it of much of its remarkable, even revolutionary, postwar language. Ordinance No. 6302 O.S. of July 1865, though, received only the most minor adjustments even as so much else both in the laws and in people's lives changed over these tumultuous decades.

The city waited twenty-five years to implement the first significant revision to the 1865 ordinances when it cut back the geographic limits of the tolerated trade, but a large expanse of the city still remained open to prostitution. The principal areas of the postwar trade, including around Burgundy and Basin Streets, remained within the 1890 regulated zone, which covered at least a hundred blocks in the heart of the city.⁷²³ No other significant changes to the program were made. Rather than reassessing the regulatory system, this revision affirmed authorities' confidence in its efficacy—and no doubt its profitability, too. Thus, in the same year that the state of Louisiana passed the Separate Car Act, which resulted in the *Plessy v. Ferguson* Supreme Court decision upholding racial segregation six years

⁷²³ Ordinance 4434, C.S., of 1890 set the following limits outside of which, as with the earlier ordinances, prostitution could not be practiced legally: Poydras Street, St. Louis Street, Claiborne Street, and the Mississippi River. Canal, Rampart, St. Louis, and Conti Streets, though, were restricted from prostitution within this area. See Appendix A: "A city of New Orleans brief in the George L'Hote suit to prevent the establishment of the district known as Storyville," 185-190, in *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District*, by Al Rose (Tuscaloosa: University of Alabama Press, 1974), 185-6.

later, the city of New Orleans recommitted itself to regulating prostitution just as it had done under Reconstruction.⁷²⁴

In 1897 the city again updated the regulatory system by further restricting the trade's geographic boundaries and, in the process, municipal leaders created the country's most famous sex district, an area known worldwide as Storyville after its sponsor City Councilman Sidney Story. The subject of popular legend and scholarly analysis alike, Storyville quickly became, as historian Emily Landau puts it, "the most spectacular, notorious, shameful, flamboyant, and controversial commercial sex mart in American history."⁷²⁵ Now immortalized as the birthplace of jazz—and no telling what else—Storyville concentrated one of the country's largest sex trades into sixteen blocks behind the French Quarter. (The same ordinances also set up a second, lesser-known district of four blocks just above Canal Street.)⁷²⁶ Here the city's regulated sex trade continued undiminished until World War I.

Historians sometimes treat Storyville as a reversal of the city's earlier policies towards prostitution, but this misconstrues the multifaceted goals of regulation. The most

⁷²⁴ Both Alecia P. Long and Emily Epstein Landau discuss the geographic restrictions of prostitution in late nineteenth-century New Orleans as a predecessor of racial segregation in the city. See Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2004); and Emily Epstein Landau, *Spectacular Wickedness: Sex, Race, and Memory in Storyville, New Orleans* (Baton Rouge: Louisiana State University Press, 2013).

⁷²⁵ Landau, *Spectacular Wickedness*, 1.

⁷²⁶ Ordinance No. 13,032, C.S., of January 1897 prohibited prostitution "without [outside of] the following limits: South side of Customhouse [now Iberville] street from Basin to Robertson street, east side of Robertson street from Customhouse to Saint Louis street, from Robertson to Basin." Appendix C: "The original ordinance of Alderman Story, Ordinance No. 13,032, C.S., establishing restricted district," 192-3, in *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District*, by Al Rose (Tuscaloosa: University of Alabama Press, 1974), 192. Ordinance No. 13,485, C.S., of July 1897 clarified that prostitution would be tolerated on St. Louis Street. It also added a second, smaller district "from the upper side of Perdido Street to the lower side of Gravier Street, and from the river side of Franklin Street to the lower or wood side of Locust Street." Appendix D: "Ordinance establishing district known as Storyville as amended July 6, 1897 (Ordinance No. 13,485, C.S.) with September 1, 1897 supplement," 193, in *Storyville, New Orleans: Being an Authentic, Illustrated Account of the Notorious Red-Light District*, by Al Rose (Tuscaloosa: University of Alabama Press, 1974), 193.

obvious departure from the 1865 ordinances was the abandonment of an effort to tax the trade. In this omission, Storyville was something new for the city, but otherwise the ordinances were remarkably similar, sometimes even identical. The Storyville ordinances circumscribed the public behaviors of women in the trade by exactly repeating the 1865 prohibitions and likewise allowed the city to remove “a house of prostitution . . . [which] may become dangerous to public morals,” although this latter power was rarely invoked. The city also continued to collect fines, sometimes quite steep, from violations large and small.⁷²⁷

Even the element that historians so often point to as revolutionary—the concentration of the trade into a smaller area—was simply an evolution of previous practice. Earlier ordinances had restricted the trade from the most affluent commercial and residential areas of town. By the end of the century, municipal leaders simply placed more of the city under this “protected” status. They saw the shrinking of the tolerated zone as a testament to the Crescent City’s postwar recovery, its “growth and progress” which made previously-seedy areas now “very valuable and prosperous” as city attorneys explained.⁷²⁸ The logic of regulation thus remained largely the same at century’s end. It allowed the city to curb women’s public behaviors, profit through the collection of fines, and restrict prostitution from the “best” areas of town.

In so many ways, the famous Storyville district that endured until World War I would have been familiar to women like Celestine Antoine, Lizzie Johnson, and Laura Smith who resided in roughly the same area half a century before. It is perhaps not surprising that city

⁷²⁷ Appendix C, Rose, *Storyville, New Orleans*, 192-3.

⁷²⁸ Appendix A, Rose, *Storyville, New Orleans*, 186.

leaders endorsed the power and profits that regulation afforded them, but what is remarkable is that no laws of racial distinction among the women were added following “Redemption.” When city attorneys defended the legality of Storyville before the U.S. Supreme Court in 1899, they repeatedly pointed to “the ordinances which prevailed for fifty years,” successfully championing their current laws as part of the long practice of regulation in the city.⁷²⁹ These similarities included no efforts to segregate the women of the *demimonde* by race even as so much else in the city and the South fell under Jim Crow.

Only in the final year of regulation’s practice was an effort made to move “any prostitute or woman notoriously abandoned to lewdness, of the colored or black race” into the smaller uptown district, but this ordinance never made it into effect because the U.S. Navy ordered Storyville shuttered—and regulation thus ended—in November 1917.⁷³⁰ (In so doing, military authorities on the eve of a world war finished the experiment they had themselves initiated so many years before in the immediate aftermath of the Civil War.) In the Reconstruction period not only the *demimonde* but much of working-class New Orleans was marked by interracial sociality. Irish tenants rented from black families, Creole women brawled with white men, and white women filled jail cells alongside women of all colors,

⁷²⁹ *Ibid.*, 187. Local white business-owner George L’Hote sued the city to prevent the establishment of Storyville. He did so not strictly out of a moral objection to prostitution (although he did complain about his family’s proximity to the trade), but to protect property interests in the neighborhood. He was joined in his suit by the Methodist Episcopal Church, which owned the Union Chapel in the demarcated zone. The case made it to the U.S. Supreme Court, where Storyville was upheld. See Appendix A, Rose, *Storyville, New Orleans*; and Long, *Great Southern Babylon*, especially chapter three, “Where the Least Harm Can Result: Sex, Race, and Respectability in a Single Neighborhood,” 102-47.

⁷³⁰ Ordinance 4118, C.C.S. of February 1917 would have forced all prostitutes of color into the district above Canal Street, but its legality was challenged by an octoroon madam named Willie Piazza and several prostitutes of color, who won a remarkable victory at the Louisiana Supreme Court. Before the question was entirely decided, however, Secretary of the Navy Josephus Daniels ordered Storyville closed as a way to protect soldiers bound for World War I from venereal disease. This order took effect on November 12, 1917. For more on Piazza and the closing of Storyville, see Long, *Great Southern Babylon*, especially chapter five, “As Rare as White Blackbirds’: Willie Piazza, Race, and Reform in Storyville,” 191-24, and her epilogue, 225-32.

ages, and ethnicities. Interracial Storyville continued this legacy of a heterogeneous South that Jim Crow often tried to hide. In Storyville's streets, teeming with untold variations of human pleasures, problems, and peoples, a piece of Reconstruction far outlived the period of its creation.

Neither New Orleans's city leaders nor its residents felt much need to segregate the *demimonde* because they trusted that regulation achieved separation, not between white and black, but between respectability and deviance, and this distinction provided order enough for them. Ideas about the "natural" deviance of black women had a long history undergirding slavery and criminal justice in the United States. Slaveholders deployed stereotypes about black women's promiscuity and ease of reproduction to obscure their sexual abuse of enslaved women, while cultural figures such as Jezebel and the eroticized "mulatress" justified the sexual exploitation of women of color, including those working in the sex trade well.⁷³¹ Other defamatory characterizations—the domestic servant who preferred theft to labor or the cook who poisoned her white family—did cultural similar work by casting women of color as innately disposed to crime, which then obscured the racist workings of the criminal justice system. By the final decades of the nineteenth century, these assumptions coalesced into the assumption that women's crimes were overwhelmingly committed by women of color.⁷³² This conflation of crime and race was but one ruinous aspect of the post-Reconstruction South and the criminal justice system only one tool of many to enforce white

⁷³¹ Landau, *Spectacular Wickedness*; Jennifer L. Morgan, "'Some Could Suckle over Their Shoulders': Male Travelers, Female Bodies, and the Gendering of Racial Ideology, 1500-1770," *William and Mary Quarterly* 54.1 (January 1997): 167-92; and White, Deborah Gray White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: Norton, 1985).

⁷³² For more on the racialization of crime in the late nineteenth and early twentieth centuries, see Kali N. Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham: Duke University Press, 2006) and Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2011).

supremacy. The lynching of black men and women for any perceived or imagined infraction gave deadly seriousness to perceptions of disorderliness and reinforced fears of black deviance.

In order for crime, color, and disorder all to become one and the same, another category that had earlier been so familiar to New Orleanians and other Southerners had to recede into the background: white female deviance. The inherent deviance of black women and the protection of white womanhood through the lynching of black men, key doctrines of white supremacy, were superficially predicated on the respectability of white women, figured as the literal bearers of racial purity. Earlier in the nineteenth century, the white South could acknowledge white women's transgressive or criminal behaviors, especially if the women were already marginalized as poor or working-class. "Disorder" encompassed women from across the racial spectrum through the Reconstruction period, but signs of stress emerged as Emancipation threw the southern racial structure into doubt. Without slavery as a bulwark against legal and social equality, they depended upon assumptions of racial superiority as the foundation of their system, so any crack in the façade threatened collapse.⁷³³ Were criminals racially degenerate if white women were openly included in their ranks? Were lynchings justifiable if white women sought sex outside marriage and outside their race? Was the white race really superior if some of its women could be corrupted? These questions were explosive, so dangerous that raising them threatened the life of Ida B. Wells and others for

⁷³³ This idea of the new vulnerability of the South's racial system after the end of slavery—and the reverberations of this change on the treatment of "disorderly" women—is explored particularly effectively in the literature about sexual relations between white women and black men. See Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997) and Diane Miller Sommerville, *Rape and Race in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 2004).

years to come. To evade them, the once-familiar figure of the disorderly white woman had to fade from the stage on which Jim Crow danced.

And yet the regulation of prostitution without regard to women's race in New Orleans continued throughout all this. National narratives of "white slavery"—young innocents kidnapped and defiled into this unnatural life—offered a flimsy explanation for the sights of Storyville and gained only limited traction to change the laws that created the district. Most New Orleanians supported such laws, and misgivings usually concerned which streets to surrender to vice, not how to differentiate among its women. There was no effort to obscure the white prostitute under the law, in popular culture, or inside the brothels and cribs of New Orleans's regulated trade. White prostitutes openly rivaled their counterparts of color in their numbers, their dissipation, and no doubt their desperation too, while white madams amassed wealth, power, and celebrity. All of this could take place so prominently within the Jim Crow South precisely because this one set of women was already set apart, marked as an alternative white womanhood by their legally tolerated trade and by their geographic separation from the rest of society. So while other disorderly white women—those who drank, stole, fought, or even murdered—had to be erased from the public mind, the white women of Storyville could safely remain among the "females of all hues, dresses, ages, and sizes" from the Reconstruction era.⁷³⁴

It was only later when the collapse of regulation banished this clearly differentiated figure of women's sexuality—the legalized prostitute—white supremacy again had to face white women's open disorderliness to the same degree as it had in Reconstruction, and by the 1920s the challenge no longer bore such clear lines of class and neighborhood as in

⁷³⁴ "The One Hundred and Five Nymphs," *Daily Picayune*, New Orleans, Louisiana, 16 July 1865, 8.

postbellum New Orleans. Younger generations of women improvised their own new rhythms of “disorder” that reflected cinema more than civil war, prohibition more than party politics, and New Orleans’s own jazz more than Jim Crow. Entire systems of sex, race, and work would have to be rewritten in their wake. In the Twenties, the figure of the disorderly white woman returned to the stage, just in a different, modern guise. Legend holds that the octoroon Storyville madam Willie Piazza, certainly a disorderly woman herself, summarized this sea change in the twentieth century by complaining, “The country club girls are ruining my business!”⁷³⁵

⁷³⁵ Qtd. in Herbert Asbury, *The French Quarter: An Informal History of the New Orleans Underworld* (1936: reprint, New York: Basic Books, 2008), 455.

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