

ELECTRIC BRILLIANCY: CROSS-DRESSING LAW AND FREAK SHOW DISPLAYS IN NINETEENTH-CENTURY SAN FRANCISCO

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In 1863, midway through the Civil War, the San Francisco Board of Supervisors passed a local law against cross-dressing that prohibited public appearance “in a dress not belonging to his or her sex” (*Revised Orders* 1863). That city was not alone in this action: between 1848 and 1900, thirty-four cities in twenty-one states passed laws against cross-dressing, as did eleven additional cities before World War I (Eskridge 1999). Far from being a nineteenth-century anachronism, cross-dressing laws had remarkable longevity and became a key tool for policing transgender and queer communities in the 1950s and 1960s. However, although studies have documented the frequent enforcement of these laws in the mid-twentieth century, far less is known about their operations in the nineteenth century, when they were initially passed. In this essay, I examine the legal and cultural history of cross-dressing law in one city—San Francisco—from the 1860s to 1900s. In particular, I explore cross-dressing law’s relationship with another nineteenth-century institution that was centrally concerned with cross-gender practices—the dime museum freak show.

Focusing on the complex, contradictory, and sometimes unpredictable relationships between legal regulation, cultural fascination, and gender transgressions, I develop three main arguments. First, I examine the legal work of cross-dressing law, documenting the range of practices criminalized, people arrested, and punishments faced. Observing that the law exclusively targeted public cross-dressing practices, I argue that it did much more than police the types of clothing that “belonged” to each sex; it also used the visible marker of clothing to police the types of people who “belonged” in public space. Second, I explore the relationship between cross-dressing law and a host of other local laws that targeted human bodies as public nuisances. In doing so, I argue that cross-dressing law was not an isolated act of government, exclusively concerned with

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gender, but one part of a broader regulatory project that was also concerned with sex, race, citizenship, and city space. Finally, I analyze the case of Milton Matson, a female-bodied man who was recruited from a jail cell to appear in a dime museum freak show in 1890s San Francisco. Based on this analysis, I argue that cross-dressing law and the freak show had similar disciplinary effects, producing and policing the boundaries of normative gender, albeit in incomplete ways.

A DRESS NOT BELONGING

San Francisco's Board of Supervisors did not initially criminalize cross-dressing as a distinct offense, but as one manifestation of the broader offense of indecency. The full legal text stated:

If any person shall appear in a public place in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, or shall exhibit or perform any indecent, immoral or lewd play, or other representation, he should be guilty of a misdemeanor, and on conviction, shall pay a fine not exceeding five hundred dollars (*Revised Orders* 1863).

In turn, this wide-reaching indecency law was not a stand-alone prohibition, but one part of a new chapter of the municipal codebook, titled *Offenses Against Good Morals And Decency*, which also criminalized public intoxication, profane language, and bathing in San Francisco Bay without appropriate clothing. Alongside these newly designated crimes, cross-dressing was one of the very first “offenses against good morals” to be outlawed in the city. In 1866, the original five-hundred-dollar penalty was revised to a five-hundred-dollar fine or six months in jail; in 1875, it increased to a one-thousand-dollar fine, six months in jail, or both (*General Orders* 1866, 1875).

Despite its roots in indecency law, San Francisco's cross-dressing law soon became a flexible tool for policing multiple gender transgressions. Before the end of the nineteenth century, San Francisco police made more than one hundred arrests for the crime of cross-dressing (*Municipal Reports* 1863–64 to 1899–1900).¹ A wide variety of people fell afoul of this law, including feminist dress reformers, female impersonators, “fast” young women who dressed as men for a night on the town, and people

whose gender identifications did not match their anatomical sex in legally acceptable ways (people who today would probably—although not definitely—identify as transgender). Those arrested faced police harassment, public exposure, and six months in jail; by the early twentieth century, they also risked psychiatric institutionalization or deportation if they were not U.S. citizens. For example, in 1917, a female-bodied man named Jack Garland was involuntarily institutionalized in a psychiatric ward for refusing to wear women’s clothing (Stryker and Van Buskirk 1996), while a male-bodied woman named Geraldine Portica was arrested for violating San Francisco’s cross-dressing law and subsequently deported to Mexico (Jesse Brown Cook Scrapbooks n.d.).

San Francisco’s cross-dressing law marked the start of a new regulatory approach toward gender transgressions, and it attempted to draw and fix the boundaries of normative gender during a period of rapid social change. However, cross-dressing law signaled not only a new object of regulation, but also a new mechanism of regulation—exclusion from public space. From its inception, cross-dressing law was specifically concerned with public gender displays, and it targeted cross-dressing in public places. Notably, the law made it a crime for someone to “appear *in a public place*...in a dress not belonging to his or her sex,” and any clothing practices that occurred in private were beyond its scope (*Revised Orders* 1863; italics mine). As a result, some people confined their cross-dressing practices to private spaces and modified their appearance when in public for fear of arrest.

For example, in the 1890s, a male-bodied San Franciscan who identified as a woman named Jenny reported that although she preferred to wear women’s clothing, she only dared do so in private, for fear of arrest on the city streets. In a letter to German sexologist Magnus Hirschfeld, Jenny wrote: “Only because of the arbitrary actions of the police do I wear men’s clothing outside of the house. Skirts are a sanctuary to me, and I would rather keep on women’s clothing forever if it were allowed on the street” (Hirschfeld 1991, 84). Her fears were not unfounded. In 1895, the police arrested a middle-aged carpenter named Ferdinand Haisch for “masquerading in female attire,” after Hayes Valley residents called the cops on the “strange appearing woman” who walked through their neighborhood every evening (“Masqueraded as a Woman,” *San Francisco Examiner*, April 16, 1895, 4).² The police staked out the neighborhood for several weeks before arresting Haisch, who was wearing the

latest women's fashions—a three-quarter-length melton coat, green silk skirt, red stockings, silver-buckled garters, high-heeled shoes, and stylish hat. Following a brief stint in the city prison, Haisch was released by the police court judge on the condition that Haisch ceased wearing these clothes in public. Haisch apparently complied, but her ever-vigilant neighbors were still not satisfied, and they demanded her rearrest for wearing women's clothing at home. However, while predictably sympathetic to the neighbors' complaints, the police admitted that they were powerless to intervene, because the law permitted cross-dressing in private ("Crazy on Female Attire," *The Call*, July 3, 1895, 8).

The exclusion of cross-dressing practices from public space—and their concurrent confinement to private spaces—was a form of legal segregation that had significant political consequences, both for individuals whose public appearance constituted a crime and for the "general" public. First, for people excluded from public space, participation in day-to-day city life was curtailed. Everyday activities, such as going to the shops, enjoying a night on the town, or even walking through one's own neighborhood brought surveillance and arrest. As such, cross-dressing was marked as a deviant and secretive practice, rather than a public activity and identification. Second, by excluding cross-dressing practices from public space, the law also severely restricted people's access to the public sphere, which twentieth-century critical theorist Jürgen Habermas (1991) identified as a fundamental precondition of democracy. In Habermas's influential formulation, the public sphere consisted of multiple public venues where individuals came together to discuss common public and political affairs, these spaces including coffee houses, saloons, bars, and meeting halls, as well as the mediated venues of newspapers and journals. By restricting access to these public venues, cross-dressing law effectively excluded multiple people with non-normative gender from civic participation and the democratic life of the city. Finally, cross-dressing law was not only consequential for those excluded from everyday public and political life, but also for the "general" gender-normative public, who faced an artificially narrow range of gender identities in city space. After all, when in public, there were only two ways that people with non-normative gender presentation could avoid arrest—either changing their clothing to comply with the law or evading police detection by fully "passing." Clearly involving different risks and benefits, these strategies nonetheless had a similar effect on city space, removing different-gender

appearances and identities from public view. Indeed, by policing gender hierarchies through public exclusion, cross-dressing law reinforced the very notion of “difference” as anomalous by exaggerating the prevalence of the “norm.”

PROBLEM BODIES, PUBLIC SPACE

Although cross-dressing law marked a particularly literal attempt to produce and police normative gender, it was not an isolated or idiosyncratic act of government. Instead, it was one part of a broader legal matrix that targeted the public visibility of multiple “problem bodies,” including those of Chinese immigrants, prostitutes, and individuals deemed maimed or diseased.³ These local orders constituted a body of law that targeted the atypical human body as a potential public nuisance, and they appeared in the municipal codebook alongside laws that regulated sewage, slaughterhouses, and the keeping of hogs. However, while these nineteenth-century laws differed significantly from each other in their object of concern, their mechanisms of control were very similar, seeking to manage public nuisances—animal, object, or human body—through regulating city space.

Mirroring the regulatory logic of cross-dressing law, some of these laws sought to directly *exclude* problem bodies from public space. For example, in 1867, the Board of Supervisors passed a law that prohibited anyone who was “diseased, maimed, mutilated,” or an otherwise “unsightly or disgusting object” from appearing in public (*General Orders* 1869). One part of a broader law, with the name “To Prohibit Street Begging, and to Restrain Certain Persons from Appearing in Streets and Public Places,” this law focused on the intersection of disability and poverty, seeking to exclude the potentially sympathetic figure of the disabled beggar from San Francisco streets (Schweik 2007). Two years later, in 1869, the supervisors passed another law that prohibited persons from carrying baskets or bags on poles on the city streets—this way of moving through public space being common among some Chinese immigrant workers (*General Orders* 1872). Similar to cross-dressing law, these laws focused on public appearances and movements and simultaneously policed problem bodies while producing governable city space.

A second set of laws operated through *confinement*, rather than exclusion, seeking to ban problem bodies from particular neighborhoods, rather than from generic public space. A series of laws in the 1880s and 1890s,

for example, targeted houses of prostitution on middle-class, residential streets, in an effort to reduce the visibility of commercial sex work for “respectable,” middle-class, Anglo-American women and children, through its confinement in carefully designated, racialized vice districts (*General Orders* 1890, 1892, 1898). Subsequent laws and policies went even further in endeavors to confine vice to specific areas. For example, when the owner of a Barbary Coast “den” attempted to buy property in the upscale Pacific Heights neighborhood, following the 1906 earthquake and fire, the police captain promised to block the sale: “This section of the city must be kept free of such places. They have no business outside of the burned district and I propose to drive them back to where they belong” (“Barbary Coast Harpies Seek to Settle Among Homes of Pacific Heights,” *The Call*, September 15, 1906, 3). Two years later, even more dramatically, the chief of police drew territorial boundaries around the Barbary Coast, ordering the district’s female residents to remain east of Powell Street and north of Bush Street or face arrest and jailing under vagrancy laws (“Biggy Marks Deadline for Tenderloin Women,” *The Call*, January 12, 1908, 32).

A third type of legal intervention required the *concealment*, rather than exclusion or confinement, of problem bodies from the “respectable” public’s view. Specifically, in 1863, as the Board of Supervisors enacted its wide-ranging indecency law, the local chief of police, Martin Burke, attempted to reduce the visibility of prostitution in Chinatown by requiring the owners of “cribs” (small, street-level rooms from which women solicited sex) to buy and erect large screens at the entrance of the streets that housed them (Burke 1887). This specified not only the geographic spaces of concern (namely, Chinatown), but also the characteristics of “the public” that needed to be shielded from these sights. Burke made this explicit in a subsequent annual report, stating that his purpose was to “hide the degradation and vice...from the view of women and children who ride the streetcar” through the newly developing downtown area (*Municipal Reports* 1865–66).

Finally, there were several legal attempts to bypass intracity boundaries and *remove* problem bodies from the city entirely, aimed exclusively at Chinese immigrants. In 1865, for example, the Board of Supervisors passed an “Order to Remove Chinese Women of Ill-Fame from Certain Limits of the City” (*General Orders* 1866). This was the first local law to explicitly target a single nationality, and under the advice of the city attor-

ney, the supervisors removed the word “Chinese” from the legal text, prior to publication. The intent of the law, however, remained unchanged, and the following year, 137 women—virtually all Chinese—were arrested as “common prostitutes,” an enormous increase over the previous year, when there had been one arrest. These women were subsequently removed from the city, and the chief of police boasted that he had used the law to expel three hundred Chinese women, with fewer than two hundred remaining (*Municipal Reports* 1865–66). Additionally, the Board of Supervisors made numerous attempts to harness the power granted by nuisance law to remove all Chinese residents from San Francisco. This possibility had circulated in anti-Chinese political discourse since at least the mid-1850s and reached its peak in 1880, when an investigative committee of the San Francisco Board of Health published a report declaring Chinatown a nuisance and calling for all Chinese residents to be removed from the city (*Chinatown Declared a Nuisance!* 1880, 6). Judicial restraints ultimately rendered this effort ineffective, but not before the Board of Health unanimously accepted the committee’s recommendations, signaling local government’s investments in using nuisance law for racialized removal.

Undoubtedly, there were important differences between these laws, as well as between the processes through which cross-dressed, indecent, unsightly, and racialized immigrant bodies were defined as problems and targeted for legal intervention. Nonetheless, I bring these particular laws together here—as they were brought together in nineteenth-century municipal codebooks—for two specific reasons.

First, when these laws are considered together, it becomes clear that cross-dressing law was not alone in its attempt to minimize the public visibility of problem bodies. Instead, it was one part of a broader legal matrix that was concerned not only with gender transgressions, but also with race, citizenship, and disease. Moreover, these were not independent concerns. As numerous scholars have argued, accusations of gender and sexual deviance have frequently been deployed in processes of racialization, while racialized anxieties have informed the policing of gender and sex. In turn, race, gender, and sex have all been linked to disease, and in nineteenth-century San Francisco, the management of public health was key to policing Chinese immigrants and prostitutes. In short, there were numerous intersecting cultural anxieties during this period that become more apparent when cross-dressing law is situated in its broader legal context.

Analyzing cross-dressing law within this context also makes clearer the ways that the law sought to manage not only gender but also city space. As legal historian Lawrence Friedman has stated about nineteenth-century morality laws in general: “What was illegal, then, was not sin itself—and certainly not secret sin—but sin that offended public morality. This was what we might call the Victorian compromise: a certain toleration for vice, or at least a resigned acceptance, so long as it remained in an underground state” (1985, 585). However, before vice in San Francisco could “remain in an underground state,” such spaces had to be created. Indecency and nuisance laws were instrumental to this process, creating urban zones where problem bodies could be contained—primarily the racialized vice districts of Chinatown and the Barbary Coast. Consequently, these laws affected not only the public visibility of problem bodies, but also the sociospatial order of the city, drawing a series of territorial boundaries between public and private, visible and concealed, and respectable and vice districts.

FASCINATION AND FREAKERY

Laws that sought to reduce the visibility of problem bodies—including cross-dressing law—constituted a dense legal matrix that dictated the types of bodies that could move freely through city space and the types of bodies that could not. However, such laws could also incite cultural fascination and the desire to see, which entrepreneurs could exploit. One manifestation of this was the popular commercial “slumming tour,” in which tourists were guided through the Barbary Coast and Chinatown, to glimpse the bodies that the law sought to conceal. These tours took in brothels, opium dens, dive bars, and sick rooms housing Chinese patients who were banned from the city’s hospital (Evans 1873). Another manifestation was the newspaper scandal, which splashed cross-dressing practices across the front page, as local editors ran sensational stories and interviews with those who broke the law. These scandals publicized normative gender boundaries and ridiculed transgressors, representing gender difference as a titillating private eccentricity or individual moral flaw (Duggan 2000; Sears 2005). However, the starkest manifestation of this cultural fascination was the dime museum freak show, which displayed non-normative bodies and cross-gender performances in seeming conflict with the law.

Dime museum freak shows emerged as a popular form of entertain-

ment in most major U.S. cities after the Civil War, peaking in popularity during the 1880s and 1890s. As one component of the era's new mass entertainment industry, dime museums had their socioeconomic roots in technological, demographic, and economic changes that led to an unprecedented rise in leisure time among working-class and middle-class city residents (Adams 2001).⁴ Similar to municipal law, the dime museum freak show was preoccupied with the public appearance of non-normative bodies and offered a variety of attractions for the low price of a dime, including human anatomy exhibits, lectures on morality, sideshow circus artists, and freak show performers. Most studies of dime museums and freak shows have focused on East Coast institutions, with particular emphasis on P. T. Barnum's American Museum in New York (Bogdan 1988; Denet 1997; McNamara 1974). San Francisco, however, boasted numerous freak shows of its own, ranging from the short-lived Museum of Living Wonders, which operated out of a "leaky tent on Kearny Street" in the early 1870s ("A Shocking Exhibition," *The Call*, December 17, 1873), to the grand exhibitions held at Woodward's Gardens, an expansive family amusement resort that occupied two city blocks in the Mission district from 1866 to 1891 ("Where the 'Old Town' Frolicked," *San Francisco Chronicle*, November 9, 1913, 25). Most of the city's freak shows, however, were clustered on Market Street, operating out of small, seedy, rented storefronts (Asbury 1933; Cowan 1938). Market Street was also home to the Pacific Museum of Anatomy and Science, the city's longest-running dime museum, which claimed to be the "largest anatomical museum in the world" ("Visit Dr. Jordan's Great Museum of Anatomy," *The Call*, September 11, 1902, 2).

In San Francisco, as elsewhere, dime museum entertainment centered upon performances of bodily difference and paid particularly close attention to bodies that challenged gender, racial, and national boundaries or that ostensibly revealed the somatic penalties of immorality through spectacles of disease or deformity. For example, freak shows typically featured a Bearded Lady or Half-Man/Half-Woman character, while anatomy exhibits included hermaphrodite bodies, such as that of the Pacific Museum's display of "a beautiful dissection" of a hermaphrodite cadaver, featuring "the internal arrangements and dissections of this wonderful freak of nature" (Jordan 1868, 19). Another staple attraction was the popular "Missing Link" or "What-Is-It?" exhibit, which usually featured an African American or a white man in blackface who was presented as the

“missing link” between man and animal (Cook 1996). Many dime museums also featured pathology rooms that contained displays of diseased sexual organs and other body parts, damaged by syphilis, gonorrhea, and “the filthy habit of self-abuse” (Jordan 1868, 36). Finally, dime museums regularly staged performances of racialized national dominance that corresponded to contemporary wars. One of the first crowd-drawing exhibits at the Pacific Museum of Anatomy and Science, for example, was the preserved head of Joaquin Murietta, the notorious Mexican “bandit” who fought against Anglo dominance and violence in the southern California gold mines, before being killed by state-sponsored rangers in 1853 (Asbury 1933). Murietta was a popular symbol of Mexican resistance, and the display of his severed head graphically dramatized a narrative of Anglo dominance and Mexican defeat, against the backdrop of the Mexican War. Occasionally, dime museum exhibits explicitly linked gender and national boundary transgressions, as when Barnum’s American Museum displayed a waxwork figure of Jefferson Davis, the defeated leader of the Southern Confederacy, wearing women’s clothing, at the close of the Civil War. This exhibit dramatized rumors that Davis had disguised himself in hoopskirts when trying to escape his northern captors, deploying cultural anxieties about cross-gender practices to emasculate the defeated South, fortify territorial boundaries, and reconsolidate the postwar nation (Silber 1989).⁵

As this brief review suggests, the freak show and the law shared a set of cultural anxieties concerning the shifting boundaries of gender, race, health, and the nation, and the disparate bodies gathered on the freak show stage eerily mirrored the bodies targeted by municipal law—the sexually ambiguous, the indecent, the racialized, and the diseased. However, the relationship between the two institutions was complex, not least because the law prohibited the public visibility of problem bodies while the freak show required their public display. These complexities are illustrated by the case of one man who navigated both legal proscriptions and freak show visibility in 1890s San Francisco—Milton Matson.

In early January 1895, Matson was arrested in San Francisco, in the room of his fiancée, Ellen Fairweather, and charged with obtaining money under false pretenses. Matson was taken to San Jose County Jail and locked up in a cell with several other men, where he remained for two weeks, until the jailer received a bank telegraph, addressed to Miss Luisa Matson, and realized that Matson was female.⁶ After complicated

legal wrangling, charges against Matson were dropped, and he walked free from the jail in men's clothing, returning to San Francisco the following month.

The exposure of Matson's "true sex" generated a mass of newspaper coverage and the San Francisco dailies ran numerous stories on this "male impersonator" or "pretender," as Matson was described ("Louisa Has Her Say," *The Call*, January 28, 1895, 1; "Will Again Don Woman's Garb," *San Francisco Examiner*, January 30, 1895, 3). In these stories, the press excitedly debated the possibility of Matson's arrest under cross-dressing law and reported that he publicly dared the police to arrest him. Before this could happen, Matson was approached by a local dime museum manager, Frank Clifton, and offered work, sitting upon a museum platform, wearing men's clothing, for the public to view. In need of employment and money, particularly since the press had undermined his ability to live as a man, Matson accepted Clifton's offer. The strangeness of this transition—"from a cell in the San Jose prison to the electric brilliancy of an amusement resort"—was not lost on Matson, who commented: "Funniest thing...I'm getting letters from all sorts of showmen offering good salaries if I will exhibit myself. It amuses me very much....I'm beginning to think it pays to be notorious. It certainly does not seem to be a detriment to people in America" ("Has No Love for Petticoats," *San Francisco Examiner*, February 7, 1895, 16). The appeal of Matson's notoriety proved so popular that several other local freak shows began featuring cross-dressed performers, deceptively advertised as "the only genuine Miss Martson [*sic*] in male attire" ("Louisa Matson's Double Sued," *The Call*, February 15, 1895, 12).

Given the punitive forces impinging on cross-dressing practices in nineteenth-century San Francisco, and the law's insistence on removing them from public view, the concurrent display of cross-dressing performers in city freak shows is initially perplexing. On the one hand, these institutions operated according to very different logics. The law imprisoned, the freak show displayed; the law deprived its subject, the freak show offered a salary; the law disapproved and sought to reduce its subjects "deviance," the freak show was fascinated and sought to exaggerate and increase it.

On the other hand, the operations of cross-dressing law and the freak show overlapped. After all, Matson was recruited into freak show entertainment directly from a jail cell, following a path that other San Fran-

cisco performers had walked before him.⁷ Moreover, Matson's participation in a freak show exhibition regulated his offstage behavior in a very direct way; his contract forbade him to wear men's clothing on San Francisco's streets, to preserve the mystique—and profitability—of his show ("She Has Been a Man of the World for Over Twenty-six Years," *San Francisco Examiner*, February 10, 1895, 26). Consequently, although the law and the freak show operated through distinct logics of concealment and display, they could have similar regulatory effects on freak show performers.

The freak show also paralleled cross-dressing law as a normalizing discourse that communicated to audiences, in starkly visual terms, the parameters of acceptable behavior and the penalties for violating these norms. While there are few historical records that speak to the disciplinary impact of cross-dressing performers on freak show audiences, a popular 1890s dime novel is highly suggestive of possible effects. In Archibald Gunter and Fergus Redmond's *A Florida Enchantment*, of 1891, a wealthy white woman, Lillian Travers, purchases a box of African sex change seeds from a dime museum in Florida.⁸ Following an argument with her fiancé, she swallows a seed and transitions into a man named Lawrence Talbot. Realizing that a wealthy man needs a male valet, rather than a female housekeeper, Lawrence forces his "mulatto maid," Jane, to also swallow a seed and become a man named Jack. Lawrence later realizes with "fearful horror" that dime museums would love to exhibit him as a freak and he has a nightmare in which the city is covered in gigantic dime museum posters, advertising him as "The Freak of All Ages" and "The Woman Man," appearing alongside "The Living Skeleton" and "The Missing Link." Although doubly fictional (first as appearing in a novel, second as appearing as a dream), this scene illuminates the operations of the freak show in two specific ways.

First, by illustrating Lawrence's horror at the prospect of being displayed as a freak, the nightmare suggests that freak show visibility could have disciplinary effects, operating as a threat against gender transgression and an inducement to conform. Second, the context of Lawrence's nightmare, within the novel, suggests that the disciplinary effects of freak show visibility were informed by racialized anxieties, rather than by a universal fear of being labeled "freak." Specifically, Lawrence's nightmare occurs after he has already entered a dime museum to purchase sex change seeds from Africa and after he has learned that his former maid, now Jack, has

begun working at a dime museum as “the greatest freak on earth.” Additionally, the poster from his nightmare suggests that part of the horror of being displayed as “The Woman Man” is appearing alongside and in association with the racialized “Missing Link” character and the deformed “Living Skeleton.” Indeed, throughout the novel, the dime museum appears as a racialized site that serves as both the source of gender transgression (sex change seeds from Africa) and the space of its containment. This suggests that the potential disciplinary effects of freak show visibility were intricately connected to its association with imperial exoticism and racialized difference.

Finally, freak shows worked in tandem with cross-dressing law by producing not only disciplined audiences schooled in gender normativity, but also vigilant audiences trained in the pleasures of suspicion. The possibility of being duped was central to dime museum entertainment, and show managers encouraged audiences to gain pleasure from suspecting, confronting, and unmasking frauds. Performances of sexual and gender ambiguity were particularly susceptible to this suspicion. For example, the Bearded Lady’s combination of feminine dress and masculine facial hair confronted audiences with a fascinating gender dilemma—was this a woman who pushed the female body beyond recognizable femininity or was this a man in drag? Visitors sought to resolve this dilemma by prodding at flesh, tugging at beards, and demanding to know the Bearded Lady’s marital and maternal status (Wood 1885). Freak show managers encouraged this questioning and occasionally brought in experts to heighten the drama. At New York’s American Museum, for example, P. T. Barnum instigated a confrontation, one that ended in court, in which a freak show visitor accused a Bearded Lady of being male, only to be rebuffed by the latter’s husband, father, and numerous doctors who testified that she was, indeed, female. Back in San Francisco, Matson’s manager also went to court, to sue rivals of his who allegedly featured “fake” Matsons in their shows. Far from resolving the gender confusion at hand, such events reminded audiences of their susceptibility to being duped. As such, freak shows not only reproduced the boundary between permissible and criminal gender displays that cross-dressing law policed—they also popularized and democratized this boundary, turning audiences into aware and vigilant judges of possible gender “fraud.”

Despite their different modes of operation, cross-dressing law and the freak show performed similar cultural work in nineteenth-century San

Francisco, as techniques of normalization that strove to produce clear, recognizable boundaries between normative and non-normative gender. Additionally, their mutual preoccupation with cross-dressing bodies did not occur in a vacuum, but was one part of a broader set of cultural concerns about the public visibility of problem bodies, particularly those marked by sexual immorality, race, and disease/deformity.

At the same time, however, freak show displays may have had unintended or ironic effects, particularly when the carefully managed distance between viewer and viewed broke down. As cultural scholar Rachel Adams (2001) has argued, freak shows were not only sites of disidentification and disavowal, where audiences secured a sense of normality through their spatial and existential distance from the freaks on stage, but were also sites of identification, where audiences recognized themselves in the freaks and the freaks in themselves. In part, this occurred because the meaning of the freak show performance (like the meaning of any text) was never completely fixed, but was open to multiple interpretations by different audiences. Moreover, as Adams points out, the interactive format of the freak show amplified the possibility of unintended interpretations, as it facilitated unscripted exchanges between disruptive audience members and the freaks who talked back. Such exchanges encouraged alternative readings of the freak show not only among those who participated in them, but also among the wider audience who collectively observed an unintended show.

Adams makes this argument in the context of discussing African American audiences who identified and unmasked racialized freak show performers as local people of color. Such identification, she claims, undermined the fantasy of complete otherness on which the freak show depended and dissolved the boundary between audience and performer, “relocating [the freak] within the community of onlookers” (2001, 170). However, in the context of gender freaks, particularly Matson, the politics of identification could take a slightly different turn, through identifications and desires that did not relocate the freak within the audience but attracted the onlooker to the cross-gender performer on stage. This attraction could be fueled by a shared sense of female masculinity—after all, Matson was not the only female-bodied person to live as a man in 1890s San Francisco.⁹ It could also be fueled by an erotic desire for the cross-gender performer, particularly one such as Matson who had described the pleasures of courting women in the pages of the city press.

There is, unfortunately, scant evidence of such identifications and desires in relation to Matson or other cross-dressed freak show performers, as the voices of those who may have appropriated freak discourse in this manner have not made their way into the archive. However, neglecting this possibility because of insufficient evidence may be more problematic than raising it unsupported by positive proof, as it replicates the structure of the archive, amplifying some voices and silencing others. Within the archive, the voice of the newspaper reporter is prominent; a *San Francisco Examiner* reporter described Matson's dime museum exhibit as follows: "Her part will not be a difficult one. She will be faultlessly attired in patent leathers, a handsome dress suit, embroidered linen and a white tie. She will recline in an easy-chair on a little platform and chat with the socially inclined, but whether she will divulge any of the interesting secrets connected with her numerous love episodes is not definitely known" ("Has No Love for Petticoats," *San Francisco Examiner*, February 7, 1895, 16). Consequently, we can imagine the different ways that different audiences may have interacted with Matson—with fascination and titillation, perhaps; with discomfort and disdain; but also perhaps with identification, attraction, and desire.

CONCLUSION

Through its focus on cross-dressing law, this essay has demonstrated the centrality of gender regulation to nineteenth-century city life and unearthed the hidden history of a law that has appeared in the footnotes of twentieth-century studies, but has not yet been brought to the fore. The essay has also brought together subjects that rarely share the pages of academic inquiry, despite sharing San Francisco streets: male-bodied women and "unsightly" beggars; female-bodied men and sex workers; freak show managers and city police. In doing so I have argued that the policing of gender transgressions needs to be analyzed in relation to the policing of multiple forms of bodily difference and that legal regulations need to be studied alongside cultural fascination. These analytic insights are crucial not only for a study of nineteenth-century cross-dressing law, but also for future studies of the production and regulation of normative gender.

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NOTES

1. Arrest records were not broken down by gender, but in 1867–68, arrests were reported separately for “wearing female attire” and “wearing male attire.” During this year, four people (presumably male bodied) were arrested for “wearing female attire” and two people (presumably female bodied) were arrested “wearing male attire” (*Municipal Reports 1867–68*).

2. Newspapers did not report on Haisch’s own gender identification, but they did describe her going to considerable lengths to publicly present as a woman. Consequently, I use female pronouns when discussing Haisch.

3. I use the term “problem bodies” to collectively refer to the multiple sets of bodies that local government officials defined as social problems and targeted for legal intervention in nineteenth-century San Francisco. In particular, I use “problem bodies” as a term that conceptually precedes the related, but narrower, term “deviant bodies” (Terry and Urla 1995), because I identify the construction of deviance, through processes of normalization, as only one of several different strategies used to manage social, political, and economic conflicts. The concept of problem bodies thus allows a wider range of bodies—and a wider range of conflicts—to be brought into view.

4. Vaudeville theater and minstrel shows were also central components of the new entertainment industry and they shared the freak show’s emphasis on cross-gender and cross-racial performances (Lott, 1993; Toll, 1976).

5. Thanks to Susan Stryker for pointing me to the Jefferson Davis reference.

6. Matson was accused of committing this crime in Los Gatos, fifty miles south of San Francisco, and was consequently jailed in San Jose.

7. In 1888, freak show managers recruited another San Francisco performer, “Big Bertha the Queen of Confidence Women,” directly from jail, literally paying her bail so as to secure her performance in their Market Street show (“Madame Stanley,” *Morning Call*, June 11, 1888, 4).

8. In my discussion of this novel, I draw upon and extend Siobhan Somerville’s (2000) earlier analysis.

9. For example, Lou Sullivan (1990) documented the life of Jack Garland (aka Babe Bean), a female-bodied man who lived in or near San Francisco in the late 1890s and 1900s.

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