Any Other Immoral Purpose: The Mann Act, Policing Women, and the American State, 1900 – 1941

Dissertation

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Abstract

This study explores the White Slave Traffic Act of 1910, commonly known as the Mann Act, a federal law that outlawed taking woman or girl over state lines for the purposes of prostitution, debauchery, or “any other immoral purpose.” It traces the international origins of the anti-white slavery movement; looks at the anti-slavery origins and rhetoric of the anti-white slavery movement; and contextualizes the American anti-white slavery movement in a broader context of American colonial and racial politics. It then examines the Immigration Bureau’s experiments and investigations into white slavery, conceived by the bureau as foreign prostitution, to show how the Immigration Bureau agitated for greater border controls throughout the United States.

At the center of this dissertation is the Bureau of Investigation’s enforcement of the White Slave Trafficking Act. Throughout the 1910s bureau agents struggled with how to enforce the statute: was it a law intended to protect young women from nonwhite men or police young women who in the changing sexual culture were increasingly experimenting with sexuality? In the course of the decade, the bureau experimented with ways to expand its reach while trying to contain prostitutes by tracking prostitutes who crossed state lines. When in 1917 the Supreme Court granted a broad reading to the Mann Act, upholding the “any other immoral purpose” clause of the law to cover cases of interstate romantic trysts, the bureau
expanded the types of cases it pursued. With the U.S.’s entry into the World War, promiscuity posed a threat to the health and American soldiers who suffered from high rates of venereal disease. As a result, wartime America saw a criminalization of promiscuity that encouraged the harsh policing of young women under the martial rationale of protecting America’s fighting force.

Cases during the interwar period show the way the bureau upheld male patriarchal and white racial privileges in cases that dealt with both interpersonal crises and commercial prostitution. The bureau used the Mann Act to bring police pressure on interracial couples. By policing the mobility of women and male respectability the federal government establish a paternalistic model of federal policing. Additionally, as J. Edgar Hoover sought to increase the visibility of the Federal Bureau of Investigation (and the agency’s appropriations) in the 1930s, he launched a series of high publicity investigation into New York City’s Vice Queens and Lords. These investigations and the subsequent trials resuscitated white slavery narratives of an early era as part of the sensational media coverage. Hoover encouraged this type of coverage because it positioned the bureau as the protector of American family values against those who would profit off of misery, economic devastation, and sexual deviancy. This study joins the many others that point to the gendered nature of the American state and the importance of gendered habits of mind to the growth of the American state.
Dedication

The thesis is dedicated to Linda Aldous, whose stalwart belief in the equal rights of all informed every aspect of her life, from her work ushering others into this world to her compassionate embrace of life. Rest in Peace, 1957 – 2010.
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CHAPTER 1: INTRODUCTION

In 1921, Carrie Crook took her three children and fled from her abusive husband in Kansas to the protection of a male friend in Oklahoma. Within two months, federal authorities, at the urging of her husband, tracked her down—returning her children to their father, arresting her friend, and questioning her moral rectitude and sexual history. C.R. Crook, her husband, claimed the federal government’s assistance in his hunt for his wife by calling on the power of the White Slave Trade Act. Though passed to protect women and girls from forced prostitution, the Crook case reveals that citizens and federal officials viewed the Mann Act in broader terms, using it to police domestic affairs.

The growth of the twentieth-century American state, in addition to developing through issues of economic regulation or social welfare that are standard narratives in American political history, came in no small part through its policing of women’s bodies. At the center of my dissertation lies the White Slave Traffic Act, commonly known as the Mann Act after its Congressional sponsor, James R. Mann. The 1910 federal law made it illegal to transport or cause the transport of women over state lines for the purposes of prostitution, debauchery, or “any other immoral purpose.” Most historians who have examined white slavery focus on the social activists who pushed for anti-white slavery legislation; the mythology and
hysteria surrounding white slavery;⁴ and the legislative and legal history of the Mann Act.⁵ Rather than examining the fear generated by the specter of white slavery, this dissertation examines how the paranoia central to the white slavery story resulted in the state’s intrusion into people’s lives.⁶

The anti-white slavery movement formed an important strand of Progressive Era activism that sought to purify the bedroom in the same way that activists sought to clean-up politics, the marketplace, and labor relations.⁷ Like the fight for women’s suffrage, temperance, and settlement work, gendered concerns about changing sexual mores, labor conditions and working-class recreation informed the fight against white slavery. Indeed, activists in the anti-white slavery movement frequently participated in a wide variety of other Progressive movements. For example, suffragists Maud Miner, Rose Livingston, and Sadie American all agitated against white slavery in addition to their many other forms of activism.⁸ These reformers sought government intervention—on the municipal, state, and federal level—in solving a wide variety of social problems.

Most Progressive-Era reformers attempted to deal with the dislocations caused by industrial capitalism and the seemingly amoral urban conditions they fostered. One such social problem was prostitution. Reformers viewed prostitution as a result of women’s low wages, the anonymity of the city where working-class individuals lived, and the cheap way that capitalism put a price on the body and its labor. On a more visceral level, the ranks of prostitutes had been growing steadily in the late 19th and early 20th century, becoming spectacularly visible in red-light districts throughout the country.⁹ Fears about the prevalence of prostitution led to
the rise of the white slavery narrative that asserted (in various forms) that vicious procurers seduced, coerced, lured, tricked, or forced girls and young women into brothels far from their homes and the protections those homes offered. Activists conceived white slavery to be an international and transnational crime, and they were particularly fearful that a young girl would be stolen from one country and placed in a brothel in another country where she would not speak the language and have no friends. Consequently, like other Progressive-Era social issues, activists established transnational links to explore developing transnational solutions.

Unlike Progressive-Era transatlantic issues like urban development, city planning, and workman’s compensation,\textsuperscript{10} the anti-white slavery movement demonstrated the importance of gender to Progressive-Era activists who struggled with changing sexual mores, women’s migration, and the commoditization of women’s sexuality. The Progressive Era witnessed an uprising of women throughout the Western world who demanded equal civil and political rights.\textsuperscript{11} The politics of feminism fueled the anti-white slavery crusade by producing a critique of the sexual double standard of morality while also creating a context where narratives of sexual endangerment for women who left the home (as feminists did) resonated powerfully among all women. The Progressive Era women’s rights movement employed a universalizing language that suggested that all women were connected in their fates and that the subjugation of one woman left a deep impact on another. The sexual exploitation of prostitutes served as an indictment of current moral structures that tacitly allowed male infidelity while requiring female chastity. The presence of women at the center of the white slavery narrative and within the
anti-white slavery movement shows how important gendered anxieties and anxieties about women’s changing roles were to Progressive-Era agitation. Activists in various countries, and throughout the span of the United States, found common ground by invoking a shared understanding of gender relations.

Within the United States, anti-white slavery legislation built upon policy and judicial precedents in immigration law. Amid international concern about the trafficking of prostitutes, the U.S. Congress passed the White Slave Traffic Act to combat the perceived threat of white slavery. Conceived as a response to the international and domestic trafficking of prostitutes in the early twentieth-century, the act built upon antecedents in immigration law such as the 1875 Page Law, which outlawed the importation of Chinese prostitutes, and the 1903, 1907, and 1910 immigration policy reforms that extended prohibition of entry to all prostitutes and women of all national origins attempting to enter the U.S. “for any other immoral purpose.”

At its borders, American immigration officials viewed migrating women through a lens of respectable domesticity. In addition to barring the entry of prostitutes, the federal government refused entry to women who bore children or had sexual relations outside of marriage. Furthermore, immigration officials believed that a woman who migrated independently, in spite of having demonstrable job skills, was “likely to become a public charge” because they had no male breadwinner to take economic responsibility for them. Thus, many single women were barred from entry for their potential poverty rather than their actual poverty. The increased scrutiny faced by women at the borders limited their mobility, reified their economically dependant status, and conflated their potential
economic status with their moral status. The Mann Act and immigration policy reflected and realized the American state’s vested interest in managing the sexuality and gendered domesticity of potential citizens.

Mann Act cases reveal the way the American state defined, shaped, and bound correct sexuality, respectable domesticity, appropriate racial relations, and deviant criminality in the Progressive and Interwar Eras. It fell to the young Bureau of Immigration (in 1935 it would be renamed the Federal Bureau of Investigation) to enforce the Mann Act, and as a result the story of the enforcement of the act and the story of the Bureau of Investigation are intertwined. In the two years prior to the 1910 passage of the Mann Act, bureau agents primarily investigated violations of federal trust laws. With the expanded mandate of the Mann Act, the bureau underwent significant growth—establishing itself in over 300 cities in less than five years. The bureau actively investigated Mann Act violations from 1910 to 1941, although the methods and targets of investigation changed, as did the priority given to these cases. Yet throughout the period, White Slave Traffic Act violations constituted at least 20 percent of special agents’ caseloads. Historians of the FBI have noted the FBI’s early work investigating Mann Act violations, but most have minimized the importance of such investigations to the place of the FBI in public culture or the importance of the Mann Act to the agency’s bureaucratic history. Yet gendered understandings of vice, domesticity, and crime underwrote the bureau’s investigations. More importantly the gendered values of respectable domesticity that bureau agents shared would be one of the most underappreciated but enduring legacies of the Mann Act. Paying close attention to the bureaucratic enforcement of
Mann Act reveals ways in which the American state expanded prior to and during the New Deal.¹⁶

Historians have both made too much and not enough of the white part of white slavery. The term white slavery operated with considerable flexibility, depending on its context and the author's intent. Determining how racialized the term was can be a slippery exercise. In the context of the United States, the term was almost always racialized; but what that meant in a specific context can be difficult to discern.¹⁷ Concerns with white slavery reflected the difficult race relations of the early twentieth-century. It is significant that the hysteria over white slavery, peaking in 1914, coincided with the nadir of race relations and the legal dominance of Jim Crow in the American South.¹⁸ One of the sustaining myths of Jim Crow America was the racist fantasy that African-American men were beasts waiting to sexually prey on white women. This myth justified the lynching of thousands of black men throughout the South, while it also legitimized the need for white men to protect white women (thus reinforcing white women's subordination) and the political, social, and economic domination of all African Americans by whites.¹⁹

Disenfranchised, segregated, and excluded from many types of jobs, thousands of African Americans sought legal, economic, and personal relief by moving to the North.²⁰ Over 200,000 African Americans moved north between 1890 and 1900. The tide of African American migration steadily increased throughout the 1910s until it peaked during World War I as more than half a million African Americas left the South to take advantage of Northern and Midwestern economic opportunities.²¹
As African-American migration to the North increased, some of the myths about the putative sexual danger that black men posed to white women appeared under the white slavery rubric. Anxieties produced by the increasing number of African-American men in northern cities appeared in white slavery tracts and newspapers, such as *The New York World, New York Evening Post*, and the *Evening Sun*. In one 1906 white slave scandal an alleged African-American trafficker named Spriggs captured white women, some as young as 14 years old, and placed them in “negro dens” where they would service a non-white clientele.²² As a result of stories like these, historians of the Progressive Era, like Gail Bederman and Kevin Mumford, have pointed to the Mann Act to elaborate what Joanne Meyerowitz calls the “sexual infrastructure of racism.”²³

When not focused on the sexual dangers African-American men posed to white women, white slavery discourses most often reflected a nativist anxiety popular during a period of intense immigration. Within the discourse of white slavery in turn-of-the-century popular culture, white slavers were inevitably immigrant men of non-Anglo origin, most commonly Jewish. Thousands of anti-Semitic white slavery tracts featured Jewish white slavers profiting from the sale of prostitutes. Beyond the hysteria of anti-Semitic white slavery tracts considerable evidenced has emerged that Eastern European Jews did engage in international sex trafficking. For example, the Zwi Migdal Society, a benevolent society for prostitutes and pimps, operated in such far flung cities such as Buenos Aires, Sao Paolo, and New York City. Historian Charles Van Oelselen has tracked a group of Jewish criminals operating in the late nineteenth century from Eastern Europe, through
London, New York City, and Buenos Aires, to Johannesburg. The existence of Jewish trafficking caused Jewish reform organizations throughout the world to spearhead the fight against white slavery as a strategy to fight the inherent anti-Semitism of white slavery narratives. American activist from the National Council of Jewish Women, Sadie American, reported of the 1910 International Congress for the Suppression of the White Slave Traffic held in Madrid: "There were representatives there from every European country, and underneath it all, like powder ready for the match, was the fear that the whole Conference would turn into detestation and denunciation of the Jews because of the Jewish traffickers." Thus the hysteria over white slavery was loaded with both anti-black and anti-Semitic imagery.

If within white slavery narratives the male white slaver was typically non-white, the female white slave was always white, or could potentially become white. African-American women were rarely identified as worthy of the protection that whites received from anti-white slavery legislation. One African-American commentator noted at the time that the term helped to make "black women the legitimate prey of white men." The racial caste system in the South protected white men who sexually targeted black women—confirming sexual access as a right of white male privilege. Throughout the 1910s and 1920s African-American activists denounced white men’s concubinage and sexual assault of black women. For example, W.E.B. Du Bois wrote that he could forgive much in whites' treatment of blacks, but he admitted that the "one thing I shall never forgive, neither in this world nor the world to come: its [the white South’s] wanton and continued and persistent insulting of black womanhood which it sought and seeks to prostitute to its lust."
By tacitly ignoring the sexual exploitation of black women, the white slavery narrative and white slavery legislation legitimized sexual violence against black women, while fetishizing any potential non-white sexual contact of white women.

In the United States anti-white slavery activists fought against the lawful establishment of what they called “segregation”—in this instance referring to segregated vice districts or red-light districts where prostitution flourished. But as historian Kevin Mumford reminds us, in the racialized and sexualized urban geography of the early twentieth-century U.S., the “segregated” vice district and the racially “segregated” neighborhood were more often than not the same location.29 Thus race permeated not only the discourse surrounding white slavery, but also the practice of prostitution, the policing of prostitution, and the reforming of prostitution.

This dissertation attempts to approach the topic of white slavery on its own terms (privileging the complex and contested way the issue was understood in its own time). When discussing white slavery, previous historians’ reliance on reformers’ narratives and responses—the same reformers whom historians have been describing as moralistic, repressive, nativist, racist, curmudgeon-y, anxious about their status, and so on since the days of Richard Hofstadter—has distorted interpretations of white slavery in general and the Mann Act in particular.30 By looking at enforcement and the bureaucratic cultures responsible for developing policy, the American state’s response to white slavery begins to look different than previous historians’ accounts. Of course, in investigating Mann Act cases, special agents and the individuals they scrutinized drew upon reformers’ white slavery
narratives when it aided their cause; but at other times they diverted from the conventions featured in these narratives. Both the Immigration Bureau and the Bureau of Investigation defined white slavery as analogous to prostitution, whereas legislators and lawyers thought it meant young innocent white girls who had been coerced, tricked, or forced into prostitution, and reformers stood divided between the two poles of definition. But because the laws governing white slavery—the Immigration Laws of 1907 and 1910, the 1908 U.S. accession to the 1904 International Agreement on the Suppression of the White Slave Traffic, and the 1910 White Slave Traffic Act (Mann Act)—were seen by the agencies responsible for enforcing them as laws governing prostitution, early enforcement targeted vice economies and women who earned their living via vice. Later, as the Supreme Court upheld a broader reading of the “any other immoral purpose” clause of the statute, the Bureau of Investigation followed suit and developed a broader scope that focused on upholding patriarchal privileges, policing interracial relationships, and defending domesticity. In approaching the Mann Act story on its own terms, this dissertation attempts to capture (or at least reflect) some of the complexities, varieties and vagaries of American life in the early twentieth century. Mann Act cases frequently investigated families experiencing crisis or individuals in difficult situations, and as a result they also describe some of the banality of subaltern life and the interactions of state actors and private individuals. The vast variety of these cases makes it difficult to draw generalizations, yet patterns do emerge.

The Mann Act has stood as an example of Progressive-Era legislative repression. Legal historian David Langum wrote a compelling and entertaining
history of the Mann Act. Based largely on Department of Justice records (though not FBI investigative files), court cases, and popular media, his work argues that the Mann Act constituted a harmful and invasive piece of legislation. In his analysis, the moralistic hysteria that led to the Mann Act resulted in three specific harms: “blackmail, selective prosecution by prosecutors, and significant deprivation of freedom in consensual sexuality.” For Langum, the third harm outweighed the others and his sexual liberationist outrage informs his entire work. For him, fundamentally the Mann Act “interfered with liberty” and therefore represents an anti-democratic and coercive law. When discussing sexual repression, Langum’s analysis recalls Michel Foucault’s observation about discussions of sexual repression: “Something that smacks of revolt, a promised freedom, of the coming of age of a different law, slips easily into this discourse on sexual oppression.” Langum supports his criticism of the Mann Act by suggesting that the law permitted the majority’s values to tyrannize the minority, and he argues that the among the greatest victims of the law were women. According to Langum, “women were deprived of a fundamental human activity [interstate travel to express their own sexuality] which caused no harm to anybody.” In addition to ignoring the rich literature on how women have historically been deprived of the opportunity to express their own sexuality, Langum naively assumes that just because the FBI labeled women as “victims” they actually were victims. In the cases I study, the vast majority of consensual, non-commercial Mann Act cases did have an injured party—an abandoned spouse, a deceived lover, frightened and frustrated parents. Although Langum pays attention to women, he fails to take into account the centrality of
gender—gender roles within the family, gender ideals within the bureau, gendered power structures within vice markets—, and this lapse leads him to treat the Mann Act as separate from the context that produced it, enforced it, and interpreted it.

Every Mann Act case was predicated on movement—boundary crossing—but at the heart of investigations, for the Bureau of Investigation, and later the Federal Bureau of Investigation, stood the home. While in some scholars’ eyes, voyeurism, sexual policing, and puritanical mores characterized Mann Act investigations, these cases were also about defending domesticity and the family. Protecting homes, promoting proper family relations, convincing errant family members to return to their domestic roles, and punishing those who refused to do so formed the foundation for Mann Act investigations that did not contain a commercial element. By examining how Mann Act investigations upheld patriarchal privileges and defended domesticity, this dissertation joins the many critiques that support the “fictionality of the private.” In Mann Act investigations the public and private were indistinguishable from one another. As Foucault observed: “It is essential that the state know what is happening with its citizens’ sex, and the use they made of it, but also that each individual be capable of controlling the use he [and she] made of it.” The bureau’s policy of supporting extant families made the Mann Act one of the first pieces of “family values” legislation.

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Though this dissertation utilizes a wide variety of sources, it is primarily based on governmental sources—records of the Immigration Bureau, the Bureau of Investigation (BOI), and Federal Bureau of Investigation (FBI)—housed at the
National Archives. The most important records are BOI and FBI Mann Act investigative files. These records provide rich details of the BOI/FBI investigations, often including affidavits and testimony of the parties involved in the cases. The BOI/FBI launched far more Mann Act investigations than U.S. attorneys brought to court. According to J. Edgar Hoover, from 1921 to 1936, the FBI investigated around 47,500 Mann Act cases. Yet during the same period of time, U.S. attorney's achieved only 6,335 convictions. Private individuals initiated the vast majority of these cases. Hoover reported in 1932, that 70 percent of Mann Act investigations were launched by complaints made to field offices by “members of the family of the man or woman involved, such as the husband or relatives of the victim, or the wife of the Defendant.” As a result, these cases provide a window into the role of sexuality in causing family disruptions and the increasingly intimate relationship between families and the state in citizens’ eyes.

These cases have an interesting and revealing institutional history. When Congress established the National Archives (NARA) in 1934, Hoover refused to turn over any FBI documents to the new agency. But by the early 1940s, the FBI was overwhelmed as old files consumed more and more office space. As a result, Hoover ordered his Records Management Division to review the bureau’s closed Mann Act files from the years 1912 to 1919. The division advised Hoover that the files did not have any current value, but did contain “considerable information of a very personal nature and potentially damaging to the character of the person” who had been under investigation. The FBI proposed destroying the records, but NARA opposed the plan due to the records’ potential historical value. At a stalemate, the records
remained with the FBI until, in 1950, FBI Assistant Director Louis Nichols proposed a compromise solution: microfilming all of the BOI records from 1908 to 1922 and destroying the originals.\textsuperscript{45} As a result, the Mann Act cases between 1910 and 1920, are mixed in with other BOI investigations on these rolls of microfilm.\textsuperscript{46} Mann Act cases from 1920 to 1941 were organized under their own subject number (31) and have been turned over to NARA; however, a good portion of them remain classified.\textsuperscript{47}

The typical Mann Act case followed a torturous path. The file would originate from the field office where the complaint had been lodged, usually by a family member, U.S. attorney, or police officer (occasionally a nosey neighbor or representative of a philanthropic organization would initiate investigations). The case identified a “victim,” the woman alleged to be trafficked over a state line, and a “subject,” the person, usually, but not always, male, who was alleged to have taken the woman over the state line (or travelled anywhere within the territories or Washington, DC). The special agent would send a copy of the first report to Washington, DC, and possibly another copy to a different field office whose aid might be required. As the case developed, several field offices would submit reports to the originating office and Washington, DC. The files could include many meaningless memos noting each action investigators took; these actions could include everything from staking out a post office to inquiring about the subject at a saloon, to interviewing former employers or neighbors of the subjects and victims. If the case seemed to be a clear-cut Mann Act violation, the special agents investigating would check with their local U.S. attorneys to inquire about the likelihood of them
taking the case to court. Typically a case could be tried on one of two places—where it had originated or where the violators had been discovered. Individual U.S. attorneys and judges showed a marked preference for avoiding Mann Act cases (or conversely, supporting them). Thus, the special agents threw the case to the region where it would have the most success. Frequently, at this point the case would be dismissed, informally by the special agent or more formally by a judge, but if the case was not dismissed, then it went before a Grand Jury which would return an indictment and from there lawyers prepared for trial. The cases in my sample of 500 range from one-page reports of a complaint to hundreds of pages, spanning several boxes. Most of the time, the special agent filing an individual report wrote the report in his own prose, paraphrasing the words of those whom he had interviewed, although occasionally verbatim transcripts of interviews were included.

When using the evocative BOI/FBI investigative case files, the quasi-legal process that produced the investigations emerges as especially important. Stephen Robertson reminds us that legal sources must be contextualized within the closed systems that produce them for them to truly be legible. Thus, in this dissertation, bureaucratic cultures take president over the narratives offered by the subjects or victims under investigation, because the bureaucratic cultures produced their narratives. As Ann Laura Stoler has recently noted, reading within the archival grain (in this case within the records of agencies like the BOI/FBI) reveals “the molten relationships” between personal lives and bureaucratic regimes.

By privileging bureaucratic regimes, women emerge as highly visible, but mainly mute. Historian Antoinette Burton has commented that women have long
had a “vexed relationship” with the types of narratives contained within national archives. BOI/FBI case files are permeated with gender; yet the voices and experiences of women are nearly absent from these files, even though every single Mann Act investigation included at least one woman or girl. In contrast, male voices abound. Male bureau agents penned the case files, they conferred with male U.S. attorneys and male judges to convict male (and female) subjects. Indeed, one of the primary functions of Mann Act investigations seems to have been to police proper masculinity—respectable, empowered men policing dissolute, disreputable men. When women’s voices do appear, they are heavily diluted due to the coercive and intimidating legal environment that produced their words.

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To trace the story of the Mann Act, Chapter Two will briefly examine the British origins of the anti-white slavery movement to explore the transnational connections between social purity activists. These activists developed a critique of prostitution as a problem of a sexual double standard that threatened all women and made liars out of men. Activists on both side of the Atlantic borrowed the moral authority of the abolitionist movement by utilizing the rhetoric of slavery and freedom. But in doing so, they inscribed the racial boundaries of white slavery. America’s foray into colonial politics provided anti-imperialist social purity activists with another opportunity to articulate their beliefs that white slavery was a foreign problem on the one hand, and a problem with foreigners on the other hand. Finally, in searching for solutions to the social problems identified, social purity activists—
among the vanguard of the Progressive movement—favored legislative and bureaucratic resolutions.

Chapter Three analyzes how the Immigration Bureau reckoned with activists’ demands for agency action in curbing white slavery. It traces a short-lived experiment to place women as boarding inspectors at the port of New York. The experiment, lobbied for by a coalition of social purity activists and feminists, built upon women’s putative moral authority and their assumed ability to perceive feminine distress. The chapter then explores the Immigration Bureau's investigations into the prevalence of white slavery in the United States and abroad. Finally, the chapter examines Congressional actions to prevent white slavery at the nation's borders and within the country.

Chapter Four narrates the Bureau of Investigation’s early enforcement of the 1910 White Slave Traffic Act—the Mann Act. The development of the White Slave Division transformed the BOI into a truly national agency, with representatives in more than 300 cities across the country. Early enforcement of the act upset assumptions prevalent in the white slavery narrative. Instead of protecting innocent white slaves, BOI special agents built cases against brothel madams, thereby bringing female criminality to the forefront. Chapter Five continues interrogating competing ideas of whether to protect or police young women by placing white slavery in a broader mass culture. It describes constitutional challenges to the law, while showing how programs designed to protect soldiers during World War I functioned to equate promiscuity with prostitution.
Chapters Six and Seven turn to enforcement of the Mann Act in the interwar period. Chapter Six focuses on the ways in which the Bureau of Investigation and private individuals used the law to uphold patriarchal family structures, police heterosexual relations, and solve interpersonal crises. Parents and husbands used the law to police interracial relationships. Wives tried to gain BOI aid in seeking faithless and bigamous husbands. Husbands and fathers sought run-away wives and daughters. These cases of familial trouble formed a significant amount of the BOI’s case load during this period and resulted in the bureau policing many types of relationships that exceeded its comfort.

Chapter Seven focuses on a set of sensational cases that emerged in 1936 that re-introduced older tropes of white slavery. It traces how J. Edgar Hoover’s Federal Bureau of Investigation used cases against Vice Queens and an African-American pimp to gain publicity for the FBI’s actions. The cases against the Vice Queens centered on the trope of venal madams whose duplicitous nature cheated customers. By profiting from vice, and the sexual labor of young women, these women lived in extreme wealth while the rest of the country suffered from the deprivation of the Great Depression. Similarly, the FBI’s case against Leon Richard Smith—the “colored vice overlord”—reintroduced a highly racialized image of white slavery that emphasized the dangers men of color posed to white women.

When, in 1921, C.R. Crook called upon special agents of federal Bureau of Investigation to help him track down his missing wife and children he articulated a new understanding of the relationship between the federal government and its citizenry. He expected the bureau’s aid, and the bureau satisfied his expectations.
The agents thought nothing of finding a man’s errant wife and returning his missing children. Furthermore, in his case and many others like it, the agents for the federal government privileged paternal claims to family. The agents in the case noted Crook’s respectable status, describing him has having a “good reputation,” owning his own home, and “the appearance of a sincere, honest, hard-working man.”

Agents returned Crook’s male children to him with no thought of Carrie Crook’s maternal rights to custody. In policing proper domesticity and vice (surely the converse of early-twentieth-century domesticity), the BOI policed the movement of women while expanding its own authority throughout the country. The enforcement of the Mann Act reveals the paternalist expansion of the American State and the importance of gendered habits of mind to American law enforcement.
NOTES

1 Case 31-22, Box 1, Record Group 65, Records of the Federal Bureau of Investigation—FBI Headquarters Case Files, Classification 31, National Archives, College Park, MD.


7 For more on the connections between trust busting, economic reform, and white slavery see: Mara L. Keire, “The Vice Trust: A Reinterpretation of the White Slavery Scare in the United States, 1907-


10 Rodgers, Atlantic Crossings.


14 “Sources of Complaints Received by the Bureau of Investigation, Department of Justice, Concerning Federal Law Violations,” Bureau of Investigations, Records of the Wickersham Commission on Law Enforcement, Part 2: Research Reports and General Subject Files, Consulting Ed. Samuel Walker (Bethesda, MD: University Publications, 1999), reel 3, 2.


17 This is not always the case within the international white slavery movement. By 1910, international feminists active in the anti-white slavery movement began arguing for a change in terminology because they feared the term white slave could be perceived as too exclusive and was not at all accurate in describing what the movement was attempting to halt; that is, the international trafficking of women regardless of race. Now certainly some anti-white slavery activists operating on the international level were only interested in white women (usually their national compatriots), those most active in transnational groups shied away from discussing prostitution in this type of racialized way by the mid 1910s. By 1921, the phrase the “traffic in women and children” emerged as the preferable to white slavery, in that it was seen as more precise and nicely hedged issues related to force/choice dichotomy. Karen Offen, “Madam Ghénia Avril de Sainte-Croix, the Josephine Butler of France,” Women’s History Review 17, no 2 (April 2008): 239-255.

Following the work of Barbara Fields, here I mean to suggest that specifically how a term is racialized is incredibly important as various racist discourses differ from one another in significant ways. I worry about the tendency to flatten these discourses into one generalized discourse. Barbara J. Fields, “Ideology and Race in American History,” in Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward, ed. J. Morgan Kousser and James M. McPherson (New York: Oxford University Press, 1982), 143-177.

18 The term “nadir” is from Rayford W. Logan, The Betrayal of the Negro from Rutherford B. Hayes to Woodrow Wilson (New York: Collier, 1965).


22 Amy Rae Lagler, “‘For God’s Sake Do Something’: White Slave Narratives and Moral Panic in Turn-of-the-Century American Cities” (Ph.D. diss., Yale University, 2005), 159.


29 Mumford, Interzones. This location within different urban locales frequently was also the area of the city where homosexuals could safely congregate and where adventurous middle class “slummers” sought exotic entertainment. See Chad Heap, Slumming: Sexual and Racial Encounters in American Nightlife, 1885 – 1940 (Chicago: University of Chicago Press, 2009).


31 For more on the relationship between reformers’ narratives and their influence on legal discourses see Brian Donovan and Tori Barnes-Brus, “Narrative and Sexual Consent: Compulsory Prostitution in


34 Langum, Crossing Over the Line, 11.


37 Langum, Crossing Over the Line, 259.

38 Ibid., 11.


41 J. Edgar Hoover quoted in “White Slave Traffic Gains: Hoover Asks Public Aid in Drive to Wipe Out Violations,” Boston Evening Recorder 17 Aug 1936; and the fact that 50% of the cases were initiated by private individuals came from: Special Agent in Charge to J. Edgar Hoover, 28 Feb 1929, 31-03-11, File 31-03, Box 1, Record Group 65, Records of the Federal Bureau of Investigation—FBI Headquarters Case Files, Classification 31, National Archives, College Park, MD.

42 Langum, Crossing Over the Line, 150, 168.

43 “Sources of Complaints Received by the Bureau of Investigation, Department of Justice, Concerning Federal Law Violations,” Bureau of Investigations, Records of the Wickersham Commission on Law Enforcement, Part 2: Research Reports and General Subject Files, Consulting Ed. Samuel Walker (Bethesda, MD: University Publications, 1999), reel 3, 2.


45 Ibid.


47 I have not been able to discern why so many of the Mann Act cases from 1920 – 1941 are still classified; all evidence points to their continual classification being a result of an administrative error by archivists at NARA.


50 Burton, Dwelling in the Archive, 4.

51 Ed Portley, “Kansas City, MO, Report 31-22-1,” 17 Oct 1921, Case 31-22, Box 1, Record Group 65, Records of the Federal Bureau of Investigation—FBI Headquarters Case Files, Classification 31, National Archives, College Park, MD.
In 1888, the Women’s Christian Temperance Union (WCTU) commissioned Dr. Kate Bushnell to investigate the truth surrounding a series of sensational newspaper stories that alleged the lumber camps of northern Wisconsin were rife with white slavery, or the forced prostitution of white women. The *New York World, Chicago Inter-Ocean*, and the *Detroit Free Press* published exposes of immoral camp conditions throughout 1887, prompting outraged members of the public to write letters to the governor demanding some type of government response. To defend the honor of his administration and the state, Governor Rusk had enlisted James Fielding to investigate the allegations of white slavery. Fielding discovered that prostitution thrived in the lumber camp towns, but he suggested that the women who worked as prostitutes had been previously unchaste and therefore not worthy of legal protection. Furthermore, he rejected the rumor that kidnapping or forced prostitution abounded in these towns, commenting that the brothels "were in reality sewers which drained off some of the social miasma which was engendered in the large cities." Finally, he concluded that all of the women in the brothels had led a life of shame, characterized by alcohol consumption and liberal socializing with strange men, and thus they could not be thought of as innocent white slaves. In light
of Fielding’s dismissal of the white slave rumors, the WCTU sought to conduct its own investigation into the moral conditions in northern Wisconsin.³

Bushnell’s investigation took her into 59 “dens” or brothels in northern Wisconsin where she interviewed 575 women.⁴ She focused on how women’s migration for work left them vulnerable to entrapment, unfair working conditions, and exploitation.⁵ Bushnell argued that a loophole in a Wisconsin law outlawing the prostituting of a woman who had a “previous chaste character” resulted in protecting those who made money from the business of prostitution at the expense of the prostitute who actually conducted the labor. Brothel owners and pimps could confiscate the wages of a prostitute and she would have no legal recourse because she could not turn to the courts. If the courts investigated charges of exploitation, brothel owners and pimps merely painted their sex workers as previously unchaste.⁶ Bushnell claimed that many of the women she interviewed had been recruited to work in “hotels,” thereby suggesting that fraud and coercion stood at the center of brothel owners’ recruitment strategies. Additionally, most of the women she interviewed suffered from exploitive debt relations. All of the studies—the newspaper exposes, Fielding’s investigation, and Bushnell’s report—of Wisconsin brothels in 1888 uncovered the fact that brothel owners frequently kept prostitutes entrapped through elaborate debt relationships. Girls were forced to pay the cost of the pimp, the cost of transport, the cost of a regular medical exam, room and board and so on. She argued that the women working in Wisconsin brothels formed a new kind of slaves “in that they are compelled to acquire property for others and not for themselves.”⁷ Yet, because of the irretrievable loss of reputation
and stain of shame associated with sex work, Bushnell believed the debt bondage of the Wisconsin dens to be worse than forms of slavery that merely resulted in the loss of profit from one’s own labor.\(^8\) Finally, Bushnell excoriated members of her own profession—physicians—for the profit they earned from brothels. Most of the towns she visited had local “Contagious Disease Acts . . . patterned after the English acts” that required all “degraded” women to be examined for venereal disease infection.\(^9\) By segregating vice into brothels, allowing municipal authorities to profit (through medical fees) and certify the venereal health of prostitutes, and turning a blind eye to the coercive labor conditions, Bushnell insisted, virtuous members of the communities were as implicated in the vice found in northern Wisconsin as the direct participants. As a direct result of Bushnell’s report and the activism of the Madison branch of the WCTU, Wisconsin state legislators significantly tightened state laws to address the most coercive practices and to empower private citizens to initiate investigations into alleged brothels.\(^10\)

Bushnell’s investigation illustrates a number of threads that wove through anti-prostitution and purity politics during the late nineteenth century in the United States. First, by calling medical licensing of prostitutes in Wisconsin an American version of the Contagious Disease Acts, Bushnell and other purity activists in the United States demonstrates the tenuous ties to activists in England, who were leading the international anti-white slavery movement. Second, anti-white slavery activists in both the British and American movements initially drew from a constituency that had fought against African slavery in the mid nineteenth century. In constructing arguments against white slavery, activists drew upon the language
of abolitionism, but in doing so, they revealed and re-inscribed the racial boundaries of the anti-white slavery movement. Third, as the WCTU’s initiative in authorizing the lumber camp investigation suggests, the purity movement of the late nineteenth century included at its foundation a feminist analysis of prostitution, and feminists comprised an important bloc of its supporters and participants. Finally, as the social purity movement gained momentum at the end of the century its members looked for legislative solutions to the moral problems identified—for them government offered the solution.

REGULATING PROSTITUTES, REGULATING EMPIRES

State efforts at the regulation of prostitution first emerged in Napoleonic France in 1802 as an attempt to control the spread of syphilis among French troops.11 “Identification, inspection, and incarceration” characterized the regulation of prostitution—meaning that the state identified putative prostitutes, registered them (usually in some type of licensing procedure), placed them into a licensed brothel, required that they undergo regular medical examinations, and severely curtailed their mobility.12 During the nineteenth and twentieth centuries regulation spread throughout most of Europe and then beyond to European colonies.

Regulation served many purposes: to fight the spread of venereal disease, to protect morally clean women by providing an acceptable sexual outlet for male desire,13 to control disorder, to “moralize the streets by limiting prostitution to a closed environment,”14 and, to reinforce “appropriate patriarchal and class values.”15 By segregating vice and separating “bad” women from “good” women the
regulation system formed the foundation of governmental support for the sexual double standard. The sexual double standard, articulated in Victorian terms, allowed men sexual access to women of their own class and to classes (and races) below them yet insisted on absolute chastity in women.\textsuperscript{16} Women who violated the norms of chastity fell outside of the bounds of respectability and often forfeited legal and possibly familial protection. For example, historian Eileen Findley discovered in Ponce, Puerto Rico at the end of the nineteenth century that, “any woman who stepped outside the bounds of acceptable feminine behavior was [defined by the law as] a prostitute.”\textsuperscript{17} Thus, discourses and laws regulating prostitution were central to the control of \textit{all} women, especially those of the working class. Additionally, discourses about and the actual experiences of “good” women were buttressed by the presence of “bad” women. Finally, regulation of prostitutes was premised on the belief, first articulated by Augustine, that the availability of prostitution, by operating as a safety valve to release men’s “capricious lusts,” was necessary and contributed to the stability of society.\textsuperscript{18}

The regulation of prostitution coincided with and was a product of European imperial aspirations. As European powers sought to protect their military populations from disease, they spread regulation throughout the colonial world. Historian Phillipa Levine has shown how integral the policing of prostitution was to the British colonial mission. She writes, “In the imperial arena, regulation worked also to protect notions of racial hierarchy and the very power structures necessary to colonialism.”\textsuperscript{19} Throughout the colonial world, regulated prostitution sought to protect the respectability of white women, while providing white men sexual access
to native women.\textsuperscript{20} Thus the sexual double standard, in a colonial (and American) context, contained a racial component that ensured white men’s access to non-white women.\textsuperscript{21}

As the regulation of prostitution spread throughout the world it began to attract opponents who argued that regulation constituted state-sponsored vice. The international anti-white slavery movement arose in Britain in the late nineteenth century. British women’s rights activist Josephine Butler established the Ladies National Association in the winter of 1869-1870, to fight the regulation of prostitution in the England—specifically the Contagious Disease Acts of 1864, 1866, and 1869.\textsuperscript{22} This organization soon sought to address regulation beyond the British Empire and thus, in 1875, established the British, Continental and General Federation for the Abolition of the Government Regulation of Vice, renaming itself in 1898 as the International Abolitionist Federation (IAF). After relocating its headquarters from London to Geneva in 1898, the IAF quickly sought to establish branches throughout the globe.

Butler and her allies in the Ladies National Association developed a feminist critique of regulation that focused on how regulated prostitution served to exploit women’s sexuality for the gain of men and the state. IAF reformers sought to abolish medical regulation and to “criminalize brothel-keeping, procuring [of prostitutes], and third-party profit from prostitution.”\textsuperscript{23} Importantly, the IAF did not advocate criminalizing individual acts of prostitution, and they resisted any laws that treated prostitutes as a group. Furthermore, Butler and her allies situated the problem of prostitution into a broader framework of women’s employment, often arguing that
women’s low wages contributed to the rise in prostitution. As sociologist Stephanie Limoncelli has observed: “In contemporary language, the abolitionists [in the IAF] were fighting what they understood to be the commercialization of (primarily poor) women’s bodies, the legitimation of this process provided by the state, the gendered sexual mores of the time (e.g., that men could not be chaste and that a group of women, differentiated from the rest should be maintained to serve them), and the imposition of state interests over women’s individual rights.”

Butler challenged the hypocrisy of the sexual double standard. She noted that under the double standard, nominally respectable men (who secretly visited brothels) permanently condemned prostitutes, placing them into a category of shame from which they could never escape. Most radically, Butler countered this characterization and called for the redeemability of all prostitutes, whom she considered to be the victim of sexist circumstances and male abuse.

As Butler and IAF agitated for the repeal of the Contagious Diseases Acts in England, other British reformers, motivated by Christian purity and desire to protect female innocence, entered the anti-white slavery movement in the 1880’s. English journalist W.T. Stead published a series of articles that exposed the presence of child prostitution in London and the “international slave trade in girls.” “The Maiden Tribute of Modern London,” as the series was titled, first appeared in July 1885 on the pages of the Pall Mall Gazette; but soon the story spread throughout the Western world. Stead boasted that his findings were reported in newspapers in every major city in Europe, as well as by the “purest journals in the great American republic.”
The melodrama Stead constructed soon drew numerous new activists into the anti-white slavery movement. In 1886, purity reformers established the National Vigilance League, which changed its name to the International Bureau for the Suppression of the White Slave Traffic, and eventually the International Bureau for the Suppression of Traffic in Women and Children (IB). Initially the National Vigilance League had a broad agenda that was devoted to protecting the morality of young women, working as a non-profit social welfare agency offering a variety of services. In contrast to the IAF, the IB did not critique regulationist policies. Rather it had a two-pronged strategy: it sought to work with regulationist systems to ensure that all brothels were filled with voluntary and adult prostitutes, and it worked with states to control the migration of women and to develop governmental agencies to address the traffic in women and, more broadly, to control sexuality.

The IB represented a paternalist-protectionist position that was more than willing to infringe on the rights of prostitutes, and women more broadly, to achieve its goals of purity reform.

During the 1880’s the two British groups—Butler's IAF and the IB—remained united in their fight against white slavery, which had gained momentum due to Stead's hugely popular exposé. According to Butler, Stead would be the Mrs. Stowe and “The Maiden Tribute” the Uncle Tom’s Cabin of the new abolitionist movement—the battle against white slavery. The British late-nineteenth-century discourse of white slavery drew heavily from the earlier campaign against African slavery (and below it will be evident how this discourse became even more salient in an American context). According to historian Edward Bristow, the term white
slavery first appeared in conjunction with prostitution in the 1830s when a London doctor wrote about Jewish pimps who were “white-slave dealers trepan [ensnare] young girls in their dens of iniquity.” Yet this use of the term was ahead of its time. Most authors, both in Britain and the United States, who utilized the phrase white slavery in the early to mid-nineteenth century, used it to refer to underpaid wage laborers. In this context, the term was intended to distinguish white (presumably male) wage slaves from race-based chattel slavery practiced in the American South.

The term white slavery and its French counterpart—traite des blanches—became more firmly associated with prostitution (forced or voluntary) in the 1870s. Victor Hugo, corresponding with Josephine Butler in 1870, wrote, “the slavery of black women is abolished in America, but the slavery of white women continues in Europe and laws are still made by men in order to tyrannize over women.” Anti-white slavery activists frequently built upon this metaphor. Writing in 1880, British activist Alfred Dyer declared, “English speaking girls ... are systematically sought after, entrapped, and sold into a condition of slavery infinitely more cruel and revolting than negro servitude, because it is slavery not for labour but for lust; and more cowardly than negro slavery, because it falls on the young and the helpless of one sex only.” Of course, in comparing regulated prostitution with American slavery none of these European activists acknowledged the central and constitutive role the sexual domination of African-American women had in maintaining American slavery. Yet, as Dyer’s quote suggests, utilizing the comparison to African-American slavery served to first, bolster the claims that white slavery was
about *white* women. Second, in the British context *white* women frequently meant *British* women. As the work of Donna Guy has shown, the term *white slavery* contained prevalent ideas of nationalist paternalism. For Dyer and his allies in the IAF and the IB, what was at stake was England’s ability to protect British women placed in foreign brothels.\(^{35}\) When framing white slavery as comparable to American race-based chattel slavery, British anti-white slavery activists drew on the moral power of the American abolitionist movement and then utilized that moral authority for their own nationalist and reformatory ends. This rhetoric of enslavement resonated at a different frequency in the United States, a country that still had a vivid memory of the Civil War.

**American Fears of “Yellow Slavery,” 1848-1882**

While British activists worried about the fate of white slaves in London and European brothels, some American purity activists fretted over the fate of yellow slaves entrapped in San Francisco and other Western-city cribs. Discourses of slavery strongly figured in arguments for Chinese exclusion and discussions of Chinese prostitution, and they would continually re-appear in social purity publications from the 1870s through the early 1900s.

Chinese immigrants began to arrive in the United States in significant numbers after the discovery of gold in California in 1848. In 1849, 325 Chinese men were among the flock of forty-niners, and by 1870 that number had grown to 63,000. Almost all were male and they made up 25 percent of the workforce in California.\(^{36}\) Almost immediately the presence of so many Chinese in the American
West generated nativist fears among the white working class. Stuart Miller’s exceptional study of American attitudes toward the Chinese in the eighteenth and nineteenth centuries argues that the arrival of Chinese immigrants on American shores coincided with the development of the pseudo-scientific rationale of modern racism. Consequently, American attitudes towards the Chinese during the late nineteenth century were rife with “progressive” arguments that demonstrated the inferiority of Chinese culture, religion, social structures, and morality. For some, part of these arguments rested on new ideas about the relationships between dirt and disease; others focused on the scarcity of women among the Chinese sojourners for proof of sexual and social deviancy; and still other arguments looked at the prevalence of Chinese prostitution in Western cities for evidence of Chinese immorality. Finally, the first wave of Chinese immigration coincided with the increasingly sectional slavery crisis and some anti-Chinese commentators feared that the labor systems the Chinese brought to the United States constituted new forms of slavery.\textsuperscript{37} Many of these anti-Chinese concerns were gendered and centered on the body of the Chinese prostitute, who Anglo commentators perceived to be the embodiment and contagion of disease and a powerless slave controlled by others.\textsuperscript{38}

The immigration of Chinese men seeking riches and employment in the American West produced one of the most glaring sex imbalances among an immigrant group in the nineteenth century. For example, in 1850, there were 39,450 Chinese men per 100 women; in 1860, 1,858.1 men per 100 women; 1870, 1,172.3 per 100 women; and so on.\textsuperscript{39} The few Chinese women in the American West
primarily worked as prostitutes. Lucie Cheng Hirata estimated that in 1860, 85 percent of the Chinese female population worked as sex workers; in 1870, that number dropped to 71 percent. For Anglo commentators, the image of the Chinese woman and the Chinese prostitute was one in the same. The prevalence of Chinese prostitution confirmed earlier ideas of Chinese licentiousness disseminated in American missionary publications. In contrast to Stead’s narrative of enslaved white girls in London’s brothels, Anglo commentators saw Chinese prostitutes as enslaved, but they were enslaved by their own dissolution, greed, and cultural backwardness. George Anthony Peffer notes that according to the nativist logic “the owners of Chinatown brothels had not lured the women into immoral lifestyles but had lured immoral women into positions of economic slavery through false promises of profit.”

In the 1870s the anti-Chinese movement in California argued that Chinese labor systems—either the “Coolie” system of contract labor or the selling of daughters to brothels—threatened American institutions and freedoms and ultimately reintroduced slavery to American soil. Furthermore, the trafficking of Chinese women for prostitution created a female sexual slavery that “made African slavery appear as a ‘beneficent captivity.’” In the post Civil War political climate of the 1870s, the issue of slavery was especially salient; the free labor ideal enshrined the notion that each man (and woman) could consent without coercion to his (or her) own labor contract. Congressmen outside of California quickly adopted the rhetorical power of slavery in debates about Chinese immigration. One congressmen
from Massachusetts declared that Chinese immigration to the U.S. constituted a “modern slave trade system.”

To fight this new form of slavery in 1875 Congress passed the Page Law, the first federal attempt to limit Chinese immigration and the first law designed to prohibit the entry of “immoral” women. The 1875 Page Law forbade the “importation into the United States of women for the purposes of prostitution” and essentially halted female immigration from China seven years prior to the passage of the 1882 Chinese Exclusion Act. Yet the Page Law did not address the problem of existing Chinese prostitutes in the U.S. who were believed to be trapped in Western brothels. According to a California state committee:

The Chinese have, through certain guilds or companies, established a peculiar, but revolting, kind of slavery upon the Pacific Coast. Hundreds of Chinese women are bought and sold at prices ranging from three hundred to eight hundred dollars. These women are compelled to live as prostitutes for the pecuniary profit of their owners; they are under constant and unceasing surveillance; they are cruelly beaten if they fail to make money for their owners; and they are left to starve and die uncared for when they become unprofitable.

Stories of the harsh working and living conditions found in Chinese brothels prompted some members of the missionary community in San Francisco to seek for ways to “rescue” Chinese prostitutes. Peggy Pascoe has shown how from 1874 to 1880 some Protestant women in San Francisco used the rescue work of Chinese prostitutes to establish their own moral authority, inculcate Chinese women with Anglo-Victorian gender values, and promote Christian marriage within the Chinese-American community. Similarly, in 1870 Reverend Otis Gibson, the head of the
Chinese mission for the Methodist Episcopal Church in San Francisco, established a “Female Department” intended to convert Chinese women to Christianity and a more moral way of life. By 1871, Gibson’s project turned into an asylum for Chinese prostitutes seeking rescue. Missionaries’ activities rescuing “enslaved” Chinese prostitutes constituted an important antecedent in reform work. They established both a narrative of rescue and a precedent of direct action that would be prevalent in later Progressive-Era white slavery activism. Finally, the focus on “yellow slavery” introduced the notion that foreigners imported social problems like prostitution from foreign lands and these problems did not have American origins.

**American Social Purity, 1870 – 1900**

The indigenous American anti-prostitution movement originated in the 1820s and 1830s as a localized movement that largely responded to local conditions. For example, in New York City a group of women founded the New York Female Moral Reform Society in response to a report claiming that New York City housed 10,000 prostitutes. Auxiliaries quickly sprang up in Boston, New York, and throughout New England. The society published the *Advocate of Moral Reform*, which portrayed prostitutes as the victim of uncontrolled male sexual depravity, thus introducing the first American critique of the sexual double standard. Feminists in the suffrage movement kept this critique alive throughout the mid-nineteenth century. During the 1860s, women’s rights activists like Elizabeth Cady Stanton, Susan B. Anthony, and Lucretia Mott successfully fought against bills that would have introduced regulated prostitution in New York City. Notable feminists
explored the causes of prostitution, analyzing the relationship between women’s economic and legal inequality and prostitution.⁵⁴ In the 1870s, women’s rights activists joined in the moral reform movement to fight prostitution and by the 1880s American moral reformers and women in organizations like the WCTU shared the common critique of the sexual double standard that was foundational to Butler’s British anti-white slavery movement.⁵⁵

One reason that the American movement and the British movement shared this common critique is because of the “creation of tentative, though not overly strong, networks between American and British anti-prostitution campaigners.”⁵⁶ For example, an 1876 visit of two British IAF reformers—Rev. J.P. Gledstone and Henry J. Wilson—resulted in the establishment of the New York Committee for the Prevention of the State Regulation of Vice (renamed the American Purity Alliance in 1895).⁵⁷ The two activists met with former abolitionists and quickly recruited them to the new abolitionism—the fight against white slavery.⁵⁸ A survey of the 106 purity leaders in 1895 revealed that 28 of the 35 leaders over the age of 55 (that is, old enough to have participated in the first abolitionist movement) were confirmed abolitionists, including seven women.⁵⁹ Aaron Macy Powell, the president of the New York Committee, had been the former editor of the Anti-Slavery Standard. As Gledstone and Wilson toured the Northeast, they utilized older abolitionist networks and established anti-regulation societies in each place they visited. From the 1880s to the 1900s, British anti-white slavery activists repeatedly visited the United States to help re-galvanize the ties between the two country’s movements.⁶⁰
American activists eagerly embraced the language of abolitionism and the metaphor of slavery in their publications. In the first issue of *The Philanthropist*, the official organ of the New York Committee, Aaron Powell described Stead as the “John Brown” of white slaves. While invoking images of African-American Slavery and appropriating the language of abolitionism, social purity activists applied it exclusively to white women, revealing that race frequently determined the boundaries of protection. For example, in 1899 one writer described the primary way of keeping prostitutes in brothels—debt bondage. She connected the prostitutes’ plights with African-American slavery when she declared: “There is a slave trade in this country, and it is not black folks this time, but little white girls—thirteen, fourteen, fifteen, sixteen, seventeen years of age—and they are snatched out of our arms, and from our Sabbath-schools and from our communion tables.”

These narrative ploys remained frequent from the 1880s to the 1910s, which is remarkable since this period corresponds with rise of the share cropping system in the Jim Crow South that similarly kept many African Americans in a form of debt bondage. Yet the contemporary discussions of the economics of white slavery did not make this connection, though some historians, like Emily Landau, have suggested “the success of Jim Crow depended upon remembering, revising, and repressing knowledge about antebellum slavery in order to form new cultural memories that better served the ideological imperatives of white supremacy.”

American discourses of white slavery created a new body of knowledge—a new mythology—about African-American slavery: first, that it did not contain a sexual component; second, that it was only a labor system, not a racial caste system; and
third, that because African-American slavery was only a labor system where laborers did not enjoy the profit from their labor, it did not infringe upon the dignity of the laborers in the same ways that coercive prostitution permanently marked prostitutes with the loss of virtue. White slavery narratives that invoked African-American slavery buttressed white supremacy in the late nineteenth and early twentieth century, while also putatively uniting a country that had been torn apart by slavery over the fate of a new form of slave that every moral citizen would want to protect.64

The WCTU emerged as the most powerful and widespread ally of the fledgling social purity movement in the late nineteenth century. The WCTU, at the helm of the women’s movement and a key exemplar of what Paula Baker describes as the “domestication of politics” by women’s groups during this period, signaled its support of the social purity movement when it launched its rescue work in 1876. The organization’s commitment hardened when it established a separate division devoted to social purity work in 1883.65 Historian Ruth Bordin discovered that by “1886 there were 34 social purity departments in states and territories, and 185 district, county and local [Women’s Christian Temperance] unions had superintendents who made formal reports to the national superintendent, a record that compares favorably with any other department.”66 According to historian David Pivar, the purity movement and the women’s movements “converged ideologically in a common drive for social transformation.”67

At the root of this convergence lay the shared belief in a single standard of morality. Like the British feminists in the IAF, women and purity activists in the
United States articulated a harsh critique of the double standard of sexuality. In their eyes, the double standard threatened familial health by possibly introducing venereal disease into the marriage bed, degraded some women into sexual objects of purchase, made hypocrites of men, and perpetuated inequality between men and women. Furthermore, WCTU women deplored the way the double standard divided women from one another. One letter to the WCTU’s organ, the Union Signal, stated:

Consider the great underlying fact in this whole dreadful business, the fact that womanhood is divided into two distinct and hostile bands. One, inside the walled fortress of home, is protected, is respected, is beloved and honored. The other, having passed the gateway by a single sin, . . . is thrust without the wall. . . . And between these women and those within home’s fortress, pass and repass, welcome both ways, men, the most respectable in reputation and position, the most blessed in powers and opportunities, the most blessed in legitimate domestic relations.

Men in the purity movement shared these ideas and with women actively searched for ways to implement their ideals of an equal moral standard—meaning that men and women were held to the same chaste moral and sexual standards. The WCTU promoted the importation of the British organization: the White Cross Society. The White Cross Societies were local organizations that asked men to sign a card pledging that they would live their life according to a single standard of morality. Conversely, White Shield Societies asked women to pledge that they would not tolerate men who deviated from the single standard. These societies proved to be very popular, forming a mass movement. One White Cross meeting held by the New York City Young Men’s Christian Association drew over 1,000 men and purity
reformers boasted that White Cross societies could be found in every state and territory.\textsuperscript{71} The single standard of morality offered a new ideal of gender relations that posited that women, as the moral protectors of family and home, could offer valuable and necessary assistance in purifying society. In this equation, respectable middle-class white women prevailed as inherently moral, and it was men’s behavior that needed reform. Furthermore, prostitutes, who had been the most immediate victims of the double standard of morality, could be and should be redeemed and returned to their proper roles within the home as wives and mothers.\textsuperscript{72}

The social purity movement’s interest in purifying society by re-making gender relations soon inspired it to pursue a wide variety of reforms, under a growing number of local associations. Rescue work of prostitutes and the establishment of Magdalene Societies spoke to its interest in redeeming prostitutes.\textsuperscript{73} Women developed ideas of moral education to teach the next generation the single standard and disseminated these ideas via mother’s meetings.\textsuperscript{74} They sought to protect working women from the dangers of the city by establishing organizations like Boston’s Women’s Educational and Industrial Union (established in 1881), which quickly grew to be regional in scope and strongly aligned with social purity reform.\textsuperscript{75} And most significantly, social purity reformers sought to change the law to protect young women by waging campaigns to raise the age of consent, i.e., the age when a girl could legally consent to “carnal relations with the other sex.” Age of consent laws covered a wide range of sexual crimes, including seduction, abduction for an immoral purpose, statutory rape, rape, and procurement for the purposes of prostitution.\textsuperscript{76} The WCTU, the New York Committee for the
Prevention of the State Regulation of Vice, and other social purity groups led the campaign to raise age of consent laws across the country (See Figure 2.1). The celebration of a single standard of morality united these disparate activities and contributed to the creation of a uniquely American narrative of white slavery.

![Graph](image)

**Figure 2.1.** Growth of State Regulation. Source: Joseph P. Mayer, *The Regulation of Commercialized Vice: An Analysis of the Transitions from Segregation to Repression in the United States* (New York: Klebold Press, 1922).

**AMERICAN REGULATION**

Dr. Kate Bushnell’s 1888 investigation into vice conditions in the lumber camps of northern Wisconsin produced the first American narrative of white slavery and signaled that the American social purity movement was moving from its dependence on British narratives. As seen above, British activists primarily were
concerned with the fates of British white slaves working in foreign brothels. Donna J. Guy asserts that the anti-white slavery social reform movement in Europe emerged out of concern for European nationals who worked in colonial and post-colonial bordellos. Reformers conceived of these women as “white slaves” who had been tricked into migration and whose safety and honor needed to be defended from non-white and foreign men. Thus, the hysteria over white slavery had, at its foundation, a concern with European countries protecting their female nationals’ sexual and racial integrity.78 Prior to Bushnell’s revelations, The Philanthropist occasionally adopted this narrative for American uses. For example, in 1887 it reported that the WCTU had received word that American women were being trafficked from San Francisco to Hong Kong, Shanghai, and other Chinese cities.79

The American narrative of white slavery that Bushnell produced for the WCTU in 1888 diverged greatly from the British narrative. American women were not in danger of being trafficked to foreign bordellos, but rather they were in danger because foreign bordellos (and their presumed moral deviancy) were being imported into the United States by immigrants unfamiliar with American values. In other words, like the fears of yellow slavery, white slavery was an imported danger. For example, in her report on the conditions discovered in Wisconsin, Bushnell wrote:

> When we see the condition of things in which the foreigner of the North—because all the den keepers without exception are either foreigners or of foreign extraction, and have not long been in this country—when those foreigners of all the North work as they do for the enslavement of our American girls, and nearly all
of these girls, so far as I know, are American born and bred, what shall we say of the condition of things?\textsuperscript{80}

The \textit{Philanthropist} went further than Bushnell by directly blaming European regulation of prostitution for the Wisconsin vice situation. An editorial, presumably written by Powell, declared, “The foreign brothel keepers come to our shores to do without law and in defiance of law, what they have been accustomed to do with its sanction, under the regulation system at home.”\textsuperscript{81} The ways that European regulation posed a threat to American values emerged again and again.\textsuperscript{82} From the late 1880s to the 1910s, nativist fears of moral contagion would form the foundation of the white slavery stories spread in the mass media. Within this American white slavery narrative and key to this process of moral degeneration or degradation stood the non-white man—immigrant or African American—who, depending on the telling, was either the seducer who lured the girl into a life of shame or who, by gaining sexual access to white innocence, embodied, through his sexuality, the moment of her full moral submission.

Bushnell’s discovery that Wisconsin doctors examined the inmates in brothels for venereal disease and then offered certificates of venereal cleanliness convinced her that state regulated prostitution—or “contagious diseases acts,” as she called them—had crept into the United States.\textsuperscript{83} Her study demonstrated that, in fact, regulation existed on municipal levels. Bushnell’s investigations generated much publicity about white slavery in Wisconsin lumber towns and suggested that social purity activists needed to be vigilant against plans to introduce regulation to American cities. Throughout the 1880s and 1890s, activists fought attempts to
introduce regulation in a wide array of cities, including Cincinnati, Los Angeles, and New York City. Fears of covert regulation animated social purity activists. The Philanthropist confessed,

> What we do fear is a form of secret regulation of vice in our cities, a form in which there is a collusion between the keepers of evil resorts, the police, the politicians and city officials, for mutual advantage; and in which young girls are ruined, sold and hired, and kept in hopelessness and hideous slavery.

The importation and implementation of foreign regulation, for the benefit of foreign brothel owners positioned white slavery as a problem coming in to the country. But America's forays into colonialism demonstrated that the problem of regulation could move in two directions. As American soldiers left American shores they became vulnerable to foreign brothels, presumably foreign venereal diseases, and the country as a whole ran the danger of adopting foreign policies to protect soldiers' health.

America's entry into the clique of colonial powers raised the stakes for anti-white slavery activists in a number of ways. First, anti-imperialists utilized fears of foreign brothels to articulate their opposition to the Spanish-American and Philippine-American Wars. Second, America's colonial mission introduced the idea of federal regulation of prostitution through the military. Lastly, in their fight against regulation and the colonial mission anti-white slavery activists used the dangers of colonial brothels to express fears of interracial sexual contact.

The debates over America's colonial mission highlighted the idea that brothel-based immorality was a foreign product that could subvert American values
to the politics of the era. One anti-imperialist doctor reported that in Manila the military had set up “a system of nasty weekly medical inspection of hundreds of women by our army surgeon...so that our officers and soldiers and sailors, and men and boys generally, might safely commit fornication and adultery, saving their bodies and destroying their souls.” Anti imperialists painted Filipino brothels as sources of moral and medical decay that would threaten the purity and vigor of American manhood. The WCTU joined the tradition of seeing danger in foreign brothels yet added a maternalist twist when a Union Signal editorial proclaimed: “Our boys are being debauched. Mothers tell us that they go away from them in the very flush of ripe manhood and they come back them disgraced, dishonored, diseased, and this American nation is to blame for it.” The various ways that anti-imperialists’ used fears of vice and prostitution demonstrated one of the ways the politics of prostitution could easily be marshaled for other political goals.

The complicity of the federal government in spreading regulation in colonial settings enraged social purity activists. From the Spanish American war through to the First World War, American military leaders implemented different plans to regulate prostitution near military instillations. During this 20-year period, regulation was put into effect in Puerto Rico, the Philippines, the Panama Canal Zone, Cuba, Santo Domingo, Haiti, Nicaragua, Hawaii, and among military bases along the Mexican-American border.

Each of these plans generated protest among social purity activists who throughout the period became more and more successful at challenging U.S. military policy towards prostitution. For example, as Paul A. Kramer has shown, in 1899
when Major Owen Sweet was stationed in Jolo, in the southern Philippines, he found vice conditions that left him appalled. He immediately launched a moral clean up to “limit, restrict, control, and finally if possible, eliminate the unbridled [sic] status of drunkenness, gambling, smuggling and prostitution that prevailed.” Immoral women came under immediate military surveillance, and they were forced to register with military authorities for licenses, undergo medical examinations by army surgeons, and face deportation if found infected with “so-called Asiatic diseases.” When news of Sweet’s system of regulation reached mainland American in June 1900, social purity forces reacted with outrage. Even more troubling than the initial reports of state regulation and the prevalence of prostitution in the Philippines was the revelation that white women were among their numbers. A November 1901 report about the inmates of a hospital for prostitutes found two “Europeans,” two Italians, one Hungarian, one Australian, one Spaniard, twelve Russians, and fourteen Americans.

Social purity activists in the American Purity Association (APA) feared that regulated prostitution in the Philippines would lead their country down the path paved by Britain. APA President O. Edward Janney wrote, “We may be reasonably sure that the same problems as to the morality of the soldiers and the degradation of womanhood will stare us in the face as disturb English people in reference to their army in India.” American social purity activists “relied on national-exceptionalist ‘anti-imperialist’ discourses that suggested that regulated vice was a tragic and inevitable by-product of ‘empire’ itself.” British voices bolstered the association of regulation with empire when *The Shield*, the primary publication of
the IAF, noted that the American “New Imperialism” spread regulation from the Philippines to Hawaii. Social purity activists sounded the alarms, reaching out to their allies in the women’s rights movement. The annual meeting of the National America Woman Suffrage Association passed a resolution condemning regulated prostitution in Manila on the grounds that such a policy was morally repugnant, upheld a double standard of morality, and was medically ineffective in curbing the spread of venereal disease.

The War Department first denied any knowledge of regulated prostitution in the Philippines when pressed for a response to the official protest and a WCTU letter-writing campaign. It claimed to have no knowledge of Sweet’s way of approaching vice. Then, throughout 1901, the War Department slowly admitted to regulating prostitution, but claimed it was a necessary step to maintaining military readiness. Faced with little action, WCTU lobbyist and suffragist Mary Dye Ellis circulated a book that she claimed to be the “official registration book issued by the U.S. authorities” to a prostitute that seemed to be no older than 17 years of age. Ellis distributed the book to members of Congress, their wives, and social purity and women’s rights groups, effectively re-igniting the fight against the War Department and regulated vice by providing a victim and giving her a name—Maria de la Cruz—and a face. Additionally, by 1901 purity activists had an ally in the White House, Theodore Roosevelt, who rejected the medical rationale for state-regulated prostitution and offered an alternative model of civilized masculinity that emphasized physical activity outside the home and contained sexuality within the home. Consequently, Roosevelt ordered the War Department to cease regulating
prostitution. Social purity activists emerged as the victor in the Philippines case, but according to Paul Kramer, the War Department learned a valuable lesson—by making regulation invisible the War Department could avoid criticism. In spite of Roosevelt's orders, the military would continue regulating prostitution in varying degrees of formality until World War I, while eliminating the most obvious accoutrement of registration (like licensing books).

According to social purity activists America’s regulation of colonial market places of sex had the potential to encourage miscegenation abroad and contagion at home. In the late nineteenth century, germ theory emerged as a important component of modern racial thinking. For example, an 1882 *Popular Science Monthly* article asserted that social characteristics were as “fundamental and as immutable as are the physical characteristics of the races.” According to this logic, co-mingling of the races had the potential to threaten American culture and institutions, and non-white peoples could not be expected to assimilate. Discussions of Filipino prostitution painted the non-white prostitute as a vector of foreign disease that by infecting American soldiers also threatened American values, institutions, and homes. For example, Senator Richard F. Pettigrew (R-SD) declared, “The vigorous blood, the best blood, the young men of our land, will be drawn away to mix with inferior races.” Speaking of the Filipina women available to American soldiers, one WCTU investigator reported:

The women who consent to live with Americans are, as a rule, ignorant, lazy, and filthy in their habits, generally afflicted with some loathsome cutaneous disease, and it is hard to comprehend that an educated American,
decently brought up, can live among dirty, frowzy natives, who have not one redeeming quality. Ellis, for her part, focused on the ways that American soldiers dragged “down hundreds of pure Filipina women into lives of shame and degradation.” American regulation of sexuality in colonies encouraged miscegenation, brought disease to American boys and shame to Filipina women, and institutionalized the sexual double standard.

As concerns about venereal disease and regulated prostitution implied, by the 1890s the social purity movement gained new partners from the medical community. In the mid-nineteenth century American medical opinion supported the regulation of prostitution; physicians hoped to contain the spread of venereal disease by isolating infected prostitutes (but not infected men). American physicians closely followed European research and supported European methods of controlling syphilis through regulating prostitution. It was not until 1837 that a French doctor, Phillipe Ricord, discovered the gonorrhea and syphilis were two separate diseases spread through sexual contact. Research throughout the century revealed the progression of syphilis, demonstrating that the disease could spread to the spinal cord, the brain, the heart, and through the mother’s womb to children. One physician remarked, “The elimination of these diseases would render one-third, possibly one-half, of our institutions for [mental] defectives unnecessary.” In the late nineteenth century, physicians learned of the “so-called syphilis of the innocent, for by that time the evidence was clear that wives, children, wet nurses, and others become infected through no fault of their own.” This discovery inspired public
health doctors to doubt the effectiveness of regulation, because it did not protect the sanctity of families. Profligate fathers could introduce the crippling disease to the family unit. Medical support for controlling venereal disease infection by regulating prostitutes waned in the 1880s as social purity activists disseminated reports indicating that European medical opinion was changing due to recent studies that revealed regulation did little to curb the spread of disease. According to David Pivar, at this time physicians sought “a philosophy of medicine in harmony with social mores.”

Central to this search was Prince Albert Morrow, a man whose career embodied the values of efficiency, pragmatism, and perfectability that characterized the Progressive Era. Born in Kentucky in 1846, Morrow completed his medical training in New York University Hospital in 1873 before heading to Europe for a year to conduct post-graduate work in venereal research. Morrow returned to the U.S. to practice dermatology and syphilology in New York City. He became a lecturer at New York University and continued his research on genito-urinary diseases, all while staying abreast of developments in European medical research. His crowning professional achievement was the 1904 publication of his research, *Social Diseases and Marriage*. Morrow’s book argued that venereal disease constituted a threat to the fabric of American families by introducing debilitating diseases to innocent women and children. By tracing how syphilis could be passed within a family, Morrow contended that it “is an actual cause of the degeneration of the race.” His concern for the safety of American families led him to found the social hygiene movement and adopt the most central tenet of the social purity movement—the
equal standard of morality. One year after publishing his book, Morrow founded the American Society of Sanitary and Moral Prophylaxis, the primary social hygiene organization in the U.S.\(^{110}\)

**CONCLUSION**

The British anti-white slavery movement initially inspired the U.S. anti-white slavery movement by providing a narrative of white slavery, exchanging correspondence and visitors, and by building on American worries that slavery could be re-introduced to American shores. Consequently, the American movement shared the British movement’s feminist critique of the double standard of sexuality as a source of prostitution. American social purity movement’s most important ally was the WCTU, which educated thousands of its members about the plight of white slaves in Wisconsin lumber towns when it commission and publicized Kate Bushnell’s study.

Bushnell’s study marked the emergence of a distinctly American narrative of white slavery. Nativism and racism shaped the American narrative, which focused on the threat foreign and non-white men posed to the sexual purity of native Anglo women. By invoking African-American slavery when discussing Chinese prostitution or white slavery, social purity activists created their own reconciliation myth that lessened the horrors of African-American slavery and ignored the centrality of sexual domination to the institution on the one hand, while positing that sexual labor resulted in the loss of more than the fruits of one’s labor on the other hand. As the United States became a colonial power, much of the anxiety about miscegenation
and the threats of foreign contagion that undergirded the white slavery myth was re-packaged in social purity protests of American military regulation of prostitution. At its foundation, the American myth of white slavery asserted two intertwined ideals: first, that the equal standard of morality and sexuality was the key to eliminating prostitution and the foundation for healthy and productive American marriages; and two, that miscegenation, whether in the brothel or elsewhere could stand as a threat to American values, institutions, and vigor.

At the turn of the century, the American social purity movement stood united with a burgeoning social hygiene movement and both represented an important strand of Progressive reformers. Committed to a broad social plan that spanned from fighting white slavery to protecting American families from venereal disease, these reformers sought pragmatic solutions to complicated social problems. According to David Pivar, “above all, they wanted social efficiency: the elimination of individual and aberrant action through bureaucratization and the diminution of politics in favor of administration.” Their interest in social efficiency led them to establish voluntary association committed to fighting vice and educating the public. Organizations begat organizations: for example some branches of the American Purity Alliance dedicated to the social hygiene movement formed the National Vigilance Committee in 1906, which in 1912 became the American Vigilance Association. Similarly, the American Society of Sanitary and Moral Prophylaxis became the American Federation for Sex Hygiene in 1910, which in turn merged with the American Vigilance Association to form the American Social Hygiene Association in 1913. All of these organizations, and the many like them, were
dedicated to publicizing the dangers of vice and exploring governmental and bureaucratic solutions. Yet these activists could seldom foresee how different bureaucratic cultures shaped the implementation of anti-white slavery policies.
NOTES

1 “Regulation in America; And the Future of the Question in Europe,” The Shield 5, no. 53 (March 1902), 9-10.
4 Horan, “Trafficking in Danger,” 172.
5 Ibid., 169.
7 Ibid, 3.
8 Ibid, 1.
9 Ibid, 2.
10 Horan, “Trafficking in Danger,” 186.
11 Donna J. Guy, Sex and Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina (Lincoln: University of Nebraska Press, 1991), 47.
12 Laurie Bernstein, Sonia’s Daughters: Prostitutes and Their Regulation in Imperial Russia (Berkeley: University of California Press, 1996), 20.
15 Guy, Sex and Danger, 38.
18 Nell Damon Galles, “Prostitutes, Fornicators, and Feebleminded Sex-Perverts: Social Control and the Progressive Era Woman” (PhD diss., University of New Mexico, 2005), 41-42.
22 For information of the Ladies National Association and their campaign to repeal Britain’s Contagious Disease Acts see Judith R. Walkowitz, Prostitution and Victorian Society: Women, Class, and the State (Cambridge: Cambridge University Press, 1980), 90-136. The Women’s History Review recently published a series of articles that examine the impact Josephine Butler had beyond Great


24 Ibid., 70.


29 Walkowitz, City of Dreadful Delight, 96.

30 Quoted in Bristow, Prostitution and Prejudice, 35.


32 Quoted in Bristow, Prostitution and Prejudice, 36.


35 Donna J. Guy, “‘White Slavery,’ Citizenship, and Nationality in Argentina,” in White Slavery and Mothers Alive and Dead (Lincoln: University of Nebraska Press, 2000), 73.


41 Miller, Unwelcome Immigrant, 67 & 79.

42 George Anthony Peffer, If They Don’t Bring Their Women Here: Chinese Female Immigration before Exclusion (Chicago: University of Illinois Press, 1999), 102.

43 Lagler “For God’s Sake Do Something,” 35.

44 The free labor ideal was largely about men who could freely consent to a labor contract. For women it was matched with the importance of freely consent to the marriage contract. For more on the free labor ideal and the post Civil War era see Eric Foner, Reconstruction: America’s Unfinished Revolution (New York: Harper & Row Publishers, 1988). For more on how the free labor ideal relates to gender see Amy Dru Stanley, From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation (Cambridge: Cambridge University Press, 1998), and Pamela Haag,

45 Miller, Unwelcome Immigrant, 153.


50 Lagler, “‘For God’s Sake Do Something’,” 42-43.


53 Horan, “Trafficking in Danger,” 46.


55 Pivar, Purity Crusade, 6.

56 Horan, “Trafficking in Danger,” 5.

57 Lagler, “‘For God’s Sake Do Something’,” 51.

58 Pivar, Purity Crusade, 67.


60 For an example see, “Rapport de Secrétaire de Bureau International sur son voyage en Amérique,” La Traite Des Blanches 19 (May 1907), 3-4.

61 The Philanthropist, 1, no. 1 (Jan 1886), 8.


65 Pivar, Purity Crusade, 85; “The London International Congress,” The Philanthropist 1, no. 7 (Jul 1886), 5.


67 Pivar, Purity Crusade, 63.

68 For more on this critique see Rosen, The Lost Sisterhood, chapter 4.


71 Luker, “Sex, Social Hygiene, and the State,” 608; Pivar, Purity Crusade, 114.
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72 Pivar, Purity Crusade, 100.
73 Ibid., 154.
74 Ibid., 173-174.
75 Ibid., 107.
77 Lagler, “For God’s Sake Do Something,” 55.
80 Quoted in Lagler, “For God’s Sake Do Something,” 67.
82 For an example, see, “The International Federation Conference,” The Philanthropist 9, no. 8 (Aug 1894), 2.
85 “The United States,” The Shield 8, no. 82 (Apr 1905), 38.
87 Quoted in Ibid., 190.


93 Ibid., 384.

94 “Regulation in Honolulu,” *The Shield* 4, no. 48 (August 1901), 60-61.


96 Ibid., 391-392.

97 “Gov. Roosevelt on Regulation,” *The Philanthropist* 15, no. 2 (July 1900), 8; Maurice Gregory, “Visit to the United States,” *The Shield* 4, no. 41 (Dec 1901), 82-83.


100 Quoted in Miller, *The Unwelcome Immigrant*, 159.


102 Quoted in Ibid., 190.

103 Quoted in Ibid.

104 Burnham, “Medical Inspection of Prostitutes,” 205.


106 Burnham, “Medical Inspection of Prostitutes,” 211.

107 Pivar, *Purity Crusade*, 90-93, quote on 92.


110 Pivar, *Purity Crusade*, 243-244; Luker, “Sex, Social Hygiene, and the State,” 610.

111 Pivar, *Purity Crusade*, 168.
CHAPTER 3. WHERE THE RED LIGHTS BLAZE:

THE DEVELOPMENT OF A NATIONAL POLICY TO FIGHT WHITE SLAVERY

At the dawn of the twentieth century America’s Second City sat at the crossroads of the world’s most impressive transportation network, which brought the agricultural bounty of the United States to the markets of Chicago. To Chicago’s leading citizens, this vast transportation network had a dark underside. Ministers, judges, and civic reformers argued that Chicago sat at a grand intersection of the international and interstate white slave traffic, that it was a “headquarters for distribution of girls to all large [U.S.] cities.”¹ In June 1908, these community leaders launched a campaign against the trade in women as part of an ongoing campaign to clean up Chicago’s Levee, considered by many to be the most debauched red light district in the country. Chicago District Attorney Edwin Sims and the State’s Attorney Clifford Roe labored tirelessly with officials of the Immigration Bureau, including white slave investigator Marcus Braun, to arrest French immigrants Eva and Alphonse Dufour, Emma and August Duval, and other French brothel owners. Rumors of the immense wealth gained by importing French prostitutes circulated wildly, with some claiming that the Duvals earned as much as $200,000 a year. The demand for French prostitutes was strong throughout the country because customers believed that French prostitutes specialized and perfected the “unnatural
and abominable practices” that other prostitutes would not perform. As a result of the raid on Duvals’ resort and the Dufours’ property, newspapers estimated that over 2,000 French prostitutes would be deported. Secret service agents reported that the raid caused an “exodus” of French women from Chicago. The judge in the case set the bond for each of the accused at an astonishing $25,000 (over $570,000 today). As the case developed, the Dufours, who were released on bond, fled the country. The Immigration Bureau deported the five French prostitutes who had been arrested in the raid of the Dufours’ brothel on Dearborn Street.

The case of the Dufours was widely publicized among anti-white slavery activists who used it to demonstrate the immense amount of money that could be made in trafficking in prostitutes. Chicago activist Ernest Bell reported that the Dufours earned $102,720 in 1907 and had made $41,000 in the first five months of 1908. The case of the Dufours illustrates the growing role of the federal government’s Immigration Bureau in taking up the fight against white slavery. While the Dufours spent six weeks in jail before their bond was granted in the summer of 1908, President Theodore Roosevelt announced that the United States would adhere to the May 1904 Paris Convention which formed the basis of international cooperation in the battle against white slavery.

This chapter seeks to uncover the state’s response to international and domestic anti-white slavery activism. At the turn of the century white slavery in the United States was framed primarily as a problem related to immigration. As a result, it fell to the Immigration Bureau to formulate a response to the crisis of white slavery. This chapter outlines the Immigration Bureau’s strategies for responding to
the demands of anti-white slavery activists for the protection of innocent girls and action against professional sex workers.

THE PETTY COAT INSPECTORS: THE CONTROVERSY OVER WOMEN BOARDING INSPECTORS

On November 21, 1902 newspapers throughout the Northeast reported that Philadelphia’s police had “run to earth” an organized syndicate of white slavers who specialized in importing girls from the major cities of Europe to the brothels of the City of Brotherly Love. The police raided over twenty disorderly houses, arresting more than 100 girls—most of whom were foreign-born and Jewish. Unable to hold a majority of those that had been arrested, prison officials released them a week later because the warrants for arrest had been improperly issued. Anti-white slavery reformers watching this case develop grew frustrated by the inability of local officials to hold the girls. One of these reformers, Margaret Dye Ellis, led the legislative department of the Women’s Christian Temperance Union (WCTU). She decided to look into how the girls arrested in the Philadelphia raid had arrived in the city. Her investigation led her to Ellis Island where she discovered what she thought was a hole in the fence constructed to keep prostitutes and white slaves out the United States—the second and first class cabins of steam ships.

Ellis, a native New Yorker, had joined the WCTU in the 1870s, leading temperance work first in California and then in New Jersey. In 1885 she was appointed to the position of legislative superintendent for the national WCTU, effectively becoming the WCTU’s full-time lobbyist in Washington, DC. Every winter from 1896 to 1917, Ellis and her husband relocated to Washington for the span of
the congressional session. As her advocacy against military regulation of prostitution in the Philippines illustrates, Ellis had been at the forefront of social purity politics for some time. She was a pioneer of the emerging interest-group politics, and was well positioned to mend the hole in the immigration fence. She took her concerns to a man known to have a sympathetic ear to the cause—President Theodore Roosevelt.

Active in the New York City reform milieu of the 1890s, Theodore Roosevelt admitted to being “greatly interested” in the issue of white slavery whenever it was brought before him. At the instigation of members of the American Purity Alliance, Roosevelt, while governor of New York, introduced a law that would punish pimps who lived off of the earning of prostitutes. Roosevelt found regulated prostitution to be abhorrent, noting that it made his “blood boil.” He detested white slavery and other crimes against women because he saw women as vulnerable, and in need of governmental protection, particularly because, in his words, “she has no direct voice in government.” Because she could not protect herself, her protection fell to the government. After he moved into the White House, Roosevelt remained friendly with reformers like Josephine Shaw Lowell and Grace Dodge, both of whom regularly brought the issue of white slavery before him. He even included a call for a stricter system of immigrant inspection so as to exclude all immigrants of low moral tendency in his first annual address to Congress. So, in January 1903 when Margaret Dye Ellis and a representative from the American Purity Alliance met with the president to discuss the vulnerability of girls traveling to the U.S. in first and second class cabins and to propose a plan of introducing women boarding
inspectors to the Immigration Bureau, Roosevelt was receptive to their message.\textsuperscript{16} He thanked them for the opportunity to do “something practical” and immediately ordered that a ninety-day experiment in the efficacy of women boarding inspectors be launched at the port of New York.\textsuperscript{17}

The Immigration Service at the port of New York had employed women since the opening of Ellis Island in 1892, and in 1903 there were seven matrons working at the station.\textsuperscript{18} Women regularly served as matrons and nurses (technically employed by the Public Health Service), assisting inspectors and doctors in their examinations of steerage-class female passengers. Typically a steam liner arriving in New York would first stop at quarantine pending permission to land. Here the ship would be boarded by medical and immigration inspectors who would briefly examine the manifest and passengers in the first and second class cabins. Then the ship would berth at a pier in Manhattan or New Jersey and each of the first- and second-class immigrants who had passed inspection and all of the U.S. citizens would disembark. Then the ship would travel to Ellis Island where all of the steerage (third class) passengers and any held back from first and second class would disembark and face the intense scrutiny of the Immigration Service.\textsuperscript{19} Ellis and her allies at the American Purity Alliance were confident that women and girls in steerage who were in danger of being entrapped into white slavery would be caught by the rigorous inspection at Ellis Island. Furthermore, the presence of Travelers’ Aid Societies and ethnic aid organizations such as the Council of Jewish Women assured Ellis that immigrant girls at Ellis Island had access to any help or protection they needed.\textsuperscript{20} Believing that no similar protection was available to the
first and second class passengers, Ellis and her allies hoped that appointing women inspectors to the crew of immigration officials who boarded ships while the ships were held in quarantine would be an important step in combating white slavery.

From its very onset, the ninety-day experiment faced the bitter opposition of the Commissioner-General of Immigration in Washington, Frank P. Sargent, and the Immigration Commissioner of New York, William Williams. Both men expressed reservations about the plan stemming from deep-seated sexism. First, they doubted that the right class of women who could perceive immorality would be an appropriate class of women for the government to employ. Next, they argued that men were better equipped to detect immoral women “for obvious reasons”—of course, what those reasons were they left unsaid. Additionally, Williams argued that passengers “readily submit” to inspection by male inspectors, but would object to being “singled out” by women inspectors and therefore potentially becoming the “centre of attention.” Finally, they repeatedly worried to the press that women would be incapable of climbing the 15 to 30 foot ladders necessary to board the ocean liners from the revenue cutters (see Figure 3.1). These concerns were often interwoven to produce observations that “women who can go down in a revenue cutter at all hours of the day or night, and can clamber up the ship’s ladder without embarrassment, will not have the proper mental and moral qualifications rightly to perform their otherwise delicate duties.” Apparently the wiliness to climb a ladder in the dark set any potential women inspectors into a morally ambiguous caste of women.
Regardless of the reservations of those who led the Immigration Service (and probably many of the men who were employed by the service), the plan generated excitement among women. As the Immigration Service began to implement the plan, they announced to the public that there would be job openings for five female boarding inspectors. Each woman would make $1,200 a year (if the experiment extended beyond its ninety-day limit), a substantial amount of money at the time. Within one day, more than 150 women descended on Commissioner Williams’s office to personally drop off their applications. One woman claimed that her previous experience as a trapeze artist in a circus qualified her for the post. Another noted that she had extensive sailing experience after working as a stewardess for
many years and could easily “skin up to the masthead in a jiffy.” These working-class women were most likely just the class of women that Williams feared would apply for the job.

Ellis proposed a list of five women who had backgrounds in social work, but Williams, who seems to have had some disdain for voluntary organizations or perhaps not wanting to give Ellis the satisfaction of guiding the project more than she already had, rejected most on Ellis’s list. Williams would later describe Ellis as a well-meaning woman who was either ignorant of actual conditions or was intent on having the government enter charitable work. Williams decided to offer the job to two of the women on Ellis’s list—Josephine Lassoe and Sarah Harrison—and two other women who had applied for the position—Mathilde Wichmann and Margaret Bechelor—and these women would be led by an established matron at Ellis Island—Helen A. Taylor (who would not last the 90-day experiment).

The term of ninety days formally began on 12 February 1903, when the “petticoat inspectors,” one of the many derisive terms coined by the press for the women inspectors, reported for work at the Barge Office in Battery Park. A bevy of reporters came out to comment on their clothing and watch the women climb the ladders in their skirts. The issue of the women climbing the ladders bore heavily on the male immigration officials, who, when it was time for the women to board the steamship Ivernia, decided that instead of having the women climb the long ladder, as the men did, a short ladder would be provided and the gangway of the ship would be opened for the women. Upon discovering that this change in procedure had occurred to accommodate them, the women protested and noted that climbing the
ladder was no more difficult or dangerous than hanging curtains. Time and again the issue of the safety and capability of women climbing the ladders would be raised by the male immigration officials. And tellingly, the women often compared the activity to some form of domestic labor that women routinely undertook.

Once upon board the women were given little to no instructions as to their duties. According to a reporter, the women gathered together and watched the chaos that was inspection unfold. When they had initially been hired, Commissioner Williams had told them that for the first few weeks they should only watch the male inspectors work and follow their guidance. Although memoirs of male inspectors are rare, it seems that the average male immigration inspector shared his bosses’ dislike of the plan. One was reported as saying,

I don’t believe any good will come of the scheme. The women Inspectors are expected to go about among the saloon passengers and ask all sorts of embarrassing questions. They are sure to arouse the ire of some person before they get through. Suppose a man comes over with his wife and these new Inspectors begin to ask her impertinent questions while he is not in sight? Or suppose, they inquire into any respectable woman’s business? Do you think folks are going to stand for that?

The assumptions and challenges of class underwrote much of the plan to install women boarding inspectors, as well as much of the opposition to the plan. In the context of immigration (or any interaction a woman had with the state) a freedom from questions of sexual morality constituted a very distinct class privilege. As historians Martha Gardner and Eithne Luibhéid have documented, immigration officials routinely posed “impertinent” questions to the women of steerage on Ellis
Island. Yet with higher class came higher presumptions of respectability, and its twin—morality. It is within this nexus of sexuality, respectability, gender, and class that we can see how class becomes gendered with sexuality forming the fulcrum.

Class conflict could emerge between the female inspectors and the women being inspected. First, as feminist scholar Val Marie Johnson has argued, native-born women used protective work as a strategy to articulate female citizenship. Women, like Margeret Ellis Dye and the individual inspectors, invented “hierarchies among women by deploying moral and racialized vocabularies.” The separation of the respectable women from the immoral women served to heighten the authority of the immigration inspector—whether male or female. As a representative of the state, this could be a heady experience for the women inspectors. For example, a few years later one woman inspector reported that she could “tell at a glance” which women were respectable and which were not. The significance of women working for the federal government was not lost on the feminists, who followed the story closely.

Notions of the appearance of respectability emerged as a key indicator of sexual morality or immorality, and was imbued with corresponding codes of race, gender, and class. One of the initial concerns that inspired Ellis and other middle-class reformers was the fear that the first and second class cabins were being used by procurers to smuggle prostitutes into the country—essentially that immoral, low-class women were passing as upper-class women. When inspectors throughout the country evaluated the eligibility of entry of the wives of Chinese (and later Japanese) merchants, ideals of white middle-class domesticity infused their notions.
of respectability and class. Similarly, the women boarding inspectors’ assumptions of respectability influenced their conduct. But unlike the scrutiny that inspectors imposed on Asian women, when examining first and second class passengers (most of whom were northern European), the women inspectors could not fall back on race privilege when their questions overstepped a passenger’s tolerance.\footnote{35}

To complicate the politics of class further, most of the women employed as inspectors were unmarried and needed to work to sustain their livelihood. One admitted that most of them supported other members of their family.\footnote{36} Even with a middle-class background and college education, these women needed paid work, and many of the women they questioned lived in a higher class and resented any intrusion into their class privilege.\footnote{37} With no training and having to negotiate the turbulent waters of class politics some of the women inspectors quickly caused scandal. On one of the first ships they boarded, one woman who was travelling alone in a first class cabin showed them an address for her final destination that was located on the West Coast. The inspector believed it to be a false address and began to ask increasingly personal questions. The woman was the wife of a sea captain and she was on her way to meet him in Seattle. The line of questioning the inspector followed upset the woman, causing her to become “hysterical” and to lodge a complaint against the inspector.\footnote{38}

As a result of complaints like this, which served to confirm his prejudices against the project, Commissioner Williams and his boss Secretary of the Treasury Leslie M. Shaw declared the experiment a failure within only four weeks.\footnote{39} The women were ordered not to discuss the situation with the press and Williams told
reporters that he had no criticism with the individual work of the women, rather he doubted that the scheme could accomplish any distinct goals.\textsuperscript{40}

Ellis and her allies who had worked to implement the plan responded with alarm. First Ellis contacted the president, who was touring the West at the time, and received confirmation that the plan would not be abandoned before the end of the ninety days, which more or less coincided with his return to Washington.\textsuperscript{41} Ellis then immediately organized a committee composed of leaders of other organizations who would cooperate in leading the fight to retain the women inspectors. The committee was composed of herself, representing the WCTU, Sadie American of the National Council of Jewish Women (NCJW), Josiah Strong of the American Institute of Civil Service, and Florence Kelley of the Consumer’s League.

Sadie American of the NCJW was in the process of spearheading the Jewish American response to white slavery. Most sensational media stories about white slavery identified the phenomenon with Jewish pimps and procurers. As a result, in the 1880s the Jewish community in London organized against white slavery hoping to contain anti-Semitic ammunition. From London, anti-white slavery Jewish activism spread to Germany, and by the late 1890s to New York where Sadie American heard the movement’s clarion call. American attended the 1899 international conference on white slavery in London, and by 1902 she had focused the agenda of the New York branch of NCJW on the topic. Whereas in England the fight against the anti-Semitism of the white slavery issue had been taken up by both men’s and women’s groups, in the U.S., Jewish men’s organizations remained uncomfortable with the topic of prostitution, seeing it as beyond the boundaries of
respectability. Thus American and the NCJW’s activities formed an important part of middle-class Jewish feminists’ activism and their work at Ellis Island composed the “first link in a ‘complete chain of protection’ for vulnerable Jewish immigrants.42

In April, Ellis’s committee held two public conferences in New York City with attendees representing 38 organizations to discuss the plight of the women inspectors. Commissioner Williams attended these meetings and laid out his arguments against retaining the inspectors. To the audience of reformers, his argument boiled down to the fact that he believed that the type of work the women inspectors were doing was more akin to charity work and that the Immigration Service did not have the statutory right or bureaucratic structure to perform such work.43 Williams refused to answer aggressive questions about the lack of training the women had received.44 From all accounts of the meeting, both sides—Williams representing the Immigration Bureau and those advocating for the inspectors—walked away from the conferences unsatisfied.

The restructuring of the Immigration Service, which was scheduled to pass from the Department of the Treasury to the Department of Commerce and Labor on 1 July 1903, aided advocates of the women inspectors.45 Secretary of the Treasury Shaw had been “full of objections” to the plan, whereas Secretary of the Department of Labor and Commerce George Cortelyou was more accommodating to the reformers.46 Benefiting from the timing of the transfer, Ellis and her allies secured a hearing with Cortelyou where they laid out their arguments for the retention of the inspectors. Ellis argued that the women inspectors had not been given a “fair chance” before their work was declared a failure and she reminded the secretary
that the purpose of appointing women inspectors was to, on the one hand, detect immoral women, and on the other hand, to “protect the innocent and unwary.” To her, the protection work was just as important as the detection work, and on that standard, the work of the women inspectors had been an unmitigated success. Ellis also countered William’s charge that protection work fell within the purview of missionary work, noting that “no representatives of an outside society could do this work, as they would have no authority to hold a passenger for special inquiry nor be allowed to board vessels.”

The power to detain suspicious or vulnerable women constituted the most important governmental right for the reformers, and it formed an important part of their protection work. When discussing their work, the immigrant inspectors often mentioned that they detained young girls whom they deemed vulnerable to seduction, compelling them to stay on the ship until they could be placed in a charitable organization that would aid their future travel or help them locate family, friends, or suitable accommodations.

Further countering Williams’s claims that the protection work of the women inspectors exceeded the Immigration Service’s statutory power, Sadie American argued that protective work fell under the section of immigration law that protected immigrants from fraud and loss. She added that the “principles of protection to immigrant women is already conceded by the installment of matrons on Ellis Island.” And she urged that the same principles of protection be extended to the first and second-class passengers.

Josiah Strong, the one male member of the committee, testified against the many arguments posed by Williams and Sargent that women were not especially
qualified for inspection work. He argued that the arguments put forth by Williams were primarily motivated by sexism, saying, “that the appointment of women to offices formerly monopolized by men is an innovation against which there is always much prejudice.” He pointed to the fact that the same arguments had been made against the appointment of police matrons and women factory inspectors. Strong accused Williams of poisoning the experiment from its launch and suggested that because Williams opposed the protection work and would not allow male inspectors to do it, if the female inspectors were not retained then all protection work would cease.50

Secretary Cortelyou sought a solution to the clash between the reformers and the immigration officials that would appease both sides. He convinced Commissioner Williams to create a position for women on the immigration service’s boarding team, thereby attempting to satisfy reformers who saw women as critical for combating white slavery at the point of entry to the country. But he allowed Williams to define the scope of duties for the women and the civil service qualifications, thereby assuring Williams of his own authority, and of the authority of men over women more generally. The first thing Williams specified was that the women would not be “inspectors,” but rather they would be “matrons” and more importantly, they would be subordinate to the male inspectors and would have no power to detain immigrants.51 As a result of the civil service requirements, the four women who worked as inspectors from February to May were disqualified from the new matron position and were replaced by women who Williams appointed (one had quit before the conclusion of the 90-day term).52 For Williams, even conceding
to the establishment of matrons felt like defeat and he remained opposed to the existence of such a position.

The matron’s loss of authority was a bitter blow to Ellis. She later complained that the actions of the matrons remained constrained by sexism within the immigration service and that matrons could, with the proper authority, serve as a valuable weapon against white slavery.53 According to Ellis, the immigration commissioner’s response to the boarding matrons’ work had been “utter indifference.”54 One of the new boarding matrons reported that because the new matrons were very aware that the first women inspectors “got into a row” with the male inspectors, the new matrons developed an unspoken policy of being “too modest.”55 And at one point the head of the boarding division at New York stopped allowing the matrons to board the revenue cutters because he deemed it unsafe to travel through the bay with women on board.56 Years later feminists, like Grace Abbott, would note that the lack of training the matrons received kept them largely ineffective in protecting incoming girls vulnerable to seduction, fraud, or coercion. Abbott described the position of matrons as a “cross between a housekeeper and a chaperon” but due to unequal pay and a lack of training they could not really provide the aid that immigrant girls needed.57

Williams left his position as immigration commissioner of New York in January 1905, but returned to the position in May 1909.58 When he returned to the service, he quickly took advantage of the fact that the coalition that had worked to retain the women inspectors no longer existed and he abolished the position of boarding matrons.59 However in the period from 1907 to 1910, instead of having the
issue of white slavery (and its solutions) imposed by reformers, the Immigration Bureau began to take up the fight against white slavery on its own accord. First it agitated for the Immigration Act of February 20, 1907, which specifically outlawed any non-naturalized woman from practicing prostitution within three years of her entry into the country. It ordered all immigration officers to diligently enforce the part of the act that allowed for the deportation of foreign prostitutes caught in violation of the three year limit. Additionally, in the fall of 1907, the Immigration Bureau appointed several inspectors to a white slave division whose sole purpose was to enforce the prostitution provision of the new immigration law in Philadelphia and New York City. Following the rationale of reformers like Ellis, Robert Watchorn appointed Helen Bullis to be the lead white slavery investigator in New York. Bullis had, for many years, been a representative of the Traveler’s Aid Society. She largely worked independently at the docks and within the city, and thus her role did not infringe upon the pre-existing purview of male inspectors. As a result, her activities would largely avoid the messy gender conflicts apparent in the struggle over the women boarding inspectors. In addition to appointing individual white slavery inspectors, the bureau pursued strategies that characterized all progressive responses—investigation by experts.

IMMIGRATION BUREAU INVESTIGATIONS: TO FERRET OUT THE NEFARIOUS TRAFFIC

As the 1900s progressed and immigration to the United States annually increased the Immigration Bureau sought ways to protect the country from the “morally, mentally and physically deficient.” Immigration to the U.S. peaked in
1907, the same year that the U.S. Congress amended immigration eligibility and established a nine-member commission tasked with investigating the subject of immigration. The commission, popularly known as the Dillingham Commission, conducted an exhaustive examination of all aspects related to immigration, including the issue of white slavery. It launched its study of white slavery in November 1907 and presented its findings to Congress in December 1909. Its investigators had visited twelve cities, uncovering foreign-born prostitutes, police collusion, and a general “esprit de corps” among pimps and brothel owners throughout the country. The Dillingham Commission’s report into the “importation and harboring of women for immoral purposes” has been widely and correctly credited for encouraging Congress to pass the 1910 Mann Act.

Unfortunately, during World War I the Department of Labor destroyed most of the commission’s internal records that could reveal how the study was conducted.

Although the Dillingham Commission was influential in publicizing the issue of foreign-born prostitution, and white slavery, during the period from 1907 to 1909 the Immigration Bureau conducted its own internal investigations into the prevalence of white slavery. In the fall of 1907, social worker Helen Bullis was tasked with discovering the extent of white slavery within New York. Her work caused the bureau to order Immigration Bureau special investigator Marcus Braun to investigate white slavery conditions in fifteen cities throughout the United States during the summer of 1908. His report and recommendations induced the bureau to launch a widespread investigation/dragnet against white slavery in the spring of 1909, which resulted in a dramatic increase in the number of foreign prostitutes
barred from entering the United States and a concomitant rise in the number of
prostitutes deported.67 At the same time, Braun was sent to Europe to “ferret out”
the methods and manner of importation of procurers of white slaves to the United
States.68 His reports as well as the results of the 1909 dragnet would produce the
Immigration Bureau’s recommendations to Congress that the United States needed
to: first, make the laws against importing and harboring foreign prostitutes more
stringent; second, find a way to combat white slavery internally; and third,
withdraw its cooperation with what was seen as an ineffective international
agreement.

That it fell to Marcus Braun (d. 1921) to investigate the conditions
surrounding white slavery in the United States and abroad reflects the important
role of political cronyism during the Roosevelt administration. Braun was a larger
than life character whose gregariousness and enthusiasm seemed to repel as many
as it attracted. He was the type of man who, when covering the World’s Fair in
Chicago for the New York Herald, reportedly took a wager where he pledged to eat
his lunch in a cage full of lions.69 Braun immigrated to New York in the 1890s from
his homeland of Hungary. In New York he gained success as a newspaperman and
later served as a spokesperson for “Little Hungary” by founding the Austro-
Hungarian Gazette and serving as president of the Hungarian Republican Club in
New York City.70 In his role as leader of the Hungarian Republican Club, Braun
mobilized support for Theodore Roosevelt in his gubernatorial campaigns. Braun
was so taken in by the candidate that he bet a formal dinner that his club would not
only see Roosevelt into governorship, but would elect him president as well. When
Roosevelt succeeded in gaining the White House, he not only favored Braun with the widely-publicized public dinner in Little Hungary in the Lower East Side, he also praised Braun as one of his “staunchest political supporters.” In reward for his political work, in 1903 Roosevelt had Braun appointed as a special investigator for the Immigration Bureau who was charged with making an annual trip to Europe to ascertain the various immigration conditions abroad, including the emigration of anarchists, the role of steamship companies in the immigration process, and other general questions.

Braun, who friends described as being full of “political indigestion,” embroiled himself in controversy on one trip abroad in 1905 when he was sent to investigate the Hungarian government’s collusion with the Cunard steamship line in encouraging undesirable emigration to the United States. Upon his arrival in Budapest, Braun gave several interviews to newspapers opposed to the Hungarian government and as a result, the Hungarian police began shadowing him and reading all of his correspondence. On May 5, 1905 Braun caught a police officer confiscating his mail and he launched into a tirade against the officer, promising to “knock him down” as he chased him out of the hotel. The police returned to the hotel, arrested Braun, and demanded that he pay a $10 fine for using “injurious language” against a government official. The next day a statement appeared in all of the newspapers in Budapest that accused Braun of misrepresenting who he was and warned Hungarian citizens that he was in fact a criminal fugitive and well known as a liar.
From this point on the incident escalated into a war of words. The American Ambassador in Vienna, Bellamy Storer, was ordered to investigate and do damage control. Braun insisted that the Hungarian government had had it in for him since he exposed some Hungarian government officials in the United States of committing fraud in the 1890s. He loudly proclaimed his innocence of all criminal activity. The Hungarian foreign ministry, for their part, disavowed the newspaper statement, saying that it was the result of the independent actions of the police officer whom Braun had insulted. They also argued that the American government had acted unwisely in sending Braun, who, first, as a former Hungarian national might cause problems; second, it should have been known that “friction would inevitably” result because Braun was Jewish; and finally, most ironically, that Braun was a “dangerous swindler and dealer in women for the purposes of prostitution” who had apparently smuggled about sixty women to America in the previous year. Storer recommended that Braun be recalled to New York, and Braun happily agreed noting that the newspaper statement had made completing his investigation impossible. Storer tended to believe the foreign minister’s reports that Braun has left Hungary in 1890 under a cloud of suspicion and he urged that once Braun was out of the country, the matter should be allowed to quietly drop.

The problem was that there was not much about Marcus Braun that was quiet. He admitted that the issue was only “a tempest in a teapot. . . although I felt pretty sore under the accusations.” Upon his arrival in New York he was assigned to Ellis Island, here seemingly in his mind he was demoted from a “special immigrant investigator,” to a normal “immigrant investigator” which required him
to wear the Ellis Island uniform. For Braun, the failure of the U.S. Ambassador to help clear his name, the recall to New York, and the demeaning demotion was too much and he resigned his position in a fit of publicity in August 1905. Roosevelt blamed Braun for not knowing when to leave well enough alone, saying “his being withdrawn would have made no difference whatever to him if he had not himself insisted upon dragging it out and brandishing it around.” Nonetheless the matter continued to be dragged out as the Congressman for New York, William “Plain Bill” Sulzer demanded that all of the correspondence concerning Braun’s case be delivered to Congress. By November 1906, Braun had met with the President many times and convinced him of the justice of his actions in Hungary. He was reinstated as special immigrant inspector. For the following few years, the Immigration Bureau kept Braun state-side, having him investigate Mexican immigration, Japanese immigration, and white slavery.

In July 1908 the Immigration Bureau ordered Marcus Braun to travel throughout the United States in order to make a “thorough investigation” of white slavery as it related to immigration policy. Braun was assigned an assistant to aid him in his investigation. The assistant was Andrew Tedesco, a remarkably able and frightfully honest immigrant investigator based at Ellis Island, who had been tracking white slavers with Helen Bullis in New York. Tedesco was also a Hungarian immigrant who spoke several languages. In 1909 Tedesco uncovered several elaborate schemes where officials in New York City’s Night Court were selling arrested foreign prostitutes false verification of landing so that they could avoid deportation. By all accounts, Tedesco had significantly more experience than
Braun in investigating white slavery and more success in bringing cases to a conclusion.

The bureau instructed Braun and Tedesco to travel to Seattle, Portland, San Francisco, Salt Lake City, Denver, Kansas City, Chicago, Cleveland, Cincinnati, Pittsburg, New York and various places in between including St. Paul/Minneapolis, Butte, MT, Wallace, ID, and Spokane, WA. The prevalence of western cities and the lack of southern cities would be common in all of the Immigration Bureau’s investigation’s during this period. Within the Immigration Bureau's conception of the geography of prostitution, it was assumed that prostitutes entered the country via the northeast ports (New York, Boston, Buffalo) and then traveled west through the great train hubs (Chicago, St. Louis) and found the greatest livelihood on the West. Coincidentally, the city first visited by Braun and Tedesco was Chicago, which they found that the Dillingham Commission’s investigators had just left before their arrival in July 1908 and thus the city’s red light district, the Levee, was in chaos. Conditions were not amenable for investigation so Braun and Tedesco satisfied themselves with aiding U.S. Attorney Clifford Roe and District Attorney Edwin Sims make cases against the French prostitutes arrested in the Dufours’ brothel.84

The Immigration Bureau left the methods of investigation up to Braun and Tedesco to invent (although many models existed).85 Typically in his New York City investigations, Inspector Tedesco worked side by side with Helen Bullis. She could not enter sexually transgressive spaces and still maintain an “undercover” presence; thus Tedesco’s role within the investigations was to enter the gendered spaces of cafes and bars and observe.86 Receipts turned into the bureau by male white slave
investigators reveal that investigations consisted of sitting in saloons and cafes, and fitting in with the locals. One investigator in Philadelphia turned in receipts totalling $38.50 for 14 days worth of “entertaining.”\textsuperscript{87} Braun developed his own method in the course of the two-month investigation. He found that he could protect his identity better if instead of going to houses of prostitution and arresting all foreign-born prostitutes, he called the brothel and invited a particular girl for an automobile ride—thus avoiding “commotion in the street.” Once the girl was in the car, Braun would simply drive her to the immigration office and “up to the time she arrived at that office she did not know she was under arrest.”\textsuperscript{88} Braun argued that his method avoided any publicity in the newspapers that would undermine the investigation.

Furthermore, both Tedesco and Braun attempted to cooperate with local police departments when they would arrive at a new city, although their greatest allies were the immigration officers assigned to the individual cities. Indeed, as shown below, local police who sought to obstruct federal interference in their jurisdiction or who were actively profiting from the earnings of prostitutes often stymied Braun and Tedesco’s efforts.\textsuperscript{89}

Braun’s investigation into white slavery was characterized by “undercover” methods. There was an element of vicarious pleasure that Braun and other white slave investigators reported to their experiences of slipping into the underworld. Historian Seth Koven has documented the ways in which middle class reformers in Victorian London traversed class boundaries in their experience of “slumming.” Importantly, he notes that experiences often served as larger moments or eroticization of poverty that simultaneously attracted and repealed reformers.\textsuperscript{90}
This tension between attraction and repulsion, honest government official and undercover anonymous john, light of day and darkened brothels permeated Braun’s report on white slavery in the United States. For example, Braun reported that the assignment had “thoroughly aroused” him.91

Braun’s investigation discovered that there was indeed a white slavery problem within the United States “as a matter of fact...[and] we know of an international band of scoundrels engaged in” it. He conservatively estimated that well over 50,000 foreign prostitutes and 10,000 procurers and pimps, most of whom were French, Belgian, and Jewish, worked in the United States. Japanese prostitution remained a particular problem in the West, and according to Braun Japanese women entered illegally as picture brides.92 He found that it was more common to find the professional prostitute in brothels than the “weak, frail, thoughtless women fallen from the pathway of honor.” These women tended to enter the United States via Canada, and typically they traveled with a man with whom they posed as husband and wife at the border.93 Chicago stood as a major “distribution place” for the traffic. Most outrageously, he discovered that local police officers would inform brothels to hide any foreign-born inmates before he could investigate. This process of “tipping-off” undermined Braun’s surveys of several cities including Seattle, Butte, and San Francisco.94 For Braun, and the Immigration Bureau, the problem of white slavery was really a problem with foreign prostitution.

Andrew Tedesco issued his own supplement to Braun’s report that outlined a series of issues that he had noticed in the course of his investigation. First, he too noted that the vast majority of prostitutes entered the country through Canada, a
point of entry where only the most superficial questions were asked, if any questions were asked at all. He also confirmed Braun’s allegations that local police tended to be very corrupt, even when they had honest leadership. But Tedesco’s primary concerns seem to have come from his experience on the white slave team at Ellis Island. He specifically highlighted that special boards of inquiry (the court that heard deportation hearings) posed a particular problem in deporting immoral women. The citizens who sat on the boards, according to Tedesco, would deport or debar women from entering only when they were convinced beyond a doubt that a woman really was a prostitute. This formed an unnaturally high burden of proof for immigrant inspectors, for how do you really prove that someone is a prostitute? He claimed that this “misplaced chivalry” undermined the inspectors’ work. Because of this, inspectors at ports of entry tended to label morally suspicious women as “likely to become public charges” (LPCs), which effectively and more easily debarred them from entry. The problem with this solution is that inspectors were not allowed to photograph a woman excluded as an LPC, and therefore if a woman succeeded at entering the United States at a later date and deportation proceedings were launched against her, there was no way to confirm or deny that it was the same woman. For as Braun would later observe, “these people change their names oftener than they do change, perhaps, their shirts.” Tedesco’s report was saturated with a tone of the embattled inspector who was trying to stop a flood with thimble. Immigration statistics from the period confirm his contention that most immigration inspectors working at ports of entry debarred women as LPCs rather than as prostitutes (see Table 3.1).
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Table 3.1. Prostitutes, Procurers, and LPC's Excluded from Entry, 1892-1911. Source: Annual Report for the Commissioner General, 1904-1911.

Braun’s report to the commissioner general of immigration contained a series of recommendations for action to be taken by the bureau in its efforts to combat white slavery. First, his report revealed which immigration inspectors aided him, and more importantly, which had failed to properly comply with the anti-white slavery sections of the new immigration law. Swift recriminations to several head agents in various cities followed Braun’s report. Second, he included many
suggestions that could be and were easily taken up by the bureau. For example, he proposed that greater vigilance be demonstrated at the ports when examining the papers of current and prospective husbands. Braun suggested that white slave investigators for the bureau be placed in European cities, a recommendation the bureau found alluring. He advised that the addresses of all known houses of prostitution be gathered and then be distributed to the ports of entry so that passenger manifests could be compared to the list. Finally, throughout the report he called for the bureau to establish a white slave squad of sixty or so agents who could coordinate their actions throughout the country. He urged simultaneous action, noting that a moral clean up like the one that had been ongoing while he was in Portland, functioned to scatter prostitutes to surrounding cities and that only by taking simultaneous action could the networks established by foreign pimps and their prostitutes be eradicated.

The Immigration Bureau took up Braun’s suggestion for a national white slavery squad when from March to July 1909 it assigned immigration agents in nineteen cities throughout the United States to the special duty of attending to the enforcement of the sections of the immigration law that related to immoral women and their procurers. The purpose of such an extraordinary plan was to “secure active, concentrated and simultaneous action all over the country in an effort to make the importation of alien women for immoral purposes so dangerous and costly as to deal the ‘white slave traffic’ a severe blow, or to completely break it up so far as the United States is concerned.” The bureau instructed its special agents to: try to avoid publicity in their investigations; focus on pimps and procurers rather
than individual prostitutes; forward all material gathered in investigation to Washington DC, where relevant information could then be sent to individual European countries in compliance with the 1904 international agreement; gather the addresses of all brothels and the names of their inhabitants and send them to the ports of entry (compiling the list that Braun had suggested); coordinate activities with the U.S. Attorneys; and to be “zealous” and “unflagging,” but to avoid resorting to “persecutory methods,” meaning no employment of “intimidating or sweating measures.” With these instructions the Immigration Bureau's coordinated dragnet against white slavery was launched.

Beyond the basic instructions outlined above, immigration agents were given no guidance about exactly how to approach their assignment. Most agents seemed to favor the “undercover” methods that Braun and Tedesco utilized. Others worked with local police officers or posed as census takers. Leaving the individual methods to the discretion of agents bred confusion about how the white slavery investigations related to the day-to-day fieldwork of the Immigration Bureau among immigration offices within many of the 19 cities slated for white slavery round-ups. The bureau ordered each of the commissioners of immigration or inspectors in charge to allow the agents assigned to the white slave detail to focus on their white slave work over any other duties they might have. Additionally, all agents for the bureau were reminded that they should keep their eyes open for cases that fell under the sections of the immigration act concerning immoral women.

Some immigration commissioners complained that the white slave dragnet handicapped their normal operations because it took away inspectors who had
valuable language capabilities. For example, the commissioner in Boston (who publically denied the existence of white slavery in local newspapers) claimed that the Boston office had to hold a group of Bulgarian immigrants for 11 days after they landed because the only agent who could speak Bulgarian was away from the office looking for white slavers and their victims.107

Other heads of immigration field offices argued that the resources given to white slave inspectors were not extensive enough to make a dent in the traffic. According to the inspector in charge in Montana, Alfred Hampton, the bureau was passing to its special agents a “big juicy lemon,” because there was not sufficient resources (especially in the form of money to pay interpreters and informers) dedicated to the dragnet to be able to produce “startling results.” More to the point, he argued that a dragnet of this type ignored the ongoing anti-white slavery work that the Helena office and the U.S. attorney had been completing. He wrote: “This is no virgin territory where a man can walk in and make a number of sensational arrests, gather a lot of statistics and write the bureau a glowing report to help swell the annual report of things accomplished.”108

Other agents saw assignment to the white slave detail as an opportunity to do exactly that—make a number of sensational arrests and write glowing reports. One such man was Frank Stone, assigned to the Texas branch. Frank Stone savored traveling to the different cities in Texas (Dallas, Fort Worth, Waco, Austin, and Laredo) and uncovering the unique vice conditions in each city. On the one hand, he excelled at undercover work, easily conversing with pimps who would start telling stories and end up divulging life histories. On the other hand, police commissioners
and chiefs seemed to like him just as well, probably due to the same set of personality traits. In each city, Stone explored the unique moral and racial geography. In Austin he noted that the brothels were luxuriously furnished and that members of the state legislature and government composed their main clientele. As a result, customers preferred American-born prostitutes. In Waco, the corrupt police officers ensured that Mexican pimps and procurers operated elsewhere so that American sex workers could dominate. Stone found this to be “paradoxical” considering the large Mexican population that lived in Waco. In Fort Worth he uncovered the “rottonist” city he had ever seen. It was a city in which the Anglo commercial property owners of the red light district, called “The Acre,” encouraged foreign prostitution (mainly French and Jewish), protected vice interests, and battled reformers within the political arena. One judge told Stone that for him it was a question of “dollars and cents” and that he needed the graft money that the vice interests gave him. Of course the same judge tried to bribe Stone, promising him a “good, hot time.” And in Laredo, one of the most significant entry points into the U.S. from Mexico, Stone found that almost every prostitute working in a brothel was in violation of immigration laws (there was only one brothel that contained Anglo women, named appropriately “Casa Blanca” and it ironically occupied the former offices of the immigration service). He detected a large-scale system of procuring women to provide the sexual and care labor within the city. Young Mexican girls were brought to Laredo to work as domestics, as private concubines, and as public prostitutes. While Stone conducted his investigation, the same system of procurers worked in reverse; in one brothel that had had 23 Mexican girls working when he
arrived, had only two remaining when he left. He celebrated the system of expulsion “by other means” noting that it saved the government significant money and time.\textsuperscript{114}

Whereas some agents, like Stone, seemed to savor the adventure and class traversing of undercover work, others found the experience disconcerting. David Lehrhaupt, the agent based in upstate New York, asked to be reassigned to normal inspection work at the Buffalo station. He objected to the late hours required in investigating vice, and more stridently, he objected to having to entertain “the low and unscrupulous class of people with whom I have to come in contact.”\textsuperscript{115} His request was denied and he faithfully completed his assignment.

Unlike Braun’s investigation, individual immigration agents encountered uncooperative police departments. In upstate New York, where houses of prostitution had been outlawed, some local police refused to help the investigators because they did not want to be liable for knowing that such houses continued to thrive.\textsuperscript{116} However this legacy of police corruption was not always present. Unlike Braun, many of the immigrant bureau agents were a known part of the community that they investigated and because of this they seem to approach the police with more respect and in return gained greater cooperation. Agent Frank Stone’s campaign against Mexican prostitution in San Antonio and surrounding cities was possible because of the support of local police.\textsuperscript{117} And even in upstate New York, the investigating agent found that generally the commissioners of public safety and chiefs of police extended “every possible courtesy” in aiding in arresting those pimps and prostitutes under local laws who could not be tried under federal law.\textsuperscript{118}
Regardless of the bureau’s instructions to avoid “persecutory” methods, many agents favored assuming that all foreign-born prostitutes were in violation of immigration laws rather than assuming their innocence. In most of the United States it was not illegal to be a prostitute (depending on the city), and it was only a deportable offense in 1909 if an alien women committed prostitution within three years of her entry into the country. (Meaning that if an immigrant sex worker had entered the country prior to 1906 she could continue practicing prostitution.) The agent assigned to routing out foreign white slaves in Ohio, George Cullen, argued that his preferred approach to the white slave assignment was to “take all the aliens [sic] prostitutes I find into custody and give them an opportunity to prove they are not deportable.” But he noted that the vast majority was dishonest about their most recent date of entry. By arresting every foreign-born prostitute, Cullen reasoned, he was more certain to capture those that were deportable, even if it meant taking into custody “quite a few women” who were not deportable. Cullen justified this policy in that the difficulties it posed to those unjustly arrested discouraged those who profited on vice. In other words, it’s a good thing to offer punishment to a prostitute who by virtue of her career is immoral and therefore liable for punishment. Carrying out such large-scale arrests tended to disrupt communities. First, as Cullen complained, arresting everyone took a “superhuman amount of energy.” Second, the friends and families of those arrested responded to the dragnet with alarm and quickly hired lawyers who threatened suits. Cullen reported being “beset on all sides by friends of these aliens, threatened by their attorneys, and compelled to argue and defend and explain almost every hour of the day and night.” Third, the
intervention of the federalized immigration inspectors into community policing of prostitution occasionally created some resentment on the part of the local police. Forth, these dragnets tended to attract newspaper coverage of the Immigration Bureau’s activities, which undermined an agent’s ability to continue his investigative work. \(^{120}\) Finally, these sorts of methods had the effect of scattering foreign-born prostitutes and their pimps to other communities where they could hide. For example, reporters in the cities around Chicago noted that every time there was a white slave crackdown in the Windy City, prostitutes sought refuge in nearby cities like St. Louis, Milwaukee, and St. Paul.\(^{121}\)

A Supreme Court decision, *Keller v. United States*, issued in early April “severely handicapped” the Immigration Bureau’s dragnet against foreign prostitution.\(^{122}\) The case looked at the new immigration law and found the section (section 3) that outlawed harboring a foreign prostitute within three years of her entry to be unconstitutional because it constituted the Federal government exercising police functions that belonged to the states.\(^{123}\) The Immigration Bureau had hoped that the dragnet would result in brothel owners refusing to take in foreign prostitutes because of the risk that housing foreign prostitutes posed would be too great. But the *Keller* decision took away this weapon and the bureau now only could focus on individual foreign-born prostitutes.

The Immigration Bureau’s dragnet against foreign prostitution produced several results. First, the reports of the individual agents seemed to confirm Braun’s assertions that foreign prostitution was a national problem, that prostitutes entered the country via Canada, and that prostitution was supported by corrupt local police
who often materially benefited from the proceeds generated from prostitution.

Second, deportations of foreign prostitutes increased dramatically during the dragnet and would stay higher than they had been before the dragnet for many years. The bureau concluded:

> The most alarming feature of this traffic from the bureau's point of view consists . . . of the vastly increasing numbers of alien prostitutes flooding the country, finding in the existing immigration laws, with their present means of enforcement, only slight impediment to their passage back and forth, and in the great and callous indifference displayed to the existence of these leprous sores upon the body politic in the various cities which throw the cloak of protection over the districts wherein are gathered the brothels, dives, and houses of assignation.124

As a result of Braun's U.S. report and the Immigration Bureau's coordinated drive against white slavery, the bureau recommended that the immigration law be amended to be made more stringent against foreign women found practicing prostitution within the borders of the United States.125

While the individual immigration agents of the white slave detail were toiling against foreign prostitutes during the summer of 1909, the Immigration Bureau dispatched Marcus Braun to investigate white slave conditions in Europe. He was ordered to visit England, France, Belgium and Germany, and Poland and Russia were added to list after he departed.126 This was the first (and last) trans-Atlantic assignment Braun had received since the Hungary fiasco and the State Department forbade Braun from visiting his homeland.127 But even with this precaution, Braun's
brash personal style soon caused him and the State Department problems—this time in France.

The problem Braun encountered stemmed from two sources. First, the U.S. Immigration Bureau had an expansive definition of “white slavery” which covered both the innocent deceived woman or girl, and the professional prostitute. In Europe, from the state’s perspective the term “white slavery” applied only to the innocent, deceived woman or girl. Thus, U.S. immigration laws passed under the guise of protection for white slaves but that actually denied entry to immigrant prostitutes were found to be overly restrictive to European counties. Second, Braun favored the undercover methods he had developed while investigating white slavery in the United States, and he never seemed to consider that these methods would be repugnant to the officials of countries he visited. Indeed, Braun seemed to believe that American immigration officials’ sovereignty was unrestrained and that as a representative of the American government he had a right to investigate anywhere.

When Braun first arrived in France he met with the Minister of the Interior Hennequin, to inquire about the state of white slavery, prostitution, and emigration in France. In investigations within the United States, investigators repeatedly identified France as one of the main sources for white slaves. Indeed, prior to leaving for Europe Braun had planned a strategy to get the French government to extradite Alphonse and Eva Dufour, the French couple who had forfeited the $25,000 bond when they were arrested in the summer of 1908 for harboring foreign prostitutes. Thus, when Braun first met with Hennequin, it is more than likely
that he had a list of specific complaints and demands that Hennequin found obnoxious.

At their meeting Hennequin argued that an American official had no jurisdiction nor right to make investigations in France. According to Hennequin, all investigations needed to be conducted by French officials and if Braun needed anything, he should go through Hennequin’s office (of course Hennequin denied all of Braun’s requests of aid). According to Braun, Hennequin admitted that he thought the U.S. laws against entry of “immoral” women to be “outrageous” and that he was not in sympathy with the enforcement of any such law.\textsuperscript{130} Hennequin argued that the U.S. immigration law that treated women who had been lured to the U.S. and put into a life of prostitution was inhumane and that the U.S. had “no right to treat them as prostitutes.”\textsuperscript{131}

Not to be undone, Braun decided that he would play the part of the tourist while in Paris and find out all he could about the state of prostitution within France. He argued that he did this in “an absolute inoffensive” way.\textsuperscript{132} While thus circumventing (or ignoring) Hennequin’s warning against conducting an investigation, Braun decided to track down specific girls whom he suspected of being white slaves. In the process of trying to find these girls, Braun hired a man to act as his guide to the “underworld.” The guide represented himself as an American agent and hassled a suspected white slaver, who complained about the incident to the authorities.\textsuperscript{133} To misrepresent one’s identity by posing as a tourist whilst making an investigation or representing yourself as an American official when you were not violated French penal law, in addition to completely disregarding the
instruction of the minister of the interior. As a result, the Minister of Foreign Affairs lodged complaints against Braun with the American Ambassador at Paris and he drew attention to the “extreme gravity” of the offenses.134

Luckily for Braun, he had left Paris for Berlin just as these accusations began to circulate, and therefore he avoided any formal charges, while the State Department and American Ambassador smoothed the ruffled feathers of the French government. From this point on, the methods Braun employed in his investigations changed considerably. He no longer went “undercover,” instead limiting his investigations to discussions with police and governmental officials, and the people to whom they introduced him.

Braun found the opinions of government officials in Europe to be vastly different than those held by American officials.135 First he discovered that the United States could not rely on European countries aid in cracking down on the emigration of prostitutes to the United States. According to the representatives of the various European government who were signatories of the 1904 international anti-white slavery treaty, the treaty was strictly limited to cases in which an innocent woman or girl was transported due to fraud or force from one country to another. No European government was willing to obstruct the freedom of movement of professional prostitutes.136 More infuriating to Braun was that “in all countries I was plainly told by officials with whom I had to deal, that ‘You better keep those women, once they are there.’”137

Even more confusing to Braun was the fact that many of the European officials with whom he met considered prostitution to be a legitimate business, and
more troubling, that prostitutes could claim a certain amount of rights. For example, while in Belgium, Braun met with a man who supplied prostitutes to the legal brothels within the country. In the course of their conversation, the man, Philippet, responded to Braun’s line of questioning in anger:

The Belgian Government, and in fact every other European Government, with the exception of England, tolerated the existence of Houses of Prostitution. How dare you to make any reproaches to me that I am not in a legitimate [sic] business when I supply these houses with women? If it is legitimate [sic] for the Government to tolerate the existence of these Houses, why should it not be legitimate [sic] for me to supply the women?138

The legitimacy that most European governments gave to houses of prostitution through regulation extended to the prostitutes themselves. Braun was baffled that prostitutes were not believed to be “white slaves” in Europe and he did not understand how it was the European officials thought that a prostitute was a woman who as an adult was capable of doing with “her body whatever she pleases” and going wherever she pleases.139 European officials seemed to see prostitution more as a job rather than a state of immorality. Numerous European officials thought it “cruel” to exclude a woman who may in the past have worked as a prostitute, but who was on the path to becoming a “good woman.”140 But according to the Immigration Bureau’s policy application of the label of “prostitute” was permanent. Any woman who at any time in her past was a prostitute would be excluded as a prostitute, and any woman who after arriving in the U.S. became a prostitute was assumed to have been a prostitute in the past. As a result of this
mindset, Braun found that the European people were not in sympathy with a policy
that seemed to deny even the potential for reformation.

Braun discovered the dark side to the land of opportunity narrative. Among
the prostitutes he interviewed many of them mentioned that it was well known that
vast amounts of money could be made in the United States. His research confirmed
that the average prostitute made significantly more money for the same sex acts in
the U.S. than in Europe (particularly Eastern Europe). Additionally, because most
cities in the United States rejected the invasive medical licensing of prostitutes that
was common throughout most of Europe, European prostitutes found the United
States an attractive destination. More troubling to Braun was that of all the
prostitutes he interviewed he never encountered one who was not well and
accurately informed about U.S. immigration laws. All claimed that if they wanted to
get into the U.S., then they could. Braun repeatedly noted that it felt like these
lewd women were laughing at him and the Immigration Bureau. One reportedly
called him a “chump” when he mentioned that sporting women were excluded from
entering the United States. Another group also laughed, saying they each knew
colleagues who went back and forth across the Atlantic at will. He was baffled that
none of these women had heard of any prostitute being deported, nor any stories of
prostitutes being mistreated by clients or pimps, or dying in hospitals, or having
“gone down in the gutter,” or any of the other ways he presumed a prostitute’s life
ended.

Throughout his European Report, Braun lamented the decadence and
immorality that he saw as endemic throughout Europe (he did allow England, and to
101
a lesser extent Germany off the hook). One way he highlighted the degeneracy of Europe was by ‘discovering’ a new “class of ‘immoral’ men against whom we have no restrictive measures and whom are flocking to this [the U.S.] in great numbers.” He found the city of Berlin to be “honeycombed” with tens of thousands of homosexual prostitutes. He accused young gay prostitutes of composing a criminal class who specialized in extorting their customers. According to Braun, those who were not blackmailing their customers into paying them enough money to live a life of leisure in America tended to be pimps and procurers of young women. Thus the deviant pederast became the ultimate white slaver; in this twisted logic the corruptor of men was conflated with the corrupter of girls. Braun urged the bureau to amend the immigration laws so that this class could be barred from entry.

By far the most important finding that Braun made was that the international traffic in women, although it did exist, was not organized. He discovered that the recruitment of existing prostitutes was common, and even more prostitutes found ways to come to the U.S. without a procurer. But there was no organization having a headquarters on both continents that existed for the purpose of “exploiting innocent and virtuous womanhood.” There did exist, however, a certain “esprit de corps” which functioned to cause kindred spirits to gather at the same locales, trade the same gossip, and loosely coordinate their activities.

As a result of his investigation, Braun called on the U.S. to amend its immigration laws so that no foreign-born prostitutes, procurers, pimps, brothel-house owners, or homosexual prostitutes be admitted and that each discovered
could be deported. He advocated that the three-year buffer be abolished. He suggested that every incoming immigrant be morally cleared by the U.S. consul in his or her country of origin before being admitted to the United States. He argued that medical examinations for venereal disease at ports of entry would exclude many sex workers (the Immigration Act of 1903 did provide for exclusion of people infected with syphilis and gonorrhea, though the Public Health Service did not conduct invasive genital examinations). Finally, Braun issued a stunning indictment of the 1904 international treaty, declaring that it did not compel European countries to aid the U.S. in barring foreign prostitutes from entry.

Both of the reports that Braun wrote (the U.S. and European) were forwarded to the Dillingham Immigration Commission that had been busy preparing its report during the same time that Braun conducted his investigations. Of course, as mentioned above, little is known about how the Dillingham Commission conducted its white slavery investigation, or even who was on its staff. One “special agent in charge” conducted the report with the aid many assistants and according to the report one of the assistants was a woman who had been attacked and beaten in the course of the investigation.

The Commission presented its report on white slavery to Congress in December 1909 and for the most part it repeated many of the claims of Braun’s investigations and the experiences of the immigration inspectors working on the white slave dragnet. The Commission favored an economic analysis of prostitution, noting that any international trade existed only for profit. It pointed to the case of the Dufours to demonstrate how profitable the trade in women could be. In the
gendered imagination of the Commission, every prostitute was subject to a male pimp who confiscated a majority of her earnings. It found police corruption to be a problem. Finally it repeated the common thinking that prostitution resulted in early death for the prostitute and it reported finding some evidence for a trade in boys and men for immoral purposes.\textsuperscript{153}

In one way the Commission’s results differed from Braun’s investigations. The Commission identified white slavery as a primarily Jewish phenomenon, specifically pointing to the cases where Jewish men were found to be pimps or procurers.\textsuperscript{154} Braun, for his part, tended to de-emphasize the Jewish connection to prostitution, while at the same time he played up the important role of Jewish charities in fighting white slavery.\textsuperscript{155} In condemning Jewish criminality, the Commission cited the existence of the New York Independent Benevolent Association, a Jewish organization devoted to providing for the health care and burial needs for its members, most of whom were pimps, brothel owners, or prostitutes. The existence of such a benevolent society for Jewish “white slavers” convinced many that although an international syndicate may not exist, Jewish pimps and procurers were still very well organized.\textsuperscript{156} According to historian Edward Bristow, though the New York Independent Benevolent Association was well organized, the organization “was no more than the scaffolding for Jewish commercial vice.” Beneath it lay a myriad of petty jealousies and rivalries that obstructed the development of an organized trade.\textsuperscript{157}

In summarizing its own work and the work of Braun, the Immigration Commission found that one of the most basic characteristics of pimps, prostitutes,
and all others connected to sex work was their basic mobility. Like so many before it, the Commission noted that when a city relaxed an ongoing moral clean-up campaign, “the news spreads with wonderful rapidity, and the statement that the city is ‘wide open’ means the flocking back of this element from other States, and an increased tendency toward the violation of the laws of importations.”158 In seeking to counter this mobility, the Commission called for stricter immigration laws by abolishing the three-year period in the 1907 Immigration Act and further empowering the Immigration Bureau to investigate and deport all violators of the law.

Congressional Action: Attack the “National Gangrene”159

While the Immigration Bureau and the Immigration Commission conducted their studies from late 1907 to 1909, the city of Chicago experienced a wave of moral campaigns aimed at cleaning up the Levee. In their own way the Braun studies and the Immigration Commission played a part in these campaigns by lending reformers the mantle of the federal government. The leading movers and shakers concerned with white slavery in Chicago were District Attorney Edwin Sims and States Attorney Clifford Roe. It was these two attorneys and their allies who would look for solutions that addressed the fundamental reality of sex work—its basic tendency towards mobility. Their search for such solutions would lead them to Illinois Representative James Mann and the U.S. Congress.

In December of 1906 Clifford G Roe, one of the ablest trial lawyers in Chicago, joined the staff of the state's attorney, where in May 1907 he received a phone call
from a local police officer who reported that he had a girl in custody who claimed to be a white slave. The girl told Roe a tale that included her employment as a shop girl at Marshall Fields, her seduction by a young good-looking dandy, and her subsequent imprisonment. Roe prosecuted the case and found a cause that would shape the rest of his adult life. He joined the Illinois Vigilance Association and helped draft the Illinois White Slave Bill, the nation’s most stringent white slave law that was enacted on July 1, 1908. With the new state law, Roe saw an opportunity to eradicate white slavery in Chicago, so he contacted his fellow University of Michigan graduate and friend, Chicago District Attorney Edwin Sims.160

By 1907 Chicago attorney Edwin Sims had gained an enviable reputation for being an honest and dedicated lawyer and reformer. In 1906 he had investigated fur seal fisheries for President Roosevelt and had prosecuted the Standard Oil Company for the government, leading to $29 million ruling against the behemoth.161 As district attorney of Chicago, Sims found the Immigration Act of 1907 to be exciting because it gave him a weapon for attacking foreign prostitution in the Windy City, considered by many to be one of the most corrupt and sinful places on earth.162 Sims reported that he was “determined to break up this traffic in foreign women” and thus protect the American people from this “contamination.”163 Sims used his connections in Washington to get a cadre of secret service agents and twenty-five U.S. marshals. In June 1908 Sims led the attack on the Levee, targeting French-owned brothels like the ones owned by the Duvals and the Dufours. Having served as a reporter before college, Sims adeptly handled the press interest in the raids, and found an issue about which he was passionate.164
As much as he was determined to fight the traffic in foreign prostitution, Sims worried that there existed no legislative weapon to wage against the dealers in American-born white slavers. He saw American “country girls” headed to large cities as especially vulnerable. A father of four, he wrote:

In view of what I have learned in the course of the recent investigation and prosecution of the ‘white slave’ traffic, I can say, in all sincerity, that if I lived in the country and had a young daughter I would go any length of hardship and privation myself rather than allow her to go into the city to work or to study.\(^\text{165}\)

Sims saw an opportunity to protect native-born women and girls in the Constitution’s commerce clause, and conveniently, his good friend Illinois Representative James R. Mann sat as Chairman of the House Committee on Interstate and Foreign Commerce.

With Roe, Sims penned the law that would become the White Slave Traffic Act and took it to Mann. The law Roe and Sims drafted made it illegal to: 1.) transport or facilitate the transport of any woman or girl over state lines or within a territory (and the District of Columbia) for prostitution or any other immoral purposes; and, 2.) to cause any woman or girl to cross state lines on a common carrier, again, for prostitution or any other immoral purposes. With only minor changes, Mann and Sims presented the drafted bill to President Taft on November 24, 1909. Taft signaled his support for the bill and Mann introduced it to Congress on December 6, 1909 and referred it to his own committee.\(^\text{166}\) The next day, Taft lent his public support to Mann’s act in his annual address to Congress, saying the he believed it was “constitutional to forbid, under penalty, the transportation of
persons for purposes of prostitution across national and state lines.” He also called for a larger budget for the Immigration Bureau.167

The Immigration Bureau, meanwhile, building on the momentum generated by the Dillingham Commission’s report on white slavery that was delivered to Congress on December 5, 1909, argued throughout January 1910 that any non-naturalized prostitute should be deportable regardless of how long she had been in the country.168 Congress delivered the bureau its wish when on March 26, 1910 it amended the immigration law by dispensing with the three-year limitation. Now immigration inspectors no longer had to quibble with prostitutes about entry dates and almost immediately the new power the bureau had against prostitutes of foreign birth showed results.169 The Immigration Act of 1910 more or less resolved the problem of foreign white slaves; thus the focus shifted to native white slaves and the Mann Act.

As Mann’s White Slave Traffic Act sat in committee in December, organizations leading and allied with the anti-white slavery movement showed their support in force. These included the WCTU, NCJW, the Jewish Society of B’nai, the American Purity Alliance, the National Florence Crittenden Mission, the National Federation of Women’s Clubs, the American Societies of Social Hygiene, Young Women’s Christian Association, the National Vigilance Association, as well as numerous other civic and religious organizations.170 With ongoing agitation by reformers, the New York Times reported that the passage of the bill by Congress was “pretty much admitted.”171
When the bill moved out of committee and to the House floor for debate on January 19, 1910 it enjoyed an unusual amount of support, with many congressmen seeing the act as within the purview of the commerce clause. The only opposition to the bill emerged from some adherents to the “states-rights” doctrine in the South and Midwest. State’s rights advocates suggested that the bill violated the police powers of states; but Congressman Gordon James Russell (TX-D) countered such arguments by asking how it was that states could police a traffic characterized by its very mobility, as demonstrated in the Dillingham Commission’s report. Southern state-rights advocates faced a challenge in articulating their opposition to the Mann Act because by attacking it they ran head-on against the other great pillar of Southern political rhetoric—protecting white womanhood. Georgia Representative William Adamson (GA-D) noted that the “revolting immoralities” of white slavery were obscuring the “still more atrocity of violating the Constitution.” Other Southern Democrats overpowered voices like Adamson’s by insisting that pure white womanhood needed Congressional protection. Russell got to the heart of the matter when he read an article written by Georgia populist and well-know white supremacist Tom Watson. In the except, Watson wrote:

Some weeks ago a negro who signed himself “John Frankling” wrote me from Tifton, Ga, a letter in which he states that he had a white wife whom he had bought out of a group of twenty-five that were offered for sale in Chicago, and that she was the third white “wife” that he had purchased. Upon making inquiry of prominent men in Chicago, I was told that there was reason to believe that the negro has told the truth.
This ridiculous claim struck at the core of many Southern Democrats arguments against the bill. Surely, protecting white women from black men, and the South from miscegenation was worth setting aside some of the state-rights doctrine. Also, Russell’s use of Watson’s article demonstrates the discursive importance of Chicago’s sinfulness to the rising Jim Crow South. After a few more days of arguing about the technical wording of the law, the bill passed the House by voice vote on January 26, 1910.

Mann’s bill, now in the hands of the Senate, first went to the Senate Committee on Interstate and Foreign Commerce and from there it went to the Committee on Immigration. After clearing these committees unscathed, it was presented to the floor of the Senate on June 25, 1910 by Senator Henry Cabot Lodge (MA-R) on behalf of Senator William Paul Dillingham (VT-R), where the bill passed by voice vote the same day with minimal debate. President Taft briskly signed the bill into law the very same day. Thus, within the first six months of 1910, the U.S. Congress passed measures that allowed it to deport all non-naturalized prostitutes (remember that the only way for an immigrant woman to gain citizenship was by marriage to a U.S. citizen), and that provided a law enforcement weapon against the mobility of pimps, prostitutes, and the immoral classes.

CONCLUSION

In the early 1900s anti-white slavery activists sought ways to combat white slavery, which they broadly conceived as an international network of crime, and as a consequence they saw the point of entry into the United States as the logical place to
stop white slavers and protect immigrant girls. Informed by a gendered worldview that believed women had unique ways of sensing distress, reformers advocated for the appointment of women boarding inspectors to inspect first and second class passengers when they arrived at the port of New York. Gifted with allies in the White House, the reformers succeeded in gaining a test of their ideas, but they failed to anticipate the deep-seated sexism within the Immigration Bureau, as best personified by the Commissioner General of New York, William Williams. After only four weeks Williams declared the experiment a failure. The reformers marshaled their resources to try to salvage the experiment, but in the end, their arguments could not change the culture of the bureau, and their work resulted in a watered-down position of boarding matron.

Meanwhile, as both reformers and politicians increasingly turned to the Immigration Bureau for information about the United States’ response to white slavery, the bureau took proactive steps to discover the extent of the white slavery problem in the United States and Europe. Its investigators’ reports confirmed that the informal trafficking of women from Europe and throughout the United States did indeed occur, even if there was no organized syndicate. Furthermore, the studies revealed that the U.S. could not rely on European aid in combating white slavery, in spite of its participation in the 1904 treaty due to the different understandings of what constituted white slavery and who comprised a victim and who did not. Additionally, the studies publicized that immigration agents were deeply hampered by the 1907 immigration law that made prostitution only within three years of entry a deportable offense. The Immigration Bureau’s 1909 coordinated dragnet on white
slavery confirmed this point when agent after agent complained that any arrest of foreign prostitutes devolved into an argument about when the women entered the country and when other Immigration Bureau agents discovered a lively trade in forged entry documents. As a result of these studies the bureau developed an understanding of gendered immorality that had little use for the narratives of innocence common in the media’s and activists’ discourses of white slavery. Instead the use of the term “white slavery”, in the bureau’s parlance always meant “prostitute,” and it was these foreign prostitutes who according to the bureau threatened to “flood” the country who needed to be stopped.

Simultaneously, reformers and immigration agents noted the while most foreign prostitutes were untouchable, so were all native born women who often lived and worked in the same brothels. The Sixty-First Congress addressed both problems when in amended the immigration bill in March and passed the Mann Act in June of 1910—thereby handing the United States a national white slavery policy that outlawed all foreign prostitution and attacked the very heart of the power of sex workers and their managers (pimps and madams)—their ability to travel to and from different sexual marketplaces as the sexual and judicial economies dictated. From 1910 onward the Immigration Bureau and the Department of Justice, to whom enforcement of the Mann Act fell, developed a coordinated relationship to police prostitution within the United States.
NOTES

2 Ernest Bell, Fighting the Traffic in Young Girls, or, War on the White Slave Trade (Chicago: Southern Bible House, 1910), 260; for an entertaining popular history about Chicago’s famed Levee district and the campaign to clean it up, see Karen Abbott, Sin in the Second City: Madams, Ministers, Playboys, and the Battle for America’s Soul (New York: Random House, Inc., 2007).
6 Ernest Bell, Fighting the Traffic in Young Girls, 76.
8 “The Philadelphia Vice Case,” Titusville Morning Herald (PA), 29 Nov 1902.
13 “Governor Roosevelt on Regulation,” The Shield 3, no. 37 (Aug 1900), 64.
16 Margaret Dye Ellis took credit for convincing the president to instate the inspectors in much of the reform press and in her correspondence with government officials, whereas Sadie American took credit within the meetings of the Council of Jewish Women. There is no record of American being present at any of the January meetings. Rather, it appears she was included in the drive to keep the women inspectors from being fired, which was initiated in the spring of 1903. See Val Marie Johnson, “Protection, Virtue, and the ‘Power to Detain’: The Moral Citizenship of Jewish Women in New York City, 1890-1920,” Journal of Urban Studies 31, no. 5 (Jul 2005): 655-684, 668-669.

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21 Margaret Dye Ellis to William Loeb, 18 Jun 1903, case file 52541/41, INS.A.3.Ellis, roll 5.

22 William Williams to Frank Sargent, 9 Mar 1903, No. 9189, case file 52541/41, INS.A.3.Ellis, roll 5.


24 Ibid.


26 In addition to English, Lassoe spoke French, German, and Swedish, and had experience in “rescue work” in New York City and Brooklyn. Batchleder was a college graduate who was pursuing postgraduate work in sociology at Columbia University. Additionally, she was fluent in French and German and had substantial experience in settlement house work. Margaret Dye Ellis to George B. Cortelyou, 25 May 1903, case file 52541/41, INS.A.3.Ellis, roll 5.


30 Margaret Batchelder to Theodore Roosevelt, 18 Jun 1903, case file 52541/41, INS.A.3.Ellis, roll 5.

31 Ibid.


36 Margaret Dye Ellis to George B. Cortelyou, 25 May 1903, case file 52541/41, INS.A.3.Ellis, roll 5.


39 Leslie Shaw to William Williams, 14 May 1903, case file 52541/41, INS.A.3.Ellis, roll 5.


43 “Hearing given to Mrs. Margaret Dye Ellis, Mrs. Florence Kelley, Miss Sadie American and Josiah Strong, May 22nd, 1903, by Hon. George B. Cortelyou, Secretary, Department of Commerce and Labor,” case file 52541/41, INS.A.3.Ellis, roll 5.

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“Hearing given to Mrs. Margaret Dye Ellis, Mrs. Florence Kelley, Miss Sadie American and Josiah Strong, May 22nd, 1903, by Hon. George B. Cortelyou, Secretary, Department of Commerce and Labor,” case file 52541/41, INS.A.3.Ellis, roll 5.

Mathilde Wichmann to Theodore Roosevelt, 26 May 1903, Sarah Harrison to Theodore Roosevelt, 17 Jun 1903, Josepha Lassoe to Theodore Roosevelt, 18 Jun 1903, and, Margaret Batchelder to Theodore Roosevelt, 18 Jun 1903, case file 52541/41, INS.A.3.Ellis, roll 5.

“Hearing given to Mrs. Margaret Dye Ellis, Mrs. Florence Kelley, Miss Sadie American and Josiah Strong, May 22nd, 1903, by Hon. George B. Cortelyou, Secretary, Department of Commerce and Labor,” case file 52541/41, INS.A.3.Ellis, roll 5.

Ibid.

George Cortelyou to Theodore Roosevelt, 29 Jul 1903, George Cortelyou to Margaret Dye Ellis, 28 Jul 1903, William Williams to Frank Sargent, 1 Dec 1904, and William Williams to Chief of the Boarding Division, 23 Jan 1905, case file 52541/41-A, INS.A.3.Ellis, roll 5.

William Williams to Frank Sargent, 26 Aug 1903, case file 52541/41-A, INS.A.3.Ellis, roll 5. There were not enough women who qualified under the new civil service requirements within the tri-state area, therefore three of the five new boarding matrons had to be imported from the “far west.”

Ellis noted that the male inspectors continued to oppose the presence of women and when one woman complained about her treatment, she was “at once transferred to Ellis Island for night duty.” Margaret Dye Ellis to Victor H. Metcalf, 2 Feb 1905, case file 52541/41-A, INS.A.3.Ellis, roll 5.


William Williams to Frank Sargent, 1 Dec 1904, case file 52541/41-A, INS.A.3.Ellis, roll 5.


“This Government Begins Crusade Against White Slave Traffic Between Europe and U.S.,” Logansport Reporter (IN), 22 Oct 1907, 4; Oscar S. Strauss to O. Edward Janney, 17 Dec 1907, case file, 51777/30, INS.A.5.PWS, roll 1. Bullis’s work was comprised of checking the addresses where individual women were manifested, confirming that the addresses matched where a woman’s luggage was sent, and where the woman herself went. Her work required a thorough knowledge of the geography of prostitution throughout the city, as well as close cooperation with police officials. See for example, Helen Bullis to Robert Watchorn, 28 Oct 1907, case file 51652/41-B, INS.A.5.PWS, roll 1. Bullis has difficulty gathering enough evidence to deport male procurers because she couldn’t inconspicuously loiter in cafes. As a result she requested that the Bureau provide her with a male counterpart who could conduct investigations within the gendered and sexualized sites that were off limits to her. See Helen Bullis to Frank Sargent, 8 Oct 1907, case file 51652/41-B, INS.A.5.PWS, roll 1.


Maldwyn Allen Jones, American Immigration, 2nd ed. (Chicago: University of Chicago, 1992), 153; The Act of February 20, 1907 (34 Stat.L., 898, 909) significantly altered immigration policy; Smith and Herring, The Bureau of Immigration, 12; and Robert F. Zeidel, Immigrants, Progressives, and
The Dillingham Commission’s investigators into white slavery visited: New York City, Chicago, San Francisco, Seattle, Portland, Salt Lake City, Ogden, UT, Butte, MT, Denver, Buffalo, Boston, and New Orleans. Its report on white slavery is largely dominated by first Chicago, and then Seattle.

Braun to Commissioner General, 16 Sep 1908, case file 52484/1 INSA.5.PWS, role 3.


Braun stated his opposition to the government of Hungary in his apology that he published about his investigation. He wrote: “Brutal, cowardly, unjust, illegal, sustained by an armed interference with the most sacred and the most ancient rights of the people...This government surely has ‘troubles of its own.” Marcus Braun, Immigration Abuses: Glimpses of Hungary and Hungarians (New York: Pearson Advertising Co., 1906), 116.

This is the only mention that Braun may have been Jewish. In his reports, he tended to be sympathetic to the plights of Russian Jews seeking entry into the United States. And when investigation white slavery in the United States and abroad he did interview Jewish community leaders; but this probably because the Jewish community was very active in the fight against white slavery.

Braun, Immigration Abuses, 128.
82 It was Tedesco, that Fiorello H. La Guardia credited with first teaching him how to avoid getting caught up in graft when they worked together along with Felix Frankfurter on white slave cases brought forward by Ellis Island White Slave Division. Fiorello H. La Guardia, The Making of an Insurgent: An Autobiography, 1882-1919 (J.B. Lippincott Co., Philadelphia, 1948), 74.
83 Case file 52423/30, INS.A.S.PWS, roll 1.
84 Marcus Braun to Commissioner General, 1 Aug 1908, case file 52484/1 INS.A.S.PWS, roll 3; Marcus Braun to Commissioner General, “Braun U.S. White Slavery Report,” 29 Sep 1908, case file 52484/1-A, INS.A.S.PWS, roll 3, pages 14, 16 [hereafter referred to as “Braun U.S. White Slavery Report”].
86 Helen Bullis to Frank Sargent, 8 Oct 1907, case file 51652/41-B, INS.A.S.PWS, roll 1. Jennifer Fronc describes the challenges two female Committee of Fourteen had investigating the moral conditions of New York City bars and saloons, which were deemed as largely male spaces. The Committee’s women investigators were more likely to be allowed in these spaces when accompanied by a man. See Fronc, New York Undercover, 74-75.
87 “Expenses incurred by Inspector Frank L. Garbarino, 2 Nov 1907, case file, 51661/46-B, INS.A.S.PWS, roll 1. $38.50 is comparable to approximately $845.40 today.
88 Marcus Braun to Frank Sargent, 1 Aug 1908, case file 52484/1, INS.A.S.PWS, roll 3.
89 Ann Gabbert reports that the city finances of El Paso, TX were so dependent upon the tax the city police imposed on prostitutes, that the city was financially incapable of outlawing prostitution until the 1930s. Ann R. Gabbert, Prostitution and Moral Reform in the Borderlands: El Paso, 1890-1920,” Journal of the History of Sexuality 12, no. 4 (Oct 2003): 575-604.
92 Picture brides were brides that were married to their husbands by proxy in Japan (and Korea) and then sent to their husband who lived and worked abroad. American immigration officials were very suspicious of marriage by proxy and insisted that the system constituted a way for Japanese prostitutes to enter the country. From 1908 to 1920 it is estimated that over 10,000 picture brides entered the U.S. from Japan. See Kei Tanaka, “Japanese Picture Marriage and the Image of Immigrant Women in Early Twentieth-Century California,” The Japanese Journal of American Studies no. 15 (2004): 115-138; Lili M. Kim, “Redefining the Boundaries of Traditional Gender Roles: Korean Picture Brides, Pioneer Korean Immigrant Women, and Their Benevolent Nationalism in Hawai’i,” in Asian/Pacific Islander American Women: A Historical Anthology, ed. Shirley Hune and Gail M. Nomura, 106-122 (New York: New York University Press, 2003); and others.

Braun to Commissioner General (Daniel Keefe), 2 Oct 1909, case file 52484/1-G, INS.A.5.PWS, roll 3, [hereafter “Braun European White Slavery Report”].


The cities included Boston, New York City, San Antonio (and surrounding cities), Seattle, Portland, San Francisco, Los Angeles, Salt Lake City, St. Louis, Buffalo (and surrounding cities), Philadelphia, Baltimore, New Orleans, Denver, Detroit (and surrounding cities), Minneapolis/St. Paul, Helena, and Columbus, OH (and surrounding cities including Cincinnati, Cleveland, Youngstown, and so on). Again, a majority of these cities were located in the West and the least amount in the South. Immigration agents were also tasked to some territories, including Hawaii, Alaska, New Mexico, and Arizona. The Immigration Bureau assigned many of the agents Braun had suggested to white slavery duty. Marcus Braun to Commissioner General of Immigration, 25 Jan 1909, case file 52484/1-C, INS.A.5.PWS, roll 3.


Ibid.

James Dunn (?) to Commissioner General Frank Larned, 20 Oct 1909, case file 54284/12, INS.A.5.PWS, roll 5.


Alfred Hampton to Commissioner General Frank Larned, 25 Mar 1909, case file 52484/16, INS.A.5.PWS, roll 5.

Stone would successfully utilize his undercover abilities again in 1910 and 1912 when he investigated labor recruitment in Mexico and Chinese smuggling along the Mexican border respectively. George J. Sánchez, Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900 – 1945 (Oxford: Oxford University Press, 1993), 40-41; Lee, At America’s Gates, 164, 182. Stone died at the young age of 42, in 1921, During the War he transferred from the Immigration Bureau to the Bureau of Investigation, where he was placed in Newark, NJ. He obsessively tracked down anarchists and his work against radicals is credited with causing a physical breakdown which led to his death. "Frank R. Stone Dies, Foe of Radicals," New York Times, 5 Oct 1921.


Frank R. Stone to Commissioner General Daniel Keefe, 7 Jun 1909, case file 52484/8, INS.A.5.PWS, roll 4.


Ibid.

Case file 52484/8, INS.A.5.PWS, roll 4.
Interestingly, Hennequin was a major player in the international anti-white slavery movement. He represented France at the international conferences and later would served on the League of Nation’s 1923 Committee on the Trafficking of Women and Children’s subcommittee that studied the trafficking of women and children throughout Europe and North and South America. Although he may have been an anti-white slavery activist, Hennequin was first and foremost a protector of the French republic and its international reputation. Thus, he certainly would not have sympathized with the notion of the United States sending an official investigator into France.

119 George R. Cullen to Commissioner General Frank Larned, 27 Jul 1909, case file 52484/15-A, *INS.A.5.PWS*, roll 5. It was common for women who made good money through sex work to return to their countries of origins to visit their families. Each time they did this, they risked their ability to reenter the country because the immigration law, in addition to outlawing the entry of prostitutes, took the most recent date of entry when considering the three-year window. The most common way to avoid these pitfalls was marriage to an American citizen, which conferred citizenship to the prostitute and allowed her to leave and reenter the country at will. For information on women’s citizenship see Gardner, *The Qualities of A Citizen*; Candice Lewis Bredbenner, *A Nationality of New Own: Women, Marriage, and the Law of Citizenship* (Berkeley: University of California Press, 1998).
121 “Chicago Will Have a City Forester,” *Hamilton Telegraph* (Hamilton, OH), 13 May 1909, 10.
125 Ibid., 14.
128 Interestingly, Hennequin was a major player in the international anti-white slavery movement. He represented France at the international conferences and later would served on the League of Nation’s 1923 Committee on the Trafficking of Women and Children’s subcommittee that studied the trafficking of women and children throughout Europe and North and South America. Although he may have been an anti-white slavery activist, Hennequin was first and foremost a protector of the French republic and its international reputation. Thus, he certainly would not have sympathized with the notion of the United States sending an official investigator into France.
130 Marcus Braun to the Secretary of Labor and Commerce Charles Nagel, 16 Sep 1909, case file 52484/1-F, *INS.A.5.PWS*, roll 3.
133 Marcus Braun to the Secretary of Labor and Commerce Charles Nagel, 16 Sep 1909, case file 52484/1-F, *INS.A.5.PWS*, roll 3.
139 Ibid., 10-11, 39.
140 Ibid., 41-42.
163 Chicago:
A
Plea
for
the
Union
of
All
Who
Love
in
the
Great
Immoralities,” muckraker
would
publish
a
new
expose. See
George
Kibbe
Turner,
“The
City
of
Chicago:
A
Study
of
the
Life
of
Sin
and
the
Second
City,”
120‐127;
Jack
C.D.
Salle,
“A
History
of
the
Mann
Act
to
1915,”
(master’s
thesis,
Tennessee
Technological
University,
1969),
30‐32.
164
Salle,
“A
History
of
the
Mann
Act
to
1915,”
34‐35.
165
Chicago’s
reputation
as
a
sinful
city
was
re‐cemented
every
so
many
years
when
a
journalist
or
muckraker
would
publish
a
new
expose. See
George
Kibbe
Turner,
“The
City
of
Chicago:
A
Study
of
the
Great
Immoralities,”
McClure’s
Magazine
28
(1907):
581‐82;
William
T.
Stead,
If
Christ
Came
to
Chicago:
A
Plea
for
the
Union
of
All
Who
Love
in
the
Service
of
All
Who
Suffer
(Chicago:
Laird
&
Lee,
1894).
166
Ibid.,
12,
40‐41. By
all
accounts
prostitutes
largely
detest
the
weekly,
bi‐weekly,
or
monthly
medical
examinations.
For
a
description
of
the
medical
examinations
and
the
methods
employed
by
prostitutes
to
evade
them
see
Laurie
Bernstein,
Sonia’s
Daughters: Prostitutes
and
their
Regulation
in
Imperial
Russia
(Berkeley:
University
of
California
Press,
1995).
167
“Braun
European
White
Slavery
Report,”
18.
168
Ibid.,
14.
169
Ibid.,
12.
170
Ibid.,
42.
171
Ibid.,
43‐45. Crimes
of
moral
turpitude
was
established
as
an
excluded
category
in
the
Immigration
Act
of
1891,
and
in
Immigration
Act
of
1917,
there
existed
a
medical
exclusion
based
on
constitutional
psychopathic
inferiority,
which
the
Public
Health
Service
(PHS)
said
applied
to
“persons
with
abnormal
sexual
instincts”
among
others.
In
the
Immigration
Act
of
1952,
the
PHS
argued
that
gays
and
lesbians
should
be
excluded
because
of
the
psychopathic
inferiority
and
thus
they
were
medically
excluded
or
deported. Luibhéid, Entry
Denied, 9, 15, 21.
172
“Braun
European
White
Slavery
Report,”
1.
173
“Memorandum
for
the
Assistant
Secretary,”
12
Oct
1909,
case
file
52484/1‐H, INS.A.5.PWS,
roll
4.
174
“Braun
European
White
Slavery
Report,”
44.
175
Luibhéid, Entry
Denied, 9.
176
There
are
some
remaining
papers
from
the
Immigration
Commission
in
the
papers
of
William
Husband
located
at
the
Chicago
Historical
Society.
I
have
recently
been
in
contact
with
a
scholar
who
is
writing
a
book
about
the
commission,
race,
and
gender.
She
tells
me
that
as
she
goes
through
the
papers
she
will
send
me
any
information
concerning
the
white
slavery
investigation.
She
thinks
that
at
the
minimum,
I'll
be
able
to
state
who
conducted
the
study
as
there
are
many
personnel
files.
177
United
States
Immigration
Commission
(1907‐1910),
"Importation
and
Harboring
of
Women
for
Immoral
Purposes,”
Reports
of
the
Immigration
Commission
(final),
(Washington,
DC:
Government
Printing
Office,
1911).
Could
this
woman
perhaps
be
Helen
Bullis?
178
Ibid.,
65, 74, 83, and
86.
179
Ibid.,
77.
180
Andrew
Tedesco
to
Marcus
Braun
13
Aug
1908,
case
file
52484/1,
INS.A.5.PWS,
roll
3; “Braun
U.S.
White
Slavery
Report,”
16; and
“Braun
European
White
Slavery
Report,”
35. When
Braun
described
the
prevalence
of
Eastern
European
Jewish
prostitution
he
did
so
in
sympathetic
tones,
noting
that
of
the
families
of
the
prostitutes
were
frightfully
poor,
and
their
daughters
were
lured
or
tricked
into
the
life. Braun
to
Commissioner
General,
18
Jun
1909,
case
file
52484/1‐D,
INS.A.5.PWS,
roll
3.
181
In
Buenos
Aires,
a
similar
Jewish
criminal/benevolent
society
flourished
under
the
name
the
Zwi
Migdal
society.
See
Isabel
Vincent,
Bodies
and
Souls:
The
Tragic
Plight
of
Three
Jewish
Women
Forced
into
Prostitution
in
the
Americas,
(New
York:
William
Morrow,
2005),
12‐15;
Guy,
Sex
and
Danger
in
Buenos
Aires;
and
Bristow,
Prostitution
and
Prejudice,
165‐70.
182
Bristow,
Prostitution
and
Prejudice,
168.
183
United
States
Immigration
Commission
(1907‐1910),
"Importation
and
Harboring
of
Women
for
Immoral
Purposes,”
Reports
of
the
Immigration
Commission
(final),
(Washington,
DC:
Government
Printing
Office,
1911),
83.
184
Alabama
Congressman
John
Burnett’s
description
of
white
slavery.
Quoted
in
Grittner,
White
Slavery,
94.
185
Abbott,
Sin
and
the
Second
City,
120‐127; Jack
C.D.
Salle,
“A
History
of
the
Mann
Act
to
1915,”
(master’s
thesis,
Tennessee
Technological
University,
1969),
30‐32.
186
Salle,
“A
History
of
the
Mann
Act
to
1915,”
34‐35.
164 Ibid., 155-56.
166 Langum, Crossing Over the Line, 40; Grittner, White Slavery, 87.
171 Quoted in Grittner, White Slavery, 87.
173 Ibid., 44.
175 Quoted in Grittner, White Slavery, 94.
176 Ibid., 95.
177 For more on the trade in illegal documents see: “Re: the assumption of false identities by white slaves,” file 52423-30, box 548, Record Group 85, Records of the Immigration Bureau, National Archives, Washington, DC.
CHAPTER 4. UNDER SUSPICIOUS CIRCUMSTANCES:

THE BUREAU OF INVESTIGATION ENFORCES THE MANN ACT, 1900 - 1915

In early October 1911 the U.S. Attorney in Tampa, Florida, requested that the Bureau of Investigation (BOI) launch an investigation into an alleged violation of the Mann Act and in doing so handed the Department of Justice what seemed to be the perfect example of white slavery. In the September 6 edition of the Atlanta Journal appeared an employment advertisement listing a job opening for ten chorus girls at the Imperial Theater in Tampa, a theater that was reputed to be like an Atlanta theater well known for serving non-alcoholic beverages to its middle-class clientele.¹ Three women answered the advertisement and signed an employee contract that specified that they would be required to board at the theater and that their behavior would be closely monitored by management. When 17-year-old Agnes Couch arrived at the Imperial Theater—tired, nervous and alone—she was dismayed at the general conditions of filth. The other two women were nowhere in sight and not knowing anybody in town she felt she had no choice but to stay.

That night the owner and operator of the Imperial, Louis Athanasaw, instructed Agnes in the duties of her new job. He dressed her in a costume that was “a very brief affair, very short and very low neck” and told her that she needed to sell beer and wine to the men in the theater’s boxes by flirting with the customers.²
He complimented her saying that she was very “good looking” and that “He wanted [her] to be his girl; to talk to the boys and make a hit, and get all the money [she] could out of them.” The customers with whom Agnes was instructed to flirt were boisterous and “indecent” and several of the men “insisted on her drinking” a beer. She later said that they “put their arms around her and put their hands on her” and would “blow some kind of little rubber things in the face of the girls.” Overwhelmed by such vulgar teasing, Agnes began to cry. At this point, Arthur Schleman, one of the young men occupying the box Agnes worked, suspected that Agnes was different from the other girls, and he insisted on escorting her out of the theater. As the couple tried to leave, Athanasaw stopped them and told Agnes she could not leave and to go back to the theater box and get back to work. The young man fled the theater and immediately went to the police who secured Agnes’s freedom and placed her in the hands of the matron of Tampa’s Women’s Hospital and Home.

The BOI investigation quickly revealed that the Imperial Theater was a well-known brothel, or as the police chief called it, “nothing but a whore house.” Athanasaw technically hired the girls who worked at the theater to sell drinks, and they received a cut of the liquor profits. However, if a girl sold a bottle of wine or champagne to a customer, then the theater’s management allowed her to take that customer into her room, presumably to engage in any type of arrangement with the customer that she desired.

This case seemed to confirm several tropes of the white slavery narrative asserted by the newspapermen, moral reformers, and activists who had lobbied for the Mann Act. It featured elements of the dangers posed to dutiful daughters leaving
home to enter the labor market, the tactics of deceitful employment agencies who cared only for profit, the attempt to use force to sexually compromise an innocent girl, and a gallant young man who rescued the white slave. To demonstrate the depravity of the Imperial Theater, the prosecuting attorneys took the jury on a surprise visit to the theater during the trial so that each member could personally witness its filth and moral decay. The jury had no difficulties returning a verdict of guilty after only 15 minutes of deliberation, and the judge sentenced Louis Athanasaw and his business partner to two and half years in a federal penitentiary for violating the Mann Act.

Although the Athanasaw case seemed to confirm the suspicions of anti-white slavery activists that innocence needed to be protected and the Mann Act was the tool to provide that protection, it was actually an atypical case in the first years of enforcement. Slightly more typical was the case of Pearl Snyder that BOI agents pursued while they investigated the Athansaw case. Snyder, a 20-year-old girl from Harned, Kentucky, visited Louisville to look for work. When trying to get a job at a movie theater, the manager told her that while there were no jobs available that she knew of in Kentucky, she had a friend who ran a boarding home in Tampa who was hiring. The manager offered to pay the cost of Pearl's train ticket south because it would aid her friend. Pearl eagerly accepted the offer. She arrived at the address she had been given and was immediately taken in by Ethel Evans and Marion Lawrence, the two women who owned and operated the house. After getting settled in a room, Ethel invited Pearl down to the parlor, and it was there that Pearl began to suspect that she was in a brothel. According to her statement to the BOI, she told Ethel that
she intended to leave the next morning. Ethel consoled her and offered her a drink that would “make her feel better.” According to Pearl she began to feel dizzy and she “started for her room, and before she got there she seemed to lose control of herself and did not know what was going on.” Ethel led Pearl to her room where she insisted that Pearl have sexual intercourse with a man. When Pearl refused, Ethel stripped her of her clothing, “forced her on the bed and held her while the man had intercourse with her.”

For Pearl, this first night of rape would be the beginning of several weeks of terror. The following night Ethel again drugged Pearl and arranged for her rape, and this continued nightly until Pearl had “become so torn and swollen and weak and sick that she thought she could not live and they [Ethel and Marion] sent for a doctor for her.” The doctor who examined Pearl believed her to be a common prostitute, perhaps a little “green,” who did not know how properly to take care of her vaginal health. A week later, the morning of the day after the nurse stopped coming to the brothel because Pearl was deemed well enough, Pearl woke up early and quietly snuck out of the house. Stumbling down the street and clinging to fences “to keep from falling” she kept walking until she ran into a police officer who immediately took her to the Women’s Hospital and Home, where she shared a room with Agnes Couch, with whom she became close friends.

The case of Pearl Snyder posed more problems for BOI investigators as well as for the U.S. attorney who would bring the case to trial—the very same attorney (and BOI investigators and judge) who investigated and prosecuted the Athansaw case. First, the brothel run by Marion Lawrence and Ethel Evans was one of Tampa’s
more high-class brothels, which meant that it had considerable connections to the local power structure. Second, the fact that the two defendants in this case were women concerned the judge who wondered about the ramifications of sending women to serve time in a penitentiary not designed for women prisoners. Judge James W. Locke noted that before he sentenced any female defendants “he desired to learn from the [Justice] department what penitentiary was designated for the women prisoners.”

Third, interviews with Ethel Evans quickly revealed that the defendants planned to argue that Pearl had been fully aware that the house was a brothel and that she had previous experience as a prostitute in Kentucky, as proven by the fact that she was infected by a sexually transmitted disease (Pearl argued she was infected during her sexual assaults). This meant that the BOI would need to spend considerable resources proving the sexual innocence (or conversely the sexual promiscuity) of a 20-year-old girl several states away. Finally, to take the case to trial would require Pearl to testify about her repeated rapes, which would function to advertise in the common parlance of the day the fact that she was “ruined,” something she seemed reluctant to do. In the end, the U.S. attorney dropped the case against Ethel Evans, and Marion Lawrence pled guilty rather than face a trial. Judge Locke fined Lawrence $500 for violation of the Mann Act and due to Lawrence’s poor health he suspended any prison sentence after Lawrence promised to leave Tampa. Courts found the woman who had initially provided Pearl with the train ticket in Louisville guilty of violating the Mann Act, and she was similarly fined $200 and did not serve any time.
Setting the cases of Agnes Couch and Pearl Snyder side-by-side suggests a few characteristics of early enforcement of the Mann Act by the BOI. First, when Congress passed the Mann Act on June 25, 1910, which made it illegal to take a woman or girl over state lines “for the purpose of prostitution or debauchery, or for any other immoral purpose,”¹⁹ the scope of the law remained unclear to the Department of Justice and the BOI. Was the law intended to protect chastity as some Congressmen had claimed, or was it intended to function as a “moral quarantine” to interrupt the profitability of vice within the United States? Defense attorneys for Louis Athanasaw asked, “how can a purpose be illegal?,” and how can intent be proven?²⁰

In the face of such broad and important judicial ramifications, the bureau struggled to maintain an objective, yet practical, view of its role in enforcement, and it favored cases that had demonstrable vice elements as well as cases with similarly demonstrable elements of innocence (and youth) among the victims.²¹ Thus, the case of Agnes Couch was always more attractive than the case of Pearl Snyder because it was easier for the BOI to point to Agnes’s continuing and rescued innocence than it was to confirm Pearl’s innocence prior to her rape or contend with the issue of possibility that Pearl willingly entered a brothel. Thus virginity (and stolen or lost virginity) emerged as important markers of proper victimhood. Nonetheless, Pearl’s case, which prominently featured an established brothel, was also typical of early enforcement of the White Slave Traffic Act.

Second, the bureau was unprepared, as was the entire Department of Justice, for the gendered implications of enforcing the White Slave Traffic Act. Policing
prostitution meant that many of the owners and managers of houses of prostitution came under the gaze of the bureau. The Dillingham Commission and the Immigration Bureau’s reports had almost always described white slavers as male, but many of the people who owned property in vice districts and encouraged prostitutes to move from state to state, brothel to brothel, were women like Ethel Evans and Marion Lawrence. It was not a fluke that the first person indicted under the newly passed Mann Act was brothel-owner Nettie Jenkins who was charged with inducing five sex workers in Chicago to come and work at her house in Houghton, Michigan. Indeed, the passage of the Mann Act precipitated a minor crisis at the Bureau of Prisons, which did not have facilities to house the women who were being introduced to the federal penitentiary system due to Mann Act convictions. For the first time the U.S. federal government investigated and convicted a notable number of women.

Finally, the cases of Agnes Couch and Pearl Snyder reinforced the notion that the White Slave Traffic Act protected white women and girls from exploitation. As scholars like Mark Connelly, Brian Donovan, and Kevin Mumford have noted, the rhetoric surrounding white slavery focused on the threat non-white men posed to white native-born girls. The very title of the act seemed to preclude it from protecting women of color. Black leaders told the Chicago Defender that they “would welcome any movement for safe-guarding society by protecting women, but we think it should be broad enough to reach colored women as well as the white.” Yet women of color did not benefit from the protection of the act. The BOI’s enforcement of the Mann Act revealed that the racialized rhetoric surrounding
white slavery shaped the implementation of the act. The BOI pursued only cases with white victims during the early years of enforcement. Moreover, those white victims had to be deemed worthy, a designation they lost if they cavorted with men of color. Also, in spite of the assumption that foreign men trafficked white women common in the white slavery narrative, a 1917 study of 229 men serving time for violating the Mann Act in federal prisons in Atlanta and Leavenworth revealed that 72 percent of the men were native born.26

With the passage of the White Slave Traffic Act in 1910 the Department of Justice took over as the main federal agency pursuing white slavery within the United States. To be sure, the Immigration Bureau in the Department of Labor and Commerce continued to police prostitutes at the country's borders and among its immigrant population, but it often did so in collusion with the Department of Justice. Within the Department of Justice, investigation into alleged violations of the White Slave Traffic Act fell to the almost two-year-old BOI that constituted the primary investigative unit of the federal government.27

**The Birth of the Bureau of Investigation**

The Bureau of Investigation was born out of a fight between President Theodore Roosevelt and Capitol Hill. In 1904, the Department of Justice oversaw an investigation of a western land fraud case so extensive that it threw suspicion on everyone from the lowliest clerks in the Forestry Department to many of the employees of the Department of Interior to a U.S. senator—John H. Mitchell (OR-R). Under the watchful eye of Roosevelt, the most famous detective in America—
William J. Burns—conducted the investigation. The Treasury Department’s Secret Service employed Burns to augment its small permanent staff of ten and had loaned him to the Justice Department to conduct the inquiry into land fraud. Since 1865, the Secret Service formed the primary investigative agency in the federal government, but technically Congress had limited its purview to cases involving currency fraud. By the turn of the century the Department of Justice, created in 1870, often relied on the Secret Service to conduct its investigations because an 1892 federal law had banned the Department of Justice’s use of private detective agencies like the Pinkerton Detective Agency.28

Angry about the investigation of one of their own, and what they saw as an infringement on what, then university professor, Woodrow Wilson called Congressional Government, Congress launched an attack on and investigation into the Secret Service to show that the executive branch had overstepped its bounds.29 Roosevelt’s foes on Capitol Hill created significant political leverage out of the investigation into Roosevelt’s use of the Secret Service, which, they maintained, showed his intent to establish an illegal “spy system.”30 The investigation into the presidential use of the Secret Service revealed two surprising and forgotten facts. First, since it was founded, the Department of Justice had always had the right to develop its own detective force, it merely needed to account for it in its annual appropriations. And second, the Secret Service itself had been created by the Treasury Department without Congressional authorization.31 Nonetheless, Congress passed a law prohibiting the Treasury Department from loaning the Secret Service
to any other federal department, thus leaving the Department of Justice with no means to investigate violations of federal laws.\textsuperscript{32}

Irritated with Congress’s presumption and invigorated by the revelation that an executive order would allow the Department of Justice to have its own detective force, Attorney General Charles J. Bonaparte immediately created the BOI, and set about hiring former Secret Service and Immigration Bureau agents under the leadership of Chief Examiner Stanley W. Finch. By July 1, 1908, 35 investigators, or special agents, reported to the Department of Justice. On July 26, 1908 Bonaparte instructed that all investigations, except naturalization and bank examinations, be designated to Finch. Thus, a conflict between the executive and congressional branches of government, in which the legislative branch sought to limit executive power resulted in a tremendous expansion of federal power in the body of the BOI.\textsuperscript{33}

In the two years prior to the passage of the White Slave Traffic Act the BOI investigated violations of antitrust laws, the bucket-shop (pseudo-stock brokerages) law, national banking laws, Southern peonage laws, and impersonation of government officials. Additionally, agents investigated offences for which there was no other designated investigative agency, offences such as customs fraud, internal revenue fraud, “Chinese” smuggling, land fraud, and some immigration cases.\textsuperscript{34} The bureau’s work on immigration cases had already brought white slave cases to its attention. When the Mann Act was passed, BOI agents were several months into an investigation of French procurers of prostitutes that spanned from Canada to Chicago to New Orleans.\textsuperscript{35}
The progressive push for moral reform that led to the passage of the Mann Act in 1910 continued on the state level. One reformer noted that the federal legislation needed to be supplemented by state legislation because, “Congress has practically no power here over individual conduct or local morals in any state.” Additionally, activists worried about the constitutionality of the White Slave Traffic Act and continued to pursue passing anti-trafficking laws at the state level. While twenty states had white slave laws before the Mann Act passed, an additional twenty-five states would pass similar legislation between 1910 and 1916 (only South Carolina, Georgia, and Mississippi failed to do so [See Figure 4.1]). Moral reformers also pushed states to pass laws against keeping disorderly houses, and injunction and abatement laws (laws that made it possible to close a brothel that was proven to be a public nuisance), as well as a number of laws that raised the age of consent and tracked venereal disease. As the work of Thomas Mackey has demonstrated, these laws functioned to close most of the red light districts in the country, an achievement that had come to completion by 1920. It was within this nation-wide state-level campaign against segregated vice districts that the BOI conducted its investigations, and whenever possible the BOI followed a policy of encouraging prosecution under local laws rather than federal laws.

EARLY ENFORCEMENT: SEDUCTION, RACIAL POLICING, AND COMMERCIALIZED VICE, JUNE 1910 – APRIL 1912

As the congressional debates over the Mann Act revealed, questions about its constitutionality arose well before Congress passed the act, and the BOI remained
uncertain about the scope of the statute. The troubling aspect rested in the vague phrase that outlawed taking a woman or girl over state lines for “any other immoral purpose.” The bureau tried to limit itself to “the class of cases at which the act was primarily directed” but which cases those were remained highly contested.40 With no clear mandate when Congress passed the law in June 1910, the BOI’s sixty-one special agents began to investigate reported violations of the new law with some uncertainty.41 Within the first six months of the act’s existence, the BOI investigated 47 cases (58 individuals) of alleged violations of the Mann Act. During this period the BOI showed a marked preference towards pursuing cases that focused on commercial vice. Of the twenty-one cases that went to trial, a majority of them (13)

involved elements of commercialized vice, meaning that the female victims of these cases had worked as prostitutes.\textsuperscript{42} Agents at the bureau clearly felt justified in pursuing cases that policed the interstate movement of prostitutes, thereby taking a rather narrow view of the new law, but a view that remained consistent with the policing of prostitutes by the Immigration Bureau.

In contrast, private citizens often asserted a broader view of the law. Of the cases investigated in the first six months of the act’s existence, 13 (27.6 percent) could be classified as seduction cases brought by parents or concerned family members.\textsuperscript{43} Here, seduction refers to sexual relations between a young woman (typically under the age of 21) and an older male, thus conforming to the same moral vision that drove age-of-consent campaigns.\textsuperscript{44} For example, one distraught mother, whose 16-year-old daughter had run away from home with a young man who had promised her marriage, wrote that she hoped the BOI would launch a white slave investigation because her home state of Oklahoma had no seduction law. She asked “how can we protect our \textit{houses} and \textit{Daughters} if we \textit{have no} home protection?”\textsuperscript{45} This widowed mother of five earned a living by taking in boarders, and she reported that one of her boarders—21-year-old Harry West—seduced her teenage daughter, Ethel. When Ethel became pregnant, the couple tried to arrange for an abortion, but at $50 it was too costly. As a solution, Harry convinced Ethel to run away to Kansas City where they could be married. Ethel’s mother managed to track her down in Kansas City where she found her daughter deserted.\textsuperscript{46} Her anger at Ethel’s seduction is palpable within the letters she wrote to the special agent investigating the case: “I do wish he could be punished, as well as any other villain
that wrecks a pure innocent girl's life, for I know she was pure as a snow drop till he came into her life."

Unfortunately for the mother, the agent in charge of the case concluded that it would be difficult to get a conviction, and the BOI dropped the case.

The bureau ruthlessly pursued other seduction cases, especially those dealing with very young girls. The cases the BOI decided to pursue depended on the age of the victim; seduction cases could easily become sexual assault cases if the victim was young enough in the bureau's eyes. One such case that the bureau deemed "extremely vicious" involved two sisters—Adessa and Elsie Ferrier. In late summer of 1910, Edward Nichols met 16-year-old Adessa at the candy store where she worked. One day he followed her to a chop suey house where she ate lunch with her 13-year-old sister Elsie. At the restaurant he approached the girls and struck up a friendship with them. During this courtship phase he frequently met Elsie at her school giving her as much attention as he offered her older sister. By October Nichols had convinced Adessa that he intended to marry her, and he persuaded the girls to join him on a trip to Hammond, Indiana, because he argued that Indiana had a lower age of consent law than their home state of Illinois. Thus he and Adessa could be married without the girls' parents' permission. Once ensconced in their hotel rooms in Indiana, he sent Adessa out on an errand and raped Elsie. His ruse was so successful the first time that he again sent Adessa out on an errand the next day and accosted Elsie again. When Adessa discovered Elsie in tears and learned what had happened she refused to leave Elsie alone with him. Frustrated, Nichols abandoned the sisters in Hammond. The courtship of one sister only to ensure
sexual access to the younger sister scandalized the agents. But the fact that Nichols was married with a 13-year-old daughter at home outraged the judge in the case. Before sentencing Nichols to the maximum sentence of ten years imprisonment at Fort Leavenworth penitentiary the judge stated:

The evidence showed that this man met this 13-year-old girl in a restaurant where she was with her older sister. After this meeting he enticed her in every way possible by presents and other means to win her good graces. He even went so far as to wait at the school, which she attended, to meet her and further his plans upon this child, and all this despite the fact that he has a thirteen-year-old daughter himself. For some reason unknown to me Congress limited the punishment in a case like this to ten years imprisonment. 49

In investigating alleged Mann Act violations that lacked a commercial vice element, the bureau and courts reserved their energies for those cases that involved the very young. 50 Consequently, age (and sexual innocence) would be a key determinant to whether non-commercial cases would be pursued.

During the first few years of Mann Act enforcement, the BOI avoided using the law to police general immorality among adults. For example, an agent observed a couple travelling together from El Paso to Los Angeles, and he suspected that they were not married and could be involved in vice. Further investigation in Los Angeles revealed that the couple had respectable acquaintances and stayed in a respectable area of town. 51 An interview with the woman uncovered that the couple was sexually intimate but not presently married to one another. The agent concluded “I could see no particular benefit in prosecution, still it is a violation of the law.” 52 In another case, a husband reported that his wife had been induced to leave him and
practice prostitution by a member of the “black hand,” otherwise known as the Italian mafia. Further investigation discovered that the couple “while living in unlawful cohabitation and adultery” was not “violating the White Slave Traffic Act as construed by the Department.”

In most circumstances during the first years of enforcement the BOI tried to narrow the scope of the act to incidences connected to vice. This policy of interpreting the White Slave Traffic Act narrowly came under attack by reformers and even some BOI agents. One such agent, lawyer Henry J. Dannenbaum, argued that Congress intentionally used vague language in the act because it recognized that “Private use or public exploitation are both immoral, both are denounced by the state laws and moral sentiment, and they differ only in the degree of immorality,” and Congress intended the act to cover both public immorality (prostitution) and private immorality (adultery and seduction). For Dannenbaum, Congress’s inclusion of the phrase “any other immoral purpose” truly meant any other immoral purpose. He also argued that the age or moral character of the victim “is of secondary importance” to the purpose of the law. Dannenbaum represented a rather lone voice arguing for a broader interpretation of the law from within the BOI. Official bureau policy for the early years remained characterized by the thinking present in the advice given by the attorney general’s office to a U.S. attorney in New Orleans:

The Department has maintained that the White Slave Traffic Act does not apply to the ordinary case of illicit relations between a man and a woman, when interstate travel happens to be involved. The act was intended to put a stop to the traffic in women and girls for immoral purposes, —such, for instance, as the practice of procuring women, through the channels of interstate or
foreign commerce, to engage in prostitution for the profit of the procurer.55

Even while the BOI maintained a narrowed purview, cases that involved interracial couples drew the attention of the bureau. When interracial couples travelled together other passengers, train conductors, police, and BOI agents noticed them and often assumed that something immoral was occurring. Observers frequently misinterpreted the nature of the relationship. For example, an Immigrant Bureau inspector who witnessed an African-American man and a white woman traveling from Boise, Idaho, to Baker City, Oregon, assumed that the black man was a pimp violating the white slave law. Further investigation uncovered that the couple was married. In the 1910s Oregon had one of the most severe anti-miscegenation laws in the country, and the Immigration agent advocated handing the couple over to state authorities.56 In another case a BOI agent witnessed a Chinese man get into an argument with train conductors who refused to believe that the Chinese man and his white wife were indeed married. The agent described the wife as a “little white girl” who needed protection and decided to investigate. The wife, Irene Lasswell, repeatedly asserted that she had married her husband in Granger, Wyoming, the previous month. The investigating agent doubted everything she said, but once it was clear that there was no question that Lasswell had willingly entered into a sexual relationship with the Chinese man, Ku Wu, then the agent became repelled by her, painting her as a hardened prostitute in his reports.57

BOI agents felt compelled to investigate interracial relationships to ensure that men of color were not trafficking white women, but the moment it became clear
that the white women chose these relationships of their own volition, then, in the eyes of the bureau, these women forfeited the protection that the Mann Act offered white women. Similarly, the BOI instantly stopped investigating any cases of interstate trafficking once agents discovered that a white woman suspected of being a victim had had sexual contact with a man of color. One agent wrote of such as case that the victim had “had one or more Jap lovers, . . . [and] can hardly be classed as a White Slave.”

Even a commercial vice case was dropped when agents found out that the victim, Ethel Rutherford, had once been the lover of an African-American man, because they believed that no jury would convict.

The refusal of the BOI to investigate alleged violations of the White Slave Traffic Act involving a white victim who had a history of romantic and sexual attachments to men of color made the Department of Justice’s prosecution of famed African-American boxer Jack Johnson that much more exceptional. On July 4, 1910 Jack Johnson successfully defended his heavyweight boxing title from former heavyweight white champion Jim Jeffries in what many considered to be the most important boxing event to ever occur. The match was infused with racial meaning. Jeffries only agreed to fight “for the sole purpose of proving that a white man is better than a negro.” When Johnson emerged victorious, race riots erupted throughout the nation and Johnson became the most famous African-American athlete in the world.

More controversial than his athletic prowess was Johnson’s preference for white women as his sexual and romantic partners. Just after the October 1912 suicide of his first wife—a white woman named Etta Duryea—Johnson drew the ire
of much of country when he embarked on an affair with 19-year-old Lucille Cameron. Lucille’s mother and Illinois police attempted to charge Johnson with the abduction of Cameron under Illinois state law, but these charges became difficult to substantiate when the couple married in early December 1912. Frustrated, the Illinois U.S. attorney and BOI agents looked for another white woman in Johnson’s past whom he had transported over state lines in violation of the Mann Act, and they found one in the body of the prostitute Belle Schreiber who had been Johnson’s mistress for a few months in 1909. Johnson’s case came to trial in May 1913 among voracious publicity. The jury quickly found him guilty, and Johnson was sentenced to a year in jail and a $1,000 fine, which he evaded for a time by fleeing the country. According to historian Kevin Mumford, the persecution of Jack Johnson launched the beginnings of a “new gender/sexuality system” that re-inscribed the sexual prerogatives of white men (tacitly allowing their crossing of the sexual color line) while at the same time black men’s sexual contact with white women was severely punished.

When the Johnson case is compared to other BOI investigations of interracial relationships it stands out as exception—a case of political targeting amid standard Jim Crow racial targeting. As mentioned above, the BOI acted as if white women who had sexual contact with men of color had forfeited the protection that the White Slave Traffic Act offered white female citizens. Maintaining racial purity emerged as an important feature of Progressive-Era politics and notions of gendered citizenship. Up until the 1922 Cable Act, a native-born woman who married a non-white foreign-born man literally lost her citizenship, and women who
married men who were ineligible for citizenship—men of Asian decent—lost their citizenship until the law changed in 1931. \textsuperscript{65} Furthermore, Johnson’s case was one of noncommercial immorality. Although Schreiber had been a prostitute, Johnson did not take her across stateliness for any commercial reasons, but rather for personal reasons. Thus, when the attorney general’s office claimed “The Department has maintained that the White Slave Traffic Act does not apply to the ordinary case of illicit relations between a man and a woman, when interstate travel happens to be involved,” \textsuperscript{66} yet ruthlessly pursued Johnson, they signaled that the Johnson/Schreiber case was not an “ordinary case of illicit relations.” Instead it was a case meant to punish a black man who repeatedly, publicly, and successfully sought sexual access to white women. For example, when sentencing Johnson, the judge commented: “The defendant is one of the best known men of his race, and his example has been far-reaching, and the Court is bound to consider the position he occupied among his people.” \textsuperscript{67} Disciplining a notorious black man for his unrepentant sexual pursuit of white women within a context of the Great Migration constituted the primary foundation for the BOI’s action against Johnson.

Progressive-era policing of the sexualized body of a black athlete formed one way the BOI enforced the Mann Act, but investigations into violations of the law more commonly featured another characteristic of Progressive-era municipal policing: the intense surveillance of liminal zones—train stations, bars, red light districts, and brothels. The penetrations of such surveillance varied according to location and local factors. As historian David Langum has detailed, railroad companies instructed their employees not to facilitate the white slave traffic by
selling tickets to women known to live in the red-light districts. As a result, railroad employees and the travelers’ aid societies that monitored train stations became informants and reported suspected violations of the Mann Act to the BOI.

Police and BOI surveillance of segregated districts tended to be most successful in cities that had a complete pre-existing apparatus for monitoring prostitutes. For example, since 1882 El Paso, Texas, had regulated prostitution, which included fines for weekly medical exams of brothel prostitutes combined with a no-tolerance policy for street walking. As a result, police and the local BOI agent took note of any new girl appearing in the segregated district. If a girl appeared to be “green,” young, or innocent the BOI immediately investigated the circumstances leading her to come to El Paso. Conversely, the local BOI agent, L.E. Ross kept close tabs on prostitutes who left El Paso, often encouraging BOI agents in the cities where the prostitutes traveled to launch investigations. Because the city of El Paso had a cooperative police force that benefitted financially from fines charged to prostitutes, the BOI succeeded in closely monitoring the movement of prostitutes and their known associates. Employees of El Paso’s post office, train station, city government, and medical establishment cooperated easily with the bureau agent.

In contrast, cities that lacked a closely monitored segregated vice district proved to be much more difficult for the BOI to observe. For example, in 1896 New York City passed a temperance law that had the inadvertent consequence of scattering prostitution throughout the city’s working class neighborhoods. Even though prostitution was dispersed throughout the city, moral reformers repeatedly tried to locate different areas of vice and uncover different deviant aspects of the
city’s working class culture. Groups like the Committee of Fourteen, committed to eradicating vice, claimed to uncover the city’s vice dens, but tracking individual prostitutes and pimps challenged BOI agents. For example, in early October 1911 an informant apprised the BOI that he had heard that two pimps planned to take three prostitutes to San Francisco. For three weeks, BOI agents and informants kept the pimps’ belongings under round-the-clock surveillance and also kept a close eye on a café where they hung out. The agents repeatedly played cards, smoked, and caroused with the pimps hoping that the conversation would turn to their specific travel plans. In the end, the prostitutes traveled by themselves to San Francisco, and the pimps disappeared, without ever revealing the means of their travel. Another New York City case conducted a few months earlier consisted of BOI agents playing pool and going to brothels with a suspected white slaver for weeks. Again, the agents failed to put together a case.

The first few years of investigations into Mann Act violations led BOI Chief Stanley W. Finch to conclude that interconnected vice in the United States was “extremely vicious” and that traffickers could “ensnare almost any woman or girl they select for the purpose.” Seeking a way to more efficiently monitor vice conditions throughout the country and to fight the traffic of prostitutes, Finch cast about for solutions. He told Congress that he believed “it is absolutely impossible to suppress that traffic by any casual investigation of individual complaints.” In November 1911, Finch and the attorney general’s office began to adopt a system to track the arrival and departure of prostitutes in various cities throughout the country. This system grew until the bureau expanded it in April 1912 as its own
division within the BOI charged with the enumeration of all brothel prostitutes in over three hundred cities in the United States. The establishment of the White Slave Division, with Stanley Finch at its head, signaled the BOI’s rising commitment to fighting commercialized vice, maintaining a narrow view of the scope of the Mann Act, and controlling the movement of suspicious women.

**Moral Quarantine: White Slave Division, 1912-1914**

As early as April 1911 an enthusiastic U.S. attorney in Mobile, Alabama, decided against waiting for violations of the White Slave Traffic Act to be reported to him and instead chose to launch an investigation into how prostitutes came to his city. He asked the postmaster to order all letter carriers to confirm the residents in each house in the red-light district, thereby composing a registry of the city’s prostitutes. Then, he issued subpoenas for the sixty to seventy residents of the district to appear before a grand jury. The grand jury did not return any indictments, probably because the vast majority of prostitutes in Mobile were from Alabama or came to Mobile of their own volition. Even with no indictments the BOI agent and U.S. attorney judged the experiment to be successful, noting that, “still the investigation had been of great value in that it has frightened the proprietors and inmates of local sporting houses and has increased their respect for the federal courts to such an extent that they would probably be careful not to violate the law in the future.” Enumerating, interviewing, intimidating, and educating brothel-based prostitutes and their madams emerged as key features of the BOI’s White Slave Division as it moved from investigating alleged violations of the Mann Act to
preventing any future violations. The preventative approach focused on controlling the movement of morally suspicious women.

The White Slave Division grew out of BOI Chief Stanley Finch’s frustrations with the complexity of building individual white slave cases that often entailed countless hours spent confirming that a prostitute left one specific brothel and entered another brothel in a different state, traveled on one exact train on a ticket purchased by somebody else. Each of these details required significant manpower devoted to interviewing often hostile or disinterested witnesses. Finch believed that preventing violations by taking a census of brothels and teaching madams about the nuances of the new law would be a more efficient use of the bureau’s resources.82

The problem lay in the bureau’s dwindling resources. Attorney General George Wickersham reported that the bureau ran out of funds allotted to investigate white slave cases in October 1911, causing the BOI to shut down investigations several months before the end of its fiscal year.83 In response to this challenge, Finch reached out to moral reform and social hygiene activists, asking them to pressure Congress to increase appropriations for white slave work. Pleas to constituents appeared in publications like Vigilance, published by the American Purity Alliance and the American Vigilance Association, and The Light, published by the World Purity Association.84 Additionally, the Attorney General’s office prepared a list of “typical” cases showing the success and necessity of the BOI’s white slave work to circulate among Congress.85 These cases were far from typical; they consisted of cases that conformed to preconceived notions of white slavery that highlighted the dangers of female employment, Jewish vice rings, and foreign men. Vigilance
published detailed accounts of these cases in its April 1912 issue as part of its attempt to raise awareness of the funding shortfall the bureau faced. Letters poured into Congress and the Department of Justice, and as a result Congress allocated $50,000 more for the specific use of fighting white slavery (this amount was increased by an additional $200,000 in 1913; see Table 4.1). With this money, Finch implemented his plan of prevention.

Finch first launched his plan in Baltimore, Maryland, and Washington, DC, where in November and December 1911 he required every person living in the red light districts to fill out a form that gave his or her personal history (See Figure 4.2). This command extended to maids, musicians, bartenders and any other people peripherally employed in vice; however, female sex workers and madams bore the brunt of the census. If a woman moved from one brothel to another the bureau expected her to update her status. As the Baltimore and Washington censuses moved forward, Finch spent more and more time devoted solely to white slave work. Attorney General Wickersham noticed that white slave work made up a larger portion of the bureau’s entire workload, and he suggested that Finch set up a separate division dedicated to the brothel census work with Finch stepping down as Chief of the BOI and taking the position of Special Commissioner of the White Slave Division—a reorganization that the BOI completed in April 1912.

The new White Slave Division had its own offices, staff, and records. Finch set up new offices in Baltimore, where he led a staff of ten special agents and 16 office employees. The Division needed such a large staff because its mandate soon expanded beyond simply taking a census of prostitutes. Finch launched a system
<table>
<thead>
<tr>
<th></th>
<th>Cost of WS Investigations</th>
<th>Percent of Total BOI Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1910 - July 11</td>
<td>$11,279.64</td>
<td></td>
</tr>
<tr>
<td>July 1911 - Mar 1912</td>
<td>$31,449.12</td>
<td>12.30%</td>
</tr>
<tr>
<td>July 1912 - June 1913</td>
<td>$135,650.50</td>
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<td>July 1913 - June 1914</td>
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<td>July 1914 - June 1915</td>
<td>$113,883.47</td>
<td>23.70%</td>
</tr>
<tr>
<td>July 1915 - June 1916</td>
<td>$106,843.04</td>
<td>20.95%</td>
</tr>
</tbody>
</table>

Table 4.1. Expenditures for White Slave Investigations, 1910-1916.

Figure 4.2. White Slave Division Enumeration Sheet of Jane Clarque (aka, Maude Martell, Pearl Harte, and Jane Wright). Dec 1911, Washington, DC. Case 3065. Roll 139. BOI Microfilm Records.
where his BOI agents established local white slave officers in 310 cities in twenty-six states (most east of the Mississippi). Finch’s goal was to set up a local representative of the bureau in all towns that had a vice district and a population larger than 5,000.\textsuperscript{98} The bureau tasked these local white slave officers with working with local police to maintain accurate addresses and census information for all of the prostitutes housed within brothels. Local white slave officers reported any violations of the White Slave Traffic Act to the head office in Baltimore, and a special agent would be dispatched to investigate. Of the ten special agents assigned to the White Slave Division, four oversaw the work of the local white slave officers, and six worked to extend the system into new environs.\textsuperscript{99}

The special agents selected white men who had some standing within the community to be local white slave officers.\textsuperscript{100} Finch reported that almost all of the officers were attorneys. The bureau gave preference to lawyers because their legal education, in the eyes of Finch, made them “best qualified to judge as to the evidence necessary to sustain prosecution for violation of the various laws involved by our work.”\textsuperscript{101} Most importantly, the bureau intended the position of local white slave officer to be part-time and any white slave officer had to have “other regular employment.”\textsuperscript{102} The bureau did compensate the officers for their time and labor, offering up to $20 a month (accounting for inflation around $440 today). But the bureau did not want local white slave officers who were motivated by monetary gain. The bureau offered officers 50 cents for filing reports and as much as $2.50 when a full day was spent investigating white slave conditions. The maximum
annual amount a local officer could earn was $250 (about a tenth of what BOI special agents earned annually).\textsuperscript{103} Finch wanted officers who were “in this work because they believe it is of benefit to the community and to humanity generally.”\textsuperscript{104} In establishing a local white slave officer corps Finch tried to mobilize respectable, professional, white men in his fight against commercial vice. These men were embedded within the communities they monitored; yet their job as a representative of the BOI spread federal policing power throughout much of the country. When the Mann Act passed in 1910, the BOI had 61 agents. By February 1913, the bureau had well over 300 representatives, including the local white slave officers, and was still growing.\textsuperscript{105} These men were not employees of the state, but they did the work of the state. The establishment and growth of the local white slave officer corps epitomizes what scholar Michael Mann has called the infrastructural power of the state.\textsuperscript{106} In this case, by using a quasi-volunteer corps of professional men, the BOI (the State) infiltrated local communities and encouraged the policing of prostitutes and the enforcement of local and federal white slave laws. Although the operations of the local white slave officers has been obscured by their very condition of being embedded within local contexts, their activities on behalf of the BOI constitutes an impressive expansion of state power.

The BOI’s corps of local white slave officers represented a type of gendered exchange between the Department of Justice, which was interested in establishing its respectful and respectable authority throughout the country, and a particular type of masculinity approved of and sustained by the state.\textsuperscript{107} If, as scholar Mrinalini Sinha says, masculinity operates “as much through differences between men as
through differences between men and women,”¹⁰⁸ then the role that Finch’s local white slave officers played in policing prostitutes and disciplining their pimps functioned to produce an important ideal of masculine civil authority for the era. The work of Kevin P. Murphy has shown that individual men’s ability to embody the ideals of sexual restraint was intimately tied to notions of self-government in the Progressive-Era United States.¹⁰⁹ The ability of the individual white slave officers to enter into brothels with civility and with sociological indifference to enumerate each woman constituted the sexual restraint necessary to exercising proper masculine middle-class citizenship celebrated by Progressive reformers.¹¹⁰

All did not embrace the ideal of a mobilized white male middle class corps who would maintain their respectability through sexual restraint. Occasionally the bureau had difficulty filling local positions. The nature of the work, with its emphasis on close contact with prostitutes, alienated the very type of respectable men the bureau desired. In Tulsa, one young lawyer expressed interest in the position, but turned it down “on account of his wife’s feelings in the matter.”¹¹¹ In Muskogee, Oklahoma, the same special agent charged with finding local white slave officers reported failure after failure, with one attorney echoing the others’ thoughts that the “office did not appeal to him.”¹¹² Maintaining the ideal of a respectable community-minded man combined with the tawdriness of spending time with police officers, counting prostitutes, and interviewing madams continued to form a paradox that the bureau struggled to solve. Furthermore, these men may have rejected the very premise of the project and thus lacked interest in participating.
The basic task of local white slave officers was to register brothel-based prostitutes. According to Finch, when a BOI special agent assigned a new local white slave officer the two of them would first visit the local police department, let them know that they represented the Department of Justice, and request the police department’s cooperation in enacting a new nation-wide plan to enforce the White Slave Traffic Act. They then asked that a police officer accompany them to the brothels to make enumerations of the prostitutes. Most of the time the police department complied with the request and the three men—the special agent, the local white slave officer, and the police officer—visited the vice district of the city. When first visiting a brothel the group met with the madam and gave her a printed copy of the White Slave Traffic Act, educating her about what did and did not constitute a violation of the law. Then they asked for a list of inhabitants in the brothel. After they had the list, the local white slave officer interviewed each prostitute in an attempt to ascertain her general background, any aliases she might have, and how she arrived in the specific brothel, and to be able to provide a general description of her for bureau records. As they left, the men would leave cards that described the Mann Act and the peonage law for the prostitutes. They also distributed self-addressed envelopes and cards so that any change in address could be reported immediately to the bureau. These cards read: “Dear Sir—I beg to inform you that _____ arrived in my house today from _____” or “Dear Sir—I beg to inform you that _____ left my house today bound for _____.”

Over the course of the 20-month existence of the White Slave Division, local white slave officers entered into the registry 39,021 names. When sociologist
Howard B. Woolston examined the entries in 1917 he found a number of duplications and reduced the number of women listed in the BOI’s census to 31,689. One in every five of these women, Woolston reported, worked as a madam; the madams had more experience in the vice business and were typically older than the sex workers (usually over 30 years of age, having been in the business for over ten years). He also discovered among these 31,689 women, 90,000 changes of address over the course of three years, demonstrating that prostitutes moved frequently, or as Woolston termed it, were “notoriously peripatetic,” and, more importantly, that many prostitutes complied with BOI orders to report changes in addresses. The White Slave Division’s ability, through the use of local white slave officers, to monitor over 30,000 prostitutes represented an impressive feat.

The BOI’s focus on commercialized vice cases had the unintended consequence of making women the subject of federal investigations. Women comprised 28 percent (16) of the subjects of investigation of the cases conducted in the first six months after passage of the act. All 16 women investigated were involved in commercial vice cases. Another way of understanding this is that cases involving seduction or immorality always had male subjects, whereas cases that involved the business of prostitution could easily have both female and male subjects because both men and women participated in the vice trade. The Mann Act had been passed to protect women, yet women increasingly came under its purview. The realities of building cases against women, usually brothel madams, led to discomfort. As historian Marlene D. Beckman commented, the “conception of female
weakness and male domination [common in the white slavery narrative] left no room for the possibility that prostitutes might consciously or aggressively choose their activities.”

As brothel madams learned about the new law, they quickly took steps to protect themselves and their businesses. One agent commented, in December 1911, that he was certain the suspected victim of trafficking, a 16-year-old prostitute, had been “wised up on the kind of story to tell if she is ever questioned about her past. Leona Reed [her madam] is familiar with the new law and would hardly fail to post a new girl on what to say.” The same agent heard a rumor that another El Paso madam hired a lawyer for the extravagant fee of $500 ($11,018 by today’s standard) for legal advice on how to bring in girls from out of state without being vulnerable to prosecution for violating the White Slave Traffic Act. As a result, after the initial six months the number of women prosecuted in white slave cases dropped to 13.9 percent (74 out of a total of 530 cases) from June 1910 to October 1912. Additionally, for the same period, of the cases resolved (54 of a total of 424), women demonstrated a marked desire to plead guilty when faced with evidence against them. Forty-eight percent (26) pled guilty, while another 37 percent (20) faced their chances in the courtroom. This tendency to plead guilty becomes more notable when compared to male subject’s behavior; thirty-eight percent (141) of men pled guilty, while just over 50 percent (187) braved a jury of one’s peers (see Table 4.2).

When one takes into account the punishment for violation of the Mann Act, pleading guilty made more sense to many women. Those who pled guilty were more likely to be fined rather than sentenced to serve time, and judges were more lenient in both fines and the sentences to defendants who plead out (See Tables 4.3 and 4.4). The fines issued ranged from 50¢ to $1,000, and the sentences ranged from one day at a city jail to five and a half years in the only federal penitentiary at the time that took in women prisoners in Lansing, Kansas.

Table 4.3. Comparison of punishments doled out to women depending upon whether they plead guilty or a jury found them guilty. Source: *Annual Report of the Attorney General for 1912*, 442-451.

Table 4.4. Comparison of severity of punishment given to women depending on whether they plead guilty or a jury found them guilty. Source: *Annual Report of the Attorney General for 1912*, 442-451.
The increase in female prisoners within the federal penitentiary system due to the Mann Act caused some concern for observers. One moral reformer looked at the women imprisoned in Lansing to try to discern what type of woman became a “white slaver.” She noted that of the 14 women imprisoned for violation of the Mann Act, the average age was 31 years, most had little education, almost all claimed to be occupied in domestic service, all but two had been married, and they came from diverse religious backgrounds although all seemed “slow” to take up prison church work.123 The reformer felt most frustrated in by what she deemed the short length of time served; to her it was only long enough to improve these women’s health, but not long enough to improve their moral health. She gloomily concluded, “hope lies in prevention rather than cure.”124

Even women deemed to be victims in white slave investigations faced incarceration. Often BOI investigations and U.S. attorney’s prosecutions could not move forward without the testimony of the person alleged to be trafficked, and these women were typically sex workers, a population known to be highly mobile. Consequently, if there was no rescue home willing to take in prostitutes, the BOI agents had the women held in a local jail until the case moved forward. City jails could be dangerous places for women, and the policy of housing witnesses in such locations came under criticism. As a result, in May 1912, the attorney general changed the policy, deeming it “inadvisable to confine the witnesses in a jail where she is held under the same restrictions as the sentenced prisoners in the jail and where she is subject to the abuse of such sentenced prisoners.”125 Even with the new
policy, the bureau continued to confine female witness and victims in reformatories, women’s homes, rescue homes, and other disciplinary institutions.

The close supervision of brothels occasionally placed local white slave officers and special agents in odd positions. Finch told Congress that one of the benefits of his White Slave Division’s local officer system was that it frequently functioned to pit madams against one another. He said that regardless of whether madams helped the BOI or opposed the BOI, they were all united in their jealousy of one another and as a result they frequently informed the local white slave officers of illegal activity happening in rival brothels. Here, the local white slave officer cleverly marshaled petty and stereotypically feminine traits like gossip, innuendo, and jealousy for government use while all the time, at least in Finch’s telling, staying above the fray.

More commonly, sometimes the agents of the White Slave Division were pulled into the competitive vice world they monitored. In July 1913 a newly appointed commanding officer of the Baltimore Police Department issued a new rule which prevented prostitutes within the vice district from moving from one brothel to another and required any prostitute who retired from a house to leave the district entirely. Several prostitutes complained about the new rule to Special Agent John Grgurevich of the White Slave Division. They said that madams used the order to take advantage of them because the women could not easily leave if they wished to continue working as prostitutes. The agent went to the police department to complain on behalf of the prostitutes, in effect becoming their advocate. In another case, a man who lived off the earnings of a prostitute named Anna Thomson
arrived at the brothel she worked at and demanded all of her money. When she told him that she had none, he proceeded to beat her. When the madam of the brothel stepped in to intercede, he attacked her too, as well as two other prostitutes before he dragged Anna out of the brothel, leaving behind all of her belongings. The madam contacted the special agent in charge of registering the inhabitants of the brothel. She affirmed that in his anger the man had said “if he could not treat Anna as he wanted to in that house, he would take her to another house where he could.” Then she included the most significant recollection claiming that he had stated: “That he brought [Anna] from Pittsburgh, Pa. and that he did not intend to be dictated to.” It is unclear whether the man actually did admit to violating the White Slave Traffic Act or the madam cynically added to his quote to get the BOI involved; nonetheless, a case against him was launched, and the BOI found itself tracking a woman-beating man at the request of a brothel madam.

In the course of registering all the prostitutes in a given city, bureau agents frequently encountered women whom they suspected of being in the country illegally. Because the Immigration Bill of March 26, 1910 forbade any non-naturalized woman of foreign birth from practicing prostitution within the country, this was a special concern for BOI agents, many of whom had previously worked for the Immigration Bureau. Thus when agents or local white slave officers interviewed women who they suspected of being of foreign birth they quickly contacted the Immigration Bureau. For example, when Special Agent Betjamin met Elizabeth Nichols, a Canadian, and Kitty Brown, a Russian, in December 1911, he immediately reported them to the Immigration Bureau. Similarly, Special Agent John J.
Grgurevich, who had previously been employed by the Immigration Bureau and still served as a translator for the agency, turned over the names of two women who he suggested were “subject to arrest and deportation in accordance to the Immigration Laws.”

Cities on the border fostered even closer cooperation between agents of the Immigration Bureau and BOI. In El Paso, a city that shared a reputation for vice tourism with its Mexican sister-city Cuidad Juarez, the Immigration Bureau agent and the BOI agent passed tips and cases back and forth and even toured brothels on both sides of the border together.

The close enumeration of brothel-based prostitutes tightened the noose around the neck of foreign-born women practicing prostitution in the United States and led to a steady increase in their deportation.

The registry of brothel-based prostitutes led to the White Slave Division closely watching and in some cases controlling the movement of prostitutes. In one case, a young prostitute reported to the office of the White Slave Division in Baltimore to get permission to go to her hometown of York, Pennsylvania, to visit her stepmother. Instead of ceding control of their mobility to local white slave officers, most prostitutes soon adopted a language that revealed that they understood the limits of the law. Again and again, when asked about their interstate travelling prostitutes claimed they journeyed under their “own free will” or “own volition.” Use of these phrases evaded an investigation into the violation of the law and in most cases ended the ability of the local white slave officer to pursue the issue further. Ironically, the efficient way that the White Slave Division permeated cities east of the Mississippi guaranteed that most brothel-based prostitutes in the region understood how to circumvent investigation.
Local reform movements helped to shape the conditions within which the White Slave Division operated. In Baltimore, a city that was home to the American Purity Alliance, local activists frequently brought suspected violations of the Mann Act to the White Slave Division. But the BOI, when not trying to increase its appropriations, tried to keep some distance from anti-white slavery activists. In June 1912 just as the BOI expanded the registration campaign, a special agent reported that “all the houses of prostitution have been closed in Milwaukee within the last two or three days” leaving some question as to what work could be conducted in that town.\textsuperscript{135} The closing of a vice district in one city served to efficiently scatter the previously contained (and enumerated) prostitutes, frustrating BOI agents. When the Milwaukee brothels closed, one agent tried to circulate a list of Milwaukee’s prostitutes to other cities, particularly Grand Rapids, Detroit, and Minneapolis, which he thought would be the most likely destination for them.\textsuperscript{136} Finch responded to situations like the one in Milwaukee with frustration, saying:

\textit{The forces of reform are working against one another.} Here is one city closing down its district without any notice and turning hundreds of women on the streets (the city of Chicago); here is another city which has gone to its State legislature and secured a State law legalizing its segregated quarter (the city of New Orleans); here is another city which has not only closed down its district on five days’ notice, but notified disorderly women to leave the town under penalty of law (the city of Atlanta); here is another city which tries to segregate its prostitutes, and insists that its Board of Health shall examine them and give them certificates of freedom from Venereal Diseases (the city of Cheyenne), and here are the reform organizations...fighting the so-
called reform elements in civic affairs which advocate segregation.\textsuperscript{137}

The lack of coordination among reform organizations challenged the coordinated campaign the White Slave Division was trying to wage. But what to Finch, in January 1913, looked like a lack of coordination, by January the following year had coalesced into a united movement. The year 1913 marked a turning point in both the purity reform movement and the social hygiene movement because the American Vigilance Association and the American Federation for Sex Hygiene merged to form the American Social Hygiene Association (ASHA), which quickly became the most prominent and national reform organization capable of producing a harmonized plan for fighting vice.\textsuperscript{138}

When the BOI shut down the White Slave Division in January 1914 it offered several reasons: first, the division cost a lot; second, “a wave of sentiment going all over the country to do away with segregated districts” had hindered the work of the White Slave Division; third, although it policed existent vice zones successfully, surveying prostitutes did not result in any sort of accomplishment that the Department of Justice could easily point to when facing Congress. In other words, although the White Slave Division was expensive and labor intensive, it did not seem to achieve much, especially in a moral reform climate that worked to close down the context of regulation upon which the BOI relied.\textsuperscript{139} As BOI chief A. Bruce Bielaski admitted to Congress, “We have never found any use for it.”\textsuperscript{140}

Even though the BOI disbanded the White Slave Division in January 1914, it continued to expand the local white slave officer system, using it to augment its
force of special agents. For example, in August 1915, Bielaski appointed 26-year-old William S. Jackson, Jr. to the position of local white slave officer for Colorado Springs, Colorado, and surrounding communities (see Figure 4.3). Jackson, a Harvard graduate with a law degree from the University of Denver, held the position for four years, frequently conducting white slave investigations at the request of the special agent in Denver. Colorado Springs lacked an officially recognized red light district, so typically the special agent in Denver would task Jackson with tracking down family members of suspected victims and violators of the act or keeping an eye out for known prostitutes on the move. Jackson's activities were not limited to
enforcing the White Slave Traffic Act. As Europe descended into war and the likelihood of American involvement increased, Jackson investigated neutrality matters, conscription violations, war relief fraud, violation of the selective draft law, pro-German activities, and suspected cases of espionage for the Department of Justice. Though the BOI closed the White Slave Division’s offices and abandoned the registration of brothel-based prostitutes, the expansion of the local white slave officer system continued unabated, and with it the reach of the federal government.

CONCLUSION

Even with its short life span, the BOI’s White Slave Division is notable for a variety of reasons. First, it represented one of the largest coordinated attempts at regulation of prostitution in the early twentieth century. The regulation of prostitution was most closely associated with the French system of licensing brothels by medical and police forces to control the mobility of women deemed to be morally or medically unclean yet socially necessary. The 1914 publishing of Abraham Flexner’s expansive study of European regulation Prostitution in Europe discredited regulation among social hygiene activists within the United States. Consequently, Americans were forever claiming that theirs was a country free of the sin and decadence of regulation. But until the closure of red-light districts, informal police regulation was common on the municipal level of government. Thus, the BOI’s White Slave Division marks the only attempt at regulation of civilian brothels by federal forces. For its monitoring of prostitutes the BOI depended upon the continuing existence of brothel-based prostitution. Although controlling
venereal disease was not its *raison d'etre*, for both BOI agents and U.S. attorneys, the law was, in the words of one U.S. attorney, “it is a quarantine act against the morally and physically unclean.”¹⁴⁸ Second, the logistics of tracking over 30,000 women was a formidable, if not chilling, achievement. Jill Harsin’s work has shown the difficulties the Paris police had in tracking 1,200 to 4,700 prostitutes in that one city during the nineteenth century.¹⁴⁹ The fact that the BOI did so in over 300 small cities in less than two years is an impressive feat. Third, in accomplishing the census of brothels that Marcus Braun had called for in 1909 the BOI undermined the civil rights of prostitutes for the moral, if not venereal, safety of the larger community. This would foreshadow policies that would gain momentum during the First World War.

For Finch the greatest contribution of the White Slave Division was that it stimulated enforcement of state vice or white slave laws. The bureau furnished local white slave officers with copies of state laws connected to vice and gave the instructions that if in the course of their work they encountered violations of state laws then they should go to state authorities and “suggest that they are willing, as a private citizen, to help them in the enforcement of the State laws.”¹⁵⁰ In this way state legislation became more significant due to federal action, and Finch could push the use of state laws for federal goals.

The successful implementation of the White Slave Division transformed the BOI into a truly national agency, with representatives in more than 300 cites and towns.¹⁵¹ Even after the White Slave Division closed its Baltimore offices in early 1914, the network of local white slave officers established throughout the country
continued to investigate crimes, including alleged Mann Act violations, for the bureau. Indeed the BOI extended the system established by Finch further west, appointing 37 local white slave officers in western states after Finch had resigned in January 1914.\textsuperscript{152} Enforcing the Mann Act justified the bureau's appeals to Congress for more funds and established its authority in the public culture.\textsuperscript{153} Additionally, white slave investigations established a more aggressive model for federal law enforcement than previously existed—both seeking to prevent law breaking and investigating ordinary citizens, thereby setting important precedents for the BOI.\textsuperscript{154}

The BOI’s focus on investigating alleged violations of the White Slave Traffic Act that involved commercial vice brought female criminality to the forefront. Women’s participation in the management of vice economies belied the notion of feminine purity needing protection. Faced with such a challenge the BOI responded by setting up a national registry of madams and prostitutes and by deputizing a legion of respectable white men to monitor the moral borders of cities and towns throughout the country. The efforts of the White Slave Division to enumerate, educate, and intimidate prostitutes were undermined by a simultaneous campaign waged by moral reformers to eradicate brothel-based prostitution. The transition from protecting the innocent white slave to prosecuting the iniquitous madam came quickly to the BOI and would continue apace throughout the decade amid the rapidly changing sexual mores of the era.
NOTES

2 Ibid.
8 Special Agent L. J. Baley, “U.S. vs. L. Athanasaw, et al., Violation White Slave Traffic Act,” 2807-18, 21 Feb 1912, Case 2807, Roll 136, BOI Microfilm Records. Athanasaw appealed the sentence, his lawyers alleging that the Mann Act was unconstitutional and that the prosecuting attorneys had failed to prove the purpose of debauchery in the minds of the defendants. His case made it to the supreme court which affirmed the conviction and the legality of the Mann Act. See Athanasaw v. U S, 227 U.S. 326 (1913). TRANSCRIPT OF RECORD. 21 March 1912, 12.
10 Ibid.
11 Ibid.
16 Special Agent L. J. Baley, “U.S. vs. Marian Lawrence, et al., Violation White Slave Traffic Act,” 2878-1, 13 Feb 1912, Case 2878, Roll 136, BOI Microfilm Records. Pearl Snyder almost failed to make it to the trial. She had been staying with Agnes Couch, presumably in Atlanta, GA.
17 “Fined as ’White Slaver,’” Atlanta Constitution 13 Mar 1912, 15.
18 $200 would be $4,399 by 2007 standards. Attorney General George W. Wickersham to Honorable J.R. Knowland (R-CA), 20 Mar 1912, RG 60 General Records of the Department of Justice, Formerly Classified Subject Correspondence, 1919-45. Class 31 Mann Act, Box 2620, National Archives, College Park, MD [hereafter cited as DOJ Mann Act Records].
21 Elizabeth Lang makes this point in her work on the Mann Act, although, as my work reveals, she overstates the degree to which the BOI focused on commercial cases. See Elizabeth Grace Lang, “White-Slave Traffic Act in the Early Years of Enforcement” (master’s thesis, University of Virginia, 2004, 25.
165
23 Annual Report of the Attorney General of the United States for the Year 1912 (Washington, DC: Government Printing Office, 1912), 78. In 1912, most female prisoners were held at the Kansas State penitentiary in Lansing, Kansas, but room was quickly running out.


25 Chicago Defender, 14 Dec 1912, quoted in Mumford, Interzones, 17.


27 At this point the BOI was not the primary investigative unit for the federal government, rather investigation was divided between the Treasury Department's Secret Service, the U.S. marshals, the Coast Guard, and Military Intelligence.


30 Powers, Broken, 51.

31 Ibid., 52.


33 Powers, Broken, 54.


35 See case 696, Roll 118, BOI Microfilm Records.


41 Record Group 65, Records of the Bureau of Investigation, Administrative Reports on Cases, 1908 - 1911, Box 10, Entry 22, Volume 29 (29 June 1910-6 July 1910), 43-47, National Archives, College Park, MD [hereafter cited as BOI Administrative Reports on Cases].

42 I say “at least” because out of the 21 cases, in four of them the investigating agent failed to note the specific characteristics of the case, making them impossible to classify. “Records of the Bureau of Investigation: Administrative Reports on Cases,” 1908 – 1911 Boxes 10 – 16, Volumes 29 – 48 (29 June 1910- 3 Mar 1911), BOI Administrative Reports on Cases.

43 BOI Administrative Reports on Cases.
For example see the case of Leona Reed, Special Agent L.E. Ross, “U.S. vs. Leona Reed – White Slave Matter.” 8 Dec 1911, Case 3055, Roll 139, BOI Microfilm Records.


Gilmore, Bad Nigger!, 95-105.

Mumford, Interzones, 4.


William Harr to U.S. Attorney in Jackson, MS, 10 Feb 1913, Box 2620, DOJ Mann Act Records.

Quoted in Gilmore, Bad Nigger!, 119.


Gabbert, “Prostitution and Moral Reform in the Borderlands,” 577.

For an example see the case of Leona Reed, Special Agent L.E. Ross, “U.S. vs. Leona Reed – White Slave Case,” Case 3095, Roll 140, BOI Microfilm Records.

For example see the “Investigation of Alleged Violation of the White Slave Traffic Act by Harry Kramer,” Case 2511, Roll 134, BOI Microfilm Records.
The law forbade any bar from serving alcohol on Sundays unless it was a hotel, which was classified as any establishment with ten beds. Bars throughout the city quickly put ten beds in their back rooms and began renting them to prostitutes. Elizabeth Alice Clement, *Love for Sale: Courting, Treating, and Prostitution in New York City, 1900 – 1945* (Chapel Hill: University of North Carolina, 2006), 89.


“Investigation in the Alleged Violation of the White Slave Traffic Act by David Rothschild” (Aug 1911), Case 2529, Roll 134, BOI Microfilm Records.


Attorney General George W. Wickersham to Honorable J.R. Knowland (R-CA), 20 Mar 1912, Box 2620, DOJ Mann Act Records; *Sundry Civil Appropriation Bill for 1913*, 1490.


“List of letters urging the appropriation of additional funds for the use of the Department of Justice in suppressing the White Slave Traffic,” Attorney General George W. Wickersham to Honorable J.R. Knowland (R-CA), 20 Mar 1912, Box 2620, DOJ Mann Act Records; *Sundry Civil Appropriation Bill for 1913*, 1490; and *Sundry Civil Appropriation Bill for 1914*, 868.

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Sundry Civil Appropriation Bill for 1914, 880.

100 I have not yet confirmed through the census that all the local white slave officers were white; but in the parlance of the bureau, a note was made in reference to anyone who was not considered white. No such notes appear in the records I have examined, so it seems to be a safe assumption that all of the local white slave officers were white. This is not necessarily true of the special agents, many of whom transferred to the BOI from the Immigration Bureau where they worked as translators and thus would be considered only provisionally white. See Matthew Frye Jacobson, Whiteness of a Different Color: European Immigration and the Alchemy of Race (Cambridge, MA: Harvard University Press, 1998).

101 Stanley W. Finch to Clifford G. Roe, 21 Mar 1912, Box 2620, DOJ Mann Act Records.

102 Ibid.


104 Sundry Civil Appropriation Bill for 1914, 876.

105 Ibid., 862 and 880.


113 Sundry Civil Appropriation Bill for 1914, 880-881.


115 Woolston, Prostitution in the United States, 38.

116 Ibid., 93-94.

117 Ibid., 50.


Women made up 62 of the 529 defendants involved in prosecutions of the Mann Act. Of the 39 of these 62 cases that had gone to trial, 38 were found guilty. “List of Prosecutions Instituted under the White Slave Traffic Act of June 25, 1910, Showing Pending Cases and Cases Disposed of Prior to October 31, 1912,” Annual Report of the Attorney General for the year of 1912, 442 – 451.

In the 1910s, men had a much better chance of facing a jury of one’s peers than women. Although a few states allowed women to sit in a jury box in 1910s, it was not until 1975 that the Supreme Court required courtrooms throughout the country to be open to women.


Sundry Civil Appropriation Bill for 1914, 882.


Agents also developed their own vocabulary. The memos written by special agents involved in the White Slave Division reveal a consistent vocabulary of vice used by the agents. They referred to prostitutes who lived in brothels as “inmates,” which seems to imply that they believed them to be prisoners either of a coercive other party like a pimp or madam or of their own lack of morality. When agents revisited brothels to update the registry, they frequently mentioned that they “interrogated” the prostitutes rather than using a less loaded word like “interviewed.” As white male representatives of both the federal government and the local elite the white slave officers had an oppositional relationship with the prostitutes they oversaw. Suspicion prevailed in agents’ interviews with prostitutes and these conversations easily took on the characteristics of interrogations. How an agent referred to brothels depended upon his temperament and to a lesser extent on where he was investigating. Most preferred “house of prostitution,” though those in the South seemed to favor euphemisms like “house of ill-fame” and “sporting house.” Similarly, agents referred to the neighborhoods where such houses could be found as a “red-light district,” “segregated district,” “restricted district,” and “sporting district.” As the work of Chad Heap and Kevin Mumford has shown, these phrases allude to the overlap of the geography of urban vice, racial segregation, and popular masculine sports and entertainment, all of which occurred under the watchful eyes of often-corrupt police. Chad Heap, Slumming: Sexual and Racial Encounters in American Nightlife, 1885 – 1940 (Chicago: University of Chicago Press, 2009); Kevin J. Mumford, Interzones; and Louis Moore, “Windy


136 Charles DeWoody to Stanley Finch, 22 June 1912, Case 1454, Roll 126, BOI Microfilm Records.


140 Noakes, “Enforcing Domestic Tranquility,” 143.

141 Local White Slave Officer Letter of Appointment, 25 Aug 1915, FF10 Department of Justice, White Slave/Mann Act, 1915, Jackson Family Papers, WH1017, Box 14, Western History Collection, The Denver Public Library, Denver, Colorado [hereafter the Jackson Family Papers].


143 Jackson Family, William S., Jackson Family Papers, WH1017, Box 14.


Many historians have examined the development of the French System through Foucault’s lens of “technologies of rule” that characterized modern medical and police bureaucracies. The systematic surveillance of prostitutes justified impressive expansions of municipal police forces, to say nothing of the proceeds generated from fines for city governments off of the sexual labor of these women. Police and military surveillance of prostitutes functioned to build state authority in urban areas throughout the world. The literature on regulated prostitution’s role in state-building is too vast to be covered here; but for a good discussion of prostitution and colonial authority see Philippa Levine, Prostitution, Race, and Politics: Policing Venereal Disease in the British Empire (New York: Routledge, 2003). For works discussing regulation and modernity see Mark Overmyer-Velázquez, Visions of the Emerald City: Modernity, Tradition, and the Formulation of Porfirián Oaxaca, Mexico (Durham: University of North Carolina Press, 2006); Katherine Elaine Bliss, Compromised Positions: Prostitution, Public Health, and Gender Politics in Revolutionary Mexico City (University Park: Pennsylvania State University Press, 2001). For a historiographical overview on the literature about prostitution see: Timothy Gilfoyle, “Prostitutes in History: From Parables of Pornography to Metaphors of Modernity,” The American Historical Review, 104, no. 1 (Feb 1999): 117-141.

145 Connelly, The Response to Prostitution, 84-87.

146 Regulation in the United States tended to be informal. However in addition to the El Paso case mentioned above on additional and well-publicized attempt at regulation occurred in St. Louis from 1870 to 1874. John C. Burnham, “Medical Inspection of Prostitutes in America in the Nineteenth Century: The St. Louis Experiment and Its Sequel,” Bulletin of the History of Medicine, 45 (May 1971), 203 – 18.


*Sundry Civil Appropriation Bill for 1914*, 888.


Noakes, “Enforcing Domestic Tranquility,” 143; for more on the extension of the local white slave officers and their activities see the Papers of William S. Jackson II (local white slave officer for the Department of Justice), Series 5, Box 14, Folders FF10, FF11, FF13, and FF17, William Sharpless Jackson Family Papers, WH1017, Western History Collection, The Denver Public Library, Denver, CO.


Ibid., 114, 116; Powers, *Broken*, 75.
In March of 1913 friends 20-year-old Marsha Warrington and 19-year-old Lola Norris embarked on an adventure that would lead to their national fame and a revision of the scope of the White Slave Traffic Act. The girls—recently out of high school, both still living with their parents, and well known and well liked by the “best of Sacramento society”—had become engaged in a disreputable affair with two of the most well-known men about town, Maury Diggs and Drew Caminetti. Over the course of autumn and winter of 1912, the couples—Warrington and Diggs, Norris and Caminetti—had taken long drives in Diggs’s Cadillac, spent time in the evenings drinking and carousing at Diggs’s office building, visited roadhouses on the outskirts of town, met up at Diggs’s flat, attended dances together, and traveled on day trips to nearby San Francisco and San Jose. As the affairs grew more intense Diggs, and to a lesser extent Caminetti, grew considerably less discreet, discretion that was required because both men were married and had children under the age of five at home. The men invited the girls to dances their wives attended, and at one point Diggs invited Warrington to a dinner party his wife hosted. By late February 1913, the wives and parents of all of the parties involved knew what had been occurring and the pressure in Sacramento grew too intense for the illicit young
couples (the *Sacramento Bee* was promising to publish an account of the entire affair). Diggs convinced the others to join him on a trip to Reno where, he argued, he and Caminetti could arrange quick divorces from their current wives and new weddings for the new ones. Quickly, the group purchased train tickets and fled town. As the couples relaxed Reno police, alerted to the couples’ infamy by the *Bee* article, arrested Diggs and Caminetti for violation of the “any other immoral purpose” clause of the White Slave Traffic Act, and catapulted the story of the affair into the national spotlight.

This chapter places the Bureau of Investigation (BOI)’s activities in the 1910s into a broader cultural context to illuminate ways in which Americans gained knowledge of white slavery and the Mann Act. It suggests that the reading of the White Slave Traffic Act in hyper urban cities like New York City and Chicago that historians have long relied on were unique and instead argues that for the average American living elsewhere the Mann Act was primarily understood through cultural mediums such as newspapers, plays, and motion pictures. These mediums educated audiences as to the nature of the law and they shaped Americans’ expectations of government responsibility in federal law enforcement. Finally, this chapter concludes with a description of the ambitious and successful “American Plan” that sought to criminalize venereal women who could pose potential risks to enlisted men during World War I. The “American Plan,” with the power of the federal wartime government, spread social hygiene philosophies and legal precedents throughout the country and resulted in positioning women as vectors of disease that threatened the health of the nation.
When Congress passed the White Slave Traffic Act in 1910 reformers had believed that it would ensure the protection of American girlhood, yet by 1919 a new generation of reformers suggested that it was American boyhood/manhood that needed protection. This chapter traces that transition. From 1900 to 1920 America's sexual culture experienced tremendous change. According to historians Estelle B. Freedman and John D'Emilio, by the dawn of the 1920s America had entered a new sexual era. Popular representations of white slavery contributed to this shift. But as Freedman and D'Emilio warn “the search for an explanation for this reorientation [of sexual culture] is more difficult than to describe it.” The spread of mass entertainment in the form of motion pictures and vaudeville helped to disseminate knowledge about the Mann Act while simultaneously providing locations that encouraged hetero-social companionship. Furthermore, the legal conflation of promiscuity with prostitution and its equation with criminality reconfirmed the reification of one form of accepted sexual relations—those contained within the institution of marriage.

“Minnows in the Stream of Vice”: Defining the Scope of the Mann Act

In the summer of 1913 newspapers across the country eagerly covered the sensational white slave trial of Maury I. Diggs and Drew Caminetti. Of the 334 stories about white slavery and the Mann Act published in 1913 by the Atlanta Constitution, Ogden Examiner, Bakersfield Californian, and Picqua Leader-Democrat, 119 (35%) of them covered the Diggs-Caminetti trial, most of those appearing on the front page of newspapers. Newspaper coverage of the trial was extensive for two
reasons: first, the U.S. attorney pursued the case though there was no demonstrable connection to commercial vice present; second, and more important, the defendants of the case came from two prominent political families and the victims in the case also came from well-connected, respectable families.

The case had been a political hot potato since it emerged in March 1913 in Sacramento, California. It involved two scions of California’s political families—Farley Drew Caminetti and Maury I. Diggs. Caminetti and Diggs, both 27 years old and married, socialized together, frequently going out on the town with their young mistresses, a fact that they did not hide from their respective wives. On March 9, 1913, the duo set off to Reno, Nevada, with their girlfriends in an effort to evade arrest (at 19 and 20 the girls were technically minors) under California state laws. In Reno, police arrested the men and charged them with violating the White Slave Traffic Act, even though no element of commercial vice existed. The trial, set for the summer, became the site of intense political infighting, because that spring President Woodrow Wilson appointed Caminetti’s father, Anthony Caminetti, to the top position in the Immigration Bureau, and Caminetti asked that his son’s trial be delayed so that he could attend. California Republicans charged that Caminetti the younger benefited from his family’s close connections to the Democrats in power, and the Wilson administration caved to the Republican accusations and withdrew its support for a postponement of the trial. Discussions about the political scandal and denunciations of cronyism and political influence occurred on the floor of the U.S. House of Representatives. Thus, before the case had even been heard it
generated an unusual amount of emotion, public furor, and Congressional attention.\textsuperscript{9}

Throughout the trial, the prosecuting attorney emphasized the girls’ previously chaste state. Both Marsha Warrington and Lola Norris claimed that their first sexual encounters occurred withDiggs and Caminetti, respectively. Additionally, the girls’ respectable middle-class white backgrounds mitigated any guilt assigned to them. Representative James Mann (R-IL), the author of the Mann Act, in discussing the Diggs-Caminetti case declared, “I shed my tears for those who have been led astray, who have been debauched through fear and force. I shed my tears on behalf of the innocent, while you [Democrats] endeavor to protect the guilty.”\textsuperscript{10} According to the narrative asserted by Mann, the prosecuting attorney and others, girls like Warrington and Norris needed to be protected from predatory and selfish men, like Diggs and Caminetti, who set aside their respectable masculine roles as faithful husband and father to adopt the disreputable roles of philanderer and debaucher of innocents.

As the trials commenced the judge gave a broad reading of the White Slave Traffic Act. He parted from tradition when he refused to allow evidence or discussion of the girls’ previous chastity or lack thereof. He charged that the fact the Diggs and Caminetti traveled to Reno to avoid arrest subjected them to the “any other immoral purpose” clause of the act and found them both guilty.\textsuperscript{11} As he waited for his bail to be arranged after sentencing, Maury Diggs commented, “If I am a white slaver, 90 percent of the men living are as guilty as I am.”\textsuperscript{12} Some newspapers celebrated the ruling, noting that it properly punished “the ghouls who seek to ruin
young girls,” but others warned that although Diggs and Caminetti’s actions were indefensible, they were but “minnows in a stream of vice,” and that accepting the broader scope of the Mann Act could cause the Department of Justice to overlook the “sharks” of the vice world—those men and women who earned money from prostitution.

The precedent set by the Diggs-Caminetti case launched a period of extreme confusion about the scope of the Mann Act that lasted from August 1913 to February 1917. During this period, federal judges in different jurisdictions applied different readings about the scope of the law. For example, less than a month after Caminetti’s trial concluded, a federal judge in Wichita, Kansas, asked a defendant who pled guilty to violation of the Mann Act the following: “Do you base this plea on the interpretation of the law in the Diggs-Caminetti cases?” When the defendant admitted that he had, the judge allowed him to change his plea and then declared that in his interpretation of the law a commercial element must be present. He stated: “It was not the aim of congress to prevent the personal escapades of any man.” An editorial published in the Atlanta Constitution bemoaned that lack of consistency noting that as judicial conditions stood, Americans were witnessing the “undesirable spectacle of tribunals of equal jurisdiction all over the country reversing themselves, the one creating criminals and the other refusing to prosecute for the identical offense.”

The confusion about the scope of the law extended to the BOI. After closing the White Slave Division in 1914 the BOI reverted back to its policy of investigating individual cases of alleged violation of the White Slave Traffic Act, and the number
of convictions continued to rise (see Figure 5.1). Publicly, the bureau continued to claim that it pursued only commercial vice cases, but internally, some individuals in the attorney general’s office called for a broader understanding of the law. After reviewing the conflicting judicial record of the Mann Act in October 1913, special assistant to the attorney general, Blackburn Esterline, concluded that Congress intended the law to cover any interstate travel “in connection with, or as incidental to, any kind of sexual immorality.” He supported a broader and more aggressive reading of the scope of the statute. Others outside the attorney general’s office urged for more action. Wilbur F. Crafts of the International Reform Association wrote a frustrated letter to the attorney general that excoriated the BOI’s narrow vision of the law. He argued that it was the moral reform groups whose letter writing got the BOI its budget, yet many of them remained unsatisfied with the action of the BOI. He wrote:

I positively know that somebody who is regarded as an authority in the Department of Justice has directed the agents of the Department in the field to proceed against white slave cases only when women have been rented out for immoral purposes, whereas the law, if I understand the English language, distinctly prohibits the transportation of women from one State to another for the purposes of debauchery, whether for their own carnal indulgence or to fill their pockets. Cases of greed and lust stand alike in the wording of the law.

The office of the attorney general responded with a boiler plate letter denying there was any such policy and stating that the department had avoided laying down any “hard and fast rule” about which cases to pursue. In the face of such contradictions, the bureau failed to provide much guidance to reformers or much
information about its activities to the public. Thus, most Americans learned about the White Slave Traffic Act and white slavery in general from popular culture—particularly dramatic plays and motion pictures.

![Convictions Chart]

Figure 5.1. White Slave Traffic Act Convictions, 1911-1938. Source: O. John Rogge to Julian D. Rosenberg, 18 October 1939, DOJ Mann Act Records, Box 2626. National Archives, College Park, MD.

“THE WHITE SLAVE PLAY’S THE THING NOW”: EDUCATING THE MASSES ABOUT WHITE SLAVERY

As the BOI continued its mission of enumerating brothel-bound prostitutes over the course of 1912 and 1913, one special agent of the White Slave Division, George M. Scarborough, worried that he was not doing enough to fight the problem of white slavery. Scarborough remembered, “At that moment I made up my mind to try to write a play. I felt my message would reach further and strike harder in the
form of drama than in any other form. I set to work, putting everything else aside, and I kept at it night and day. ‘The Lure’ was the result.”24 Leaving the BOI, Scarborough took his play to New York where he found a producer—Lee Shubert of the Maxine Elliot Theater—interested in staging it.

Scarborough’s play pulled on the common themes that populated the white slave narratives—women’s low wages as a source of moral decline, the relationship between corrupt politicians and immoral brothel operators, and the rescue of innocence. The play centered on the fall of Sylvia, a young girl working at a department store who made a mere six dollars a week, not nearly enough to support herself. Struggling to afford medicine for her dying mother, Sylvia remembered that an older woman—a Madame Kate—had given Sylvia her card remarking that she always had work for girls in the evenings. Sylvia called on Madame Kate at her home, not realizing that she had walked into a trap—the brothel—from which she cannot escape. Meanwhile, the intrepid hero of the piece was Bob MacAuley, a white slave agent for the Federal Government who was investigating a possible Mann Act violation by Madame Kate. MacAuley had previously seen Sylvia at her home with her mother and he had secretly fallen in love with her. As MacAuley investigated the brothel where Sylvia was interned he found her there and he assumed that she has given up her virginity, stating, “Oh hell—I fell for something that had already fallen.”25 He challenged her more forcefully, crying: “Look me in the face and blush. A blush is the only thing a woman can’t counterfeit—and I want to see you try and blush. Come on, now. You can’t! ... You have sold your right to blush.”26 Sylvia protested, claiming that she had entered the brothel only to save her mother’s life,
but that she had retained her virtue. After hearing her story, Bob commented, “Thank God—the halo’s back.” He then brought about the arrests of the evil parties—the corrupt politician in league with vice, the venal brothel madam, and the cadet who ensured Sylvia’s entrapment. Of course, the play ended with the marriage of the government investigator and the young virgin. As scholar Katie N. Johnson has remarked, the play emphasized the idea that virtuous women’s sexuality needed both “rescue and regulation.”

With the August 13, 1913 opening of Scarborough’s The Lure in New York a headline of Washington Post declared “The 'White Slave Play's The Thing Now.” According to reviewers the play “scored a positively overwhelming hit.” The national press excitedly reported that leading New York officials endorsed the play. A former police commissioner of New York City was quoted as saying that “it teaches a wonderful moral lesson. I know that these conditions are true, and so does everyone else engage in this game.” Another reviewer praised the melodramatics of the play noting that “if you want to be harrowed to the quick, go see it.” Journalists and theater reviewers celebrated the publicity The Lure would bring to the white slavery issue, believing that awareness of the methods white slavers employed would protect potential victims.

Others, however, thought that The Lure went too far in its depictions of the white slave trade. The Independent, a weekly magazine for general readers, protested the play, arguing that it represented a “vicious use of frankness” that could do “nothing but harm.” The scenes that took place in the brothel drew specific protest, and after several weeks the police began to consider closing the
play because it violated New York City’s morals standard. The Chief Magistrate in charge of the case argued, “We do not need ... to uncover a sewer to convince people as to its filthiness, nor to warn those of ordinary cleanly habits against getting into it.”34 The producer of the play protested the censorship, noting that the play had been on stage for four weeks without any complaint and that it had received “nothing but praise.”35 In response, the producer distributed to the play’s audience approximately 600 cards that asked if The Lure met the viewers’ approval or disapproval. Over 98 percent of the audience approved the play, including several notable suffragists like Carrie Chapman Catt, Mary Garrett Hay, Florence Guernsey, and others who happened to attend that night.36 Nonetheless, city officials closed the play until the producers rewrote objectionable scenes, and the producer cooperated by offering to have it screened by a 23-member panel.37 Scarborough

Figure 5.2. The Lure Advertisement. Source: Washington Post, March 24, 1914, 4.
changed the brothel to an employment bureau thus eliminating the primary complaints the city censors had waged at the play and the play reopened to great applause.\textsuperscript{38}

As soon as \textit{The Lure} reopened in New York a second company began staging it on the road. During the 1913 - 1914 stage season, the play graced stages throughout the country in towns and cities like Bakersfield, Oakland, Colorado Springs, Indianapolis, Syracuse, and Cleveland.\textsuperscript{39} The press that accompanied the play tried to emphasize that it was a “Drama of Terrible Truth” and that the play was intended to “instruct, rather than amuse” (see Figure 5.2).\textsuperscript{40} The press agent touted Scarborough’s experience working as a federal investigator of white slavery as the factor that separated \textit{The Lure} from the many lurid white slave plays and films that began to crowd the marketplace in the late autumn of 1913. Moreover, the producers of the play suggested that by sending a second company on tour they aided the “federal bureau for the suppression of this nefarious traffic in their Herculean efforts.”\textsuperscript{41} To further demonstrate the connections between the play and the activities of the BOI, the press agent provided newspapers with a copy of a letter penned by Stanley W. Finch attesting to both the accuracy of Scarborough’s depiction of white slavery and to the importance of the play as an educational tool.\textsuperscript{42}

Although \textit{The Lure} had been well received in New York City, it faced a different audience in the towns and small cities it encountered on the road. A reviewer in Bakersfield, California, characterized the play as “extremely raw,” insisting that it constituted “one of the greatest dramas ever produced for every good mother in the land to keep her children away from.”\textsuperscript{43} Another reviewer—this
time in Colorado Springs—noted that they play offered no solutions to the problem of white slavery. And a third reviewer in Syracuse, NY, called it a “cheap thriller” that was neither big nor helpful.

Plays like *The Lure* constituted one of the primary sources of knowledge about white slavery and the White Slave Traffic Act for average Americans. In the summer of 1914, pioneering filmmaker Alice Guy Blaché directed *The Lure* in a film production that also toured the country, appearing in smaller cities and towns like Fort Wayne, Indiana, Altoona, Pennsylvania, and other locales. For those consumers not able to see the play or the film, Scarborough published a novelization of the story in 1914. Furthermore, although the play ceased to be produced in New York, local productions began to appear in other parts of the country throughout 1915 and 1916. The trend for white slave plays only lasted one season on Broadway, but plays like *The Lure* had a much longer run in the rest of the country. The centrality of the federal government in the play alerted viewers not only to the Mann Act, but also to the fact that the government could provide personal justice.

Plays like *The Lure* were not the only source of knowledge about white slavery circulating the country. In 1913 the most technically complex and elaborate movie that the American film industry had ever produced opened to audiences at New York’s Joe Weber Theater on Twenty-ninth and Broadway on November 24, 1913. Like *The Lure*, the movie—*Traffic in Souls*—was a blockbuster (see Figure 5.3). It is estimated that the theater turned away over one thousand people opening night and 30,000 New Yorkers saw the movie during its first week. Soon 28 theaters throughout the
The city featured the film and it was estimated that the film earned $450,000 the month after it opened. It was soon followed by the December 1913 release of an even more sensational film—*The Inside of the White Slave Traffic*—that earned twice as much money. The filmmaker of the movie claimed to have worked with the Department of Justice when researching the film, but the salacious content of the movie caused the state and city of New York censors to close it down, resulting in even more publicity for the film.
The success of *Traffic in Souls* and *The Inside of the White Slave Traffic* launched a subgenre within movies, known as vice films. Like white slave plays, these films capitalized on the same fears that anti-white slavery activists held—the danger urban entertainment and employment posed to young women, the anonymity of the city where cross-class and interethnic courtship could flourish, and the sexual vulnerability of young women. Often under the guise of educating audiences about social evils, such films entertained viewers with lurid representations of urban vice, and the voyeurism these movies provided titillated audiences, most of whom, according to *The New York Times*, were women.\(^{51}\) As film scholar Shelley Stamp noted, the links between urban vice and women’s recreation merged at the movie house “as both a site of potential entrapment and source of information.” Within the six months following the opening of *Traffic in Souls*, New Yorkers were treated to a near constant stream of films with titles like *The Exposure of the White Slave Traffic, The Shadows of Sin, Smashing the Velvet Trust, The House of Bondage, A Soul in Peril, The Wages of Sin*, and *The Traffic in Girls*.\(^{52}\) The popularity of white slave films in New York City proved to be fleeting. Within a mere three months, movies parodying the conventions of white slave films appeared, one with the title *Traffickers in Soles*.\(^{53}\) By March 1914 the sensation of vice films had subsided and audiences turned to other films. The quick fizzle of interest in white slave films echoed a general retreat from white slavery narratives in large urban environments like New York City and Chicago. Working class girls and women may have enjoyed the spectacle and drama of stories that pointed to the putative danger they placed themselves in when they entered the labor market and sites of urban
recreation; but these exaggerated morality tales did not accurately reflect their lives and thus had no staying power.54

As historian Sharon Ullman has observed, most historians who look at early-twentieth-century popular entertainment focus on the relationship between immigrants and workers in big cities. But the majority of Americans lived elsewhere. These Americans often got their popular entertainment from one of the competing vaudeville circuits that traveled the nation. These circuits, as well as the emergence of nickelodeons in 1907, formed the most “reliable distribution channel for films.”55 Taking Ullman’s observations into account, the white slave films and plays that by March of 1914 were passé in New York City were farmed out to be shown on the vaudeville circuit, thus keeping the images and themes in circulation in smaller towns and cities in the interior of the country well after New Yorkers had tired of the issue of white slavery. As early as February 1914, *Inside the White Slave Traffic* opened to 12 sold-out shows a day in San Francisco. After the first week the *San Francisco Chronicle* estimated that 73,842 people had seen the film at one theater. From there the movie was slated to go to smaller agricultural cities and towns in California.56 Press agents for these vice films emphasized the fact that New York audiences had been primarily composed of women to suggest that, contrary to reports of indecency, these movies were especially suited for female audiences. Announcing that *Traffic in Souls* would be appearing in Bakersfield, the local newspaper noted “Strangely to relate, two-thirds of the people who patronize ‘Traffic in Souls’ is composed of ladies and children and this fact in itself is sufficient endorsement.”57 After the success of *Traffic in Souls* in New York City, 15 companies
toured the country with the film simultaneously throughout the spring of 1914, selling sold-out shows in towns and cities everywhere. The low price of the ticket—25¢—certainly added to its appeal. Even as late as 1921, the film *The White Slave Traffic* (released in 1914) still circulated the country (see Figure 5.4). The popularity of vice films and plays and their long circulation taught audience members that the Mann Act was a tool available to protect innocence. These forms of mass entertainment significantly contributed to popular understandings of the Mann Act.

![The Big Tent Ad](image)

*Figure 5.4. The White Slave Traffic Movie Advertisement. Source: Bakersfield Californian, August 10, 1921, 3.*

**Blackmail and the Mann Act: Big City and Big Money Problems**

In the meantime, reports began to circulate that enterprising criminals were used the Mann Act to blackmail unsuspecting men. One of the earliest cases involved a young man, 20-year-old Charles Johnson, who allegedly encouraged his wife to pick up strange men and take them to a hotel where she would exchange sex for
money. Johnson would break into the hotel room at an inopportune moment and play the role of the angry husband, demanding money from the man “as a balm for his grief in finding his wife ‘untrue’ to him.” The BOI caught wind of the Johnsons’ confidence games and built a successful Mann Act case against him, because in the course of conducting some of their scams he had taken his wife from Monmouth, Illinois, to Burlington, Iowa. The blackmail and sexual barter the couple engaged in constituted a violation of the “any other immoral act” clause of the statute, and a judge sentenced him to five years in prison. The Johnson case points to an issue that the Department of Justice repeatedly encountered—what to do with women who had been trafficked, but who clearly were complicit in the violation of the law? One U.S. Attorney commented that “It is readily understandable how practically in many of the so-called White Slave cases the man and the woman are equally depraved,” and he suggested that punishment of the man while the woman went free constituted “an injustice.”

Issues of female culpability plagued the bureau, and came to a head when a grand jury indicted 41-year-old Clara Holte for violating the Mann Act because she had “lured” 21-year-old Chester C. Loudenschleger from Barrington, Illinois, to Milwaukee, Wisconsin, so that the couple could easily continue their “illicit sexual and libidinous relations.” The case hinged on the fact that although Loudenschleger provided for the transportation and thus technically violated the White Slave Traffic Act, the grand jury, looking at Holte’s age, believed the couple to be equally guilty. The judge in the case agreed with the grand jury’s assessment and sought to find Holte guilty of conspiring with Loudenschleger to violate the White
Slave Traffic Act, and thus liable for punishment under the Federal Conspiracy Statute. But he was not sure if this reading of the law could hold up. In his words, “She cannot be both slave and slaver.” As a result of his uncertainty, he sustained a demurrer—a stay—to let the Supreme Court address the issue. The New York Times celebrated a reading of the law that opened up prosecution against the putative female victims of the white slave traffic. In an editorial titled “Uncle Sam, Blackmailer,” the editors argued:

Under the law as it has hitherto been interpreted no question of “white slavery” is involved. If two immoral persons pass a State line in the course of their immoral proceedings the man is guilty of a crime but the woman is not. The result has been that this law has acted as a direct inducement to blackmail. Women have waited until the partners of their guilt carelessly crossed a State line, and have then confronted them with a demand for money, with the alternative of a prison term. . . The law itself is an absurdity, but that is less serious than its direct inducement to crime. It breaks up no ‘white slave’ traffic, but does make the Federal Government the accomplice and instrument of blackmailers and facilitates their operations.

The Supreme Court decision, written by Judge Oliver Wendell Holmes who urged people to “abandon the illusion that the woman always is the victim,” agreed with the Wisconsin judge’s ruling and found that women could indeed be found guilty of conspiring their own illegal transportation over state lines. Clearly, both the cultural and legal landscape that had led to the passage of the Mann Act was in the process of shifting.

As blackmail cases began to proliferate, issues of female culpability mounted. According to legal historian David Langum, in 1916 the “blackmail storm"
threatened to break. Story after story of blackmail rings that used the Mann Act to rake thousands of dollars from prosperous yet foolish men appeared in New York and Chicago’s newspapers that year. One of the most sensational stories centered on a ring that operated out of Chicago that police arrested in January 1916. The ring would find a mark, generally a well-to-do businessman and observe his relations with any woman who was not his wife. Careful attention was paid to the details—what hotel the couple used for its assignations, how they registered, what time they arrived and departed—so that when a member of the blackmail ring confronted the mark, the businessman would be overwhelmed by the evidence against him. The member of the ring typically would falsely identify himself as a member of the BOI and would suggest that between $500 and $20,000 would make the case disappear. This particular ring earned over $200,000 (almost $4 million by today’s standards). Another well-publicized story, this time based in New York, featured many of the same elements, except that the women involved were members of the ring who intentionally set out to seduce the men from whom they intended extort money. This *modus operandi* became almost cliché as newspapers in Chicago and New York reported on the activities of blackmail rings which seemed to have replaced the white slave rings operating a few years earlier.

In 1916 the *New York Times* launched a war on the Mann Act believing it to be a law that “is chiefly a bid for blackmail and serves no other purpose worth mentioning.” During 1916, the *Times* published 16 stories linking the Mann Act with blackmail; of those 16, ten reported on incidences of blackmail in New York and Chicago, four were editorials denouncing the Mann Act, one discussed the
Department of Justice’s response to blackmail, and one was a celebrated article penned by famed detective William J. Burns. One editorial excoriated the law, calling it the “Blackmail Act.” Another claimed that the white slave syndicate—fears of which led to the passage of the Mann Act—had proved to be nonexistent while a very real syndicate of blackmailers gained power every day due to the law. For his part, Burns claimed that blackmail formed the number one large crime in the United States, stating: “More money is being extorted through blackmail than through thievery.” He identified it as a crime that disproportionately targeted the wealthy, claiming that “it is not safe for a man or a woman of wealth to make chance acquaintances in the City of New York, or in any other of our large cities.” Burns was right to draw attention to the class dimension of extortion, but he was disingenuous when he expressed concern about wealthy women. Of the individuals that historians have reported as victims of Mann Act extortion schemes, most have been men. Indeed the vitriol that the *New York Times* directed towards the Mann Act reads like a defense of wealthy men’s right to engage in sexual relations without the fear of extortion.

In the narrative of blackmail asserted by the *New York Times*, the author of the scheme was attributed to a male criminal, yet within these narratives the hook was baited by a beautiful woman. As one article put it, the blackmail plot depended on “a kaleidoscopic conglomeration of bright lights, pretty girls, Atlantic City, the Mann act, fake detectives—and the victim’s bankroll.” In the story of the blackmail rings, women, especially young “pretty girls” became not only complicit in criminal acts, but often the entire plot hinged on their duplicity.
Stories that demonstrated how the Mann Act could be used as a tool for criminals appeared less frequently in newspapers beyond Chicago and New York. For example, of the 455 stories about white slavery or the Mann Act published in the *Atlanta Constitution* from 1909 to 1921, only five of them mentioned blackmail.

Similarly, of the 236 stories on white slavery and the Mann Act published during the same time period in the *Ogden Examiner*, only one incidence of extortion was reported, though warnings against potential blackmail did appear in editorials celebrating a broad scope of the Mann Act. Thus, the strong association of blackmail with the Mann Act did not penetrate the interior of the country the way it did places like Chicago and New York City.

Nonetheless, the concern about incidences of blackmail was strong enough that in January 1917, the Department of Justice instructed U.S. attorneys to keep watch for cases that may involve blackmail and to avoid those cases. Some U.S. attorneys believed that the press’s focus on blackmail stories was overdrawn and that incidences of blackmail were “over-estimated and exaggerated by those who are opposed to this law.” The stories of blackmail rings repositioned women in popular understandings of the White Slave Traffic Act. No longer the victim, women became the extortioner, and the men they seduced assumed the position of the victim.

The issue of blackmail reared its head again in the Supreme Court decision that finally defined the scope of the Mann Act. Maury I. Diggs and Drew Caminetti, mentioned above, and their attorneys believed that the judge in their case had extended the scope of the Mann Act beyond constitutional limits and congressional intent when he decided that noncommercial interstate immorality fell under the
purview of the “any other immoral purposes” clause of the statute. As a result, Diggs and Caminetti had been appealing their ruling since September 1913. The Supreme Court accepted their case in late 1916 and offered its ruling in 1917, thus rendering a decision that would define the scope of the law. The Supreme Court ruled: “The White Slave Traffic Act of June 25, 1910, c. 395, 36 Stat. 825, applies to any case in which a woman is transported in interstate commerce for the purpose of prostitution or concubinage; pecuniary gain, either as a motive for the transportation or as an attendant of its object, is not an element in the offenses defined.”

This ruling offered the broadest possible scope of the White Slave Traffic Act and set the boundaries of the BOI’s enforcement of the act for decades to come. Judge Joseph McKenna’s dissent in the decision reinforced the link between the Mann Act and blackmail when he wrote, “Blackmailers of both sexes have arisen, using the terrors of the construction now sanctioned by this court as a help—indeed, the means—for their brigandage.” But by endorsing the widest possible reading of the Mann Act the Supreme Court struck a blow at interstate sexual immorality whether a commercial element existed or not.

In 1916, as it became more likely that the United States would be drawn into World War I, the work of the BOI shifted to focus on enforcing neutrality, investigating the activities of Germans within the country, looking into disloyalty, and checking conscription lists. As a result, “from sheer force of necessity” the bureau relegated white slave work to the back burner. Similarly newspaper coverage of white slavery and the Mann Act fell off precipitously during the war (see Table 5.1). The lack of newspaper coverage did not mean that the issue of vice,
pleasure escapades, and prostitution slipped into the background. On the contrary, World War I brought these issues to the forefront in new ways.

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**Total** | 36 | 46 | 8 | 114 | 334 | 168 | 56 | 19 | 13 | 13 | 18 | 44 | 69 |

Table 5.1. Newspaper Coverage of White Slavery and the Mann Act, 1909 - 1921. Source: *Picqua Leader-Democrat, Ogden Examiner, Bakersfield Californian, and Atlanta Constitution.*

**World War I: Provisioning for the 'Invisible Armor’**

In the 1910s the reform movement dedicated to fighting vice underwent a reconfiguration that can be best understood as moving from a social purity movement to a social hygiene movement (see chapter 2). In 1913 the social hygiene and moral reform movement came together under the umbrella of the American Social Hygiene Association (ASHA). This group tended to take a more scientific and
professional approach to social problems than its predecessors had, and it also preferred to work quietly through governmental back channels. More importantly, medical and legal experts dominated the new organization. ASHA utilized the existing network of local anti-vice organizations to spread its agenda.

ASHA’s agenda embraced some elements of the late-nineteenth-century social purity movement while also including new items that emphasized Progressive-era values such as pragmatism and efficiency. ASHA retained the ideal of a single standard of morality—shared by men and women—that emphasized sexual restraint, chastity before marriage, and fidelity within marriage. Yet, ASHA departed from the nineteenth-century social purity tradition in a number of ways. For example, ASHA no longer accommodated the feminist/purity ideology and as a result, women’s groups found themselves to be unequal partners with ASHA.

Whereas moral suasion had formed the primary tactic of social purity groups, public education to achieve “constructive legislation, and the reduction in commercialized vice” provided the basis for ASHA’s activism. Taking cues from other reform organizations of the Progressive Era, ASHA sought to use the existing network of local social purity and social hygiene organizations to bring pressure to bear on state legislatures to achieve its legislative reform agenda. Representatives from ASHA visited 80 cities in 25 states from 1914 to 1916 to spread model laws on morality crimes. For example, the model law on prostitution eliminated the commercial element of the transaction when it declared: “Prostitution should be defined to include the giving or receiving of the body, for hire, or the giving or receiving of the body for indiscriminate sexual intercourse without hire.” Most state
legislatures adopted this model law in part or in entirety. ASHA's agenda and reform activism emphasized repression of prostitution, not regulation. The organization's focus on public health and its medical leadership meant that when diagnosing the problem of vice, which for them was really the problem of venereal disease, ASHA leaders barely distinguished between the prostitute and the promiscuous woman.

ASHA's interest in repressing prostitution caused it to focus on the U.S. Army. Since the Civil War military camp life had long been associated with tolerated or regulated prostitution. As the U.S. pursued its imperialistic aims abroad, military support of regulated prostitution became the de facto military policy. By the 1910s the U.S. occupying forces has instituted some form of regulated prostitution in Cuba, Haiti, Nicaragua, Santo Domingo, the Panama Canal Zone, Hawaii, the Philippines, and Puerto Rico. Anti-vice reformers continually tried to bring public attention to the government's collusion with vice, yet to no avail. When in response to Francisco "Pancho" Villa's raid of the town of Columbus, New Mexico, in March 1916 the U.S. Army amassed 10,000 troops along the U.S.-Mexican border, ASHA decided to investigate the moral conditions of camp life in Texas, New Mexico, and Arizona. ASHA's investigator, physician M.J. Exner, spent seven weeks inspecting camp life and soldiers. He found that the areas around the camps "presented the severest temptations to immorality" with easy access to "extensive prostitution" in almost all of the camps along the border. ASHA's complaints about camp conditions to Secretary of War Newton D. Baker resulted in Baker sending his trusted colleague, Raymond Fosdick of the
Bureau of Social Hygiene, to the border to conduct his own inquiry.93 Fosdick's confidential investigation also uncovered a miasma of vice in cities and towns near Army camps along the border. As he recalled: “It was an almost unrelieved story of army camps surrounded by growing batteries of saloons and houses of prostitution. . . . As for prostitution, town after town was enlarging its facilities to meet the military demand.”94 Furthermore, the vice conditions Fosdick found along the U.S.-Mexican border led to high rates of venereal disease infection among soldiers stationed there. For example, in San Antonio almost 30 percent of the troops (288 per 1,000) reported infection.95 ASHA decided to publicize the conditions along the border by publishing Exner’s study in its journal, Social Hygiene. In the article, Exner summarized ASHA’s desire to sever the tie between the Army and regulated prostitution when he wrote: “Repressive measures well enforced have happy results and show that prostitution is not necessarily in connection with the army.”96 Fosdick agreed with Exner’s assessment. He suggested composing a committee of “Army officers, physicians of modern training and scientific spirit, and perhaps civilians who have experience with the problem,” that would be tasked to develop a program “applicable to the future as well as the present handling of the prostitute in relations to the Army.”97

Parents of soldiers shared these concerns about the easy access to prostitutes and liquor in border army camps after the U.S. entered World War I in April 1917. One mother wrote to the president complaining, “One of the boys in our town said he had never heard of as much debauchery as he saw while down on the Mexican border. Mothers who have always reared their boys in purity become very
much disheartened when they know of these conditions.” Just eleven days after the U.S. declared war Baker created the Commission on Training Camp Activities (CTCA) on April 17, 1917 and he placed Raymond Fosdick at its head. Baker charged the CTCA with reaching out to civilian and military experts familiar with vice and developing a program that would keep American soldiers “fit to fight.” Fosdick approached the Young Men’s Christian Association, the Jewish Welfare Board, the Knights of Columbus, and ASHA to join the CTCA in its efforts to educate young soldiers about the dangers of venereal disease while also providing wholesome entertainment. Within the CTCA, ASHA’s president William F. Snow accepted a position as head of the Social Hygiene section, and ASHA’s Bascom Johnson led the Law Enforcement section.

Pragmatic military concerns drove the CTCA’s anti-prostitution agenda as much as a concern about morality. As conscription brought in new types of soldiers, the surgeon general of the Army was alarmed to discover that 13 percent of soldiers (126 per 1,000) carried a venereal disease infection. The Army viewed venereal disease infection as a civilian problem that could have a serious impact on America’s fighting ability. It was rumored that the Austrian army had lost the manpower of one and one-half million men, or 67 divisions, due to venereal disease infections. In the summer of 1917 the British forces had hospitalized the equivalent of two of their infantry divisions (23,000 men) due to infections. The French Army had reported over one million cases of syphilis and gonorrhea between 1914 and the summer of 1917. Fosdick explained, “Our argument had not been one primarily of morals, but of military necessity.”
To combat the invisible threat of venereal disease infections, Fosdick and CTCA proposed arming American soldiers with an “invisible armor” of social habits that protect their moral and physical health. To accomplish this goal the CTCA developed a program—called the American Plan—that combined educational prophylaxis with physical prophylaxis. Additionally, the CTCA sought to cleanse the moral environs that existed in communities near the 32 training camps and cantonments. Finally, as the war progressed and venereal disease remained a challenging problem, the CTCA developed an ambitious and far-reaching program to repress any form of ‘irregular’ sexuality (meaning pre- and extra-marital sexual relations).

The educational scheme featured films, lectures, and pamphlets. Each emphasized a moral masculinity that avoided the dangers of venereal disease. At the outbreak of the war, like ASHA, the CTCA sought to emphasize a single standard of morality. One CTCA pamphlet explained:

The public demand clean records of the men it chooses to honor. Our people have a right to ask that a soldier shall set an example of self-respect and self-control for young men and boys, and keep up the clean reputation of our army. Our country has a right to ask that women be honored and protected as the sisters, wives, and future mothers of the race we are fighting for—whether these be American or of any other nationality.

Yet other CTCA pamphlets took a more pragmatic and blunt tone. The pamphlet “Keeping Fit to Fight” warned: “You wouldn’t eat or drink anything that you knew would weaken your vitality, poison your blood, cripple your limbs, rot your flesh, blind your eyes, destroy your brain. Why take the same chance with a whore?”
Another echoed this thought and language: "You wouldn’t use another fellow’s toothbrush. Why use his whore?"  

Still others asserted, “A German Bullet is Cleaner than a Whore” and “A Soldier Who Gets a Dose Is a Traitor.” As historian David M. Kennedy has noted, for many of the young men serving the education campaign of the CTCA formed their first encounter with sex education (see Figures 5.6 & 5.7). Thus the Army contributed to demythologizing sex, but did so by portraying women as “whores.”

The pragmatic element of the CTCA’s activities was its physical prophylaxis program. When a soldier did have sexual contact the Army required him to report to a prophylaxis station as soon as possible (ideally within 3 hours) following the encounter so that he could be treated, resulting in a reduction in the chances of contracting a disease. Failure to report to a station as evidenced by contraction of a venereal disease could lead to harsh punishments. General Orders No. 34 warned that the infected were “guilty of a serious offense under the 96th Article of War” and it promised that venereal disease infection would result in a court marshal. However, instead of taking such drastic steps, most infected soldiers saw a “forfeiture of pay,” which was deemed as “more appropriate ... than confinement.”

Although the Army conceived of a punishment for soldiers who failed to report for prophylaxis, it was rarely enforced.

By far one of the most successful elements of the CTCA’s program was its attack on the remaining red light districts in the U.S. Reformers had been attacking
Figure 5.5. “Do Not Worry.” Source: U.S. Public Health Service and YMCA, (1919), Social Welfare History Archives [Hygiene Posters], University of Minnesota Libraries, Minneapolis.

Figure 7. “Do Not Believe Him.” Source: U.S. Public Health Service and YMCA, (1919), Social Welfare History Archives [Hygiene Posters], University of Minnesota Libraries, Minneapolis.
segregated vice districts throughout the 1910s. Almost all of the 40 cities that published vice reports succeeded in eliminating their districts, but several other cities proudly maintained their sporting areas. To ensure that soldiers stayed free of temptation the army included a provision in the Selective Service Act of 1917—Section 13—that empowered the Secretary of Army “to do everything by him deemed necessary to suppress and prevent the keeping of setting up of houses of ill fame, brothels, or bawdy houses within such distance as he may deem needful of any military camp, station, fort, post, cantonment, training or mobilization place.”

Section 13 established “pure zones” that extended five miles around any military instillation in the country. As a result of this order, the Law Enforcement Division of the CTCA closed 116 red-light districts over the course of the war.

In addition to the direct pressure to close vice districts exerted by the Army, the possibility of being able to attract military spending justified closing vice districts for some cities. For example, Thomas Mackey’s case study of Houston shows that reformers took advantage of Section 13 to push their platform through city hall. In May 1917 Texas Congressman-at-large Daniel E. Garrett reported to the city that the War Department “does not look with favor upon the location of training camps near any city in which there is an established or recognized red light district.” Using this rationale, reformers—in this case the Committee of One Hundred—, the city attorney’s office and city leaders succeeded in closing Houston’s red light district on June 15, 1917. Secretary Baker rewarded the city by establishing a National Guard training camp there.
Other cities were less inclined to cooperate with the Army’s goal of eradicating vice districts. For a time the city of New Orleans, with its famed vice district, Storyville, stood recalcitrant in the face of Army pressure. New Orleans’ brand of interracial sexual commerce had long existed as the sexual tourism destination within late-nineteenth- and early-twentieth-century America.\textsuperscript{117} As a result, it had long been a target of the social purity and social hygiene movements.\textsuperscript{118} When the social hygiene activists joined the CTCA, they turned their sights on New Orleans. One CTCA investigator, touring the city in the summer of 1917, described Storyville as the “Gibraltar of commercialized vice … twenty-four blocks given over to human degradation and lust.”\textsuperscript{119} Yet the CTCA could not simply close Storyville because the Army did not have any facilities near the city; however the Navy did have a post there. Concerned for the future of Storyville, the mayor of the city hastily traveled to Washington, DC, where he tried to meet with everyone from the Secretary of the Navy to the president. He failed to gain an audience with anyone of influence, and on October 6, 1917 Congress extended Section 13 to the Navy so that it could apply the ruling to New Orleans. On November 12, 1917 Secretary of the Navy Josephus Daniels told the mayor of the city, “You close the red light district, or the armed forces will.”\textsuperscript{120} Thus, the most famed vice district in America closed its doors.

As the red-light districts closed for business the CTCA turned its attention to other sources of contagion—clandestine prostitutes and promiscuous women. Historian Nancy Bristow argues that the line dividing the criminal prostitute and the promiscuous girl became increasingly blurred throughout the war. CTCA leaders
were concerned that ordinary young women would fall for “the glamour of the uniform”\textsuperscript{121} and that a source of venereal disease was not only the prostitute, but as Fosdick remarked, “the type known in the military as the flapper—that is, young girls who are diseased and promiscuous.”\textsuperscript{122} Fosdick explained the problems as thus: “Briefly, we are confronted with the problem of hundreds of young girls, not yet prostitutes, who seem to have become hysterical at the sight of buttons and uniforms.”\textsuperscript{123} Contemplating the challenge venereal disease-infected women posed to soldiers, one CTCA lawyer asked, “Why not make it a felony for a woman to commit fornication with a soldier or sailor anywhere?”\textsuperscript{124} He was not alone in suggesting such an extreme course of action. In December 1917, a Mrs. Charles King wrote a letter sent to President Wilson entreaty the government to arrange for the “internment...of all women of careless chastity.”\textsuperscript{125}

In fighting venereal disease, the CTCA established a policy of “quarantine, detention, and internment” for all women suspected of undermining military health by engaging in sexual contact with troops.\textsuperscript{126} The authority conferred on the Department of War through Section 13 paved the way for the arrest of women deemed to be a sexual threat to soldiers’ health. Government documents from the period report that as few as 15,000 women were arrested as prostitutes during the war, but other sources and scholars, including historian Mark Connelly and Allan Brandt, suggest that over 30,000 women were incarcerated in federal facilities. It is important to note that this figure of 30,000 excludes women arrested under local and state laws.\textsuperscript{127} All of these women essentially saw their writs of habeas corpus
suspended. Attorney General T.W. Gregory defended the practice as a necessary measure to ensure appropriate public health policy when he stated:

> The constitutional right of the community, in the interest of public health, to ascertain the existence of infections and communicable diseases in its midst and to isolate and quarantine such cases or take other steps to prevent the spread of the disease, is clear.\(^{129}\)

Furthermore, all of these women were subjected to invasive, compulsory medical examinations and if found to be infected they underwent forced treatment.

> Women dealt with through local measures—whether municipal or state laws—faced just as challenging position as those arrested under Section 13. One report from Augusta, GA, noted:

> The sheriff of the county told me that on a recent raid on a country road he rounded up ten women with as many soldiers. He arrested the women but let the soldiers go free, one of the soldiers being a captain. Lewd women are dealt with severely in the police court and other courts in Augusta. Most generally they are given a work sentence without the alternative of a fine.\(^{130}\)

The number of women arrested and punished through local courts is unclear, but probably very high. Raymond B. Fosdick recalled, “a personal inspection of a women’s prison in ... Virginia [where] every single inch of floor space on three floors [was] covered with mattresses in an attempt to provide for the inmates.”\(^{131}\)

In policing promiscuous women the CTCA had allies in the women’s movement. The CTCA created a Committee on the Protection of Girls led by suffragist Maude E. Miner.\(^{132}\) As the secretary of the New York Probation and Protective Association since 1910, Miner had developed a program that aimed to
“protect girls from moral danger,” provide wholesome recreation, work to improve girls’ wages, and provide a moral education. The Committee on the Protection of Girls intended to recreate the activities of the New York Probation and Protective Association in towns and cities near Army training camps. It recruited and sent 150 field agents to uncover and eliminate illicit and immoral activities in the vicinities of camps. The program was meant to meet girls on the street, befriend them, warn them of any dangers, and refer them to organizations that could offer aid. However when the agents discovered law breaking, they detained the girls or had them arrested. Miner justified the repressive aspects of the committee’s work in measures that jelled well with the martial rationale: “If we are to safeguard the health of soldiers and sailors we must free the communities of the delinquent and the diseased woman, who are the greatest menace.” But as the policy moved more and more to examination and incarceration and away from education, Miner resigned from her post, stating “I could not be satisfied to see the girls’ interests entirely subordinated to the interests of the soldier and the only reason for caring for the girls in the detention homes or reformatories reduced to just that.”

For the most part feminist organizations in the United States did not comment on the repressive aspects of the CTCA’s program, with the notable exception of Dr. Kate Bushnell (1856-1946, see chapter 2) who wrote furious letters about the policy to friends at home and abroad in the United Kingdom. Bushnell, a long-time anti-white slavery activist with many allies in the social purity movement but none in the social hygiene movement, protested the compulsory medical exams arrested women were forced to endure. Writing to the U.S. Public Health
Service she proclaimed: “You cannot appreciate how a woman feels to have her person exposed to the masturbating hand of a vile doctor.” She also criticized the way the policy collapsed all women into the one category of potential public health risk, and she protested that it was women who bore the brunt of any police action. As a strict supporter of the single standard of morality, Bushnell was deeply troubled by the CTCA’s actions. She explained:

They are NOT bent on suppressing fornication in men by the same means, but in my opinion are coddling it. Their spy police run in girls, not the men associated, and it is girls only who are being given prison sentences, and that on the mere word of the policeman, without proper evidence. . . . On the other hand, I understand several ‘clinics’ have been established in San Francisco to give men prophylactic treatment after each act of sensual indulgence, at public expense.

Finally, Bushnell was disturbed by how women’s civil rights were set aside lightly with little or no protest. She noted that the actions of the CTCA “endanger the legal status and Constitutional rights of every woman in the land.” In an attempt to publicize the suspension of women’s legal rights, Bushnell printed small cards to hand out to San Francisco women (see Figure 5.7). Furthermore she tried to interest editors of various publications in the story and lobbied local California politicians—all to no avail. In desperation she wrote to the British feminists of the Association of Moral and Social Hygiene (AMSH), the inheritors of Josephine Butler’s organizational legacy, for aid. Using their personal connections, the feminists in AMSH focused the attention of the International Suffrage News on the developing conditions in the U.S., and they also attempted to engage American feminists such as Carrie Chapman Catt in this question. Yet throughout the war, U.S. feminists like
Katherine Bushnell (and Lucy Stone Blackwell) were alone in the condemnation of the CTCA's increasingly repressive social hygiene program.

Focus on attaining the vote and fear of criticizing the government within the hyper-patriotic context of the war most likely kept American feminists quiet and their response feeble. Social hygienist and feminist Dr. Rachel Yarros noted
feminists’ complaisance with the CTCA’s program in a speech delivered after the conclusion of the war. She noted: “In war-time we stand all sorts of high-handed things that would not be tolerated in times of peace. We have allowed girls to be picked up and detained, because we felt that it was necessary to keep our boys fit.”

Throughout 1919 and onward the American feminist press began to express alarm at the implications of the precedent set by the CTCA’s American Plan, but by this time the most coercive features of the plan had been eliminated or subsumed into a local context.

The CTCA program’s double standard of morality was also an assertion of a double standard of criminality and infection. Over the course of the war some 15,520 prostitutes had been incarcerated in detention homes and another 35,000 women, but not one man, had been arrested. Concerns about women’s inherent and invisible immorality became conflated with understandings of how venereal disease was transmitted. Social hygienist Dr. A.J. McLaughlin wrote in 1919:

I would say that about 90 percent of infections are due to women and 10 percent to men. Men take more precautions and are more particular about treatment and prophylaxis. Women are very negligent, and take treatment only for the relief of pain or under compulsion. One woman will infect ten men for every one woman that one man will infect.

The CTCA’s program of education, treatment, and repression of irregular sexuality re-inscribed the double standard of sexuality with all of the efficiency of war time planning and all of the power of the expansive American state. Raymond B. Fosdick recognized that the categories of “prostitute” and “promiscuous woman” had collapsed into one category: “I fear the distinction made ... between ‘personal
work with girls who need special attention’ and ‘girls who need police treatment’ will be very difficult to make in practice.”¹⁵⁰ In the wartime thinking of the country, suspect women posed as great of a threat to American soldiers as the German enemy and according to the martial rationale this danger needed to be dealt with swiftly and harshly.¹⁵¹ D.J. Poynter of Albion, NE, wrote Secretary Baker: “Shoot the lewd women as you would the worst German spy; they do more damage than all the spys [sic].”¹⁵² According to this logic, young American soldiers needed to be protected from women who were conceived of as vectors of venereal disease (see Figure 5.8).

CONCLUSION

During the 1910s American sexual culture underwent significant change. Throughout this period American law enforcement, public health officials, and reformers wrestled with the dilemma of whether to protect or police women and girls’ sexuality. Mass entertainment, both old forms like plays and new forms like motion pictures, profited from the cultural currency of this dilemma by spreading stories about white slavery that emphasized the need to rescue girls, the greed of brothel madams, and the potential role of the federal government in playing the hero to thousands and thousands of viewers. Meanwhile big city newspapers circulated another narrative of white slavery that focused on women’s active participation in entrapping, luring, and seducing wealthy men for the purposes of blackmail. Additionally, as America mobilized for war, groups like the American Social Hygiene Association and the Department of War’s CTCA positioned women as
Figure 5.8. “Steady, buddy, there’s a come-back,” U.S. Army Educational Commission, 1918. Social Welfare History Archives [Hygiene Posters], University of Minnesota Libraries, Minneapolis.
vectors of disease which led to shifting the discourse from protecting white women from dissolute men to protecting young virile men from venal and venereal women.

In the early 1910s the notion that sexually compromised women, like Marsha Warrington and Lola Norris, could be deserving of rescue had by 1919 disappeared, when young sexually promiscuous women were more than likely liable of being incarcerated. The Supreme Court’s broad interpretation of the White Slave Traffic Act that opened the door to pursuing noncommercial immorality seemed out of step with this trend to see women as dangerous to men. Yet the Supreme Court’s Caminetti decision and the CTCA’s repressive social hygiene program shared a condemnation of irregular sexual relations. In the reading of the federal government, “any other immoral purpose” constituted a broad call to action to protect intact marriages and police any form of sexuality the diverged from the ideal model. Mann Act investigation in the post-World War I era reflected this ideology as the BOI gave up protecting young women and girls and shifted to protecting racially-consistent marriages and patriarchal domesticity.
NOTES

2 Ibid., 44-50.
3 Ibid., 41.
4 Ibid., 119.
5 David J. Pivar, Purity and Hygiene: Women, Prostitution, and the "American Plan," 1900 – 1930 (Westport, CT: Greenwood Press), 210. The term "American Plan" comes from the American Social Hygiene Association and is used to distinguish America’s WWI-era social hygiene program from those of other countries.
7 “Sharks and Minnows,” Atlanta Constitution 6 Sep 1913, 4.
8 United States House, Congressional Record 50 (1 Aug 1913), 3004-3005.
10 United States House, Congressional Record 50 (1 Aug 1913), 3006.
11 Langum, Crossing Over the Line, 110. Langum offers a detailed and engaging account of the Caminetti case.
12 Anderson, The Diggs-Caminetti Case, 15.
14 “Sharks and Minnows,” Atlanta Constitution 6 Sep 1913, 4.
16 Ibid.
18 Sundry Civil Appropriation Bill for 1915, 1156.
19 BOI Chief A. Bruce Bielaski affirmed the policy of pursuing vice cases, abduction cases, and rejecting cases of interstate immorality (cases involving unmarried consenting adults travelling from one state to another). Sundry Civil Appropriation Bill for 1915, 1157-1158.
21 Wilbur F. Crafts to James C. McReynolds, 3 Jan 1914, Box 2620, DOJ Mann Act Records.
22 William Wallace, Jr. to Wilbur F. Crafts, 6 Jan 1914, Box 2620, DOJ Mann Act Records.
23 The Atlanta Constitution, in an editorial, wrote: “Unless the department of justice has been more active than it has led the public to believe, the enforcement of the act has thus far been confined to a few sensational cases, such as the one now on trial, not to mention the unspeakable ‘Jack’ Johnson case.” As the previous chapter shows, the BOI had been quite active in enforcing the Mann Act, but it did so under a cloak of secrecy. “Sharks and Minnows,” Atlanta Constitution 6 Sep 1913, 4.
26 George Scarborough, “The Lure: A Stage Sermon,” Hearst’s Magazine 24, no. 4 (October 1913) 635-645, citation on 642.
28 Johnson, Sisters in Sin, 129.
In 1910 Bakersfield, CA had a population of 12,727.

Feb 1914, 6.

“White Slave Films Break All Records,” Bakersfield Californian 16 Feb 1914, 6.

“Traffic in Souls Proves All Name Implies at Bakersfield Opera House,” Bakersfield Californian 26 Feb 1914, 6. In 1910 Bakersfield, CA had a population of 12,727.

Bakersfield Californian 10 Aug 1921, 3.

39 “Author of ‘The Lure’ Gathered His Data from Present Day Life,” Bakersfield Californian 13 Sep 1913, 6; “The Lure’ Gains Supporters,” Oakland Tribune 13 Oct 1913, 3; “‘The Lure’ Announced for November 29” Colorado Springs Gazette 16 Nov 1913, 28; “The Lure’: Splendid Offering at the Murat the Coming Week” Tipton Tribune 18 Dec 1913, 1; Indianapolis Star 22 Dec 1913, 2; “Famous ‘Lure’ is a Cheap Thriller,” Syracuse Herald 24 Feb 1914, 20; Washington Post, 17 Mar 1914, 4; and “Colonial Theatre, Cleveland,” Elyria Democrat 9 Apr 1914, 8;
43 Mab Ervin Miller, “If Naked Immorality Teaches Morality, Then See ‘The Lure’,” Bakersfield Californian 18 Sep 1913, 4.
50 Brownlow, Behind the Mask of Innocence, 80-83
51 Ibid., 78.
53 Stamp, Movie-Struck Girls, 53.
55 Sharon R. Ullman, Sex Seen: The Emergence of Modern Sexuality in America (Berkeley: University of California Press, 1997), 10-14, quote on 12.
56 “White Slave Films Break All Records,” Bakersfield Californian 16 Feb 1914, 6.
58 “‘Traffic in Souls’ Proves All Name Implies at Bakersfield Opera House,” Bakersfield Californian 26 Feb 1914, 6. In 1910 Bakersfield, CA had a population of 12,727.
59 Bakersfield Californian 10 Aug 1921, 3.
Monographs on white slavery formed another important source of information about white slavery. Reformers wrote scores of book that were peddled through magazine, reform groups, and door-to-door book salesmen. Bearing titles such as My Little Sister, Horrors of the White Slave Traffic, War on the White Slave Trade, The White Slave Traffic in America, Fighting the Traffic in Young Girls, Panders and their White Slaves, Crimes of the White Slavers, The Black Traffic in White Slaves, and so on. Ernest Bell’s Traffic in Girls, sold over 400,000 copies. These publications were supplemented by pamphlets and social purity magazines like The Philanthropist, which saw a 50 percent increase in circulations from 1908 to 1909. See Amy R. Lagler, “For God’s Sake Do Something: White-Slavery Narratives and Moral Panic in Turn-of-the-Century American Cities” (PhD diss., Michigan State University, 2000), 128-131.

“Found Him Guilty; Johnson to Prison,” Burlington Hawk-Eye (IA), 15 Apr 1913, 9.


Langum, Crossing the Line, 83.

Ibid., 83.


See McLaren, Sexual Blackmail, 86-92; Langum, Crossing Over the Line, 77-97.


Langum, Crossing the Line, 87.


Caminetti v. United States, 242 U.S. 470 - 471 (1917). Curiously, Justice Holmes was silent in his fears that the Mann Act gave provided a tool for blackmailers. The Caminetti decision was written by William R. Day, with Justices Holmes, Van Devanter, Pitney, and Brandeis concurring. The dissent was penned by Justice Joseph McKenna, with the concurrence of Chief Justice White and Justice Clarke.


81 Division Superintendent in Chicago to A.B. Bielaski, 4 Jul 1917, 5, Case 11320, Roll 201, B01 Microfilm Records.
83 Pivar, Purity and Hygiene, 130.
86 Pivar, Purity and Hygiene, 131 and 201.
90 “Proposed ‘Segregation’ of Women in Honolulu,” The Philanthropist, 11, no. 6 (June 1896), 8-9; “Legalizing Social Vice in the Philippines,” The Philanthropist, 15, no. 3 (October 1900): 4; Social Injustice in the Philippines,” The Philanthropist 18, no. 3 (October 1903): 6-7; “American Regulation,” The Philanthropist 18, no. 4 (January 1904) 1-2; Traffic in Philippine Women, Vigilance 27, no. 8 (August 1913): 15-16.
95 Brandt, No Magic Bullet, 54.
96 Quoted in Borden, Civilian Indoctrination of the Military, 104.
97 Quoted in Connelly, The Response to Prostitution, 138.

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The phrase “invisible armor” comes from a speech Secretary Newton gave in October 1917 as the first American troops departed for Europe. He said: “I want them armed; I want them adequately armed and clothed by their Government; but I want them to have an invisible armor to take with them. I want them to have an armor made up of a set of social habits replacing those of their homes and communities, a set of social habits and a state of social mind born in the training camps, a new soldier state of mind, so that when they get overseas and are removed from the reach of our comforting and restraining and helpful hand, they will have gotten such a set of habits as will constitutes a moral and intellectual armor for their protection overseas.” Quoted in Connelly, *The Response to Prostitution*, 146.

Luker, “Sex, Social Hygiene, and the State,” 611.


Connelly, *The Response to Prostitution*, 140.


Connelly, *The Response to Prostitution*, 140.


John H. Biddle, Bulletin No 1. War Department, Jan 17, 1918, FF34 Jackson Family, William S., Department of Justice, Bureau of Investigation, 1917-1918, Jackson Family Papers, WH1017, Box 14, Western History Collection, The Denver Public Library.

Coffman, *The War to End All Wars*, 80.


For example see, Back Cover, *The Suffragist* 2, no. 40 (1914), 8.

Quoted in Brandt, *No Magic Bullet*, 75.


Quoted in Schaffer, *America in the Great War*, 103.


Quoted in Brandt, *No Magic Bullet*, 76.

Quoted in Ibid., 85.


Quoted in Brandt, *No Magic Bullet*, 85.


136 Ibid., 119.

137 Quoted in Brandt, *No Magic Bullet*, 86.

138 Bushnell despised the ASHA and what she saw as its neo-regulationist goals. She called it a “bastard ‘social hygiene’ mongrel” and believed that ASHA president William Snow was “determined to fasten his nefarious system [of regulation] upon the entire civilized world. He may have the power to do it, for he has his hand (so to speak) in the pocket of the son of the richest man, almost, in the world, the pocket of John D. Rockefeller, Jr.” See K. Bushnell to Alison Neilans, 2 August 1918, and K. Bushnell to Alison Neilans, 24 April 1919, 3AMS/D/51/01 Letters and Reports of Mrs. Katharine Bushnell, folder 2 of 2, Records of the Association for Moral and Social Hygiene, Box 122, Women’s Library, London Metropolitan University, London, UK [hereafter referred to as the AMSH Records].

139 Quoted in Brandt, *No Magic Bullet*, 86.

140 Katharine Bushnell to Alison Neilans, 25 Dec 1917, 3AMS/D/51/01 Letters and Reports of Mrs. Katharine Bushnell, folder 1 of 2, AMSH Records.

141 Alison Neilans, [n.d., probably 1918 or 1919], 3AMS/D/51/01 Letters and Reports of Mrs. Katharine Bushnell, folder 2 of 2, AMSH Records.

142 Katherine Bushnell to Alison Neilans, 16 Aug 1917, 3AMS/D/51/01 Letters and Reports of Mrs. Katharine Bushnell, folder 2 of 2, AMSH Records.

143 Alison Neilans to K. Bushnell, 19 Dec 1919, 3AMS/D/51/01 Letters and Reports of Mrs. Katharine Bushnell, folder 2 of 2, AMSH Records; Alison Neilans to Millicent Fawcett, 5 March 1920, 7MGF/A/1/208, Millicent Fawcett Papers, Box 2, Women’s Library, London Metropolitan University, London, UK.

144 During the war, the National Women’s Party publication *The Suffragist* exclusively covered suffrage, the war and women’s labor, and the nationality of women. In the issues I examined, from January 1917 to July 1919, there was not one mention of the CTCA’s campaign or venereal disease politics. The NAWSA’s publication *The Woman Citizen*, edited by Lucy Stone Blackwell, did not cover the issue until the May 1919. American suffragists probably were very wary of connecting themselves to prostitution due to the political volatile-ness of the suffrage campaign. I also suspect that ASHA and local public health organizations co-opted many of the medical women in the suffrage movement thereby ensuring their cooperation and minimizing feminist protest.

145 “Dr. Yarros on Social Hygiene,” *Woman’s Journal* 49, no. 3 (May 3, 1919), 1051.


147 Pivar, *Purity and Hygiene*, 217.


For more on vigilantism during WWI see Dawley, Changing the World, 162; Christopher Capozzola, “The Only Badge Needed is Your Patriotic Fervor.”

Quoted in Bristow, Making Men Moral, 135.
In 1921, Jacob Marcus called the Detroit field office of the Bureau of Investigation when his 16-year-old daughter Fay disappeared with her African-American fiancée, Lloyd Lewis. The couple had been dating for over a year and wished to secure Marcus’s permission to marry. Marcus had never met his daughter’s boyfriend, and when he finally did meet Lewis, it only took one look for him to refuse permission for the marriage. Moreover, he prohibited the couple from dating. Fay had told her father that Lewis was Brazilian, but Marcus believed that Lewis “was a negro although he was not very dark.” When the young couple disappeared within the week, Marcus called on the power of the Mann Act to track down the couple, setting in motion agents in four cities—Detroit, Homestead, Pittsburgh, and Chicago—who used all their resources to track them down.¹ Though the Mann Act was passed to protect women and girls from forced prostitution, the Marcus case exemplifies how citizens and bureau officials in the 1920s used the Act for familial and community regulation, employing it to police domestic affairs—particularly interracial relationships, the behavior of adulterous spouses, and errant daughters.
Mann Act investigations formed the cornerstone of bureau investigations in the 1910s. Changing political and cultural forces would significantly alter the bureau in the period from 1920 to 1938, yet Mann Act cases continued to shore up the agency’s authority. This chapter examines how bureau investigation into cases of interstate immorality, as distinguished from Mann Act cases characterized by commercial vice (discussed in Chapter 7), brought average Americans of all class backgrounds under bureau surveillance. Furthermore it demonstrates how these ordinary people sought out the bureau’s aid in their attempts to solve their interpersonal crises. Americans used the agency to police interracial relationships in their communities, exert the patriarchal power of husbands and fathers, and secure restitution from faithless fathers who had abandoned their economic responsibilities to their wives and children.

The Bureau in the 1920s amidst Cultural Change

Disgraced by its leading role in the Palmer Raids of 1919 and 1920 and implicated in the Teapot Dome and other Harding Administration scandals, the bureau (and the Department of Justice in general) faced a serious public relations problem in the early 1920s. Harding Administration Attorney General Harry M. Daugherty had been embroiled in numerous allegations of abusing his power in efforts to protect Harding’s “Ohio Gang” and their illegal activities. The bureau had been brought into the fray when newspaper reports and Congressional investigations revealed that its director, William J. Burns, had employed his agents to shadow Congressmen who might expose the scandals. Consequently, when Calvin
Coolidge assumed the presidency after Harding’s death in August 1923, he immediately began to cast about for a new attorney general who could be trusted to restore confidence in the Department of Justice. Coolidge ultimately ousted Daugherty from office in May 1924 and replaced him with Harlan Fiske Stone, the dean of Columbia University Law School. Upon becoming the nation’s leading lawyer, Stone said, “There is nothing quite so vital to the future well-being of this republic as that its laws should be enforced and respected. And by that I mean all its laws. And that statement applies . . . to all the agencies of law enforcement and to the Government itself.”

Stone immediately fired Burns, whose misuse of the agency had come to light in congressional hearings, replacing him with bureau Deputy Chief J. Edgar Hoover. Hoover had successfully insulated himself from the scandals of the 1920s, largely due to his youth. Most dismissed his participation in the Palmer raids as being inconsequential because it was inconceivable that a 24-year-old man would have had much influence over the raids. In Hoover, Stone found a 29-year-old workaholic who was seemingly apolitical, morally conservative, and free of any scandalous association—just the type of man that was the antithesis of the gregarious and dramatic William J. Burns—and thus perfect for the job.

Upon assuming the directorship of the bureau in 1924, a position he would hold until his death in 1972, J. Edgar Hoover sought to revive the agency as the country’s premier investigative force. He immediately cut down the bureau’s size, dismissing 62 employees, closing five of the 53 field offices, and returning $300,000 of its budget to the U.S. Treasury. Throughout the 1920s he continued to streamline the bureau, reducing the number of agents in an effort to increase their
supervision. During the period from 1924 to 1938, Hoover and the bureau concentrated their efforts on modernizing investigative techniques and professionalizing the agency. In this context, Hoover tightened standards about who was qualified to be an agent and established a special training school for agents. The bureau also launched a centralized Fingerprint Division, which by 1941 would hold the fingerprints of more than 23,500,000 individuals. The agency began an intense process of working with local law enforcement bodies to standardize the collection of crime statistics—which in itself was nothing short of a modern miracle that redefined the field of criminology—publishing in 1930 two annual reports entitled *Unified Crime Report* and *Fugitives Wanted By Police*.

According to one scholar, due to these reforms the bureau “came to represent a positive, masculinized ‘federal’ approach to crime: special agents, as they negotiated urban squad rooms, popular magazines, newspapers, and interstate investigations, articulated the state as modern; nationalizing practices as beneficial; and federal authority as legitimate and just” In addition, the reformed bureau also articulated and upheld a traditional gender ideology as moral and correct. The qualifications implemented by Hoover emphasized a sober, heterosexual, middle-class, Anglo Saxon, Protestant agent who would be willing to devote his life to country and the bureau. According to one agent, a man applying to work for the bureau had to be relatively young (between the ages of twenty-five and thirty-five), in prime physical condition, and he had to have graduated from a recognized law school, be a public accountant, or have had previous investigative experience.

Additionally, Hoover instituted a Jim Crow policy that excluded African Americans
and discriminated against Jewish Americans and most other non-Anglo applicants. He also constructed a firm glass ceiling that kept women in secretarial roles. Consequently, Hoover’s modernized bureau was an intensely white, masculine, homo-social space.

In the realm of investigation, Hoover’s bureau focused on the traditional scope of the agency—Mann Act cases, peonage cases in the Jim Crow South, car theft, kidnapping and ransom cases, and bank fraud and robbery cases. During the 1920s, bureau agents operated as a purely investigative force, with no authority to carry guns or make arrests, although this practice would change in 1934 after a series of highly publicized kidnapping cases. Even the bureau’s political surveillance was less prominent during the 1920s. Hoover still monitored radical groups and labor unions, but given that leftist groups had been greatly weakened by the Palmer Raids, there was not much to monitor. The only new target of political policing that emerged during this period was African-American civil rights organizations such as Marcus Garvey’s Universal Negro Improvement Association (1917 – 1930) and the National Association for the Advancement of Colored People (1909 – ), which were under near-constant surveillance.

Hoover’s modernization of the bureau was coupled with a turn to use the agency to protect traditional morality. In the 1920s, he launched an initiative to investigate violations of federal pornography laws, and in 1925 he created the separately maintained Obscene File, which would grow to be one of the largest collections of American pornography in existence. According to FBI scholar Athan Theoharis, “a politics about sex . . . very early became part of Hoover’s public
relations strategy to establish the quality of his leadership, restore the bureau’s reputation, develop a popular constituency, and undercut states’ rights opposition to an expanded role for federal law enforcement.” Yet, more than just a public relations strategy, Hoover seemed to have had a singular “moralistic concern about personal conduct,” which appeared throughout the code of conduct he established for his agents and time and again in his instructions to them.\textsuperscript{16} Mann Act investigations fit nicely into Hoover’s vision for the bureau. Following the 1917 \textit{Caminetti} decision, the Department of Justice advised district attorneys and bureau agents that they should continue to investigate Mann Act cases that involved bigamy, “previously chaste, or very young women or girls,” and “married women (with young children).”\textsuperscript{17} With these guidelines, district attorneys and bureau agents enthusiastically pursued these cases of “interstate immorality,” launching tens of thousands of investigations and securing over 7,339 convictions from 1921 to 1938 (see Figure 6.1).\textsuperscript{18} Mann Act investigations constituted the largest part of bureau agents’ case loads during the 1920s.\textsuperscript{19}

In pursuing cases of interstate immorality, Hoover positioned the bureau as a defense against the rapidly changing American culture. Changes in modern notions of love, the further rise of a consumer youth culture, and the increase in mobility attending the widespread use of automobiles all combined to terrify cultural critics who saw these changes as proof of an America in moral decline. Tensions between traditionalists and modernists characterized the 1920s (most evident in the Scopes trial), and these same tensions existed below the surface of most Mann Act investigations of interstate immorality.
A revolution in attitudes towards marriage and sexual behavior had begun in the early twentieth century but reached a full flowering in the 1920s. This revolution, called sexual liberalism by some historians, was characterized by an overlapping set of beliefs that detached sexual activity from the instrumental goal of procreation, affirmed heterosexual pleasure as a value in itself, defined sexual satisfaction as a critical component of personal happiness and successful marriages, and weakened the connections between sexual expression...
and marriage by providing youth with room for some experimentation as preparation for adult status.\textsuperscript{21}

For the purpose of Mann Act investigation, three cultural trends were particularly relevant: the rise of the companionate marriage ideal and the concomitant rise in divorce; the weakening of community surveillance of sexual relations; and the move of youth courting from “the front porch to the back seat” of automobiles.\textsuperscript{22}

In the 1910s the modern field of sexology crashed onto American shores with the publication of Havelock Ellis’s \textit{Study of the Psychology of Sex} (1910) which argued that sexual expression for both men and women constituted an important facet of healthy living.\textsuperscript{23} Ellis’s work and that of others in the field (such as Sigmund Freud) percolated throughout American culture during the 1910s, prompting one cultural commentator to remark that “it has struck ‘sex o’clock’ in America.”\textsuperscript{24} These values came to bear on the institution of marriage in the 1920s when Judge Ben B. Lindsey, who found fame as a progressive reformer of the juvenile justice system in Denver, published two books, \textit{The Revolt of Modern Youth} (1925) and \textit{Companionate Marriage} (1927), both of which asserted that marriage would be better served by encouraging a deep respect between spouses that in many ways was expressed through sexuality.\textsuperscript{25} Although these ideas did not go unchallenged, popular culture reflected the ideals of an affective marriage based on companionship and mutuality.\textsuperscript{26}

As companionate marriage emerged as the ideal, expressed in marriage sex guides such as Theodore Van de Velde’s \textit{Ideal Marriage} (1930), popular movies featuring female movie stars known for their sexuality, such as Clara Bow and Joan
Crawford, and magazines devoted to “true love and romance” stories, such as *Dream World* (launched in 1924), American couples felt new strains and stresses on their relationships.\(^{27}\) Throughout the early decades of the twentieth century the divorce rate crept upward—one in every six marriages resulted in divorce by the 1920s.\(^{28}\) Elaine Tyler May’s case study of divorce in Los Angeles and New Jersey found that by the 1920s concerns about personal happiness emerged with far greater frequency than had occurred during the 1880s.\(^{29}\) But Americans were not becoming disillusioned with the institution of marriage (see Table 6.1). Marriage rates continued to climb alongside divorce rates. Indeed, many Mann Act investigations revealed that Americans remained so enthusiastic about marriage that they often failed to terminate their previous marriage before launching into a new bigamous one. As a result, bigamy cases constituted one of the largest categories of interstate immorality cases.

<table>
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<th>Divorces per 1,000 marriages</th>
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<td>1870</td>
<td>8.8</td>
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<td>1880</td>
<td>9</td>
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<td>1900</td>
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Similarly disquieting to social traditionalists was the explosion of a youth consumer culture in the post-World War I era that seemed to rock the very foundations of American morality and stability. Frederick Lewis Allen’s history of the 1920s, first published in 1931, reported that in July 1920 the New York Times disclosed that “‘the American woman . . . has lifted her skirts far beyond any modest limitation,’ which was another way of saying that the hem was now all of nine inches above the ground. It was freely predicted that skirts would come down in the winter of 1920 – 21, but instead they climbed a few scandalous inches farther.” To the further consternation of the older generation, sexually explicit dancing emerged as a favorite pastime of youth, and young women throughout the country took up smoking cigarettes and drinking illegal alcohol.

At the center of much of this debate existed the reality that American youth, girls in particular, were operating from a different moral code than that of their parents’ generation and that consumerism drove much of this code. The widespread panic over the shortening of hemlines reflected a stark change in American women’s daily lives. In 1928, the Journal of Commerce reported that in fifteen years the quantity of material required for a woman’s clothes had declined from 19 ¼ yards to 7 yards. If it seemed to many that young women seemed lighter and more carefree, it was perhaps because they were—literally lighter. But as women wore less cloth, they wore substantially more cosmetics. One study published in 1929 estimated that every year the average adult women purchased over a pound of face powder and eight rouge compacts. Sales of cosmetics rose from $17 million in 1914 to $141 million in 1925. According to Allen, “if all the lipsticks sold in a year in the
United States were placed end to end, they would reach from New York to Reno—which to some would seem an altogether logical destination.”33 To Allen, and many more strident opponents of the rise of youth consumerism, products such as skimpier dresses, cosmetics, and cigarettes (of which sales more than doubled during the decade largely due to the increase in women smokers) symbolized the increasing sexual immorality of American culture broadly, and of American youth in particular.34 In Mann Act investigations, young women's clothing, length of hair, and use of cosmetics was noted when it seemed to denote a sexually liberal lifestyle—for bureau agents, a woman's consumption of goods characterized her sexual behavior.

But nothing would exemplify the connections between consumer culture, youth culture, sex, and immorality more than that great emblem of American ingenuity, economic power, and consumerism—the automobile. Decried by social conservatives as a “house of prostitution on wheels”35 and paired with the movie house and the dancehall as “the triumvirate of hell”36 for American youth, the car greatly expanded the mobility of the average American and often took individuals outside the purview of their community’s watchful eyes. For example, by 1925, improvements in roads and cars meant that a motorist could cover about 200 miles in an average day.37 During the 1920s, the availability and affordability of cars made them within the reach of both rural and urban Americans.38 Americans rapidly purchased these new vehicles. In 1915 there were less than 2 ½ million cars registered, by 1920 there were more than 9 million, by 1925, almost 20 million, and by 1930, over 26 ½ million.39 As one historian has commented, “a major instrument
of change was made available to the average citizen to do with as he or she pleased.”

Americans indeed did as they pleased with their cars. Automobiles may have boosted the numbers of people attending church every Sunday and of church consolidation throughout the country; but they also facilitated the spread of lawlessness and state police forces as criminals increasingly took to the open road. J. Edgar Hoover explained the expansion of the bureau as a way to combat criminals who more and more employed “modern means of rapid transportation” to cross and re-cross stateliness. Additionally, it seemed to many commentators (and historians) that cars provided a uniquely private setting for immoral behavior. As Frederick L. Allen wryly observed, “One of the cornerstones of American morality has been the difficulty of finding a suitable locale for misconduct,” and during the 1920s the automobile quickly emerged as that locale. The Lynds, in their study of Muncie, Indiana, found that teenagers frequently traveled twenty miles to attend dances “with no one’s permission asked.” Furthermore the car grew into one of the preferred sites of courtship during this period. This combination of sexual discovery, mobility, and youth posed unique challenges to parents and law enforcement. Throughout the 1920s, the automobile replaced the train as the primary means of transport in Mann Act cases. Because of the privacy and independence afforded by cars, bureau agents often had difficulty tracking down suspects, re-tracing the journeys to interview witnesses, and determining exactly what had happened in the car.
On the whole, bureau agents looked with horror at the culminating gender and sexual revolution that took women out of the home for work and pleasure. According to Courtney Ryley Cooper, a criminologist and friend of Hoover, youth crime in the 1930s was wholly attributable to “sex in youth,” and behind every boy committing a crime the cause “has to do with a girl.” Similarly, Melvin Purvis, a special agent throughout the country in the 1920s, saw women as “the protected rather than the protector, and no revolution, no matter how violent in character, can bring about a change in this.” Another celebratory biographer of Hoover and historian of the bureau claimed that the heroines of the bureau were “the wives and mothers of those men now in service.” The bureau was a unique homosocial space in the federal government in that it sat outside of the civil service system, and as a result, women did not serve the bureau except as office workers. Consequently, social conservatism dominated this masculinized, middle-class, Anglo-Saxon space. Thus when agents investigated interstate immorality, they held at heart a gender ideology that celebrated female sexual innocence in the young, sexual fidelity in the married, and women in traditional sex roles such as mother and homemaker. In many of the cases investigated, the victims did not fit these somewhat narrow characteristics; such cases rarely went to a grand jury, thus denying to women who did not conform to gender norms protection that others received. Nonetheless, Hoover’s bureau tried to uphold traditional gender roles in its Mann Act investigations, it aided communities in policing interracial sex, it helped husbands and fathers guard against female sexual perfidy, and it assisted women whose husbands had abandoned them and their children.
Communitv Surveillance—the Bureau and Race

Cases dealing with interstate adultery almost always had white subjects and victims. White bureau agents’ racialized understandings of sexuality and morality pervaded the investigations they conducted. Stereotyped notions of African-American immorality, Native American resistance to normative marriage patterns, Mexican American “foreign-ness,” Asian American ties to prostitution, and Jewish American and Italian American criminality all provided the framework within which agents operated. Consequently, agents rarely pursued interstate adultery cases that involved any nonwhite subjects, and, with one important exception—bureau agents did open cases that featured interracial couples.

Furthermore, the bureau’s lily-white complexion further separated agents from any nonwhite subjects or victims. In the first forty years of Hoover’s bureau, only nine African-American men rose to become agents, five of whom were agents in name only and actually served as Hoover’s personal assistants—chauffeurs, butlers, and the like. The only active black agent in 1924 was James E. Amos, who had worked in Theodore Roosevelt’s White House as a family aid and had been brought into the bureau to work as an undercover agent to infiltrate African-American civil rights organizations. The bureau came under fire for discriminatory hiring practices in 1941 when Edgar G. Brown, a representative of an African-American employees’ organization told the House Appropriations Committee, “In the many years that Mr. Hoover has directed the Federal Bureau of Investigation no Negro has been given a chance.”51 The white, firmly middle-class, Protestant composition of the agents served to ensure that cases involving nonwhite citizens would be highly
racialized. An agent in Chicago baldly stated his position when he said, “cases involving colored subjects and victims are not, as a rule, prosecuted due to the character of the subjects and victims usually involved.” U.S. attorneys and investigating agents repeated this sentiment throughout the country.

In the United States, the discourse of white slavery focused on the threat of “foreign” and non-white men to the sexual purity of native-born, Anglo women. Although narratives of white slavery predominately portrayed immigrant or foreign men as the primary threat to white womanhood, several newspaper accounts depicted Black men as traffickers in white women. While Mann Act investigations against Black men were admittedly rare, racist notions about Black sexuality permeated U.S. culture and the interpretation and application of the law. The bureau viewed Black women as inherently incapable of being “white” slaves, or in other words, blameless victims of sexual avarice. When the Mann Act policed the color line, charges focused on limiting non-white men’s contact with white women in the North and shaming White men who put their black concubines ahead of their family responsibilities in the South.

The very name of the Mann Act, the White Slave Traffic Act, implied that the legislation was intended to protect only white women. Kevin Mumford notes that “one black newspaper reported that ‘white slavery seemed to suggest that black women were not worthy of legal protection.’” And he contends that the Mann Act served to exclude “black women from the category of the deserving and redeemable.” Enforcement of the Act in the 1920s did indeed prove this exclusion to be the case.
For example, in June 1921, an African-American woman, Linnie Wilson, escaped her “illicit liaison” with Clarence Turner, a white man in Arkansas and found refuge amongst family members in Chicago. Incensed, Turner sought to compel Wilson to return to him. He filed charges of grand larceny with the Pine Bluff sheriff’s department which convinced Chicago policemen to arrest Wilson. When released from police custody, Wilson quickly contacted federal authorities, charging that in the course of the 17-year relationship, Turner had taken her over state lines for immoral purposes several times.

Wilson told bureau agents a harrowing tale of rape and abuse. Turner had abducted her from her aunt’s home when she was only 15 years old, raping her and keeping her captive in the attic of his home. According to her attorney, Turner had “unlawfully used 17 years of her life simply by reason of his force and power and also by reason of the helplessness of this colored girl to defend herself in Mississippi and Arkansas and the inability of her parents without the loss of their lives and property to give her the protection that any woman is entitled to.”

The Chicago Defender closely covered the story, using it as an example of the depravity of Southern race relations that would tolerate forced concubinage of a black woman by a white man. Here, an African-American woman turned to the Mann Act for protection against the racist legal structures that benefited an abusive white man. This case provides a specific example of Darlene Clark Hines’ assertion that many Black women left the South during the Great Migration to escape sexual exploitation. Looking at this case, the U.S. Attorney in Arkansas reported that in his state it was impossible to secure a conviction in a case “where any colored people
are connected either as subject or victim." Although the case did not result in a conviction against Turner, it may have contributed to the state of Illinois’ reluctance to extradite Wilson to Arkansas, and thus, perhaps the investigation provided Wilson with a measure of leverage against the legal machinations of Turner.

As the Wilson case showed, some African-American women challenged the notion that the Mann Act did not protect them. One African-American woman, Mrs. George Richardson, when agents seemed reluctant to investigate her complaint, told the agents that as an American citizen, she “deserved all the rights and benefits thereof, regardless of color.” She had visited the Los Angeles field office to complain that her husband had run off to Seattle with a married woman. According to Mrs. Richardson, her husband had told her that “the Government paid no attention to negroes, so far as a violation of the Mann Act was concerned, and that he felt perfectly safe.” Despite her claims to protection, bureau agents only half-heartedly investigated her allegations, and the case was closed without being resolved, confirming George Richardson’s prediction that the Mann Act did not extend to African-American couples.

More commonly, the Mann Act was used to police interracial relationships. Police responded to these relationships according to where the case originated. In the North, it was more common to police black men’s sexual access to white women. Additionally, cases in the North tended to be launched by interested parties—usually the father or husband of the supposed victim. For example, in April 1921, Louis Mueller wrote the U.S. Attorney in Wisconsin complaining that his wife, a kitchen employee at a hotel, had run off with Clarence Bell, a light-skinned African
American who reportedly passed as white and worked as a porter at the same hotel. Bureau agents tracked the couple through Wisconsin, Pennsylvania, and finally Massachusetts. Nine months into the investigation agents finally interviewed Alma Mueller, and she adamantly refused to return to her husband, whom she claimed was an abusive drunkard. She stated that “she would take her own life before” returning to Wisconsin. Exasperated by her refusal to testify against Clarence Bell or return to her husband, agents begged her to write to her husband communicating her desire to get a divorce so that her husband would leave the bureau alone and the case could be closed.

Revealingly, the agents spent almost as much time confirming Clarence Bell’s African-American identity as they did looking for Alma Mueller. Like the case of Fay Marcus and Lloyd Lewis mentioned above, white individuals turned to the bureau to police the color line in sexual relations. The absence of a federal trial did not indicate bureau disinterest in these cases. Both Clarence Bell and Alma Mueller were sentenced in a Philadelphia Morals’ Court for their relationship, thus indicating the bureau’s preference, where possible, to defer to state laws for prosecution.

Unlike in the North, in the South the Mann Act was not used to police black men’s access to white women, because there already existed a variety of other means to do so, most notably the very real threat of arrest or lynching. In the South, the Mann Act was used to limit white men’s access to black women, and then only when a white man was neglecting his responsibilities to his white wife and children. As many scholars have noted, the Southern racial caste system tolerated
concubinage of black women by white men, but only to a certain degree. Interested parties, such as a wife, strikingly never launched Southern Mann Act investigations of interracial sex—but instead these cases were initiated by individuals who were not closely connected to the subjects or victims of the investigations. There could be several reasons why white Southern wives did not turn to the bureau. Some cases suggest that they had other, informal ways to police their husbands’ behavior, such as friends, family, and community. Perhaps white wives did not want to expose their scandal and shame to strangers. Also, it is likely that the bureau agents stationed in Southern field offices would not have been from the South. For white Southern women to enter into the masculinized space of the bureau field office and tell a Yankee that her husband had taken an African-American mistress over state lines seemed beyond the pale of Southern womanhood.

In one case, a bureau agent investigating violations of prohibition found the community of Roanoke, Alabama, “highly incensed” because a white man, Blumer Hendon, had abandoned his wife and grown daughter and run away to Atlanta with a mulatto woman. Hendon had fled Alabama because he feared he would be either arrested or face mob violence due to the relationship. The agent decided to launch a Mann Act case, writing that he wished to emphasize that Hendon’s wife and daughter were “actually disgraced by his actions, and that everyone in this town sympathizes with, and has the greatest respect for them.” Apparently, Hendon’s actions breeched the community’s tolerance of adulterous inter-racial sexual
relations. It was one thing to have sexual contact with an African-American woman, but another to elevate her to the same level as a wife.

Similarly, St. Louis police arrested a white man from Mississippi when he disembarked from a train with his African-American concubine. According to bureau agents the man had kept the young woman in Mississippi, but when his wife discovered the relationship she made threats against the woman, and he decided to abandon his wife and four children and flee with his mistress to St. Louis. Neither case resulted in indictments, but the investigations suggest that there was community interest in policing white men’s relationships with black women in the South when they became too public or too disrespectful of their families.

Occasionally local law enforcement officials tried to use the Mann Act to punish nonwhites whose family relations did not conform to popular standards. For example, in 1927 San Bernardino police office Harry F. Baily contacted the bureau after he had arrested a Mexican-American couple for disturbing the peace. While questioning the couple the police officer discovered that they were not married although they had lived together for several years “as man and wife” and had moved from Albuquerque to the Los Angeles area together. The bureau investigation confirmed the policeman’s story, but Edwardo Gallegos, the subject, quickly retained the services of a lawyer (something that was very uncommon in non-commercial vice Mann Act cases) and refused to answer any questions or sign any statement. The only thing he would repeat to agents was that “he worked hard as a day laborer and supported his two boys and the woman and her child ever since [they started cohabitating].” By emphasizing his normative role as the breadwinner of the
household, Gallegos may have been trying to mitigate the police and agents’
tendency to see the couple’s relationship as abnormal in its informality.

A similar case from the same year shows how white officials at two Indian
reservations in the Dakotas sought to use the Mann Act to punish a man who they
deemed as a “bad Indian.”76 Jack Yellow Hawk developed a reputation for
corrupting, impregnating, and abandoning young women who lived on the Sioux
reservations in North Dakota and Montana. He traveled back and forth between the
Standing Rock Indian Agency near Fort Yates, North Dakota, and the Fort Peck
Indian Reservation outside of Poplar, Montana. When Indian Bureau officials of the
reservations caught wind that Yellow Hawk had taken 18-year-old Ella Redboy from
Poplar, Montana, to Cannon Ball, North Dakota, they quickly marshaled their
resources to convince the bureau to build a Mann Act case against him. The
Superintendent of the Standing Rock Indian Agency told bureau agents that if
Yellow Hawk could “be prosecuted for violation of the White Slave Traffic Act it
certainly would be a lesson to him and would be a means of stopping much action
on the part of the Indians.”77 What “action” the superintendent was referring to is
unclear, although the superintendent may have been interested in limiting the
mobility of the Indians. Nonetheless the agents aggressively pursued the case, which
at one point resulted in Yellow Hawk skipping bail and hiding from Federal
Marshals in the Black Hills, and was concluded in a Fargo, North Dakota, courtroom.
Yellow Hawk’s lawyer argued that “the Federal Courts did not have jurisdiction in
cases involving one Indian against another Indian, but that such offenses came
under the jurisdiction of the Indian tribal courts.”78 The judge agreed, dismissing the
case and setting Yellow Hawk free. As to Ella Redboy and her child, they too disappear from the historical record. However it is striking that in this case, the judge explicitly excluded Native American women from the “protection” offered by the Mann Act. He rejected the case against Yellow Hawk even though by crossing the state boundary and the reservation boundary Yellow Hawk had clearly violated the Mann Act and federal courts did have jurisdiction over the case. But the judge in this case sought to throw the case to tribal officials, effectively wiping his hands of the entire case. This case and the Gallegos case demonstrate that although the bureau agents often did not police nonwhites’ intra-racial relations, occasionally other forces could bring these cases under their purview.

Overall these cases demonstrate the centrality of the sexual color line to both law enforcement and normative cultural mores. But they also suggest that individuals, like Alma Mueller and Clarence Bell, resisted these hegemonic values. Finally, Mann Act cases involving nonwhite subjects or victims reveal that although laws like the Mann Act could be used to survey and police nonwhite communities, nonwhite individuals often negotiated their circumstances to protect themselves to the best of their abilities. Ed Gallegos and Jack Yellow Hawk benefited from excellent lawyers, and Linnie Wilson was able to gain a small amount of protection from extradition.

**Patriarchal Policing: the Bureau and the Gendered Domestic Economy**

At the heart of many Mann Act cases laid gendered understandings of the economic order of American families. Men who sought federal aid to retrieve their
wives often commented that in addition to their affective motivations they desperately needed their wives home to provide the unpaid labor of childcare and household management. For example, in September 1921, Edward Aldrich wrote to the FBI field office in San Francisco to report that his wife, Bertha Aldrich, had been seduced away from her home in Standard, California, by his good friend Charles Lusk. Beyond the sting of betrayal, Aldrich focused on the loss of his wife and the impact it had on his children. “I have two little girls under eight years that need a mother, as well as a boy under seven years also,” he pleaded. “If stealing a wife and mother, taking her into another state, ain’t immoral, what is it then?” During the investigation, Aldrich frequently commented on the difficulty he was having caring for the children. At one point he split them up among friends and family. The investigation went on for 18 months surviving many strange twists and turns, until it was abruptly closed when Bertha Aldrich agreed to move back in with her husband and children and return to “living quietly” in San Francisco. Only the return of his wife, and her unpaid labor, allowed the family to be reunited.

Similarly, fathers and brothers frequently sought the return of daughters and sisters so that they could resume their domestic duties. For example, in 1920 17-year-old Thelma May Bills ran away from her hometown of Rigsby, ID with her uncle by marriage, 36-year-old William Damrill. According to Bills, she fled her home because all of the domestic duties had fallen solely on her shoulders after the death of her mother many years before. Her father, Royal Bills, turned to the local authorities who directed him to a bureau agent stationed at the Portland, OR field office. The agent enthusiastically built a case against Damrill, who ultimately was
sentenced to three years hard time at McNeil Island, and Thelma May Bills returned to her father’s household. Interstate immorality cases rarely resulted in the imprisonment of the female “victim”—except in the sense of being imprisoned in one’s father’s or husband’s home. Additionally, punishing Thelma May Bills for her participation in this escapade would have defeated the purpose of ensuring that her labor went to her father.

In another case, Steve Guster, a resident of a Hooverville located outside Atlanta, contacted the Atlanta office of the bureau in 1937, informing agents that 35-year-old John Stanley had abducted his 16-year-old sister. Upon further questioning, Guster revealed his true motives for reporting his sister when he confessed that without a wife he had no one to cook for him and that he wished for his sister to be returned to him so that “she might care for his home.” Guster further declared that he wanted “his sister to be placed on some sort of probation so that any time she refused to obey him he could have her placed in jail until she agreed to obey his commands.” Deeming the Guster family to be “gypsies” and the case little more than a family squabble, bureau agents declined to pursue the case further. The significance of this case, however, lies not in its outcome but in the fact that Guster saw the office as an option for returning his sister to him. Additionally, it is unclear if agents referred to the Gusters as “gypsies” due to their ethnicity or homelessness, demonstrating how non-whiteness, poverty, and exclusion from federal protection became conflated during the Depression. Like cases involving nonwhite subjects and victims, here agents actively chose which individuals deserved protection.
The Bills and Guster cases share many similarities: both girls were close in age, as were their seducers; both were white; and both were valued primarily for the labor they contributed to their households. But two differences in the cases resulted in the very different outcomes. First, the agents investigating the Bills case emphasized that the Bills family was well respected within their community, whereas the agents investigating the Guster case dismissed the Guster family as transients and recipients of public aid (Steve Guster had indeed worked for the WPA in 1936). Thus, family reputation and class often served to either encourage or impede investigation. Second, as mentioned above, cases of interstate immorality were aggressively pursued in the early 1920s, but finding itself overwhelmed by large case loads, the bureau thereafter developed an unofficial policy to back away from cases that did not have aggravating circumstances—sexual violence, bigamy, extreme youth on the part of the victim—or did not involve commercialized sex.

**FAITHLESS FATHERS: THE BUREAU ADVOCATES FOR ABANDONED MOTHERS**

In contrast to men, women’s motives for encouraging Mann Act investigations sprang from the need for income from errant husbands or the desire for revenge against the men who abandoned them. For example, in 1921 Valentina Ford, a distraught young mother, reported to bureau agents in Houston, Texas, that her husband had abandoned her and her two-year-old child. The woman, eight-months pregnant with a second child, was a French immigrant who had met her husband when he served in the American Expeditionary Forces during World War I. He had told his wife that he was going on a week-long business trip and left her with
two checks for groceries. When she tried to cash the checks, she discovered that he had emptied his bank account. Knowing that something was amiss, she turned to the bureau for help. Without her husband, and with no relatives in the United States to turn to for assistance, she told the agents that she had “no means of support.” The agents decided that given the woman’s very pregnant state and because she had “little knowledge of the English language and customs,” her case constituted a “very aggravated violation of the Mann Act.”

Agents discovered that the husband had married a 17-year-old girl from Liberty City, Texas, and traveled to Los Angeles in search of work, where the couple was subsequently discovered. Although agents in Los Angeles chose not to prosecute the husband due to apparent mental instability, the bureau in Houston was able to significantly aid his French wife. After hearing her initial complaint, agents helped to place Valentina Ford in St. Joseph’s Infirmary and made her case known to the Red Cross, which helped to pay her medical bills. Furthermore, the Houston Chronicle ran a story about her plight that generated many donations and possibly even employment opportunities.

Thus, even though the Assistant United States Attorney did not prosecute the case, the bureau gave considerable aid.

Similarly, in 1936, Grace Schirmacher traveled from her hometown of Houston, Texas, to Chicago where she had heard her husband, Max Schirmacher, had moved. She told bureau agents that she sought reconciliation with her husband and failing that, she desired that charges for violation of the Mann Act be issued against him. The couple had been married in 1910, and had six children together, including three who still lived at home: Mary Grace (18), Frances (16), and Joan (2 ½).
1934, Max found work with the Kansas Gas & Electric Company and moved to Wichita, informing his wife that he would set up a household and then send for her and the children. In early 1935, Max stopped sending the monthly $450.00 that supported Grace and the children. During this time, Grace heard that Max was living as man and wife with a woman named Florence Feeder and that he had been fired from his job in Kansas and was now living in Chicago. Agents quickly located Max at an athletic club in Chicago, and he admitted to abandoning his wife. He argued that he stopped sending money when his contract at the power company had been terminated. At this point the bureau agents decided to see if they could solve the problem by simply putting Grace and Max into a room together. Grace restated her position that she wanted Max to return to Texas with her, and Max, in turn, declared his love for Florence and refused to leave Chicago. At this point, in a typical Mann Act case, the U.S. attorney would have simply closed the investigation and dismissed the matter. Instead, the Assistant U.S. Attorney had Max and Florence remanded to the city jail. After a 15-day period the U.S. Attorney decided that this type of “marital entanglement” was better left to the state courts to handle, and Max and Florence were released from jail.

The exact motivations the U.S. Attorney held in remanding Max and Florence to the city jail have been lost to the historical record, but perhaps as noted by historian Frederick L. Allen writing about the impact of the Depression on marriages, the attorney held “a strong disposition to protect going marriages.”

Max’s initial reason for leaving his home in Houston had been to take a job that would better enable him to care for his family. But with the loss of that job in
Wichita, Max could no longer fulfill his breadwinner role—he was a failure in his role as a father and husband. The loving arms of Florence must have proved to be a salve for Max’s wounded manhood. The U.S. Attorney’s temporary imprisonment of this illicit couple may have been an attempt to urge Max to re-adopt a more respectable form of masculinity and to live up to his obligations.

Respectable forms of masculinity and familial responsibility figured prominently in the case of Floyd T. Maden. Maden, a young husband and father from Tennesse, launched an affair with 15-year-old Carrie Lovella Ramsey in the late summer of 1920. After the affair became public knowledge over the winter, the parents of Maden, Maden’s wife, and the Ramsey family tried to separate the illicit couple by relocating Maden and his family to Walla Walla, Washington. Even with most of the country between them, Ramsey and Maden continued their affair through an almost daily exchange of letters. In July, Maden sent Ramsey enough money to pay for a train ticket to Washington and as soon as she arrived the couple resumed their liaison. The affair continued for a week until Maden’s wife’s family stepped in to break up the couple. Convinced that Maden was incorrigible and had cost his wife considerable heartache, the family asked for the BOI’s aid in building a Mann Act case against him. Central to the BOI’s case against Maden was that he had brought disrepute to his family and violated his responsibility to his wife by carrying on an affair with Ramsey. The special agent’s questioning of Maden focused on the money he had sent Ramsey and how by giving money to her he had violated his responsibility of support inherent in his marriage contract with his wife. The agent peppered him with questions: “Are you willing to support her [Ramsey]
“Are you willing to stay with your family and support them?,” “Are you willing to give your wife you pay check?,” “You are willing to give her [your wife] your checks?,” and so on. For this special agent, a husband’s commitment to an existent marriage could be most clearly demonstrated in material ways—his wiliness to adopt the male breadwinner role and adopt his financial responsibility to his family. Maden pled guilty to violating the Mann Act and was sentenced to serve 60 days in jail and pay a $150 fine for his faithlessness.

Occasionally, fathers also sought to use the Mann Act to track down men who had abandoned their financial obligations. Hugh Boyd, of Paragould, Alaska, turned to the bureau when his daughter, 17-year-old Sylvie Boyd was impregnated and abandoned by 40-year-old App Smith. Hugh told the bureau agent that he was “more interested in having App Smith contribute to the support of his daughter and to pay her medical expenses” because he was “in a very poor financial condition” and “not much interested in the prosecution of Smith.” Although the agents confirmed that Sylvie Boyd had a good reputation, and in all likelihood had been deceived and seduced by the much-maligned App Smith, the U.S. attorney declined prosecution. He pointed to the fact that before she became pregnant, Sylvie had at one point during their affair returned to Smith, indicating her own volition, and therefore complicity, in the relationship.

When cases failed to meet a very narrow definition of “aggravated,” they often, as was the case with several of the examples discussed in this chapter, ended with the assistant U.S. attorneys dismissing the cases. This tendency to dismiss cases that grew out of seduction or marital discord frustrated many individuals, including
several bureau agents. In 1929, J. Edgar Hoover asked field offices how they were handling Mann Act cases. T.C. Wilcox, the special agent in charge of the Detroit office, complained that the “U.S. Attorney’s Office in this City do not authorize enough complaints in these matters.” He noted that the district attorney considered only cases where the age of the victim was exceedingly young, or a family was broken up and young children deserted, and any case with a connection to commercialized vice.94 Throughout the country, agents reported a similar unwillingness on the part of U.S. attorneys and judges to consider cases that lacked elements of prostitution or aggravation.95 One agent in Denver attributed the unstated change in what constituted aggravation to the fact that over the course of the 1920s Mann Act cases had become “more and more unpopular.” He wrote “cases involving breach of promise, minor children, homes broken up, victims under 18 years of age . . . are not in many cases considered sufficiently ‘aggravated’ to warrant vigorous prosecution and stiff sentences.”96 Notably, all of the types of cases he listed fell into the category of cases to be pursued in the 1917 Department of Justice memorandum.

The conflict over interstate immorality cases between U.S. Attorneys and bureau agents stems from their very different understandings of the purpose of the law, and this, to a certain extent, can be attributable to the different “cultures” that attorneys and agents came from. First, U.S. Attorneys, though appointed to their positions by Department of Justice, come from a culture defined by the court room. The vagaries of individual judges and juries shape the context within which they work. Furthermore, as participants in a profession defined by its competitiveness,
U.S. Attorneys were loath to present cases that judges and juries would dismiss. In contrast, bureau agents were highly conditioned under Hoover’s watchful training to accept the basic premises of bureau policy. As one agent from this period remarked, “The motto of his [any agent's] life is ‘For God, for country, and for J. Edgar Hoover.’” Additionally, the conservative gender ideology embraced by Hoover and the agents encouraged agents to see value in investigating and prosecuting cases of interstate immorality. Thus, U.S. Attorneys’ refusal to prosecute cases of interstate immorality was a source of considerable frustration for the bureau.

Agents responding to Hoover’s request for information all noted that White Slave Traffic Act cases constituted the largest part of their case loads. Many mentioned that more than fifty percent of these investigations were initiated by individuals, “namely, wives of Subjects who have been deserted or husbands of Victims who have left with another individual.” These individuals, when informed that their case was not going to be prosecuted, often responded in anger. One man wrote the attorney general complaining that a man had broken up his marriage. After providing the details of his wife’s affair, the man wrote in frustration that his wife’s lover was “violating City, State, and Federal laws and yet as ... it seems no one’s duty to interfere according to the authorities to whom I have appealed.”

CONCLUSION

The use of the Mann Act by individuals embroiled in family tragedy reveals the extent to which marriages and family were under stress during the 1920s
because of cultural changes and 1930s because of economic changes. Like the work of Sharon Ullman, these cases also show that “small-town America found itself ensnared in sexual controversies.” Most importantly, these cases demonstrate the ease with which Americans in the period traveled from one locale to another, thereby undermining community surveillance. At the same time, however, the scope of community surveillance widened. For example, Grace Schumacher in Houston was able to keep tabs on her errant husband as he moved from Wichita to Chicago. Similarly, bureau agents were almost always successful in their attempts to locate an individual.

Most importantly, these cases expose the gendered understandings of domestic and heterosexual life that underscored American households. Women’s labor was essential to men, and men often sought to protect their access to such unpaid labor. Conversely, men’s wages were vital to women who had been abandoned with young children. Desertion often led women into dire poverty. Thus individuals, men and women, turned to the bureau in huge numbers seeking some sort of help in the personal tragedies that shattered their lives.

Additionally, the federal government confirmed and reproduced the family model with men as breadwinner and women as wife/mother; but it did so with close attention to race, class, and respectability. Individuals who fell outside of agents’ notions of normativity could expect no help. Hoover’s success in reforming the public image of the bureau was an astonishing feat, and one way he was able to accomplish this was by molding the bureau into a corps of soldiers fighting against the cultural change that threatened to remake America in the post-World War I era.
Much of this cultural change hinged on changing gender roles and the rise of sexual liberalism. Thus, when Hoover professionalized the bureau he remained dedicated to a traditional gender ideology and his agents enforced this ideology. But the agents were not only conservative on issues of gender and sexuality, they were also racially conservative and consequently, often saw Americans of color as not worthy of the protections offered in the Mann Act.
NOTES

1 Case 31-36, Box 2, Record Group 65, Records of the Federal Bureau of Investigation—FBI Headquarters Case Files, Classification 31, National Archives, College Park, MD (hereafter referred to as FBI White Slave Files).

2 Throughout his life J. Edgar Hoover would deny having played a meaningful role in the Palmer Raids, claiming to have been a lowly clerk at the time. Recent research has revealed that Hoover was the bureaucratic mastermind behind the raids—he made Attorney General A. Mitchell Palmer and Immigration Commissioner General Anthony Caminetti’s anti-radical, anti-immigrant dreams a reality. In the Palmer Raids three characteristics that would define much of Hoover’s 48-year-long career were apparent—rampant anti-communism, bureaucratic/organizational genius, and political policing. For an exciting look at Hoover’s role in the Palmer Raids see Kenneth D. Ackerman, Young J. Edgar: Hoover, the Red Scare, and the Assault on Civil Liberties (New York: Carroll & Graf Publishers, 2007).

On a side note, in one of those bizarre historical coincidences Anthony Caminetti was the father of Frank Caminetti, whose Mann Act case defined the scope of the law in 1917. During the initial prosecution of the Caminetti case, charges emerged that Anthony Caminetti had tried to use his political power to get his son’s case dismissed. This allegation added much fuel to the moral and political fire that surrounded the case in California.


5 At the time, the competing federal police forces included: The Treasury Department’s Secret Service (protecting the president, currency, the flag, and prohibition), Federal Marshals, the IRS, the Coast Guard, and Military Intelligence. The Bureau did not have jurisdiction over “violations of the counterfeiting, narcotic, customs and smuggling, immigration, and postal laws.” J. Edgar Hoover, Some Legal Aspects of Interstate Crime (Washington, DC: Government Printing Office, 1938), 7.

6 Theoharis, The FBI & American Democracy, 33-34, 173. Hoover reduced the number of agents from 441 in 1924 to 383 in 1932. However, the number of agents would again rise in 1935 to over five hundred.

7 The training school was initially located in New York, but was soon moved to Washington, DC where it remained until the Quantico facility was opened in 1972.


10 Melvin Purvis, American Agent (Garden City, NY: Doubleday, Doran & Co., Inc., 1936), 49.

11 When Hoover took over in 1924, there were three women serving as agents—he immediately fired two of them, and the third apparently ended up in a mental institution threatening to kill Hoover. It would not be until pressure was exerted on the FBI by the women’s liberation movement of the 1970s that the Bureau would start employing female agents. Similarly, the employment of African American agents did not occur in any meaningful way until early 1960s, and African Americans continue to be significantly under-represented in the Bureau to this day. Anthony Summers, Official and Confidential: The Secret Life of J. Edgar Hoover (New York: Putnam’s Sons, 1993), 56-59.

12 Prohibition cases fell under the jurisdiction of the Prohibition Bureau of the Treasury Department, and were often investigated by the Coast Guard. Technically the BOI had no authority in these cases, although they did work informally with Prohibition Agents. Theoharis, The FBI & American Democracy, 36; Homer Cummings and Carl McFarland, Federal Justice: Chapters in the History of Justice and the Federal Executive (New York: The MacMillan Co., 1937), 474.

13 Purvis, American Agent, 36.
14 Theoharis, The FBI & American Democracy, 29. The BOI/FBI has a strong tradition of monitoring African-American civil rights organizations. In 1919, surveillance of black organizations was launched to assess if radicals were reaching out to African Americans, but after the race riots of that year, they launched widespread surveillance of African American groups. Hoover was consistently convinced that the Communist Party had infiltrated most African American organizations, and that the black press, was in effect a CP mouthpiece. Lowenthal, The Federal Bureau of Investigation, 128.


16 Athan Theoharis, J. Edgar Hoover, Sex, and Crime: An Historical Antidote (Chicago: Ivan R. Dee, 1995), 61. Hoover’s concern about personal sexual morality might strike some readers as interesting or hypocritical given the wide-spread popular cultural representations of Hoover as a transvestite. Rumors of Hoover’s cross-dressing first emerged in Anthony Summers salacious biography which asserts that Hoover was homosexual and enjoyed cross-dressing, and the Italian mafia had photographic proof of such activities and thus blackmailed Hoover to keep the FBI from seriously investigating the mafia. Most Hoover biographers summarily reject this thesis as both unconfirmed and probably untrue. It is highly unlikely that Hoover cross-dressed, although there is some uncertainty about his sexual orientation. Hoover never married, and he spent most of his time with his Assistant Director Clyde Tolson. For a systematic refutation of Summers’s allegations see Theoharis, J. Edgar Hoover, Sex, and Crime, 21-56. For the source of the rumor see Summers, Official and Confidential.


18 O. John Rogge to Julian D. Rosenberg, 18 October 1939, RG 60, General Records of the Department of Justice, Formerly Classified Subject Correspondence, 1910-1945, Class 31 Mann Act, Box 2626, Sec. 36, National Archives, College Park, MD.

19 SAC to J. Edgar Hoover, 22 Mar 1929, 31-03-25; SAC to J. Edgar Hoover, 19 Apr 1929, 31-03-28; File 31-03, Box 1, FBI White Slave Files.


22 Bailey, From Front Porch to Back Seat.

23 D’Emilio and Freedman, Intimate Matters, 224.

24 “Sex O’Clock in America,” Current Opinion 55, no. 2 (Aug 1913), 7-8.


29 Ibid., 88, 90.
31 Ibid., 79.
33 Allen, Only Yesterday, 81.
34 The most strident opponents of the changing commercialized morality would be the Ku Klux Klan, which grew spectacularly throughout the decade, dominating the local politics in many states, including Indiana, Colorado, and parts of the South. Nancy MacLean argues that restoring traditional gender roles and morality lay at the foundation for much of the Klan’s appeal in Georgia. Nancy MacLean, Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan (New York: Oxford University Press, 1994), 98-124. Similarly, Kathleen Blee suggests that the success of the rebirth of the Klan can be attributed to the sophisticated marketing of traditional gender ideals celebrating wifehood and motherhood. Kathleen M. Blee, Women of the Klan: Racism and Gender in the 1920s (Berkeley: University of California Press, 1991), 19.

37 Drowne and Huber, The 1920s, 249.
38 Parrish, Anxious Decades, 39.
41 Ibid., 127-146.
42 Ibid., 95-102.
43 Hoover, Some Legal Aspects of Interstate Crime, 1.
44 Allen, The Big Change, 123.
45 Lynds, Middletown, 137.
46 Courtney Ryley Cooper, Designs in Scarlet (Boston: Little, Brown and Co., 1939), 20 and 22.
47 Purvis, American Agent, 216.
49 Potter, War on Crime, 36.
51 Lowenthal, The Federal Bureau of Investigation, 347.
52 E.J. Conelley to J. Edgar Hoover, 9 Mar 1929, 31-03-22, File 31-03, Box 1, FBI White Slave Files.
53 L.J. Darkheusen, “Little Rock, Ark. Report 31-28-1,” 17 Oct 1921, Case 31-28, Box 2, FBI White Slave Files. Most of the cases with African Americans as complainants originate west of the Mississippi River. Alternatively, cases where African Americans were the subject usually originated in the Midwest and Northeast, and cases with African American victims (the rarest category) originated in the South.
Furthermore, local and state laws often served to police the sexual behavior of nonwhite citizens, particularly interracial relationships. By 1930, thirty states had criminalized marriage between whites and blacks, and many states in the west punished marriages between Asians and whites as well. See Nancy F. Cott, Public Vows: A History of Marriage and the Nation (Harvard University Press, 2000), 164.

54 Amy Rae Lagler, “‘For God’s Sake Do Something’: White Slave Narratives and Moral Panic in Turn-of-the-Century American Cities” (Ph.D. diss., Yale University, 2005), 159.


57 Ibid., 18.


59 Case 31-28, Box 2, FBI White Slave Files.

60 “Affidavit of Lizzie Wilson,” 22 June 1921, Case 31-28, Box 2, FBI White Slave Files.

61 Letter from Richard E. Westbrooks to Judge Charles F. Clyne, 21 June 1921, Case 31-28, Box 2, FBI White Slave Files.


63 Darlene Clark Hine, “Rape and Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance,” Signs 14, no. 4 (Summer 1989): 912-920, citation on 914.


66 Ibid.


Morals Courts emerged in the early twentieth century as part of campaigns to humanize and reform municipal criminal justice systems (much like juvenile courts). These courts typically handled cases dealing with prostitution, public licentiousness, seduction, adultery, fornication, statutory rape, domestic violence, and vice. Female judges, lawyers, and police officers frequently worked in Morals Courts. For example, lawyer and suffragist Mary B. Grossman established a Morals Court in 1926 in Cleveland, OH. See Michael Willrich, City of Courts: Socializing Justice in Progressive Era Chicago (Cambridge: Cambridge University Press, 2003); and George E. Worthington and Ruth Topping, “Morals Court of Chicago,” in Social Hygiene, Volume 7 (Menasha, WI: American Social Hygiene Association, 1921): 351-411.


71 Martha Hodes, White Women, Black Men: Illicit Sex in the 19th-Century South (New Haven: Yale University Press, 1997), 170; Ayers, Promise of a New South, 153.

72 Field agents were rotated through the field offices on a regular basis so that the would not develop too strong of ties to a particular community and thus be vulnerable to coercion or bribery.


Parole Report, 5 Apr 1922, 31-213-15, Case 31-213 (misfiled in Case 31-212), Box 10, FBI White Slave Files.


Limited only to 650 words.

98 Summers, Official and Confidential, 47.

99 Special Agent in Charge to J. Edgar Hoover, 28 Feb 1929, 31-03-11, File 31-03, Box 1, FBI White Slave Files.

100 Harry Larner to Attorney General Stone, 23 Jul 1924, 31-0-170, RG 60, General Records of the Department of Justice, Formerly Classified Subject Correspondence, 1910-1945, Class 31 Mann Act, Box 2621, Sec. 36, National Archives, College Park, MD.

In February 1936, FBI Director J. Edgar Hoover announced a nation-wide attack on vice rings. In characteristic hyperbole, he claimed that FBI investigations "had revealed that powerful vice rings operate in almost every large city in the country. Each is dominated by an underworld 'boss' who cooperated with similar 'bosses' in other cities." The FBI launched its investigation into the vice rackets in the fall of 1935, and throughout 1936 newspapers across the country routinely published articles about the G-Men's daring exploits against vice. Many of the FBI's investigations resuscitated earlier tropes of white slavery that focused on the threat of nonwhite men to white women and the greed of venal madams who profited from the sexual labor of their sisters. Newspapers throughout the country published sensational headlines like: "Negro Men - Force White Girls to Immoral Lives," "Blonde Indicted as White Slaver," "Bad News for Vice Queen," and "Women Unfold Sordid Story in Slave Case."

Throughout the 1920s and early 1930s the FBI quietly investigated Mann Act cases; but these cases more or less disappeared from popular imaginings. Even the term white slavery fell out of use. Activists concerned about the international movements of prostitutes in the interwar period preferred to use the language of
trafficking, noting that nonwhite women frequently suffered the same fate that white slaves had years before. As a result, the hysteria and sensationalism that had surrounded discussions of white slavery in the 1910s largely fell quiet within the new sexual order of the 1920s. Hoover altered this trend in the mid-1930s as he began a complex campaign to publicize the importance of the FBI and to gain an increase in appropriations. He claimed the FBI was engaged in a battle against criminals known as the War on Crime. Within the context of the publicity drive—characterized by feature films, close cooperation with hand-picked and vetted publicist-journalists, and carefully orchestrated photo ops and press conferences—Hoover reintroduced a highly gendered and racialized reading of the Mann Act.

Launched in August 1933, the War on Crime focused on three types of criminal activities that appeared to be on the rise in the economically devastated United States: kidnapping for ransom, bank robberies, and vice networks. As scholar Rhodri Jeffreys-Jones has noted, “the allure of the war on gangsterism has been a distraction” from the New Deal expansion of the FBI and its continued professionalization of crime fighting techniques. Historians’ focus on the romance of the War on Crime and the bureau’s fight against the exploits of bandits like Baby Face Nelson and John Dillinger celebrates the 1930s at the true birth of the FBI, perhaps confusing the bureau’s 1935 renaming of the Bureau of Investigation into the Federal Bureau of Investigation as being more significant than it was. But with the exception of Claire Bond Potter, most scholars have ignored the centrality of gender to the internal image and professional decorum of the FBI. Gendered notions
of criminality, desperation, and greed also played heavily in FBI Mann Act investigations during the War on Crime.  

In response to the War on Crime Congress expanded the authority of the FBI in 1934 when it allowed special agents to carry firearms and arrest criminals. Furthermore Congress increased the jurisdiction of the FBI greatly when it passed a fugitive felon law and a federal bank robbery law, among others; notably, Congress failed to include an anti-lynching provision in any of these crime bills. Additionally, Congress doubled the budget of the FBI and provided for the hiring of 200 hundred more special agents. As the relationship between increases in appropriations and jurisdiction on the one hand, and publicity of FBI actions, on the other hand, became more evident, Hoover sought to keep his G-Men, as agents were known, in the public eye, thus reversing its nonpublic role maintained during the 1920s. One way to gain publicity was to crack down on headline-grabbing crimes, primarily prostitution. As Potter observed, the War on Crime underlined “the New Deal commitment to enlarging federal intervention without disturbing the race and class hierarchies that middle-class, white voters imagined when they spoke the word ‘community.’” Potter is right to note that class and racial hierarchies were upheld by the War on Crime, but so too were gender and moral hierarchies.

In the 1930s Hoover embraced publicity and public relations to remake the FBI into a popular culture product in a way that he had not done so previously. In this effort, he encouraged certain myths, tropes, and narratives. Hoover targeted a number of high-end brothel madams, thereby celebrating the stereotype of the venal madam who cheated clients and prostitutes alike. Included in these tropes
was the racialized image of white slavery—that men of color engaged in the trafficking of white women—that is strikingly similar to the ones that had dominated the newspapers in the 1910s.

The 1930s saw a rise in concern about prostitution for several reasons—most tied to the rise in organized crime and graft associated with prohibition or concerns about the growth of prostitution amid the worsening economic climate of the Great Depression.¹⁴ First, the 1930 Seabury investigation of police graft and corruption in New York City revealed that police used prostitution charges to extort women of their savings, regardless of whether or not the women worked as professional prostitutes. The investigation discovered that typically a stool pigeon in the employ of the police would enter the house of a woman and at a designated time later the police would break in to discover the man without his jacket on and some money set on a table. The woman and the landlady would be arrested and officials would demand to see their bank books. The bail bondsman would request the maximum amount a woman could pay and he would split the money with the police, lawyers for both the prosecution and defense, and the judge in the women’s court.¹⁵ Outrage over such obvious and heavy-handed corruption seized the city. Notorious New York City madam Polly Adler commented, “Perhaps if they [the police] had confined themselves to shaking down people like me, who were violating the law, public indignation would not have risen to such a pitch.”¹⁶ The Seabury investigation was eagerly reported on in newspapers and magazines throughout the country.
As the prohibition era came to a close in 1932, organized crime lords in New York City eagerly looked elsewhere to replace their lost liquor proceeds and their eyes, or at least the eyes of reigning gangsters like Dutch Schultz and Lucky Luciano, fell on the active brothel trade in New York City. Luciano offered madams “protection” in exchange for a cut of the madam’s profits. If a madam declined the offer, she frequently saw her home invaded and wrecked and she and her girls may have been subjected to violent attacks. By late 1935, Luciano and his associates controlled many of the brothels in the city—200 houses and 1,000 prostitutes. The protection Luciano offered was primarily legal. For example, of the 3,000 prostitutes arraigned in the city’s Women’s Court in 1935, only 175 of them worked in brothels controlled by Luciano, and none of these women served any time in jail. Luciano’s activities came to the attention of New York prosecutor Thomas E. Dewey who launched an intensive, exhaustive, and well-publicized investigation into Luciano’s vice racket, ultimately sentencing him to a thirty to fifty year sentence for compulsory prostitution. Dewey’s investigation was marked by modern organized crime control, featuring “close and prolonged surveillance and wire-tapping of suspects, inducements for criminals to become prosecution witnesses and convict their associates, and laws that make it easier to convict for conspiracy.” Additionally, the investigation earned Dewey uncounted accolades in the press. More pertinent to the FBI was that Dewey’s prosecution generated headlines and news stories that displaced the FBI as the nation’s premier crime-fighting force. As a result, in the winter of 1935-1936 Hoover directed his east coast office to look into the vice racket and find Mann Act violations. Hoover even claimed to be
working with Dewey (a fact Dewey refuted). In 1936 and 1937, Hoover personally
led raids in Atlantic City, Connecticut, and Baltimore. One five-month investigation
into Connecticut brothels yielded 39 Mann Act convictions: 14 women between the
ages of 24 and 53; and 25 men, most Italian, all non-Anglo, between the ages of 19
and 44. A magazine quoted Hoover as saying that while every type of major crime
had decreased in 1935, “white slavery had increased by 15 per cent.” Hoover’s
attention to vice reintroduced the language of white slavery and raised the Mann Act
to public prominence. Indeed, from the end of Prohibition in 1932 to the mid-1940s,
the Mann Act routinely came in second place in federal convictions (see Table 7.1).

<table>
<thead>
<tr>
<th>Year</th>
<th>Mann Act Convictions</th>
<th>Average Actual Sentence (in months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>457</td>
<td>14.6</td>
</tr>
<tr>
<td>1930</td>
<td>516</td>
<td>14</td>
</tr>
<tr>
<td>1931</td>
<td>487</td>
<td>13.2</td>
</tr>
<tr>
<td>1932</td>
<td>431</td>
<td>16.7</td>
</tr>
<tr>
<td>1933</td>
<td>316</td>
<td>11.9</td>
</tr>
<tr>
<td>1934</td>
<td>213</td>
<td>cannot calculate</td>
</tr>
<tr>
<td>1935</td>
<td>203</td>
<td>15.8</td>
</tr>
<tr>
<td>1936</td>
<td>298</td>
<td>20.1</td>
</tr>
<tr>
<td>1937</td>
<td>479</td>
<td>18.3</td>
</tr>
<tr>
<td>1938</td>
<td>576</td>
<td>28.1</td>
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<td>1939</td>
<td>524</td>
<td>37.9</td>
</tr>
<tr>
<td>1940</td>
<td>476</td>
<td>32.4</td>
</tr>
<tr>
<td>1941</td>
<td>443</td>
<td>30.6</td>
</tr>
</tbody>
</table>

Table 7.1. Mann Act Convictions and Sentences, 1929-1941. Source: Langum, Crossing Over the Line, 168.

Hoover’s nation-wide campaign against vice (as distinguished from the more
typical Mann Act investigations described in Chapter 6) ended up being slightly
anemic. It lasted only a short time, peaking in 1936 and ebbing in late 1937; and it failed to be truly nationwide. It focused on the Northeast corridor, with special attention paid to New York City. However, the campaign generated nationwide publicity for the FBI. Although the vice raids conducted in Atlantic City, Connecticut, and Baltimore resulted in the arrests of hundreds of women and the convictions of many, these raids did not lend themselves to obvious, simple narratives packaged for the press the way that a few New York cases did. As a result, the FBI, hand-in-hand with New York City newspapers, celebrated cases that featured resurrections of older tropes of criminality—the venal brothel madam or the man of color who trafficked in white sexuality—emerged as key narratives in the FBI’s campaign against white slavery in the 1930s.

**The High-Handed and High-Living Vice Queens: The Cases of Mae Scheible, June Reed, and Lucille Malin**

Hoover’s FBI sought to protect the hearts of innocent, naïve, white girls from the venal machinations of madams consumed with greed, ambition, and perversity. Or at least that was the image the FBI presented to newspaper journalists throughout the country. In conducting sensational vice raids in Baltimore, Atlantic City, and Connecticut, Hoover tried to show that his FBI defended traditional morality from those who would profit from sin that threatened families. Although in these raids hundreds of women were incarcerated, women were, as historian Frank Grittner notes, “largely invisible” during the vice raids of the late 1930s because interest in organized crime focused on a male-driven narrative. In the telling of the
1936 Connecticut vice raid, newspapers constructed a story of respectable G-Men fighting “procurers, ‘bookies,’ operators, and strong arm men”—a decidedly masculine affair. Though women did not figure prominently in the large scale vice investigations, they did headline in the FBI investigations into elite, high-end brothels that catered to the most exclusive clientele in New York City. According to Hoover, this class of madam—frequently called “Vice Queens”—needed to be targeted because they acted as procurers “inducing the victims to transport themselves interstate.” As a result, Hoover initiated investigations against three notorious New York City madams—Mae “Billie” Scheible, Jean Reed, and Lucille Malin.

The case against these Vice Queens highlighted the perversity of ill-gotten wealth within the context of the Great Depression. The women targeted each ran $20-minimum call houses, meaning that their establishments stood at the apex of New York City’s vice world. As famed madam Polly Adler wrote, “But of the million-odd prostitutes in America, only a very small percentage are fortunate enough to be employed in the first-class parlor houses and call houses.” These women ran these unique houses. In each of these cases, the FBI contrasted the quality of the madam’s furnishings, clothing, and style of living with the sordid source of the money that paid for such luxuries. Furthermore, as female sexual entrepreneurs, the Vice Queens took the male breadwinner model and turned it on its head—each of these women operated as business women and, according to the FBI, their business practices, like the sexual practices they enabled, were fundamentally corrupt. In building Mann Act cases against these women, FBI agents often sought evidence of
sexual perversity that matched their financial perversity. Thus, evidence of interracial sex and homosexual acts demonstrated the depravity of these women’s houses and of the women themselves. Strangely, when packaging their cases for the press, the FBI frequently introduced concepts of diverted or perverted romance into the narratives of the Vice Queens. According to the FBI, by commercializing sex, the Vice Queens either commercialized young love (and by implication innocence), or capitalized on poor girls dreams of marrying rich men. Curiously, but not surprisingly, the elite male clientele of these madams formed an invisible specter in the investigations. Journalists were intensely interested in the high-class johns; rumors circulated that many were the heirs and scions of some of the country’s wealthiest families. But Hoover sought to protect the identity of these men and in doing so confirmed the rights of rich men to purchase sex while at the same time condemning the rights of women entrepreneurs to profit from the same exchange. Finally, when the investigation and trial of each of the cases concluded, the FBI turned the cases over to the Department of Treasury so that each of the madams could be prosecuted for not paying taxes on the wealth generated from their prostitution businesses. The government built cases condemning the wealth accumulated from the “wages of sin,” but ultimately, through the Treasury investigations, it too profited from the exchange of vice.

Mae Scheible first came to prominence in Pittsburgh, Pennsylvania, where she was known as “Public Hostess No. 1” (in a clever twisting of the FBI’s own term, “Public Enemy No. 1”). Born in Ohio, Scheible first set up a roadhouse outside of Pittsburgh in the early 1920s selling illegal liquor to wealthy patrons. Some of her
clients persuaded her to open a call house in downtown Pittsburgh where according to the FBI “her house enjoyed a virtual monopoly of the expensive ‘call house’ trade.”

Call houses emerged as one of the new sites of prostitution in the 1920s amid the growing violence of the vice world. A call house madam generally operated out of an apartment that could host two to five women at a time. She relied on the telephone to conduct her business, using it to arrange “dates” between customers and prostitutes. Generally, if she needed additional sex workers, she had a phone book of local girls who could fill the specific needs or desires of the customer. Scheible had six such address books that listed 351 entries of sex workers going back four years from cities and towns throughout Ohio, Pennsylvania, New Jersey, and New York. Most women appeared multiple times in Scheible’s books, indicating changes in addresses and phone numbers every time they moved residences. The typical entry read: “Jean Gray Keith, small, red hair, very nice” or “Carmen, tall blonde.” Like the brothel madams of the 1910s, call house madams took fifty percent of a prostitute’s earnings, and usually charged her additional fees for board and maid service. In the case of Scheible’s Pittsburgh house, a date cost a minimum of $20, but could easily grow to cost as much at $200. Unlike the brothels of the 1910s, because of their small size, call houses enjoyed a degree of invisibility from both police forces and moral reformers. They could be found in any neighborhood, in any apartment. The Vice Queens targeted by the FBI all operated in the most exclusive New York City neighborhood—the Upper East Side.
Faced with a vice crackdown and police corruption cleanup campaign in Pittsburgh, Scheible decided to expand her operations in 1934 when she personally relocated to New York City to open a second house.\(^{35}\) She left her operations in Pittsburgh under the nominal control of her sister, but the day-to-day management was left in the hands of Othella Woods, Scheible's trusted African-American maid.\(^{36}\) In setting up her new house, Scheible brought to New York two African-American maids, and over the course of the next two years, she frequently employed Pittsburgh prostitutes who expressed interest in working in the New York City sex market. Maids were central to and absolutely necessary for the smooth operation of a call house. They managed customers, nurtured prostitutes, served madams, and in FBI investigations, they inevitably became informants.

Scheible came to the FBI's attention when, in September 1935, in the course of an investigation into the location of fugitive, counterfeiter, and confidence man “Count” Victor Lustig, FBI agents raided her apartment and discovered numerous address books that indicated a probable violation of the White Slave Traffic Act. The papers seized in the raid included several address books of prostitutes, a card index of clients, and numerous letters from madams throughout the eastern seaboard and Midwest. The card index featured many prominent Pittsburgh and New York City men and was quickly put under lock and key by the FBI.\(^{37}\) The letters from other madams seemed to provide proof of Mann Act violations. A typical one, written by Florette Benoy, read:

> I’m in Miami already in Moorish Castle. The season seems to be promising, and Miami expects more yachts this season than ever. Will you please tell some of the
girls you know to come to Miami to work for Sherry. I know the girls you would send will be nice and good workers. If you can do that Mrs. Scheible, Sherry certainly will appreciate. Please send me some more of your cards, and I will be glad to give them to some big men this winter. Real season will open after Christmas. I wish you would take a trip to Miami this season and maybe you would like to have here house for winter [sic]. You have such ability, and it would be profitable for you to have one here or Palm Beach. Sherry’s Castle is very beautiful, and furnished luxuriously. I think girls would enjoy opportunity working here in wintertime. If any girl wants to come, tell them please that fare would be very reasonable to arrive by automobile from Pittsburgh, lot’s of cars are going to Florida [sic].

Numerous other letters painted the same picture of madams informally writing one another to request new prostitutes, share gossip, and maintain friendships. Unfortunately for the FBI and U.S. Attorney, the FBI agents conducted the search of Scheible’s apartment without a search warrant and none of the evidence seized could be used in court. This situation meant that FBI agents needed to find former prostitutes who had worked for Scheible, whom Scheible had induced to cross state lines, and who would be willing to testify against her. In other words, the agents needed disgruntled former employees.

They found such an employee in “Little Billy” Ward (aka Monya Getty), a twenty-one-year-old prostitute who had first started working for Scheible when she was seventeen. Ward believed that Scheible had ruined her chances for love and an advantageous marriage with one of the heirs of the Mellon fortune. William Larimer Mellon, Jr., known to his friends as Larry Mellon and grand nephew of Andrew Mellon, had met Ward when he patronized Scheible’s house. In court, Ward
claimed that she fell in love with Mellon and she was reluctant to charge him the usual fee because, in her own words, “I thought he wouldn’t want to see me any more. Mrs. Scheible told me I was dumb.”40 After Ward had moved to New York City, Mellon called her up to ask for a date. Scheible told him that he could see Ward, but it would cost him $200 for each trip from New York to Pittsburgh (where he lived).41 Frustrated by Scheible’s attempts to profit from the relationship, Ward fled the call house, running away to live with Mellon. In response, Scheible wrote a letter to Mellon’s mother, informing her that her son’s paramour was a common prostitute who had frequently suffered from venereal disease infection.42 Scheible’s motivations for writing such a letter are lost to the historical record, but she may have been interested in retaining the allegiance of the Mellon family who would be grateful to know the true origins of the girl. At the same time writing such a letter would serve to remind Ward of her place and the dangers of indulging in deluded fantasies on the one hand, and the consequences of poaching an important customer on the other hand.

When Ward put forth this story of thwarted love in the courtroom, she carefully kept Mellon’s name out of the proceedings. Indeed when his name first appeared in the investigation, Hoover grew angry at the agent who was trying to contact Mellon in order to interview him. Assistant Director Edward Tamm assured Hoover that the agent had been warned, writing: “I again called Special Agent R.L. Morgan at the Pittsburgh Office with reference to the efforts to locate Little Billy, and told him that the bureau does not desire that further efforts to locate this girl be made through Larry Mellon.” Tamm went on the promise that none of the “big
shots” in Scheible’s card index would be “bothered” while at the same time assuring Hoover that none of the agents would give the impression that the FBI was going to “lay off” of any individual just because he was a prominent person. He concluded by confirming the FBI’s position: “We are not going to get involved in collecting any fodder for political scandals.”

The prospect that the U.S. Attorney or FBI would use the client list for political purposes emerged almost as soon as FBI agents seized it during the raid of Scheible’s apartment. In October 1935, Scheible’s attorney charged that the U.S. Attorney was refusing to return the card index because he intended to embarrass any Republicans listed in the file. He proclaimed that the index contained “the names of prominent Republican citizens, and you [referring to Mr. Klein [the U.S. Attorney]] want those names to hold over their heads to use in the next campaign.” Consequently, the court suppressed the list of customers, and during Scheible’s trial the prosecution, defense, and witnesses named no individual customer. The defense attorney mocked this convention, saying during his closing statement, “Wherever you have men you have prostitution, but they have not produced them here . . . You don’t find the multimillionaires they have talked about, the big names present. They were kept out.” The FBI, for its own part, carefully protected the privacy of those men featured in Scheible’s records. Careful tracking of each copy of the list ensured that only the individuals closest to the investigations could have access to it. Finally, the FBI argued that keeping the list secret was necessary for the protection of existent marriages: “the contents should not be divulged ... due to the fact that the majority of them are undoubtedly married
men.” At the conclusion of Scheible’s case, the judge expressed the gratitude of these men when he recounted a letter he had received from a lawyer in Pittsburgh who stated that “the male population of Pittsburgh was very thankful that their names did not appear in print incident to the investigation and trial” of Mae Scheible.

In addition to the tales of thwarted love, the FBI and U.S. Attorney’s case rested on an argument that Mae Scheible’s dubious and dishonest business practices cheated her customers and employees alike. According to the judge in the case, “She took advantage of the girls and of her customers on a purely commercial basis.” Scheible’s greed led to her downfall within this narrative. Assistant Director Tamm argued that Scheible lost a significant amount of money in the 1929 stock market crash and as a result she became increasingly “unscrupulous in piling up the profits from her house.” The FBI detailed several scams that it alleged Scheible employed in her house to drive up profits. She charged her customers for alcohol consumed in the house by themselves and their “dates,” but according to the maids who testified at the trial, the dates only drank water. Another swindle, involved a complicated scheme of substituting signed checks and bills of sale. The space where the customer had signed his name in his check for his bill had been cut out and the customer was really signing the blank check beneath the one that was filled out for a particular sum that corresponded with the bill. Later, after the customer had left, Scheible would fill out the blank check for an amount that she thought he would pay. Again the judge in case told of how he received many letters from Pittsburgh men who had seen their bank accounts depleted due to this scheme.
But the government’s case also rested on testimony that Scheible’s labor practices were just as problematic. The FBI accused her of acting in an “arbitrary and high-handed fashion” towards her employees. She kept the doors locked at night, refusing to allow the women to leave. Scheible demanded that they purchase expensive dresses from her. According to Ward, the dresses available for sale were “dresses she had worn herself. As soon as we finished paying for one dress, we had to buy another.” Ward claimed that she could never save any of her earnings because she had to keep buying used dresses at $75 a piece. Scheible probably did require her employees to dress in expensive clothes, because her house serviced the most elite customers, her employees had a reputation for being “carefully schooled in social elegance.” But the expectation that her employees purchase her castoffs struck many as being beyond the pale of appropriate management tactics.

More dangerous than her ruthless business practices was Schieble’s callousness in charming and deceiving those who met her. The U.S. Attorney who tried the case portrayed her as “a leopard, who on the stand had attempted to hide her spots with the demeanor and voice of a house kitten.” A house kitten was the image Scheible very much tried to present. Indeed, newspapers and magazines were eager to publish pictures of the stylish and feminine Scheible (see Figure 7.1). Even the FBI described her in appreciative yet cautious tones: “Of small stature and not unrefined features, with a good taste for clothes, Scheible makes a fairly attractive appearance, speaks with a very sweet, girlish voice and affects a very sweet attitude when she wishes to impress.” Yet, throughout the trial, the government’s case
argued that beneath the kittenish demeanor lay a domineering woman. For example, Scheible was tried with a co-defendant, Jack Ryan, who, according to the Judge in the case, had only committed the sin of allowing “his manhood to be undermined and become dominated by Mrs. Scheible.”60 The government presented Scheible as an example of deviant woman-hood; she was motivated, not by feminine traits of love, nurturing, and caring, but by masculine traits like ambition, greed, and lust.

The fact that Scheible became what magazines called “America’s only millionaire madam” from the sexual labor of other women struck the FBI and the
U.S. attorney as morally and financially perverse. Scheible’s “lust for the dollar” led her to increase her assets from $18,662 in 1926 to $271,678 in 1932. Scheible’s life of luxury in her high-class call house apartment on 74th and Park Avenue struck many as a transgression of class that could not be tolerated. U.S. Attorney Seymour Klein excoriated her use of the sexuality of her employees to increase her wealth, declaring, “Mae used their bodies for her rent, her food, and even their transportation to better markets.” As a result of such perversity, Scheible was found guilty of violating the White Slave Traffic Act and the judge sentenced her to four years in prison and a fine of $5,000. With this conclusion, Scheible’s legal troubles did not cease. The FBI handed her case over to the Treasury Department, which quickly launched an investigation into her wealth. Because she failed to pay taxes on her ill-gotten gains, Scheible was sentenced to an additional three years in jail. Although, the U.S. attorney may have rejected how Scheible earned her wealth, Uncle Sam had no such qualms about taking his cut. The case against Mae Scheible quickly led the FBI to other Park Avenue call house madams, and the trajectory of their tribulations and trials mirrored that of Scheible’s.

During the Scheible investigations, FBI agents discovered that a former employee of Scheible—“Boots” Carter—had begun working for call house madam June Reed. Reed ran a similar operation: an exclusive call house with a $20.00 minimum price. As agents sought more information about Reed, they learned that she was a subject of a New York Police Department (NYPD) investigation and that the NYPD had installed a wiretap on her telephone in late November 1935. Several of the recorded conversations indicated that Reed was being blackmailed with
evidence that she had violated the White Slave Traffic Act by a pimp of one of her former employees. The NYPD handed the case over to the FBI after they concluded “anything the police could do would be petty in comparison to any White Slave Traffic case which could be made against these parties.” Meanwhile, Reed suspected she was under investigation after the FBI interviewed a former employee.

Reed resolved to leave New York during the holidays until all the “heat” from the Scheible case had dispersed. She told her employees that they were welcome to join her in West Palm Beach, Florida, for a vacation if they so desired, or they could join her back in New York in the new year. Reed and her workers knew of the dangers of a Mann Act prosecution posed to them. Thus, when Reed loaned money to one of her employees to pay for the travel to Florida, that employee, Evelyn Olson, “was very careful to save her own money to pay her fare, so that the money she used for said fare, would not be that of Subject Reed.” Upon questioning by the FBI, Olson claimed that she was certain she could not violate the Mann Act because “she thought that a girl had to be under age to be a victim in a Mann Act case” and at 26 years old she was not under age. Many of Reed’s employees decided to join her after spending Christmas with their families. All seemed well until the FBI raided their rented home and charged Reed and her male paramour with violating the Mann Act the very same week that Scheible was taken into custody—the first week of February 1936.

The speed with which the U.S. attorney brought these Mann Act cases to trial varied. Scheible’s case was concluded by the second week of April when a jury convicted her, a mere two and half months after her arrest. Reed’s case, in contrast,
lingered. Her case did not go to trial until late October 1937, well over a year and a half after her initial arrest in Florida. By early October 1937 rumors circulated New York’s vice scene that Reed had “fixed” her case with the FBI by giving Hoover a check for $20,000. When these rumors reached Hoover, he issued the following instructions to his New York agents: “See that everything is done to make this case stick. We must obtain a conviction. Also try to track down the source of the story of the ‘fix.’”70 After that, the case moved forward rapidly. A jury convicted Reed of violating the Mann Act and sentenced her to serve four years in prison and pay a $2,500 fine. Agents concluded that Reed, herself, was probably the source of the rumor about fixing the FBI, although Reed denied perpetuating it. She told agents that she had always assumed her case proceeded slowly due to the interference of some “influential friend of hers,” whom she refused to name, in Washington.71

In addition to any political interference that may or may not have occurred, the FBI had difficult making a case against Reed because, unlike the Scheible case, the prostitutes arrested in Florida, whom had been allegedly trafficked, all loved working for Reed and therefore were what the FBI euphemistically called “reluctant witnesses.” Additionally, after their initial arrest, Florida policed imprisoned all the defendants and witnesses—men and women—together in one cell where they were allowed to converse. Thus, almost immediately, all of the people involved in the case constructed a story designed to undermine the government’s case against Reed. Furthermore, Reed hired one lawyer to represent both the witnesses (in the FBI’s parlance, the “victims” of Reed) and the defendants (Reed and her boyfriend).
According to the FBI, this simple mistake of allowing the prostitutes to talk with Reed made the “witnesses antagonistic to the government.”

To make their case against Reed “stick,” agents and the U.S. attorney employed two strategies. First, they relied on the evidence of blackmail caught on the wiretap and the testimony of the blackmailer about Reed’s activities inducing prostitutes to cross stateliness. Second, they painted a picture of sexual depravity within Reed’s call house to demonstrate her criminality and personal perversity.

In December 1935, Grant Smith, the pimp of one of Reed’s former employees began blackmailing Reed. In the early fall of 1935, Reed wrote several letters to the former employee, Sally Kelly, asking her to come to New York from Florida to work as a “model.” Reed assured Kelly that she would make about $150.00 a week. Kelly, who was fighting with Smith, jumped at the opportunity to get away and headed north in October. She worked in Reed’s house for only a month before she both grew homesick and became dissatisfied because she was not earning as much as she thought she would. In November she returned to Florida and Smith. Believing that Reed had taken advantage of Kelly, Smith persuaded Kelly to give him the letters Reed had written and using those letters as leverage he wrote Reed the following:

Dear Miss Rogers [Reed’s pseudonym],

I have a letter in my possession that I am sure Mr. Dewey or [NYPD] Commissioner Valentine would be glad to get. It’s a shame, the money Sally has spent running around to the places you have sent her. You, who have been driven from pillar to post, and with your record—bragging about paying coppers, with your so-called influence—violating the Mann Act. I am sure Commissioner Valentine or Mr. Dewey would like to get this letter. If you don’t wire me $200 within ten days, I will see that the proper authorities get this letter.
In her attempt to get Smith to drop his blackmail scheme, Reed tried several approaches. She first tried to reason with him: "Why the first week she [Kelly] made $150." She then attempted to appeal to his vanity: "You’re supposed to be a racketeer, and that’s not the code they use." Finally her anger got the better of her: “Why you fucking pimp, you can go fuck yourself, you rat bastard. You’ll have that girl lying on her back fucking for you all her life, you bastard, you can go fuck yourself.”74 In the end she paid Smith and he destroyed the letters, and with them the only solid evidence that the FBI had of a Mann Act violation. Thus, the agents and U.S. attorney built their case around the wiretap and Smith’s testimony.75

In building their case against Reed, FBI agents portrayed her as a “rather degraded type of individual,” alleging that Reed’s house catered to customers who had deviant sexual desires.76 The lead agent on the case noted that Reed’s house “catered to black and white trade and also, on numerous occasions, ‘fairies’ were imported for the purpose of filling commercial dates with her clientele.”77 In all likelihood, the agent overstated the degree of interracial and homosexual sex available at Reed’s establishment; if her business really “catered to the black and white trade” certainly she would have had an African-American prostitute on staff (which she did not). However, as a madam of a house catering to the most exclusive of clientele, Reed certainly tried to keep her customers happy and did what she could to satisfy their desires. Consequently, when she had a client who preferred young, school-age black girls, Reed contacted Gail Rogers. Rogers, a 21-year-old African-American prostitute who looked much younger than her years, dressed the
part for the white customer and earned $20.00 (indicating that the client was probably charged $40.00 for the indulgence). Similarly, Reed had a standing arrangement with Walter Spitzel, a Viennese call-house operator in Greenwich Village. Spitzel described himself as follows: “Due to some unexplainable trick of nature, I was born with feminine characteristics and am what is commonly termed a ‘fairy.’” As a result of his own sexual orientation, Spitzel’s call house featured both gay male and straight female prostitutes. Whenever Reed has a client who preferred men, she asked Spitzer to send her “a fairy,” for which Spitzer received a small tip (usually $5.00). Testimony at trial about Reed’s support of what was seen as deviant sexualities (interracial sex and homosexual sex) served to construct a picture of her as a madam of perversity in the eyes of the jury, which took only 20 minutes to return a guilty verdict.

Deviant sexualities figured prominently in the investigation of the final New York City Vice Queen targeted by the FBI in 1936—Lucille Malin (aka Christine Williams, née Lucille Hyman). Before Malin had become a madam, she enjoyed notoriety for her marriage to Jean (Gene) Malin, one of the most famous and celebrated female impersonators of the 1930s who died in a freak automobile accident on Venice pier in California in August 1933. Jean Malin, whose shows prefigured the “pansy craze,” was widely perceived to be homosexual. Consequently, his 1931 marriage to Lucille prompted the New York Daily News to publish the headline: “Jean Malin Marries Girl!” Before the FBI had peeled back the curtains to her call house bedrooms, Lucille Malin was already heavily associated with deviancy.
In the summer of 1936, a client of Malin with revenge on his mind reported to the New York office of the FBI to accuse Malin of white slavery. The client, Henry A. Alker, Jr., informed the FBI that Malin maintained luxurious apartments filled with beautiful prostitutes to service members of the New York Stock Exchange and out-of-state brokers. He claimed that James Donohue, one of the Woolworth heirs, staked Malin in her call houses and was intimately involved in their operations. When pressed, Alker admitted that he had balked at paying what he saw as Malin’s “exorbitant” fees after a visit to her house, and as a result she had contacted his father-in-law and almost cause a breech in his marriage. Regardless of the dubious origins of the case, Hoover scrawled on the summary of Alker’s claims that read, “We should press this case as it looks like it might be a good one. –JEH”

A brief investigation into Malin’s operations revealed that with Scheible in jail, Malin was rumored to be the largest call house operator in New York City. On average she had twelve girls working in her Upper East Side apartment, including some African-American women and some prostitutes who were “alleged to be Lesbians.” In November 1936, FBI agents and NYPD police conducted a spectacular raid of her home, arresting Malin and five prostitutes, including one who “was clad in expensive evening clothes and an ermine wrap and returned to the Malin brothel in a Rolls Royce automobile” just as the raid was being concluded.

Aware of the fate of Scheible, Malin once in custody, admitted to running a $20.00-minimum call house and violating the White Slave Traffic Act. The U.S. attorney in the case suggested to Hoover that given Malin’s cooperation, the FBI should suspend its investigation into her call house activities. Malin may have
expected to get off with a fine for her cooperation in pleading guilty, but the judge in the case disappointed her by sentencing her to serve one year in jail and pay a $1,000 fine. When he read her sentence journalists reported that she cried, “It’s not fair! It’s not fair!” as she was taken out of the courtroom.89

Even with the Malin case concluded, the FBI continued to follow her career as a madam well into the 1950s. When she bought a house in Florida in 1948, the FBI conducted another investigation into a White Slave Traffic Act violation (which never went to trial). The investigation focused on the fact that Malin’s houses were known to cater “almost exclusively to sex pervert” and that she, herself, was a lesbian in a relationship with a 21-year-old ex-WAC musician.90 Malin’s long participation in the marginal world of homosexual New York may have prompted her quick plea of guilty in the 1936 case. Polly Adler, a contemporary of Malin’s, noted that in her brothels throughout the 1930s it was increasingly necessary to meet the desires of wealthy clients who wanted same-sex experiences. As a result by 1935, she wrote, she was running a “co-educational bordello” that served male and female customers.91 When Adler was arrested in March 1935, she quickly pled guilty to protect her customers’ secrets, which could have come out through cross-examination in a trial.92 Similarly, Malin would have had both customers and employees to protect from the harsh light of the courtroom.

In the cases of Scheible, Reed, and Malin, the FBI focused on the wealth the call house madams generated and their exclusive addresses. All of these madams worked on the Upper East Side. Scheible’s house was located at 74th and Park, Reed conducted her business at 55th and Park, and Malin’s house was at 56th and 2nd
Avenue. The Depression had driven down prices in the Upper East Side, resulting in many “expensive apartments to be had at reasonable rates.”

Additionally, according to Adler, if a high-class madam wanted to retain her wealthy customers in 1930s she had to move to the Upper East Side because kidnapping had grown to be such a threat for the rich that they refused to go into areas of the city perceived as unsafe. By traversing class boundaries by moving uptown, these madams made themselves a target of the FBI. In the spring of 1936, one of Adler’s police informants (read: customer) warned her to get out the “silk stocking district” because the FBI was about to launch an investigation into her brothel. She immediately closed up her house and relocated downtown, thus avoiding the fate of Scheible, Reed, and Malin.

The FBI targeted vice amid wealth. The FBI’s cases against the Vice Queens repeatedly emphasized the seemingly incredible amount of money they earned from their exploitation of the sexual labor of other women. For example, the FBI noted that Reed charged $20.00 a minimum for a date and $100.00 to book a prostitute overnight, and some dates could easily cost as much as $1,000.00 for a single engagement. In the Malin case, reporters noted that FBI agents celebrated descriptions of her swanky abode. According to one account, “Mrs. Malin’s luxurious establishment, wherein a number of exquisite blondes and brunettes, together with a few sepias beauties, disported themselves for the exclusive entertainment of the moneyed men, made the institutions conducted by Polly Adler and Mae Scheible look like East Side flop joints, the G-Men said.” Such wealth generated by the sexual labor of young women struck many as criminal perversion in a country grappling with the Great
Depression. In each of the three cases, the FBI turned the defendants over to the Treasury Department to be investigated for failure to properly pay taxes to ensure that the women were held accountable for the wealth they earned but hid from the government.98

In the FBI’s investigations the Vice Queens were reduced to venal madams whose primary motivation of greed distorted their femininity. These women dominated the men in their lives (who were all but invisible in both the investigations and the press reports of the cases), and they sold their sisters’ most precious belonging—their sexuality. They accumulated vast wealth while the rest of the country suffered deprivation. Throughout the investigations and trials of the Vice Queens the madams were painted as outcasts, and the FBI’s G-Men emerged as defenders of respectability.

Missing in the FBI portrayals of high-end prostitution were the Vice Queens’ many respectable partners who benefited from their work and whose respectability was carefully protected by the FBI. Wealthy men who patronized the Vice Queens’ establishments saw no punishment—social or legal—for their participation in breaking the law. The FBI carefully protected these men, their marriages, and their right to purchase sex. Just as the call house customers remained invisible, so did the many other respectable people who profited off of the call houses. Adler writes of the endless bribes that cut into her bottom line; bribes to landlords, elevator boys, club owners, police men, lawyers, politicians, doctors, cooks, maids, and so on. Quoting another madam, she wrote: “I, as the madam am the outcast . . . but my partners rake in a profit and still stay respectable. What’s more is that I help them
stay that way” by providing a place for them to conduct business and by giving them a target to “clean up” when election time comes around. By narrowing the focus of investigation to the perverse Vice Queens, the FBI implicitly condoned the “respectable” network of individuals who profited from vice, while providing the media with a familiar trope of distorted femininity. The reemergence of the trope of the greedy madam was matched only by the resuscitation of the myth of white slavery that blamed the degradation of white women on men of color.

**Colored Vice Overlords: The Case of Leon “Daddy” Smith**

On April 25, 1936, from the steps of the Department of Justice building in Washington, DC, J. Edgar Hoover announced that the FBI had cracked a “ring of negro men engaged in transporting white women from Chicago to . . . Harlem.” Emphasizing the perversion of the male breadwinner model and the disruption of the racial order, Hoover concentrated on how the African-American men enjoyed the fruits of the white women’s sexual labor while loafing about in leisure. Hoover’s announcement that the FBI had cracked an extensive “Ring of Negro Men” prostituting white women generated news stories for the next week. Even more shocking, on the day after the initial announcement newspapers reported that the G-Men had discovered a manual written by one of the pimps that outlined the best practices for gaining a stable of white prostitutes. According to sensational newspaper stories, the suggestions included encouraging alcohol or narcotic dependency, infection with a venereal disease, purchasing young girls from “impoverished parents” and “in extreme cases, to hold attractive girl slaves,
procurers were advised to marry them.” At the heart of the newspaper stories was 36-year-old, African-American Leon Richard Smith, who was described as “smartly dressed” and accused of forcing the white girls “to prostitute themselves with negro men.” With apparently incontrovertible evidence the FBI and U.S. attorney seemed to have rescued innocent white girls from the grasps of immoral men; halted the sexual mixing of the races; and helped to lock away a group of “colored vice overlords.” A closer look at the case reveals a much more complicated picture than the one presented by the racially hyperbolic language that filled newspaper reports.

First, the attentions of the DOJ and FBI focused on Leon Smith, who in addition to running white prostitutes had also violated the racial order by marrying a white woman—Shirley Smith. But the “young girls” who the FBI had “rescued” from Smith’s clutches were hardly the innocent ingénues portrayed by the press. Of the three white women, one was Smith’s wife of eleven years, Shirley, and the others were 31-year-old Dorothy Moritz and 35-year old Betty Tobin. All of these women had practiced prostitution independently and in concert with Smith for many years. They professed to enjoy the opportunities for making additional money that Smith provided them. Indeed Moritz and Tobin remained so loyal to Smith that the U.S. attorney held them as material witnesses for over a year, but when the trial occurred he never put them on the stand because they were “extremely hostile,” and he knew they would recant all of the statements they had made when initially arrested. Essentially, the women’s agency undercut the arguments of racialized white slavery that the Government’s case relied upon.
New York City police officers arrested May “Toots” Brown, a white prostitute, for solicitation on the evening of April 7, 1936. When the officers discovered that Brown came from Chicago they suspected that she had been trafficked to New York by a third party. Although Brown refused to finger anyone, the officers called in the FBI to investigate a possible violation of the White Slave Traffic Act. Upon releasing her from custody on April 10, the FBI agents put a tail on her, and when Brown got into the car of African-American Richard Calhoun the agents arrested the couple, convinced that Calhoun was Brown’s pimp.\textsuperscript{107} While the couple remained in custody over the weekend, agents searched their apartments. As the agents searched Calhoun’s place, several friends called on his home, including a group composed of three black men and one white woman. The presence of the white woman raised the agents’ suspicions, and they arrested the entire group for questioning.\textsuperscript{108} After concluding that these people were “very hard and seasoned types of people of their kind, [who] refused and avoided in every way to give any information which would incriminate them,”\textsuperscript{109} agents released all except the woman, Jean Lamar, and her boyfriend of 12 years, Thomas Fitzgerald. They held the couple over the weekend and searched Fitzgerald and Lamar’s apartment, where agents discovered a four-page, hand-written “Manual.”\textsuperscript{110} Meanwhile, agents staking out the apartment noticed that Leon Smith had come to call. They put a tail on Leon Smith’s car, and when he went downtown to pick up Dorothy Moritz, FBI agents arrested both of them. With the arrest of Leon Smith, FBI agents felt that they finally had the type of pimp-trafficker that they had been searching for. His arrest led to the 3 AM arrest of Betty Tobin, followed by the arrest of Shirley Smith the next day.\textsuperscript{111}
The most notable thing about the FBI's haphazard investigation was that the presence of white women among black men repeatedly formed the trigger to federal intervention. Indeed, within the first few days of the investigation the bureau’s New York office of the bureau was advising its Chicago office to conduct a similar investigation into the “‘black and white’ situation” within its city.\textsuperscript{112} Not merely a crack down on vice and prostitution in New York, this dragnet was specifically targeted at any instances of black men involved with white prostitutes. When interrogating one witness, the special agents demanded that he name all the “colored individuals in Harlem who might have white girls hustling for them.”\textsuperscript{113} Interracial sex markets and black male control of and profit from white sexual labor was the aim of this investigation, and Leon Smith’s relationships with Shirley Smith, Dorothy Moritz, and Betty Tobin comprised an ideal target for the FBI.

In Smith’s first statement, which she later said she made under duress, she admitted to working as a prostitute before her marriage in 1925 and to irregularly prostituting since then. But she was very careful to claim that she did so on her own volition, without any encouragement from her husband.\textsuperscript{114} Later statements provided more detail in terms of the fees she charged her clients, sporting conditions in Chicago, and her relationships with Tobin and Moritz; but still she refused to implicate Leon Smith in her practice of prostitution.\textsuperscript{115} Betty Tobin was similarly tightlipped about her relationship with Leon. She told agents, “No one pimps for me nor does anyone share my earnings.”\textsuperscript{116} Only Dorothy Moritz wavered in her statement, causing one agent to characterize her as “the weaker of the three” women.\textsuperscript{117} In her initial statement she admitted to giving Leon Smith a portion of
her earnings from prostitution, and she confessed that in Chicago she, Shirley Smith, and Betty Tobin were known as Leon’s girls.\textsuperscript{118} However, the moment that federal authorities released Moritz, she repudiated her statement, claiming that everything she said while in custody was a lie, that she only made any statement so that agents “would leave her alone.”\textsuperscript{119} Nonetheless, agents and the U.S. attorney believed that they could put together a solid case proving that Leon Smith had induced Shirley Smith, Betty Tobin, and Dorothy Moritz to travel from Chicago to Boston to New York City for the purpose of prostitution, thus violating the White Slave Traffic Act.

It was the irregularity and interracial nature of the Smiths-Tobin-Moritz relationship that drove the investigation forward. Betty Tobin got to the heart of the motives for the roundup when she asserted, “I also wish to state at this time that I have no personal prejudice against colored people or against colored and white people marrying or living together.”\textsuperscript{120} Agents remained perturbed that Leon Smith had keys to the apartments of all of the women involved and had exchanged love letters with each. He referred to Dorothy as “sweetlips” and “my sugar,”\textsuperscript{121} Betty as “Mrs. Hill” (his primary alias was Leon Hill), all while living with his legal wife Shirley. Agents even refused to believe that Shirley Smith and Leon Smith were legitimately married although from their first interviews both claimed the same wedding date and later produced their marriage certificate. Continually, the agents referred to the marriage as “alleged.”\textsuperscript{122} For the agents, the violation of the nominally faithful or at least serially monogamous notion of marriage pointed to a larger pattern of deviancy within this group of people. After the trial when Shirley Smith complained about being forced to testify against her spouse, the prosecuting
attorneys questioned the very validity of her marriage, “Leon Smith lives with at least two other women as man and wife under the names King and Hill,” they asserted, thus suggesting that Shirley Smith did not deserve the privilege of spousal immunity that protected an individual from being forced to testify against her/his spouse in court. According to the U.S. attorney, in spite of her claims of marriage, Shirley was “merely one of four prostitutes who travelled with him as ‘wives.’”

When the Grand Jury convened in early October, the U.S. attorney required all of the material witnesses—the white women—to testify before the Grand Jury. First, Shirley Smith was called to testify how she had become Leon Smith’s victim, but instead she told the Grand Jury about the treatment she received at the hands of FBI agents when they first took her into custody, testifying to being held against her will for six days, threatened with the loss of custody of her son, and deprived food and blankets. The foreman told her “they were not interested in any such fairy stories and refused to consider any of this so called testimony.” After listening to the testimony of the three victims, FBI agents, and some police officers from Boston, the Grand Jury decided to file indictments against not only Leon Smith, but also Shirley Smith as his co-conspirator. In this moment the Grand Jury transformed Shirley from victim to defendant, based largely on self-incriminating testimony.

As a result, when the trial against the Smiths began in late April 1937, Shirley Smith became an object of media speculation. Reporters commented on her appearance—“an elaborately coiffed redhead”—and newspapers like the New York American published photos of her hiding her face behind her hands. Meanwhile, the U.S. attorney and FBI agents silenced the presumptive “victims”—
Dorothy Moritz and Betty Tobin. Both Mortiz and Tobin had recanted their initial statements and both insisted that if put on the stand they would not testify against the Smiths.\textsuperscript{129} Instead of questioning the women, the U.S. attorney, had them “paraded” before the jury “more than a dozen times during the trial of the case.”\textsuperscript{130} In other words, the women were prominently placed in the front row of the courtroom. Thus, the women’s whiteness was displayed before the jury without being complicated by the women’s own agency.

The Smiths’ trial neatly focused on the criminality of interracial sex. In terms of the technical requirements of a Mann Act violation, the case was weak. Back in 1924, Shirley Smith had been involved in a different Mann Act case and would have been intimately aware of the parameters of the law and how to avoid prosecution.\textsuperscript{131} Furthermore, it was common knowledge that black men faced trouble if they travelled though big cities with white female passengers; one suspect admitted that he did not travel with his white girlfriend “because I did not want to drive through large cities with a white girl.”\textsuperscript{132} The government had no evidence that Leon Smith paid for, facilitated, or even induced any of the women to travel across state lines. The only witness that attested to his guilt was one who was trying to escape his own charges and whose testimony was based on hearsay. In the absence of concrete evidence, the government built its case by stressing interracial sex.

In his opening statement, the U.S. attorney charged that Smith and his cohorts moved a group white women from city to city, living off of the earnings in lavish style. He called it “a troupe of traveling joy,” and claimed “Smith's minimum income was $500 a month.”\textsuperscript{133} He argued that the group was so well organized that
it had produced a manual that detailed how to keep white women subjugated and he promised to enter this infamous manual into evidence. He questioned the validity of the Smiths’ marriage, noting that Leon acted as both Tobin’s and Moritz’s husband in all but name. Moreover, he pointed to the limitations of Leon Smith’s control over the women due to his race. He told the jury that it was obvious that Leon Smith “could not appear” in Midtown, but that the fact that the women prostituted themselves in Midtown and returned to Harlem to give their earnings to Smith demonstrated the extent to which he had them in his thrall. Finally, in his closing argument he asked the jury to “fire a shot that will be heard throughout Harlem” by returning a guilty verdict, which it did May 1, 1937.

Throughout the investigation, trial, and subsequent attempt at appeal, the number one fact that the Government pointed to repeatedly was that Leon Smith was a “colored man, [who] at one time or another received the earnings from the prostitution of three white girls.” Frustrated with the narrow focus on race, while trying to get the case appealed, the defense attorney exclaimed “there is not one scintilla of evidence found on these pages [of the trial record] to substantiate the statement that the three persons named are white girls.” He stated that if race truly had bearing on the case then the racial identity of each “victim” needed to be established. He noted that the repeated “parading” of Tobin and Moritz before the jury had created “an atmosphere of prejudice.” Furthermore, he contended that the constant characterization of the three women as “girls” was unfair in that it mischaracterized the women and their experience. Nonetheless, sensationalism,
racism, and the policing of normative marriage patterns carried the day, and the conviction of Leon and Shirley for violating the White Slave Traffic Act stood firm.

The Smith case displayed Hoover’s FBI and the Department of Justice upholding class and racial hierarchies as well as bolstering gender and moral hierarchies. The U.S. attorney’s cynical use of Tobin and Moritz as sexual objects to be seen and not heard demonstrates the ways in which race, gender, and sexuality overlapped and interwove to construct and maintain the American racial caste system. The women’s agency, or their voices, directly contradicted the narratives of sexual victimhood and racial deviancy that the government’s case against the Smiths hinged on.

J. Edgar Hoover tagged the Smith case as an “interesting case,” a designation that Hoover had created in 1927 to provide the media with useful information about the bureau’s activities. With the War on Crime, the Interesting Case Program became the public relations division for the FBI. Easily accessible summaries of cases were composed and filed away, ready for the moment when they might be needed.141 In the write-up of the Smiths’ case, Shirley was demoted from co-conspirator to that of one of Leon’s victims. Erasing her agency, the file stated that Leon “placed his wife” in prostitution immediately after their marriage.142 Furthermore, the summary, like newspaper accounts, focused on the centrality of the Manual that detailed how to get and keep a prostitute,143 even though that item was allegedly found in the apartment of Thomas Fitzpatrick and Jean Lamar and had no apparent connection to the Smiths. Although the U.S. attorney mentioned the manual in his opening statement, he never entered it into evidence. Yet, throughout
the case against the Smiths, from the moment of their arrests to the public relations summary written after their conviction, the manual repeatedly appeared as a sensational tidbit of damning evidence.

The manual itself is a fascinating piece of evidence. It was comprised of four sections: the first described physical, sexual, and social traits desirable in choosing a girl; the second detailed such methods for keeping a girl captive; the third advised prostitutes how to choose a house in which to work; and the fourth section expanded on the legal risks of using vehicles for prostitution. The FBI, in the information it leaked to the press and in its public relations summary, focused on the most lurid part of the manual—the section about captivity. The FBI’s calculated publicizing of the manual in connection with interracial prostitution constructed a picture that was reminiscent of 1910s-era white slavery tracts. The re-emergence of the language of white slavery suited Hoover’s political agenda for expanding his bureau, while re-racializing the Mann Act in popular culture. In Hoover’s telling white girls were again endangered by non-white men, and only the FBI’s G-Men could protect them.

CONCLUSION

It was no coincidence that the FBI dusted off the decades-old Jack Johnson case file in the months after the conviction of Leon Smith to write an “interesting case” summary. That summary, written for the media in the 1937, contended that Johnson routinely beat the white women who traveled with him and implied that those who were able to get away from him became productive wives, whereas those
that stayed with him either died or became irreversibly dissolute. Thus, Hoover’s public relations arm justified the 1913 persecution of Johnson as a case concerning the protection of white women, just as the locking away of Leon Smith and his wife Shirley would ensure that the methods outlined in the manual would be forgotten and white daughters would again be safe from black men.

The interesting case write-ups for the Mae Scheible and Lucille Malin cases reintroduced the perversity of wealth earned by these Vice Queens through despicable business practices, distorted femininity, and depravity. The FBI’s discussion of Scheible’s case focused on how she cheated customers and employees alike. It painted a picture of her uncontrollable greed and her corrupting influence on the police. It purported to demonstrate the ways that Scheible manipulated the men around her with proclamations of love, while in reality operating as a “shrewd call house madam” The write up for Malin’s case emphasized the wealth generated. It noted that her apartment cost $10,000 a year and was “lavishly furnished, containing French beds and giving every appearance of being modeled like a French brothel.” Malin’s deviancy was proven by the fact that she promoted interracial sex by keeping two African-American women on staff for white clients and that she lured employees by telling them that they would meet rich men and could have a chance of marrying one. Most damning of all, the FBI argued that Lucille Malin approached Mae Scheible during Scheible’s trial, and both, believing that Scheible would not found guilty, proposed that the two Vice Queens join forces. With Malin’s connections to the wealthiest New Yorkers and Scheible’s business acumen, according to the FBI, the two thought that they would make a fortune. In
the FBI’s telling, the careful investigations of the G-Men disrupted a vice-world merger that would have increased the power of both women and ensured that another generation of young women were preyed upon by the Vice Queens’ greed.

By reintroducing familiar tropes of white slavery into his vice investigations of the late 1930s, Hoover handed the media easily contained narratives of greed, exploitation, deviancy, and criminality that were highly racialized and gendered. In doing so, Hoover kept his G-Men in the public spotlight. Like the White Slave Division of the early 1910s, the vice raids of 1936 show the way that the FBI set images of masculine respectability—personified by the G-Men—against the deviancy of the criminal underworld—personified by the Vice Queens and the Colored Vice Overlord—that confirmed a narrative of the protection of innocence. In this telling the sexual agency of the “victims” was repeatedly erased and the FBI reinvented them as either victims of unrealistic dreams (thwarted love) or victims of greedy and duplicitous employers. Thus the victims were re-imagined to be innocent in the sense that they lacked culpability.

The FBI pursued the cases discussed in this chapter for their narrative elements rather than their true impact on shutting down interstate prostitution. In all of the cases discussed, the fates of less than twenty prostitutes (victims) were “saved.” Yet the vice raids in Connecticut and Atlantic City conducted by the FBI the same year, touched the lives of hundreds of prostitutes who worked on a sex circuit that was significantly more exploitive. Girls in this circuit and others like it were taken from house to house each week where they typically serviced 75 men a night, handing half their earnings to the brothel owner, a cut to the brothel doctor, and the
rest to their pimps who booked them for their engagements.\textsuperscript{147} The Connecticut and Atlantic City raids pointed to the ways in which legitimate business and government often are intimately intertwined with illegal markets. These investigations uncovered substantial police corruption, the use of sexual tourism by city boosters, and the ways in which respectable middle-class business men and professionals contributed to and profited from the world of vice. The connections between legitimate and illegitimate economies, markets, and societies could not be easily explained in newspaper copy, and cases that looked at these connections could disrupt local power structures whose members frequently pushed back against outside interference. Hoover's FBI experienced all of this in the Connecticut and Atlantic City investigations.\textsuperscript{148} Thus the simple narratives of the cases of the Vice Queens and the Colored Vice Overlords served Hoover's need for positive publicity in a more tangible manner with considerably less labor on the bureau's part. But by resuscitating old tropes for the media, Hoover's FBI chose to cynically use the Mann Act to prop up its own importance instead of using it to explore cases of interstate trafficking that profited criminal and respectable men alike at the expense of women's sexual labor.
NOTES

1 “‘G’ Men Plan Drive on Vice-Hope to Purge Nation of White Slavers, Racketeers and Gamblers,” Milwaukee Journal, 8 Feb 1936.
3 By 1910, feminists active in the international anti-white slavery movement began arguing for a change in terminology because they feared the term “white slave” could be perceived as too exclusive and was not at all accurate to what the movement was attempting to do, that is, protect all women regardless of race. Now certainly some anti-white slavery activists operating on the international level were only interested in white women (usually their national compatriots), those most active in transnational groups shied away from discussing prostitution in this type of racialized way by the mid 1910s. By 1921, the phrase the “traffic in women and children” emerged as the preferable to white slavery, in that it was seen as more precise and nicely hedged issues related to force/choice dichotomy. For more on feminists in the international white slavery movement see: Jessica Pliley, “Claims to Protection: The Rise and Fall of Feminist Abolitionism in the League of Nations’ Committee on the Traffic in Women and Children, 1919-1937,” Journal of Women’s History (Winter 2010).
6 Theoharis and Cox, The Boss, 123.
10 Theoharis and Cox, The Boss, 129.
11 Ibid., 130.
12 Ibid., The Boss, 138.
13 Potter, War on Crime, 110.
14 Elizabeth Clement argues that Prohibition led to a bifurcation of the sex industry—legal dance halls, movie houses, and burlesque theaters that only served soda on the one hand, and speakeasies patroned by prostitutes and madams operating outside the law on the other hand. But both sides of the New York City sex industry saw repeated crack downs during the 1930s. See Elizabeth Alice Clement, Love for Sale: Courting, Treating, and Prostitution in New York City, 1900 – 1945 (Chapel Hill: University of North Carolina Press, 2006), 178-211 and Andrea Friedman, “‘The Habitats of Sex-Crazed Perverts’: Campaigns Against Burlesque in Depression-Era New York City,” Journal of the History of Sexuality 7, no. 2 (Oct 1996): 203-238.


“J.E. Hoover’s Men Working on Vice,” New York Sun, 8 Feb 1936.


“I.C. #31-42685 The Connecticut White Slave Ring,” 38-56, RG 65 Records of the Federal Bureau of Investigation - Interesting Case Write-Ups, Box 14, National Archives, College Park, MD.


Langun, Crossing Over the Line, 168.

Grittner, White Slavery, 148.

“3 More Held as Vice Probe is Continued,” New Haven Register 22 Aug 1936.


The most notorious NYC madam of the 1930s was Polly Adler, who in 1935 had been sentenced for running a disorderly house and served 30 days in jail. Adler would be under NYPD surveillance through much of 1935 and 1936 and was widely considered to be “too hot.”

Adler, A House is Not a Home, 301.


“I.C. #31-42481 Mrs. Mae Scheible, with alias,” page 3, RG 65, Records of the Federal Bureau of Investigation - Interesting Case Write-Ups, Box 14, National Archives, College Park, MD.

J.J. Keating, “Mrs. Mae Scheible, New York City, 31-42481-1,” 30 Sep 1935, page 9, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.

Ibid.; Clement, Love for Sale, 199.

Memorandum (undated and unsigned), Case 31-42481, Sec 4, Box 86, FBI White Slave Files.

E. A. Tamm, “Memorandum for the Director,” 8 Sep 1936, 31-42481-155, page 6, Case 31-42481, Sec 4, Box 86, FBI White Slave Files.

For example see: E.A. Tamm, "Memorandum for the Director, Re: Count Victor Lustig" 9 Oct 1935, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.

J.J. Keating, “Mrs. Mae Scheible, New York City, 31-42481-1,” 30 Sep 1935, pages 40-41, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.


“I.C. #31-42481 Mrs. Mae Scheible, with alias,” page 14, RG 65, Records of the Federal Bureau of Investigation - Interesting Case Write-Ups, Box 14, National Archives, College Park, MD.


E.A. Tamm, “Memorandum for the Director, Re: Count Victor Lustig, Mae Scheible, et al.” 10 Oct 1935, Case 31-42481, Sec 1, Box 86, FBI White Slave Files. However, it is entirely likely that Hoover kept a copy of the list in his personal files. Athan Theoharis, The FBI & American Democracy and J. Edgar Hoover, Sex, and Crime.


Bible Invoked By Attorney To Free Vice Queen,” New York Evening Journal 7 Apr 1936.

For example, J. Edgar Hoover to Mr. J. M. Keith, 9 Oct 1931, 31-42481-1, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.

J.J. Keating, “Mrs. Mae Scheible, New York City, 31-42481-1,” 30 Sep 1935, page 59, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.
Since 1934, Congress made wire-tapping illegal, though the FBI continued to engage in it. For criticism of this policy see, “Can G-Men Violate the Law?,” New Republic, 155, page 21, Case 31-42481, Sec 1, Box 86, FBI White Slave Files.

E. A. Tamm, Memorandum for the Director, 31-43024-90x, 19 Oct 1937, 31-43024-14, Case 31-43024, Sec 2, Box 93, FBI White Slave Files.


Agent P.J. Cotter, "New York City, Report 31-43024-41," 2 May 1936, pages 10-11, Case 31-43024, Sec 1, Box 93, FBI White Slave Files.

Agent R.E. Vitterli to Director Hoover, "31-43024-115," 7 Nov 1937, Case 31-43024, Sec 2, Box 93, FBI White Slave Files.


"Transcripts of the telephone wire tap on Reed's apartment", page 1, 9 Dec 1935, 7:40 PM, Case 31-43024, Sec 1, Box 93, FBI White Slave Files.

"Transcripts of the telephone wire tap on Reed's apartment", page 5, 12 Dec 1935, 10:55 PM, and page 6, 12 Dec 1935, 11:25 PM, Case 31-43024, Sec 1, Box 93, FBI White Slave Files.


Ibid.


For more on the career of Jean (Gene) Malin see Chauncey, Gay in New York, 314-328; for more on the phenomenal popularity of female impersonators in the early twentieth century see Sharon Ullman, Sex Seen: The Emergence of Modern Sexuality in America (Berkeley: University of California Press, 1997), 49-61.

EA Tamm, Memorandum for the Director, 28 Sep 1936, 31-43441-21, Case 31-43441, Sec 1, Box 95, FBI White Slave Files.

Ibid.

"Memorandum," 8 Nov 1936, Case 31-43441, Sec 1, Box 95, FBI White Slave Files.

MC Spear, Memorandum for the Director, 14 Mar 1936, 31-43441-2, Case 31-43441, Sec 1, Box 95, FBI White Slave Files.

"Memorandum," 8 Nov 1936, Case 31-43441, Sec 1, Box 95, FBI White Slave Files.

R. Whitley to the Director, 18 Nov 1936, 31-43441-44, Case 31-43441, Sec 2, Box 95, FBI White Slave Files.


Edward Schmidt to Director Hoover and Ass. Director A. Rosen, 8 Mar 1948, Case 31-43441, Sec 2, Box 95, FBI White Slave Files.

Adler, A House is Not a Home, 228.

Ibid., 259.

Ibid., 210.

Ibid., 240-241.

Ibid., 288.


Adler, A House is Not a Home, 302.

“Strike at Big White Slave Ring,” Moberly (MO) Monitor Index, 25 Apr 1936.

“3 Negro Chiefs of White Slave Ring Arrested,” Miami Tribune, 26 Apr 1936.


See F.M. Headley and E.R. Davis (New York City), “Subjects: Robert Lee Calhoun, Thomas Dennis Fitzpatrick, Robert Edward Smith, Garland A. Patton, Leon Richard Smith, 31-43643-27,” (1 Jun 1936), page 18, Case 31-43643, Sec 2, Box 97, FBI White Slave Files. The women—Shirley Smith, Dorothy Moritz, and Betty Tobin—recanted the statements that they had made to the FBI agents and U.S. attorney
the moment they were out of government custody and had consulted a lawyer. The assistant U.S. attorney’s characterization of Moritz and Tobin as “extremely hostile” can be found in F.M. Headley (New York City), “Subjects: Leon Richard Smith and Mrs. Leon Richard Smith, 31-43643-68,” (7 Oct 1936), page 26, Case 31-43643, Sec 3, Box 97, FBI White Slave Files.


109 Ibid., 17.


111 A.T. Deere, F.M. Headley and E.R. Davis (New York City), “Subjects: Robert Lee Calhoun, Thomas Dennis Fitzpatrick, Robert Edward Smith, Garland A. Patton, Leon Hill, 31-43643-9,” (23 Apr 1936), pages 48-61, Case 31-43643, Sec 1, Box 97, FBI White Slave Files. At the time agents did not have enough evidence of trafficking to build cases against Robert Calhoun, Thomas Fitzgerald, or Robert E. Smith and the U.S. attorney forced agents to free them. Later, successful WSTA cases would be built against both Thomas Fitzgerald (sentenced to 5 years and fined $2,500) and Robert E. Smith (sentenced to 5 years and fined $5,000), another African American man picked up in the dragnet.


114 Ibid., 81-84.


119 F.M. Headley (New York City), “Subjects: Leon Richard Smith and Shirley Smith,” (12 Dec 1936), page 34, Case 31-43643, Sec 3, Box 97, FBI White Slave Files.


121 Ibid., 61-62.

122 Ibid., 64.


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CHAPTER 8: CONCLUSION

“It has been said that the history of prostitution is the history of women.”

—Anna R. Powell, June 1888

The Mann Act remains most famous as the law that federal prosecutors used to unjustly target African-American boxer Jack Johnson in 1913. The strong association with the law and Johnson case within popular culture has been cultivated by historians like Gail Bederman and Kevin Mumford, American history enthusiasts like filmmaker Ken Burns, and by boxing fans like Senator John McCain (AZ- R). In 2009, McCain urged President Barack Obama to issue a posthumous pardon of Johnson, declaring, “We need to erase this act of racism against a great American citizen.” With Representative Peter King (NY- R), McCain introduced a resolution that passed both the Senate and House calling for a presidential pardon of Johnson to “expunge a racially motivated abuse of prosecutorial authority of the Federal Government from the annals of criminal justice in the United States.” To increase the pressure on the president, who has carefully avoided the Jack Johnson issue, boxing fans planned a three-day festival in July 2010 to mark the one-hundredth anniversary of Johnson’s victory over the Great White Hope Jim Jeffries. The festival culminated in a “Jack Johnson Pardon Dinner.” The many sports
editorial writers, boxing fans, and Jack Johnson supporters that have championed the pardon frequently characterize the Mann Act as an old-fashioned, out-dated, dead-letter law—a throwback to a different era. And to them, pardoning Johnson and publicly denouncing the Mann Act seems to be an easy and just act that the president should undertake. Yet, what these commentators fail to notice is that the Mann Act remains an important tool for the Department of Justice and Federal Bureau of Investigation (FBI). The FBI continues to utilize the Mann Act to police the moral boundaries of the country.  

A recent Mann Act case reveals a similar nexus of immigration, sex work, and policing masculine respectability that characterized early twentieth-century investigations to be still present in contemporary investigations. In December 2007 the Western New York Human Trafficking Task Force and Alliance (HTTFA)—a coalition between the FBI, U.S. Border Patrol, the Erie County and Niagara County Sheriff’s Offices, U.S. Immigration & Customs Enforcement, and victim services non-profit organizations such as the International Institute of Buffalo—cracked down on massage parlors suspected of selling sexual services. The raids of the four parlors resulted in the arrest of the owners (Hong Kong-native Che Ngan Tsui and his wife Len Wah Chong), the detention of nine “victims,” and juicy gossip that several local politicians had been instrumental in ensuring the proper zoning for the businesses and important officials like judges, immigration officers, and police captains were among the clubs’ customers. The raids led to Len Wah Chong, a 43-year-old Malaysian immigrant, pleading guilty of sex trafficking. She admitted to recruiting and harboring eleven women to work as prostitutes in her four massage parlors.
between August 2004 and October 2007. In exchange for her cooperation with the HTTFA, Chong received a lightened sentence of only five to six years in prison. She was also required to forfeit her properties, and pay a $350,000 restitution fee to be divided among the victims. Chong’s cooperation yielded four sensational Mann Act convictions of leading men within the communities of Western New York.

Chong revealed that her clientele list included a retired New York State Supreme Court Justice, a former prosecutor/supreme court clerk, a retired police captain, and several sheriff deputies. These men had, from 2001 to 2006, hired prostitutes from Chong and taken the women over state lines to regional and national conventions of the fraternal order of which they were members—the Royal Order of Jesters. The Jesters is an all-male, invitation-only fraternal organization with 191 chapters and 23,000 members that celebrates the pursuit of merriment and mirth. To ensure enough merriment, the retired judge, Ronald H. Tills, not only hired one of Chong’s employees, but he also engaged the services of a woman who he had a few years early from the bench sent to jail for prostitution. At a convention in Ashland, KY, Tills supplied the women with a hotel room, on the door of which, he posted a sign that read: “$70/hour.” For his role in violating the Mann Act, in May 2009 a federal judge sentenced Tills, who at the time was 74 years old, to serve 18 months in prison and pay a $25,000 fine. The conviction of the judge was the most sensational in the Jesters case, but convictions of Mann violations in connection to the case continue to be sought by U.S. attorney.
The fact that all of the men under investigation in the Jester case had ties to the criminal justice system certainly influenced the zeal with which the U.S. attorney’s office has pursued convictions. According the U.S. Department of State, the number one most troubling government practice concerning human trafficking is the complicity of law enforcement officials in trafficking offenses. Members of the criminal justice community in Erie and Niagara Counties expressed shock at the charges against these men. In addition to the troubling abuse of their positions that these men seemed to have engaged in when hiring prostitutes, their deviation from respectable (sober) masculinity led to special condemnation. The judge in Tills’ case declared, “It’s not a matter to be taken lightly . . . It involved the dehumanization of victims of human trafficking. . . . What you did was a disgrace to you, an insult to your wife and a disgrace to your profession.”

The women as the center of the Len Wah Chong and Jesters cases quickly disappeared from journalists’ stories. Newspaper accounts reported that the nine women were ethnic Chinese, most likely from Hong Kong, a city with a thriving (and oversupplied in terms of workers) sex industry. The U.S. Attorney leading the task force, Terrance P. Flynn, characterized the women in abolitionist terms that were reminiscent of early-twentieth-century white slavery reformers rhetoric. “These are extremely vulnerable women,” he proclaimed. “Did they come to America looking for a better life? Yes. But does anyone come to this country with aspirations to sell their bodies in a massage parlor every day to pay off debts? I would say no.”
Throughout the initial media coverage and subsequent stories about the case, the women’s voices remain mute.

Sex-worker activist and spokesperson for COYOTE (Call Off Your Old Tired Ethics) Carol Leigh expressed skepticism that the women in New York were actually sex slaves, arguing: “I think there is a moral panic surrounding prostitution and immigration. The government tends to take the position that anyone who comes here from another country to become a prostitute is a sex slave, and from my experience [talking with San Francisco massage parlor prostitutes], that is absolutely not true.” Leigh may be correct in that it is likely that the nine women detained in the raid had been sex workers prior to their arrival in Western New York. Furthermore, it is likely that these women were well aware of the type of work that they would be expected to perform. Len Wah Chong recruited the women through friends and newspaper advertisements in New York City. A friend of Chong also rejected law enforcement officials’ characterization of the women as sex slaves, noting that the women were free to leave the clubs and frequently traveled to New York City on the weekends.

Nonetheless, due to the fact that the women were illegal immigrants and thus vulnerable to coercion combined with the fact that some were in debt relationships with Chong, the U.S. attorney judged them to be victims of trafficking. According to the 2000 United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Human Persons (Palermo Protocol) that helps guide U.S. trafficking policy, an individual’s initial consent to practice prostitution is not “legally determinative.” If
after their consent has been granted they are held through debt, coercion, and psychological manipulation, then the Palermo Protocol and the U.S. Government defines them as a victim of trafficking regardless of their choice in the matter. Additionally, U.S. policy does not treat prostitution as “a valid form of employment.” U.S. Attorney Flynn pointed to the women’s vulnerability after Chong’s conviction, stating:

It’s seedy to think that she so quickly forgot what it meant to be an immigrant woman coming into this country—not having a skill, not having legal status . . . You would think as a woman she would be sensitive to the concerns of these women coming here . . . Obviously they're disadvantaged. They're in a world that they're not a citizen, maybe in a man's world, since it's the men who are paying for the services.

The women’s lack of citizenship status meant that they remained vulnerable even after they had been “rescued.” According to a researcher who interviewed victims discovered through anti-trafficking raids in New York, trauma and detention are the most common results from raids. Under the Trafficking Victims Protection Act of 2000 (TVPA), victims of trafficking, like the women in the Chong case, can apply for legal residency and welfare benefits in the United States. The TVPA is intended to prevent instances of trafficking, protect victims, and prosecute traffickers. But the TVPA’s definition of “victim” is predicated on that victim’s cooperation with law enforcement officials and their willingness to enable prosecution. Thus protection is tied to prosecution. Even with cooperation, getting a T visa, the type created for victims of trafficking, is an “exceedingly cumbersome” process mired with bureaucratic obstacles. Most troubling is the fact that government funds
that aid non-profit groups working with victims are barred from being spent on attorneys’ fees, including immigration attorneys who are necessary for applying for the visa. Consequently, applying for a T visa is often low in the priorities of victim services purveyors.\textsuperscript{25} Immigration and Customs Enforcement is authorized to issue 5,000 T visas a year, yet last year, only 313 were issued, indicating the difficulty in getting one.\textsuperscript{26} Although it is unclear what happened to the nine women at the center of the initial raid, it is likely that at least one of them cooperated with law enforcement to such a degree that she was able to apply for a T visa (one Chinese-speaking woman testified in the Tills case). In a fate that is remarkably similar to those of immigrant prostitutes found in brothels in 1910s, the others were probably deported.

Since the 2000 issuing of the Palermo Protocol international sex trafficking has again captured the interest, imagination, and organizing zeal of numerous activists throughout the globe. Like the white slavery narratives, current media representations of trafficking highlight the ignorance and innocence of migrant women while also emphasizing the role deceit plays in recruiting the victims. Also, in contemporary accounts, even the trafficked sex worker who seemingly has no innocence to lose is “rendered innocent by the ritual invocation of her poverty and desperation.”\textsuperscript{27} According to scholar and activist Jo Doezema, current policy makers are interested in “preventing ‘innocent’ women from becoming prostitutes, and keeping ‘dirty’ foreign prostitutes from infecting the nation.”\textsuperscript{28} She castigates policy makers for erasing the agency of sex workers who might choose to migrate to take advantage of economic opportunities. Doezema, a former sex worker and an
important theorist of transnational sex work, argues that current discourses that mirror earlier discourses of white slavery result in policies that overlook the myriad ways that voluntary sex workers are exploited; instead, adopting a labor rights perspective, she suggests the sex workers need to have the policy protections offered to other workers.\textsuperscript{29} However her proposal for adopting a labor rights perspective for framing sex work is naïve in the context of the United States where workers more generally rights have been systematically undermined since 1948.

These type of policy protections may not be enough. As this dissertation’s exploration into the enforcement of the Mann Act demonstrates, the bureaucratic culture that implements policy can be as important as the policy itself. Within the United States anti-trafficking measures continue to be as bound with issues of gendered innocence, loss of agency, and Orientalist othering of immigrant women as it was in the early part of the twentieth century. As women continue to migrate independently, and recent data has closely monitored the feminization of global migration, anxieties about lost domesticity and exploited sexuality abound. The centrality of women’s reproductive labor to understandings of what women can, should, and should not do, means that the underlying logic of most policy towards sex trafficking is extremely gendered, and seeks to conserve traditional domestic arrangements. Yet the language of trafficking, like the language of white slavery, does not treat the issue of prostitution as equally gendered for men and women alike. Throughout accounts of trafficking and prostitution, the male customers are invisible, protected by public policy and law enforcement. In the Chong case, the men prosecuted were those who seemingly took advantage of their positions as key
actors in the local criminal justice system and it was for this violation respectability and public trust that drove much the U.S. attorney’s action against them. The numerous male customers of the massage parlor remained hidden from all accounts of the case and any legal ramifications. Their very invisibility normalizes the idea of male sexual demand for prostitution, or what Carol Pateman has called male sex right.\textsuperscript{30} Even in the Jesters case mentioned above, the judge was castigated not so much for being a long-time customer of a brothel, but for disgracing his wife and the judicial bench he had once occupied.

The administrative agencies tasked with policing white slavery—the Immigration Bureau and Bureau of Investigation (BOI)—conceived white slavery as a problem of prostitution, both foreign and domestic. As a result of this formulation, enforcement of the Mann Act empowered the young BOI to police the movement of morally suspicious women across state borders at the same time that the Immigration Bureau increased it vigilance against immigrant women at the national borders. The project to fight white slavery (read, halt sex commerce) led to a significant increase of the federal government’s policing powers. Yet this growth was not merely an example of bureaucratic top-down growth. As early as 1911, private individuals sought the BOI’s assistance in solving the sexual crises their families faced. During the 1910s, when lawyers and judges debated the constitutionality of the law, the Department of Justice focused its attentions on cases of commercial prostitution or cases that resembled kidnapping or coerced seduction. But after 1917, when the Supreme Court offered the broadest possible
reading of the “any other immoral purpose” clause of the statute, the BOI had clear jurisdiction to pursue a larger variety of cases.

Not until the 1920s, under the leadership of J. Edgar Hoover, would the BOI quietly yet busily take up Mann Act cases characterized by their lack of a commercial element and the presence of sexual misadventures. The thousands of Mann Act cases investigated during this decade reflected and shored up the BOI’s interest in policing respectable domesticity, often by monitoring and disciplining the movement of women and girls. BOI pursuit of Mann Act cases in the late 1930s changed due to Hoover’s embracing of publicity for his agency (and his skillful manipulation of a wide variety of media to accomplish this goal) and the context of the rise in gangsterism and the concomitant War on Crime. Within this context, Hoover resuscitated tropes of sexual danger and female perfidy to increase the stature of the BOI, which by 1935 had been rebranded as the FBI. In reviving the language and narratives of white slavery, Hoover reintroduced racist and sexist tropes for the fiscal benefit of his agency. His success in this mission demonstrates the ways that these narratives of danger, exploitation, and migration continued to be salient. The White Slave Traffic Act had been passed by Congress to protect young white girls from the dangers posed to them by a variety of sources—the venal madam, the duplicitous pimp, the brothel, the city that housed the brothel, non-white men—yet by looking at the enforcement of the law we see that the statute has primarily been used to uphold domesticity and to quarantine vice conditions. Both of these goals were achieved by increasing the growth of state policing powers by policing appropriate sexuality and the bodies that deviated from respectability.
Enforcement of the Mann Act in the early twentieth century reminds us that the discursive, legal, and physical ties between the brothel and the home are many. That a law designed to police prostitution also policed domesticity should not come as a surprise, given the centrality of women to both institutions, and the embodiment of male sexual right in both spaces. As Lena Edlund and Evelyn Korn have noted in an admitted gross oversimplification, “a prostitute sells nonreproductive sex, . . . where as a wife sells reproductive sex.” But the man involved in these arrangements may actually be one in the same. The nexus of policing sex, under the clause of “any other immoral purpose” centered on the body of the woman. But as FBI agents policed the bodies of women they also policed appropriate male relationships to women’s bodies. The claims of fathers and husbands to women’s reproductive labor were upheld and men were expected to bear the responsibility of their paternal obligations. Thus, while women’s corporal bodies were policed, men’s respectability was also policed. The BOI/FBI’s enforcement of the Mann Act demonstrates the growth and activity of the paternal state in governing the reproductive (or nonreproductive in the case of prostitutes) activities of its citizenry.
1 Anna R. Powell, “The International Federation for the Abolition of State Regulation of Vice,” *The Philanthropist* 3, no. 6 (June 1888): 1.
3 George Kimball, “President’s Behavior is Unpardonable,” *The Irish Times*, 28 Jan 2010, 23.
5 George Kimball, “President’s Behavior is Unpardonable,” *The Irish Times*, 28 Jan 2010, 23.
6 For example, one recent case featured members of the declining Gambino crime family and alleges that the family participated in sex trafficking, thereby violating the Mann Act. Anthony M. Destefano, “First Sex-Ring Charge in Years, *Newsday* (NY), 21 Apr 2010, A20.

And another prominent 2009 case involved an Arkansas evangelist who a federal judge sentenced to a total of 175 years in prison and $250,000 after he was found guilty of ten counts of taking underage girls across state lines for immoral purposes. Andy Davis, “Alamo ‘Wives’ Win Redress, Pay 5 Abused As Young Girls $500,000 Each, Judge Orders,” *Arkansas Democrat-Gazette* (Little Rock, AK), 14 Jan 2010; Jon Gambrell, “Evangelist Draws 175 Years for Sex Crimes, Tony Alamo Gets the Maximum Sentence for Taking Girls as Young as 8 as his Brides,” *The Star-Ledger*, (Newark, NJ) 14 Nov 2009, 16.

The FBI has even tried to use the law as a tool for building cases against old crimes that use new technologies—individuals purchasing sex off of websites on the Internet. “Crossing the Line: Mann Act Manhandlers,” *Reason* 41, no. 8 (Jan 2010), 14.


12 Department of State, Trafficking in Persons Report, 31.
17 Ibid. Margo St. James, an activist and co-founder of COYOTE (Call Off Your Old Tired Ethics), has argued that prostitution needs to be treated as any other freely chosen type of economically rewarding labor. Judith Lorber, Paradoxes of Gender (New Haven: Yale University Press, 1994), 67. The sex worker position within feminists’ debates about prostitution has rightly been described as a neo-liberal position that first and foremost posits the sex worker as an individual capable of making rational economic decisions that embody her own free choice and agency. This rhetoric obscures the patriarchal and global capitalistic structure within which sex work gains its monetary value. For a great radical feminist critique of this approach see Sheila Jeffries, The Industrial Vagina: The Political Economy of the Global Sex Trade (New York: Routledge, 2009): 15-37.
19 Besecker and Herbeck, “Making a Case Against Exploitation.”
20 Two of the victims owed the owners $25,000 and $8,000. Ibid.
21 Department of State, Trafficking in Persons Report, 9.
22 Ibid., 8. This is according to the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.
25 Phone interview with Amy Fleischauer of the International Institute of Buffalo, 17 June 2010. For those interested in American action against trafficking should be aware of Freedom Network.
28 Doezema, “Loose Women or Lost Women?,” 37.


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